

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

**Meeting of:** April 28, 2020

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

**Present:** LaVerne Blik

**Participating via Conference Phone:**  
Robert Hutteman, Jean Johnson, David Scudder, Dan LaGasse, Mark Humbert,  
Donald Ross, Lori Furguson

**Absent:** William Hammond

**Advisors Participating via Conference Phone:**  
Michael Howard, General Counsel

**Staff Present:** Martin J. Aman, Executive Director  
Jason Monroe, Director of Operations  
Derek Ceratt, Technical Director  
Peter DiBenedetto, Operational Support  
Jessica Freling, Administrative Assistant  
Demaris Verzulli, Secretary of the Meeting  
Sheryl LaDelfa, Accounting Manager (Financials portion only)

**Visitors:** None

Pursuant to the Governor's Executive Order No. 202 of March 7, 2020, declaring a State disaster emergency to address the threat that COVID-19 poses to the health and welfare of New York State residents and visitors, this meeting of the WCWSA Board of Directors was held via conference phone and recorded in accordance with the Public Officers Law, Article 7, Open Meetings Law, as amended.

Chairman LaVerne Blik called the meeting to order at 4:00 p.m. and roll call was taken.

**I. Chairman's Report**

**Adoption of Minutes:** After due discussion and deliberation, Mr. Hutteman moved, Mr. Ross seconded and all participating members unanimously approved the following resolution:

RESOLVED, that the minutes of the March 24, 2020 meeting of the Wayne County Water and Sewer Authority be accepted with no changes.

**Correspondence:** None

**II. Treasurer's Report**

Ms. LaDelfa electronically presented the warrant which had previously been emailed to Board members for examination. After due discussion and deliberation, Ms. Furguson moved, Mr. Humbert seconded and all participating members unanimously approved the following resolution:

RESOLVED, that the following statements are hereby authorized and directed to the Treasurer for payment: Vouchers 20-537 to 20-719 totaling \$1,385,817.37.

Ms. LaDelfa electronically presented the Financial Statements for the month of March which had previously been emailed to the Board members. After due discussion and deliberation, Mr. Humbert moved, Ms. Furguson seconded and all participating members unanimously approved the following resolution:

RESOLVED, that the Wayne County Water and Sewer Authority's Monthly Financial Statements for March 2020 be approved and accepted.

Mr. Scudder joined the meeting.

### **III. Agenda Items**

#### **COVID-19 Update**

Mr. Aman was pleased to report that Authority business was progressing much as usual, with the operations crews progressing in full mid-season form. He reminded the Board that he is the New York State Chair of NYWARN, New York Water/Wastewater Agency Response Network. In this capacity, he is working with Mr. Ceratt to help coordinate the distribution in New York of 92,000 washable face masks as supplied by FEMA; he expects these to be shipped within a week. He expects receipt of an initial shipment of approximately 10,000 for distribution to water and wastewater utilities in the local area.

#### **Surplus Items**

Mr. Monroe displayed a list of surplus items. They will be auctioned in a four-day on line municipal auction run by Roy Teitworth, Inc. New this time is the ability to establish a reserve price, which has been done for some of the items. After due discussion and deliberation, Mr. LaGasse moved, Mr. Scudder seconded and all members participating unanimously approved the following resolution:

RESOLVED, that the following items be declared surplus and disposed of at auction or otherwise appropriately in accordance with the Authority's Property Disposal Guidelines:

