

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 20th day of January 2022.

PRESENT: Jerome D. Schad, Chair
 Peggy A. LaGree, Vice Chair (via teleconference)
 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
 Leonard F. Kowalski, Executive Engineer (via teleconference)
 Daniel J. NeMoyer, Director of Human Resources (via teleconference)
 Joyce A. Tomaka, Comptroller (via teleconference)
 Lavonya C. Lester, Director of Administration (via teleconference)
 Sabrina A. Figler, Director of Water Quality (via teleconference)
 Matthew W. Barrett, Security Officer (via teleconference)
 David W. Aubertine (via teleconference)

ATTENDEES:

PLEDGE TO THE FLAG

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:30 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 Thursday, January 6, 2022.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

III. APPROVAL OF MINUTES

Motion by _____ seconded by _____ and carried to approve the Minutes of the Meeting held on Thursday, January 6, 2022.

IV. REPORTS

- A. SECRETARY**
- B. LEGAL**
- C. FISCAL**
- D. OPERATIONS**
- E. HUMAN RESOURCES**
- F. AUDIT COMMITTEE**
- G. GOVERNANCE COMMITTEE**
- H. FINANCE COMMITTEE**
- I. 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 NOTICE OF CLAIM – DAVID SERRANO VS. ECWA - RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOTICE OF CLAIM – CALVIN CAUDLE VS. ECWA - RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-3 FOIL FROM CSEA RE UNREPRESENTED EMPLOYEE INFORMATION - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-4 FOIL FROM SMARTPROCURE RE PURCHASING RECORDS FROM SEPTEMBER 2, 2021 THROUGH PRESENT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

VI. PERSONS ADDRESSING THE AUTHORITY

Pursuant to the Erie County Water Authority’s Open Meetings Law Policy Section 10 Public Expression, as posted on its website, 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 CONTRACTING, INC. FOR CONTRACT NO. GP-008, WATER SYSTEM IMPROVEMENTS IN THE TOWNS OF WEST SENECA AND HAMBURG AND CITY OF LACKAWANNA, NEW YORK, PROJECT NO. 201900076, CONTRACT NO. 25-20-09 - \$122,049.70

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 WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, NEW YORK, IDENTIFIED AS CONTRACT NO. CPL-007, PROJECT NO. 202000070, CONTRACT NO. 21-12-03 - \$153,198.34

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 - FINAL ACCEPTANCE OF PROJECT WITH 716 SITE CONTRACTING, INC. FOR CONTRACT NO. BL-001, WATER SYSTEM IMPROVEMENTS, TOWNS OF CLARENCE AND AURORA, PROJECT NO. 202000060, CONTRACT NO. 21-16-04 - \$90,801.26

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT CORPORATE SCREENING & INVESTIGATIVE GROUP, LLC TO RENDER PRE-EMPLOYMENT BACKGROUND INVESTIGATION AND NATIONAL COMPREHENSIVE REPORTS, IDENTIFIED AS CONTRACT NO. CSI-001, PROJECT NO. 202200018

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

DISCUSSION

On the question, Commissioner Iannello asked Mr. Carney if he is involved with this project, and he replied the project falls under the Secretary's Office.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - AUTHORIZATION TO ENTER INTO A BULK SALES AGREEMENT WITH THE VILLAGE OF ALDEN

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

DISCUSSION

On the question, Chairman Schad remarked that he noticed the agreement included an arbitration clause and was under the belief that these agreements did not include arbitration clauses. General Counsel Carney remarked that the agreement was generated through the Legal department, and he followed the template. Mr. Schad noted he just wanted to confirm practice was not being changed.

Commissioner LaGree asked if the Authority is changing the agreement from a Supplemental Supply Agreement to a Bulk Sales Agreement in case the Town of Alden chooses to become the sole proprietor of the water in the future. Mr. Stoll noted that is correct. Chairman Schad confirmed that the interconnect was the Authority's requirement.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 7 - AUTHORIZATION TO GRANT AND RELEASE UNTO NIAGARA MOHAWK POWER CORPORATION A PERMANENT EASEMENT AND RIGHT OF WAY IN CONNECTION WITH THE WEHRLE WATER STORAGE TANK SITE, TOWN OF AMHERST, NEW YORK

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 8 - AUTHORIZATION TO ENTER INTO A MAIN EXTENSION AGREEMENT (BUILDER-CONTRACTOR-DEVELOPER) WITH 5700 STRICKLER ROAD, LLC AND KD EQUIPMENT CORP. FOR THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 1,522 LINEAR FEET OF EIGHT (8") INCH PVC WATERMAIN, TWO (2) HYDRANTS, ONE (1) LINE VALVE AND APPURTENANCES IN STRICKLER ESTATES PHASE 2, TOWN OF CLARENCE, NEW YORK, PROJECT NO. 202100023, EC NO. 7189

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 9 - AUTHORIZATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE COUNTY OF ERIE IN CONNECTION WITH BORDEN ROAD, IN THE TOWNS OF WEST SENECA, CHEEKTOWAGA AND VILLAGE OF DEPEW, NEW YORK, PROJECT NO. 202100222

