

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 22nd day of August 2019.

PRESENT: Jerome D. Schad, Chairman
 Mark S. Carney, Vice Chairman
 E. Thomas J. Jones, Jr., Treasurer
 Terrence D. McCracken, Secretary to the Authority
 Karen A. Prendergast, Chief Financial Officer
 Margaret A. Murphy, Attorney
 Russell J. Stoll, Executive Engineer
 Daniel J. NeMoyer, Director of Human Resources
 Lavonya C. Lester, Director of Administration
 Sabrina A. Figler, Director of Water Quality
 Jeffrey Schlierf, Acting Manager of Information Technology
 Matthew Barrett, Security Officer
 Richard Deren, Network Specialist

ATTENDEES: Brian Gould

CALL TO ORDER AT 9:52 a.m.

PLEDGE TO THE FLAG

I. ROLL CALL

II. READING OF MINUTES

Motion by Mr. Carney seconded by Mr. Jones and carried to waive the reading of the Minutes of the Meeting held on Thursday, August 8, 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, August 8, 2019.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

I. REPORTS

A) SECRETARY

1. Executive Session

Discussion relating to the appointment of a person to the position of executive director pursuant to Public Officers Law § 105(1)(f) (matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person)

The Chair requested that the executive session be deferred until the end of the meeting.

B) LEGAL

No Report

C) FISCAL

1. July 2019 Investment Report

Karen Prendergast distributed the July 2019 Investment Report along with a brief explanation of the report.

2. Monthly Financial Report – July 2019

Karen Prendergast distributed the July 2019 Monthly Financial report. This report includes operating revenue, investment income, operating expense and net income.

D) OPERATIONS

1. RFP – Van de Water Residuals Treatment System Upgrades

Russell Stoll informed the Board that Request for Proposals for Van de Water Residuals Treatment System Upgrades were sent to four firms: Aradis, GHD, O'Brien & Gere and Wendel. All four companies responded to the RFP. The proposals were reviewed and discussed among the engineering staff. Staff determined that GHD would be the best firm for the project. Mr. Stoll asked permission to negotiate a contract with GHD and will have a resolution on for the next meeting. This was approved by the Board.

2. Office and Operations Space Planning

Karen Prendergast reported that in the past there have been evaluations prepared for the Authority's office space. She reports that the service center is starting to lack space. Ms. Prendergast would like to prepare an RFP for a comprehensive space study that would involve all the Authority's facilities. Vice Chairman Carney questioned which facilities are included in the study – Ellicott Square, Union Road as well as the two plants? Ms. Prendergast replied yes, all the facilities. Commissioner Jones remarked that the review must take into consideration that the board meetings aren't currently held within the territory of the Authority's jurisdiction. Vice Chairman Carney asked for clarification whether this is a study to determine if we're going to consolidate all services in one building, or is it a study that's going to move us out of the Ellicott Square building. Ms. Prendergast replied that she would rather not develop an RFP with any expectation. She would like to develop an RFP that's more open-ended and what makes sense. Vice Chairman Carney raised the point that it is important that the RFP explains what our ultimate goals are. He does not believe in sending people out and spending money and not giving them a definition as to what our ultimate intent would be. Ms. Prendergast noted that she is looking for the consultant to come back and inform the board what best makes sense financially and operationally. She pointed out that this review will be done in collaboration with Authority staff including all the division heads so that everybody has input on what they want to see in the RFP. The Board was in agreement to prepare an RFP as mentioned above.

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 FOIL RE NEW YORK CENTRAL MUTUAL INSURANCE CO. AS SUBROGEE OF SHELLEY PURYEAR - RECEIVED AND FILED AND REFERRED TO LEGAL FOR FOLLOW UP

C-2 RESIGNATION LETTER - RECEIVED AND FILED AND REFERRED TO HUMAN RESOURCES FOR FOLLOW UP

Chairman Schad thanked Mr. Kostek for his services.

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

T-18 AUTHORIZATION TO EXTEND THE AGREEMENT WITH CALAMP (ITEM NO. 15 6/27/19)

Discussion

Lavonya Lester informed the Board that the Authority was approached by its insurance provider, Philadelphia Insurance, to use their GPS units free of charge. After meeting with them, it was determined that a demo of their product would be performed before going into contract with them. Upon looking at the contract there were some accountability that were required of us that are now being reviewed. Karen Prendergast noted that we are still using CalAmp with respect to their still servicing us on a month-to-month basis. She recommends leaving this on the table while staff continues to negotiate with Philadelphia.

