

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 April 2022.

PRESENT: Jerome D. Schad, Chair
 Peggy A. LaGree, Vice Chair (via videoconference)
 Michele M. Iannello, Treasurer
 Terrence D. McCracken, Secretary to the Authority
 Karen A. Prendergast, Chief Financial Officer
 Mark S. Carney, General Counsel
 Russell J. Stoll, Chief Operating Officer
 Katherine A. Gillette, Associate Attorney
 Leonard F. Kowalski, Executive Engineer (via teleconference)
 Joyce A. Tomaka, Comptroller
 Lavonya C. Lester, Director of Administration (via teleconference)
 Sabrina A. Figler, Director of Water Quality (via teleconference)
 David W. Aubertine, Director of Cybersecurity and Information Technology

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, March 24, 2022.

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 24, 2022.

IV. REPORTS

A. SECRETARY

B. LEGAL

1. Executive Session

Discussion of a matter made confidential by federal or state law (i.e. the attorney-client and deliberative process privileges) pursuant to Public Officers Law § 108(2)

This matter will be deferred to the end of the meeting.

C. FISCAL

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.)

C-1 NOC: NATIONAL FUEL GAS DISTRIBUTION CORPORATION VS. ECWA - RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-2 NOC: ALYSSA PANNULLO VS. ECWA - RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-3 SUMMONS AND NOTICE: NATIONAL FUEL GAS DISTRIBUTION CORPORATION VS. ECWA - 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 EXECUTE A SUPPORT PLAN TERMS AND CONDITIONS AGREEMENT AND SUPPORT PLAN QUOTATION WITH THERMO ELECTRON NORTH AMERICA LLC RELATING TO CHEMISTRY AND ANALYTICAL INSTRUMENTATION

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 SOLICIT REQUEST FOR PROPOSALS RELATING TO CONSULTING ENGINEERING SERVICES FOR WATER DISTRIBUTION SYSTEM HYDRAULIC MODEL, PROJECT NO. 202200007 (CCII)

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

DISCUSSION

On the question, Chairman Schad questioned if this hydraulic model is for the entire system in which Mr. Stoll replied yes. Commissioner LaGree inquired if this is an update. Mr. Stoll answered that staff is not confident with the results from the current system and needs to update. Mr. Stoll informed the Board that the Authority will be using an outside supplier, however the training will be done internally. He also remarked that this model will be based off the GIS system, and the Authority will own the software.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 4 - AWARD OF CONTRACT TO NEW FRONTIER EXCAVATING & PAVING, NC. FOR CONTRACT NO. BL-002, WATER SYSTEM IMPROVEMENTS IN THE TOWN OF AMHERST, PROJECT NO. 202100032 - \$4,945,185.00

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

DISCUSSION

On the question, Commissioner Iannello asked if \$3.1 million is the amount this contract is budgeted for. CFO Prendergast replied yes, it is, however it will most likely carry over into 2023 due to various reasons.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - AWARD OF CONTRACT TO RODRIGUEZ CONSTRUCTION FOR GENERAL BUILDING MAINTENANCE, REPLACEMENT AND ALTERATION CONTRACT, PROJECT NO. 202200032 - \$193,860.00

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

DISCUSSION

On the question, Commissioner Iannello questioned if the Authority has ever retained the services of Rodriguez Construction, and Mr. Stoll answered no.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - AWARD OF CONTRACT TO NIAGARA COATINGS SERVICES, INC. FOR INDUSTRIAL BLASTING, PAINTING AND ASSOCIATED MAINTENANCE CONTRACT, PROJECT NO. 202200036 - \$190,206.90

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 NEW FRONTIER EXCAVATING & PAVING, INC. FOR CONTRACT NO. NC-042, WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CLARENCE, NEW YORK, PROJECT NO. 202100042 - \$2,366,040.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 8 - AWARD OF CONTRACT TO 716 SITE CONTRACTING, INC. FOR CONTRACT NO. DA-011, WATER SYSTEM IMPROVEMENTS IN THE TOWNS OF CHEEKTOWAGA AND AMHERST, PROJECT NO. 202100031 - \$2,816,652.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 9 - AWARD OF CONTRACT TO CONCRETE APPLIED TECHNOLOGIES CORP. D/B/A CATCO FOR EXCAVATED MATERIAL REMOVAL AND DISPOSAL, APRIL 1, 2022 THROUGH MARCH 31, 2024, PROJECT NO. 202200013 -\$833,250.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 10 - AWARD OF CONTRACT TO CARUS LLC FOR THE FURNISHING AND DELIVERING OF POTASSIUM PERMANGANATE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR, PROJECT NO. 202200016 - \$377,280.00

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

DISCUSSION

On the question, Chairman Schad asked if the price for potassium permanganate has increased. Mr. Kowalski replied that it has not.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 11 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERING OF POLYALUMINUM CHLORIDE COAGULANT TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR, PROJECT NO. 202200031

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 ADVERTISE FOR BIDS FOR CONTRACT NO. BC-003, 48- AND 42-INCH TRANSMISSION MAIN CONDITION ASSESSMENT AND TRANSIENT ANALYSIS, CONDITION ASSESSMENT INSERTION AND EXTRACTION LOCATIONS AND ASSEMBLIES, PROJECT NO. 202100221 (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 13 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GHD CONSULTING SERVICE, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF VAN DE WATER DELIVERED WATER TRANSMISSION IMPROVEMENTS FROM COLVIN BOULEVARD/TWIN CITY HIGHWAY TO I-290/I-990 INTERCHANGE, IDENTIFIED AS CONTRACT NO. GHD-011, PROJECT NO. 202200010 (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 14 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE 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

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 15 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE ARC ERIE COUNTY NEW YORK FOR GENERAL CLEANING SERVICES FOR THE ERIE COUNTY WATER AUTHORITY SERVICE CENTER, 3030 UNION ROAD, CHEEKTOWAGA, NEW YORK, PROJECT NO. 202000211

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 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH DRESCHER & MALECKI, LLP TO PROVIDE PROFESSIONAL AUDIT AND ACCOUNTING ADVISORY SERVICES FOR EACH OF ITS FISCAL YEARS ENDING DECEMBER 31, 2019, 2020 AND 2021

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 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CHILD AND FAMILY SERVICES OF ERIE COUNTY TO PROVIDE EMPLOYEE ASSISTANCE PROGRAM SERVICES, PROJECT NO. 201800060

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 FOR GABRIELLA HOLEVINSKI, ANALYTICAL CHEMIST TO ATTEND THE AWWA ACE ANNUAL CONFERENCE IN SAN ANTONIO, TEXAS

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 - 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

Motion made by Ms. LaGree, seconded by Ms. Iannello to go into Executive Session for the discussion relating to matters made confidential by federal or state law (i.e. the attorney-client and deliberative process privileges) pursuant to Public Officers Law § 108(2) at 9:48 a.m. Mr. Schad invited Terrence McCracken, Karen Prendergast, Russell Stoll and Mark Carney.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to exit Executive Session at 10:15 a.m.

DISCUSSION

Chairman Schad reported that a productive discussion was held with Counsel and direction was given relating to the Elma matter.

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 10:15 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello
Noes: None



Terrence D. McCracken
Secretary to the Authority

PG