

Members Attending: H. Stewart, T. Anderson, D. LeFeber, D. Kriewall, S. Beardsley

Excused Absent: F. Miller, P. Brooks

Others attending: M. Baines (Executive Director), M. Kosakowski (Director of Operations), R. Lewis (Principal Account Clerk) J. Campbell (Kruk & Campbell, P.C.), J. Foote (Clark Patterson Lee), J. McGrath (YAWS Environmental Process Control, Inc.)

YAWS Presentation – John McGrath, Operations Manager, introduced himself to the Board and provided a brief overview of his operational experience and some additional detail on several other wastewater treatment plants that YAWS staff currently operates. J.McGrath indicated to the Board that the company's long term plan was to continue to offer contract operations services, despite the untimely passing of the company's president (Jerry Smith) several months ago. A draft copy of Amendment No. 1, which extends the operations & maintenance agreement by 1-year for a total fee of \$123,600, was circulated to the Board.

Motion: *S. Beardsley moved and D. Kriewall seconded to approve Amendment No. 1 to Agreement For Professional Management, Operations, and Maintenance Services for the LCWSA Wastewater Treatment Facilities. Carried unanimously.*

Financial Report: R. Lewis reviewed the Financial Report.

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

Amending 2017 Budget (Wages and Salaries): R. Lewis reviewed the Budget Amendment Request Form. The primary driver for adjusting (decreasing) this line item to better reflect actual wages and salaries, is that it will result in a decrease in the 2017-2018 General Liability premium.

Motion: *D. Kriewall moved and S. Beardsley seconded to approve amending the 2017 Budget (Wages and Salaries) as presented. Carried unanimously.*

Set Public Hearing date – 2018 Rate and Fee Schedule: Copies of the 2017 rates and fees and proposed 2018 rates and fees were circulated to and reviewed by the Board.

Motion: *D. LeFeber moved and S. Beardsley seconded to approve setting a Public Hearing for the 2018 Rate and Fee Schedule for October 25, 2017 at the Geneseo Town Hall, 4630 Millennium Drive, Geneseo, NY at 8:05 am. Carried unanimously.*

RESOLUTION NO. 2017 – 18 ADOPTION OF THE STATE OF NEW YORK DEFERRED COMPENSATION PLAN

WHEREAS, the Livingston County Water & Sewer Authority (“LCWSA”) wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

WHEREAS, the LCWSA is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law, and

WHEREAS, the LCWSA has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the LCWSA by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement; now therefore, it is hereby

RESOLVED, that the LCWSA hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the LCWSA are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Motion: T. Anderson moved and D. Kriewall seconded to approve Resolution No. 2017 – 18 Adoption of the State of New York Deferred Compensation Plan. Carried unanimously.

2017 Relevy – LCWSA sewer customers (Town of Avon): R. Lewis noted that there are approximately 35-40 customers that are billed quarterly for sanitary sewer service by LCWSA, based on metered water consumption readings provided by the Town. In light of the ongoing water audit and physical water meter inspections, the Board discussed whether these customers should be excluded from the 2017 relevy as the reconciliation process of these water accounts is still ongoing. For consistency, the Board consensus was to take the same approach as the Town regarding the relevy.

Motion: T. Anderson moved and S. Beardsley seconded to take the same action as the Town regarding the 2017 relevy (i.e. if Town chooses not to relevy these customers for unpaid water charges, LCWSA will not relevy these customers for unpaid sewer charges). Carried (4 voting in favor, D. LeFeber abstaining).

Operations Report – M. Kosakowski reviewed the Operations Report (on file with the Secretary). M. Kosakowski also noted that two (2) emergency repairs were completed over the weekend of September 23, 2017 including:

- Valve failure on Sliker Hill Road due to deteriorated bolts, and
- Water main break on Sliker Hill Road, within the same segment that has had previous breaks but is scheduled for replacement as part of Capital Project 31116.