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 10 - AUTHORIZATION TO AMEND ITEM NO. 10 OF THE MINUTES OF THE MEETING OF THE ERIE COUNTY WATER AUTHORITY HELD ON DECEMBER 22, 2021 RELATING TO THE AWARD OF CONTRACTS FOR WATERMAIN MATERIALS PURCHASE CONTRACT, PROJECT NO. 202200001

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

DISCUSSION

Commissioner LaGree inquired if this was a six-month contract instead of a year because of the supply chain. Russell Stoll replied that is correct in addition to expenses, cost issues, etc. It's hard to get suppliers to promise us long term rates with pricing the way it is. Suppliers have told us that if we want a longer-term commitment, the upfront prices will be higher.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 11 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR EXCAVATED MATERIAL REMOVAL AND DISPOSAL, APRIL 1, 2022 THROUGH MARCH 31, 2024, PROJECT NO. 202200013

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 12 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERING OF POTASSIUM PERMANGANATE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR, PROJECT NO. 202200016

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

DISCUSSION

On the question, Commissioner LaGree inquired as to why there isn't an actual timeframe in the contract. A discussion was then held regarding the matter.

Motion by Ms. Iannello and seconded by Ms. LaGree to amend item 12 to specify the time period April 1, 2022 to March 31, 2023.

Chairman Schad calls for a vote on the motion to amend.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

On the motion as amended,

Motion by Ms. LaGree seconded by Ms. Iannello to approve the amended Item No. 12.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 13 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR AREA NO. 1
RESTORATION, APRIL 1, 2022 THROUGH MARCH 31, 2024, PROJECT
NO. 202200011**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 14 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR AREA NO. 2
RESTORATION, APRIL 1, 2022 THROUGH MARCH 31, 2024, PROJECT
NO. 202200012**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 15 - APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT WITH HOHL INDUSTRIAL SERVICES, INC. RELATING TO BUOY INSTALLATION AND UNDERWATER SERVICES, PROJECT NO. 202000015, CONTRACT NO. 20-15-04

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

DISCUSSION

On the question, Commissioner Iannello inquired if these services are a regular service. She was told yes, it is.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 16 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JM DAVIDSON ENGINEERING, D.P.C. RELATING TO DISTRIBUTION SYSTEM IMPROVEMENTS IN THE TOWNS OF HAMBURG, CHEEKTOWAGA AND WEST SENECA AND VILLAGE OF DEPEW, NEW YORK, IDENTIFIED AS CONTRACT NO. JMD-001, PROJECT NO. 202100200

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

DISCUSSION

On the question, Chairman Schad asked Mr. Kowalski if the original contract amount was too high as he noticed the size of the contract is almost doubled under this amendment along with the pricing per foot price. Mr. Kowalski explained that the original contract included a lot of abandonments of existing main and transferring of services so this is not a typical contract where we would be replacing linear foot of main in kind.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 17 - APPROVAL OF AMENDMENT NO. 1 TO THE MATERIALS AND SUPPLIES CONTRACT WITH T. MINA SUPPLY EAST, INC. RELATING TO THE FURNISHING AND DELIVERING OF BUTTERFLY VALVES FOR ERIE COUNTY WATER AUTHORITY PUMP STATIONS, PROJECT NO. 202000153, CONTRACT NO. 21-03-01

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

DISCUSSION

On the question, Chairman Schad asked if these supplies are supplied with parts from China or is that supplied in the US? Executive Engineer Kowalski replied that he is unsure of where the parts are being supplied, however, there are supply chain issues everywhere no matter where the parts are coming from. Commissioner LaGree asked if this supply issue has impacted our ability to do the work. Mr. Kowalski replied, no it has not. The Stores and Line Maintenance departments have taken a harder look at what is needed and tried to pre-order supplies to make sure we have enough supply and stock. Mr. Schad added that he would like staff to make an extra effort to keep that up, so we don't find ourselves needing a part and it's out of stock.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 18 - APPROVAL OF AMENDMENT NO. 1 TO THE MATERIALS AND SUPPLIES CONTRACT WITH LOCK CITY SUPPLY, INC. RELATING TO FURNISHING AND DELIVERING OF CHECK VALVES FOR ERIE COUNTY WATER AUTHORITY PUMP STATIONS, PROJECT NO. 202000153, CONTRACT NO. 21-02-01

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 19 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2022

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 20 - APPROVAL OF AMENDMENT NO. 1 TO THE MATERIALS AND SUPPLIES CONTRACT WITH FLUID KINETICS, INC. RELATING TO THE FURNISHING OF BOOSTER PUMPS AND MOTORS FOR HAMBURG AND LAKEVIEW PUMP STATIONS, PROJECT NO. 202000154, CONTRACT NO. 21-18-04

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 21 - AUTHORIZATION TO REJECT PROPOSALS RELATING TO CISCO IP PHONE SYSTEM MAINTENANCE SERVICES, PROJECT NO. 202100061

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

DISCUSSION

On the question, Commissioner LaGree asked if a new RFP will be issued adding additional services and training. David Aubertine answered that the next RFP will fit our needs in addition to bringing in additional bidders.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 22 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS - \$3,335.19

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

DISCUSSION

None

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 10:37 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

A handwritten signature in black ink, appearing to read 'TDM', with a long horizontal flourish extending to the right.

Terrence D. McCracken
Secretary to the Authority

PG