

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 15th day of August 2024.

PRESENT: Jerome D. Schad, Chair
Peggy A. LaGree, Vice Chair
Michele M. Iannello, Treasurer
Terrence D. McCracken, Secretary to the Authority
Joyce A. Tomaka, Chief Financial Officer
Charles E. Eaton, Chief Operating Officer
Mark S. Carney, General Counsel
Leonard F. Kowalski, Executive Engineer
Jennifer Hibit, Director of Human Resources
Lavonya C. Lester, Director of Administration
Sabrina A. Figler, Director of Water Quality
Jessica R. Brown, Comptroller
Katherine A. Gillette, Senior Associate Attorney
David W. Aubertine, Director of Cybersecurity and Information Technology
Matthew W. Barrett, Security Officer

ATTENDEES: Brian Gould, e3 Communications, via teleconference
Dave Fox, Raftelis, via teleconference

PLEDGE TO THE FLAG

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:34 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, July 18, 2024.

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, July 18, 2024.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. REPORTS**A. SECRETARY**

1. Grant Submission Update

Secretary McCracken provided the Board with an update on the progress of the grant submissions for the last year. Secretary McCracken noted that J. O’Connell and Associates have been scheduled to appear at the January 2025 Board Meeting to discuss upcoming grant opportunities. Commissioner LaGree requested grant update be included in the Department Reports.

2. e3 Communications Presentation - Media Rollout – EPA Lead and Copper Rule Revision

Brian Gould, e3 Communications, gave an overview of the media rollout for the EPA Lead and Copper Rule Revision. Mr. Gould discussed an initial notification letter that will be sent to all Authority customers and a second letter that will be sent to Authority customers who are impacted by lead service lines. Mr. Gould also discussed plans for direct communications with the impacted customers, including a media event. Commissioner LaGree requested that the Board be able to review the customer letters prior to mailing.

B. LEGAL**C. FISCAL**

1. Raftelis Presentation

Dave Fox, Raftelis, gave the Board a presentation regarding the rate analysis completed for 2025. Mr. Fox discussed the following items:

- Water Industry Financial Context
- Strategic Plan & Infrastructure Needs
- Financial Scenarios
- Affordability

Commissioner LaGree inquired if the increase in rates will fund the EPA Lead and Copper mandates. Mr. Fox acknowledged it would fully cover the mandates in 2025. Chairman Schad inquired on whether the new operations center was included in the projection. Joyce Tomaka stated that the only funding included in the rate analysis for the new operations center is for site work. A discussion ensued regarding the anticipated WIFIA loans.

2. June 2024 Investment Report

Joyce Tomaka distributed the June 2024 Investment Report along with a brief explanation of the report.

3. June 2024 Financial Report

Jessica Brown distributed the June 2024 Monthly Financial Report and briefly reviewed the data. A discussion was held.

D. OPERATIONS

1. Final Payment Applications

Leonard Kowalski reported to the Board the listing of completed Final Payment Applications for Engineering Contracts:

- Guenther Pump Station Rehabilitation, Contract No. GHD-007, PN 201800138
- Asbestos Cement Pipe (ACP) Removal and Disposal 06/01/2021 through 05/31/2023, PN 202100013
- Water Systems Improvements, Towns of Cheektowaga and Amherst, Contract No. DA-011, PN 202100031
- Water System Improvements, Town of Hamburg, Contract No. CH-014, PN 202100034
- Storage Tank Refurbishing – Rice Hill, Wohlhueter, and Crestwood, Contract No. W-034-A, PN 202100193
- Storage Tank Refurbishing – Cole Road and Eden 4, PN 202100193

2. Projects advertised for Bidding – Short Form Contracts

Leonard Kowalski reported to the Board two Short Form Contracts that have been advertised for bidding since the last Board Meeting:

- Purchase of Diesel Rotary Screw Air Compressor, PN 202400083
- Purchase of Submersible Solids Pump – Sturgeon Point WTP, PN 202400168

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 NOTICE OF CLAIM – BELLANCA V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 FOIL FROM NORTH AMERICA PROCUREMENT COUNCIL - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-3 FOIL FROM NORTH AMERICA PROCUREMENT COUNCIL - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-4 FOIL FROM LIEN ONE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-5 FOIL FROM CROWN TITLE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-6 FOIL FROM RASHEDA POLLY ESQ. - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-7 FOIL FROM RACHEL SILBAK - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM MAUREEN MAYER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

VI. PERSONS ADDRESSING THE AUTHORITY

Pursuant to the Erie County Water Authority’s Open Meetings Law Policy Section 10 Public Expression, as posted on its website, the Commissioners will hear the concerns of persons desiring to address the Commissioners on any Water Authority subject. No one appeared to speak. Secretary McCracken informed the Board of a person who was scheduled to attend the Board Meeting. Mr. McCracken requested the Board to permit the person to speak if they arrive later in the meeting.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

