

**MINUTES** of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 28<sup>th</sup> day of May 2019.

**PRESENT:** Jerome D. Schad, Chairman  
 Mark S. Carney, Vice Chairman  
 E. Thomas J. Jones, Jr., Treasurer  
 Terrence D. McCracken, Secretary to the Authority  
 Robert J. Lichtenthal, Jr., Deputy Director  
 Karen A. Prendergast, Chief Financial Officer  
 Russell J. Stoll, Executive Engineer  
 Lavonya C. Lester, Director of Administration  
 Sabrina A. Figler, Director of Water Quality  
 Jacqueline Mattina, Associate Attorney  
 Joseph T. Burns, Deputy Administrative Director  
 Steven V. D'Amico, Business Office Manager

**ATTENDEES:** John Lynch  
 Patrick Quinn, Lawley Services, Inc.  
 Paul Powell, Lawley Services, Inc.  
 Daniel Murray, Lawley Services, Inc.

**CALL TO ORDER AT 9:30 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, May 16, 2019.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

### **III. APPROVAL OF MINUTES**

Motion by Mr. Carney seconded by Mr. Jones and carried to approve the Minutes of the Meeting held on Thursday, May 16, 2019.

#### **DISCUSSION**

None

#### **VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

Chairman Schad said a few words to thank Robert Lichtenthal on his last day as the Authority's Deputy Director and Acting Executive Director. He spoke of his respect for Mr. Lichtenthal's ability in the area of Finance and how Mr. Lichtenthal helped strengthen the Authority financially to be as solid as it is today. Chairman Schad attributes this to Mr. Lichtenthal's work ethic, leadership and commitment to getting the job done. Chairman Schad also praised Mr. Lichtenthal for his media skills. Chairman Schad, thanking Mr. Lichtenthal for his service, said that it was a pleasure working with him. The other Commissioners concurred.

### **IV. REPORTS**

#### **A) SECRETARY**

##### **1. Erie County Dept. of Personnel Approval of New Positions:**

Karen Prendergast, CFO

Joyce Tomaka, Comptroller

Michael Haendiges, SCADA Engineer

Secretary McCracken notified the Board of Commissioners that the Erie County Department of Personnel has approved the above employees in their new positions. Commissioner Jones remarked that he was very pleased with the PO-1M forms that are part of the package as it lays it out perfectly in terms of salary, position and other pertinent information. Commissioner Jones would like these forms to continue as part of the Board package relative to these particular items.

##### **2. Launching of the new Website**

Secretary McCracken discussed the launching of the new website, developed by Ingenious. He expressed that one of the intentions of the new site is to make browsing easier for users. Secretary McCracken reminded the Board that it is still a work in progress as there are a number of things that aren't included yet. Chairman Schad asked if there is a point person someone can go to if they have a question or concern. Mr. McCracken replied he will be the contact person, and he will speak to the appropriate personnel.

## **B) LEGAL**

### **1. Lawley Presentation**

Karen Prendergast informed the Board that Paul Powell, Patrick Quinn and Daniel Murray of Lawley Services, Inc. were here to speak to the Board about the 2020 insurance program. Lawley distributed a proposal for workers compensation insurance. The current coverage is with State Insurance Fund which is a guarantee cost plan. They explained that there are two options for self-insurance for the Board's review. The first option is pure self-insurance with a third-party administration handling the claims. The second option is from Travelers is still a self-insured retention. Travelers would handle the claims. Chairman Schad remarked that he would like to see a one-year study done on this. Commissioners Carney and Jones agreed. Paul Powell informed the Board that they are also looking at Cyber insurance and possibly increasing the coverage. Chairman Schad noted that he is in favor of increasing the coverage limit but is interested in finding out what services are available to help us assess the sufficiency of our ability to avoid the risk. He asked Mr. Alessi to look into this. At the conclusion of the discussion all three Commissioners agreed to stay with State Insurance Fund. A letter will be sent informing the State Insurance Fund of the Board's decision.

## **C) FISCAL**

### **1. April 2019 Investment Report**

Mr. Lichtenthal distributed the April 2019 Investment Report along with a brief analysis of the reasons for the increases in the cash balance.