- One 30" Escro Excavator Bucket with four teeth (\$300 Reserve);
- One 2008 Exmark 60" Deck Lazer zero turn mower, Serial No. 685932 (\$2,800 Reserve);
- One 2011 Exmark S-Series, 60" Deck, zero turn mower Serial No. 979304 (\$2,800 Reserve);
- One 2013 Ford Escape SE AWD, 2.0 Ecoboost, 62,500 miles, VIN 1FMCU9G94DUD41163 (\$7,000 Reserve);
- One 2016 Reiser 20 ft Straight Deck Trailer, 10,000 lb capacity; VIN 55LR1CA27GN003080;
- One set Bobcat 48" Quick Attach Utility Forks;
- One 2013 E55 Bobcat Mini Excavator, Long Arm, 24" Bucket, VIN ARWM11631 (\$25,000 Reserve);
- One 2013 Ford F-150 XL Super Cab, 6.5 ft Short Box, 5.0L engine, 127,860 miles, VIN 1FTFX1EF9DFB10864;
- One 2008 International 430 DuraStar Service Truck, 25,500 GVW, 12 ft enclosed utility body, VIN 1HTJTSKM79H048846 (\$10,000 Reserve)

#### **Cooperative Natural Gas Bid**

Mr. Aman reported that it was time to consider renewing participation in the BOCES natural gas bid as the Authority has since 2015. After due discussion and deliberation, Mr. Humbert moved, Mr. Scudder seconded and all members present unanimously approved the following resolution:

WHEREAS, the Wayne County Water & Sewer Authority desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services

of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase for supply of natural gas; and

WHEREAS, the Wayne County Water & Sewer Authority is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o; and

WHEREAS, the Wayne County Water & Sewer Authority has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the appropriate agency of New York State and making recommendations thereon;

THEREFORE BE IT RESOLVED, that the Wayne County Water & Sewer Authority and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above; and

BE IT FURTHER RESOLVED, that the Wayne County Water & Sewer Authority authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services; and

BE IT FURTHER RESOLVED, that the Wayne County Water & Sewer Authority agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director on behalf of the Wayne County Water & Sewer Authority hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for supply of natural gas and if requested to furnish The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

### **Western Regional WWTP Project Update**

Mr. Aman reported that signatures on the IMA have been obtained by all participants except for the Town of Macedon. He reported on a conference call with the DEC and EFC regarding keeping on schedule for the closing. Mr. Aman remarked that the engineers are considering a change in the force main route between Walworth and Macedon, subject to compliance with SEQRA and other engineering considerations. He also reported that because of the need to relocate the electric line at the proposed plant site and install guy wires on the poles, a small, approximately quarter-acre parcel of property needs to be acquired from Breen's. It has been appraised by Midland Appraisal Associates at \$10,000, the value being impacted by its adjacency to and possible impact on an existing commercial property. The Authority has a fiduciary duty to secure the property upon the most beneficial terms and conditions in the public interest, including price which is based on its fair market value in its highest and best use. After due discussion and deliberation, Mr. LaGasse moved, Ms. Johnson seconded and all members present unanimously approved the following resolution:

RESOLVED, to accept the appraisal for an additional parcel of land required for the preferred site for the Western Regional Wastewater Treatment Plant, a 0.21 +/- acre parcel currently

owned by Breen's Realty And Leasing Corp. ("Owner") and located at 611 East Main Street (Route 31) Palmyra, New York (the "Property"), as prepared by Midland Appraisal Associates, Inc, dated March 18, 2020, and to authorize its use as a basis for negotiating the purchase of the Property; and

BE IT FURTHER RESOLVED, to authorize and approve, in the form approved by counsel to the Authority, the execution and delivery by the Executive Director of a letter-of-intent with the Owner for the acquisition of the Property.

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

Mr. Aman reported that the bids on the \$2 million BAN were received today and Lyons National Bank was the low bidder at a fixed rate of 1.41 percent during the one-year term of the BAN. After due discussion and deliberation, Mr. Scudder moved, Mr. Humbert seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Executive Director be authorized to accept the low bid of 1.41 percent from Lyons National Bank for the Wayne County Water and Sewer Authority's Water and Sewer System Revenue Bond Anticipation Notes, Series 2020A, in the principal amount of \$2,000,000.

There has been a meeting with the attorneys for the participating municipalities to work toward having the towns establish improvement areas under Article 12C of the Town Law which will allow the towns to impose capital charges on those properties benefitting from the tank project as a component of the 2021 real property tax bills. Some of the materials being paid for on the current abstract, particularly pipe, are slated for the project.

