

Regular Meeting Minutes  
Date: November 18, 2020

**Members Attending:** M. McKeown, S. Beardsley, E. Gott, D. Fanaro, T. Saunders

**Excused:** T. Anderson

**Absent:**

**Others attending:** M. Baines (Executive Director), M. Kosakowski (Director of Operations), R. Lewis (Principal Account Clerk), T. Hockey (Account Clerk/Typist), E. Wies (Clark Patterson Lee), J. Campbell (Kruk & Campbell, P.C.)

**Call to Order** – With a quorum present, Chairman M. McKeown called the meeting to order at 8:00 am.

**Approval of Agenda**

M. Baines noted that LCWSA staff was still waiting on the following information, and therefore it is recommended that these items be tabled until the December 18, 2020 Board Meeting:

- Updated CSEA agreements for vision and dental coverage, to reflect the tentative agreement that was recently reached on a new union contract; and
- Final recommendations from Colacino Industries, Inc., related to the SCADA system comprehensive evaluation.

**Motion:** *E. Gott moved and T. Saunders seconded to approve the agenda as modified. Carried unanimously.*

**Approval of Minutes** – October 28, 2020 Regular Board Meeting  
November 4, 2020 Special Meeting

**Motion:** *E. Gott moved and S. Beardsley seconded to approve regular board meeting minutes dated October 28, 2020. Carried unanimously.*

**Motion:** *E. Gott moved and S. Beardsley seconded to approve special meeting minutes dated November 4, 2020. Carried unanimously.*

**Privilege of the Floor** – None.

**Financial Report:** R. Lewis reviewed the October 2020 Financial Report with the Board (on file with Secretary).

**Motion:** *D. Fanaro moved S. Beardsley seconded to approve the October 2020 Financial Report. Carried unanimously.*

Other item(s) discussed under the financial portion of the meeting:

- **New York State and Local Retirement System (NYSLRS) – Final Payment to Livingston County**  
R. Lewis provided an update on the meeting that was held with the County Treasurer’s office and others on November 2, 2020, regarding resolution on whether the LCWSA still owes the County any remaining monies for the employer contribution to the NYSLRS, up to 12/31/2018 for those County Public Works employees that were transferred to the LCWSA on 1/1/2019. Based on this meeting plus a follow-up email from Amy Davies, County Treasurer, LCWSA staff has concluded that \$49,148.01 is still due to Livingston County, and this represents LCWSA’s final obligation under the original employee lease agreement, and covers the timeframe from 4/1/2018 to 12/31/2018. LCWSA staff also

confirmed with the County Treasurer that the invoice for “Remaining 25% of 2019 Bill” in the amount of \$16,382.67 that was sent back in October 2020, was done in error and should be disregarded.

*Motion: D. Fanaro moved and E. Gott seconded to authorize payment to Livingston County in the amount of \$49,148.01, which represents LCWSA’s final reimbursement for the NYSLRS employer contribution for those County Public Works employees, who were leased to LCWSA up until 12/31/2018. Carried unanimously.*

▪ **Q4 Billing – Extension of Grace Period**

R. Lewis noted that due to unforeseen circumstances that caused a shortage in staffing, Q4 water/sewer bills were mailed out approximately 1 week later than in prior quarters. This has now reduced the amount of time that customers have to pay their bills, from 4 weeks to closer to 3 weeks. Therefore, LCWSA staff is recommending that the Board consider extending the grace period (prior to late penalties being applied) by 1 week. Therefore, the new deadline to make payments without penalties would be adjusted from end of business day 12/11/2020 to end of business day 12/18/2020.

*Motion: D. Fanaro moved S. Beardsley seconded to approve the extension of the grace period to end of business day 12/18/2020 for Q4 Bills. Carried unanimously.*

**Approval of Bills:** R. Lewis reviewed the November 2020 monthly bills.

*Motion: D. Fanaro moved and E. Gott seconded to approve paying Total Operating & Projects Expenditures in an amount not to exceed \$298,074.39. Carried unanimously.*

*Motion: T. Saunders moved and E. Gott seconded to approve paying the bills for Total Utilities & Miscellaneous expenditures in an amount not to exceed \$135,926.25. Carried unanimously.*

**Operations and Capital Report**

M. Kosakowski reviewed the Operations and Capital Reports with the Board (on file with Secretary). The following items were further discussed by the Board:

▪ **Water Quality Sampling (THM) Update – CPL**

E. Wies (Clark Patterson Lee) conducted a PowerPoint presentation (on file with Secretary), which provided a summary of the THM surveillance sampling that had been performed over the last year at various locations throughout LCWSA’s water system. E. Wies also noted that he had recently visited all re-chlorination locations within the system with M. Kosakowski, and it is recommended that LCWSA upgrade the chlorination equipment, including replacing the existing pumps (which inject chlorine at a constant feed rate) with pumps that are flow paced. This has the potential to eliminate the significant variability/spikes that occur with the chlorine residual throughout the system, which should also help to lower the formation of disinfection by-products. E. Wies noted that the LCWSA’s \$7M County Wide Water System Improvement Project, includes funds to complete water quality upgrades and it is recommended that chlorination equipment upgrades be completed in the next phase, followed by an evaluation of which water storage tanks may be best suited for THM removal systems.

