
Agenda

June 21, 2023 at 8:00 a.m.

Watershed Education Center (Vitale Park)

Lakeville, NY 14480

All attachments and reports may be found at

www.lcwsa.us

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes

- a. May 17, 2023 – Regular Meeting
- b. May 25, 2023 – Governance Committee Meeting

4. Reports

- a. Financial Report - May 2023
 - i. Approval of Financial Report
- b. Operation/Capital Report
- c. Executive Director's Report

5. Other Business

Resolution No.: 2023-22

RESOLUTION FOR AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NORTHERN BORDER REGIONAL COMMISSION

Resolution No.: 2023-23

RESOLUTION AUTHORIZING THE CREATION OF THE SENIOR ACCOUNT CLERK POSITION TO REPLACE THE SENIOR ACCOUNT CLERK TYPIST

Resolution No.: 2023-24

RESOLUTION ADOPTING UPDATED PERSONNEL POLICIES

6. Adjournment

Next Regular Meeting: Wednesday, July 19, 2023 @ 8 am

Unreviewed Minutes
REGULAR MEETING
May 17, 2023 at 8:00 am
Watershed Education Center (Vitale Park)
Lakeville, NY 14480

Members Attending: M. McKeown, B. Ceci, S. Beardsley, T. Saunders, and D. Higgins

Others attending: J. Molino (Executive Director), L. Monaghan (Deputy Director), M. Kosakowski (Director of Operations), R. Lewis (Principal Accountant), S. Wright (Secretary), and J. Campbell (Attorney)

Call to Order: 8:00 a.m.

Approval of Agenda:

Executive Session was added to the agenda.

Motion: B. Ceci moved, and S. Beardsley seconded to approve the agenda. Carried unanimously.

Approval of Minutes:

April 19, 2023 - Regular Meeting

Motion: B. Ceci moved, and D. Higgins seconded to approve the regular board meeting minutes dated April 19. Carried unanimously.

Reports:

Financial Report – April 2023

R. Lewis reviewed the Financial Report with the Board (on file with Secretary)

Motion: S. Beardsley moved, and T. Saunders seconded to approve the April 2023 Financial Report. Carried unanimously.

Operations and Capital Report

M. Kosakowski reviewed the Operations and Capital Reports with the Board (on file with Secretary).

Motion: D. Higgins moved, and T. Saunders seconded to approve the Operations and Capital Report. Carried unanimously.

Executive Director Report

J. Molino reviewed:

- The contract for auditing services is ready for renewal with an increase in costs of \$8,000 per year. J. Molino is considering an RFP for auditing services with the hopes of a two year contract with fees lower than the currently quoted \$20,000 per year.
- The AZKO committee has agreed to move the approved Leicester/York Regional Water Project scenario onto the Board of Supervisors for approval. The committee had three main goals with the project; increased volume, improved costs, and increased quality for the area affected by the salt mine collapse. Once approved, discussions will begin with the Village of Geneseo as well as operation agreements and the management of assets. J. Molino reviewed the recommended scenario with the Board.

Other Business:

Resolutions:

- 2023-16 RESOLUTION AWARDING A BID FOR GENERAL CONSTRUCTION FOR THE LAKEVILLE WASTEWATER TREATMENT PLANT CHEMICAL FEED SYSTEM (WQIP # C01652GG) *Motion: D. Higgins moved, and T. Saunders seconded to approve Resolution 2023-16. Carried unanimously.*
- 2023-17 RESOLUTION AWARDING A BID FOR ELECTRICAL CONSTRUCTION FOR THE LAKEVILLE WASTEWATER TREATMENT PLANT CHEMICAL FEED SYSTEM (WQIP # C01652GG) *Motion: S. Beardsley moved, and B. Ceci seconded to approve Resolution 2023-17. Carried unanimously.*
- 2023-18 RESOLUTION AWARDING A BID FOR WATER & SEWER SERVICE INSTALLATION AND REPAIRS AND WATER & SEWER MAIN REPAIRS *Motion: T. Saunders moved, and D. Higgins seconded to approve Resolution 2023-18. Carried unanimously.*
- 2023-19 RESOLUTION AUTHORIZING THE CREATION OF THREE (3) BUILDING MAINTENANCE MECHANIC POSITIONS *Motion: D. Higgins moved, and B. Ceci seconded to approve Resolution 2023-19. Carried unanimously.*
- 2023-20 RESOLUTION CLASSIFYING VARIOUS SEWER COLLECTION IMPROVEMENTS AS TYPE II ACTIONS IN ACCORDANCE WITH SEQRA *Motion: S. Beardsley moved, and T. Saunders seconded to approve Resolution 2023-20. Carried unanimously.*
- 2023-21 RESOLUTION TO AMEND AND RESTATE RESOLUTION TO APPROVE (A) THE ISSUANCE OF THE AUTHORITY'S BONDS; AND (B) A THIRTEENTH SUPPLEMENTAL RESOLUTION FOR THE INSTALLATION OF A NEW UV DISINFECTION SYSTEM AT THE GROVELAND WASTEWATER TREATMENT PLANT, A NEW CHEMICAL FEED SYSTEM AT THE LAKEVILLE WASTEWATER TREATMENT PLANT, AND VARIOUS SEWER COLLECTION IMPROVEMENTS *Motion: S. Beardsley moved, and B. Ceci seconded to approve Resolution 2023-21. Carried unanimously.*

Executive Session:

Motion: S. Beardsley moved, and T. Saunders seconded that the board reconvene in Executive Session at 9:53 a.m. for the purpose of discussions concerning the medical, financial, credit or employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof. Carried unanimously.

Motion: S. Beardsley moved, and B. Ceci to end the Executive Session at 10:33 a.m. with no action taken. Carried unanimously.

Adjournment – 10:38 a.m.

Motion: S. Beardsley moved, and B. Ceci seconded to close the meeting. Carried unanimously.

Unreviewed Minutes
GOVERNANCE COMMITTEE MEETING
May 25, 2023 at 10:00 a.m.
Watershed Education Center (Vitale Park)
Lakeville, NY 14480

Members Attending: B. Ceci, M. McKeown, and Ted Saunders

Others attending: J. Molino (Executive Director), S. Wright (Secretary) and J. Campbell (Attorney)

Review Current Personnel Policies

- **J. Molino reviewed the current personnel policies and discussed implementing the distribution of a Personnel Policy Binder for current employees and any new hires.**

Review and Discussion of updated Personnel Policies

- **Whistleblower Policy**
- **Drug and Alcohol Policy**
- **Policy Against Discrimination and Harassment**
- **Leave for Cancer Screenings and Claim Form**

Each policy was reviewed with the any proposed changes. The Policy Against Discrimination and Harassment had the most changes due to new State requirements. After the discussion, it was agreed to present the updated policies to the Board for approval for the June 21, 2023 meeting.

Next Meeting: Wednesday, June 28, 2023 @ 8 am

Livingston County Water and Sewer Authority

May 2023

Financial Report

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**May 2023
Revenue & Expenses**

REVENUE

2023 Budget Revenue -\$3,743,714

Year to date **\$1,342,995** **increase of \$117,185 over last year**
-Retail Fees represents billing through 4/30/23, next billing August 2023 for 5/1/23-5/31/23

-Retail Fees Increases \$88,144 *unit increases, sewer rate over 15,000*

Current Period **\$ 873,774**

EXPENSES

2023 Budget Expenses -\$3,739,387

Year to Date Expenses \$1,426,735 (approx. 38.2%) increase of \$180,721 over last year

-Wages \$ 114,978 *increased staff, wages*
-Health Insurance \$ 67,357 *increased staff, plan increases*
-Purchased Water \$ 16,826 *timing City of Rochester*
-Project Expense \$70,685 *I & I*
-Outside O & M (\$99,274) *new gl codes for sludge hauling, w/s install, w/s repairs*
-Sludge Hauling \$68,407

-Retirement (\$35,862) *No longer accruing*
-Customer Installs (\$49,304) *Meter Change Out Program*

Current Period **\$307,169**

Livingston County WSA
Statement of Revenues and Expenditures - Unposted Transactions Included In Report
From 5/1/2023 Through 5/31/2023

	Current Period Actual	YTD Actual	YTD Last Year Actual	Current Year Change	Total Budget	Total Budget Variance
OPERATING REVENUE						
Fees						
4110	845,140.63	1,160,922.40	1,076,778.50	84,143.90	3,416,888.00	(2,255,965.60)
4120	70.00	386.00	12,996.66	(12,610.66)	0.00	386.00
4125	17,335.85	89,609.31	58,766.79	30,842.52	0.00	89,609.31
	<u>862,546.48</u>	<u>1,250,917.71</u>	<u>1,148,541.95</u>	<u>102,375.76</u>	<u>3,416,888.00</u>	<u>(2,165,970.29)</u>
Permit Fees						
4200	6,295.00	37,390.00	44,519.89	(7,129.89)	45,000.00	(7,610.00)
	<u>6,295.00</u>	<u>37,390.00</u>	<u>44,519.89</u>	<u>(7,129.89)</u>	<u>45,000.00</u>	<u>(7,610.00)</u>
O&M Services						
4130	0.00	23,000.00	15,000.00	8,000.00	23,000.00	0.00
	<u>0.00</u>	<u>23,000.00</u>	<u>15,000.00</u>	<u>8,000.00</u>	<u>23,000.00</u>	<u>0.00</u>
Other Income						
4140	995.00	17,352.42	10,628.54	6,723.88	36,326.00	(18,973.58)
4160	3,937.50	8,090.65	4,625.00	3,465.65	0.00	8,090.65
4410	0.00	6,244.40	2,494.79	3,749.61	222,500.00	(216,255.60)
	<u>4,932.50</u>	<u>31,687.47</u>	<u>17,748.33</u>	<u>13,939.14</u>	<u>258,826.00</u>	<u>(227,138.53)</u>
	<u>873,773.98</u>	<u>1,342,995.18</u>	<u>1,225,810.17</u>	<u>117,185.01</u>	<u>3,743,714.00</u>	<u>(2,400,718.82)</u>
OPERATING EXPENSE						
Wages & Fringes						
5010	94,274.42	449,673.47	334,695.06	114,978.41	1,196,773.00	747,099.53
5020	2,357.78	15,603.29	21,557.01	(5,953.72)	46,782.00	31,178.71
5030	7,142.70	34,240.04	26,536.63	7,703.41	94,924.00	60,683.96
5040	0.00	19,186.41	55,047.98	(35,861.57)	139,874.00	120,687.59
5048	0.00	8,145.20	8,490.62	(345.42)	37,620.00	29,474.80
5050	26,589.57	181,875.25	114,518.47	67,356.78	363,601.00	181,725.75
5060	0.00	17,638.24	19,419.19	(1,780.95)	20,141.00	2,502.76
5070	197.58	7,826.95	2,361.79	5,465.16	15,000.00	7,173.05
	<u>130,562.05</u>	<u>734,188.85</u>	<u>582,626.75</u>	<u>151,562.10</u>	<u>1,914,715.00</u>	<u>1,180,526.15</u>
Professional Services						
6110	1,577.50	9,675.25	5,746.00	3,929.25	25,350.00	15,674.75
6120	0.00	950.00	39,410.00	(38,460.00)	25,000.00	24,050.00
6125	1,500.00	4,500.00	17,710.00	(13,210.00)	0.00	(4,500.00)
6130	395.50	24,495.02	23,516.98	978.04	18,300.00	(6,195.02)
6140	7,221.23	16,438.54	8,836.11	7,602.43	30,800.00	14,361.46
6150	14,000.00	46,806.60	40,500.00	6,306.60	112,000.00	65,193.40
	<u>24,694.23</u>	<u>102,865.41</u>	<u>135,719.09</u>	<u>(32,853.68)</u>	<u>211,450.00</u>	<u>108,584.59</u>
Utilities						
6200	0.00	0.00	67.23	(67.23)	0.00	0.00
6210	24,019.67	90,830.62	83,900.11	6,930.51	287,426.00	196,595.38
6220	1,417.62	9,230.72	11,832.64	(2,601.92)	33,600.00	24,369.28

Livingston County WSA
Statement of Revenues and Expenditures - Unposted Transactions Included In Report
From 5/1/2023 Through 5/31/2023

