

STAMP Water Works, Inc. Meeting
Wednesday, February 5, 2025
Location: 99 MedTech Drive, Innovation Room
9:00 AM

STAMP WATER WORKS, INC. MINUTES

Attendance

Board Members: C. Yunker, P. Zelif, M. Clattenburg, T. Hens, R. Crossen
P. Battaglia (Video Conference. Not officially in attendance, as attendance location was not disclosed in public notice)

Staff: M. Masse, J. Krencik, C. Suozzi, E. Finch

Guests:

Absent:

1.0 Call to Order

P. Zelif called the meeting to order at 9:12 a.m. in the Innovation Zone.

2.0 Chairman's Report & Activities

2a. Agenda Additions / Other Business – Nothing at this time.

2b. Minutes: January 14, 2025

T. Hens made a motion to accept the January 14, 2025, minutes as presented; the motion was seconded by R. Crossen. Roll call resulted as follows:

C. Yunker -	Yes	T. Hens -	Yes
P. Zelif -	Yes	M. Clattenburg -	Yes
R. Crossen -	Yes		
P. Battaglia -	N/A	(Attendance location not disclosed in public notice)	

The item was approved as presented.

3.0 Discussions

3a. Water Rates – M. Masse stated that the proposed water rates included in the Board packet are incorrect. They were miscalculated using a monthly rate and put into an annual rate. The County changed their Purchase of Water rate from \$2.48 to \$2.71. The Genesee County Surcharge of \$1.20 remained the same.

M. Masse stated they are looking for a recommendation to raise the water rates to cover the County's rates that went up this year and still generate revenue. This past year there were construction water use costs only. We generated enough revenue to cover the purchase of water from the County so far. The only cost for the entity to the Town of Batavia related to the O&M agreement.

The Board suggested using the Town of Alabama's water rate. M. Masse stated that he would need to take the Town of Alabama water rate and allocate to the specific line items (i.e. system reserve, O&M, administration and PRV valve repayment) within the rate. M. Masse will update the water rate calculation based on the Town of Alabama rate.

C. Yunker made a motion to change the water rates to the Town of Alabama water rates as discussed above; the motion was seconded by T. Hens. Roll call resulted as follows:

C. Yunker -	Yes	T. Hens -	Yes
P. Zelif -	Yes	M. Clattenburg -	Yes
R. Crossen -	Yes		
P. Battaglia -	N/A	(Attendance location not disclosed in public notice)	

The item was approved as presented.

3b. Water Facilities Operation & Maintenance Agreement – Amendment - The Town of Batavia has provided an updated agreement for the operation and maintenance of the water facilities for STAMP Water Works Corp. to include the ability to recoup costs for the PRV valve installation. Upon review we object to the language in Section 5 that states any self-performed work that is done by the Town of Batavia will be billed at their wage rates plus a 40% administrative charge. The PRV work that the Town will self-perform will not be billed. The PRV work will need to be carved out of that language. The Town cannot order the materials needed for the work until a signed agreement is in place and they have not provided replacement language yet. If those materials do not get ordered soon, we will not be able to meet the timeline that Edwards has for this work to be completed.

P. Zelif stated he would like to see hold harmless language in the contract to cover us from Third Party Claims.

P. Battaglia stated that there is some vagueness in the contract, including the language that we will negotiate in good faith and in the event of an emergency they may do any work necessary. P. Battaglia would like to define what emergency means and be clearer on negotiating rates in "good faith".

M. Masse stated this is the standard language in a contract with a municipality. T. Hens stated it is very difficult to define an emergency because the system must keep going. This is common language in any water contract. T. Hens also stated it's impossible to guarantee anything because the source is sometimes another entity's water. P. Battaglia asked what the fail-safe is if a deal cannot be made about rates. M. Masse stated the Town passed a resolution that they were responsible for this and are legally obligated to keep the system going until we are able to find a replacement.

Fund Commitment: Amount for the PRV work was approved at the previous Board meeting.

Board Action Request: Approval of the Agreement for Operation and Maintenance of Water Facilities for STAMP Water Works, Corp., Inc. subject to 1) the language being revised to carve out the Town of Batavia's self-performed work on the PRV valve project and 2) a Third-Party Hold Harmless Agreement in accordance with the insurance policies is added.

C. Yunker made a motion to authorize the Water Facilities Operation & Maintenance Agreement with the two above-mentioned changes; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

C. Yunker -	Yes	T. Hens -	Yes
P. Zelif -	Yes	M. Clattenburg -	Yes
R. Crossen -	Yes		
P. Battaglia -	N/A (Attendance location not disclosed in public notice)		

The item was approved as presented.

R. Crossen stated that the Town of Alabama Residential water rate is \$6.87 and the Ag rate is \$5.57.

4.0 Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 9:37 a.m., which was seconded by T. Hens and passed unanimously.