**Other Business**

**COVID-19 Impacts**

M. Baines noted that with a recent surge in COVID-19 cases locally, LCWSA staff has reinstated certain restrictions, including restricting public access to the administration building. While non-emergency customer service appointments are still being scheduled, including plumbing inspections and meter replacements, LCWSA staff will continue to closely monitor the COVID-19 situation, and will be prepared to cancel appointments, if needed.

### **LCWSA 401(a) & 457 (b) Deferred Compensation Plans**

M. Baines reminded the Board that as part of the recent union negotiations, both the LCWSA's 401(a) Matching Deferred Compensation Plan and 457(b) Deferred Compensation Plan would be phased out at the end of 2020, and effective January 1, 2021, employees could elect to participate in the New York State Deferred Compensation plan. The Board reviewed the draft resolutions that terminate both plans, effective December 30, 2020 (on file with Secretary).

***Motion: T. Saunders moved and S. Beardsley seconded to approve Resolution No. 2020-24 Termination of 401(a) Matching Deferred Compensation Plan (as of December 30, 2020). Carried unanimously.***

***Motion: D. Fanaro moved and E. Gott seconded to approve Resolution No. 2020-25 Termination of 457(b) Deferred Compensation Plan (as of December 30, 2020). Carried unanimously.***

### **Village of Mount Morris Water Supply Agreement (Expiring 12/31/20)**

M. Baines informed the Board that the Village of Mount Morris had still not provided a formal response regarding the LCWSA's request for a 1-year extension on the existing water supply agreement, to allow for the completion of the ARS Water Transmission Main project. LCWSA staff has repeatedly reach out to the Village through email, phone calls, etc., since June 2020, without success. With less than two months remaining on the contract, the Board consensus was to have J. Campbell prepare a letter to the Village emphasizing the urgency and importance of receiving a response to the 1-year extension request prior to the end of the year.

### **December 18, 2020 Board Mtg – Time Change**

M. Baines noted that due to the ongoing pandemic, the annual holiday luncheon following the Board meeting would be cancelled, and therefore it was recommended that the December 18, 2020 Board meeting time be changed from 9 am to 8 am.

***Motion: E. Gott moved and D. Fanaro seconded to change the December 18, 2020 Board Meeting start time from 9 am to 8 am, and to direct LCWSA staff to provide the required public notice of such change. Carried unanimously.***

### **Communications**

The following item(s) and/or updates were provided to Board members for informational purposes. No action taken.

- Completion of Annual Board of Directors Evaluation Form (ABO Policy Guidance No. 10-05)  
*M. Baines provided a brief reminder to the Board, that each Board member will need to complete the "Annual Board of Directors Evaluation Form" by end of year, so the results of the evaluation can be forwarded to the Authorities Budget Office (ABO) within 60 days after the start of the next fiscal year.*
- Join Village of Livonia/LCWSA Committee Kick-Off Meeting held on Monday, November 16, 2020 at 6pm at the Village Office. Said committee will be referred to as the "Unity Task Force".  
*M. Baines noted that the first meeting of the joint committee was productive, with the primary topic of discussion being much needed water system improvements at the intersection of Big Tree Road and Shelly Road, due to piping issues and inoperable valves. Next meeting has been scheduled for Monday, December 7, 2020 at 5:30 pm.*

### **Executive Session**

***Motion: E. Gott moved and S. Beardsley seconded that the Board adjourn and reconvene in Executive Session at 10:00 am for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion,***

*discipline, suspension, dismissal or removal of a particular person or corporation; and that M. McKeown act as Chairman and M. Baines act as Secretary. Carried unanimously.*

*Motion: E. Gott moved and T. Saunders seconded to end the Executive Session at 11:44 am. Carried unanimously.*

The Board reconvened in regular session. The following report was presented.

REPORT OF EXECUTIVE SESSION

The Board of Livingston County Water & Sewer Authority having met in Executive Session for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, hereby reports as follows:

No action taken.

Dated November 18, 2020

M. McKeown, Chairman

M. Baines, Secretary

*Motion: D. Fanaro moved and E. Gott seconded to schedule a Special Meeting on Wednesday, December 2, 2020 at 8:00 am at the Watershed Education Center, 5828 Big Tree Road, Lakeville NY 14480, to further discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, and any other matters, and to direct LCWSA staff to provide the required public notice of such meeting. Carried unanimously.*

*Adjourn: Motion: E. Gott moved and D. Fanaro seconded to adjourn the Board meeting at 11:45 am. Carried unanimously.*