

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

**Meeting of:** February 27, 2018

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

**Present:** LaVerne Blik, Jean Johnson, Robert Hutteman, David Scudder, Mark Humbert, Donald Ross

**Absent:** Rick Stevens, Dan LaGasse, William Hammond

**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:** Mr. Hutteman moved, Ms. Johnson seconded and all members present unanimously approved the following resolution:

RESOLVED, that the minutes of the January 23, 2018 meeting of the Wayne County Water and Sewer Authority be accepted with no changes.

**Correspondence:** Mr. Aman reported that he had received a letter from the DEC requesting a walk-through of the 200-acre Red Creek Regional Wastewater Plant property. Apparently this has something to do with a nearby landfill.

**II. Treasurer's Report**

Ms. Johnson presented the warrant and bills.

After due discussion and deliberation, Mr. Scudder moved, Mr. Hutteman 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: Vouchers 18-193 to 18-372 totaling \$789,104.12.

Mr. Humbert entered the meeting.

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

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

RESOLVED, that the Wayne County Water and Sewer Authority's Monthly Financial Statements for January 2018 be approved and accepted.

Ms. LaDelfa pointed out that a \$500,000 certificate of deposit at Lyons National Bank is maturing on February 28 and asked the board what they would like to do about reinvesting it. After due discussion and deliberation, Mr. Scudder moved, Ms. Johnson seconded and all members present unanimously approved the following resolution:

RESOLVED, that the \$500,000 certificate of deposit maturing on February 28, 2018 at Lyons National Bank be renewed for nine (9) months at the interest rate of 0.15%.

### III. Agenda Items

#### Finance Committee Report

Mr. Blik, Chairman of the Finance Committee, reported on the meeting of the Committee. Mr. Howard described the changes the committee recommends making to the Investment Guidelines, adding a section on new investment options and raising the deposit limit at any one financial institution. After due discussion and deliberation, Mr. Hutteman moved, Mr. Humbert seconded and all members present unanimously approved the following resolution:

WHEREAS, the Authority is required by Public Authorities Law §2925 to adopt and annually review and approve comprehensive investment guidelines which detail the Authority's operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the Authority; and

WHEREAS, the Authority has adopted comprehensive investment guidelines ("Investment Guidelines") and has reviewed the Investment Guidelines as required by statute; it is therefore

RESOLVED, that the Guidelines are hereby ratified and approved in their amended form; and it is further

RESOLVED, that a copy of the Authority's Investment Guidelines adopted pursuant to Public Authorities Law §2925 be distributed to the Authority's officers, members and administrative staff as required by statute; and it is further

RESOLVED, that the Authority Staff are hereby authorized and directed to implement the Guidelines in accordance with their terms.

Mr. Blik reported that there were no changes to the Procurement Policy other than companies' names on the blanket purchase order list that had changed due to acquisition. After due discussion and deliberation, Mr. Hutteman moved, Ms. Johnson seconded and all members present unanimously approved the following resolution:

WHEREAS, the Authority is required by General Municipal Law §104b to adopt policies and procedures for purchases for which competitive bidding is not required by statute and to annually review such policies and procedures; and

WHEREAS, the Authority has adopted a Procurement Policy in conformance with the state finance law ("Policy") and has reviewed the Policy as required by statute; it is therefore

RESOLVED, that the Policy is hereby ratified and approved in its current form; and it is further

RESOLVED, that a copy of the Authority's Procurement Policy adopted pursuant to State Finance Law §§ 139-j and 139-k be distributed to the Authority's officers, members and administrative staff as required by statute; and it is further

RESOLVED, that the Authority Staff are hereby authorized and directed to implement the Policy in accordance with its terms.

