

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 21st day of November 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
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:

PLEDGE TO THE FLAG

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, October 17, 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, October 17, 2024.

DISCUSSION

None

VOTE

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

IV. REPORTS

A. SECRETARY

B. LEGAL

C. FISCAL

1. September 2024 Investment Report

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

2. September 2024 Financial Report

Jessica Brown distributed the September 2024 Monthly Financial Report and briefly reviewed the data.

D. OPERATIONS

1. Projects Advertised for Bidding – Formal Contract

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

- Fencing and Guiderail Maintenance, Replacement, and Alteration Contract, PN 202500011
- W-030, Water System Improvements, 36 and 42-inch Transmission Main Replacement Project, Town of Amherst, PN 201800074

2. Projects Advertised for Bidding – Formal Contract

Leonard Kowalski reported to the Board one Short Form Contract that has been advertised for bidding since the last Board Meeting:

- Furnish and Deliver Various Wood Products, PN 202500005

3. Final Payment Applications

Leonard Kowalski reported to the Board one completed Final Payment Application for Engineering Contracts:

- Contract W-034-C Storage Tank Refurbishing, Colvin, PN 202100193

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 NEW YORK FOUNDATION FOR FAIR CONTRACTING - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-2 FOIL FROM ELLEN GEITTER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-3 FOIL FROM ROBYN BELLERSON - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-4 FOIL FROM JOHN HINSHAW - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-5 FOIL FROM EMMANUEL AGU - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-6 FOIL FROM LIEN ONE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-7 FOIL FROM MICHELE FRENETT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-8 FOIL FROM KANDEY CO. - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-9 FOIL FROM NEW YORK FOUNDATION FOR FAIR CONTRACTING - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-10 LETTER FROM DAVID M. PATTON - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

The Commissioners thanked Mr. Patton for his years of service, noted he was a great asset to the Authority and wished him well on his new endeavor.

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.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

ITEM 1 - AUTHORIZATION TO FUND MANDATED PUBLIC AND PRIVATE SIDE LEAD SERVICE LINE REPLACEMENTS

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

DISCUSSION

On the question, Commissioner LaGree sought clarification concerning communications with the municipalities under leased management agreements. Mr. Kowalski elaborated on the measures that have been implemented thus far, as well as the forthcoming initiatives that are planned. Mr. Carney briefly provided an overview of pertinent elements included within the lease management agreements.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 2 - AUTHORIZATION TO EXECUTE AN UPDATED REVOCABLE PERMIT FOR NONCOMMERCIAL USE OF UNIVERSITY FACILITIES WITH THE STATE UNIVERSITY OF NEW YORK AT BUFFALO RELATING TO CONTRACT NO. MP-086, BALL PUMPING STATION IMPROVEMENTS, PROJECT NO. 202000177

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 INCORPORATE A PROJECT LABOR AGREEMENT IN THE CONTRACT DOCUMENTS OF BALL PUMP STATION PHASE 1 REHABILITATION, IDENTIFIED AS CONTRACT MP-086, PROJECT NO. 202000177

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 - APPROVAL OF CHANGE ORDER NO. 1 OF HOHL INDUSTRIAL SERVICES, INC FOR RESIDUALS HANDLING UPGRADES, VAN DE WATER WATER TREATMENT PLANT, IDENTIFIED AS CONTRACT NO. GHD-008, PROJECT NO. 201900208 - \$450,000.00

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

DISCUSSION

On the question, Commissioner Iannello requested explanation regarding the demolition referenced in the Change Order. Mr. Kowalski gave a brief overview of the demolition activities and the present status of the project.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - APPROVAL OF AMENDMENT NO. 2 TO THE MATERIAL AND SUPPLIES CONTRACT WITH NEPTUNE TECHNOLOGY GROUP, INC. FOR THE FURNISHING AND DELIVERING OF WATER METERS AND APPURTENANCES FROM JANUARY 1, 2021 TO DECEMBER 31, 2023, PROJECT NO. 202000220

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. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH U.S. TRAFFIC CONTROL, LLC FOR EMERGENCY TRAFFIC EQUIPMENT CONTROL RENTAL AND RELATED SERVICES, IDENTIFIED AS CONTRACT NO UST-001, PROJECT NO. 202100135

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. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CORPORATE SCREENING & INVESTIGATIVE GROUP, LLC TO RENDER PRE-EMPLOYMENT BACKGROUND INVESTIGATION AND NATIONAL COMPREHENSIVE REPORTS, IDENTIFIED AS CONTRACT NO. CSI-001, PROJECT NO. 202200018

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 8 - RATIFICATION OF THE INSTALLATION OF WATER DISTRIBUTION SYSTEM REPLACEMENTS AND IMPROVEMENTS AND RETIREMENT OF EXISTING WATER INFRASTRUCTURE - VARIOUS LOCATIONS

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 9 - 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 10 - AUTHORIZATION TO AMEND POLICY NO. 97 PARKING REIMBURSEMENT OF THE ERIE COUNTY WATER AUTHORITY'S EMPLOYEE POLICY AND PROCEDURES MANUAL

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 11 - AUTHORIZATION TO ADOPT POLICY NO. 98 NOTICE TO EMPLOYEE AND INCORPORATE INTO THE ERIE COUNTY WATER AUTHORITY'S EMPLOYEE POLICIES AND PROCEDURES MANUAL

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 12 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S TARIFF

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

DISCUSSION

On the question, Chairman Schad commended the staff for their hard work.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

ITEM 13 - CREATION OF ONE POSITION OF DIRECTOR OF DISTRIBUTION (WATER SYSTEM), ONE POSITION OF DIRECTOR OF PRODUCTION (WATER SYSTEM) AND ONE POSITION OF DIRECTOR OF PLANNING AND WATER SUPPLY

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

VIII. 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

A handwritten signature in black ink, appearing to read 'T.D. McCracken', with a long horizontal flourish extending to the right.

Terrence D. McCracken
Secretary to the Authority

ALH