	Current Period Actual	YTD Actual	YTD Last Year Actual	Current Year Change	Total Budget	Total Budget Variance
6230 Telephone	1,405.98	6,870.36	8,785.47	(1,915.11)	23,707.00	16,836.64
Total Utilities	26,843.27	106,931.70	104,585.45	2,346.25	344,733.00	237,801.30
Vehicle Expense						
6420 Vehicle Maint	1,382.57	(356.89)	13,280.67	(13,637.56)	16,000.00	16,356.89
6430 Gasoline	10,689.04	9,932.76	8,415.57	1,517.19	37,600.00	27,667.24
Total Vehicle Expense	12,071.61	9,575.87	21,696.24	(12,120.37)	53,600.00	44,024.13
Purchased Water/Sewer						
6510 Purchased Water	31,483.87	92,700.64	78,929.15	13,771.49	376,908.00	284,207.36
6515 Purchased Water MCWA	17,335.85	74,420.70	43,999.88	30,420.82	0.00	(74,420.70)
6520 Purchased Sewer Treatment	8,050.60	9,975.10	10,067.58	(92.48)	79,500.00	69,524.90
Total Purchased Water/Sewer	56,870.32	177,096.44	132,996.61	44,099.83	456,408.00	279,311.56
Equipment Maintenance						
6610 Equipment Repair/Supply	232.24	7,893.48	561.48	7,332.00	13,125.00	5,231.52
6625 Small Equipment Purchase	1,744.77	15,755.06	5,091.99	10,663.07	72,155.00	56,399.94
6635 Equip Lease/Rental Contracts	0.00	0.00	0.00	0.00	65,000.00	65,000.00
Total Equipment Maintenance	1,977.01	23,648.54	5,653.47	17,995.07	150,280.00	126,631.46
Building Maintenance						
6300 Project Expense	0.00	75,186.40	4,501.20	70,685.20	0.00	(75,186.40)
6305 Water/Sewer Installs	10,700.00	10,700.00	0.00	10,700.00	0.00	(10,700.00)
6310 Outside O&M Services	(55,943.73)	26,716.92	125,990.83	(99,273.91)	241,500.00	214,783.08
6315 Water/Sewer Repair	6,307.83	6,307.83	0.00	6,307.83	0.00	(6,307.83)
6320 Laboratory Services	783.00	9,451.40	9,142.00	309.40	0.00	(9,451.40)
6325 Sludge Hauling	68,407.33	68,407.33	0.00	68,407.33	0.00	(68,407.33)
6350 Refuse Collection	233.66	2,705.65	4,224.98	(1,519.33)	9,800.00	7,094.35
6360 Cleaning Service	225.00	1,200.00	1,275.00	(75.00)	4,000.00	2,800.00
6620 Building Repair/Supply	13,308.70	43,597.48	45,476.46	(1,878.98)	183,178.00	139,580.52
6640 Customer Installation Supplies	250.26	258.00	49,304.46	(49,046.46)	38,908.00	38,650.00
Total Building Maintenance	44,272.05	244,531.01	239,914.93	4,616.08	477,386.00	232,854.99
Other Expenses						
6340 Uniforms/Clothing	319.84	3,524.54	1,786.16	1,738.38	7,050.00	3,525.46
6700 Permits, Fees & Inspections	1,149.30	1,196.80	740.00	456.80	23,915.00	22,718.20
6810 Postage & Freight	3,303.18	7,822.38	4,052.76	3,769.62	15,100.00	7,277.62
6820 Office Supplies	576.49	2,455.94	1,688.54	767.40	4,760.00	2,304.06
6830 Advertising	4,666.69	6,027.24	4,895.87	1,131.37	3,990.00	(2,037.24)
6840 Travel & Training	1,060.81	8,230.96	9,658.97	(1,428.01)	35,000.00	26,769.04
6890 Miscellaneous Expenses	0.00	(161.93)	0.00	(161.93)	0.00	161.93
6899 Prior Year expense	(1,198.32)	(1,198.32)	0.00	(1,198.32)	0.00	1,198.32
Total Other Expenses	9,877.99	27,897.61	22,822.30	5,075.31	89,815.00	61,917.39
Easements & Judgements						
6870 Easements & Landtaking	0.00	0.00	0.00	0.00	40,500.00	40,500.00
6880 Judgements & Claims	0.00	0.00	0.00	0.00	500.00	500.00

Livingston County WSA
Statement of Revenues and Expenditures - Unposted Transactions Included In Report
From 5/1/2023 Through 5/31/2023

	Current Period Actual	YTD Actual	YTD Last Year Actual	Current Year Change	Total Budget	Total Budget Variance
Total Easements & Judgements	0.00	0.00	0.00	0.00	41,000.00	41,000.00
Total OPERATING EXPENSE	307,168.53	1,426,735.43	1,246,014.84	180,720.59	3,739,387.00	2,312,651.57
GAIN/LOSS BEF DEPRECIATION	566,605.45	(83,740.25)	(20,204.67)	(63,535.58)	4,327.00	(88,067.25)
DEPRECIATION EXPENSE						
6910 Deprec Expense-non contrib	(63,369.80)	(316,752.16)	(246,282.69)	(70,469.47)	0.00	(316,752.16)
6920 Deprec Expense-contributed	(58,124.20)	(290,621.00)	(290,621.00)	0.00	0.00	(290,621.00)
Total DEPRECIATION EXPENSE	(121,494.00)	(607,373.16)	(536,903.69)	(70,469.47)	0.00	(607,373.16)
OPERATING GAIN/LOSS	445,111.45	(691,113.41)	(557,108.36)	(134,005.05)	4,327.00	(695,440.41)
NON-OPERATING REVENUE/EXPENSE						
Non-Operating Income						
4115 Retail Fees-Debt related	130,652.65	179,625.91	131,889.68	47,736.23	343,447.00	(163,821.09)
4300 Restricted Revenue	30.94	115.65	5.67	109.98	0.00	115.65
7110 Interest Income	10,688.87	35,687.00	9,053.73	26,633.27	0.00	35,687.00
Total Non-Operating Income	141,372.46	215,428.56	140,949.08	74,479.48	343,447.00	(128,018.44)
Non-Operating Expense						
8110 Interest Expense	(4,774.00)	(11,963.37)	(10,409.78)	(1,553.59)	0.00	(11,963.37)
8120 G/L on sale of Assets	0.00	19,350.00	0.00	19,350.00	0.00	19,350.00
8140 Debt Fees	0.00	(8,375.00)	0.00	(8,375.00)	0.00	(8,375.00)
Total Non-Operating Expense	(4,774.00)	(988.37)	(10,409.78)	9,421.41	0.00	(988.37)
Total NON-OPERATING REVENUE/EXPENSE	136,598.46	214,440.19	130,539.30	83,900.89	343,447.00	(129,006.81)
NET GAIN/LOSS BEF CONTRIB	581,709.91	(476,673.22)	(426,569.06)	(50,104.16)	347,774.00	(824,447.22)
CAPITAL CONTRIBUTIONS						
Grant Revenue						
9110 Grant & Donation Revenue	38,676.42	38,666.92	(443,295.53)	481,962.45	0.00	38,666.92
Total Grant Revenue	38,676.42	38,666.92	(443,295.53)	481,962.45	0.00	38,666.92
Contributed Capital						
9130 Contributed Funds	0.00	17,450.00	0.00	17,450.00	0.00	17,450.00
Total Contributed Capital	0.00	17,450.00	0.00	17,450.00	0.00	17,450.00
Total CAPITAL CONTRIBUTIONS	38,676.42	56,116.92	(443,295.53)	499,412.45	0.00	56,116.92
CHANGE IN NET ASSETS	620,386.33	(420,556.30)	(869,864.59)	449,308.29	347,774.00	(768,330.30)

Livingston County WSA

Balance Sheet

As of 5/31/2023

(In Whole Numbers)

	<u>Current Year</u>	<u>Prior Year</u>	<u>Current Year Change</u>	<u>Beginning Year Bal..</u>	<u>YTD Change</u>
CURRENT ASSETS					
Operating Cash	2,087,050	1,083,292	1,003,758	1,183,052	903,998
Debt Reserve	998,496	966,059	32,437	852,249	146,246
Accounts Receivable	692,523	485,766	206,757	1,113,036	(420,512)
Capital Contributions Receivable	25,733	29,046	(3,313)	57,289	(31,556)
Inventory	10,557	23,667	(13,109)	9,773	784
Prepaid Expenses	53,370	(13,133)	66,503	158,996	(105,626)
Funds held for Others	33,219	50,491	(17,272)	42,300	(9,081)
Total CURRENT ASSETS	3,900,948	2,625,188	1,275,760	3,416,696	484,252
Total Current Assets	3,900,948	2,625,188	1,275,760	3,416,696	484,252
NON-CURRENT ASSETS					
Restricted Cash	375,512	667,369	(291,857)	375,370	142
Capital Contrib Receivable, net current	461,463	632,064	(170,601)	592,057	(130,594)
Property & Equipment, Net Deprec	39,921,930	23,766,011	16,155,919	40,521,557	(599,627)
Work-In-Progress	2,123,068	9,438,967	(7,315,899)	1,457,413	665,655
Total NON-CURRENT ASSETS	42,881,973	34,504,411	8,377,562	42,946,397	(64,425)
Total Non-Current Assets	42,881,973	34,504,411	8,377,562	42,946,397	(64,425)
TOTAL ASSETS	46,782,921	37,129,599	9,653,322	46,363,093	419,828
CURRENT LIABILITIES					
Accounts Payable	1,724	127,342	(125,618)	62,612	(60,887)
Current Portion Loans Payable	3,125,221	2,801,104	324,117	2,067,468	1,057,753
Other Current Liabilities	0	(1,233,524)	1,233,524	1,112,704	(1,112,704)
Funds held for others	32,833	26,200	6,633	42,300	(9,467)
Total CURRENT LIABILITIES	3,159,778	1,721,123	1,438,655	3,285,084	(125,305)
Total Current Liabilities	(3,159,778)	(1,721,123)	(1,438,655)	(3,285,084)	125,305
NON-CURRENT LIABILITIES					
System Revenue Notes Payable	12,912,765	3,961,225	8,951,540	11,947,075	965,689
Total NON-CURRENT LIABILITIES	12,912,765	3,961,225	8,951,540	11,947,075	965,689
Retained Earnings & Net Position					
Retained Earnings	(31,624,212)	(32,317,116)	692,904	(31,624,212)	0
Net Income	410,362	884,632	(474,269)	0	410,362
Total Retained Earnings & Net Position	(31,213,850)	(31,432,484)	218,634	(31,624,212)	410,362
Total Net Position	47,286,393	37,114,832	10,171,561	46,856,371	430,022

Project Code	Project Name	Expenditures		Budget		Funding	Financing			Date Began	End Date
		Expenses	Capitalized	Budget	Balance		Grant/Contributed	Reserve	Debt		
DEBT & REIMBURSABLE PROJECTS											
31131	County Wide WaterSystem Improvements (EFC WIIA)	991,992.08	3,351,506.26	8,500,000	4,156,501.66	DO 18746	\$ 3,000,000	\$ -	\$ 3,842,000	7/12/2019	12/31/2024
31142	LakevilleWWTP Plant Phase 2 (EFC WIIA)	613,783.79	4,309,052.41	5,525,016.06	602,179.86	C8-6449-05-00	\$ 2,179,750	\$ -	\$ 5,525,016.06	1/1/2022	8/31/2023
31132	Groveland Sta WWTP UV/ Disinfection (WQIP)	36,209.98		747,524	711,314.02	01584GG	\$ 367,576	\$ 66,600	\$ 313,348	1/1/2022	5/1/2024
31121	Lakeville WWTP Chemical Feed Facility (WQIP)	30,000.00		484,850	454,850.00	111711	\$ 198,055	\$ 38,000	\$ 248,795	1/1/2022	12/31/2023
31450	Leicester/York Regional Water Project	261,777.50									
31455	Conesus Lake PS Improvements (EFC WIIA)	9,265.50		5,000,000	4,990,734.50	C8-6449-06-00	\$ 1,250,000	\$ -	\$ 3,750,000		
31475	2023 Sewer Collection Improvements			940,000							
		1,943,028.85			10,915,580.04						
GENERAL RESERVE PROJECTS											
Reserve Cash for Debt & Reimbursable Projects					\$ 104,600.00						
31148	SCADA System Wide Improvements (Phase 1)	\$ 180,039.00		\$ 370,000	\$ 189,961.00					1/1/2022	12/31/2023
Total General Reserve Projects		180,039.00			294,561.00						
Total WIP Expense (GL 1600)		2,123,067.85									
Studies/ Non Capitalization											
Operation and Admin Bldg Assessment				25,000	25,000.00			\$ 25,000		1/1/2022	12/31/2022
Phase III I & I (EPG)				-	122,500	122,500.00	121387	\$ 100,000	\$ 22,500		5/1/2023
Total Studies				-	147,500.00			\$ 100,000			
Less Grants						100,000.00					
Total Project Cash Committed					342,061.00						

Disbursements 5/1/23-5/31/23

Operating disbursements	\$ 335,770.65
Capital Project disbursements	<u>\$ 30,642.60</u>
Total Disbursement	\$ 366,413.25

