

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 7th day of March 2019.

PRESENT: Jerome D. Schad, Chairman
Mark S. Carney, Vice Chairman
E. Thomas Jones, Treasurer
Robert J. Lichtenthal, Jr., Deputy Director/Assistant Secretary to the Authority
Margaret A. Murphy, Attorney
Karen A. Prendergast, Comptroller
Steven V. D'Amico, Business Office Manager
Daniel J. NeMoyer, Director of Human Resources
Russell J. Stoll, Executive Engineer
Sabrina Figler, Director of Water Quality
Matthew Barrett, Security Officer
Joseph T. Burns, Deputy Administrative Director

ABSENT: Terrence D. McCracken, Secretary to the Authority

ATTENDEES: Michael J. Luksch WGRZ Channel 2

CALL TO ORDER AT 9:49 a.m.

PLEDGE TO THE FLAG

I. ROLL CALL

II. READING OF MINUTES

Motion by Mr. Carney seconded by Mr. Jones and carried to read the Minutes of the Meeting held on Thursday, February 21, 2019.

III. APPROVAL OF MINUTES

Motion by Mr. Carney seconded by Mr. Jones and carried to approve the Minutes of the Meeting held on Thursday, February 21, 2019.

IV. REPORTS

- A. SECRETARY**
- B. LEGAL**
- C. FISCAL**
- D. OPERATIONS**

1. Procurement Error - Saia Communications

Lichtenthal

Mr. Lichtenthal distributed a memo for the Commissioners' review. He advised that this was emergency work performed to keep up the microwave link and communications between Van de Water raw water and the treatment plant. He further advised there is an outstanding bill due at this time. If all is in order, there will be a purchase order on this at the next meeting. Ms. Murphy advised that she is drafting the new procurement guidelines that will reflect more defined guidelines relating to declarations of emergencies and this will then be brought to the Board for review and approvals.

2. Procurement Error – Ledge Creek Development

Lichtenthal

Mr. Lichtenthal distributed a memo for the Commissioners' review. He advised that this did not follow in "past practice" with what should be a proper practice, but the result is that this vendor is not being paid because the Authority cannot put up a purchase order without discussing with the Board. Mr. Jones requested Legal to review this.

3. Emergency Declarations

Lichtenthal

Mr. Lichtenthal distributed three declaration of emergencies for the Commissioners' review. Ms. Murphy added that these declarations should be close in time to the emergency, not three months later. She advised there will be procedures regarding these matters in the procurement guidelines. Mr. Carney advised he would like to get notified of any emergency declaration when it occurs.

4. RFP Waterline Replacement Projects 2019-2020

Stoll

Mr. Stoll distributed a memo regarding an RFP that was sent out to ten firms for various waterline replacement projects. The proposals received were separated into six contracts which engineering review and broke into groups as indicated on the memo. He requested Board approval to move forward to negotiate agreements with the various firms. Mr. Schad asked for clarification on Item D as to why this is on hold and Mr. Stoll advised that it was adding a watermain on Greiner Road, but more information was needed before the Authority makes any decisions on this project. He advised that this project is for water capacity only.

Mr. Carney inquired if there was any advantage to going to the firms and offering them multiple projects and return for a reduction in price. He suggested perhaps modifying future RFP's to reflect language regarding this.

Mr. Schad added there is an advantage to using multiple vendors to not be sole-source dependent. Mr. Lichtenthal advised the theory is the work needs to be complete by November 2019 to meet the 2020 budget and that if one firm received all the business and for some reason that firm loses its capacity, the Authority's capital plan would be impacted. Mr. Carney feels that the legal department, engineering department and financial department are tasked with doing more work with all the different firms.

Ms. Murphy suggested adding language to the RFPs indicating that if a firm submits multiple proposals for projects that the Authority leaves itself open to negotiate a better price if the firm receives multiple contracts.

- E. FISCAL**
- F. HUMAN RESOURCES**
- G. AUDIT COMMITTEE**
- H. GOVERNANCE COMMITTEE**
- I. FINANCE COMMITTEE**
- J. ETHICS COMMITTEE**

V. COMMUNICATIONS AND BILLS

ITEM 1 - Creation and/or Amendment of Master Purchase Orders:

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 - Master Purchase Order Releases, Purchase Orders and Purchase Order Amendments:

Motion by Mr. Carney and seconded by Jones and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 3 – Resolution Submitted by Legislators Bruso, Savage, Baskin, Miller-Williams, Hardwick and Meyers – Received and Refer to Engineering.

Mr. Schad asked Mr. Stoll to look at this matter to see if there is a manageable way to achieve this. There was discussion about how the Authority could identify the different hydrant capacities. Mr. Carney clarified that the Authority previously sent out notice to the fire department to indicate what capacity the hydrants are.

There were also discussions about providing the fire departments with GPS methods to have immediate knowledge of capacity of the lines. Mr. Carney feels that the fire districts should come up with what they feel would work for them and the Authority will work with them.

Mr. Jones agreed with Mr. Carney as there are multiple fire districts in the different communities that do things differently. He suggested that the Authority supplies the information to the numerous fire departments in the communities and they can use to their advantage as to what works for each individual fire department, whether it be paint, a badge, etc.

Mr. Carney advised that whatever solutions the fire departments come up with, the Authority will grant permission to mark the hydrants to their benefit.

Mr. Carney noted for the record that he feels this resolution makes is sound that the Authority did something wrong, which it did not. Ms. Murphy indicated that the legislature is not well informed, but if the engineering department communicates this, there might be a better understanding.