Capital Report – M. Kosakowski reviewed the Capital Report Outline (on file with the Secretary). Additional discussion on various capital projects included:

DOCCS Water Supply Project: M.Baines indicated that following the September 27, 2017 Board Meeting, it was clarified that the insurance language in the Contract Documents requires the Owner to obtain a Builder’s Risk policy. LCWSA staff has worked with its insurance agent, Tompkins Insurance Agencies, to obtain one (1) policy that covers all work to be completed on the project.

M.Baines informed the Board that there had been some preliminary discussions with the Town of Groveland regarding a potential intermunicipal cooperation project that would involve a water main extension off the DOCCS line to serve the Town office on Aten Road. The Board was generally supportive of the concept, but requested additional detail regarding proposed cost sharing, etc., prior to taking any formal action.

Lakeville WWTP, Influent Building Roof Replacement (Capital Project #31115) – J. Foote distributed copies of the bid review letter, dated September 27, 2017 (on file with Secretary), and discussed the bid results with the Board.

RESOLUTION 2017-19 AWARDING BID FOR “LAKEVILLE WASTEWATER TREATMENT FACILITY INFLUENT BUILDING ROOF” TO: SPRING SHEET METAL & ROOFING, LLC.

WHEREAS, after proper legal advertisement for bids for the Lakeville Wastewater Treatment Facility Influent Building Roof project, two (2) bids were received, then publicly opened and read aloud on September 22, 2017; and

WHEREAS, Clark Patterson Lee has completed a review of the bids and has assembled a bid review letter, dated September 27, 2017; and

WHEREAS, Spring Sheet Metal & Roofing, LLC, 678 Clinton Avenue South, Rochester, NY 14620, has been identified as the lowest, responsible, responsive bidder with a total bid amount of \$54,500.00; and

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) Board has reviewed the bid review letter and accepts the recommendation of award; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the LCWSA is hereby authorized to sign a contract with Spring Sheet Metal & Roofing, LLC, for the Lakeville Wastewater Treatment Facility Influent Building Roof project, in the amount of \$54,500.00.

MOTION: T. Anderson moved and S. Beardsley seconded to approve resolution 2017-19 Awarding Bid For “Lakeville Wastewater Treatment Facility Influent Building Roof” To: Spring Sheet Metal & Roofing, LLC. Carried unanimously.

Lakeville WWTP Upgrades (NYSEFC Project No C8-6449-05-00): M.Baines presented a draft agreement with Orrick, Herrington & Sutcliffe LLP (on file with Secretary), to provide bond counsel services for the above referenced project for a fee of \$22,500.

Motion: T. Anderson moved and S. Beardsley seconded to approve the Bond Counsel Agreement with Orrick, Herrington & Sutcliffe LLP and authorized the Executive Director to sign the agreement. Carried unanimously.

Water System Improvements (Pine Tree Mobile Home Park, Lake Forest Mobile Home Park) – Discussion on next steps was tabled, and the Board recommended that research continue into the original water main installation, and any prior agreements regarding operation & maintenance.

Other Business

Sewer Hookup Permit Fee (Year 2001) for 3826 Cluny Point, Livonia, NY 14454 – R. Lewis indicated that the property owner had paid the permit fee but never connected to the sanitary sewer. The property owner recently contacted LCWSA regarding obtaining a credit against the current sewer permit fee. Payment of the \$253 permit fee in 2001, pre-dated the implementation of LCWSA's Water/Sewer Permit Policy, which states that after one year any fees paid are forfeited.

Motion: S. Beardsley moved and D. Kriewall seconded to approve issuing a credit in the amount of \$253 towards the current sewer permit fee and sewer hook-up cost for 3826 Cluny Point, Livonia, NY 14454. Carried unanimously.

Transition Plan – M.Baines recommended that creation of an ad hoc committee may be beneficial for the development of a plan (and corresponding timetable) to transition from County-leased Employees to Authority Employees. The Board was supportive of this idea, and both S. Beardsley and T.Anderson stated they would be interested in serving on the committee.