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
A. D. Call & Sons Excavating & ...	5/17/2023	Sludge Transport from Lakeville 05/02/2023	1001	Checking	0.00	3722
		Sludge Transport from Lakeville 05/02/2023	6310	Outside O&M	2,340.00	3722
		Sludge Transport from Lakeville 05/03/2023	1001	Checking	0.00	3722
		Sludge Transport from Lakeville 05/03/2023	6310	Outside O&M	3,900.00	3722
		Sludge Transport from Lakeville 05/04/2023	1001	Checking	0.00	3722
		Sludge Transport from Lakeville 05/04/2023	6310	Outside O&M	4,680.00	3722
		Sludge Transport from Lakeville 05/05/2023	1001	Checking	0.00	3722
		Sludge Transport from Lakeville 05/05/2023	6310	Outside O&M	4,680.00	3722
		Sludge Transport from Lakeville 05/08/2023	1001	Checking	0.00	3722
		Sludge Transport from Lakeville 05/08/2023	6310	Outside O&M	780.00	3722
		Sludge Transport from Lakeville 05/11/2023	1001	Checking	0.00	3722
		Sludge Transport from Lakeville 05/11/2023	6310	Outside O&M	3,120.00	3722
		Transaction Total			<u>19,500.00</u>	
Total A. D. Call & Sons Excavati...					19,500.00	
ALS Group USA	5/3/2023	Samples 04/06/2023	1001	Checking	0.00	3687
		Samples 04/06/2023	6320	Lab Services	189.00	3687
		Samples 04/13/2023	1001	Checking	0.00	3687
		Samples 04/13/2023	6320	Lab Services	<u>189.00</u>	3687
		Transaction Total			<u>378.00</u>	
Total ALS Group USA					378.00	
Benefactor Funding Corp	5/3/2023	Samples 04/10/2023	1001	Checking	0.00	3688
		Samples 04/10/2023	6320	Lab Services	162.00	3688
		Samples 04/17/2023	1001	Checking	0.00	3688
		Samples 04/17/2023	6320	Lab Services	216.00	3688
	5/17/2023	Samples 04/26/2023	1001	Checking	0.00	3723
		Samples 04/26/2023	6320	Lab Services	<u>27.00</u>	3723
		Transaction Total			<u>405.00</u>	
Total Benefactor Funding Corp					405.00	
Blair Supply Corp	5/17/2023	Repair and Return Health Sure Lock	1001	Checking	0.00	3724
		Repair and Return Health Sure Lock	6620	Bldg Repair	655.10	3724
		Transaction Total			<u>655.10</u>	
Total Blair Supply Corp					655.10	

*after printing changed
GL to 6325*

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
Briggs Tire & Farm Service Inc	5/3/2023	Tire for the mower	1001	Checking	0.00	3689
		Tire for the mower	6610	Equip Repair	55.00	3689
		Transaction Total			55.00	
Total Briggs Tire & Farm Service ...					55.00	
BXI Consultants, Inc	5/17/2023	toner cartridge for HP 606	1001	Checking	0.00	3725
		toner cartridge for HP 606	6820	Office Sup	9.50	3725
		usage charges 04/05/23 05/04/23	1001	Checking	0.00	3725
		usage charges 04/05/23 05/04/23	6820	Office Sup	280.14	3725
		Transaction Total			289.64	
Total BXI Consultants, Inc					289.64	
Casella Waste Services	5/3/2023	Sludge disposal 03/01/23 - 03/20/23	1001	Checking	0.00	3690
		Sludge disposal 03/01/23 - 03/20/23	6310	Outside O&M	9,265.76	3690
	5/17/2023	04/01/2023 - 04/30/2023	1001	Checking	0.00	3726
		04/01/2023 - 04/30/2023	6350	Refuse	233.66	3726
		Transaction Total			9,499.42	
Total Casella Waste Services					9,499.42	
Charter Communications	5/17/2023	05/08/23-06/07/23	1001	Checking	0.00	3730
		05/08/23-06/07/23	6140	Prof Computer	179.98	3730
		Transaction Total			179.98	
Total Charter Communications					179.98	
Chase Card Services	5/17/2023	Amazon - Binders and folders for Technicians maps	1001	Checking	0.00	3729
		Amazon - Binders and folders for Technicians maps	6820	Office Sup	16.90	3729
		Amazon - computer mouse for JUtegg	1001	Checking	0.00	3729
		Amazon - computer mouse for JUtegg	6820	Office Sup	32.99	3729
		Amazon - fire hose Lakeville Plant	1001	Checking	0.00	3729
		Amazon - fire hose Lakeville Plant	6620	Bldg Repair	303.72	3729
		Dutch Mart Fuel for Equinox	1001	Checking	0.00	3729
		Dutch Mart Fuel for Equinox	6430	Gasoline	33.14	3729
		Genesee Lumber - blocks	1001	Checking	0.00	3729
		Genesee Lumber - blocks	6620	Bldg Repair	116.50	3729
		Genesee Lumber - Doors for Lake pump station	1001	Checking	0.00	3729
		Genesee Lumber - Doors for Lake pump station	6620	Bldg Repair	275.47	3729
		Genesee Lumber - Driveway repair Lakeville plant	1001	Checking	0.00	3729

changed to 666325

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
		Genesee Lumber - Driveway repair Lakeville plant	6620	Bldg Repair	31.98	3729
		Genesee Lumber - Lab heat exchanger project	1001	Checking	0.00	3729
		Genesee Lumber - Lab heat exchanger project	6620	Bldg Repair	32.87	3729
		Genesee Lumber - Lakeville storage tank parts	1001	Checking	0.00	3729
		Genesee Lumber - Lakeville storage tank parts	6620	Bldg Repair	22.36	3729
		Genesee Lumber - Manholes in Livonia Village	1001	Checking	0.00	3729
		Genesee Lumber - Manholes in Livonia Village	6620	Bldg Repair	63.96	3729
		Genesee Lumber - Pebble Beach Rd dig	1001	Checking	0.00	3729
		Genesee Lumber - Pebble Beach Rd dig	6620	Bldg Repair	59.89	3729
		Genesee Lumber - Pebble Beach Road dig	1001	Checking	0.00	3729
		Genesee Lumber - Pebble Beach Road dig	6620	Bldg Repair	33.98	3729
		Genesee Lumber - pressure gauge	1001	Checking	0.00	3729
		Genesee Lumber - pressure gauge	6625	Small Equip	12.99	3729
		Genesee Lumber - shop supplies	1001	Checking	0.00	3729
		Genesee Lumber - shop supplies	6620	Bldg Repair	18.30	3729
		Genesee Lumber - white striping paint	1001	Checking	0.00	3729
		Genesee Lumber - white striping paint	6620	Bldg Repair	10.99	3729
		Genesee Lumber - wood for doors Lake pump station	1001	Checking	0.00	3729
		Genesee Lumber - wood for doors Lake pump station	6620	Bldg Repair	16.38	3729
		Hampton Inn AWWA conference hotel room JMolino	1001	Checking	0.00	3729
		Hampton Inn AWWA conference hotel room JMolino	6840	Travel/Traing	240.69	3729
		Hampton Inn AWWA conference hotel room LMonaghan	1001	Checking	0.00	3729
		Hampton Inn AWWA conference hotel room LMonaghan	6840	Travel/Traing	240.69	3729
		Hampton Inn AWWA conference hotel room MKosakowski	1001	Checking	0.00	3729
		Hampton Inn AWWA conference hotel room MKosakowski	6840	Travel/Traing	263.29	3729
		Hampton Inn AWWA Conference hotel room TMarsh	1001	Checking	0.00	3729
		Hampton Inn AWWA Conference hotel room TMarsh	6840	Travel/Traing	263.29	3729
		Harbor Freight - Groveland hardware cloth	1001	Checking	0.00	3729
		Harbor Freight - Groveland hardware cloth	6620	Bldg Repair	49.98	3729
		Livingston County Clerk - Copies of documents	1001	Checking	0.00	3729

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

Vendor Name	Pmt Date	Transaction Description	GL Code	GL Short Title	Expenses	Check #
		Livingston County Clerk - Copies of documents	6700	Permit/Inspec	9.30	3729
		NAPA - shop supplies	1001	Checking	0.00	3729
		NAPA - shop supplies	6620	Bldg Repair	48.57	3729
		NAPA - TV Trailer	1001	Checking	0.00	3729
		NAPA - TV Trailer	6610	Equip Repair	94.29	3729
		Tractor Supply - Lakeville boiler office	1001	Checking	0.00	3729
		Tractor Supply - Lakeville boiler office	6620	Bldg Repair	2.80	3729
		Tractor Supply - Lakeville digester building	1001	Checking	0.00	3729
		Tractor Supply - Lakeville digester building	6620	Bldg Repair	18.48	3729
		Tractor Supply - Lakeville storage tank	1001	Checking	0.00	3729
		Tractor Supply - Lakeville storage tank	6620	Bldg Repair	62.84	3729
		Tractor Supply - supplies for diesel equipment	1001	Checking	0.00	3729
		Tractor Supply - supplies for diesel equipment	6610	Equip Repair	82.95	3729
		USPS - postage certified letters	1001	Checking	0.00	3729
		USPS - postage certified letters	6810	Postage	15.00	3729
		USPS - postage for annual reports	1001	Checking	0.00	3729
		USPS - postage for annual reports	6810	Postage	37.68	3729
		USPS - postage for certified letters	1001	Checking	0.00	3729
		USPS - postage for certified letters	6810	Postage	67.50	3729
		Walmart - office supplies and water	1001	Checking	0.00	3729
		Walmart - office supplies and water	6620	Bldg Repair	7.98	3729
		Walmart - office supplies and water	6840	Travel/Traing	5.85	3729
		Transaction Total			<u>2,593.60</u>	
Total Chase Card Services					2,593.60	
Churchville Fire Equipment Corp	5/3/2023	Hose and fitting	1001	Checking	0.00	3692
		Hose and fitting	6620	Bldg Repair	<u>129.00</u>	3692
		Transaction Total			<u>129.00</u>	
Total Churchville Fire Equipment...					129.00	
City Treasurer, Rochester, NY	5/3/2023	02/23/23 - 03/28/23	1001	Checking	0.00	3693
		02/23/23 - 03/28/23	6510	Water Purch	<u>26,264.53</u>	3693
		Transaction Total			<u>26,264.53</u>	
Total City Treasurer, Rochester, NY					26,264.53	

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>	
Clark Patterson Lee	5/3/2023	P31121 - Professional Services 02/25/23 - 03/31/23	1001	Checking	0.00	3694	
		P31455 - Professional Services 01/28/23 - 03/31/23		Checking	0.00		
		Professional Services 2020 Sewer EPG		Checking	0.00		
			Professional Services 2020 Sewer EPG	6120	Prof Engineer	1,500.00	3694
	5/17/2023	P31132 Professional Services 02/24/23 - 04/28/23	1001	Checking	0.00	3731	
		P31142 Professional Services 04/01/23 - 04/28/23		Checking	0.00		
			Transaction Total			<u>1,500.00</u>	
Total Clark Patterson Lee					1,500.00		
Colacino Industries Inc	5/3/2023	Network Monitoring 06/01/23 - 06/30/23	1001	Checking	0.00	3695	
		Network Monitoring 06/01/23 - 06/30/23	6230	Telephone	580.00	3695	
		Transaction Total			<u>580.00</u>		
Total Colacino Industries Inc					580.00		
Commercial Automotive	5/3/2023	2021 Chevy BE1201 - 2 tires, align, oil change, inspection	1001	Checking	0.00	3696	
		2021 Chevy BE1201 - 2 tires, align, oil change, inspection	6420	Vehicle Maint	1,335.33	3696	
		2022 Ford F150 BF5691 oil change	1001	Checking	0.00	3696	
		2022 Ford F150 BF5691 oil change	6420	Vehicle Maint	47.24	3696	
		Transaction Total			<u>1,382.57</u>		
Total Commercial Automotive					1,382.57		
Complete Payroll	5/12/2023	PR 10 (4/23/23-5/6/23)	1001	Checking	0.00	ACH	
		PR 10 (4/23/23-5/6/23)	5010	Wages	45,933.50	ACH	
		PR 10 (4/23/23-5/6/23)	5020	Overtime	1,048.93	ACH	
		PR 10 (4/23/23-5/6/23)	5030	FICA	3,778.04	ACH	
		PR 10 (4/23/23-5/6/23)	5070	Unemployment	98.58	ACH	
		PR 10 (4/23/23-5/6/23)	6130	Financial	213.23	ACH	
	5/26/2023	PR 11 (5/7/23-5/20/23) & May Ret	1001	Checking	0.00	ACH	
		PR 11 (5/7/23-5/20/23) & May Ret	5010	Wages	40,423.66	ACH	
		PR 11 (5/7/23-5/20/23) & May Ret	5020	Overtime	1,308.85	ACH	
		PR 11 (5/7/23-5/20/23) & May Ret	5030	FICA	3,364.66	ACH	
		PR 11 (5/7/23-5/20/23) & May Ret	5070	Unemployment	99.00	ACH	
		PR 11 (5/7/23-5/20/23) & May Ret	6130	Financial	107.27	ACH	

