

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 26th day of December 2019.

PRESENT: **Jerome D. Schad, Chairman**
Mark S. Carney, Vice Chairman
E. Thomas J. Jones, Jr., Treasurer
Terrence D. McCracken, Secretary to the Authority
Karen A. Prendergast, Chief Financial Officer
Margaret A. Murphy, General Counsel
Russell J. Stoll, Chief Operating Officer
Leonard F. Kowalski, Executive Engineer
Daniel J. NeMoyer, Director of Human Resources
Joyce A. Tomaka, Comptroller
Lavonya C. Lester, Director of Administration
Sabrina A. Figler, Director of Water Quality
Matthew W. Barrett, Security Officer
Richard J. Deren, Network Specialist

ATTENDEES:

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 Mr. Jones and carried to waive the reading of the Minutes of the Meeting held on Thursday, December 12, 2019.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

III. APPROVAL OF MINUTES

Motion by Mr. Carney seconded by Mr. Jones and carried to approve the Minutes of the Meeting held on Thursday, December 12, 2019.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

IV. REPORTS**A) SECRETARY**

No Report

B) LEGAL

No Report

C) FISCAL**1. November 2019 Investment Report**

Karen Prendergast distributed the November 2019 Investment Report along with a brief explanation of the report. Chairman Schad asked Ms. Prendergast if we have settled on the rate study program. Ms. Prendergast informed Mr. Schad that she plans to have it on an agenda in January.

2. Monthly Financial Report – November 2019

Joyce Tomaka distributed the November 2019 Monthly Financial report. This report includes operating revenue, investment income, operating expense and net income.

D) OPERATIONS**1. RFP Comprehensive Facilities Plan**

Mr. Stoll reported that five firms submitted proposals for the Comprehensive Facilities Plan RFP. After a review of the proposals, four firms were invited for follow-up interviews which included a discussion of the related experience of each firm. It was decided to retain Clark Patterson Lee for the project. Mr. Stoll requested permission to negotiate a contract with Clark Patterson Lee and bring back to the Board for approval. Chairman Schad asked what was the anticipated time that they would have a product for the Commissioners. Mr. Stoll said it would take about six months. Vice Chairman Carney inquired if the Authority has to authorize the release of information that they can review. Ms. Murphy noted that there may be some information regarding access to facilities and security. Vice Chairman Carney asked that there be a confidentiality agreement.

2. Customer Letter

Mr. Stoll distributed a letter from a City of Tonawanda customer expressing her satisfaction for the work performed and response time for a repair that was made on her property.

3. Memo – Water Quality Testing

Ms. Figler distributed a memo updating the Commissioners relative to the use of outside laboratories to perform EPA and NYSDOH required monitoring. She reported that the series of events that have occurred these past two quarters further supports the decision to purchase the analytical equipment in addition to a TOC analysis. She noted that last quarter Test America did not perform six out of 21 samples during the hold time according to the method, therefore, she feels they should not be paid. Chairman Schad concurred, at least until we are comfortable in our position. Mr. Jones asked what the amount is owed and if there is anything in the contract that defines this. Ms. Figler replied no that it is only a purchase order. It was explained that this work will all be performed in-house in 2020 except the first quarter. She noted that it will cost more performing the work in-house versus outsourcing. Chairman Schad remarked that he is in agreement with having this in-house, as the reliability is more important. Vice Chairman Carney concurred. Mr. Carney recommending paying Test America. Karen Prendergast suggested looking into what was required when we made the purchase along with insurance requirements.

4. Ball Station Emergency Declaration

Executive Engineer Kowalski reported that on December 18, 2019 an emergency condition at Ball Pump Station was declared. He explained that a Pump Mechanic was investigating a high-water alarm at the northern venturi chamber and noticed the piping in the chamber was out of alignment. Ball Pump Station is a critical pump station for delivering water to our northern service area, and we need to ensure that the station stays in service. Mr. Kowalski explained that bypass piping will be installed on the northern and southern sides of the station. The bypass piping will allow the Authority to keep the plant operational if there is a failure on the eastern side of the discharge piping. He would like to use one of our existing contractors who is experienced with this type of work especially with the concrete pipe. A work change directive will be prepared and followed up with a change order. Commissioner Jones asked if there were any plans for inspection of the underground facility. Mr. Kowalski replied that the bypass piping will be installed then we will design for the full replacement of the piping outside the venturi pipes over the next two years.

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

C-1 FOIL FROM RACHEL CONNER RE BUDGET - RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP

C-2 FOIL FROM MIKE ELIASSEN RE BID TABULATIONS - RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP

C-3 FOIL FROM THE MEYER LAW FIRM RE PROPERTIES WITHOUT WATER SERVICE - RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP

C-4 RESIGNATION – RUSSELL BRADLEY

DISCUSSION

Commissioner Schad thanked Mr. Bradley for his service. He expressed how Mr. Bradley has been a key player in solving problems, and the Authority is losing a very good employee.

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 Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 2 - AWARD OF CONTRACT TO CONCRETE APPLIED TECHNOLOGIES CORPORATION D/B/A CATCO CONSTRUCTION FOR CONTRACT NO. W-027, 36-INCH TRANSMISSION MAIN REPLACEMENT PROJECT BETWEEN MILLERSPORT HIGHWAY AND SHERIDAN DRIVE, TOWN OF AMHERST, NEW YORK, PROJECT NO. 201700093 - \$4,190,820.00

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 3 - AWARD OF CONTRACTS FOR WATERMAIN MATERIALS PURCHASE CONTRACT FOR THE PERIOD OF JANUARY 1, 2020 THROUGH DECEMBER 31, 2021, PROJECT NO. 202000001

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 4 - AUTHORIZATION TO ENTER INTO A DIRECT SERVICE AGREEMENT WITH THE TOWN OF EDEN

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

Chairman Schad noted that this item is within our comprehensive strategic plan. Taking over the Town of Eden is part of our effort of our expansion. He expressed his thanks to staff and the Town of Eden for finalizing this takeover.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones
Noes: None

ITEM 5 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS - \$5,213.01

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones
Noes: None

ITEM 6 - AUTHORIZATION TO AMEND THE WAGE SCHEDULE FOR BI-WEEKLY EMPLOYEES NOT ELIGIBLE FOR MEMBERSHIP IN A COLLECTIVE BARGAINING UNIT

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones
Noes: None

ITEM 7 - AUTHORIZATION TO UPGRADE THE TITLE OF PUMP MECHANIC CREW CHIEF

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 8 - CREATION OF TWO POSITIONS OF SR. CLERK TYPIST

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 9 - CREATION OF ONE POSITION OF INSTRUMENTATION ELECTRICAL & ELECTRONICS CHIEF TECHNICIAN

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 10 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2019

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

Leonard Kowalski noted that this position will be working on the SCADA system.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 11 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2019

Motion by Mr. Carney and seconded by Mr. Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

IX. ADJOURNMENT

Motion by Mr. Carney seconded by Mr. Jones carried that the meeting adjourn

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

A handwritten signature in black ink, appearing to read "T. D. McCracken". The signature is fluid and cursive, with a long horizontal stroke at the end.

Terrence D. McCracken
Secretary to the Authority

PF