

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

Meeting of: September 28, 2021

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

Present: LaVerne Blik, David Scudder, Jean Johnson, Dan LaGasse, Mark Humbert,
Donald Ross, Lori Furguson

Participating via Conference Phone:
William Hammond

Absent: Robert Hutteman

Advisors Present: Michael Howard, General Counsel

Staff Present: Martin J. Aman, Executive Director
Jason Monroe, Director of Operations
Derek Ceratt, Technical Director
Peter DiBenedetto, Operational Support
Sheryl LaDelfa, Accounting Manager
Demaris Verzulli, Secretary of the Meeting

Visitors: None

Chairman LaVerne Blik called the meeting to order at 4:00 p.m. and led the meeting in the Pledge of Allegiance.

I. Chairman's Report

Adoption of Minutes

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

RESOLVED, that the minutes of the August 24, 2021 meeting of the Wayne County Water and Sewer Authority be accepted with no changes.

Correspondence: Mr. Aman reported that he had received a letter and a check for approximately \$6,000 as an insurance rebate from Wright Risk Management.

Mr. Humbert entered the meeting; Mr. Hammond joined the meeting via teleconferencing.

Treasurer's Report

Ms. Johnson invited questions on the warrant, which had previously been emailed to the Board members for examination. After due discussion and deliberation, Mr. LaGasse moved, Mr. Scudder seconded and all members present unanimously approved the following resolution:

RESOLVED, that the following claims are hereby authorized and directed to the Treasurer for payment: Vouchers 21-1427 to 21-1611 for a total of \$1,571,344.06.

Ms. Johnson invited questions on the Financial Statements for the month of August, which had previously been emailed to the Board members for examination. After due discussion and deliberation, Mr. Humbert moved, Ms. Furguson seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Wayne County Water and Sewer Authority's Monthly Financial Statements for August 2021 be approved and accepted.

II. **Agenda Items**

COVID-19 Update

Mr. Aman reported that the COVID impact to the Authority has been negligible, although he personally had to go in quarantine but had no symptoms, and occasionally a parent has had to stay home with a child in quarantine. He feels the Authority is staying abreast of the requirements and recommendations. He noted that some of the training facilities the DEC uses are requiring students to be vaccinated to be on campus.

Regional Water Storage Tank Update

Mr. Aman reported that the tank is constructed, painted and the WCWSA logo applied. The pump station building on Joy Road has been constructed and bids were solicited for the concrete slab. The bid included two options: a complete installation and an alternate that had Authority staff providing materials and some labor. One non-conforming bid was received, from Architectural Concrete Plus, LLC of Dundee for \$70,000 for the base bid of all labor and materials (which is in excess of the engineer's estimate), but no bid for the alternate. The materials have been estimated to cost less than \$20,000, and Mr. Aman suggests that the bid be rejected. To keep the project on schedule, other ideas were explored. Quotes for labor, including finishing and sealing, were solicited from local contractors. Quotes for continuous pour concrete and other materials have been obtained in accordance with the Authority's procurement policies. Mr. Aman recommends that the Authority proceed with purchasing the concrete directly and using its own personnel to install the rebar and assist during the concrete installation by the outside contractor who will complete the finishing. After due discussion and deliberation, Mr. Humbert moved, Ms. Furguson seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Board of Directors of the Wayne County Water and Sewer Authority reject the bid from Architectural Concrete Plus, LLC of Dundee, New York, for the Sodus Pump Station Concrete Slab.

Three quotes were obtained for the finishing and sealing of the slab, with the low quote being from Zimmerman Builders of Marion. After due discussion and deliberation, Mr. Humbert moved, Mr. LaGasse seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Director of Operations be authorized to accept the low quote from Zimmerman Builders, 5242 Skinner Road, Marion, New York for finishing and sealing of the concrete slab for the Sodus Pump Station, for an amount not to exceed \$6,000.

