

Members Attending: S. Beardsley, P. Brooks, M. McKeown, T. Saunders, J. Deming

Excused: T. Anderson, E. Gott

Absent:

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

Call to Order – With a quorum present, Vice Chairman M. McKeown called the meeting to order at 8:04 am.

Approval of Agenda

Motion: *J. Deming moved and S. Beardsley seconded to approve the agenda with the addition of SEQOR NOI Lead Agency Countywide Water System Improvements (Resolution No. 2019-04) under Other Business. Carried unanimously.*

Approval of Minutes – June 26, 2019 Regular Board Meeting

Motion: *T. Saunders moved and S. Beardsley seconded to approve regular board meeting minutes dated June 26, 2019. Carried unanimously.*

Privilege of the Floor – None.

Financial report: R. Lewis reviewed the Financial report with the Board (on file with Secretary). R. Lewis informed the Board that she and B. Harris attended a half-day GFOA seminar in Canandaigua, NY, and one of the presentations was related to accepting electronic payments, which LCWSA staff intends to further evaluate as customers request expanded payment options. R. Lewis will be also be participating in one-on-one training on the Abila Sage accounting software. R. Lewis also noted that informational meetings have been scheduled with various banks to learn more about services that can be provided, which will help in the development of the banking RFP.

Motion: *T. Saunders moved and J. Deming seconded to approve the Financial Report. Carried unanimously.*

Bills: R. Lewis reviewed the monthly bills.

Motion: *P. Brooks moved and S. Beardsley seconded to approve paying Total Operating & Projects expenditures of \$176,293.40 as follows: Operating Expenditures in an amount not to exceed \$115,414.30; Project Expenditures in an amount not to exceed \$60,879.10. Carried unanimously.*

Motion: *J. Deming moved and P. Brooks seconded to approve paying the bills for Utilities & Miscellaneous expenditures in an amount not to exceed \$111,455.06. 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:

▪ **July 18, 2019 Village of Livonia Water Main Break – Grove Street**

M. Kosakowski noted that LCWSA staff received a few phone calls from customers indicating that their water pressure was significantly less than “normal”. LCWSA staff began investigating several streets within the Village and ultimately discovered water running continuously into a catch basin on Grove Street. When the water main was excavated, a significant hole (approx. 3” x 5” in size) was discovered in the bottom of the ductile iron pipe. This pipe was only installed in the 1990’s, and there did not appear to be any evidence that the pipe was damaged during installation. Therefore, there is some concern that water mains that were replaced on other streets as part of that project may also be exhibiting similar deterioration. M. Kosakowski noted that LCWSA staff will need to increase their leak detection efforts within the Village, especially for those areas that were part of that water main replacement project.

Other Business

Lakeville Wastewater Treatment Plant (SPDES NY0032328) – Permit Modification (Increase Design Flow to 1.27 MGD) – SEQR Process

M. Baines reminded the Board that in October 2018, the Board approved the submittal of a Permit Modification Application to NYSDEC to increase the permitted design flow of the Lakeville WWTP from 0.98 MGD to 1.27 MGD. That application was submitted but was deemed “incomplete” by NYSDEC as the SEQR process still needed to be completed. The Board reviewed the following draft resolution:

RESOLUTION NO. 2019 – 04 SEQR TYPE II DETERMINATION FOR SPDES PERMIT MODIFICATION AT LAKEVILLE WWTP TO INCREASE PERMITTED FLOW

WHEREAS, the Livingston County Water Sewer Authority (“LCWSA”) has determined that it is appropriate to modify the SPDES Permit (NY0032328) at the Lakeville Wastewater Treatment Plant (WWTP) to increase the permitted flow; and

WHEREAS, pursuant to the requirements of the State Environmental Quality Review Act (“SEQRA”), the LCWSA having declared itself as lead agency must consider pursuant to criteria set forth in SEQRA the environmental implications of such projects; and

WHEREAS, pursuant to 6 NYCRR Section 617.5 (c), certain actions are classified under SEQRA as Type II actions; and

WHEREAS, Type II actions are those actions, or classes of actions, which have been found categorically to not have significant adverse impacts on the environment, or actions that have been statutorily exempted from SEQRA review, and Type II actions do not require preparation of a full Environmental Assessment Form, negative or positive declaration, or an Environmental Impact Statement; and

WHEREAS, Type II actions do not require any further SEQRA review; NOW THEREFORE BE IT

RESOLVED, that based on review of the project, Short Form Environmental Assessment Form (attached hereto), and consideration of the criteria for determining significance set forth in 6 NYCRR 617.5 (c), the LCWSA Board has determined that the “SPDES Permit Modification at Lakeville WWTP to increase permitted flow” is a Type II Action pursuant to Section 617.5 (c)(1): “maintenance or repair involving no substantial changes in an existing structure or facility [...]”; AND BE IT

FURTHER RESOLVED, that the LCWSA Board hereby authorizes the preparation and submittal of such SPDES Permit Modification to the New York State Department of Environmental Conservation as may be deemed necessary to obtain approvals to increase the permitted flow at the Lakeville WWTP.