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
		Transaction Total			<u>96,375.72</u>	
Total Complete Payroll					96,375.72	
Constellation NewEnergy, Inc	5/17/2023	03/24/23 - 04/25/23	1001	Checking	0.00	3732
		03/24/23 - 04/25/23	6210	Electric	<u>8,467.49</u>	3732
		Transaction Total			<u>8,467.49</u>	
Total Constellation NewEnergy, Inc					8,467.49	
Core and Main LP	5/17/2023	Water meter adapters	1001	Checking	0.00	3733
		Water meter adapters	6640	Cust Install	<u>250.26</u>	3733
		Transaction Total			<u>250.26</u>	
Total Core and Main LP					250.26	
CSEA Employee Benefit Fund De...	5/17/2023	Vision and Dental 06/01/23-06/30/23	1001	Checking	0.00	3735
		Vision and Dental 06/01/23-06/30/23	2050	A/P Payroll	513.95	3735
		Vision and Dental 06/01/23-06/30/23	5050	Health	950.33	3735
		Transaction Total			<u>1,464.28</u>	
Total CSEA Employee Benefit Fu...					1,464.28	
CSEA, Inc	5/3/2023	Union Dues 04/14/23, 04/28/23	1001	Checking	0.00	3697
		Union Dues 04/14/23, 04/28/23	2050	A/P Payroll	575.00	3697
	5/17/2023	Union Dues 05/12/23 and 05/26/23	1001	Checking	0.00	3734
		Union Dues 05/12/23 and 05/26/23	2050	A/P Payroll	575.00	3734
		Transaction Total			<u>1,150.00</u>	
Total CSEA, Inc					1,150.00	
Direct Energy Business	5/3/2023	03/14/23 - 04/13/23	1001	Checking	0.00	3698
		03/14/23 - 04/13/23	6220	Gas	<u>491.61</u>	3698
		Transaction Total			<u>491.61</u>	
Total Direct Energy Business					491.61	
Excellus Health Plan-Group	5/24/2023	Health Insurance (6/1/23-6/30/23)	1001	Checking	0.00	3748
		Health Insurance (6/1/23-6/30/23)	2050	A/P Payroll	2,037.07	3748
		Health Insurance (6/1/23-6/30/23)	5050	Health	25,639.24	3748
		Transaction Total			<u>27,676.31</u>	
Total Excellus Health Plan-Group					27,676.31	

Livingston County WSA
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From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
Featured Media	5/3/2023	Employment Ads 3 WWTP Operator	1001	Checking	0.00	3699
		Employment Ads 3 WWTP Operator	6830	Advertising	4,507.54	3699
		Transaction Total			<u>4,507.54</u>	
Total Featured Media					4,507.54	
Fisher, Carl	5/3/2023	Backflow test ARS 3746 E Groveland Rd	1001	Checking	0.00	3700
		Backflow test ARS 3746 E Groveland Rd	6310	Outside O&M	100.00	3700
		Transaction Total			<u>100.00</u>	
Total Fisher, Carl					100.00	
Frazier, Trevor	5/17/2023	2023 Boot Allowance	1001	Checking	0.00	3736
		2023 Boot Allowance	6340	Uniforms	164.07	3736
		Transaction Total			<u>164.07</u>	
Total Frazier, Trevor					164.07	
Frontier Communications	5/3/2023	04/16/23 - 05/15/23	1001	Checking	0.00	3701
		04/16/23 - 05/15/23	6230	Telephone	160.78	3701
		Transaction Total			<u>160.78</u>	
Total Frontier Communications					160.78	
GHD Services Inc	5/3/2023	P31148 04/02/23 - 04/29/23	1001	Checking	0.00	3702
		Transaction Total			<u>0.00</u>	
Total GHD Services Inc					0.00	
Holland Company	5/3/2023	Chemicals	1001	Checking	0.00	3704
		Chemicals	6620	Bldg Repair	8,994.50	3704
		Transaction Total			<u>8,994.50</u>	
Total Holland Company					8,994.50	
Jackson Welding Supply Co Inc	5/3/2023	Cylinder Rental	1001	Checking	0.00	3705
		Cylinder Rental	6620	Bldg Repair	32.58	3705
	5/17/2023	Nitrogen Gas cylinder	1001	Checking	0.00	3738
		Nitrogen Gas cylinder	6620	Bldg Repair	70.00	3738
	Transaction Total			<u>102.58</u>		
Total Jackson Welding Supply Co...					102.58	
Layer 3 Technologies	5/17/2023	Computer Services 05/15/23 - 05/14/24	1001	Checking	0.00	3739
		Computer Services 05/15/23 - 05/14/24	6140	Prof Computer	4,510.00	3739

Livingston County WSA
 Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
 From 5/1/2023 Through 5/31/2023

Vendor Name	Pmt Date	Transaction Description	GL Code	GL Short Title	Expenses	Check #
		Verizon plan on 2 tablets 05/15/23 - 05/14/24	1001	Checking	0.00	3739
		Verizon plan on 2 tablets 05/15/23 - 05/14/24	6140	Prof Computer	720.00	3739
		Transaction Total			<u>5,230.00</u>	
Total Layer 3 Technologies					5,230.00	
Lifetime Benefit Solution	5/5/2023	Lifetime: ██████████	1001	Checking	0.00	ACH004
		Lifetime: ██████████	2050	A/P Payroll	1,205.00	ACH004
	5/4/2023	Lifetime Montly Admin Fee 4/1/23-4/30/23	1001	Checking	0.00	ACH005
		Lifetime Montly Admin Fee 4/1/23-4/30/23	6130	Financial	75.00	ACH005
		Transaction Total			<u>1,280.00</u>	
Total Lifetime Benefit Solution					1,280.00	
Livingston Co Treasurer	5/3/2023	2022 Relevey Water and Sewer Debt	1001	Checking	0.00	3706
		2022 Relevey Water and Sewer Debt	2090	A/P Other	1,625.16	3706
		2022 Relevey Overpayment	1001	Checking	0.00	3707
		2022 Relevey Overpayment	2090	A/P Other	521.95	3707
		Transaction Total			<u>2,147.11</u>	
Total Livingston Co Treasurer					2,147.11	
LMC Industrial Contractors, Inc	5/3/2023	Backflow tests 10	1001	Checking	0.00	3708
		Backflow tests 10	6620	Bldg Repair	704.83	3708
		Backflow tests 10	6700	Permit/Inspec	1,140.00	3708
		Transaction Total			<u>1,844.83</u>	
Total LMC Industrial Contractors,...					1,844.83	
Molino, Jason	5/3/2023	cell phone allowance 05/01/23 - 05/31/23	1001	Checking	0.00	3709
		cell phone allowance 05/01/23 - 05/31/23	6230	Telephone	50.00	3709
		Transaction Total			<u>50.00</u>	
Total Molino, Jason					50.00	
Monaghan, Lauren	5/3/2023	cell phone allowance May 2023 and expenses 04/11/23	1001	Checking	0.00	3710
		cell phone allowance May 2023 and expenses 04/11/23	6230	Telephone	50.00	3710
		cell phone allowance May 2023 and expenses 04/11/23	6840	Travel/Traing	12.00	3710
		Transaction Total			<u>62.00</u>	
Total Monaghan, Lauren					62.00	

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
Monroe County Water Authority	5/17/2023	03/31/23-04/28/23	1001	Checking	0.00	3740
		03/31/23-04/28/23	6515	Purchased Water	<u>17,335.85</u>	3740
		Transaction Total			<u>17,335.85</u>	
Total Monroe County Water Auth...					17,335.85	
National Grid	5/3/2023	03/24/23-04/25/23	1001	Checking	0.00	3711
		03/24/23-04/25/23	6210	Electric	<u>14,738.78</u>	3711
		Transaction Total			<u>14,738.78</u>	
Total National Grid					14,738.78	
NYS Employees Retirement Syst...	5/26/2023	PR 11 (5/7/23-5/20/23) & May Ret	1001	Checking	0.00	ACH001
		PR 11 (5/7/23-5/20/23) & May Ret	2050	A/P Payroll	<u>1,537.68</u>	ACH001
		Transaction Total			<u>1,537.68</u>	
Total NYS Employees Retiremen...					1,537.68	
NYS Deferred Compensation Plan	5/12/2023	PR 10 (4/23/23-5/6/23)	1001	Checking	0.00	ACH001
		PR 10 (4/23/23-5/6/23)	2050	A/P Payroll	1,348.69	ACH001
	5/26/2023	PR 11 (5/7/23-5/20/23) & May Ret	1001	Checking	0.00	ACH002
		PR 11 (5/7/23-5/20/23) & May Ret	2050	A/P Payroll	<u>1,192.81</u>	ACH002
	Transaction Total			<u>2,541.50</u>		
Total NYS Deferred Compensatio...					2,541.50	
NYSEG	5/3/2023	03/11/23-04/12/23	1001	Checking	0.00	3712
		03/11/23-04/12/23	6210	Electric	619.41	3712
		03/11/23-04/12/23	6220	Gas	<u>600.12</u>	3712
		Transaction Total			<u>1,219.53</u>	
Total NYSEG					1,219.53	
Penny Lane Printing	5/3/2023	ID gate cards 3	1001	Checking	0.00	3713
		ID gate cards 3	6310	Outside O&M	55.50	3713
	5/17/2023	Quarterly Billing 02/01/23 - 04/30/23	1001	Checking	0.00	3741
		Quarterly Billing 02/01/23 - 04/30/23	6310	Outside O&M	482.17	3741
		Quarterly Billing 02/01/23 - 04/30/23	6810	Postage	3,183.00	3741
		Quarterly Billing 02/01/23 - 04/30/23	6830	Advertising	<u>159.15</u>	3741
	Transaction Total			<u>3,879.82</u>		
Total Penny Lane Printing					3,879.82	

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
PlanTech	5/17/2023	P31142 Vega C21 Radar Level Transducer	1001	Checking	0.00	3742
		Transaction Total			<u>0.00</u>	
Total PlanTech					0.00	
PVS - CDI Chemicals, Inc	5/3/2023	Chemicals	1001	Checking	0.00	3691
		Chemicals	6620	Bldg Repair	1,064.00	3691
		Transaction Total			<u>1,064.00</u>	
Total PVS - CDI Chemicals, Inc					1,064.00	
Rochester Gas & Electric	5/3/2023	02/17/23 - 03/15/23	1001	Checking	0.00	3714
		02/17/23 - 03/15/23	6210	Electric	193.99	3714
		02/17/23 - 03/15/23	6220	Gas	325.89	3714
		Transaction Total			<u>519.88</u>	
Total Rochester Gas & Electric					519.88	
Safe Driver Solutions	5/3/2023	Random Drug screening	1001	Checking	0.00	3715
		Random Drug screening	6310	Outside O&M	68.00	3715
		Supervisor DOT Drug and Alcohol training	1001	Checking	0.00	3715
		Supervisor DOT Drug and Alcohol training	6840	Travel/Traing	35.00	3715
		Transaction Total			<u>103.00</u>	
Total Safe Driver Solutions					103.00	
ServiceMaster	5/3/2023	04/01/23 - 04/30/23 Cleaning Services	1001	Checking	0.00	3716
		04/01/23 - 04/30/23 Cleaning Services	6360	Cleaning	225.00	3716
		Transaction Total			<u>225.00</u>	
Total ServiceMaster					225.00	
Staples Business Advantage	5/3/2023	Office Supplies - copy paper	1001	Checking	0.00	3717
		Office Supplies - copy paper	6820	Office Sup	79.99	3717
		office supplies - Copy paper, legal paper	1001	Checking	0.00	3717
		office supplies - Copy paper, legal paper	6820	Office Sup	156.97	3717
		Transaction Total			<u>236.96</u>	
Total Staples Business Advantage					236.96	
Town of Avon	5/3/2023	Water 01/26/23 - 04/25/23	1001	Checking	0.00	3718
		Water 01/26/23 - 04/25/23	6510	Water Purch	5,219.34	3718
		Transaction Total			<u>5,219.34</u>	
Total Town of Avon					5,219.34	