Minutes -

Motion: S. Beardsley moved and T. Anderson seconded to approve meeting minutes dated August 23, 2017. Carried unanimously.

Bills: R. Lewis reviewed the monthly bills.

Motion: T. Anderson moved and D. Kriewall seconded to approve paying the bills for Operating Expenditures in an amount not to exceed \$275,095.84, Projects in an amount not to exceed \$18,324.25, and DOCCS expenses in an amount not to exceed \$47,475.30. Carried unanimously.

Motion: T. Anderson moved and S. Beardsley seconded to approve paying the bills for Utilities in an amount not to exceed \$17,774.53, Commodity in an amount not to exceed \$91,073.24, and for Payroll/other expense in an amount not to exceed \$42,323.99. Carried unanimously.

Communications: The following items were provided to Board members for informational purposes. No action taken.

- NYSDOCCS Second Amendment to Contract C161246 Approval Letter (September 15, 2017)
- NYSDEC Notice of Intent to Modify SPDES Permit Letter (September 18, 2017)
- LCWSA Letter re: DOCCS Water Supply Project Update + Public Info Mtg (September 19, 2017)

Adjourn: *Motion: D. Kriewall moved and S. Beardsley seconded to adjourn the board meeting. Carried unanimously.*

OPERATIONS REPORT

Water and Sewer Work Program 2017	
Customer work orders	Staff completed 93 workorders - up 67 from last month.
UFPO	Staff completed 78 stakeouts - down from 1 from last month.
PM Maintenance	All PM maintenance was completed.
Sampling and Testing	All sampling and testing was completed.
Electrical Maintenance	MW Controls completed the electrical maintenance. No major issues were found.
Lawn Mowing	We have received the new mower and things are going well.
Driveway and Sidewalk Maintenance	The driveways and sidewalks are scheduled to be sealed this week.
Water Work Program	
Water Main and Service repair	Staff repaired a service leak at 6885 Big Tree Rd
New water connections	Staff installed a new water service at 4439 Federal Rd.
Hydrant and Valve Exercising	Staff has completed hydrant and valve exercising in Caledonia 1 & 3, Groveland Station, Scottsburg, and the Village of Livonia.
Curb box location	Staff is locating and checking curbs in the Village of Livonia.
Automatic Valve maintenance	Ross Valves completed the automatic valve maintenance.
Sewer Work Program	
Sewer Cleaning and televising	Staff completed cleaning and televising Livonia Center.
Lakeville Plant	
YAWS	Michelle and I met with YAWS to discuss the contract. John McGrath will be coming to the Board meeting.
Groveland Plant	
Sludge removal	We will be contracting Dickson Environmental in early October for sludge removal.

CAPITAL PROJECTS REPORT - September outline**31085 – DOCCS WSP**

9/27/2017 Property closings for the Dennison tank site (Barber) and Maple Beach Rd pump station site (Livingston) occurred on 08/29/17. Notices to Proceed issued to all contractors on 09/11/17. Contractors for C-2A (Randsco Pipeline) and C-2B (Villager Construction) have begun mobilizing and staging pipe along Groveland Hill Road, and Dennison Road. Randsco Pipeline began pipe installation along tank driveway and Dennison Road. Villager Construction to begin pipe installation on 09/27/17. Contractor for C-4 (Bell Mechanical) has begun clearing new pump station site on Maple Beach Road. DOCCS Second Amendment (increasing project amount by \$874,000) approved by State Comptroller on 09/11/17.

31115 Influent Building Roof Replacement

9/27/2017 Bids were opened on 09/22/17. We received two bids. CPL will have a recommendation for the Board to award on September 27th.

31105 Slagle Park Water System Upgrades (Pine Tree)

9/27/2017 M.Kosakowski and M.Baines met with John Slagle (mobile home park owner) on 08/23/17. Property owner provided copies of miscellaneous documentation with Town, dating back to mid- to late 1990's, and easement description for 8" water main installed as part of East Lake Road water district project.