### **Water Billing Adjustment Discussion**

Mr. Aman explained to the board that the Authority has an unwritten policy for making adjustments to water or sewer bills, like those resulting from errors. Authority staff has historically followed a policy like Monroe County Water Authority's of allowing a one-time reduction of an unusually excessive bill, charging the customer their normal usage at the regular retail rate, and the overage at the wholesale rate. A situation has arisen in which a much larger amount of water is involved. A farm property inactive for a period of time was re-occupied without notifying the Authority. The farmer called when he did not receive a bill, and a meter was installed. Unfortunately, the meter was one of a shipment of Sensus meters in which the registers were not set up properly, and it did not report the correct amount of water that the meter was registering. After a number of months, the farmer called and reported that he had a large herd of cows and it didn't seem that he was being billed for enough water. The meter was discovered to have the wrong register and the actual water used would result in a bill in excess of \$20,000. Sensus is sending a representative to replace the incorrect registers of the meters still in stock. Discussion ensued. After due discussion and deliberation, Mr. Humbert moved, Mr. Ross seconded and all members present unanimously approved the following resolution:

RESOLVED, to adjust the water bill for account 4-43932 pursuant to standard procedures and bill the customer for the overage at the wholesale rate.

### **Comptroller's Audit Update**

Mr. Aman reported that he had received a draft report of the audit by the Comptroller's office, although it will not be official until after he meets with the auditors on March 6. After the March 6 exit interview, he will prepare a response to the audit and would like to have the Audit Committee review it before March 16, when the response is due. After due discussion and deliberation, Mr. Hutteman moved, Ms. Johnson seconded and all members present unanimously approved the following resolution:

RESOLVED, that there be a special meeting of the Audit Committee scheduled for Friday, March 9 at 11 a.m. to discuss the Comptroller's audit and the Authority's response.

### **Update on Building Expansion**

Mr. Ceratt reviewed the progress on the expansion. Employees have moved into the completed offices in the new portion of the building, and others have moved into temporary quarters while the deconstruction and renovation of the existing building area are taking place. The plan is to take possession of the completed project in mid-April. Mr. Aman expects to have the next month's board meeting in the new conference room, as the existing room will be divided into offices. Access control continues to be installed and will soon be complete.

Mr. Ceratt reported on the fuel management system progress. He has gotten quotes from several vendors and La Valley Brothers of Wolcott is the lowest bidder. When the weather breaks, a concrete island will be poured and the equipment installed. Mr. Scudder and Mr. Humbert know this company and highly endorsed the owners and their work. Mr. Aman reported that the Town of Sodus is using a program under which employees can get state bid price at any pump. It was the consensus of the board that investigating this system would be a good idea.

### **Eastern Regional Wastewater Treatment Plant Roof Replacement**

Mr. Aman reported that the Notice of Award has been issued and he is waiting for a meeting with MRB Group and the material supplier to be sure they are using the correct material. The project is anticipated to start in a month or so.

### **Regional Water Storage Tank Update**

Mr. Aman reported that all the necessary actions prior to purchase of the tank site had been completed, such as resolving a boundary dispute, geotech report, etc. and it was then possible to exercise the option to purchase and close on the property within the specified time. After due discussion and deliberation, Mr. Humbert moved, Mr. Hutteman seconded and all members present unanimously approved the following resolution:

RESOLVED, that the exercise of the option to purchase the Brantling Hill Regional Water Storage Tank Site as of February 2, 2018 and the acquisition of the site on February 9, 2018 by payment of the balance of the purchase price in the amount of \$40,118.83 and the closing costs of \$4,284.00 be ratified and confirmed by the Board of Directors of the Wayne County Water and Sewer Authority.

Mr. Aman reported that it is necessary to file a SEQR notice in regard to the proposed Water Lateral Restrictions Policy. After due discussion and deliberation, Mr. Scudder moved, Mr. Hutteman seconded and all members present unanimously approved the following resolution:

WHEREAS, the Wayne County Water & Sewer Authority is planning to adopt a "Lateral Restriction – Conditions on Future Service" Resolution; and

WHEREAS, the Authority has examined the project under the New York State Environmental Quality Review (SEQR) review process; and

WHEREAS, in accordance with SEQR regulations the WCW&SA has determined that the proposed action is an unlisted action under 6 NYCRR Part 617.5(c)(2) with no significant environmental impact and no further action is required; therefore let it be

RESOLVED, that notation of the determination of the action as an unlisted action under 6 NYCRR Part 617.5(c)(2) be included in the project file.