ITEM 1 - NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) LEAD AGENCY DESIGNATION AND DETERMINATION RELATIVE TO STURGEON POINT WATER TREATMENT PLANT RESIDUALS DRYING BED EXPANSION, PROJECT NO. 202100242

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 EXECUTE AN EXTENSION OF THE RIGHT OF ENTRY AGREEMENT WITH THE TOWN OF TONAWANDA, NEW YORK RELATING TO WATER SYSTEM IMPROVEMENTS TRANSMISSION MAIN INSTALLATION, IDENTIFIED AS CONTRACT NO. MP-084, PROJECT NO. 202000084

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 - AWARD OF CONTRACT TO JCI JONES CHEMICAL, INC. FOR THE FURNISHING AND DELIVERING OF LIQUID CHLORINE IN ONE TON CONTAINERS TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR, PROJECT NO. 202400124 - \$673,400.00

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

On the question, Chairman Schad asked if the difference between the bid prices from last year in comparison to this year was due to increased competition. Mr. Kowalski agreed and noted the prices are trending down.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 4 - AWARD OF CONTRACT TO JCI JONES CHEMICAL, INC. FOR THE FURNISHING AND DELIVERING OF CAUSTIC SODA (50% SOLUTION OF SODIUM HYDROXIDE) MEMBRANE GRADE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR, PROJECT NO. 202400125 - \$396,000.00

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 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT WITH ARCADIS OF NEW YORK, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO EPA LEAD AND COPPER RULE REVISIONS PROGRAM MANAGEMENT, IDENTIFIED AS CONTRACT NO. MP-091, PROJECT NO. 202200135

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 6 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GZA GEOENVIRONMENTAL OF NEW YORK RELATING TO STURGEON POINT WATER TREATMENT PLANT SHORELINE PROTECTION PROJECT, IDENTIFIED AS CONTRACT NO. GZA-001, PROJECT NO. 202200039

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 7 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH LABELLA ASSOCIATES, D.P.C. RELATING TO WATER SYSTEM IMPROVEMENTS IN THE CITY OF TONAWANDA, NEW YORK, IDENTIFIED AS CONTRACT NO. LA-005, PROJECT NO. 202100025

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

**ITEM 8 - APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT WITH
ONSOLVE, LLC. TO FURNISH AND DELIVER A MASS NOTIFICATION
SYSTEM, IDENTIFIED AS CONTRACT NO. OS-001, PROJECT NO.
202100207**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

**ITEM 9 - APPROVAL OF AMENDMENT NO. 2 TO THE CONTRACT WITH
GREATER NIAGARA MECHANICAL, INC. FOR HEATING,
VENTILATING, AND AIR CONDITIONING SERVICE AND PREVENTIVE
MAINTENANCE WORK, IDENTIFIED AS CONTRACT NO. 22-46-12,
PROJECT NO. 202200217**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

**ITEM 10 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES
CONTRACT WITH ARCADIS OF NEW YORK, INC. TO PROVIDE
CONSULTING ENGINEERING SERVICES FOR STURGEON POINT
WATER TREATMENT PLANT WASHWATER TANK REPLACEMENT,
IDENTIFIED AS CONTRACT NO. MP-088, PROJECT NO. 202100111**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 11 - APPROVAL OF AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE ARC ERIE COUNTY NEW YORK RELATING TO GENERAL CLEANING SERVICES FOR THE ERIE COUNTY WATER AUTHORITY SERVICE CENTER, 3030 UNION ROAD, CHEEKTOWAGA, NEW YORK, PROJECT NO. 202000211

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 12 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 13 - AUTHORIZATION TO GRANT A COURTESY REVERSAL OF DELINQUENT CHARGES FOR ROSINA FOOD PRODUCTS INC. - \$2,180.24

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 14 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2024 – GUENTHER PUMP STATION BOILER REPLACEMENT - \$40,000

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 15 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2024 – PORTABLE GENERATOR ALTERNATOR - \$25,000

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 16 - CREATION OF ONE POSITION OF ANALYTICAL CHEMIST (WATER QUALITY)

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 17 - CREATION OF THREE POSITIONS OF ACCOUNT CLERK

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 18 - AUTHORIZATION FOR SABRINA FIGLER, DIRECTOR OF WATER QUALITY AND GABRIELLA HOLEVINSKI, ANALYTICAL CHEMIST (WATER QUALITY) TO ATTEND THE AWWA WATER QUALITY TECHNOLOGY CONFERENCE IN SCHAUMBURG, ILLINOIS

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Chairman Schad noted the floor was left open for the Commissioners to hear the concerns of persons desiring to address the Commissioners on any Water Authority subject. No one appeared to speak.

VIII. ADJOURNMENT

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 10:36 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None



Terrence D. McCracken
Secretary to the Authority

ALH