

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 27th day of October 2020.

PRESENT: Jerome D. Schad, Chairman (via videoconference)
 Mark S. Carney, Vice Chairman
 Peggy A. LaGree, Treasurer
 Terrence D. McCracken, Secretary to the Authority
 Margaret A. Murphy, General Counsel (via teleconference)
 Karen A. Prendergast, Chief Financial Officer (via teleconference)
 Russell J. Stoll, Chief Operating Officer
 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)
 Jeffrey C. Schlierf, Acting Manager of Information Technology (via teleconference)

ATTENDEES: Brian Gould

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 Mr. Carney seconded by Ms. LaGree and carried to read the Minutes of the Meeting held on Wednesday, October 7, 2020.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

III. APPROVAL OF MINUTES

Motion by Mr. Carney seconded by Ms. LaGree and carried to approve the Minutes of the Meeting held on Wednesday, October 7, 2020.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

IV. REPORTS

A) SECRETARY

1. 2020 Vacation Time

Secretary McCracken reported that as a result of the Covid-19 pandemic and the New York State Department of Health travel ban, Authority employees have been prevented from safely using their annual vacation time. Therefore, executive staff and Human Resources Director Daniel NeMoyer are recommending that the Board of Commissioners ("Board") agree to temporarily suspend rules relating to employee vacation time for calendar year 2020. He informed the Board that the Brotherhood has signed a Memorandum of Understanding agreeing that represented employees will not forfeit vacation time for calendar year 2020, and will be paid for unused time in excess of five days at the end of the calendar year. CSEA has also signed a Memorandum of Understanding agreeing that represented employees will not be required to take a minimum of two weeks of vacation time for the calendar year 2020, and will be paid for any unused vacation time at the end of the calendar year. Mr. McCracken added for non-represented employees, the Board is asked to suspend and waive enforcement of HR Policy 41.0, ¶¶ 9,10 to allow all non-represented employees be paid for all unused vacation time in excess of thirty (30) days at the end of calendar year 2020. Chairman Schad thanked staff for complying with these regulations and for sacrificing to keep the water flowing.

2. Wheeler Appointment

Secretary McCracken reported that a new Distribution Engineer, Bill Wheeler, began employment with the Authority on October 5, 2020. Mr. McCracken added that Mr. Wheeler came with excellent credentials and 20 plus years as a professional engineer with a consulting firm. Mr. Wheeler accepted the position due to the Authority's long-term health and retirement benefits, but had to accept a substantial reduction in salary and the loss of personal leave time accrued over his 21-year career. Mr. Wheeler was mistakenly told he would be immediately given two weeks of vacation as an incentive to

join the Engineering Department. Mr. McCracken noted that the executive staff, along with Human Resources Director Daniel NeMoyer, recommend the Board of Commissioners immediately grant Mr. Wheeler two weeks of vacation, which he may use within the 2020 calendar year or may carry over to the 2021 calendar year in accordance with HR Policy 41.0. The Commissioners agreed to this request, and Chairman Schad remarked that the Authority needs good people such as Mr. Wheeler.

B) LEGAL

No Report

C) FISCAL

1. Water Meters RFI

Karen Prendergast reported that the Authority's contract with Neptune Technology Group ("Neptune") for the furnishing and delivering of water meters has expired. She noted that due to the meter change-out program being suspended due the pandemic, she felt it was an good time to determine if other meter suppliers could meet the Authority's meter specifications and whether they would be compatible with our existing meter inventory. A Request for Information (RFI) was sent to six vendors on August 17, 2020. Responses were received from five vendors, one being an unsolicited respondent. After reviewing the RFI's, it was determined that Neptune is the sole provider of meters compatible with the Authority's existing infrastructure and qualifies as a sole-source vendor under our current procurement guidelines, and the Comptroller and the Executive Engineer will negotiate a new contract with Neptune for approval at a future meeting. A brief discussion was held relative to the solidity of Neptune and the time frame of being 100% radio read.

2. September 2020 Investment Report

Karen Prendergast distributed the September 2020 Investment Report along with a brief explanation of the report.

3. Monthly Financial Report – September 2020

Joyce Tomaka distributed the September 2020 Monthly Financial report which includes operating revenue, investment income, operating expense and net income, and briefly reviewed the data.