Western Regional WWTP Project Update

Mr. Aman recounted the history of the Authority's review of the potential environmental impacts of the project as it has evolved over time, including those associated with the most recent change related to the addition of a sludge drier to the facility. Consistent with prior SEQRA review, the Authority engaged LaBella Associates to review the project area associated with the sludge dryer addition in relation to the SEQRA documentation prepared in 2017, 2019 and 2020 and to provide updated findings regarding potential environmental impacts, as described in its August 5, 2021 Memo of

Change. This procedure has been discussed and reviewed with counsel at the EFC and DEC staff, and no substantive comments were received from any of the interested or involved agencies. Thereafter, Mr. Scudder moved, Mr. LaGasse seconded and all members present unanimously approved the following resolution:

WHEREAS,

- 1) The WCWSA previously determined to undertake the construction of the Western Wayne County Regional Wastewater Treatment Plant ("Regional WWTP") which would accommodate current and future wastewater flows from multiple municipalities in order to coordinate the treatment of such wastewater flows on a regional basis in a more effective and efficient manner. The construction of the Regional WWTP would also allow for the decommissioning and removal of municipal wastewater treatment plants in the area that are outdated, deteriorating, or non-compliant.
- 2) With respect to the environmental review of the Regional WWTP, the Board of Directors of the WCWSA declared itself Lead Agency under State Environmental Quality Review Act (SEQRA), prepared a Full Environmental Assessment Form, and issued a Negative Declaration for the Project on August 22, 2017, upon finding no significant adverse impact on the environment (now referred to as Negative Declaration No. 1). This Negative Declaration was amended on February 26, 2019, to include some additional areas of sewer main installation and design changes for the Regional WWTP (Amendment No. 1 to Negative Declaration No. 1).
- 3) Later in 2019, the Town of Walworth was added to the service area of the Western Wayne Regional WWTP. Regarding the Walworth Service Area addition, the Board of Directors of the WCWSA declared itself Lead Agency under SEQRA, prepared a Full Environmental Assessment Form, and issued a Negative Declaration for the Project on September 12, 2019, based upon finding no significant adverse impact on the environment (Negative Declaration No. 2).
- 4) In 2020, a change in the route of the sanitary force main was proposed along the segment connecting the Town of Walworth with the Town of Macedon. The realignment proceeded across private property easements rather than along public road rights-of-way and included the installation of approximately 5,100 linear feet of additional force main. The potential environmental impacts associated with the proposed realignment was reviewed by LaBella Associates, DPC ("LaBella"), and the WCWSA Board, in its continuing role as Lead Agency, issued Amendment No. 1 to Negative Declaration No. 2 on the 22nd of December 2020.
- 5) Since that time, project planning has continued to advance and now includes the addition of a sludge dryer at the original Regional WWTP project site. At WCWSA's request, LaBella reviewed the project area associated with the sludge dryer addition in relation to the SEQRA documentation prepared in 2017, 2019 and 2020 and provided updated findings regarding potential environmental impacts, as described in the August 5, 2021 Memo of Change attached to this Resolution. Specifically, the updated Project was reevaluated in order to reanalyze those environmental resources potentially affected by the passage of time, to meet changing standards or concerns identified in recent years by agencies with review responsibilities, and to update and confirm the SEQRA findings based on the additional scope items. On August 18th, 2021, the Memo of Change was circulated to involved and interested agencies for a 30-day comment period.
- 6) The Board of Directors has considered the Environmental Record, including the proposed Amendment No. 2 to Negative Declaration No. 2. No comments were received from agencies during the 30-day comment period associated with the August 18, 2021, circulation.

NOW THEREFORE BE IT RESOLVED,

The WCWSA Board of Directors as Lead Agency hereby accepts the updated Environmental Assessment and accompanying August 2021 Memo of Change prepared by LaBella Associates; and

The Board of Directors hereby declares that, based on the above-referenced updated Environmental Assessment and Memo of Change, the Project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. An amended Negative Declaration under SEQRA (Amendment No. 2 to Negative Declaration No. 2) is therefore issued for the updated Project.

Mr. Aman reported that he has been working with Jim Colacino of Colacino Industries, the Authority's designated professional SCADA/control system service provider, about the project's SCADA integration. All the electrical work for the plant and the pump stations will be included in the electrical contract and reviewed by MRB Group or their sub-consultants as the project engineer. However, as with prior SCADA work, Colacino will provide professional services under contract directly with the Authority. In addition to design and implantation of the control system, such services will include review of the electrical specifications and components, making recommendations, reviewing proposals and doing some inspections of the work in progress, to be certain the electrical work will be in compliance with the plans, specifications and the SCADA system. Services will be provided on an hourly basis with oversight work estimated to be between \$30,000 to \$50,000. Mr. Howard noted that NYMIR has provided insurance guidance on the contract and input has been sought regarding cyber security provisions. After due discussion and deliberation, Mr. Scudder moved, Ms. Furguson seconded and all members present unanimously approved the following resolution:

RESOLVED, that, subject to the review and approval by the Authority attorney and engineer, the Executive Director be, and hereby is, authorized and directed to execute and deliver a professional services contract with Colacino Industries, Inc. for electrical contract oversight and completion of a SCADA system for the Western Regional Wastewater Treatment Plant/Pump Stations in an amount not to exceed \$450,000.

