

**MINUTES** of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 19<sup>th</sup> day of September 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 Murphy, Attorney  
 Russell J. Stoll, Executive Director (Chief Operating Officer)  
 Leonard F. Kowalski, Sr. Distribution Engineer  
 Daniel J. NeMoyer, Director of Human Resources  
 Lavonya C. Lester, Director of Administration  
 Sabrina A. Figler, Director of Water Quality  
 Matthew Barrett, Security Officer  
 Jeffrey Schlierf, Acting Manager of Information Technology  
 Richard Deren, Network Specialist  
 Steven V. D'Amico, Business Office Manager

**ATTENDEES:** Brian Gould

**CALL TO ORDER AT 9:39 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, September 5, 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, September 5, 2019.

#### **DISCUSSION**

None

#### **VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

### **I. REPORTS**

#### **A) SECRETARY**

##### **1. E-Mail Communication with Commissioners**

Secretary McCracken noted for the record that the email in question from the last meeting about leaves of absences was sent to each of the Commissioners. He added that as a public servant, he is aware of the importance that the Commissioners have all documents relative to Authority business and will continue to make sure that every Commissioner receives everything that the others receive. Commissioner Jones remarked that he did acknowledge that he received the email. Commissioner Jones would like the leave of absence without pay matter sent to the Governance Committee to follow up and come up with a policy. Margaret Murphy suggested that she draft a memo to guide the Commissioners. Commissioner Carney also agreed that the Board should look at the policy. He suggested that a memo be sent to the Commissioners informing them of a leave of absence and whether there is an impact on the overall operations of the of the Authority. Ms. Murphy noted that leaves of absence without pay is signed off by Erie County Civil Service. Chairman Schad requested Ms. Murphy prepare a memo advising the Commissioners what, if any limitations exist and bullet point recommendations on parameters for a leave of absence policy. He would like this on for the October 17, 2019 Governance Committee meeting. Commissioner Jones remarked this satisfies his concerns from a legal standpoint, however, there is a management component that should be looked at and discussed.

#### **C) FISCAL**

##### **1. August 2019 Investment Report**

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

## 2. Monthly Financial Report – August 2019

Steve D’Amico distributed the August 2019 Monthly Financial report. This report includes operating revenue, investment income, operating expense and net income.

### **D) OPERATIONS**

#### 1. RFP – Comprehensive Facilities Plan

Russell Stoll distributed a copy of a draft RFP for a Comprehensive Facilities Plan that was discussed at the last meeting. He will put this on for a resolution at the next meeting if there are no changes from the Commissioners. Chairman Schad asked what the timeline was for this. Mr. Kowalski informed him that a contract wouldn’t be in place until the first of the year.

### **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        NOC RE NEW YORK CENTRAL MUTUAL INSURANCE CO. AS  
SUBROGEE OF MARK AND GAIL MONCALIAN V. ECWA - 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**

### **T-20 AUTHORIZATION TO RELEASE WATER LINE EASEMENT LOCATED ON MARGARET AVENUE, AMHERST, NEW YORK, PROJECT NO. 201800257 (ITEM NO. 6 8/22/19)**

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

#### **DISCUSSION**

Margaret Murphy explained that this was a two-step process. The Authority has an easement that goes into Northtown plaza which is not needed. The developer is paying the Authority to abandon the line. Part two is there going to be a new way the water is supplied to the plaza. Both parties agreed that the standardized private fire protection agreement would be used. Ms. Murphy and Mr. Bennett recommend approval of the resolution. Vice Chairman Carney noted that this is the direction we need to go when these large tracks of lands cease being public roads. The Authority should not maintain a line that is a private entity. Commissioner Jones asked if this was the only easement. Engineering will check to be sure.

