

**MINUTES** of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 10<sup>th</sup> day of February 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  
 Katherine A. Gillette, Associate, General Counsel  
 Leonard F. Kowalski, Executive Engineer (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 9:32 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 20, 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 20, 2022.

### **IV. REPORTS**

#### **A. SECRETARY**

##### 1. April and May 2022 Board Meeting Schedule

Secretary McCracken distributed April and May 2022 board meeting schedule, and there was a brief discussion. May 5, 2022 will be the annual meeting.

#### **B. LEGAL**

#### **C. FISCAL**

##### 1. RFP For Banking Services

Karen Prendergast reported that it has been ten years since RFPs were issued for banking services. Since the banking environment continues to change and may become more competitive with anticipated changes to Federal Reserve policy, Ms. Prendergast feels this is a good time to issue an RFP for banking services. She added that there is a resolution on the agenda for approval.

##### 2. December 2021 Investment Report

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

##### 3. Monthly Financial Report – December 2021

Joyce Tomaka distributed the December 2021 Monthly Financial report which includes operating revenue, investment income, operating expense and net income, and briefly reviewed the data. Chair Schad inquired of CFO Prendergast about the electrical expense for 2020. Ms. Prendergast indicated that electricity, although relatively stable, the Authority did experience a rise in the pricing.

#### **D. OPERATIONS**

##### 1. RFP Sturgeon Point Water Treatment Plant Shoreline Protection Project

Leonard Kowalski reported that a Request for Proposal (RFP 202100253) was recently issued for consulting engineering services for the design and construction of improvements to the shoreline and existing outfall headwall at the Sturgeon Point Water Treatment Plant. RFPs were issued to eight consulting engineers, and three other firms obtained the RFP through the posting on our website. Five firms chose to submit proposals for this project. The proposals were reviewed and discussed among the engineering staff, and it was determined that GZA GeoEnvironmental of New York was the best suited for the project. In order to expedite this project, the Engineering Department will be requesting approval of the Services Agreement with GZA GeoEnvironmental of New York at today's meeting. Commissioner Iannello inquired about the scope of the shoreline work and Executive Engineer discussed the breath of the erosion problem.

## 2. RFP Water System Improvements Town of Amherst Distribution System 2022-2024

Leonard Kowalski reported that a Request for Proposals (RFP) was recently for engineering services for design and construction phase services to replace several distribution mains in the Town of Amherst. The RFP was issued to eleven consulting engineering firms and posted to the Authority website. Six of the original firms responded did not submit proposals. Additionally, Michael Baker International submitted their proposal based on Authority's website. The proposals were reviewed and discussed among the engineering staff, and it was determined that Nussbaumer & Clarke, Inc. In order to expedite this project, the Engineering Department will be requesting approval of the Services Agreement with Nussbaumer and Clarke, Inc. (Contract NC-044) at today's meeting.

## 3. RFP Water System Improvements, Union Road Corridor System, Towns of West Seneca and Cheektowaga

Leonard Kowalski reported that a Request for Proposals (RFP) was recently for engineering services for services for design and construction phase services to replace several sections of mains within the Union Road Corridor distribution system in the Towns of West Seneca and Cheektowaga design and construction phase services to replace several distribution mains in the Town of Amherst. The RFP was issued to twelve consulting engineering firms and the RFP was also posted to the Authority website. Eight of the original firms responded. Additionally, Clark Patterson Lee (CPL) submitted their proposal based on Authority's website. The proposals were reviewed and discussed among the engineering staff, and it was determined that Greenman-Pedersen, Inc. was the best firm for this project. In order to expedite this project, the Engineering Department will be requesting approval of a Service Agreement with Greenman-Pedersen, Inc. at today's meeting.

## 4. RFP Distribution Main Design and Projects 2022-2023

Mr. Kowalski reported that a Request for Proposals (RFP) was recently issued to eleven consulting engineering firms for engineering services for design and construction phase

services for several distribution main projects in various locations within the ECWA direct service area. The RFP was also posted to the Authority website. These projects are separated into five different contracts (Contracts A, B, C, D, and E). Of the original firms, ten chose to submit proposals. In addition, four other firms submitted proposals based on Authority's website. The proposals were reviewed and discussed among the engineering staff, and it was determined that project be split among Barton & Longuidice, DPC, DiDonato Associates, Wm. Schutt & Associates, LaBella Associates and Watts Architecture & Engineering. In order to expedite these projects, the Engineering Department will be requesting approval of the individual Professional Services Agreements with each firm at the February 10th meeting.

**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 FOIL FROM CARLOS TORRES RE ADDRESSES OF ALL SINGLE AND MULTI-FAMILY HOMES WHOSE WATER HAS BEEN SHUTOFF/ DISCONNECTED FOR AT LEAST TWO MONTHS – RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-2 FOIL FROM MDA CONSULTING ENGINEERS PLLC RE ON-CALL REPAIR SERVICES CONTRACT, PROJECT NUMBER 202100064 - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-3 FOIL FROM RUPP BAASE PFALZGRAF CUNNINGHAM LLC RE NEW YORK CENTRAL MUTUAL INSURANCE COMPANY AS SUBROGEE OF MICHAEL O'MALLEY V ERIE COUNTY WATER AUTHORITY - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-4 NOC – PAUL GUST V ECWA, ET AL - RECEIVE AND FILE AND REFER TO LEGAL 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 - 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 3 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH LABELLA ASSOCIATES, DPC RELATING TO WATER SYSTEM IMPROVEMENTS IN THE CITY OF TONAWANDA, NEW YORK (CONTRACT D), IDENTIFIED AS CONTRACT NO. LA-006, PROJECT NO. 202200060**