Mr. Aman reported that the proposed force main route includes one lengthy cross-country easement, along an old road that is now obscured. This route saves footage on construction and avoids some possible regulatory complications. Mr. Aman doesn't anticipate difficulty in obtaining this easement, but an appraisal of the easement could be needed. He has received one proposal for this, from Midland Associates for \$4,800 and he expects to obtain another proposal as well, which could be less. After due discussion and deliberation, Mr. Humbert moved, Mr. LaGasse seconded and all members present unanimously approved the following resolution:

RESOLVED, that, subject to the review and approval by the Authority attorney, the Executive Director be, and hereby is, authorized and directed to execute and deliver a Proposal/Engagement Letter with a qualified appraisal firm for an appraisal of an easement required for a section of the force main located in the Town of Macedon in an amount not to exceed \$4,800.

Mr. Aman reported that NYSEG has acceded to Mr. Howard's recommendation and put in writing its acceptance of the location of Authority improvements on the site. This takes the form of a consent that is included in the easement for the relocated transmission lines. New electric poles have been installed and it remains to have the lines moved to the new poles. He also reported that Macedon and Walworth continue to have differing opinions on how the agreement should be constructed for their joint service area. Mr. Howard has proposed a middle-ground option which appears to meet the needs of both towns; he is working with both attorneys to set up a meeting to discuss this. Mr. Aman also reported that negotiations with the towns have proceeded to a preliminary state for the ground leases for each of the pump stations. Additional engineering is required to determine the necessary utilities, and this must be done before the easements can be finally described and the mapping finalized. The leases will be for 40 years with an option to renew for another 40 years. He reminded the Board that a ground lease, requiring a permissive referendum, is preferable to purchase, which

would require a mandatory referendum. Mr. Howard distributed copies of the draft leases and remarked that since two of the existing Phase I environmental reports expire in October, it is important to have the leases finalized before then in order to avoid the cost of again updating the reports. After due discussion and deliberation, Mr. LaGasse moved, Ms. Furguson seconded and all members present unanimously approved the following resolution:

RESOLVED, that, subject to the review and approval by the Authority attorney, the Executive Director be, and hereby is, authorized and directed to execute and deliver Ground Lease Agreements with the Towns of Marion, Macedon and Walworth for pump stations in connection with the Western Regional Wastewater Treatment Plant, each in the form presented to the Authority Board.

Red Creek WWTP Improvement Project

Mr. Aman reported that acceptance of the contracts for the disinfection project at the Red Creek plant was put on hold because the apparent low bidder, Spensieri Diversified, had appeared on the list of Non-Responsible Entities maintained by the NYS Office of General Services (NYSOGS), effective October 2018 for a period of five years. MRB Group contacted the NYSOGS and NYSDEC and determined that the inclusion on that list was due to a warranty dispute, not performance or workmanship, and in any case, the Authority is not required to comply with the Executive Order establishing the list since it is not a State Agency. MRB obtained positive recommendations about Spensieri from several entities and recommends accepting the low bids for each of the contracts. Correspondence from MRB Group is attached to these minutes. There was discussion about raising the sewer rates. Mr. Aman stated that the wholesale rates had not been changed since the plant went into operation, but this new disinfection expense has been imposed upon the Authority. The wholesale rate will likely need to be increased; this will be addressed in the 2022 budget. After due discussion and deliberation, Mr. LaGasse 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 the Red Creek Area WWTP Disinfection Improvements Contract No. 1, General Construction, be awarded to the lowest responsible bidder, Spensieri Diversified, LLC, of 15 Dwight Park Drive, Syracuse, New York, to include the Base Bid Lump Sum of \$575,000; Alternate B: Add UV Pole Barn Metal Ceiling Liner for \$7,500; and Contingency Allowance of \$50,000, for a total of \$632,500.

