

MEETING MINUTES
GENESEE COUNTY WATER RESOURCES AGENCY
JULY 11, 2023



A meeting of the Genesee County Water Resources Agency was held in the Legislature Chamber of the Old Courthouse, 7 Main Street, Batavia, NY 14020 on Tuesday, July 11, 2023 at 8:00 AM.

Members Present: Bruno DeFazio (chair), Diane Fowler (vice-chair), Shelley Stein, Christian Yunker, Steve Mountain, and Hiedi Librock.

Members Absent: Gary Maha, Steve Ferry (GAM rep.), Danielle Cummins

Others Present: Tim Hens, Genesee County Highway; Matt Landers, Genesee County Manager; Tammi Ferringer, Assistant Genesee County Manager; Felipe Oltramari, Genesee County Planning; Tom Carpenter, Clark Patterson Lee (CPL); Brett Frank, City of Batavia Public Works; Justin Gerace, Genesee County Highway; Jim Wujcik, Genesee County Attorney; Scott German, Genesee County Treasurer; Tom Phelps, Superintendent City of Batavia Bureau of Water & Wastewater; Nelson Weibel, Chief Water Plant Operator City of Batavia; Mark Masse, Genesee County Economic Development Center (GCEDC); Tod Ferguson, Monroe County Water Authority (MCWA).

Mr. DeFazio called the meeting to order at 8:00 AM.

- 1) **Approval of Minutes** – A motion was made by Mr. Yunker to approve the meeting minutes of April 25, 2023, seconded by Ms. Fowler and carried.
- 2) **Phase 2 Construction Update** – Mr. Hens said that the Golden Rd. Pump station has basically been completed. There are still issues with the pump impeller materials. Confirmation is needed that the materials used are adequate to MCWA. Construction is ongoing at the four remaining pump stations. At Morgan Rd., the building addition started in May. The North Rd. pump station should be the next project to prioritize in order to get the most immediate impact on water supply.
- 3) **City Water Plant and Wells Update** – Mr. Hens said the low lift pump repair was initially estimated to take eight weeks, but the company doing the repair had problems getting parts from the manufacturer. While this was happening, on June 20th, we lost the pump at Well C, which we were using quite heavily to add capacity at the plant during the summer months. This created a situation in which we were short 1.2 Million gallons of water during the peak demand season. The system handled it well until last Thursday when we had to issue the first ever mandatory water restrictions. Outside of the City, we were able to provide additional supply from Erie and Monroe County water systems and cover those areas with 100% water from those sources. The City, however, was having a peak day, and the water storage tanks dropped from 20 ft. at the beginning of the day to 13 ft. before leveling off by opening up the connection and letting MCWA water into the City system. Local and State Dept. of Health approval was obtained on a temporary emergency basis. The County did utilize the Emergency Water Response Plan and worked with the large farmers, the wholesale area, HP Hood, O-At-Ka, GCC and the School Districts to coordinate water conservation measures. The Batavia

City and LeRoy spray parks were also closed. It was eventually determined that the pump motor had failed. The motor was replaced and Well C was up and running again on Friday, but it is still not understood why the old motor failed. This will likely be a warranty claim. The low lift pump replacement is being installed today and should be completed by tomorrow, so hopefully by the end of the week, the City's plant should be back to normal in terms of capacity. Mr. DeFazio asked that having recently toured the Plant if the fixes are just temporary improvements without addressing the major issues at the plant. Mr. Hens said we still have the City Water Plant Improvement Project which is ongoing. The filter replacements have all been done, but the two remaining subprojects are the precipitator and the lime slaker. These have been put out for bids and are expected to be completed this winter. These don't solve all the problems at the plant but should make the plant more reliable the next few years. Mr. Mountain asked if there should be spare pumps available in case of an emergency. Mr. Hens said that is something to consider and explore.

4) Phase 3 Master Plan/Basis of Design Update, Source Supply Study Next Steps – Mr. Carpenter said that the full draft of the Master Plan is being reviewed internally and by Arcadis. The more challenging topics are water quality, water storage, flushing, and Lead and Copper Rule Revisions (LCRR) work throughout the entire County and going beyond the Phase 3 project's scope. The Basis of Design update gets into the details of the Phase 3 subprojects and Arcadis will be assisting here as well. We are also working on potential land acquisitions that will be needed for Phase 3 (North Rd Storage Tank, Union Street Pump Station and the North Rd Pump Station) and progressing with the geotechnical work for these. We provided a letter to the residents in the Golden Rd. Pump Station area where we are looking for alternatives for the suction main to support that pump station. SEQR was completed and published in the Environmental Notice Bulletin. Mr. Hens said that the design of Phase 3 is being slowed down by the challenge of water quality and storage in the system. Not having too much storage is a problem, but having too much storage is also a problem because it affects water quality. On top of that, you have the Lead and Copper rules that are changing and being developed at the national level and the challenges associated with the flow of water in and out of the City. Mr. Carpenter said that there are also complications due to the differences between the operational areas. We have to get input from all of them. There was a discussion of how to engage the different operators including MCWA.