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
Town of Livonia - highway Dept	5/3/2023	Fuel - Gas and Diesel 01/01/23-03/31/23	1001	Checking	0.00	3719
		Fuel - Gas and Diesel 01/01/23-03/31/23	6430	Gasoline	10,655.90	3719
		Transaction Total			<u>10,655.90</u>	
Total Town of Livonia - highway ...					10,655.90	
Underberg & Kessler	5/3/2023	Legal Services 03/01/23 - 03/31/23	1001	Checking	0.00	3720
		Legal Services 03/01/23 - 03/31/23	6110	Prof Legal	1,220.00	3720
		Transaction Total			<u>1,220.00</u>	
Total Underberg & Kessler					1,220.00	
USA Blue Book	5/3/2023	Curb box wrenches / gaskets returned	1001	Checking	0.00	3721
		Curb box wrenches / gaskets returned	6625	Small Equip	238.60	3721
	5/17/2023	Drain blade shovel - 2	1001	Checking	0.00	3743
		Drain blade shovel - 2	6625	Small Equip	109.90	3743
		Transaction Total			<u>348.50</u>	
Total USA Blue Book					348.50	
Verizon Wireless	5/17/2023	05/02/23 - 06/01/23	1001	Checking	0.00	3744
		05/02/23 - 06/01/23	6230	Telephone	565.20	3744
		Transaction Total			<u>565.20</u>	
Total Verizon Wireless					565.20	
Village of Avon	5/17/2023	02/03/23 - 04/25/23	1001	Checking	0.00	3745
		02/03/23 - 04/25/23	6520	Sewer Purch	8,050.60	3745
		Transaction Total			<u>8,050.60</u>	
Total Village of Avon					8,050.60	
Village of Livonia	5/17/2023	Lease Agreement annual billing	1001	Checking	0.00	3746
		Lease Agreement annual billing	2021	Current Portion	35,226.00	3746
		Lease Agreement annual billing	8110	Interest Exp	4,774.00	3746
		Transaction Total			<u>40,000.00</u>	
Total Village of Livonia					40,000.00	
Webster Szanyi LLP	5/17/2023	Legal service 04/18/23 - 04/20/23	1001	Checking	0.00	3747
		Legal service 04/18/23 - 04/20/23	6110	Prof Legal	275.00	3747
		Legal Services - Loewke vs LCWSA	1001	Checking	0.00	3747

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Operatg Exp overview
From 5/1/2023 Through 5/31/2023

<u>Vendor Name</u>	<u>Pmt Date</u>	<u>Transaction Description</u>	<u>GL Code</u>	<u>GL Short Title</u>	<u>Expenses</u>	<u>Check #</u>
		Legal Services - Loewke vs LCWSA	6110	Prof Legal	82.50	3747
		Transaction Total			<u>357.50</u>	
Total Webster Szanyi LLP					357.50	
WW Grainger	5/3/2023	Boots - J Bauer	1001	Checking	0.00	3703
		Boots - J Bauer	6340	Uniforms	155.77	3703
		Green marking paint	1001	Checking	0.00	3703
		Green marking paint	6620	Bldg Repair	156.24	3703
		Paper Towels	1001	Checking	0.00	3703
		Paper Towels	6620	Bldg Repair	126.72	3703
	5/17/2023	Generator for TV Trailer	1001	Checking	0.00	3737
		Generator for TV Trailer	6625	Small Equip	1,383.28	3737
		Packing seal for piston pumps in the Lab	1001	Checking	0.00	3737
		Packing seal for piston pumps in the Lab	6620	Bldg Repair	198.68	3737
		Transaction Total			<u>2,020.69</u>	
Total WW Grainger					2,020.69	
Report Opening/Current Balance						
Report Transaction Totals					<u>335,770.65</u>	
Report Current Balances						

Livingston County WSA
Vendor Activity - Cash Disbursements-board mtg-Capital Projects
From 5/1/2023 Through 5/31/2023

Category Code	Category Title	Check #	Vendor Name	Transaction Description	Expenses
31121	Lakeville WWTP Phosphorus	3694	Clark Patterson Lee	P31121 - Professional Services 02/25/23 - 03/31/23	7,500.00
				Transaction Total	<u>7,500.00</u>
Total 31121	Lakeville WWTP Phosphorus				7,500.00
31132	GS WWTP UV	3731	Clark Patterson Lee	P31132 Professional Services 02/24/23 - 04/28/23	2,400.00
				Transaction Total	<u>2,400.00</u>
Total 31132	GS WWTP UV				2,400.00
31142	Lakeville Plant Upgrades-Phase 2	3731	Clark Patterson Lee	P31142 Professional Services 04/01/23 - 04/28/23	8,750.50
	Lakeville Plant Upgrades-Phase 2	3742	PlanTech	P31142 Vega C21 Radar Level Transducer	3,600.00
				Transaction Total	<u>12,350.50</u>
Total 31142	Lakeville Plant Upgrades-Phase 2				12,350.50
31148	SCADA Sy Wide Imp P1	3702	GHD Services Inc	P31148 04/02/23 - 04/29/23	6,539.00
				Transaction Total	<u>6,539.00</u>
Total 31148	SCADA Sy Wide Imp P1				6,539.00
31455	Conesu Lake PS Improvements	3694	Clark Patterson Lee	P31455 - Professional Services 01/28/23 - 03/31/23	1,853.10
				Transaction Total	<u>1,853.10</u>
Total 31455	Conesu Lake PS Improvements				1,853.10
Report Opening/Current Balance					<u> </u>
Report Transaction Totals					<u>30,642.60</u>
Report Current Balances					<u> </u>

LCWSA OPERATIONS REPORT

June 21, 2023

Water and Sewer Work Program

Customer Work Orders	Staff completed 161 workorders, up 19 from last month.
UFPO	Staff completed 143 stakeouts, down 33 from last month.
PM Maintenance	All PM maintenance was completed.
Sampling & Testing	All sampling and testing was completed.

Water Work Program

Meter Reading	Staff will be starting meter reading the week of the 26th
Training	Staff had training on the new chlorine pumps and analyzers.
Curb Box Repair/ Replacement	Staff replaced 3 curb boxes and rods.
Water Main and Service Line Repairs	Staff repaired a water main leak on the transmission main in Hemlock.
Restoration	Staff has also been working on restoration.
Meter Replacement Program LCWSA and Leicester Meter Replacements.	The meter replacement program is going well.

Sewer Work Program

Manhole Work	Staff is working on installing new manhole frames and covers. They replaced 4 in the Village and are working in Lakeville now.
Sewer Taps	Fineline Pipeline repaired a sewer lateral in the Village of Livonia.

LCWSA CAPITAL PROJECTS REPORT

June 21, 2023

31131 Countywide Water System Improvements - Phase 1 (ARS Water Main Ext + Grov. Sta Inter)

Contract 2a and Contract 5- CPL and Staff will be generating a final punch list the week of the 26th for both contracts.

31138 Comprehensive SCADA System Evaluation

11w is out to bid

31140 I&I Study (Smoke Testing + San Sewer Cleaning & Televising)

Staff is working on a corrective action plan to correct the deficiencies.

31142 Lakeville WWTP Upgrades - Phase 2 + UV

Blue Heron has installed the new heat exchanger. Hoping to have a start up mid July. They have been working on coating the Digester covers and cleaning up around the facility.



RESOLUTION NO. 2023-22

**AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NORTHERN
BORDER REGIONAL COMMISSION**

WHEREAS, The Northern Border Regional Commission (“NBRC”) has announced availability of funding under its 2023 Catalyst Program to provide grants to fund economic development and infrastructure projects throughout designated counties in its four-state service area; and

WHEREAS, The NBRC provides investments to job-creating projects that help reduce poverty, unemployment, and outmigration; and

WHEREAS, The recently completed Livingston County Comprehensive Water Supply Study Update, funded through the New York State Local Government Efficiency Program, provides alternatives and recommendations for public water systems in Livingston County in order to carry out the goals of protecting water quality, ensuring quantity for existing and future expansion, providing redundancy for emergencies and backups, and improving delivery and operational efficiency; and

WHEREAS, Within Livingston County, five communities were impacted by the AkzoNobel salt mine collapse in 1994, resulting in water-level decline and groundwater quality have been negatively impacted in the Towns of York, Geneseo, and Avon to the north, as well as Leicester and Mount Morris to the south (“Impacted Communities”); and

WHEREAS, The Livingston County Water and Sewer Authority, in partnership with Livingston County, the Impacted Communities and multiple other State and municipal partners (“Partners”) within Livingston County have developed a Regional Water Supply Expansion Project (“Project”) through a rigorous planning and analysis process and aims to provide additional benefits to the County and will have a positive impact on our community by providing needed safe drinking water to current residents and businesses as well as any that have/may experience compromised potable water sources in the future; and

WHEREAS, The Project includes the design and construction of water supply and water distribution improvements to provide additional volume, high quality, and lower cost water to the Impacted Communities and Partners. In total the \$24,100,000.00 investment in water supply and distribution improvements will ensure additional water capacity, water quality and lower cost water, as well as multiple redundant water distribution and supply connections to a new water source (Hemlock Lake) will be achieved; and

WHEREAS, Livingston County Water and Sewer Authority would like to apply for a \$3,000,000.00 infrastructure grant for the construction of water supply and water distribution improvements that supports development of future water supply infrastructure for the Impacted Communities and Partners within the County; and

WHEREAS, If awarded, Livingston County Water and Sewer Authority would be required to provide matching funds in the amount of \$21,100,000.00; and

WHEREAS, The infrastructure, once expanded, will allow for thousands of residents to have access to better quality and affordable public water that presently does not exist; and

WHEREAS, The application deadline is June 2, 2023; now, therefore, be it

RESOLVED, That the Executive Director of the Livingston County Water and Sewer Authority is hereby authorized to submit a grant application on behalf of the Livingston County Water and Sewer Authority to the NBRC, and be it further

RESOLVED, That the Executive Director is hereby authorized to execute a grant agreement between the Authority and the NBRC and all related documents associated with the NBRC grant for the implementation of the Project and administration of the NBRC grant, all such documents to be subject to review and approval by the Authority Attorney.

June 21, 2023

Livingston County Water & Sewer Authority

Moved By:

Seconded By:

AYES:

NAYS:



RESOLUTION NO. 2023-23

**RESOLUTION AUTHORIZING THE CREATION OF THE SENIOR ACCOUNT CLERK TO
REPLACE THE SENIOR ACCOUNT CLERK TYPIST POSITION**

WHEREAS, the Livingston County Water & Sewer Authority (Authority) has five (5) “Senior Account Clerk Typist” positions; and

WHEREAS, the Livingston County Civil Service is retiring the title “Senior Account Clerk Typist” and only using “Senior Account Clerk” going forward; and

RESOLVED, that the Authority Board hereby creates five (5) “Senior Account Clerk” positions, to replace the “Senior Account Clerk Typist” positions, whose duties and minimum qualifications are described in the New Position Duty Statement.

June 21, 2023

Livingston County Water & Sewer Authority

Moved By:

Seconded By:

AYES:

NAYS:



RESOLUTION NO. 2023-24

RESOLUTION ADOPTING PERSONNEL POLICIES

WHEREAS, The Livingston County Water and Sewer Authority (the “Authority”) currently has the following Personnel Policies:

P001-001 Whistleblower Policy
Non-Discrimination and Harassment Policy

WHEREAS, Authority staff, including the Authority’s Attorney, have analyzed and reviewed the current Personnel Policies as well as new Personnel Policies:

Drug and Alcohol Policy
Leave for Cancer Screenings and Claim Form

WHEREAS, the Governance Committee has reviewed and recommends the Personnel Policies attached hereto, to be utilized as the official policies for the Authority, and now therefore be it,

RESOLVED, the Livingston County Water and Sewer Authority Board hereby adopts the Personnel Policies, attached hereto, as the official policies for the Authority Board, and be it further,

RESOLVED, that the Authority will combine said Personnel Policies to be made available to all current employees and will provided to all new employees.

June 21, 2023
Livingston County Water & Sewer Authority
Moved By:
Seconded By:
AYES:
NAYS:

PURPOSE

The Livingston County Water & Sewer Authority's Code of Ethics requires directors, committee members, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Authority, the practice of honesty and integrity in fulfilling our responsibilities and compliance with all applicable laws and regulations is expected. Employees are strongly encouraged to discuss with supervisors, managers, or other appropriate personnel, when in doubt, about the best and ethical course of action in a particular situation.

The Whistleblower Policy is a method of encouraging the reporting of complaints and concerns regarding questionable accounting, internal accounting controls, and auditing matters, including those regarding the circumvention or attempted circumvention of internal accounting controls or that would otherwise constitute a violation of the Authority's accounting practices.

The Authority's Audit Committee is responsible for investigating & resolving all reported whistleblower complaints and allegations.

SCOPE

It is the responsibility of all directors, committee members, officers, and employees to comply with the Code of Ethics and to report violations or suspected violations in accordance with this Whistleblower Policy.

POLICY

I. Definitions

For purposes of this policy:

1. **Good Faith.** Good faith is evident when the report is made without malice or consideration of personal benefit and the employee has a reasonable basis to believe that the report is true; provided, however, a report does not have to be proven to be true to be made in good faith. Good faith is lacking when the disclosure is known to be malicious or false.
2. **Wrongdoing.** Examples of wrongdoing include, but are not limited to, fraud, including financial fraud and accounting fraud, violation of laws and regulations, unethical behavior or practices, endangerment to public health or safety and negligence of duty.
3. **Adverse Employment Action.** Examples of adverse employment action include, but are not limited to, suspension or termination.