Mr. Aman requested that the board adopt the Lateral Restrictions Resolution that had been discussed at several previous meetings. After due discussion and deliberation, Mr. Humbert moved, Mr. Scudder seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Wayne County Water and Sewer Authority hereby adopts the Lateral Restrictions Policy in connection with the Regional Water Storage Tank Project in the form attached hereto and further authorizes and directs the filing of a copy thereof, certified by the Secretary of the Authority, as required by PAL §1199-ee(21).

### **Western Regional WWTP Feasibility Study Update**

Mr. Aman reported that he attended a positive meeting with the project participants, representatives from the towns of Marion and Macedon and the Village of Palmyra, all of whom appear to be committed to the project. This week on Friday there will be a conference call with the EFC to discuss the use of the hardship funding obtained by Macedon. Mr. Howard advised a meeting with bond counsel to discuss the proposal that the Authority finance, own and operate the system and plant.

### **Port Bay Sewers Update**

Mr. Aman reported that he has not heard officially if there had been a call for a referendum, so it appears the main construction contract can be awarded and the project could start in May of this year. The construction is anticipated to take at least a year and a half.

### **Village of Red Creek Water Operations**

Mr. Monroe reported that under the management of Seth Galek, the operation has been running smoothly.

### **Miscellaneous Meetings Report**

Mr. Aman reported he received an email from the Village of Fair Haven, which is proposing that the Authority purchase water for the small Ingersoll Drive Service Area directly from the village instead of through the Cayuga County Water and Sewer Authority. He will be attending a meeting on March 7 regarding the possible sale of the Butler Correctional Facility. The Authority owns wastewater treatment equipment at the facility that the Authority is obligated to sell as opposed to giving it away. Mr. Aman will begin discussions at the March 7 meeting.

### **Water Main Pipe Bid**

Mr. Monroe reported that he had received seven bids for 32,000 feet of 8-inch water main pipe. Pipe prices have gone up substantially since late 2015, when the Authority last purchased pipe. The lowest responsible bidder is Core & Main (formerly HD Supply Waterworks) at \$6.65 per foot. He noted that the bid had excluded National Pipe, since in last year's Arcadia 12 project, using National Pipe, there had been three failed sections of pipe in a 300-foot stretch that required digging up front yards after restoration had been done. After due discussion and deliberation, Mr. Humbert moved, Mr. Hutteman 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 be awarded to the lowest responsible bidder, Core & Main, for 32,000 linear feet of 8-inch water main pipe at \$6.65 per linear foot.

### **Monthly Report**

Mr. Monroe presented a verbal monthly report. Most work being done is moving furniture and relocating staff, and focusing on leak detection. Leaks have been repaired in Sodus, Lyons and Marion, with one scheduled for repair the next day in Marion. General maintenance is continuing at the wastewater plants, and the crews are gearing up for the year's construction projects.

### **Personnel Discussion**

At 5:25 p.m., after due discussion and deliberation, Mr. Hutteman moved, Mr. Scudder seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Board adjourn into Executive Session for discussion with counsel about the employment history of particular persons.

At 5:37 p.m., after due discussion and deliberation, Mr. Hutteman moved, Mr. Humbert seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Board return to Open Session.

There being no further business to come before it, upon a motion made by Mr. Humbert, seconded by Mr. Hutteman, the meeting was adjourned at 5:38 p.m.