5) Grants and Funding – Mr. Carpenter said that Phase 3 project was listed in NYS Environmental Facilities Corporation (EFC) Intended Use Plan (IUP). With SEQR being complete and the County passing the bond resolution, the Intermunicipal Grant (IMG) application is being finalized and is due at the end of the month. Genesee County also met with MCWA to discuss Monroe County bonding. Mr. Hens said that the bulk of our efforts have been in getting the IUP switched from a multi-year listing to an annual listing. The entire Phase 3 project is going to be submitted as an IMG application, per EFC and NYS Dept of Health (DOH) guidance. We continue to apply to any and all grant programs including Northern Border Regional Commission (NBRC) and congressional earmarks. We will also soon focus on getting some of the \$85 Million Water Resources Development Act (WRDA) authorization from US Army Corps of Engineers (ACE). We do have some grants in hand that we are working through, including the current IMG. This has required extensive paperwork, including finding all the SEQR documentation from the original County water project (Phase 1). There was a discussion on what subprojects of Phase 3 are ready to be declared ready for funding. Mr. Hens said that the project much depends on the completion of the Source Supply Study. Mr. Carpenter said that they

are still developing the strategy on how to proceed with Phase 3 in coordination with MCWA. Mr. Hens said that another issue is how long it takes to receive the funding even after being awarded a grant. It can take 12-24 months to receive the funding. Mr. Carpenter said that grant funding can also be dependent on who will ultimately own the infrastructure.

- 6) **Supply and Demand Forecast** – Mr. Hens said that they have been working on the annual update of the supply and demand spreadsheets, and those were emailed to the group this morning, but it is a work in progress, and there are some errors to correct. The spreadsheets are a bit different from previous years, as we are trying to track hydraulic grade zones while still trying to include municipal boundaries. The spreadsheets show that in the next few years it is still going to be close during the summer months. Mr. Landers emphasized that Phase 3 should provide a small amount of relief, but it is not a lasting solution because that phase largely displaces the City’s plant supply. Mr. Hens said he will send out updated versions of the spreadsheets once they are finalized.
- 7) **Emergency Water Response Plan Meetings and Update** – Mr. Hens said that given the situation at the City plant, it was likely that water supply issues would arise this summer. The County proactively had face-to-face meetings with larger water users to coordinate conservation measures and build a list of contacts. The information gathered plus the experience from this past Thursday’s mandatory restrictions will be incorporated into an update of the plan. We will also incorporate actions that can be taken like shutting down splash pad (including the new one in LeRoy) and restricting outdoor irrigation at school and GCC ballfields. Mr. DeFazio asked about the reception. Mr. Hens and Mr. Landers said that the users accepted the position of the County and appreciated the communication that the meetings provided. There was a general willingness to help.
- 8) **Other Business** – Mr. Hens discussed the unused funds that were part of the CPL Phase 3 SEQR contract. These funds (\$250,000) were originally budgeted for sub-consultants (archaeological studies, soil borings, etc.) but were not needed. He asked that the funds be used for CPL assistance in Phase 3 program management contract. CPL has put forward a proposed contract. Mr. Hens will send out the contract to the group for consideration.

Mr. Landers asked for an update on the Seneca Powers aquifer water withdrawal permit. Mr. Hens said that the DEC approved a permit with a cap of 26 Million gallons per year and a cap substantially lower than the 700,000 gallons per day they had requested. Seneca Powers appealed to overturn the limitations. A hearing was held in late June and we hope to hear from the judge in the next 3-6 months. One thing to keep in mind is that the judge kept asking DEC witnesses whether there was anything that would stop Seneca Powers from getting the water from a municipal (City) source as opposed to Well D. We have to be prepared to fend off this alternative because we do not have 700,000 gallons of spare capacity for any user.

- 9) **Next Meeting**: October 10, 2023
- 10) **Adjournment** - A motion to adjourn was made by Ms. Stein, seconded by Mr. Yunker and carried. The meeting was adjourned at 9:02 AM.