Mr. Schad requested Engineering to review and report back to the Board.

ITEM 4 – Notice of Claim – Received and Filed

ITEM 5 – Notice of Claim – Received and Filed

ITEM 6 – Notice of Claim - Received and Filed

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

UNFINISHED BUSINESS

VII. NEW BUSINESS

ITEM 7 RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT

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

DISCUSSION

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 8 - AUTHORIZATION TO EXTEND THE CONTRACT WITH FERGUSON ELECTRIC SERVICE CO., INC. TO PROVIDE HIGH VOLTAGE, SWITCHGEAR INSPECTION AND EMERGENCY ELECTRICAL WORK WITHIN THE ERIE COUNTY WATER AUTHORITY'S FACILITIES, PROJECT NO. 201700017, IDENTIFIED AS CONTRACT NO. 17-07-04.

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

DISCUSSION

Mr. Carney appreciates extending contracts, he feels the Authority should be diligent that this is an \$800,000 and that continuing to extend might not always be the best interest for the Authority.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 9 - AUTHORIZATION TO EXTEND THE CONTRACT WITH MOLLENBERG-BETZ, INC. TO PROVIDE THE ERIE COUNTY WATER AUTHORITY WITH HVAC SERVICES, PROJECT NO. 201700097, IDENTIFIED AS CONTRACT NO. 17-11-07.

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

DISCUSSION

Mr. Carney expressed the same concern as Item 8 above.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 10 - AUTHORIZATION TO EXTEND THE CONTRACT WITH SIMMERS CRANE DESIGN AND SERVICES COMPANY FOR THE INSPECTION AND REPAIR OF OVERHEAD CRANES AT VARIOUS ERIE COUNTY WATER AUTHORITY LOCATIONS, PROJECT NO. 201700072, IDENTIFIED AS CONTRACT NO. 17-12-07.

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 11 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR CONSULTING ENGINEERING SERVICES, CONTROL OF HAZARDOUS ENERGY PROGRAM, PROJECT NO. 201900017

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

DISCUSSION

In response to Mr. Schad's inquiry about lockout-tagout, Mr. Stoll advised this is need for Authority pump stations.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 12 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR
CONSULTING ENGINEERING SERVICES, STORAGE TANK INSPECTIONS,
PROJECT NO. 201900048**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 13 - AWARD OF CONTRACT TO E & R GENERAL CONSTRUCTION, INC. FOR
WATER SYSTEM IMPROVEMENTS, LARGE VALVE REPLACEMENTS,
CITY OF LACKAWANNA AND TOWNS OF ALDEN, AMHERST,
CHEEKTOWAGA, HAMBURG AND WEST SENECA, WSA-013, PROJECT
NO. 201800081 - \$1,448,000.00**

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

DISCUSSION

Mr. Schad verified that this project is to replace large valves that cannot be repaired

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 14 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR ASBESTOS CEMENT
PIPE (ACP) REMOVAL AND DISPOSAL FROM JUNE 1, 2019 THROUGH
MAY 31, 2021, PROJECT NO. 201900045**

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

DISCUSSION

Mr. Schad confirmed that this will be the fix for the emergency declarations issue that the Authority had been experiencing when encountering asbestos pipe situations.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 15 - AUTHORIZATION TO SETTLE CLAIM WITH NATIONAL FUEL GAS CORPORATION

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

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 16 - AUTHORIZATION TO EXECUTE AN ACH ORIGATION ADDENDUM WITH PAYMENTUS

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 17 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

Mr. Carney noted this keeps coming back on agenda for more payments even after EMA advised that they were done. Mr. Schad commented that the SCADA is done and now should be positioned to implement the changes to move the automation into high gear.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 18 - AUTHORIZATION FOR ROBERT J. LICHTENTHAL, JR., DEPUTY DIRECTOR
TO ATTEND THE NEW YORK STATE GFOA ANNUAL CONFERENCE IN
ALBANY, NEW YORK**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 19 - AUTHORIZATION FOR SABRINA FIGLER, DIRECTOR OF WATER QUALITY
TO ATTEND THE AWWA INTERNATIONAL SYMPOSIUM ON
WATERBORNE PATHOGENS IN TAMPA FLORIDA FROM APRIL 29, 2019
THROUGH APRIL 30, 2019**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 20 - AUTHORIZATION FOR COMPTROLLER TO EXECUTE CHANGE ORDER
FOR WESTLAW SERVICE AGREEMENT**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 21 - AUTHORIZATION TO ACCEPT PROPOSAL OF S.G. CLARENCE, LLC AND MILHERST CONSTRUCTION, INC. FOR THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 1397 ± LINEAR FEET OF 8-INCH PVC AND 46 ± LINEAR FEET OF 8-INCH DIP WATERMAIN IN SPAULDING GREEN PHASE 6B, TOWN OF CLARENCE, NEW YORK, PROJECT NO: 201800101

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

VIII. ADJOURNMENT

Motion by Mr. Carney and seconded by Mr. Jones and carried that the meeting adjourn at 10:46 a.m.

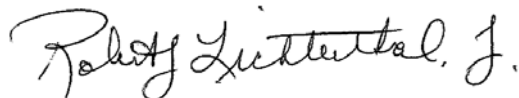
DISCUSSION

Mr. Schad advised that the Authority had a large numbers of crews out over the weekend to fix the leaks. He wanted to take a moment to thank the work crews for all their hard work, and Russ Stoll and Bob Lichtenthal for handling the media inquiries. It was a great job done by all.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None



Robert J. Lichtenthal, Jr.
Assistant Secretary to the Authority

SLZ