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 ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH WATTS ARCHITECTURE & ENGINEERING, DPC RELATING TO WATER SYSTEM IMPROVEMENTS IN THE TOWN OF HAMBURG, NEW YORK (CONTRACT E), IDENTIFIED AS CONTRACT NO. WE-005, PROJECT NO. 202200055**

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 WITH WM SCHUTT & ASSOCIATES, P.C. RELATING TO WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CLARENCE, NEW YORK (CONTRACT C), IDENTIFIED AS CONTRACT NO. WSA-018, PROJECT NO. 202200025**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 6 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BARTON & LOGUIDICE, DPC RELATING TO WATER SYSTEM IMPROVEMENTS IN THE TOWNS OF AMHERST AND CHEEKTOWAGA, NEW YORK (CONTRACT A), IDENTIFIED AS CONTRACT NO. BL-003, PROJECT NO. 202200019**

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 ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DIDONATO ASSOCIATES, ENGINEERING & ARCHITECTURE, PC RELATING TO WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CLARENCE, NEW YORK (CONTRACT B), IDENTIFIED AS CONTRACT NO. DA-012, PROJECT NO. 202200022**

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 PROFESSIONAL SERVICES AGREEMENT WITH NUSSBAUMER & CLARKE, INC. RELATING TO WATER SYSTEM IMPROVEMENTS IN THE TOWN OF AMHERST, NEW YORK, IDENTIFIED AS CONTRACT NO. NC-044, PROJECT NO. 202200054**

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 PROFESSIONAL SERVICES AGREEMENT WITH GREENMAN-PEDERSEN, INC. RELATING TO WATER SYSTEM IMPROVEMENTS, UNION ROAD CORRIDOR SYSTEM, TOWNS OF WEST SENECA AND CHEEKTOWAGA, NEW YORK, IDENTIFIED AS CONTRACT NO. GP-011, PROJECT NO. 202200057**

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 ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GZA GEOENVIRONMENTAL OF NEW YORK RELATING TO STURGEON POINT WATER TREATMENT PLANT SHORELINE PROTECTION PROJECT, IDENTIFIED AS CONTRACT NO. GZA-001, PROJECT NO. 202200039**

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 SOLICIT REQUEST FOR PROPOSALS TO PROVIDE ENTERPRISE CONTENT MANAGEMENT SYSTEM CAPABILITY FOR THE ERIE COUNTY WATER AUTHORITY, PROJECT NO. 202200020**

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 SOLICIT REQUEST FOR PROPOSALS FOR BANKING AND TRUST SERVICES, PROJECT NO. 202100245**

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

**DISCUSSION**

None



**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 13 - AWARD OF CONTRACT TO ADVANCED ANALYTICAL SOLUTIONS, LLC FOR THE FURNISHING AND DELIVERING OF CHEMISTRY AND MICROBIOLOGY PROFICIENCY SAMPLES AND CHEMISTRY STANDARDS FOR ONE YEAR, PROJECT NO. 202200002 - \$42,350.00**

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

**DISCUSSION**

On the question, Chairman Schad remarked that this was subject to Legal's approval and asked if there was an issue on this matter. Katherine Gillette informed Mr. Schad that this is no issue.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 14 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR INDUSTRIAL BLASTING, PAINTING AND ASSOCIATED MAINTENANCE CONTRACT, PROJECT NO. 202200036**

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 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR FENCING AND GUARDRAIL MAINTENANCE, REPLACEMENT AND ALTERATION CONTRACT, PROJECT NO. 202200033**

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 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR GENERAL BUILDING MAINTENANCE, REPLACEMENT AND ALTERATION CONTRACT, PROJECT NO. 202200032**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 17 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERING OF LIQUID CHLORINE IN ONE TON CONTAINERS TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR, PROJECT NO. 202200017**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 18 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO. NC-042, WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CLARENCE, NEW YORK, PROJECT NO. 202100042**

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 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS**

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 CONTRACT WITH FERGUSON ELECTRIC SERVICE COMPANY, INC. FOR HIGH VOLTAGE, SERVICE, SWITCHGEAR INSPECTION AND EMERGENCY ELECTRICAL WORK WITHIN THE ERIE COUNTY WATER AUTHORITY'S FACILITIES FOR A PERIOD OF TWO YEARS FROM JUNE 1, 2020 THROUGH MAY 31, 2022, PROJECT NO. 202000014, CONTRACT NO. 20-16-06**

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

**DISCUSSION**

On the question, Commissioner Schad inquired to confirm that the extension was for one year. It was confirmed that the resolution was for one year extension only.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 21 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS - \$1,633.51**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 22 - AUTHORIZATION FOR SABRINA FIGLER, DIRECTOR OF WATER QUALITY TO ATTEND THE AWWA ACE ANNUAL CONFERENCE IN SAN ANTONIO, TEXAS**

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

**DISCUSSION**

Commissioner Iannello asked if Ms. Figler would give the Board a recap of the conference.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 23 - AUTHORIZATION FOR SABRINA FIGLER, DIRECTOR OF WATER QUALITY TO ATTEND THE NYAWWA ANNUAL EVENT AND NYSAWWA WUC SPRING MEETING IN SARATOGA SPRINGS, 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 24 - 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 25 - CREATION OF TWO POSITIONS OF INSTRUMENTATION ELECTRICAL AND ELECTRONICS TECHNICIAN**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 26 - CREATION OF ONE POSITION OF INFORMATION SECURITY ANALYST**

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

**DISCUSSION**

On the question, Commissioner Iannello questioned where do we find these people and what are the qualifications. Mr. McCracken explained that this is a competitive position, therefore, the Authority needs to follow Civil Service rules. Once the creation is approved, it will be posted on the Authority's website. This will be a provisional appointment.

**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 10:05 a.m.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None



Terrence D. McCracken  
Secretary to the Authority

PG