II. Protection of Whistleblowers

No board member, committee member, officer, or employee who in good faith reports a violation of the Authority's Code of Ethics shall suffer harassment, retaliation or adverse employment consequence.

An employee who retaliates against someone who has reported a violation in good faith is subject to adverse employment action.

The identity of any employee who makes reports pursuant to this policy shall not be revealed to persons in the employee's department, division, or work location. The Authority will make good faith efforts to protect the confidentiality of employees making reports provided, however, the Authority or its employees and agents shall be permitted to reveal the reporting employee's identity and confidential information to the extent necessary to permit a thorough and effective investigation or required by law or court proceedings. In addition, the Authority will not tolerate any effort made by any other person or group, to ascertain the identity of any person who makes a good faith allegation anonymously.

The Authority Board and its Audit Committee shall not retaliate and shall not tolerate any retaliation by management or any other person or group, directly or indirectly, against anyone who, in good faith, makes an allegation or provides assistance to the Audit Committee, management or any other person or group, including any governmental, regulatory or law enforcement body, investigating the allegation.

This policy presumes that employees will act in good faith and will not make false accusations when reporting wrongdoing. An employee who knowingly or recklessly makes statements or disclosures that are not in good faith may be subject to adverse employment action. Employees who report acts of wrongdoing pursuant to this policy can and will continue to be held to the Authority's general job performance standards and adherence to the Authority's policies and procedures.

III. Reporting Violations

The Authority suggests that employees share their questions, concerns, suggestions, or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected wrongdoings to the Audit Committee, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with this process, individuals should contact the Audit Committee directly.

Employees who become aware of any wrongdoing or suspected wrongdoing are encouraged to make a report as soon as possible. Acts of wrongdoing may be disclosed in writing, by telephone or in person. Contact information is posted in the employee break room disclosing Audit Committee members, addresses and telephone numbers.

Note: When reporting an alleged violation by telephone, it is not required to leave your name.

In the event the act of wrongdoing concerns a member of the Audit Committee, the report of wrongdoing should be filed with the Authority's general counsel who will determine who to disclose the information to for further investigation. The address and phone number of the Authority's general counsel is included on the Audit Committee listing in the employee break room.

IV. Procedures for Receiving Accounting Allegations

1. Any allegation that is made directly to management, whether openly, confidentially, or anonymously, shall be promptly reported to the Audit Committee.

2. Each allegation forwarded to the Audit Committee, whether openly, confidentially, or anonymously, shall be reviewed by the Audit Committee, who may, in their discretion, consult with any member of management or employee whom they believe would have appropriate expertise or information to assist the Audit Committee. The Audit Committee shall determine whether the Audit Committee or management should investigate the Accounting Allegation, taking into account the following considerations:

- a. If the Audit Committee determines that management should investigate the allegation, management shall thereafter promptly investigate and report the results, in writing, to the Audit Committee. Management shall be free in its discretion to engage outside auditors, counsel or other experts to assist in the investigation and analysis of results.
- b. If the Audit Committee determines that it should investigate the allegation, the Audit Committee shall promptly determine what professional assistance, if any, it needs in order to conduct the investigation. The Audit Committee shall be free in its discretion to engage outside auditors, counsel, or other experts to assist in the investigation and analysis of results.
- c. All whistleblower records shall be retained for a period of seven years.

V. Training

All employees will be made aware of this policy and its related procedures annually via staff meeting.

PURPOSE

Livingston County Water & Sewer Authority (“LCWSA” or “the Authority”) believes in the dignity of the individual and recognizes the rights of all people to equal employment opportunities in the workplace. In this regard, the LCWSA is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without subjugation to harassment or discrimination in the workplace. It is the LCWSA’s policy to provide an employment environment free from harassment and discrimination based on race, color, religion, religious creed, sex, familial or marital status, age, national origin or ancestry, physical or mental disability, genetic information/predisposition or carrier status, military or veteran status, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender, pregnancy (including childbirth and related medical conditions, and including medical conditions related to lactation) citizenship, domestic violence victim’s status or any other characteristics protected by applicable federal, state or local law.

SCOPE AND OBJECTIVES

- A. Scope of Policy** This Policy applies to all LCWSA employees and all personnel in a contractual or other business relationship with the LCWSA including, for example, applicants, temporary or leased employees, interns (whether paid or unpaid), independent contractors, vendors, consultants, volunteers and visitors. In the remainder of this Policy, the term “employees” refers to this collective group. This Policy applies with equal force on LCWSA property as it does at LCWSA-sponsored events, programs, and activities that take place off Authority premises.
- B. Policy Objectives** By adopting and publishing this Policy, it is the intention of the LCWSA to:
- (1) Notify employees about the types of conduct that constitute harassment and discrimination prohibited by this Policy;
 - (2) Inform employees about the complaint and investigation procedures established by the LCWSA that enable any employee who believes (s)he is the victim of harassment or discrimination to submit a complaint which will be investigated by the LCWSA;
 - (3) Clearly advise all supervisors and employees that harassment, discrimination and retaliation is strictly prohibited and no such person possesses the authority to harass or discriminate; and
 - (4) Notify all employees that the LCWSA has appointed Compliance Officers who are specifically designated to receive complaints and ensure compliance with this Policy.

NOTE: The names and office location of each Compliance Officer designated to receive and investigate complaints are listed below in Section 10 of this Policy. Any change in the designated Compliance Officers shall be distributed in writing to all current employees and shall be posted. This Code of Ethics shall apply to all directors, officers and employees of the Livingston County Water and Sewer Authority (“Authority”).

DEFINITIONS

“Prohibited Discrimination of Employees”

Prohibited discrimination of employees can take the form of any adverse employment action against an employee, by either a LCWSA employee or official or a third party engaged in activities sponsored by

the LCWSA which is based upon the employee's protected characteristic. Prohibited discrimination of employees also includes harassment based on a protected characteristic even where there is no tangible impact upon the employee's employment opportunities and/or employment benefits. The phrase "prohibited discrimination" as used in this Policy includes all forms of prohibited discrimination and harassment based on a protected characteristic, including "Sexual Harassment" as defined below.

"Harassment"

Harassment is strictly prohibited and includes, but is not limited to, conduct that is unwelcome and that subjects an employee to inferior terms, conditions, or privileges of employment because of an individual's membership in one or more of the protected categories. Harassment does not have to be severe or pervasive to be illegal or violate this policy. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Such harassment of employees is prohibited by this Policy if it is based on a protected characteristic or directed at an individual because of a protected characteristic. In this regard, individuals subject to this Policy should be mindful that conduct or behavior that is acceptable, amusing or inoffensive to some individuals may be viewed as unwelcome, abusive or offensive to others.

"Sexual Harassment"

Sexual harassment is strictly prohibited. It is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual (e.g., promotion, transfer, demotion, termination); or
- (3) Such gender-based conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or of creating an intimidating, hostile or offensive working environment, even if the reporting individual is not the intended target of the sexual harassment.

The foregoing includes offensive comments, jokes, innuendoes or other statements of a sexual or gender-based nature as well as favoritism between a supervisor and subordinate based on an intimate/sexual relationship or desire for the same.

Who can be the target of harassment?

Harassment can occur between any individuals, regardless of their sex, gender or other protected status. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer, or visitor.

Where can harassment occur?

Unlawful harassment is not limited to the physical workplace itself. It can occur while employees are working remotely, traveling for business or at employer sponsored events or parties. Harassment can occur on virtual meeting platforms, in messaging apps, and between personal cell phones. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

“Prohibited Behavior and Examples of Harassment, including Sexual Harassment”

Specific forms of behavior the LCWSA considers harassment or sexual harassment are set forth below. Every conceivable example cannot be delineated herein, and thus the descriptions below are examples and should not be interpreted in any way as being all-inclusive.

- **Verbal:** Abusive verbal language including jokes, comments, teasing or threats related to an employee’s protected characteristic, sexual activity and/or body parts whether or not said in that person’s presence including, but not limited to: sexual innuendos; slurs; suggestive, derogatory, or insulting comments or sounds; whistling; jokes; propositions; threats; comments on a person’s appearance that make the person feel uncomfortable because of his or her protected characteristic; sex stereotyping, continuing to ask someone for dates or to meet after work after the person has made it clear that he or she does not want to go; comments about an employee’s anatomy or protected characteristic that are unwelcome, unreasonably interfere with an employee’s work performance, or create an intimidating, hostile or offensive work environment; and unwelcome advances or demands based on someone’s protected characteristic. This includes verbal remarks made over virtual platforms and in messaging apps when employees are working remotely.
- **Nonverbal:** Abusive written language showing or displaying pornographic or sexually explicit objects or pictures; graphic commentaries based on a protected characteristic; derogatory cartoons or caricatures; luring or obscene gestures in the workplace; staring at a person’s body in a sexually suggestive manner; gestures or motions based on a protected characteristic; sending material through the LCWSA e-mail system or other electronic communication devices (e.g. voice mail) or using the LCWSA’s mail, computers or cell phones to view material that is demeaning or derogatory based on one’s protected characteristic. This includes the virtual or remote workspace and can include materials visible in the background of one’s home during a virtual meeting.
- **Physical:** Unwelcome physical conduct, including but not limited to: hitting, pushing, shoving, slapping, petting, pinching, grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, coerced sexual intercourse, rape or assault or attempts to commit these assaults, persistent brushing up against a person’s body, unnecessary touching and flashing or other unwelcome physical conduct.
- **Other:** Hostile actions taken against an individual because of an individual’s sex, sexual orientation, gender identity and the status of being transgender or because of any other protected characteristic,

such as: interfering with, destroying or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job; sabotaging an individual's work; bullying, yelling, or name-calling.

Any employee who feels discriminated against or harassed should report so that any violation of this Policy can be corrected promptly. Any harassing conduct, even if a single incident, can be addressed under this Policy.

POLICY

I. Policy

The LCWSA prohibits harassment and discrimination based on any characteristic protected by applicable law and will not tolerate any form of unlawful discrimination or harassment. The LCWSA will take all steps necessary to prevent and stop the occurrence of unlawful discrimination and/or harassment, including sexual harassment, in the workplace.

All employees, including but not limited to, the Executive Director and Director of Operations, are responsible for ensuring a work environment free from prohibited harassment and discrimination. All employees will be held responsible and accountable for avoiding or eliminating inappropriate conduct that may give rise to a claim of harassment or discrimination. Employees are encouraged to report violations to a supervisor or one of the Compliance Officers listed in Section 10 of this Policy in accordance with the Complaint Procedure set forth in this Policy. Any supervisor must take immediate and appropriate corrective action when suspected instances of prohibited harassment and/or discrimination come to his/her attention to assure compliance with this Policy as well as report the suspected misconduct to the LCWSA's designated Compliance Officers. Furthermore, if any employee believes that any supervisor or the Executive Director has violated this policy or has not properly responded to and/or handled a report or concerns of discrimination or harassment, the employee should immediately contact the alternate LCWSA Compliance Officer or if both are alleged to have violated the policy, (s)he should contact a member of the LCWSA Board of Directors.

Each employee is assured pursuant to Section 6 of this Policy, that retaliation against an individual who makes a complaint or report under this Policy is absolutely prohibited and constitutes, in and of itself, a violation of this Policy. Employees who engage in retaliation against any employee for making or encouraging another employee to make a good faith complaint of harassment or discrimination, for opposing in good faith any practices forbidden by applicable anti-discrimination laws or for filing a good faith complaint with, or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws shall be subject to discipline, up to and including termination of employment. Any employee who believes he/she has been retaliated against in violation of this policy should report violations to one of the Compliance Officers listed in Section 10 of this Policy in accordance with the Complaint Procedure set forth in this Policy.

Any questions regarding the scope or application of this Policy should be directed to one of the Compliance Officers listed in Section 10 of this Policy.

II. Policy Enforcement

A. Complaint Procedure for Employees

1. Notification Procedure

Prompt reporting of complaints or concerns is encouraged so that timely and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of prohibited discrimination and/or harassment is encouraged and essential, regardless of the offender's identity or position. An employee or other individual who feels aggrieved because of

harassment or discrimination shall contact his or her supervisor or a Compliance Officer listed in Section 10 of this Policy, or another supervisor. Likewise, anyone who witnesses or becomes aware of instances of harassment or discrimination should report such behavior to his or her supervisor or a Compliance Officer listed in Section 10 of this Policy, or another supervisor. Employees should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can occur in different degrees, potential discipline for engaging in harassment will depend on the degree of harassment. It might include education and counseling. It may lead to suspension or termination when appropriate.