D) OPERATIONS**1. Center Street, City of Lackawanna**

Mr. Kowalski informed the Board that he was recently contacted by the Mayor of the City of Lackawanna and the Commissioner of Public Works regarding a project they have scheduled for the spring of 2021. They are planning a full rehabilitation of Center Street in the City of Lackawanna and inquired if the Authority would be interested in replacing the waterline as part of this project. The length of the project is approximately 3,400 feet. By replacing the watermain as part of the rehabilitation project, the Authority would not need to pay for any of the restoration costs. The benefits of the project are twofold: a pipe is removed from the Authority's system that is 118 years old, and the Authority gets it done at a reduced cost. There is enough money to fund their portion of the project, which is about \$2 million, but they wouldn't be able to cover the initial upfront cost for the waterline work and reimburse the Authority. Mr. Kowalski added that he will meet with the executive staff to discuss the Authority's options and to determine if this project is feasible. Chairman Schad added that he would like to see this happen. Mr. Kowalski will report back to the Board his findings.

E) HUMAN RESOURCES

No Report

F) AUDIT COMMITTEE

No Report

G) GOVERNANCE COMMITTEE

No Report

H) FINANCE COMMITTEE

No Report

I) ETHICS COMMITTEE

No Report

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 FOIL FROM NORA GREGOIRE RE SMALL SERVICES AREA #1 AND #2 - RECEIVED AND FILED AND REFERRED TO SECRETARY FOR FOLLOW UP**
- C-2 NOC FROM VERIZON - RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP**
- C-3 NOC FROM NATIONAL GRID NOC FROM VERIZON - RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP**
- C-4 FOIL FROM JACOB FUDGE RE KANDY COMPANY NOC FROM VERIZON - RECEIVED AND FILED AND REFERRED TO SECRETARY 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

None

At this time, Secretary McCracken noted that CFO Karen Prendergast would like to withdraw Item 24.

VIII. NEW BUSINESS**ITEM 1 - MASTER PURCHASE ORDERS, RELEASES FROM MASTER PURCHASE ORDERS, PURCHASE ORDERS, AND AMENDMENTS OF SAME**

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 2 - FINAL ACCEPTANCE OF PROJECT WITH FERGUSON ELECTRIC SERVICE CO., INC. FOR HIGH VOLTAGE, SERVICE, SWITCHGEAR INSPECTION AND EMERGENCY ELECTRICAL WORK WITHIN THE ERIE COUNTY WATER AUTHORITY'S FACILITIES, PROJECT NO. 201700017, CONTRACT NO. 17-17-04 - \$44,781.40

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 3 - FINAL ACCEPTANCE OF PROJECT WITH AVIAT US, INC. RELATIVE TO CONTRACT NO. EMA-003-B, ERIE COUNTY WATER AUTHORITY'S ENTERPRISE MICROWAVE NETWORK, PROJECT NO. 201400160 - \$50,169.80

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 4 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR CONSULTING ENGINEERING SERVICES FOR THE 2021-2022 DISTRIBUTION MAIN DESIGN PROJECTS, PROJECT NO. 202100007

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 5 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR CONSULTING ENGINEERING SERVICES FOR MISCELLANEOUS ELECTRICAL ENGINEERING SERVICES 2021-2022, PROJECT NO. 202100005

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 6 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF 1,430 LF OF EIGHT (8") INCH C-900 WATERMAIN, 60 LF OF EIGHT (8") INCH DIP WATERMAIN, THREE (3) HYDRANTS, FIVE (5) LINE VALVES AND APPURTENANCES IN NORTHWOODS SUBDIVISION PHASE A, TOWN OF CLARENCE, NEW YORK, PROJECT NO. 202000173, EC NO. 7128

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 7 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR MACHINING AND FABRICATION SERVICES FOR THE REPAIR OF VARIOUS ERIE COUNTY WATER AUTHORITY EQUIPMENT FROM JANUARY 1, 2021 TO DECEMBER 31, 2022, PROJECT NO. 202000143

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 8 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR OVERHEAD CRANE INSPECTION, REPAIR AND MAINTENANCE AT VARIOUS ERIE COUNTY WATER AUTHORITY FACILITIES FROM JANUARY 1, 2021 TO DECEMBER 31, 2022, PROJECT NO. 202000142

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 9 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR WATER SYSTEM IMPROVEMENTS, TOWNS OF CHEEKTOWAGA AND WEST SENECA AND VILLAGE OF DEPEW, IDENTIFIED AS CONTRACT NO. EA-012, PROJECT NO. 202000065

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 10 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, IDENTIFIED AS CONTRACT NO. CPL-007, PROJECT NO. 202000070

