

**MINUTES OF THE MEETING OF THE ERIE COUNTY WATER AUTHORITY
HELD REMOTELY ON THE 6TH DAY OF JANUARY 2022**

PRESENT: Jerome D. Schad, Chair
 Peggy A. LaGree, Vice Chair
 Michele M. Iannello, Treasurer
 Terrence D. McCracken, Secretary to the Authority
 Karen A. Prendergast, Chief Financial Officer
 Russell J. Stoll, Chief Operating Officer
 Mark S. Carney, General Counsel
 Margaret A. Murphy, Sr. Associate Counsel
 Leonard F. Kowalski, Executive Engineer
 Joyce A. Tomaka, Comptroller
 Lavonya C. Lester, Director of Administration
 Sabrina A. Figler, Director of Water Quality
 Matthew W. Barrett, Security Officer
 David W. Aubertine, Director of Cybersecurity and Information Technology

ATTENDEES:

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:57 a.m. A quorum was present with three Commissioners.

II. READING OF MINUTES

Motion by Ms. LaGree seconded by Ms. Iannello and carried to waive the reading of the Minutes of the Meeting held on Wednesday, December 22, 2021.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

III. APPROVAL OF MINUTES

Motion by Ms. LaGree seconded by Ms. Iannello and carried. to approve the Minutes of the Meeting held on Tuesday, December 22, 2021.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. REPORTS

A. SECRETARY

B. LEGAL

1. Executive Session

Discussion relating to pending litigation with the Town of Elma with the Authority's General Counsel pursuant to Public Officers Law §105(1)(d) and §108(3)

This matter will be deferred to the end of the meeting.

C. FISCAL

D. OPERATIONS

E. LEGAL

F. FISCAL

G. OPERATIONS

H. HUMAN RESOURCES

I. AUDIT COMMITTEE

J. GOVERNANCE COMMITTEE

K. FINANCE COMMITTEE

L. ETHICS COMMITTEE

V. COMMUNICATIONS AND BILLS

(Communications may be limited to items that are provided electronically. Every effort will be made to provide all communications at future meetings.)

- C-1 NOC – ERIC GROSENBAUGH VS ECWA - RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOC – VINCENT LUKA VS ECWA - RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**

VI. PERSONS ADDRESSING THE AUTHORITY

The Commissioners will hear the concerns of persons desiring to address the Commissioners on any Water Authority subject.

No member of the public requested the opportunity to speak.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

ITEM 1 - MASTER PURCHASE ORDERS, RELEASES FROM MASTER PURCHASE ORDERS, PURCHASE ORDERS, AND AMENDMENTS OF SAME

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 2 - FINAL ACCEPTANCE OF PROJECT WITH 716 SITE CONTRACTING, INC. FOR SMALL SERVICES CONTRACT, AREA #2, FEBRUARY 1, 2019 THROUGH JANUARY 31, 2021, PROJECT NO. 201900004, CONTRACT NO. 19-03-02 - \$58,412.66

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 3 - FINAL ACCEPTANCE OF PROJECT WITH NEW FRONTIER EXCAVATING AND PAVING, INC. FOR CONTRACT NO. DA-010, WATER SYSTEM IMPROVEMENTS IN THE TOWNS OF AMHERST AND CHEEKTOWAGA, NEW YORK, PROJECT NO. 202000063, CONTRACT NO. 21-11-03 - \$86,549.26

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 4 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF 940 LF OF EIGHT (8") INCH C-900 WATERMAIN, 250 LF OF EIGHT (8") INCH DIP WATERMAIN, TWO (2) HYDRANTS, SIX (6) LINE VALVES AND APPURTENANCES IN PLEASANT CREEK SUBDIVISION, PHASE III, TOWN OF HAMBURG, NEW YORK, PROJECT NO. 202000050, EC NO. 7120

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO. W-034A, STORAGE TANK REFURBISHING AT RICE HILL, WOHLHUETER AND CRESTWOOD TANKS IN THE TOWN OF BOSTON, NEW YORK, PROJECT NO. 202100193

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

On the question, Chairman Schad inquired about the number of tanks that are included in each contract. Mr. Kowalski replied that staff determines what they feel is feasible for a contractor locally and then split the contracts up accordingly.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO. W-034B, STORAGE TANK REFURBISHING AT COLE ROAD AND EDEN 4 TANKS IN THE TOWNS OF ORCHARD PARK AND EDEN, NEW YORK, PROJECT NO. 202100193

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 7 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS - \$7,595.19

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to go into Executive Session to discuss with the Authority's General Counsel matters relating to proposed or pending litigation with the Town of Elma pursuant to Public Officers Law § 105(1)(d) at 10:05 a.m. Mr. Schad invited Terrence McCracken, Russell Stoll, Karen Prendergast, Margaret Murphy and Mark Carney.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to exit Executive Session at 10:23 a.m.

DISCUSSION

Chairman Schad noted that a productive discussion was held with Counsel and has given direction to respond to the situation in the Authority's pending litigation with Elma.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IX. ADJOURNMENT

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 10:23 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None



Terrence D. McCracken
Secretary to the Authority

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