2. Making a Complaint

Complaints are accepted orally and in writing. All employees are encouraged to use the LCWSA's "Complaint of Alleged Discrimination" form. A copy of this form is attached to this Policy. Additional complaint forms can be obtained from a Compliance Officer, with no questions asked. Because an accurate record of the allegedly objectionable behavior is necessary to resolve a complaint of prohibited discrimination or harassment, the LCWSA encourages employees to place complaints in writing, even if originally made orally. If an employee has any questions or difficulty filling out the complaint form, she/he can obtain assistance from any one of the Compliance Officers or the supervisor to which he/she complained. All complaints should include: the name of the complaining party, the name of the alleged offender(s), date(s) of the incident(s), description of the incident(s), names of witnesses to the incident(s) and the signature of the complaining party.

Once the complaining party has completed and dated a complaint, with or without the assistance of one of the LCWSA's Compliance Officers or a supervisor, the written complaint, or oral complaint as the case may be, should be promptly forwarded to one of the LCWSA's Compliance Officers.

Complainants are expected to cooperate with the LCWSA's investigation procedures by providing all relevant information relating to the complaint, as are other supervisory and non-supervisory employees having relevant or related knowledge or information.

3. Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors or the Executive Director who receive a complaint or information about suspected harassment or discrimination, observe what may be harassing behavior or for any reason to suspect that harassment is occurring, are required to report such suspected harassment or discrimination to one of the LCWSA's Compliance Officers.

In addition to being subject to discipline if they engaged in harassing conduct themselves, supervisors or the Executive Director will be subject to discipline for failing to report suspected harassment or otherwise knowingly allowing harassment to continue.

Supervisors and the Executive Director will also be subjected to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the emotional impact on the complainant as well as all parties involved. Supervisors and managers will ensure complaints are handled with sensitivity and without retaliation.

4. Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. The following are standard methods of bystander intervention that can be used by a witness to discrimination or harassment who wants to intervene:

- a. Interrupting harassment by engaging with the individual being harassed;
- b. Asking a third party to help intervene in harassment;
- c. Making a record of the harassment to benefit a future investigation;
- d. Following up with the harassed individual and confirming the behavior was not okay; or
- e. If safe, confronting the harasser(s) and naming the behavior as inappropriate. When confronting harassment, physically assaulting an individual or reciprocating by engaging in harassment, is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above serve as a brief guide for how to react when witnessing harassment in the workplace. As set forth above, any employee witnessing harassment as a bystander is encouraged to report it; a supervisor or manager who is a bystander to harassment is required to report it.

B. Time for Reporting a Complaint

Prompt reporting of all complaints is strongly encouraged. All employees should be aware that appropriate resolution of complaints and effective remedial action oftentimes is possible only when complaints are promptly filed.

C. Confidentiality and Privacy

The LCWSA shall keep complaints as confidential as is consistent with a thorough investigation, and other laws and regulations regarding employees. To the extent complaints made under this Policy implicate criminal conduct, the LCWSA may be required by law to contact and cooperate with the appropriate law enforcement authorities. During the pendency of an investigation, the LCWSA will consider implementation of appropriate mitigating measures in an effort to ensure against retaliation and ensure complaints and investigations are handled with sensitivity toward those participating.

D. Acknowledgement of Complaint

Upon receipt of an oral or written complaint, the Compliance Officer should endeavor to contact promptly the complainant to confirm that the complaint has been received. If the complainant does not receive such confirmation promptly, she/he is encouraged to contact a Compliance Officer or his/her supervisor, as the case may be, to whom the complaint was made to ensure its receipt. The purpose of this acknowledgment procedure is to ensure that all complaints are received by authorized individuals, carefully processed and promptly investigated.

III. Investigation Procedures

A. Timing of Investigations

LCWSA will promptly investigate all allegations of discrimination and harassment prohibited by this Policy. The LCWSA will also attempt to complete investigations under this Policy promptly. The length of the investigation will depend upon the complexity and particular circumstances of each complaint.

B. Method of Investigation

Investigations will provide all parties due process, and reach reasonable conclusions based on the evidence collected. Investigations will be conducted by LCWSA Compliance Officers and/or other impartial persons designated by the LCWSA. The primary purposes of all investigations under this Policy will be to determine:

- Did the conduct complained of occur?;
- Did the conduct complained of violate this Policy?; and
- What remedial measures or preventative steps, if any, shall be taken?

Investigations will necessarily vary from case to case and may typically include the following: fact-finding interviews, including of the accuser and the accused; document request, review and preservation, depositions, observations, or other reasonable methods. LCWSA investigators should pursue reasonable steps to investigate each complaint in a thorough and comprehensive manner. Any notes, memoranda, or other records created by LCWSA employees or agents conducting investigations under this Policy shall be deemed confidential and privileged to the extent allowed by law.

Investigators will typically create a written document of the investigation (such as a letter, memo or email), which contains the following:

- A list of all documents reviewed, along with a detailed summary of relevant documents;
- A list of names of those interviewed, along with a detailed summary of their statements;
- A timeline of events;
- A summary of prior relevant incidents, reported or unreported; and
- The basis for the decision and final resolution of the complaint, together with any remedial actions.

C. Notification to Complainant Party and the Accused Party

The results of the investigation shall be communicated in writing to both the person filing the complaint and the accused party. The LCWSA will remind the individual(s) reporting the complaint of his/her rights pursuant to the Legal Protections and External Remedies Section of this Policy.

D. Remedial Measures

This Policy is intended to prevent all forms of unlawful discrimination and harassment and put an end to any prohibited discrimination that is found to have occurred. While disciplinary action may be appropriate in certain instances, punitive measures are not the exclusive means for responding to prohibited discrimination or harassment. During the pendency of any investigation being conducted pursuant to this Policy, remedial measures may be taken if appropriate and necessary.

Any individual who is found to have engaged in prohibited discrimination or harassment or conduct which may be prohibited by this Policy, may receive education, training, counseling, warnings, discipline, or other measures designed to prevent future violations of this Policy. Disciplinary action may include warnings, suspension, or discharge from employment. Any third party found to have engaged in discrimination or harassment of an employee may be barred from LCWSA property.

IV. Prohibition Against Retaliation and Abuse of the Policy

Unlawful retaliation can be any action that could discourage an employee from coming forward to make a complaint or support a discrimination or harassment claim. Adverse action need not be job-related or occur in the workplace to constitute retaliation (e.g., threats of physical violence outside of work hours). Examples of retaliation may include, but are not limited to: demotion, termination, denying accommodations, reducing hours, or the assignment of less desirable shifts; publicly releasing personnel files; refusing to provide a reference or providing an unwarranted negative reference; labeling an employee as “difficult” and excluding him/her from projects to avoid “drama;” undermining an individual’s immigration status; or reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Retaliation is strictly prohibited by this Policy and by law against anyone for making or encouraging another employee to make a good faith complaint of harassment or discrimination, for opposing in good faith any practices forbidden by

applicable anti-discrimination laws or for filing a good faith complaint with, or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws.

Even if the alleged harassment or discrimination does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if he/she had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment or discrimination.

Complaints of retaliation should be brought directly to a Compliance Officer. Such complaints will be promptly investigated. If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, or in the case of a non-employee, an appropriate remedy up to and including termination of the business relationship.

V. Record Keeping

LCWSA shall maintain a written record of all complaints of discrimination and/or harassment for a period of at least three years. The LCWSA shall also document the steps taken with regard to investigations, as well as conclusions reached and remedial action taken, if any. The LCWSA shall also maintain these documents for, at a minimum, three years.

The LCWSA's records regarding alleged discrimination and harassment shall be maintained separate and apart from personnel records in a secure and confidential location.

VI. Legal Protections and External Remedies

Discrimination and harassment based on protected characteristics, including sexual harassment, are not only prohibited by the LCWSA but are also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the LCWSA, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, Art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment and harassment based on other protected characteristics set forth in this Policy, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the discrimination or harassment. Complaints of sexual harassment that accrue on or after August 12, 2020 may be filed with DHR at any time **within three** years of the alleged sexual harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged harassment, including sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the LCWSA does not extend an individual's time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

An individual does not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate an individual's complaint and determine whether there is probable cause to believe that sexual or other illegal harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual or other illegal harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring LCWSA to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees (in sex discrimination and sexual harassment cases only) and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on a computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at 1(800) HARASS3 for more information about filing a sexual harassment complaint. This hotline can also provide a referral to a volunteer attorney experienced in sexual harassment matters who can provide limited free assistance and counsel over the phone.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the discrimination or harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred but does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street,

10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

VII. Questions

Any questions by employees of LCWSA about this Policy or potential harassment or discrimination or retaliation should be brought to the attention of one of the LCWSA's Compliance Officers. The names, addresses, and telephone numbers of the LCWSA's Compliance Officers are listed in Section 10 of this Policy.

VIII. Compliance Officers

Jason Molino 1997 D'Angelo Drive, Lakeville
Name Office Location

(Work) 585-346-3523 (Cell) 585-356-3442
Telephone Number

Mark Kosakowski 1997 D'Angelo Drive, Lakeville
Name Office Location

(Work) 585-346-3523 (Cell) 585-739-4977
Telephone Number

IX. Effective Date and Policy Dissemination

The effective date of this Policy, as revised, shall be June 21, 2023. The Executive Director shall ensure that this Policy is adequately disseminated and made available to all employees of the LCWSA. In addition, copies of this Policy and Complaint Form shall be posted in the break room and maintained in the office of each Compliance Officer.

Upon the effective date of this Policy, as revised, the provisions of this Policy shall supersede and replace prior LCWSA policies and regulations regarding employment discrimination and harassment.

PURPOSE

These policies are based on the requirements of New York State Public Officers Law Section 74 and shall serve as a guide for official conduct and are intended to enhance the ethical and professional performance of the Authority's directors and employees and to preserve public confidence in the Authority's mission.

SCOPE

This Code of Ethics shall apply to all directors, officers and employees of the Livingston County Water and Sewer Authority ("Authority").

POLICY

I. Prohibited Conduct

Disciplinary action up to and including termination of employment may result for any of the following:

- a. The use, consumption, possession, manufacture, distribution or sale of prohibited drugs or drug paraphernalia by employees during working hours, when performing job duties, or when on LCWSA property. The term "working hours" includes meal and break times during the employee's workday. "Performance of job duties" includes LCWSA-reimbursed travel in LCWSA or private vehicles. The term "prohibited drugs" means marijuana, cocaine, opiates, amphetamines, phencyclidine, methamphetamine, methylenedioxymethamphetamine and any other substance for which use is prohibited under Federal Department of Transportation Federal Motor Carrier Safety Administration (FMCSA) regulations (49 CFR Part 382.213). This includes any drug or substance identified in 21 CFR 1308.11 Schedule I; or any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR part 1308, except when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.
- b. The use, consumption, possession, manufacture, distribution or sale of alcohol during working hours, when performing job duties, or when on LCWSA property is strictly prohibited. This prohibition does not apply to originally sealed, unopened containers of alcoholic beverages which are kept in an employee's vehicle or to LCWSA-sponsored activities at which alcoholic beverages are served or allowed. In the event of such activities, employees must conduct themselves in a manner which does not present a danger to themselves, other employees, the general public or the LCWSA's image or reputation.
- c. Reporting to work or working under the influence of alcohol or prohibited drugs. An employee who has a blood-alcohol concentration of 0.04 or higher will presumptively be considered to be under the influence of alcohol. An employee who tests positive for a prohibited drug under DOT testing procedures and standards will presumptively be considered to be under the influence of prohibited drugs. See Section VII of this Policy for consequences of a positive test for alcohol or a prohibited drug.

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- d. Use of alcohol within four hours of reporting to work or within four hours after receiving notice to report to work.
 - e. Use of alcohol following an accident subject to testing under this Policy for eight hours after the accident, or until the employee undergoes a post-accident alcohol test, whichever occurs first.
 - f. Being arrested, charged with or convicted of a drug or alcohol-related offense. In determining what action to take in these circumstances, the LCWSA will consider the nature of the charge, the circumstances of the arrest, the employee's record with the LCWSA, and the impact the arrest, charge or conviction may have (or has) on the public, the LCWSA's residents and the LCWSA's image and reputation. In addition to discipline (including termination), an employee may be suspended or reassigned pending resolution of an arrest or charge.
 - g. Refusing to submit to, or failing to cooperate in, any test for alcohol or a prohibited drug. Failing to fully cooperate includes refusal to complete any necessary documents and submitting an adulterated or substitute specimen in any test required under this Policy.
 - h. Violation of any requirement of FMCSA regulations.
 - i. Knowingly allowing anyone under his/her supervision to violate the preceding provisions of this Policy.

II. Prescription and Over-The-Counter Medications

Employees taking prescription or non-prescription medications which may impact the judgment, coordination or job performance of the employee must report such use in writing to the employee's department head. Prescription medicines must be kept in their original container. Instructions provided by the manufacturer or physician for all medications must be followed.