### **2. Monthly Finance Report – April 2019**

Steven D'Amico distributed the April 2019 Monthly Financial report. This report includes operating revenue, investment income, operating expense and net income.

## **D) OPERATIONS**

No Report

## **E) HUMAN RESOURCES**

No Report

## **F) AUDIT COMMITTEE**

No Report

**G) GOVERNANCE COMMITTEE**

No Report

**H) FINANCE COMMITTEE**

No Report

**I) ETHICS COMMITTEE**

No Report

**V. COMMUNICATIONS AND BILLS****C-1 NOTICE OF CLAIM GEORGE HESS – RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP****Discussion**

Commissioner Jones inquired if it states in the By-Laws or rules of operation that when a communication is received and filed, said communication is to be referred to an appropriate department. Chairman Schad said that it is not memorialized in writing and that we are relying on Roberts Rules. Commissioner Jones believes the department in which the communication is being referred to for follow up should be stated on the record. Commissioners Schad and Carney agreed that that the Board will receive and file and indicate on the record where it is being sent for appropriate action.

**C-2 NOTICE OF CLAIM JASON HYDE– RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP****C-3 NOTICE OF CLAIM SUZANNE MARZEC– RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP****C-4 NOTICE OF CLAIM STEPHEN BARILE, JR. – RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP****C-5 NOTICE OF CLAIM VERIZON– RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP****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.

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

**ITEM 1 - MASTER PURCHASE ORDERS, RELEASES FROM MASTER PURCHASE ORDERS, PURCHASE ORDERS, AND AMENDMENTS OF SAME**

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 - AUTHORIZATION TO ENTER INTO CONSENT WITH T-MOBILE TO ALLOW CELLULAR EQUIPMENT MODIFICATION ON THE WEHRLE TANK**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 3 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS TO PROVIDE A ROUTING STUDY FOR DELIVERED WATER TRANSMISSION MAIN, VAN DE WATER TREATMENT PLANT TO BALL STATION, IDENTIFIED AS CONTRACT NO. MP-081, PROJECT NO. 201900105**

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

**DISCUSSION**

Chairman Schad asked Mr. Stoll how this study relates to Item 4 in the agenda. Mr. Stoll replied that Item 3 is downstream between the Van de Water Plant and the Ball Pump Station, and Item 4 is between Raw Water and the Van de Water Plant.

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 4 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH NUSSBAUMER & CLARKE, INC. TO RENDER PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR THE DESIGN AND CONSTRUCTION FOR RAW WATER TRANSMISSION MAIN, VAN DE WATER RAW WATER TO VAN DE WATER TREATMENT PLANT, IDENTIFIED AS CONTRACT NO. NC-040, PROJECT NO. 201900104**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 5 - AUTHORIZATION TO ENTER INTO AN ONLINE AUCTION CONTRACT WITH AUCTIONS INTERNATIONAL, INC. TO PROVIDE ONLINE AUCTION SERVICES FOR THE ERIE COUNTY WATER AUTHORITY, PROJECT NO. 201900122**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 6 - AUTHORIZATION TO ENTER INTO A CATHODIC PROTECTION SYSTEM EASEMENT GRANT WITH ENBRIDGE ENERGY, LIMITED PARTNERSHIP**

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

**DISCUSSION**

Chairman Schad confirmed with Mr. Stoll that this is to avoid high voltage electrocutions in which Mr. Stoll confirmed. Mr. Stoll also informed the Board that it is near one of our transmission lines.

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 7 - AUTHORIZATION TO REFUND SERVICE CONNECTION FEE TO  
LUCAS JAMES - \$2,400.00**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 8 - AUTHORIZATION TO INSTALL 170 LF OF TWELVE (12") INCH DIP TO  
REPLACE EXISTING EIGHT (8") INCH CROSSING ALONG ROLL ROAD  
AT TRANSIT ROAD, TOWN OF CLARENCE, NEW YORK, PROJECT NO.  
201900126, EC NO. 7038**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**IX. ADJOURNMENT**

Motion by Mr. Carney seconded by Mr. Jones carried that the meeting adjourn

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None



Terrence D. McCracken  
Secretary to the Authority

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