

DRAFT

The Onondaga County Water Authority met in regular session on September 9, 2009. Members of the Authority present were R. Tomeny, F. Picardi, C. Incaudo, W. Simmons and H. Rosenthal.

Others present: M. Hooker, A. Geiss, T. Pickard, L. Khanzadian, G. Miller and C. Marvin.

I. R. Tomeny called the meeting to order at 12:30pm.

II. Minutes of the meeting of August 5, 2009 were approved by all Members on Motion by H. Rosenthal, duly seconded by C. Incaudo.

III. M. HOOKER REPORTED:

- Reviewed his Executive Director's report.
- Distributed and reviewed the August, 2009 Water Analysis Report. Reported on a recent survey that AMWA conducted which indicated a general trend downward in water sales due in part to conservation. Discussed the drop in Industrial sales. Noted that the decrease in Anheuser Busch's water use is not due to a production decrease but is related to improving the efficiency of water use. We continue to cut-back on expenditures to off-set our decreases in revenue.
- Plan to attend a meeting in Denver, CO next week to meet with other Water Authority CEO's for discussions and presentations on strategies being employed to deal with effects of current recession on their utilities.
- Provided an update on the pending operation of the water system for the Town & Village of Marcellus. The Town has indicated that the pump stations will be delivered next week. OCWA anticipates 600 new accounts in the Village and 300 accounts in Limeledge.
- Scheduled to roll-out OCWA's Pandemic Preparedness plan on Monday September 15 at an OCWA management meeting. There is an overall summary plan with specific plans by department.
- Reviewed the August Financials that were distributed.
- Met with the Clay Town Supervisor, Damian Ulatowski, on September 2, 2009. Discussed the system storage availability and plans to continue moving forward in drafting an agreement.
- Reported on continuing conversations with Crucible Steel regarding water service options if their production is cut back or facility is divided into separate parcels.
- Introduced C. Marvin to finalize the acceptance of an audit firm for the three year period 2009, 2010 and 2011. C. Marvin introduced the Chairman of the Audit Committee, C. Incaudo. C. Incaudo requested an adjournment of the Regular Board meeting.

IV. AUDIT COMMITTEE MEETING

On Motion by W. Simmons, duly seconded by H. Rosenthal with all Members approving, the regular Board meeting adjourned and reconvened to the Audit Committee at 12:50pm.

- C. Marvin reported that Dermody, Burke & Brown agreed to a \$1500.00 reduction for the 2009 annual audit. C. Marvin and C. Incaudo reviewed the technical expertise of the firm, Dermody, Burke & Brown. C. Marvin and M. Hooker recommend that OCWA continue with the services of Dermody, Burke & Brown. C. Incaudo requested a Motion to recommend that OCWA continue with the audit services provided by Dermody, Burke & Brown.

On Motion by R. Tomeny, duly seconded by W. Simmons the Audit Committee recommends that the Board consider retaining the services of Dermody Burke & Brown as outlined and discussed.

On Motion by R. Tomeny, duly seconded by F. Picardi the Audit Committee adjourned at 1:05pm and reconvened to the regular Board meeting.

- R. Tomeny requested a Motion to retain the audit services of Dermody, Burke & Brown.

On Motion by F. Picardi, duly seconded by C. Incaudo the Board agreed to retain the services of Dermody Burke & Brown with documentation of selection and price concessions made.

V. A. GEISS REPORTED:

- Reviewed his Chief Engineer's Report.
- Reported that Tony Palamara was promoted to fill the Water Distribution Manager position.
- Reported on the Taft Road project, and work performed by Tarolli, that is now underway after several delays related to permit approvals by Onondaga County, DOT. OCDOT has now requested that we expedite our work so additional crews will be added to accelerate the schedule. The Board Chairman recommended that an update be given to Bill Meyer, Legislative Chairperson.
- Provided an update on the road access to the Howlett Hill tank. Met with Steven Raven, property owner NE Townline Road. The owner has offered a Right of Way without contingency and has offered to share the cost of construction of a 12-15 ft. wide gravel road with OCWA's cost not to exceed \$35,000.00.
- Distributed the Eastern and Western project budget review to the Board. Discussed the Western Tank storage and the Change Order #1 credit of \$14,801.39

On Motion by W. Simmons, duly seconded by C. Incaudo the Board agreed to Change Order #1 (credit) as outlined.

- Reviewed the Eastern tank project change orders two of which are related to the delay in obtaining the storm water pollution prevention plan (SWPPP) Permit.
- Change Order #1 is a request of \$18,883.07 due to an 86 day contract time extension.

On Motion by H. Rosenthal, duly seconded by C. Incaudo the Board agreed to Change Order #1 –Eastern Storage tank, as outlined.

