

**WAYNE COUNTY WATER AND SEWER AUTHORITY
BOARD MEETING MINUTES**

Meeting of: December 19, 2017

Location: Wayne County Water & Sewer Authority Operations Center, Walworth, New York

Present: LaVerne Blik, Jean Johnson, David Scudder, Dan LaGasse, Mark Humbert, William Hammond, Donald Ross

Absent: Robert Hutteman, Rick Stevens

Advisors Present: Michael Howard, General Counsel

Staff Present: Martin J. Aman, Executive Director
Jason Monroe, Director of Operations
Derek Ceratt, Technical Director
Demaris Verzulli, Secretary of the Meeting
Sheryl LaDelfa, Accounting Manager (Financials portion only)

Visitors: None

Chairman LaVerne Blik called the meeting to order at 4:00 p.m. .

I. Chairman's Report

Adoption of Minutes: Ms. Johnson moved, Mr. LaGasse seconded and all members present unanimously approved the following resolution:

RESOLVED, that the minutes of the November 28, 2017 meeting of the Wayne County Water and Sewer Authority be accepted with no changes.

Correspondence: None

II. Treasurer's Report

Ms. Johnson presented the warrant and bills.

After due discussion and deliberation, Mr. Hammond moved, Mr. LaGasse seconded and all members present unanimously approved the following resolution:

RESOLVED, that the following statements are hereby authorized and directed to the Treasurer for payment: Water Authority Operational – (includes all) vouchers 17-1925 to 17-2078 totaling \$686,022.08.

Ms. Johnson presented the Financial Statements for the month of November

After due discussion and deliberation, Mr. Scudder moved, Mr. Hammond seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Wayne County Water and Sewer Authority's Monthly Financial Statements for November 2017 be approved and accepted.

III. Agenda Items

Update on Building Expansion

Mr. Aman reviewed his report of the prior meeting for those members who were not there. Change Order No. 2, authorized not to exceed \$11,000, came in at \$10,549. He reported that the schedule is for the administrative staff to move into the new part of the building in the first or second week of February, with the completion of the expansion slated for the end of April. Mr. Ceratt reported that the new phones had been received and the system successfully changed over from the old four line system to the new Mitel VOIP system. Some adjustments to the message system need to be made and more phones will be installed as the building progresses. Mr. Aman reported that Authority personnel had installed the sidewalk.

Mr. Humbert entered the meeting.

Regional Wastewater Treatment Plant Roof Replacement

Mr. Aman reviewed the bid situation, where all bids but one were very high. The low bid, from KangaRoof, has been reviewed, the materials are being approved and he is confident that the bid should be accepted. After due discussion and deliberation, Mr. Ross moved, Mr. Humbert seconded and all members present unanimously approved the following resolution:

WHEREAS, the Members of the Authority, in accordance with Article 8 of the Authority's Procurement Policy, make the following determinations: (i) the proposed awardee has been found to be responsible; (ii) the proposed awardee has complied with the Authority's Procurement Policy; (iii) the proposed awardee has disclosed all information required by the Authority's Procurement Policy; and (iv) the procurement process did not involve conduct that is prohibited by the Public Officers Law and the Authority's Procurement Policy.

THEREFORE, BE IT RESOLVED, that the bid for improvements at the Red Creek Regional Wastewater Facility located at 6765 Ford Road in Red Creek, New York, consisting of (i) replacement of the roof on the process (main) building; (ii) replacement of the roof on the influent building; and (iii) all ancillary and appurtenant improvements, costs and expense related to the foregoing be awarded to the lowest responsible bidder, Lakeside Roofing & Contracting, aka Kanga Roof, of 7440 State Route 31, Lyons NY for the amount of \$71,100.00.

Mr. Aman reported that he had budgeted some \$15,000 for architectural services to get the project started. MRB Group has not charged the Authority for their services up to this point, given their role in the inspection and approval of the first roofs which failed prematurely. At this time MRB has submitted a contract for the bidding and construction phase, review of submittals and inspection. Mr. Aman asked the board to approve this contract. After due discussion and deliberation, Mr. Scudder moved, Mr. Hammond seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Executive Director be authorized to accept the contract from MRB Group for the bidding and construction phase, including review of submittals and inspection, of the Red Creek Regional Wastewater Facility Roof Replacement Project, for an amount not to exceed \$6,500.00.