Mr. Aman reported that the low bidder on the electrical contract had done the electrical work on the Operations Center addition and is now satisfactorily doing a project in Newark for Mr. Hutteman. After due discussion and deliberation, Mr. LaGasse 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 the Red Creek Area WWTP Disinfection Improvements Contract No.2, Electrical, be awarded to the lowest responsible bidder, Concord Electric, of 705 Maple Street, Rochester, New York, to include the Base Bid Lump Sum of \$64,000; Alternate B, Add UV Building Metal Ceiling Liners (electrical modifications) at no charge; and Contingency Allowance, \$20,000, for a total of \$84,000.

Huron Water District #8

Mr. Monroe reported that the 12-inch component of the project has been completed, and the first part of it has been tested and approved, with some residents having signed up for services. He hopes the rest of the 12-inch will be approved the next week. The crew has started the 8-inch section and installed 1,610 feet of the over 3,470 total 8-inch PVC pipe. He anticipates that pipe installation will be complete soon and then restoration will begin.

Miscellaneous Water Projects

Mr. Aman reported that he was in the Town of Huron earlier this day to discuss Huron Water District 9; the town has secured a funding package. They also discussed a possible Water District 10 project, which would comprise over 60,000 feet. Both the Town of Sodus and the Town of Arcadia are also exploring projects of 50,000 feet or more. With these large projects lining up for the future three or four years, it is prudent to consider the purchase of a new excavator to replace the aging Komatsu. Since the Authority's Volvo has been a good fit for the Authority's needs, the replacement will be another Volvo. The Volvo dealer advised that the turnaround time on big equipment is far in the future, but if the Authority can make a commitment now for a future purchase, there is a good chance the Authority could have a shovel in the spring. Under this condition, only some basic options need to be specified at this time. The base state bid price would be approximately \$155,000; with the needed buckets, the total would be approximately \$175,000. There was discussion of the state bid process. After due discussion and deliberation, Mr. Humbert moved, Mr. LaGasse seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Executive Director be authorized to send a letter of intent to Alta Construction Equipment New York, LLC, of Syracuse, New York to purchase a Volvo excavator, with accessories to be determined, at the state bid price when the equipment would be available in the spring of 2022.

Miscellaneous Meetings

Mr. Ceratt reported that he had talked with the community solar consultant and is disappointed that the promised savings for the Authority have not turned out as well as anticipated. There were two offers, for a 5% or 10% utility bill credit. However, it looks like there could be a great deal of administrative work involved; the Authority has many electric accounts and also deals with the BOCES cooperative bidding. At first a direct credit was offered but now it is said to be a reimbursement. He feels the potential \$10,000 per year savings would not be worth the extra time and effort that appears to be involved. After due discussion and deliberation, Mr. Scudder moved, Mr. Humbert seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Board of Directors of the Wayne County Water & Sewer Authority postpone the discussion of community solar for a year.

Monthly Operations

Mr. Monroe reported that it had been a busy month with the Huron 8 project, work at the tank site and water service installations. Mr. DiBenedetto showed photos of the completed Regional Water Tank. Now the crew is installing the plumbing and piping components necessary to get the water into the

tank for testing. Today an issue arose with the stainless-steel bolts specified for the vault; they are soft and spall, causing the connections to leak. With fall at hand, crews are busy with service and other restorations.

Schedule Committee Meetings

Mr. Aman would like to have a Finance Committee meeting the week before the October Board meeting to discuss the 2022 budget. After due discussion and deliberation, Mr. Humbert moved, Ms. Johnson seconded and all members present unanimously approved the following resolution:

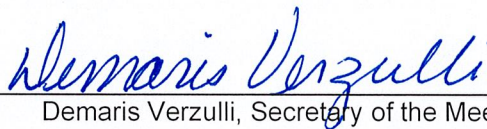
RESOLVED, that a Finance Committee meeting be scheduled for 9:30 a.m. on Friday, October 22, 2021 at the Operations Center.

In October, the Audit Committee meets with a representative of the Authority's auditors to review reports and make recommendations to the Board. After due discussion and deliberation, Mr. Hammond moved, Mr. Humbert seconded and all members present unanimously approved the following resolution:

RESOLVED, that an Audit Committee meeting be scheduled at 3:30 p.m. prior to the October 26, 2021 meeting of the full Board.

There being no further business, upon a motion by Mr. Humbert, seconded by Ms. Johnson, the meeting was adjourned at 5:20 p.m.

Respectfully submitted by:



Demaris Verzulli, Secretary of the Meeting

