

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 28th day of October 2021.

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 Attorney (via teleconference)
Leonard F. Kowalski, Executive Engineer (via teleconference)
Daniel J. NeMoyer, Director of Human Resources (via teleconference)
Lavonya C. Lester, Director of Administration (via teleconference)
Matthew W. Barrett, Security Officer (via teleconference)
Jeffrey Schlierf, Acting Manager of Information Technology (via teleconference)

ATTENDEES:

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:33 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, October 14, 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 Thursday, October 14, 2021.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. REPORTS

A. SECRETARY

B. LEGAL

1. Executive Session - Discussion with the Authority's Counsel relating to proposed pending litigation pursuant to Public Officers Law § 105(1)(d)

The Executive Session was deferred to the end of the meeting.

C. FISCAL

1. September 2021 Investment Report

Karen Prendergast distributed the September 2021 Investment Report along with a brief explanation of the report.

2. Monthly Financial Report – September 2021

Joyce Tomaka distributed the September 2021 Monthly Financial report which includes operating revenue, investment income, operating expense and net income, and briefly reviewed the data.

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.)

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 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ONSOLVE, LLC TO FURNISH AND DELIVER A MASS NOTIFICATION SYSTEM, IDENTIFIED AS CONTRACT NO. OS-001, PROJECT NO. 202100207

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

DISCUSSION

On the question, Commissioner LaGree asked how long it will take to implement this system. Mr. Kowalski replied that it will be 4-6 months for the rollout period. Part of the contract with Onsolve is to develop what that will look like and what the Authority's public outreach will be. The Authority will coordinate with E3 Communications to have them involved in the rollout process. Commissioner LaGree also inquired if this will allow us to deliver more messages to our ratepayers as necessary. Mr. Kowalski answered that it will as part of this is to try to collect phone numbers of customers that integrate with our GIS system and to have the customers to sign up.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 3 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER TO PROVIDE CONSULTING ENGINEERING SERVICES FOR AN EVALUATION OF PUMP STATION IMPROVEMENTS – WINDOM, HORNER, EAST AURORA, AND HAMBURG PUMP STATIONS, IDENTIFIED AS CONTRACT NO. HS-003, PROJECT NO. 202100234 (CCII)

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 RESCIND ITEM NO. 3 OF THE MINUTES OF THE MEETING HELD ON SEPTEMBER 16, 2021 AND ENTER INTO A REVISED PROFESSIONAL SERVICES AGREEMENT RELATIVE TO THE PROFESSIONAL SERVICES AGREEMENT WITH JM DAVIDSON ENGINEERING, D.P.C. TO PROVIDE CONSULTING ENGINEERING SERVICES FOR 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

Chairman Schad asked if the addition of the Harlem Road sections means the Authority will save the cost of restoration since the state is doing the work. Executive Engineer Kowalski replied that the state wanted the Authority to do some restoration work on patches that are already in place on Harlem Road. He informed them that it will be more cost effective if the Authority puts this into a capital project and bid it rather than doing the work in one of our O&M contracts.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR PRE-EMPLOYMENT BACKGROUND INVESTIGATION AND NATIONAL COMPREHENSIVE REPORT, PROJECT NO. 202100223

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

DISCUSSION

On the question, Chairman Schad asked what Authority's experience with bidders for this work is. Lavonya Lester responded that the Authority has been with the same vendor for a couple of years and now would like to reach out to five or six different vendors and have a new agreement for a two-year term.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR CONSULTING ENGINEERING SERVICES FOR STURGEON POINT WATER TREATMENT PLANT FILTRATION PIPING, VALVE AND UNDERDRAIN SYSTEM IMPROVEMENTS, PROJECT NO. 202100229 (CCII)

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

DISCUSSION

On the question, Commissioner Iannello asked General Counsel if he will be reviewing the agreement, and Mr. Carney replied that has already been done.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 8 - AUTHORIZATION TO RATIFY THE CISCO ENTERPRISE AGREEMENT
END USER INFORMATION FORM WITH CISCO AND SOFTWARE
SERVICE ORDER FORM (CCII)**

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

DISCUSSION

On the question, Commissioner Iannello asked for clarification relative to the agreement. General Counsel explained that this contract was entered into last year, and recently it was discovered that the agreement is renewable for five years at a cost per year. Chairman Schad inquired if there any other current agreements that didn't get Board approval. Mr. Schlierf replied that the current Microsoft agreement did not get Board approval. Chairman Schad noted that he would like General Counsel to review the agreement and Mr. Schlierf to review all files to verify that all current agreements have Board approval.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 9 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING
AND DELIVERING OF CHEMISTRY AND MICROBIOLOGY
PROFICIENCY SAMPLES AND CHEMISTRY STANDARDS FOR ONE
YEAR FROM FEBRUARY 1, 2022 THROUGH JANUARY 31, 2023,
PROJECT NO. 202200002**

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 GRANT LEAK ALLOWANCE REQUEST -
\$1,207.65**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 11 - AUTHORIZATION TO GRANT A ONE-TIME COURTESY REVERSAL OF DELINQUENT CHARGES FOR LANCASTER RURAL CEMETERY (ACCOUNT NO. 60595996-3) - \$756.11

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 - ADOPTION OF THE 2022 OPERATING & MAINTENANCE AND CAPITAL BUDGETS

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

DISCUSSION

On the question, the Board commended everyone who was involved in the 2022 budget process, as it was a team effort. Each Commissioner commented on why they support the 2022 budget.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 13 - AUTHORIZATION TO FILE THE 2022 BUDGET & FINANCIAL PLAN TO THE PUBLIC AUTHORITIES REPORTING INFORMATION SYSTEM (PARIS)

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

DISCUSSION

On the question, Chairman Schad asked Karen Prendergast if this was thoroughly reviewed to make sure nothing was missed on our reporting in terms of items we are supposed to have done annually. Ms. Prendergast replied that it will be double checked.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 14 - SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE OF WATER REVENUE BOND, SERIES 2021 (WIFIA BOND)

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

DISCUSSION

On the question, Commissioner Iannello asked Ms. Prendergast if we received the Authority's bond rating. Ms. Prendergast replied that it hasn't been officially issued, however she believes that the rating will be maintained at AA+.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 15 - AUTHORIZATION TO ACCEPT A FEE PROPOSAL FROM MANUFACTURERS AND TRADERS TRUST COMPANY FOR BOND TRUSTEE AND ESCROW AGENT SERVICES FOR THE ERIE COUNTY WATER AUTHORITY SERIES 2021 WIFIA BOND AND AUTHORIZATION TO OPEN AN ACCOUNT AT M&T BANK, BUFFALO, NEW YORK, ENTITLED "ERIE COUNTY WATER AUTHORITY, SERIES 2021 DEBT SERVICE ACCOUNT"

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 16 - Creation of one Position of Claims Management Clerk (ECWA)

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 for discussion with the Authority's Counsel relating to proposed pending litigation pursuant to Public Officers Law § 105(1)(d) at 10:00 a.m. Mr. Schad invited Mr. McCracken, Mr. Carney, Ms. Prendergast and Mr. Stoll.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Mr. LaGree, seconded by Ms. Iannello to exit Executive Session at 10:34 a.m.

DISCUSSION

Chairman Schad noted that the Commissioners had a good discussion with Counsel and have given directions for follow up.

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 10:34 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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