

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 13th day of May 2021.

PRESENT: **Jerome D. Schad, Chair**
Peggy A. LaGree, Vice Chair
Michele M. Iannello, Treasurer
Terrence D. McCracken, Secretary to the Authority
Karen A. Prendergast, Chief Financial Officer
Katherine A. Gillette, Associate Attorney (via teleconference)
Russell J. Stoll, Chief Operating Officer
Leonard F. Kowalski, Executive Engineer (via teleconference)
Daniel J. NeMoyer, Director of Human Resources (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)
Jeffrey Schlierf, Acting Manager of Information Technology (via teleconference)

ATTENDEES:

PLEDGE TO THE FLAG

I. CALL TO ORDER/ROLL CALL

II. READING OF ANNUAL MINUTES

Motion by Ms. LaGree seconded by Ms. Iannello and carried to read the Minutes of the Meeting held on Thursday, April 29, 2021.

III. APPROVAL OF ANNUAL MINUTES

Motion by Ms. Iannello seconded by Ms. LaGree and carried to amend the Minutes of the Annual Meeting held on Thursday, April 29, 2021 reflecting Ms. Iannello's name as Michele Iannello and not Michele Iannello-Ward.

Motion by Ms. LaGree seconded by Ms. Iannello and carried to approve the Minutes of the Annual Meeting held on Thursday, April 29, 2021, as amended.

IV. READING OF MINUTES

Motion by Ms. LaGree seconded by Ms. Iannello and carried to read the Minutes of the Meeting held on Thursday, April 29, 2021.

V. APPROVAL OF MINUTES

Motion by Ms. Iannello seconded by Ms. LaGree and carried to amend the Minutes of the Meeting held on Thursday, April 29, 2021 reflecting Ms. Iannello's name as Michele Iannello and not Michele Iannello-Ward.

Motion by Ms. LaGree seconded by Ms. Iannello and carried to approve the Minutes of the Meeting held on Thursday, April 29, 2021, as amended.

VI. REPORTS**A. SECRETARY**

No Report

B. LEGAL

No Report

C. FISCAL

No Report

D. OPERATIONS**1. Contract No. CH-012**

Mr. Kowalski reported that back in Contract No. CH-010, Water System Improvements in the Town of Cheektowaga was awarded to DJM Contracting, Inc. This project was anticipated to be completed in 2020, however there were some delays associated with the project there were out of the contractor's control, but there were also inefficiencies on behalf of the contractor that also contributed to additional delays. The Engineering and Legal Departments are currently reviewing the documentation provided by CHA to determine whether DJM should be held responsible for costs associated with its inefficiencies. At this point our goal is to negotiate a settlement with the contractor, including a contract extension as well as any applicable portion of the additional resident inspection fees, and to complete the Project. In addition, following completion of the work, an amendment will also be prepared for the additional consulting fees which must be paid by the Authority regardless of the outcome of the negotiations with the contractor. Ms. LaGree asked if this is typical of DJM. Mr. Kowalski replied that they are somewhat of an inefficient contractor with the way they perform their work. She remarked that this should be noted for the future. Mr. Schad concurred with Commissioner LaGree and added that the Authority needs contractors that we can rely on in terms of efficiency.

A brief discussion was then held regarding if the Authority could preclude them from future use.

2. May 2021 Capital Budget Update

Leonard Kowalski reviewed with the Commissioners the capital budget update he previously provided. Chairman Schad inquired as to which areas does the Authority have its redundancy issues, along with what other solutions are there to get past these easement issues to get whatever consensus we need? He added that the last thing we need is one of the critical transmission lines where we think we need to get this done sooner than later to be one of the ones that ended up failing on us. It would be nice to see those at the 95% range by the end of the year. He asked Engineering if they could try to find a way to move it even faster. He would like to see to get to a higher percentage by year end, if possible. Ms. LaGree expressed her appreciation for this update.

3. Hancock Tank Study – City of Buffalo

Over the past several months, the Authority has been in communication with the City of Buffalo Division of Water about another large interconnection with the Authority and the City. We currently have one interconnection that feeds our Pine Hill Pump station. During emergencies or periods of high demand in the summertime, the Authority uses that connection a lot. He added that the City has hired a consultant to conduct a preliminary hydraulic study and they identified another possible interconnection, at their Hancock tower, which is in South Buffalo. The Engineering department plans on pursuing a cooperative agreement with the City. For the additional hydraulic analysis that is required, the City can select a consultant as part of their standard procurement process, which they are proposing to use Nussbaumer and Clarke. Mr. Kowalski added that they've done a lot of hydraulic modeling for the City and they are very familiar with the Authority's distribution system to. Mr. Schad asked what is the timing on this
 What do you see is the timing on this, that is, if this goes forward, when would we see the results of a study? Mr. Kowalski replied that he believes they would be able to wrap this up by first quarter of 22 would be my guess.

