

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 2nd day of September 2021.

PRESENT: **Jerome D. Schad, Chair**
Peggy A. LaGree, Vice Chair (via video conference)
Michele M. Iannello, Treasurer
Terrence D. McCracken, Secretary to the Authority
Karen A. Prendergast, Chief Financial Officer
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)
Katherine A. Gillette, Associate Attorney
Matthew W. Barrett, Security Officer (via teleconference)
Jeffrey Schlierf, Acting Manager of Information Technology (via teleconference)

ATTENDEES:

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:30 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, August 19, 2021.

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, August 19, 2021.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. REPORTS**A. SECRETARY**

1. Executive Session

Discussion with the Authority's Counsel relating to proposed pending litigation pursuant to Public Officers Law § 105(1)(d)

This matter was deferred to end of the meeting.

B. LEGAL**C. FISCAL****D. OPERATIONS**

1. Fluorosilicic Acid Reject and Readvertise

Mr. Kowalski explained to the Commissioners that the Engineering department is requesting that the bids submitted on August 3, 2021 for Fluorosilicic Acid be rejected and readvertised. The Authority is currently using one of the lower grade versions of fluoride. The Engineering department sought to switch to a purer version of fluoride when they bid the project. However, the vendor supplying this product was unable to provide it. Additionally, there was a wide disparity in the bids received. Engineering recommends that the bids must be rejected and rebid using the lower grade of fluoride. Mr. Kowalski described that the higher quality version comes in more consistently, and the operators do not have to frequently adjust the chemical feed systems. He added that there are multiple vendors who supply the lower grade version of the Fluorosilicic Acid.

2. Liquid Chlorine Amendment

Leonard Kowalski reported that the Authority received a notification from JCI Jones Chemicals, Inc. (JCI) of an immediate increase in the unit price of liquid chlorine from our current contract price of \$579.00 per ton to \$749.00 per ton. JCI has identified the increase in the price of raw materials used by the producers of the liquid chlorine as the reason for the price increase. JCI was the only bidder on the original contract which was recently extended through April 30, 2022. Currently there are no alternate suppliers of

liquid chlorine in the immediate area. The Engineering and Legal departments have determined that, as no alternate source of liquid chlorine is available and that liquid chlorine is necessary in the production of safe, regulatory compliant water, the Authority must move forward with the execution of the amendment to the original contract as provided by JCI. Chairman Schad asked if we have a sense of how much it will increase the Authority's costs for the balance of the year. Ms. Prendergast replied that the budgeted amounts on the chemical lines for both Sturgeon Point Water Treatment Plant and Van de Water Treatment Plant they're at 40 and 60 percent of their annual budget, so they should be able to absorb the cost.

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 – NYCM INSURANCE COMPANY C/O ICS CLAIMS V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-2 NOC – KRISTEN PFEFFER V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-3 LETTER FROM ALICIA QUINN – RECEIVE AND FILE AND REFER TO THE SECRETARY FOR FOLLOW UP

C-4 MARIE DENNING, DATA ENTRY OPERATOR RETIREMENT– RECEIVE AND FILE AND REFER TO THE SECRETARY FOR FOLLOW UP

Chairman Schad thanked Ms. Denning for her service.

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 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 ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BROWN AND CALDWELL ASSOCIATES TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO CERTAIN WATER TRANSMISSION MAINS FROM THE STURGEON POINT WATER TREATMENT PLANT, IDENTIFIED AS CONTRACT NO. BC-002, PROJECT NO. 202100203

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 BROWN AND CALDWELL ASSOCIATES TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO THE EVALUATION OF CERTAIN TRANSMISSION MAINS FROM THE STURGEON POINT WATER TREATMENT PLANT, IDENTIFIED AS CONTRACT NO. BC-003, PROJECT NO. 202100221

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 INTO A PREVENTATIVE MAINTENANCE SERVICE AGREEMENT WITH TOSHIBA INTERNATIONAL CORPORATION TO PROVIDE PREVENTATIVE MAINTENANCE SERVICES FOR TOSHIBA VARIABLE FREQUENCY DRIVES, IDENTIFIED AS CONTRACT NO. TOSH-004, PROJECT NO. 202100006

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 SOLICIT REQUEST FOR PROPOSALS FOR MICROWAVE RADIO MAINTENANCE SERVICES, PROJECT NO. 202100087

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 REJECT BIDS AND READVERTISE FOR THE FURNISHING AND DELIVERING OF FLUOROSILICIC ACID TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR FROM NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2022, PROJECT NO. 202100108

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 - AUTHORIZATION TO AMEND THE MATERIALS AND SUPPLY CONTRACT WITH JCI JONES CHEMICALS, INC. FOR FURNISHING AND DELIVERING OF LIQUID CHLORINE IN ONE TON CONTAINERS TO THE ERIE COUNTY WATER AUTHORITY FOR THE TREATMENT OF WATER UNTIL APRIL 30, 2022, PROJECT NO. 201900007, IDENTIFIED AS CONTRACT NO. 19-05-04

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 - RESOLUTION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT ADOPTING A NEGATIVE DECLARATION FOR THE CASTLE HILL PUMP STATION, REPLACEMENT, IDENTIFIED AS CONTRACT NO. LA-002, PROJECT NO. 202000178

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 to discuss with the Authority's Counsel matters relating to proposed or pending litigation pursuant to Public Officers Law § 105(1)(d) at 9:44 a.m. Mr. Schad invited Terrence McCracken, Russell Stoll, Karen Prendergast and Katherine Gillette.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. Iannello, seconded by Ms. LaGree to exit Executive Session at 9:51 a.m.

DISCUSSION

Chairman Schad noted that a productive discussion was held with Counsel.

VOTE

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 9:52 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None



Terrence D. McCracken
Secretary to the Authority

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