

**MINUTES** of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 20<sup>th</sup> day of April 2023.

**PRESENT:** Jerome D. Schad, Chair  
 Peggy A. LaGree, Vice Chair  
 Michele M. Iannello, Treasurer  
 Terrence D. McCracken, Secretary to the Authority  
 Joyce A. Tomaka, Chief Financial Officer  
 Mark S. Carney, General Counsel  
 Russell J. Stoll, Chief Operating Officer  
 Katherine A. Gillette, Associate Attorney  
 Jessica R. Brown, Comptroller  
 Jennifer Hibit, Director of Human Resources  
 Lavonya C. Lester, Director of Administration  
 Sabrina A. Figler, Director of Water Quality  
 David W. Aubertine, Director of Cybersecurity and Information Technology  
 Matthew W. Barrett, Security Officer

**ATTENDEES:** Daniel Rusin, The Brotherhood of Western New York Water Workers  
 Walter Natwora, The Brotherhood of Western New York Water Workers  
 Brendan Finn, The Brotherhood of Western New York Water Workers  
 Timothy Tomasik, The Brotherhood of Western New York Water Workers  
 Jeffrey Engle, The Brotherhood of Western New York Water Workers

## **PLEDGE TO THE FLAG**

### **I. CALL TO ORDER/ROLL CALL**

The meeting was called to order at 11:00 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, March 23, 2023.

### **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, March 23, 2023.

#### **DISCUSSION**

None

#### **VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

### **IV. REPORTS**

#### **A. SECRETARY**

1. Grant Writing Services RFP

Secretary McCracken updated the Board on the progress of the Grant Writing RFP.

#### **B. LEGAL**

#### **C. FISCAL**

1. February 2023 Investment Report

Joyce Tomaka distributed the February 2023 Investment Report along with a brief explanation of the report.

2. February 2023 Financial Report

Jessica Brown distributed the February 2023 Monthly Financial report and briefly reviewed the data.

#### **D. OPERATIONS**

1. Projects Advertised – Formal Contracts

Mr. Kowalski informed the Board of one project that has been advertised since the last Board meeting: Van de Water Water Treatment Plant Filter 3 Valves Replacement.

#### **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 CITY OF LACKAWANNA REGARDING DIRECT SERVICE AGREEMENT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-2 FOIL FROM EDWARD MORENO REGARDING CONTENT MANAGEMENT SYSTEM - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-3 FOIL FROM JESSICA SAUER REGARDING 621 LOSSON ROAD - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-4 FOIL FROM JOHN BOORADY REGARDING WATER SHUT OFFS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-5 FOIL FROM LIEN ONE REGARDING 7087 TAYLOR RD., HAMBURG - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-6 FOIL FROM LUCAS HORIGAN REGARDING WATER RATE PRICING - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-7 FOIL FROM MARK BERNAS REGARDING TOWN OF HAMBURG SERVICE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM SEETHROUGHNY REGARDING WHITE COLLAR CBA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-9 FOIL FROM STEVEN WILLIAMS REGARDING SHUT OFFS FROM JANUARY 1, 2022 TO JANUARY 1, 2023 - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM STEVEN WILLIAMS REGARDING 2023 SHUT OFFS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 LETTER FROM BROTHERHOOD OF WNY WATER WORKERS - 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.

Daniel Rusin, President of the Brotherhood of the Western New York Water Workers, along with members Timothy Tomasik and Jeffrey Engle spoke to the Board regarding inclement weather. recognition for union members who worked the November 2022 and December 2022 winter storms. Brendan Finn was also in attendance but did not speak.

Chairman Schad thanked them for speaking to the Board and acknowledged appreciation for their work and dedication.