Motion: S. Beardsley moved and J. Deming seconded to approve Resolution No. 2019-04 SEQR Type II Determination for SPDES Permit Modification at Lakeville WWTP to Increase Permitted Flow as presented. Carried Unanimously.

Lakeville WWTP Upgrades Project (Phase 1) – Change Orders

E. Wies circulated copies of the following proposed change orders (on file with Secretary) to the Board for review and approval:

▪ **Contract No. 1 (Crane-Hogan) – Change Order No. 2**

This proposed change order includes the installation of: precast risers to the new primary distribution structure and trickling filter bypass control valve vault; new scum pit/piping/valve to the existing rectangular primary clarifier; new valve on effluent line; wye and shut-off valve to connect new clarifier to intermediate pump station; and two new 14” gate valves outside of new primary distribution structure. The total cost of the additional work is \$77,478.80. As Change Order No. 1 resulted in a decrease of \$99,354.50 due to various cost credits on the project, the cost of the above referenced work will be offset by that credit and the revised contract amount (\$3,367,052.26) will still be less than the original contract amount (\$3,388,928.00). E. Wies noted that EFC may recommend that the above referenced work be split into multiple change orders to facilitate EFC approval.

Motion: J. Deming moved and P. Brooks seconded to approve the additional work as described above for the Lakeville WWTP Upgrades Project – Contract No. 1 (Crane-Hogan), in an amount not-to-exceed \$77,478.80 and to divide this work into multiple change orders, as required by EFC to facilitate funding agency approval. Carried Unanimously.

▪ **Contract No. 2 (Hewitt-Young) – Change Order No. 2**

This proposed change order includes the installation of: VFD A/C Units, Generator & ATS Monitoring, Additional Mag Meter Monitoring, Cellular SCADA Monitoring, Fiber Optic Backbone, Control Room Network Hub, and Pump Vault Material. The total cost of the additional work is \$75,030.53.

Motion: S. Beardsley moved and J. Deming seconded to approve Change Order No. 2 to Contract No. 2 (Hewitt-Young) of the Lakeville WWTP Upgrades Project, in the amount of \$75,030.53, for the installation of: VFD A/C Units, Generator & ATS Monitoring, Additional Mag Meter Monitoring, Cellular SCADA Monitoring, Fiber Optic Backbone, Control Room Network Hub, and Pump Vault Material. Carried Unanimously.

Lakeville Wastewater Treatment Plant (SPDES NY0032328) – Consent Order Update

J. Campbell indicated that the draft Sewer Use Rules & Regulations and draft Intermunicipal Agreement are still under review by NYSDEC. E. Wies informed the Board that in accordance with the Compliance Directive Schedule, the next deliverable to NYSDEC is a 6-month progress report (Compliance Directive IIE) that is due in early August, which will summarize status of various Compliance Directive activities (e.g. Collection System Inspections, Flow Monitoring, Public Outreach, etc.).

As part of the Consent Order discussion, the Board reviewed information on the NYSDEC/NYSEFC Wastewater Infrastructure Engineering Planning Grant (EPG) Program. Up to \$3 million has been made available for this round of funding, with applications due at the end of July 2019 as part of the NYS Consolidated Funding Application (CFA) process. LCWSA is eligible for up to a \$100,000 grant for “inflow and infiltration projects as a result of an Order on Consent”, which requires a 20% local match (cash or in-kind services). E. Wies indicated that a grant through the EPG program would assist in funding additional I/I reduction efforts, including but not limited to: contracting out the cleaning and televising of larger diameter sewer lines within LCWSA’s collection system (which are too large to be inspected by LCWSA’s existing equipment). The Board consensus was to proceed with the submittal of a grant application.

Motion: S. Beardsley moved and T. Saunders seconded to authorize CPL to prepare and submit a CFA application on behalf of the Livingston County Water & Sewer Authority, for a \$100,000 grant through the NYSDEC/NYSEFC EPG Program. Carried Unanimously.

Groveland Station WWTP Disinfection Study – Recommended Treatment Technology (Clark Patterson Lee)

E. Wies provided the Board with a brief update on the status of the study. A total of two (2) treatment technologies were evaluated as part of the study: UV Disinfection (Alternative No. 1) and Chlorination (Alternative No. 2). E. Wies reviewed the advantages and disadvantages of each alternative and corresponding capital costs and estimated operation & maintenance (O&M) costs. Although Chlorination had a lower capital cost, this alternative had higher O&M costs. Additional disadvantages include: storage/handling requirements and the unknowns regarding future chemical costs. Therefore, CPL is recommending UV disinfection as the preferred treatment technology to meet the seasonal effluent disinfection requirements that DEC will be incorporating into the SPDES permit renewal for the Groveland Station WWTP. The estimated project cost is \$342,900. E. Wies reminded the Board that per the March 1, 2019 DEC notification letter, engineering documents will need to be submitted by 2022 and the treatment system will need to be operational by 2024. E. Wies noted that the installation of a disinfection system is considered an eligible project under the NYSDEC Water Quality Improvement Program (WQIP), which will cover 75% of the construction cost.