Regional Water Storage Tank Update

Mr. Aman reviewed some of the ancillary services needed before the closing on the Brantling Hill property slated for the Regional Tank. A survey has been completed; quotes were obtained for a Phase I environmental study and are being pursued for the soil testing process. Mr. Aman reported

that he and David Doyle from MRB Group had a productive meeting with USDA officials, wherein Mr. Aman and Mr. Doyle answered numerous questions the answers to which are now being backed up by engineering work. The USDA is considering funding the entire project but applications for other sources of grant funding are still planned. The USDA representatives wanted to clarify the Authority's designation of restricted and unrestricted funds. They were satisfied with Mr. Aman's explanation that the capital reserve is meant to cover anticipated capital projects up to twenty years in the future, and not all of it is available for one project. Mr. Aman told them that the board has been asked to consider a contribution to the project but has not made a decision. Mr. Aman would like to wait to see if the USDA decides to fund the entire project, and then a decision can be made whether to seek reimbursement from the participating towns for expenditures the Authority has made toward the project or to consider the funds expended by the Authority so far as a contribution.

There was discussion of the Lateral Restrictions Resolution distributed to the board at the last meeting. Mr. Howard will explore Mr. Scudder's suggestions to modify the definition of a subdivision and produce a hardship application as mentioned in the resolution. In Mr. Howard's opinion, action on the restrictions at the next meeting would still be timely. It was the consensus of the board to modify the resolution as necessary and address it at a future meeting.

Regional WWTP Feasibility Study Update

Mr. Aman reported that the WQIP awards were announced last week and the awards did not include anything for this project, which seemed to fit the intention of the grant initiative so well. Mr. Aman called the DEC for some feedback on this disappointment. He was told that the Department is well aware of the project but given the short timeline to apply by the deadline, the application was not sufficiently complete to be approved for funds. A complete application is expected to be in place for the next rounds of funding, when the project should be reviewed favorably. Mr. Aman reported that although Macedon has used one year of the five it has to spend down the seven million dollars in EFC hardship funding that it had obtained, and it could be up to an additional full year before notice of additional funding may be known, the engineers feel that still leaves enough time for the project to be completed. There may be some temporary upgrades to the existing Macedon wastewater treatment plant needed in the interim. In addition, Macedon officials would like the EFC to agree in writing that its committed hardship funding can be used in a direction other than renovation of the existing Macedon wastewater plant.

Arcadia WD #12 Construction Project

Mr. Monroe reported that the vault for the pressure control valve has been installed and the valve will be placed the next day. Some necessary cleanup will be done in the spring. The project has been substantially closed out with the Town of Arcadia.

Port Bay Sewers Update

Mr. Aman reported that there will be about 350 easements to sign as this project moves forward. Because the cost of the project has increased, the bonding limit must be raised, subject to a permissive referendum, even though all of the cost overruns should be covered with grants. The bid is expected to be awarded by early March, with the end of the estoppel period for the referendum at the end of February.

Village of Red Creek

Mr. Aman reported that he and Mr. Monroe would be meeting with the new mayor the following day to discuss the long term plan for the village water system. He was pleased that the village raised their water rate from \$2.05 per thousand gallons to \$3.00, an indication that the old water rates were grossly inadequate to cover the costs of proper system operation and maintenance.

Town of Sodus Lease Update

Mr. Aman reported that he is aware that Sodus Supervisor Steve LeRoy is waiting until the new year to address the lease. Mr. Ceratt reported that the bathroom in the renovated building portion is under construction.

Alasa Farms Discussion

Mr. Aman reported that he had contacted the county to verify Alasa Farms' contention that they were using the farm to house animals seized by the county, and because of this aid, deserved some consideration to receive a portion of their water at no charge. The county representative told him the Humane Society also houses seized animals. Mr. Aman feels, and it was the consensus of the board, that it would not be appropriate to make an exception to the Authority's procedures for Alasa Farms.

Miscellaneous Meetings Report

Mr. Aman reported that he received a call today that Governor Cuomo would be visiting the area on Thursday to make an announcement related to water resources in the state. The governor would like some representatives of drinking water organizations to be present, and Mr. Aman will attend.