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

**ITEM 1 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH LABELLA ASSOCIATES TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR NEW OPERATIONS CENTER, IDENTIFIED AS CONTRACT NO. LA-007, PROJECT NO. 202300077**

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

**DISCUSSION**

Commissioner Schad requested that the Commissioners be included in the planning process. Mr. Kowalski acknowledged same.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 2 - AUTHORIZATION TO ACCEPT THE PROPOSAL OF CHILD AND FAMILY SERVICES OF ERIE COUNTY TO PROVIDE EMPLOYEE ASSISTANCE PROGRAM SERVICES, PROJECT NO. 202300075, IDENTIFIED AS CONTRACT NO. CFS-003**

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 - AWARD OF CONTRACT TO KANDEY COMPANY, INC. FOR WATER DISTRIBUTION SYSTEM REPLACEMENTS AND IMPROVEMENTS CONTRACT, PROJECT NO. 202300009 - \$3,936,930.00**

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

**DISCUSSION**

On the question, Chairman Schad asked if this was a sole bidder. Mr. Kowalski verified that only one bid was submitted. Commissioner LaGree noticed that sole bids have become more frequent. Mr. Kowalski replied that other agencies have noticed this as well. Chairman Schad requested Mr. Kowalski continue to monitor pricing and sole bid projects.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 4 - AWARD OF CONTRACT TO JCI JONES CHEMICALS, INC. 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 FOUR MONTHS, PROJECT NO. 202300040 - \$448,500.00**

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

**DISCUSSION**

On the question, Chairman Schad inquired if the time frame was necessary to align the chemical contracts. Mr. Kowalski verified that was correct.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 5 - AWARD OF CONTRACT TO NEW FRONTIER EXCAVATING & PAVING, INC. FOR WATER SYSTEM IMPROVEMENTS TOWNS OF HAMBURG, CHEEKTOWAGA AND WEST SENECA AND VILLAGE OF DEPEW, IDENTIFIED AS CONTRACT NO. JMD-001, PROJECT NO. 202100200 - \$5,010,999.00**

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 - AWARD OF CONTRACT TO U&S SERVICES, LLC. FOR THE FURNISHING AND DELIVERING OF FOUR VARIABLE FREQUENCY DRIVES FOR RAW WATER PUMPS AT VAN DE WATER WATER TREATMENT PLANT RAW WATER PUMP STATION, PROJECT NO. 202300006 - \$106,283.12**

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 - AWARD OF CONTRACT TO FERGUSON ELECTRIC 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, 2023 THROUGH MAY 31, 2025, PROJECT NO. 202300005 - \$1,766,900.00**

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

**DISCUSSION**

On the question, Commissioner Iannello asked if the reason for the two-year period was cost or the time necessary to complete the project. Mr. Kowalski replied that most of ECWA's maintenance contracts are two-year periods for both reasons.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 8 - APPROVAL OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE ARC ERIE COUNTY NEW YORK FOR LANDSCAPING, GROUND IMPROVEMENTS AND MAINTENANCE OF PROPERTIES OF THE ERIE COUNTY WATER AUTHORITY ERIE COUNTY, NEW YORK, PROJECT NO. 202100004**

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

**DISCUSSION**

On the question, Commissioner LaGree inquired if the decrease was due to cost or an adjustment in the frequency of services. Mr. Kowalski replied that an assessment was done, and they determined that an adjustment in the frequency of services was appropriate.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 9 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CHA CONSULTING, INC. FOR CONTRACT NO. CH-013, TRANSMISSION MAIN, TOWN OF AMHERST, NEW YORK (CONTRACT B2), PROJECT NO. 202000073**

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 FOR DAVID AUBERTINE, DIRECTOR OF CYBERSECURITY AND INFORMATION TECHNOLOGY TO ATTEND THE AWWA ACE CONFERENCE IN TORONTO, CANADA**

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 AMEND THE ERIE COUNTY WATER  
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2023**

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 AMEND THE ERIE COUNTY WATER  
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2023**

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 - CREATION OF TWO POSITIONS OF COMPUTER OPERATORS**

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 - CREATION OF ONE POSITION OF MESSENGER**

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 - STURGEON POINT WATER TREATMENT PLANT IMPROVEMENT PROJECT PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT**

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 - APPROVAL OF A LEAVE OF ABSENCE FOR DAVID IAFALLO**

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 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CORPORATE SCREENING & INVESTIGATIVE GROUP, LLC TO RENDER PRE-EMPLOYMENT BACKGROUND INVESTIGATION SERVICES 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**

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 11:32 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

ALH