Attachment: Lateral Restrictions Resolution/Policy

Respectfully submitted: Demaris Verzulli  
Demaris Verzulli, Secretary of the Meeting

# Landowner Application for Hardship Relief from Lateral Restrictions in Wayne County adopted by the Wayne County Water and Sewer Authority in State Certified NYS Agricultural Districts

**Please use a separate form for each parcel.**

| <b>I. APPLICANT INFORMATION</b>  |  |   |           |
|--|--|---|-----------|
| <b>1. Landowner:</b>   |  | Phone (    )  |           |
| Address  |  | Town  | State/ZIP |
| Email:   |  |   |           |
| <b>2. Applicant or Agent (If different from Landowner):</b>  |  | Phone (    )  |           |
| Address  |  | Town  | State/ZIP |
| 3. Does the applicant own the property subject to the application? Yes <input type="checkbox"/> No <input type="checkbox"/><br>If <b>NO</b> , please provide written permission of the property owner to allow the application to proceed. |  |   | Email:    |
| 4. Owner has granted consent: Yes <input type="checkbox"/> No <input type="checkbox"/>   | Proof of Consent is attached: Yes <input type="checkbox"/> No <input type="checkbox"/> |   |           |
| <b>CORRESPONDENCE TO BE SENT TO:</b>   |  | Circle one: 1 (Landowner)    2 (Applicant or Agent) |           |

| <b>II. PROPERTY/PARCEL INFORMATION</b>  |   |                          |
|---|---|--------------------------|
| Wayne County Tax Map Number   | Parcel Acreage:   |                          |
| Street Address:   |   |                          |
| NYS Agricultural District No.   | Water District Name/No.:  | Sewer District Name/No.: |
| Date parcel was subdivided:   |   |                          |
| Is there an agricultural conservation easement or other limitation on non-agricultural use on this property?<br>Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please attach copies.                                    |   |                          |
| Describe the current agricultural use of the property and soil types.   |   |                          |
| Does this land currently receive the agricultural property tax exemption? Yes <input type="checkbox"/> No <input type="checkbox"/>  |   |                          |
| Is the landowner currently farming the parcel? Yes <input type="checkbox"/> No <input type="checkbox"/>   | 5. Is the parcel rented to another farmer? Yes <input type="checkbox"/> No <input type="checkbox"/><br>If yes include name of farmer. |                          |
| Does the applicant, landowner or predecessor in title own adjacent property? Yes <input type="checkbox"/> No <input type="checkbox"/><br>If <b>YES</b> , please give description and state when this parcel came into separate ownership: |   |                          |

**III. DOCUMENTATION OF HARDSHIP**

1. Did the landowner at the time of the last Agricultural District Review request that this parcel be removed from the Agricultural District but the Wayne County Board of Supervisors refused that request? If yes, attach documentation.  
 Yes  No

2. Provide a detailed explanation documenting the hardship that exists relative to the resident landowner's water supply or septic system. Include technical information such as description of the quality testing, water treatment system, septic inspection system reports, feasibility of system repair, etc.  
 Attach documentation.

3. Describe the current agricultural use of the property and soil types.

4. Is the landowner currently farming the parcel? Yes  No

5. Is the parcel rented to another farmer? Yes  No   
 If yes include name of farmer.

**IV. IMPACT ON AGRICULTURAL RESOURCES**

1. Parcel Development: Attach an aerial photograph and site plan of the parcel showing the area currently farmed, location of agricultural infrastructure on the parcel and adjoining agricultural land such as surface and subsurface drainage systems, equipment road access points, lane ways, hedge rows, etc. All parcels within 100' of the parcel should be included on the site plan, including their agricultural infrastructure.

2. Will any of the land be farmed after development? Yes  No  If yes, estimate acreage to be farmed:

**V. APPLICATION SIGNATURE FOR PROJECTS SUBMITTED BY LANDOWNER**

I certify that all statements made in this application and are true to the best of my knowledge and belief.

|                     |  |      |  |
|---------------------|--|------|--|
| Landowner Signature |  | Date |  |
|---------------------|--|------|--|

**VI. APPLICATION SIGNATURE SUBMITTED BY ANYONE OTHER THAN THE LANDOWNER**

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn, deposes and says that he/she is the :

- Contract Purchaser of the Property
- Agent for Owner/Contract Purchaser of the Property

and that all statements made in this application are true to the best of his/her knowledge and belief; and that he/she has read the notices contained in this application and understands the same.

|                     |  |      |  |
|---------------------|--|------|--|
| Applicant Signature |  | Date |  |
|---------------------|--|------|--|

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
 NOTARY PUBLIC