- Reviewed Change Orders #2 and #3 and the estimated costs related to modifications as required of the SWPPP and additional rock removal for foundation excavation. Final estimates for approval will be provided at the next Board meeting.

- Update on the most recent Otisco Lake Preservation Association meeting recently attended. OCWA has provided a base map and will provide continued mapping if necessary. Also discussed the pursuit of grant money. The next meeting is scheduled for October 7, 2009.
- G. Miller provided an update on capital projects.
- Reported that the Town of Constantia submitted the preliminary water line drawings on September 8, 2009 for water systems construction.
- Water Treatment Plant work continues. Meeting took place on September 8, 2009 with Dupont for modification and testing of the Chlorine Dioxide system. Everything tested well and system will be restarted in the near future. Continued discussions with Falter on their request for a time extension on the project.
- Reviewed the detailed outline of Change Order #7 related to the Water Treatment Plant project in the amount of \$112, 126.93 This change order is directly related to expansion of the original project.
-

VI. LEGAL REPORT

- T. Pickard reviewed his Legal Report.
- Provided an update on the CSX Right of Way on finalizing the outlined agreement which provides for perpetual terms. Reviewed the pertinent provisions including the railroad protective liability insurance in the right-of-way agreement. A request was made for a Motion to approve the execution of the Right of Way.

On Motion by H. Rosenthal, duly seconded by F. Picardi the Board agreed to authorize M. Hooker to execute the CSX Right-of-Way agreement and advance the sum of \$170,154.00.

- Reported on the status of the Finger Lakes Railway appraisal. Pending trial on damages. C. Strickland recommends that OCWA render payment for the appraisal price of \$103,000.00.

On Motion by F. Picardi, duly seconded by W. Simmons, the Board agreed to authorize the payment of \$103, 000.00.

- Provided information on the Erie County Water Authority currently being sued by the Town of Amherst for failure to request a work permit.
- Reviewed the OCWA bid process and the provision to extend an existing contract, for one year, if both parties agree. Requested approval of a contract extension with T. I. Sales for the purchase of hydrants through December 31, 2010.

On Motion by H. Rosenthal, duly seconded by C. Incaudo, the Board agreed to authorize the extension of the existing contract with T. I. Sales through December 31, 2010.

- Advised the Board that a written request has been received from Estlinbaum Lumber, Inc. requesting consent from OCWA to construct a permanent dock on the Allen property, on the Otisco Lake shore edge. Discussion continued regarding the procedures involving new structures versus property improvements as well as the prohibition of enclosed structures. Agreed to notify the homeowner of the procedure for requesting property improvements.

On Motion by F. Picardi, duly seconded by C. Incaudo, the Board agreed to proceed with notifying the Allen's, as property owners of 2370 Olanco, Town of Spafford, of the

guidelines allowed for altering structures and the procedure of purchasing land from OCWA.

- A. Geiss summarized the property complaint received from the Roger's regarding large Willow trees spanning the edge of Duncan property and OCWA property that are thought to be dangerous. OCWA evaluated the trees and obtained an estimate from Treelanders for the removal from the OCWA property which is estimated at \$6000.00. The Duncan's have requested to purchase the OCWA parcel that adjoins their property in consideration that they will in turn remove the trees. Continued discussion on the safety of the tree area and the land. The land transaction will require an appraisal. The Board agreed that an Appraisal was necessary and agreed to offer the land to the Duncan's with the stipulation that the trees be removed by a specified date.

VII. HUMAN RESOURCE REPORT

- L. Khanzadian reviewed report
- Update on the summer aides.
- Received a \$14,870.00 refund from CNA, our Workers Compensation insurance carrier for lower than expected claim expense.
- Reviewed the proposed Contagious Illness policy that will be rolled out in conjunction with the Pandemic Preparedness program.
- Discussed proposed topics for upcoming Teamster negotiations. The first scheduled meeting is September 17, 2009.
- Reminded the Board of the upcoming seasonal flu vaccine that is scheduled for November 3, 2009 at Northern Concourse.

VIII. NEW BUSINESS:

- Board meeting schedule change. Reschedule the October meeting from October 28, 2009 to Thursday, October 29, 2009 at 12pm.
- H. Rosenthal reminded everyone of the Healthy Building Conference scheduled at the OnCenter next week.
- Four Right(s) of Way were presented for the Authority's approval.

On Motion by C. Incaudo, duly seconded by F. Picardi, with all Members approving, the Board authorized M. Hooker to execute the following Rights of Way.

9003489	RAM Construction, LLC	8" Relocation F. W. Webb Co. Warehouse
4090041	The Timbers, LLC	8" Ext. The Timbers, Sec. 1D
4090023	Daniel Cavallo	OCDOT Improvement, Taft Road, East
4090023	Cleland Real Estate Grp	OCDOT Improvement, Taft Road, East