Attorney's Report

Mr. Howard reported that the Memorandum of Understanding (MOU) that is in place for the Regional Water Tank Project needs to be extended. This includes the Authority and the Towns of Arcadia, Huron, Lyons, Marion, Sodus and Williamson. After due discussion and deliberation, Mr. Humbert moved, Mr. LaGasse seconded and all members present unanimously approved the following resolution:

RESOLVED, that the effective period of the Memorandum of Understanding (MOU) that is in place for the Regional Water Tank Project, including the Authority and the Towns of Arcadia, Huron, Lyons, Marion, Sodus and Williamson, be extended through December 31, 2019; and it is further

RESOLVED, that the Executive Director is hereby authorized to sign Addendum No. 1 to the MOU with all involved municipalities.

Mr. Howard reported that considering that the funding will be supplied by USDA, which requires that all contracts be at least as long as the 38 year funding period, the lease agreements with the participating towns will need to be renewed and extended to satisfy this requirement. After due discussion and deliberation, Mr. Humbert moved, Ms. Johnson seconded and all members present unanimously approved the following resolution:

WHEREAS, the Wayne County Water And Sewer Authority (hereafter "Authority") is working on the potential development of a regional storage tank project ("Project"), to be located in

the Town of Arcadia and is exploring the availability of USDA and other governmental grants and loans (“Funding Sources”) to advance the Project, and

WHEREAS, USDA Funding Sources require that contracts with participating municipalities have a term of at least 38 years to support project financing; and

WHEREAS, the Authority has leases in place with the Towns of Arcadia, Huron, Lyons, Marion and Sodus, and a supply agreement in place with the Town of Williamson; (collectively, “Participating Municipalities”); and

WHEREAS, the Participating Municipalities are willing to extend the terms of their respective contracts with the Authority to support Project financing as required by the Funding Sources;

NOW, THEREFORE, following due discussion and deliberation, be it

RESOLVED, to extend the terms of the contracts with each of the Participating Municipalities so that the terms thereof, including any extension periods, are at least forty (40) years; and, more specifically, it is further

RESOLVED, that the terms of such contracts shall be revised/extended as follows:

- Town of Arcadia: Revised Term: January 1, 2018 - December 31, 2058;
- Town of Huron: Revised Term: January 1, 2018 - December 31, 2058;
- Town of Lyons: Revised Term: January 1, 2018 - December 31, 2038, plus 20-year renewal term;
- Town of Marion: Revised Term: January 1, 2018 - December 31, 2038, plus 20-year renewal term;
- Town of Sodus: Revised Term: January 1, 2018 - December 31, 2038, plus 20-year renewal term;
- Town of Williamson: Revised Term: January 1, 2018 - December 31, 2023, plus up to seven (7) five-year renewal terms; and it is further

RESOLVED, that the Executive Director is hereby authorized and directed to take such further actions and execute any and all further documents required to effectuate this Resolution.

Mr. Howard reported that the DEC has provided comments on the Authority’s sewer use rules which had been submitted months before. Mr. Howard plans to provide clarification on the penalty section and the powers of the Authority as well as technical comments. He recommended scheduling a work session.

Monthly Report

Mr. Monroe presented a verbal monthly report. The crews are moving toward a maintenance mode, given the season. He and Mr. Aman are working toward the next year’s construction projects. It was a busy month for repairs. There were five water main repairs, a frozen hydrant, a hydrant hit by a vehicle in a snowstorm, and a number of service repairs. Six new water services were installed. A new service is pending on Bauer-VanWickle Road where the tap will be located in a swampy area which must freeze before the tap can be made safely. There are a large number of door hangers (272) to be distributed in Walworth and Marion the next day, with turnoffs scheduled for after the holidays. Next week door hangers will go out to Macedon, including the former village, and Lyons. This is the busiest time for this task. Mr. Ceratt reported that he delivered the Emergency Response Plan and the Security Vulnerability Assessment to the Department of Health before the deadline of December 31; this is a large and arduous project that must be completed every five years.

Mr. LaGasse inquired if more information was available on the grant to Lyons for replacement of water services. Mr. Aman replied that guidelines are being developed.

Mr. Aman invited the board members to the Authority Christmas luncheon, to be held on Friday, December 22.

There being no further business to come before it, upon a motion made by Mr. LaGasse, seconded by Mr. Humbert, the meeting was adjourned at 5:20 p.m.

Respectfully submitted: _____
Demaris Verzulli, Secretary of the Meeting