

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

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.)

Organizational Items: See attached minutes.

Approval of Agenda

Motion: *E. Gott moved and D. Fanaro seconded to approve the agenda as presented. Carried unanimously.*

Approval of Minutes – December 18, 2020 Regular Board Meeting
January 6, 2021 Special Meeting

Motion: *E. Gott moved and D. Fanaro seconded to approve regular board meeting minutes dated December 18, 2020. Carried unanimously.*

Motion: *D. Higgins moved and E. Gott seconded to approve special board meeting minutes dated January 6, 2021. Carried unanimously.*

Privilege of the Floor – None.

Financial report: R. Lewis reviewed the December 2020 Financial report with the Board (on file with Secretary), including year-end (unaudited) financials. Operating revenue for the year is estimated to be approximately \$16,000 less than budgeted (\$3,254,919 actual vs \$3,271,126 budget), and operating expense is approximately \$370,000 less than budgeted (\$2,888,603 actual vs \$3,258,642 budget), which will result in a projected increase in the reserve fund balance of approximately \$366,000.

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

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

▪ **2020 Budget Transfer Request - \$257,400**

R. Lewis reviewed the proposed Budget Transfer Request (on file with the Secretary) with the Board, which would transfer a total of \$257,400 from:

6310 – Outside O&M (\$92,600), 6840 – Travel & Training (\$12,500), 6510 – Purchased Water (\$90,000), 5010 – Wages (\$50,000), and 5020 – Overtime (\$12,300);

to:

6110 – Legal Services (\$20,000), 6130 – Financial Services (\$7,400), 6160 – Plant Operations (\$164,500), 6230 – Telephone (\$1,600), 5060 – Workers Compensation (\$3,200), 6635 – Equipment Lease (\$5,800), 6320 – Lab Services (\$14,000), 6640 – Customer Installs (\$35,000), 6820 – Office Supplies (\$3,300) and 6140 – Engineering Services (\$2,600).

Motion: M. McKeown moved and T. Saunders seconded to approve the Budget Transfer Request of \$257,400.00 as presented. Carried unanimously.

- **LCWSA Acct 14894 (Kircher Construction, Inc., 3090 Mt Morris Geneseo Road, Mount Morris NY 14510)**

The Board reviewed a letter, dated December 4, 2020 (on file with Secretary) from the property owner requesting that LCWSA review its existing hardship policy regarding excessive water leaks. The policy, as currently written, does not specifically address situations in which commercial sewer accounts may experience excessive water leaks, in which 100% of the water leak does not enter the sewer system. After extensive discussion, the Board consensus was to re-invoice the customer based on a volume (in gallons) that represents the average from the prior four (4) quarters' water consumption.

Motion: D. Fanaro moved and E. Gott seconded to approve adjusting the sewer charge on Acct 14894 to reflect the average from the prior four (4) quarters' water consumption.

Bills: R. Lewis reviewed the monthly bills.

Motion: M. McKeown moved and E. Gott seconded to approve paying Total Operating & Projects expenditures in an amount not-to-exceed \$247,806.95. Carried unanimously.

Motion: E. Gott moved and D. Fanaro seconded to approve paying the bills for Utilities & Miscellaneous expenditures in an amount not-to-exceed \$262,776.16. Carried unanimously.

Operations and Capital Report

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

- **2021 Capital Improvement Program & Project Program Planning Discussion**
M. Baines, R. Lewis, and M. Kosakowski reviewed a memorandum (on file with Secretary) with the Board that summarized LCWSA's Long-Term Debt, Short-Term Debt, Current Debt Reserve & General Reserve Funds, Regulatory Driven Capital Projects, Major Capital Projects, and Future Capital Projects/Needs. This included a discussion on the following proposed phasing of the \$7M County Wide Water System Improvements Project, beyond Phase 1 (which has already been defined as the ARS Water Transmission Main + Groveland Station Interconnection):
 - Phase 2A – Disinfection System Upgrades
 - Phase 2B – THM Tank Removal Systems
 - Phase 2C – SCADA System Improvements
 - Phase 3 – Water Meter Replacement
 - Phase 4 – New Shelly Rd Water Storage Tank
- **LCWSA Capital Projects: P31131 County Wide Water System Improvements (DWSRF Project No. 18746), Engineering Amendment No. 1 – Phase 2A Disinfection System Improvements**
Following the capital planning discussion, the Board reviewed proposed Engineering Amendment No. 1 (on file with Secretary) that has been prepared by CPL, which covers design/bid/construction phase services associated with needed chlorination equipment upgrades within LCWSA's Consolidated Water District. The amendment would increase the overall engineering fee by \$24,985. The goal is to have new equipment installed and operational by August 1, ahead of Q3 regulatory sampling.

Motion: E. Gott moved and M. McKeown seconded to approve Engineering Amendment No. 1 to CPL's existing agreement for the County Wide Water System Improvements Project, which increases the engineering fee by \$24,985.00, to cover design/bid/construction phase services associated with Phase 2A – Disinfection System Upgrades. Carried unanimously.

- **2021 Consolidated Funding Application (CFA) Grant Funding: EPG & GIGP Program**

E. Wies and M. Baines updated the Board that New York State had recently announced that a new round of grant funding is available through the Engineering Planning Grant (EPG) Program and Green Innovation Grant Program (GIGP), with grant applications due February 12, 2021. Based on discussions between CPL and LCWSA staff, it is recommended that LCWSA consider applying for the following:

- EPG Program: Complete Additional Smoke Testing as part of overall I/I reduction program (Eligible for \$100,000 Grant due to Consent Order)
- GIGP:
 - (1) Water Meter Replacement
 - (2) Replacement of Village of Livonia Sewer Flowmeter (Eligible for up to 50% Grant of Project Costs)

E. Wies noted that the effort required to assemble grant applications should be minimal, as much of the needed information has previously been developed.