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 11 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR WATER SYSTEM IMPROVEMENTS, TOWN OF CHEEKTOWAGA AND VILLAGE OF LANCASTER, IDENTIFIED AS CONTRACT NO. LA-001, PROJECT NO. 202000067

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 12 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR SMALL SERVICES CONTRACT AREA #1, FEBRUARY 1, 2021 THROUGH JANUARY 31, 2023, PROJECT NO. 202100001

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 13 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR SMALL SERVICES CONTRACT AREA #2, FEBRUARY 1, 2021 THROUGH JANUARY 31, 2023, PROJECT NO. 202100002

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 14 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR LARGE SERVICES CONTRACT, FEBRUARY 1, 2021 THROUGH JANUARY 31, 2023, PROJECT NO. 202100003

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 15 - AUTHORIZATION TO EXTEND THE CONTRACT WITH TRANSWAVE COMMUNICATIONS SYSTEMS, INC. RELATIVE TO CONTRACT NO. TCS-003, MICROWAVE RADIO MAINTENANCE SERVICES, PROJECT NO. 201900014

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 16 - AUTHORIZATION TO REFUND SERVICE CONNECTION FEE TO THE BROADWAY GROUP, LLC - \$2,000.00

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 17 - AUTHORIZATION TO REFUND SERVICE CONNECTION FEE TO MARK MARINO - \$400.00

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

**ITEM 18 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS –
\$23,619.01**

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

**ITEM 19 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2020**

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

**ITEM 20 - AUTHORIZATION TO CHIEF FINANCIAL OFFICER TO APPROVE, ON
THE BEHALF OF THE BOARD OF COMMISSIONERS, MASTER
PURCHASE ORDERS, RELEASES FROM MASTER PURCHASE ORDERS,
PURCHASE ORDERS, AND AMENDMENT TO SAME**

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

**ITEM 21 - ADOPTION OF THE 2021 OPERATING & MAINTENANCE AND CAPITAL
BUDGETS**

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

On the question, Commissioner LaGree thanked and commended Karen, Lenny, Russ, Mike Wymer, Margaret, Jackie, Joe, and Terry for taking the time to answer her questions as she navigated through the budget process. Ms. LaGree observed a pretty well-defined process with recommendations brought forth in both the cooperative and team approach with much thought and deliberation. She added that based on her respect for the staff and the institutional and professional knowledge that they shared, Commissioner LaGree is supporting the budget and the capital plan. She would like to see periodic updates and status reports. Her acceptable completion rate is in the 85% to 90% range. Ms. LaGree believes her responsibility as a commissioner is to balance fiscal responsibility with public accountability, therefore, much will be asked of staff to achieve these goals in 2021. However, based on staff's expertise and their professional assurances, she optimistic that they are up to the challenge. Chairman Schad added that he believes staff will be able to meet the Authority's aggressive schedule. There is a structure in place, and the Authority has a highly skilled and talented staff who can make this happen. He concluded by adding he is looking forward to seeing it be achieved.

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 22 - AUTHORIZATION TO FILE THE 2021 BUDGET & FINANCIAL PLAN TO THE PUBLIC AUTHORITIES

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

ITEM 23 - AUTHORIZATION TO ACCEPT THE TERMS AND CONDITIONS WITH AZTECA SYSTEMS, INC. RELATIVE TO THE LICENSING AND MAINTENANCE AGREEMENT FOR THE SOFTWARE PROGRAM KNOWN AS CITYWORKS

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

**ITEM 24 - AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT WITH
LEVEL ONE, LLC TO PROVIDE THE ERIE COUNTY WATER
AUTHORITY WITH BILL, PRINTING AND MAILING SERVICES,
PROJECT NO. 202000201**

Secretary McCracken noted as discussed earlier, CFO Karen Prendergast would like to withdraw Item 24. Chairman Schad directed that this item be moved to Unfinished Business to be discussed at the next meeting.

**ITEM 25 - AUTHORIZATION TO TEMPORARILY SUSPEND RULES RELATING TO
EMPLOYEE VACATION TIME FOR CALENDAR YEAR 2020**

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

**ITEM 26 - AUTHORIZATION FOR ADDITIONAL VACATION TIME FOR NEW
DISTRIBUTION ENGINEER**

Motion by Mr. Carney and seconded by Ms. LaGree and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

Noes: None

IX. ADJOURNMENT

Motion by Mr. Carney seconded by Ms. LaGree carried that the meeting adjourn

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and LaGree

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

PF