Motion: P. Brooks moved and J. Deming seconded to accept CPL’s recommendation to proceed with UV disinfection as the preferred treatment technology at the Groveland Station WWTP, and to authorize CPL to submit a WQIP application on behalf of LCWSA for the proposed project. Carried unanimously.

LCWSA Water System Improvements – EFC WIIA Grant Application

E. Wies and M. Baines informed the Board that the next round of NYS Water Infrastructure Improvement Act (WIIA) funding through NYSEFC has been announced, and grant applications are due September 13, 2019. For WIIA Drinking Water Projects, an applicant is eligible for a grant that is the lesser of “\$3 million or 60% of net eligible project costs”. Eligible projects include “construction, replacement or repair of infrastructure” or “compliance with environmental and public health laws and regulations related to water quality”. As LCWSA is currently under an Administrative Order from the EPA related to exceedances in total trihalomethane (TTHM) levels in its Consolidated Water District (Groveland Station Water System – 7161 Groveland Hill Rd), the WIIA program could provide a source of funding for water quality projects including the proposed interconnection with the DOCCS water line and installation of THM removal equipment. In addition, over the last year, the Board has informally discussed other water system improvements including but not limited to: SCADA upgrades, and an interconnection to the ARS water system. If the Board is interested in pursuing this funding, it will be necessary to complete the SEQRA process and approve a bonding resolution, prior to submitting the grant application. The Board consensus was to proceed with the submittal of a grant application. The Board reviewed the following draft resolution:

RESOLUTION NO. 2019 – 05 SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY FOR 2020 COUNTYWIDE WATER SYSTEM IMPROVEMENTS

WHEREAS, the Livingston County Water Sewer Authority (“LCWSA”) has contemplated several proposed water system improvements, including but not limited to:

1. **ARS interconnection:** Installation of approximately 17,000 to 22,000 linear feet of water main to connect the existing Consolidated Water District in the Town of Groveland to the existing American Rock Salt water system and water storage tank.
2. **Groveland Station interconnection:** Installation of approximately 2,000 linear feet of water main connecting the existing Groveland Station water main and the existing water main in the Town of Groveland.

3. **Additional storage at Shelly Road:** Replacement of the existing Shelly Road water storage tank with a new, higher capacity water storage tank.
4. **Countywide miscellaneous improvements:** SCADA Controls systems upgrades and improvements throughout the water system, installation of TTHM removal systems at several water storage tanks throughout the consolidated water district, and installation of new water meters for LCWSA customers throughout the consolidated water district; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the LCWSA intends to serve as Lead Agency for SEQRA review of this Type 1 Action and will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, the Lead Agency will undertake a coordinated review of this proposed action; NOW THEREFORE BE IT

RESOLVED, that the LCWSA hereby designates its intention to serve as Lead Agency for the proposed action and will circulate Lead Agency Notice along with Part 1 of the Long Form Environmental Assessment Form and any other supporting documentation to all Involved Agencies. These agencies shall be given 30 days from the mailing of the Lead Agency Notice to consent. Interested Agencies will be given notice, but not required to consent pursuant to 6 NYCRR Part 617.6.

Motion: J. Deming moved and P. Brooks seconded to approve Resolution 2019-5 SEQRA Notice Of Intent To Serve As Lead Agency For 2020 Countywide Water System Improvements, as presented. Carried unanimously.

Motion: T. Saunders moved and S. Beardsley seconded to authorize J. Campbell to contact Harris Beach PLLC and obtain an engagement letter to provide bond counsel services for the above referenced project. Carried unanimously.

Communications

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

- Receipt of Summons and Complaint in the matter of Carol Chiumento vs. Livingston County Water and Sewer Authority/Livingston County/Villager Construction, Inc.

Executive Session

Motion: J. Deming moved and P. Brooks seconded that the Board adjourn and reconvene in Executive Session at 9:34 am for the purpose of discussing information regarding proposed, pending or current litigation; and that M. McKeown act as Chairman and B. Harris act as Secretary, and M. Baines, M. Kosakowski, R. Lewis, E. Wies, and J. Campbell remain present. Carried unanimously.

Motion: J. Deming moved and P. Brooks seconded to end the Executive Session at 9:59 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 information regarding proposed, pending or current litigation, hereby reports as follows:

No action taken.

Dated July 24, 2019
M. McKeown
B. Harris, Secretary

***Adjourn: Motion: S. Beardsley moved and J. Deming seconded to adjourn the Board meeting at 10:00 am.
Carried unanimously.***