### **Port Bay Sewers Update**

Ms. Furguson reported that the contractor continues to move forward with the project. David Doyle of MRB Group has verified that about 220 postcards would be mailed this week to east side residents, notifying them that they can hook up to the system. Mr. Ceratt displayed and Mr. DiBenedetto narrated a PowerPoint presentation showing photos of various components of the project, including grinder pumps and odor control stations.

### **Brown-Wadsworth Water District Project**

Mr. Monroe reported that the crew has been working for nearly two weeks and 4,180 feet of pipe have been installed. By the next day, a tie-in to the existing main on Wadsworth Road will be complete and the main in that portion of the project can be watered up and the testing process will begin.

### **Miscellaneous Water Projects**

Arcadia 16 – Mr. Aman reported that cleanup is still continuing on the project. Mr. Monroe reported that several properties along the canal need to be served by long water services under Route 31, and the NYS Canal Corporation must issue a permit for that part of the project. Two meter vaults have been completed; Mr. Ceratt displayed a PowerPoint presentation showing a vault installation and installation of the conduit for the electrical service for the vault. The conduit was installed utilizing a Pow-R-Mole demonstration of new steerable boring equipment.

Red Creek Village – Mr. Scudder inquired about the progress of the agreement with Red Creek for the operation of the Village water system. Mr. Aman replied that the parties had agreed upon the

terms of an amended and restated contract which begins May 1 and he expects a signed copy of the agreement very soon.

### **Wayne County Health Care Plan Trust Agreement**

Mr. Aman reminded the Board that the Authority participates in the Wayne County Health Care Plan Trust which provides and funds health benefits coverage for the employees of the Trust's member employers. The governing document has been updated and the members must approve the new form of the agreement. Mr. Howard reported that he had reviewed the agreement and it is acceptable. After due discussion and deliberation, Mr. LaGasse moved, Mr. Ross seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Executive Director be authorized to execute and deliver the Wayne County Health Care Plan Trust – Amended and Restated Trust Agreement, which provides and funds health benefits coverage for eligible employees.

### **Employee Handbook Update discussion**

Mr. Aman reviewed proposed changes to the Employee Handbook Section 312: Medical Insurance for Retirees. The language needs to be updated and clarified. Mr. Aman would like a general consensus of the Board regarding the primary terms of the section and then he will submit it to David Hou, the Boylan, Code attorney who will prepare it for Board approval as an amendment to the Employee Handbook effective as of April 28<sup>th</sup>. Discussion ensued and a consensus on the terms was reached.

Mr. Ross exited the meeting.

### **Water/Sewer Service Insurance Discussion**

Mr. Aman reported that over time a number of agencies have contacted him to propose offering water service and sewer lateral insurance to Authority customers. After being contacted again by the National League of Cities offering this service, he contacted the Onondaga County Water Authority (OCWA) with whom this company has partnered. OCWA is happy with this arrangement and has even reduced their volume of unaccounted-for water due in part to participation by customers who have been able to promptly fix leaking water services. Mr. Aman feels this might be a positive arrangement and will send more information to the Board about this possibility. Mr. Howard noted that if the Authority receives a direct financial benefit as a result of the program, it would likely be viewed as a reverse procurement/indirect expenditure of public funds that would be subject to competitive bidding. It can be discussed further at the May Board meeting.

### **Monthly Operations Report**

Mr. Monroe reported that crews have been focusing on lawn restoration and cleanup in the former Village of Lyons where grant monies paid for lead water service replacement. He displayed a PowerPoint presentation on a hydrant replacement on Ridge Road in the Town of Sodus, where the hydrant was moved from a high traffic area in a parking lot to a corner nearby, which also made it more accessible for fire department use.

There being no further business, upon a motion by Mr. Scudder, seconded by Mr. LaGasse, the meeting was adjourned at 5:29 p.m.

Respectfully submitted by: \_\_\_\_\_  
Demaris Verzulli, Secretary of the Meeting