**Clark
Patterson
Lee**

September 27, 2017

Michelle Baines, Executive Director
Livingston County Water & Sewer Authority
1997 D'Angelo Drive
Lakeville, NY 14480

RE: INFLUENT BUILDING ROOF BIDS

Dear Michelle:

We have completed our review of the bids received for the above referenced project. Based on our review, we offer the following:

1. Two (2) bidders submitted bids on the project, which included the installation of a new EPDM roof on the Influent Building at the Lakeville Wastewater Treatment Facility.
2. The bids were opened on September 22, 2017 at 2:00 p.m. and are binding until November 5, 2017.
3. The Engineer's estimate for the project was \$60,000.
4. The low Base Bid was \$54,500, submitted by Spring Sheet Metal & Roofing, LLC.
5. The high Base Bid was \$57,100, submitted by J&B Installations, Inc.
6. All of the bids included a bid bond for 5% of the bid amount as required in the Contract Documents.

Clark Patterson Lee has previous working experience with Spring Sheet Metal & Roofing, LLC of Rochester, including the LCWSA administration building roof in 2011. We feel their bid is a true representation of costs to complete this project and Spring Sheet Metal & Roofing, LLC is qualified to complete the contract.

Based on the above, it is our recommendation that the Authority award the contract to Spring Sheet Metal & Roofing, LLC for the Base Bid in the amount of \$54,500.00.

Clark Patterson Lee looks forward to working with the Authority and the contractor to successfully complete this project. If you have any questions or require any additional information, please contact me.

Very truly yours,

Clark Patterson Lee

A handwritten signature in black ink, appearing to read 'Eric C. Wies'.

Eric C. Wies, P.E.
Principal Associate

**ARCHITECTURE
ENGINEERING
PLANNING**



ORRICK

July 18, 2017

Ms. Michelle Baines
Executive Director
Livingston County Water and Sewer Authority
1997 D'Angelo Drive
P.O. Box 396
Lakeville, NY 14480

Re: Livingston County Water and Sewer Authority, New York
Proposed Sale of Bonds and Notes to E.F.C.
Orrick File: 43073-2-3

Dear Michelle:

Thank you for having retained us as Bond Counsel with respect to rendering our approving opinion in connection with the above-mentioned bond issuance.

Our legal services will include the following:

1. General advice relative to the financing.
2. Advice, guidance, review and/or drafting relative to SEQRA/SERP compliance.
3. Draft of application and assistance with State Comptroller approval for the financing.
4. Drafting of the bond resolution.
5. Drafting of the Supplement to the General Resolution.
6. Drafting of the certificate providing for the details and authorizing the sale of the bond issue to E.F.C.
7. Drafting of the form of the final approving opinion.
8. Drafting of the bond and note form.

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Ms. Michelle Baines
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9. Drafting of the Certificate of Incumbency.
10. Review of the Project Financing Agreement.
11. Review of the Terms Certificate (E.F.C.).
12. Attendance at E.F.C. conferences, as necessary, to expedite the financing.
13. Review of the maturity schedule for the bond issue.
14. Preparation of typewritten bonds.
15. Drafting/review of the form of the Closing Certificate for the closing.
16. Drafting/review of forms of Arbitrage Certificate.
17. Completion and filing of IRS information forms, if necessary.
18. Complete supervision from commencement of the financing of the project through the closing, including various detailed letters of instructions.
19. Drafting of this letter providing for the terms of our retainer.
20. Attendance at the closing.

Our fee for the bond issue, barring unforeseen complications, will be \$15,000:

Our fee for a "Grid Note" or bond anticipation note will be \$7,500.

The above fee includes all normal office disbursements.

With best wishes,

Very truly yours,

Tom

Thomas E. Myers
/es

Agreed and accepted by:

Michelle Baines, Executive Director

Date: _____