Motion: D. Fanaro moved and T. Saunders seconded to authorize CPL to prepare and submit the above three (3) grant applications, with fees to paid for under the miscellaneous engineering services contract. Carried unanimously.

E. Gott exited the meeting at 10:42 am.

Other Business

- **COVID-19 Update & Discussion**

M. Baines briefly updated the Board that while the NYS Emergency Paid Sick Leave provisions remain in place, the Federal Emergency Paid Sick Leave requirements expired on December 31, 2020. As the pandemic continues, employers are recognizing that employees may be exposed to COVID-19 on more than one occasion in the course of their regular work duties, and their mandated leave (to comply with quarantine/isolation orders) may exceed the hours available under existing emergency paid sick leave, which would then require the employee to utilize other accrued leave. It is recommended that the Board work with LCWSA's labor attorney, Susan McClaren, if the Board elects to modify or update its leave policies.

M. Baines noted that employees of water/wastewater utilities have been identified in Phase 1c of the vaccination rollout, and several organizations such as NYSAWWA, NYWEA, and New York Rural Water, are advocating for these employees to be moved to the higher priority Phase 1b group. A letter template has been developed by these organizations and LCWSA intends to place on its own letterhead and forward to local elected representatives.

- **LCWSA Staffing**

- **Establish Wage Grades for Union Positions (not already listed in Wage Grade Table)**

M. Baines noted that the Board is required to establish wage grades for those newly created positions that are not already listed in the existing Wage Grade Table in the union contract. These positions are: Water/Wastewater Maintenance Supervisor and Water/Wastewater Crew Leader. It is also recommended that the wage grade for Wastewater Treatment Plant Operator be further differentiated based on the grade of operator (i.e. Grade 2/2A, Grade 3/3A).

D. Fanaro moved and D. Higgins seconded to assign the following wage grades:

- *Water/Wastewater Maintenance Supervisor → Wage Grade 15;*
- *Water/Wastewater Maintenance Crew Leader → Wage Grade 13;*
- *Wastewater Treatment Plant Operator (Grade 3/3A) → Wage Grade 14;*
- *Wastewater Treatment Plant Operator (Grade 2/2A) → Wage Grade 13;*

and to direct the Executive Director to notify the CSEA Unit President, in accordance with Article 29 (Pay and Work Week), Section 7 (Wage Grade for New Positions) of the existing union contract. Carried unanimously.

○ **Proposed WWTP Staffing Plan – Discussion**

M. Baines and M. Kosakowski updated the Board that they had reached out to NYSDEC to verify minimum wastewater treatment plant operator requirements for the Lakeville WWTP and Groveland Station WWTP, as LCWSA begins to take the necessary first steps to employ its own operators. As LCWSA previously employed its own operators, LCWSA will be submitting a proposed staffing plan which will be consistent with the qualifications held by the prior operators. Recognizing that there is a limited pool of licensed operators, it is recommended that the Board authorize the filling of four (4) separate positions: Sr WWTP Operator, Grade 3 WWTP Operator, Grade 2A WWTP Operator, and WWTP Operator Trainee, which will provide LCWSA with flexibility depending on the availability of candidates who meet the minimum qualifications

Motion: D. Fanaro moved and T. Saunders seconded to authorizing filling one (1) Sr WWTP Operator position (Full-Time). Carried unanimously.

Motion: D. Fanaro moved and T. Saunders seconded to authorizing filling one (1) Grade 3 WWTP Operator position (Full-Time). Carried unanimously.

Motion: D. Fanaro moved and T. Saunders seconded to authorizing filling one (1) Grade 2A WWTP Operator position (Full-Time). Carried unanimously.

Motion: D. Fanaro moved and T. Saunders seconded to authorizing filling one (1) WWTP Operator Trainee position (Full-Time). Carried unanimously.

○ **Authorize to fill one (1) Building Maintenance Person Position (Full-Time)**

M. Baines noted that with the recent announcement that LCWSA's existing Building Maintenance Person will be retiring in July 2021, it is recommended that the Board authorize filling an additional Building Maintenance Person position to allow LCWSA staff to proceed with advertising the non-competitive position. The goal would be to fill the position in Spring 2021, which will enable a new hire to shadow the existing employee for a few months prior to the July 2021 retirement date.

Motion: D. Higgins moved and D. Fanaro seconded to fill one (1) Building Maintenance Person Position (Full-Time). Carried unanimously.

▪ **Village of Livonia – January 14, 2021 Memo/Letter of Intent re: Development of Direct Agreement for Water System**

The Board discussed the memo/letter (on file with Secretary). As the Board recognizes the mutual benefits that will result from developing a direct agreement between the Village and the LCWSA regarding the Village's water system, the Board will notify the Village that it looks forward to beginning the negotiation process in the near future.

Communications

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

- Unity Task Force (Joint Village of Livonia/LCWSA Committee) Meeting held virtually on Monday, January 11, 2021 at 5:30 pm re: proposed water system improvements at intersection of Big Tree Rd/Shelly Road. Next meeting scheduled for Monday, January 25, 2021 at 5:30 pm.

- Livingston County Water Supply Study Update – Report has now been finalized by CPL and can be downloaded from the following webpage: <https://www.livingstoncounty.us/1177/Water-Study-Update-Project> (Report: 284 pages, Appendices: 444 pages). Per Livingston County, “*the equipment purchase for this grant is on hold until the final contract is signed by the State.*”

Adjourn: Motion: D. Fanaro moved and S. Beardsley seconded to adjourn the Board meeting at 11:24 am. Carried unanimously.