

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 30th day of September 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
Russell J. Stoll, Chief Operating Officer
Mark S. Carney, General Counsel
Leonard F. Kowalski, Executive Engineer (via teleconference)
Daniel J. NeMoyer, Director of Human Resources (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:

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:35 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, September 16, 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, September 16, 2021.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. REPORTS

A. SECRETARY

B. LEGAL

1. Executive Session

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

2. Executive Session

Discussion of a matter made confidential by federal or law (i.e. the attorney-client and deliberative process privileges) pursuant to Public Officers Law § 108(2)

Executive Sessions were deferred to the end of the meeting.

C. FISCAL

1. August 2021 Investment Report

Karen Prendergast distributed the August 2021 Investment Report along with a brief explanation of the report.

2. Monthly Financial Report – August 2021

Karen Prendergast distributed the August 2021 Monthly Financial report which includes operating revenue, investment income, operating expense and net income, and briefly reviewed the data.

D. OPERATIONS

1. Sturgeon Point WTP Line Maintenance Building
and Windom Pump Station Storage & Operation Facility (CCII)

Executive Engineer Kowalski informed the Board that the Authority recently issued a Request for Proposal (RFP) for design and construction of two new facilities: a Line Maintenance Building at the Sturgeon Point Water Treatment Plant (WTP) and a Storage and

Operations Facility at the Windom Pump Station (PS). RFPs were issued to six consulting engineering firms, and five proposals were received. Due to its confidential nature, the project was not posted on the Authority's website. The proposals were reviewed and discussed among Engineering and Control Department staff. It was determined that Hunt EAS was the best firm for this project due to a combination of experience and qualifications. The Engineering Department would like to move forward with negotiations with Hunt EAS to develop a Professional Services Contract for the referenced project. Commissioner Schad commented that he is pleased with expanding the Authority's base of firms with whom we are contracting and to keep that in mind as we move into a more aggressive capital year. Commissioner Iannello remarked that it is wonderful that we are moving forward on projects that will create efficiency for our employees. Mr. Kowalski noted that Hunt will be responsible for both projects even though it is under one contract.

2. Evaluation of Pump Station Improvements

Windom, Horner, East Aurora & Hamburg Pump Stations (CCII)

Executive Engineer Kowalski informed the Board that the Authority recently issued a Request for Proposal (RFP) for the completion of an evaluation of pump station improvements for four pump stations: Windom, Horner, East Aurora, and Hamburg. RFPs were issued to four consulting engineering firms, and three proposals were received. Due to its confidential nature, the project was not posted on the Authority's website. The proposals were reviewed and discussed among Engineering and Control Department staff. It was determined that Hazen and Sawyer was the best firm for this project due to a combination of experience and qualifications. The Engineering Department would like to move forward with negotiations with Hazen and Sawyer to develop a Professional Services Contract for the referenced project.

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 FOIL FROM SMARTPROCURE REGARDING PO/VENDOR INFORMATION – RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-2 FOIL FROM NYS WATER RESOURCES INSTITUTE REGARDING TOC AND BROMIDE WATER QUALITY DATA IN 2018 – RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-3 FOIL FROM KEN KRULY RELATIVE TO ECWA’S 2021 ADOPTED BUDGET, DEBT OBLIGATIONS, ROSTER OF ECWA EMPLOYEES AS OF SEPTEMBER 1, 2021 AND INFORMATION REGARDING EMPLOYEE BENEFITS FOR ECWA COMMISSIONERS – RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-4 NOC – TINA LODESTRO V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-5 LETTER FROM THE VILLAGE OF ALDEN – RECEIVE AND FILE AND REFER TO ENGINEERING 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 Ms. LaGree and seconded by Ms. Iannello and carried

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 2 - RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT IN CONNECTION WITH PIN NO. 5813.11, PROJECT NO. 202100180

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 ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERING OF VARIOUS WOOD PRODUCTS TO THE ERIE COUNTY WATER AUTHORITY FROM NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2022, PROJECT NO. 202100197

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 ADVERTISE FOR BIDS FOR WATERMAIN MATERIALS PURCHASE CONTRACT FROM JANUARY 1, 2022 TO JUNE 30, 2022, PROJECT NO. 202200001

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 GRANT LEAK ALLOWANCE REQUESTS - \$1,599.77

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 EXECUTE ENGAGEMENT LETTERS FOR RATINGS AS REQUIRED BY THE WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA) LOAN AGREEMENT

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 ADOPT THE RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-01)

Motion by Ms. LaGree and there being no second, the motion fails.

DISCUSSION

None

VOTE

Ayes: None
Noes: Three; Commrs. Schad, LaGree and Iannello

ITEM 8 - APPROVAL OF AMENDMENT TO POLICY NO. 9.0 (USE OF AUTHORITY VEHICLES)

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 for discussion relating to pending litigation with the Authority's General Counsel pursuant to Public Officers Law §105(1)(d) and §108(3) at 9:49 a.m. Mr. Schad invited Mr. McCracken, Mr. Carney, Ms. Prendergast and Mr. Stoll.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Mr. LaGree, seconded by Ms. Iannello to exit Executive Session at 10:00 a.m.

DISCUSSION

Chairman Schad noted that a productive discussion was held with General Counsel, and he has been given further direction.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to go into Executive Session for discussion of a matter made confidential by federal or law (i.e. the attorney-client and deliberative process privileges) pursuant to Public Officers Law § 108(2) at 10:01 a.m. Mr. Schad invited Mr. McCracken, Mr. Carney, Ms. Prendergast and Mr. Stoll.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Mr. LaGree, seconded by Ms. Iannello to exit Executive Session at 10:29 a.m.

DISCUSSION

Chairman Schad noted that a productive session was held with General Counsel, and he has been given further direction.

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 10:29 a.m.

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

PG