**T-19 PROCEDURE RELATING TO THE TERMINATION OF EMPLOYMENT
WITH THE ERIE COUNTY WATER AUTHORITY (ITEM NO. 14 8/8/19)**

Motion to remove from table by Mr. Jones seconded by Mr. Carney

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

No motion or second was made to approve Procedure Relating to the Termination of Employment with the Erie County Water Authority

DISCUSSION

None

VOTE

Ayes: None

Noes: None

Resolution is defeated

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 - DESIGNATION OF THE ERIE COUNTY WATER AUTHORITY'S CHIEF
FINANCIAL OFFICER AS THE AUTHORIZED OFFICER ON BEHALF OF
THE ERIE COUNTY WATER AUTHORITY TO APPLY FOR A BANKING
AND CREDIT APPLICATION WITH JPMORGAN CHASE BANK, N.A.
AND EXECUTE A BUSINESS CARD AGREEMENT WITH JPMORGAN
CHASE BANK, N.A.**

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 ACCEPT THE PROPOSAL OF WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING, AND LANDSCAPE ARCHITECTURE, P.C., TO PROVIDE CONSULTING ENGINEERING SERVICES RELATIVE TO STORAGE TANK INSPECTIONS, IDENTIFIED AS CONTRACT NO. W-032, PROJECT NO. 201900192

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 4 - AUTHORIZATION TO EXECUTE A PURCHASE ORDER ADDENDUM WITH STANLEY CONVERGENT SECURITY SOLUTIONS, INC.

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

DISCUSSION

Commissioner Jones asked for clarification on this issue. He asked if the Authority should be bidding the equipment since it is not under state contract. Ms. Lester informed him that it was determined that it is a sole source.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 5 - AUTHORIZATION TO ACCEPT PROPOSAL OF CIMATO BROS. CONSTRUCTION, INC. FOR THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 725 LINEAR FEET OF EIGHT (8") INCH PVC WATERMAIN, ONE (1) HYDRANT, TWO (2) LINE VALVES AND APPURTENANCES IN NORTHWOODS SUBDIVISION, PHASE III, TOWN OF CLARENCE, NEW YORK, PROJECT NO. 201900100, EC NO. 7058

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 RELEASE WATER LINE EASEMENT LOCATED
ON MARGARET AVENUE, AMHERST, NEW YORK, PROJECT NO.
201800257 (T-20)**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 7 - AWARD OF CONTRACT TO RUSSO DEVELOPMENT, INC. FOR ON-
CALL REPAIR SERVICES WATERMAINS AND RELATED FACILITIES,
SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2021, PROJECT NO.
201900083 - \$2,784,440.00**

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

DISCUSSION

Commissioners Jones asked for clarification relative to the bid correction for the second bidder. Mr. Stoll informed him that it was a math error which was a minor change.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 8 - APPROVAL O AMENDMENT NO. 1 OF GREENMAN-PEDERSEN, INC.
FOR CONTRACT NO. GP-08, WATER SYSTEM IMPROVEMENTS
PROJECT – TOWNS OF HAMBURG AND WEST SENECA, CITY OF
LACKAWANNA, PROJECT NO. 201900076 - \$11,000.00**

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

DISCUSSION

Commissioner Jones asked since this is a Professional Services contract, why would the consultant be subcontracting their professional services to another firm. Margaret

Murphy explained that in the contract there are revisions called special services. The professional engineer is required to provide the Authority with a certain product. They look at the construction project to see what it entails. The consultant requires the services of a firm who can provide them with a report that they will incorporate in their design plan. The Authority leaves it to the consulting engineer to deter when they're designing a capital project for us to determine what services they need in order to complete. Mr. Stoll added that at least three firms are asked to supply proposals and we take the lowest proposal.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 9 - AUTHORIZATION TO REFUND SERVICE CONNECTION FEE TO ESSEX HOMES OF WNY - \$2,000.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 10 - AMENDMENT OF POLICY NO. 92.0 RELATING TO EMPLOYMENT POLICY AND PROCEDURES

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

DISCUSSION

Chairman Schad remarked that this was the amendment of version B recommended by the Governance Committee.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 11 - CREATION OF ONE (1) POSITION OF ASSOCIATE ATTORNEY (FULL-TIME)

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

DISCUSSION

Margaret Murphy reported that this creation in in the budget and was approved by the Erie County Personnel Department. It just needs to be officially created by the Board for

the job inventory. Commissioner Carney asked what is the salary of a Grade 29E. Ms. Murphy informed him it is just over \$111,000.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

Motion made by Mr. Carney, seconded by Mr. Jones to go into Executive Session for the discussion relating to the appointment of a person to the position of executive director pursuant to Public Officers Law § 105(1)(f) (matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person) at 10:28 a.m. Mr. Schad invited Mr. McCracken, Ms. Murphy, Mr. NeMoyer and Ms. Prendergast.

Motion made by Mr. Carney, seconded by Mr. Jones to leave Executive Session at 12:09 p.m.

DISCUSSION

Chairman Schad noted that a productive discussion was held in Executive Session.

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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