III. Types of Testing

Employees are subject to the following types of testing:

Random Testing. The LCWSA will periodically conduct testing which involves the random selection of employees for drug and/or alcohol tests.

Reasonable Suspicion. The LCWSA may require testing if it has reasonable suspicion that the employee, while on duty, is under the influence of alcohol or a substance listed or referenced in Section III(a).

Basis of Reasonable Suspicion. Reasonable suspicion need not rise to the level of the standard of probable cause but must be substantially more than a hunch. Good cause is necessary for the suspicion and such cause should be documented. Reasonable suspicion may be based upon:

- Observable phenomena, such as direct observation of illegal use or possession of prohibited drugs and/or physical symptoms of being under the influence of prohibited drugs.
- Observable phenomena, such as direct observation of the use or possession of alcohol while on duty and/or physical symptoms of being under the influence of alcohol while on duty.
- A pattern of abnormal conduct or erratic behavior.

- Arrest or conviction for a drug related offense or the identification of an employee as the focus of a criminal investigation into illegal drug use or trafficking.
- Arrest or conviction for an alcohol related offense committed while on or off duty.
- Information provided either by reliable and credible sources or from other sources which is independently corroborated.

Post-Accident. If an on-duty employee has an accident while operating a motorized vehicle or motorized equipment which causes an injury or property damage, the LCWSA may send the employee for testing.

Return-To-Duty. If an employee has violated alcohol and/or prohibited drug rules, the employee is required to take an alcohol and/or drug test before returning to work.

Follow Up. If an employee returns to work after a positive test, follow up testing will be performed in accordance with a schedule established by the Substance Abuse Professional.

IV. Testing Procedures

The following testing procedures shall be followed:

Notice of Requirement to Submit to Testing. The Executive Director or his/her designee will instruct the employee to report for testing. The employee will be informed of when and where to report for such testing. An employee will not be called in for random testing during non-working hours of the employee. This does not preclude reasonable suspicion or post-accident testing of an employee when not on duty.

If an employee is being sent for reasonable suspicion testing, the employee may request information regarding the basis of the suspicion. Such information shall be provided to the employee in writing no later than two business days¹ after the request.

Challenging Reasonable Suspicion. The employee has the right to challenge reasonable suspicion. This challenge must be submitted in writing to the member of the LCWSA Board of Directors' Governance Committee designated for such purposes within two business days of the date reasonable suspicion testing was directed. The employee must submit to the sample collection and the samples will be tested. Test results will be held by the testing agent and not communicated to the LCWSA. The employee and a LCWSA representative will be provided with the opportunity to state their cases to the LCWSA Administrator at a hearing held within 10 business days of the employee's challenge of reasonable suspicion. The LCWSA Administrator will render his/her decision in writing to the parties within ten days of the hearing. If the LCWSA Administrator determines that there was reasonable suspicion for testing, the testing agent will forward the test results to the LCWSA, otherwise the test results will not be communicated to the LCWSA. During the challenge, the employee will be placed on an administrative leave without pay. The employee may use vacation, holidays or personal leave accruals to receive pay during the leave. If it is determined that there was no reasonable suspicion or there is reasonable suspicion, but the test results are negative, the employee will be paid, or leave accruals will be reimbursed, for all missed work time.

¹ "Business days" shall mean Monday through Friday, excluding holidays.

Employee Submits to Testing. The employee will submit to testing as required by the LCWSA. If the employee is being sent for reasonable suspicion testing or post-accident testing, the LCWSA will provide a driver to transport the employee to and from the testing site. Employees who are sent for testing must complete all necessary forms and releases. An employee who refuses to cooperate with any aspect of testing will be subject to disciplinary action which may include termination of employment.

Testing Agent. The testing agent shall be Safe Driver Solutions or another mutually agreed upon testing agent.

Employee Discloses Medications. The employee will disclose any medications, dietary supplements, illegal drugs, alcohol or other relevant substances that have been ingested within a relevant period to the testing agent as directed. This disclosure will be confidential and shall not be provided to the LCWSA unless there is a final positive test result.

Testing. An evidential breath testing device will be used for alcohol tests with tests administered by a certified breath alcohol technician. In the event that an employee is unable to produce enough breath for a breath alcohol test, a blood sample will be drawn and will be tested to determine blood alcohol concentration level. Drug tests will be performed by urinalysis by a scientifically accepted screening test with confirmation of positive results by Gas Chromatography-Mass Spectrometry or by another method which is scientifically accepted as being at least as reliable as the Gas Chromatography-Mass Spectrometry test. Blood testing may also be used as required and/or permitted by FMCSA regulations. Split samples will be taken for drug tests. The urinalysis or blood testing shall be performed by a Department of Health and Human Services certified laboratory.

Results. The testing agent will notify the LCWSA of the final test results. If necessary, the employee will sign a release and/or authorization acceptable to the testing agent to authorize and direct the provision of final test results to the LCWSA. The LCWSA will notify the employee of the results promptly. In the case of negative test results, the LCWSA or its designee will notify the employee in writing mailed by first class mail to the employee's last known home address. In the case of positive test results, the LCWSA will notify the employee in writing which shall be either hand delivered to the employee or mailed by certified mail, return receipt requested, to the employee's last known home address. The LCWSA shall mail or deliver notice of the positive test results to the employee within 10 business days of receipt. All results will be confidential and information regarding the results will be disseminated on a need to know basis only. A positive test result for drugs will be detection of a substance listed or referenced in Section III(a) and will be subject to Section VII of this Policy. A test result of 0.04 blood alcohol concentration or greater shall be deemed a positive test result subject to Section VII of this Policy. A test result of less than 0.04 but 0.02 or greater blood alcohol concentration will result in the employee's suspension from duty for a period of 24 hours.

Challenging Test Result. If an employee wishes to challenge a positive drug test result, he/she must request, in writing, a second analysis within 72 hours of his/her receipt of notice of the positive test result. The second half of the split sample will be analyzed by a different certified laboratory using the same testing techniques described in the "Testing" paragraph of this section. If an employee is suspended pending the results of the second analysis and the second analysis does not confirm the first, the employee shall be made whole for any pay or benefits lost as a result of the suspension.

Cost of Test. The cost of pre-employment, random, reasonable suspicion and post-accident test(s) shall be paid by the LCWSA, to the extent not covered by the employee's health insurance (if any). The cost of return-to-duty and follow-up test(s) shall be the responsibility of the employee.

Payment of Employee. Employees shall be paid for testing time, including travel time to and from the test or collection site. This time shall be treated as time worked.

V. Consequences of Positive Test Result

The effect of an employee's positive test result shall be as follows:

First Offense. After the first positive alcohol test, the employee will be provided with a list of Substance Abuse Professionals ("SAPs") readily available to the employee and acceptable to the LCWSA, with names, addresses and telephone numbers. The SAP will evaluate the employee and recommend appropriate treatment. If the employee wishes to use a specified treatment professional/facility, he/she must inform the SAP of his/her preference. If the SAP determines that the suggested professional/facility is properly qualified to carry out the recommended treatment, the SAP shall approve the professional/facility. If the SAP determines that the suggested professional/facility is not properly qualified to carry out the recommended treatment, the SAP shall designate one or more professionals(s)/facility(ies) that the employee may use. Any professional/ facility which is approved for treatment must: (1) provide the recommended treatment, and (2) make regular reports to the SAP regarding the employee's compliance with the treatment program and his/her progress. If the professional/facility fails to do either or both of these things, the SAP may require the employee to seek treatment from another source. The employee must follow the treatment recommendations of the SAP. If the employee complies with these requirements and is fit to return to work within one year from the date of the positive test, then the employee may return to duty, subject to any follow up testing requirements established by the SAP after consultation with the treatment professional. Otherwise, the employee may be discharged.

Other Offense. For subsequent offenses, the LCWSA may discharge the employee immediately.

Cost of Treatment recommended by SAP. The cost of treatment shall be the responsibility of the employee, to the extent not covered by the employee's health insurance.

Leave During Treatment. An employee may use accruals of sick, vacation, holiday and personal time to receive pay while seeking treatment, otherwise this period of time will be a leave without pay. Employee health benefits shall remain in effect during any periods of paid absence.

VI. Reporting Criminal Convictions

Employees must, as a condition of employment, abide by the terms of this Policy and report any conviction under criminal drug statutes for violations occurring on or off LCWSA premises while conducting LCWSA business. A conviction must be reported to the LCWSA within five (5) calendar days after the conviction.

VII. Voluntary Requests for Assistance

Voluntary requests for assistance with respect to alcohol problems will not be subject to discipline for first requests provided the request is made before: (1) notice of testing is given to the employee, (2) the occurrence of an accident, or (3) arrest for an alcohol related offense. The provisions of this section do not apply to drug related requests.

VIII. Notice of Policy

The LCWSA will provide each employee with a copy of this policy.

IX. Educational Materials

The United States Department of Transportation website has educational materials that explain the requirements of the regulations. These include:

1. **General information:** The United States Department of Transportation, Office of Drug and Alcohol Policy & Compliance website: <http://www.dot.gov/ost/dapc/>
2. **Frequently asked questions:** http://www.dot.gov/ost/dapc/odapc_faq.html
3. **Provisions of the law that apply to you:** <http://www.dot.gov/odapc/am-i-covered>
4. **Employee information:** <http://www.dot.gov/odapc/employee>
5. **Employee handbook:**
<http://www.dot.gov/sites/dot.dev/files/docs/ODAPC%20EmployeeHandbook%20En.pdf>

X. LXWSA Designee

The person that can answer questions and provide additional information with respect to the Educational Materials listed in Section XI of this Policy is: Jason Molino, Executive Director, Livingston County Water & Sewer Authority, 1997 D'Angelo Drive, Lakeville, NY 14480, (585) 346-3523, jmolino@lcwsa.us.

XI. Satisfaction of Notice and Education Requirements

CSEA agrees that employee access to the Educational Materials listed in Section XI, coupled with the provisions of drug and alcohol testing Memorandum of Agreement of the collective bargaining agreement between the LCWSA and CSEA, and this Policy satisfy all Policy and Notice Requirements set forth in Section 2 of the drug and alcohol testing Memorandum of Agreement and all LCWSA obligations under 49 CFR 382.601, and other applicable regulations.

CERTIFICATE OF RECEIPT

I hereby certify that I have received and reviewed a copy of the Educational Materials referenced in Section XI of this LCWSA Drug and Alcohol Policy, a copy of this Policy and a copy of drug and alcohol testing Memorandum of Agreement of the collective bargaining agreement between the LCWSA and CSEA.

Print Name

Signature

Date

PURPOSE

Pursuant to New York Civil Service Law Section 159-b, all LCWSA employees are entitled to take up to four (4) hours of paid leave each calendar year, without charge to leave credits, for the purpose of any type of cancer screening scheduled during the employees' regular work hours.

SCOPE

This Leave for Cancer Screenings shall apply to all employees of the Livingston County Water and Sewer Authority ("LCWSA").

POLICY

The paid leave may be used for screening any form of cancer, including but not limited to breast cancer, prostate cancer, cervical cancer, skin cancer, colon cancer, ovarian cancer, bladder cancer, or lung cancer. Cancer screening may include physical exam, imaging, biopsy, Pap Smear, mammogram, blood test or surgical procedure for the purpose of detecting cancers.

Travel time is included in this four (4) hour cap. Absence beyond the four (4) hour cap must be charged to leave credits, if available, or be unpaid (employees are not granted compensatory time off for cancer screenings that occur on a day off or a holiday). Employees who undergo screenings outside their regular work schedule do so on their own time.

Leave for cancer screenings is not cumulative and expires at the close of business on the last day of each calendar year.

Employees must comply with and follow the customary LCWSA leave procedures, including making a request for time off in advance, obtaining approval of the request, and notifying the Executive Director or his/her designee that the leave is for cancer screening.

Furthermore, an employee must provide satisfactory medical documentation that the absence was for the purpose of screening for any type of cancer, by submitting a completed Claim Form for Cancer Screening. The Claim Form for Cancer Screening with Healthcare Provider's statement is available in the Administrative Office.

LCWSA will keep the Cancer Screening statements confidential to the fullest extent required and allowed by law, with only those required to grant approval or certify time and attendance reports having access.

If claiming excused leave, please provide this completed Claim Form to the Executive Director in a confidential envelope. For this benefit to be paid, this Claim Form must be received by the Executive Director no later than end of the pay period in which the leave is taken.

Employee Name: _____

Date of screening: _____ Time of appointment: _____

Total time requested (with travel): _____

On _____ (date) I used _____ hours of paid cancer screening leave, which included appointment and travel time.

Employee's signature: _____ Date: _____

I, _____ (please print) attest the above patient underwent a cancer screening procedure on the date/time set forth above.

Healthcare Provider Signature: _____

(Doctor, Nurse Practitioner, Nurse, Technician, Medical Office Personnel)

Address/Location of screening: _____