#### **VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

Motion by Mr. Carney and seconded by Mr. Jones and carried for the Authorization to Release Water Line Easement Located on Margaret Avenue, Amherst, New York, Project No. 201800257

#### **DISCUSSION**

None

#### **VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

## **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 ACCEPT THE PROPOSAL OF GHD SERVICES TO PROVIDE CONSULTING ENGINEERING SERVICES RELATIVE TO VAN DE WATER WATER TREATMENT PLANT RESIDUALS TREATMENT SYSTEM UPGRADES, IDENTIFIED AS CONTRACT NO. GHD-008, PROJECT NO. 201900208**

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 SERVICE AGREEMENT WITH TIME WARNER CABLE TO PROVIDE AND INSTALL AN ETHERNET PRIVATE LINE SERVICE (FIBER POINT-TO-POINT) BETWEEN THE ERIE COUNTY WATER AUTHORITY'S VAN DE WATER WATER TREATMENT PLANT TO VAN DE WATER RAW WATER BUILDING**

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 ENTER INTO A STATEMENT OF WORK AGREEMENT WITH TVC ALBANY, INC. D/B/A FIRSTLIGHT IN CONNECTION WITH THE ERIE COUNTY WATER AUTHORITY'S TELEPHONE SYSTEM UPGRADE**

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

**DISCUSSION**

Vice Chairman Carney asked if this is the phone system upgrade that has been previously discussed. Mr. Schlierf informed the Commissioner that it is. Chairman Schad added that a plan for training should be considered. Vice Chairman Carney said there should be a schedule in place sooner rather than later.

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 5 - AWARD OF CONTRACT TO DN TANKS, INC. FOR CONTRACT NO. W-031, BALL NORTH TANK REPLACEMENT, PROJECT NO. 201800139 - \$6,223,778.00**

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

**DISCUSSION**

Vice Chairman Carney asked what the timeframe was. Mr. Kowalski replied the project will start in March and be completed next summer. He remarked that there is a lot of pipework involved in replacing the tank. Mr. Carney questioned if there will be any interruption of service. Mr. Kowalski reported that storage will be lost but the south tank will be in service so there will be no interruption.

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 6 - AWARD OF CONTRACT TO STEPHAN L. GREEN TRAILERS FOR THE FURNISHING AND DELIVERING OF ONE NEW AND UNUSED ENCLOSED TRAILER (ECWA V712) WITH STANDARD WARRANTY, PROJECT NO. 201900102 - \$11,789.01**

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

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 7 - 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**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 8 - 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**

None

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 9 - KATHERINE GILLETTE - APPOINTMENT AS ASSOCIATE ATTORNEY**

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 - AUTHORIZATION TO ADOPT AN ERIE COUNTY WATER AUTHORITY  
COMPREHENSIVE STRATEGIC PLAN**

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

**DISCUSSION**

Chairman Schad remarked he will be looking at the top five projects to be designed during the budget process. He noted that there is the provision in regard to inter-governmental cooperation and one of them involves the City of Buffalo. He would like to hear from staff that we talked to the City and are working with them. He would like to make sure that the City is comfortable with the size of possible use of a new interconnection with the City. Also, he noted that he does not believe the Board has a write up from our pressure studies of why we can't solve the redundancy issue from the north. If we are going to justify this project on a request for financial support from the state, we have to show them why we can't solve it with a water supply from the north. He added that we should also be looking at our IT infrastructure. Do we want to use a consultant to help us look on global IT and getting there on the long term strategic planning. Should we be looking at what are the benchmark goals and where we want to be and what do we need to do to get there. Chairman Schad thanked everyone on the hard work on this plan.

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

**ITEM 11 – NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) DETERMINATION RELATIVE TO 48-INCH TRANSMISSION MAIN PROJECT FROM RAW WATER PUMP STATION TO VAN DE WATER TREATMENT PLANT IN THE TOWN OF TONAWANDA, NEW YORK, 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 12 – AUTHORIZATION TO SUBMIT THE NYS WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT PACKAGES TO THE NEW YORK STATE DEPARTMENT OF HEALTH, ENVIRONMENTAL FACILITIES CORP. RELATIVE TO 48-INCH TRANSMISSION MAIN PROJECT FROM RAW WATER PUMP STATION TO VAN DE WATER TREATMENT PLANT IN THE TOWN OF TONAWANDA, NEW YORK, IDENTIFIED AS CONTRACT NO. NC-040, PROJECT NO. 201900104**

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



**DISCUSSION**

Vice Chairman Carney asked if the Authority is asking for 4.2 million. Mr. Stoll informed him that there is a limit of \$3 million on these grants. Vice Chairman Carney then asked if we are limited to one project per grant application? Mr. Kowalski replied yes, and the deadline has passed.

**VOTE**

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

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

A handwritten signature in dark ink, appearing to read 'T. D. McCracken', with a stylized, flowing script.

Terrence D. McCracken  
Secretary to the Authority

PF