VII. 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 DOUG HELD RELATIVE TO HISTORICAL WATERLINE BREAKS/LEAKS/PROBLEMS/ISSUES - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

- C-2 FOIL FROM EMILY DENZLER RELATIVE TO EMAILS FOR PROJECT NO. 202100075 - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-3 FOIL FROM NEW YORK FOUNDATION FOR FAIR CONTRACTING RELATIVE TO DOCUMENTATION FOR CONTRACT NO. BL-001 - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-4 NOC CHARTER SPECTRUM VS. ECWA - RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-5 NOC EMILY AND NICHOLAS CIROCCO VS. ECWA - RECEIVE AND FILE AND REFER TO LEGL FOR FOLLOW UP**
- C-6 NOC MICHAEL AND MARY ELLEN MONNIN VS. ECWA - RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**

VIII. PERSONS ADDRESSING THE AUTHORITY

The Commissioners will hear the concerns of persons desiring to address the Commissioners on any Water Authority subject

IX. UNFINISHED BUSINESS

X. 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 - FINAL ACCEPTANCE OF PROJECT WITH 716 SITE CONTRACTING, INC. FOR WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, CONTRACT NO. CH-010, PROJECT NO. 201800075, CONTRACT NO. 19-17-04 - \$80,225.16

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 ARCADIS OF NEW YORK, INC. TO PROVIDE CONSULTING ENGINEERING FOR STURGEON POINT WATER TREATMENT PLANT WASHWATER TANK REPLACEMENT, IDENTIFIED AS CONTRACT NO. MP-088, PROJECT NO. 202100111

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 TO A SERVICE AGREEMENT WITH TIME WARNER CABLE NORTHEAST, LLC, D/B/A SPECTRUM TO PROVIDE AND INSTALL AN ETHERNET PRIVATE LINE SERVICE (FIBER POINT-TO-POINT) BETWEEN THE ERIE COUNTY WATER AUTHORITY'S SERVICE CENTER TO BALL PUMP STATION, PROJECT NO. 201800158

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 COOPERATIVE AGREEMENT WITH THE TOWN OF ORCHARD PARK IN CONNECTION WITH THE COLE STORAGE TANK REFURBISHING IN THE TOWN OF ORCHARD PARK, NEW YORK, PROJECT NO. 199300497

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 SOLICIT REQUEST FOR PROPOSALS FOR A CYBERSECURITY RISK AND VULNERABILITY ASSESSMENT, PROJECT NO. 202100116

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

DISCUSSION

On the question, Commissioner Schad remarked that he would like to see this project done. He believes we need to look hard at we have to understand what our vulnerability is and possibly have a consult from whoever we end up finding to explain to people what our risk is in terms of operational vulnerabilities here,

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 7 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR CISCO IP PHONE SYSTEM MAINTENANCE SERVICES, PROJECT NO. 202100061

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 ARROW SHEET METAL WORKS, INC. FOR THE FURNISHING AND REPLACING OF ROOF AND SIDING AT VARIOUS PUMP STATIONS, PROJECT NO. 202000165 - \$356,150.00

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

DISCUSSION

On the question, Commissioner Iannello asked what the timeframe is on this. Mr. Stoll replied that it should be started this year. Commissioner Iannello asked if she could get a list of all the locations where the siding and roofs will be replaced.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 9 - AWARD OF MATERIALS AND SUPPLY CONTRACT TO PIONEER PUMP SYSTEMS, INC. FOR THE FURNISHING OF BOOSTER PUMPS AND MOTORS FOR EDEN 2 PUMP STATION, PROJECT NO. 202000154 - \$64,790.00

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 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERING OF CAUSTIC SODA (50% SOLUTION OF SODIUM HYDROXIDE) MEMBRANE GRADE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR TWO YEARS, NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2023, PROJECT NO. 202100104

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 - APPROVAL OF AMENDMENT NO. 2 OF NUSSBAUMER & CLARKE, INC. CONTRACT NO. NC-039, WATER SYSTEM IMPROVEMENTS PROJECT – TOWNS OF AMHERST AND CHEEKTOWAGA, PROJECT NO. 201900073

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 - APPROVAL OF AMENDMENT NO. 1 OF KEMIRA WATER SOLUTIONS, INC. FOR FURNISHING AND DELIVERING OF POLYALUMINUM CHLORIDE COAGULANT TO THE ERIE COUNTY WATER AUTHORITY FOR THE TREATMENT OF WATER FOR THE PERIOD OF TWO YEARS, JULY 1, 2019 THROUGH JUNE 30, 2021, PROJECT NO. 201900031, IDENTIFIED AS CONTRACT NO. 19-10-06

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 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS - \$2,554.39

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 - AUTHORIZATION TO AMEND ITEM NO. 14 OF THE MINUTES OF THE MEETING OF THE ERIE COUNTY WATER AUTHORITY HELD ON APRIL 29, 2021 RELATIVE TO THE CREATION OF ONE POSITION OF SENIOR ENGINEER ASSISTANT

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 AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2021 IN
CONNECTION WITH THE FURNISHING AND INSTALLING PUMP
STATION ROOF AND SIDING REPLACEMENTS, PROJECT NO.
202000165**

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 AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2021 IN
CONNECTION WITH STURGEON POINT WAREHOUSE PERSONNEL
LIFT, PROJECT NO. 202000258**

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 AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2021 IN
CONNECTION WITH VAN DE WATER CHEMICAL AREA FLOOR
GRATING, PROJECT NO. 202100109**

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

DISCUSSION

On the question, Commissioner Iannello asked if there was dollar amount. The Commissioners showed her where to find it - \$6,000.00,

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

XI. AJOURNMENT

Motion by Ms. Iannello seconded by Ms. LaGree carried that the meeting adjourn.

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

PF