

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 24th day of January 2019.

PRESENT: Jerome D. Schad, Chairman
Mark S. Carney, Vice Chairman
E. Thomas Jones, Treasurer
Terrence D. McCracken, Secretary to the Authority
Karen A. Prendergast, Comptroller
Robert J. Lichtenthal, Jr., Deputy Director
Jacqueline Mattina, Associate Attorney
Russell J. Stoll, Executive Engineer
Daniel J. NeMoyer, Director of Human Resources
Steven V. D'Amico, Business Office Manager
Sabrina Figler, Director of Water Quality
Anthony Alessi, Claims Rep/Risk Manager
Joseph T. Burns, Deputy Administrative Director
Matthew Barrett, Security Officer

ATTENDEES:

CALL TO ORDER AT 10:38 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, January 10, 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, as amended, of the Meeting held on Thursday, January 10, 2019.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

IV. – REPORTS

A) SECRETARY

1. Organizational Chart Updates

McCracken

Mr. McCracken distributed a revised and updated organizational chart for the Authority. He advised this is a work in progress. He discussed this with Mr. Stoll, Ms. Prendergast, Ms. Murphy and briefly with Mr. Lichtenthal. He requested input from the Commissioners.

Mr. Schad expressed his concern that the Authority needs to be compliant with the ABO requirement to post the Authority's organizational chart. Mr. Lichtenthal advised that the Authority does currently have an organizational chart in place, therefore the Authority is compliant.

Mr. Jones indicated his concerns as the Authority's enabling legislation only mentions two staff persons under the Board of Commissioners, the Attorney for the Authority and Engineer for the Authority. He feels the Executive Engineer should be on the same level as the Attorney.

Mr. Schad expressed his disagreement with this and referred to Mr. Lichtenthal for input. Mr. Lichtenthal stated the Authority's organizational chart in the past has clear lines of authority as to who reports to who and who has budgetary responsibilities and thus the obligation to get the job done. Mr. Jones disagrees and feels that since the Executive Engineer is appointed directly by the Board, as is the Attorney. Mr. Jones feels that somebody appointed directly by the Board should be reporting directly to the Board, especially since that position is specifically mentioned in the enabling legislation.

Mr. Carney questioned whether this has been reviewed with the new Executive Director. Mr. Carney stated that he has no objection to this chart but advised that this needs to be reviewed with the new Executive Director when he starts.

Mr. Schad would like this discussed with Mr. Mye and brought back to the Board at one of the February board meetings.

B) LEGAL

No Report

C) FISCAL

1. Investment Report Lichtenthal

Mr. Lichtenthal distributed and reviewed the December 2018 Investment Report. He advised that there was a decline in cash balance because as of December 1, 2018 as the 2008 bonds were finally paid off.

Mr. Jones brought up the end of March deadlines for the ABO filing and questioned the scheduling of meetings. Ms. Prendergast advised that Drescher and Malecki are on the agenda for the March 21, 2019 meeting. Mr. Jones advised he has a scheduling issue for the last week in March. Ms. Prendergast advised that the March 21st meeting will be the last meeting necessary. Mr. Lichtenthal advised that there might be some time constraints as Drescher & Malecki needs to have an exit conference with staff and have draft statements by the deadline at Noon on March 12, 2019 for the March 21, 2019 meeting. Mr. Carney requested the Board to review the upcoming meeting dates.

2. Utilities Billing Audit Lichtenthal

Mr. Lichtenthal distributed a memo regarding Troy and Banks, a company that researches municipalities utility bills to determine if they have overpaid. He advised that the company has had great success in recovering funds for clients in the public and private sector. Mr. Lichtenthal believes the Authority can piggyback off of a contract with Rockland County and not go through a bid or RFP process and with the Board's approval enter into an agreement to perform a utility audit. The company would receive payment only if it is successful in recovering any monies. Mr. Lichtenthal advised that Rockland County was successful with this company and requested that the Authority look into piggybacking off of Rockland County's contract. Mr. Carney expressed his concerns about the Authority making a decision based another county's decision versus using the RFP process. Mr. Schad asked Legal to research this matter and report back to the Board.

3. 2019-2020 Insurance Program
Lichtenthal

Mr. Lichtenthal distributed a memo regarding ECWA insurance program. He advised that past practice when this was sent out as an RFP, it was sometime arduous and at times did not serve the Authority's best interests. The Authority went with hiring a broker to go to the marketplace on the Authority's behalf. He advised this was three years ago and the Board needs

to decide how to move forward at this time. Mr. Lichtenthal recommends extending the broker of record for another year. Mr. Carney and Mr. Schad advised to place this matter on the agenda for the next meeting.

D) OPERATIONS

1. RFP Design and Construction of Raw Water Transmission Main Stoll

Mr. Stoll distributed a proposed RFP for two projects coming up in the next year. The first is the design and construction for a raw water transmission main and the second is a routing study for delivered water transmission main. He gave an overview of the projects. Mr. Carney questioned if this is for two separate projects if there should be two separate RFPs. Mr. Stoll advised that they would be sent to the appropriate firms for the different projects. The Board advised to move forward and this will be on the next agenda for resolution.

E) HUMAN RESOURCES

No Report

F) AUDIT COMMITTEE

No Report

G) GOVERNANCE COMMITTEE

No Report

H) FINANCE COMMITTEE

No Report

I) ETHICS BOARD

No Report

V. - COMMUNICATIONS AND BILLS

ITEM 1 - Creation and/or Amendment of Master Purchase Orders:

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 - Master Purchase Order Releases, Purchase Orders and Purchase Order Amendments:

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 Retirement J. Mogavero – RECEIVED AND FILED. Mr. Schad was hoping Mr. Mogavero was here to thank him for his time and service.

ITEM 4 FOIL - K. McNulty - RECEIVED AND FILED

ITEM 5 FOIL - Legislator Lorigo, Erie County Legislature - RECEIVED AND FILED

ITEM 6 Notice of Filing Late Claim Barry v. ECWA - RECEIVED AND FILED

ITEM 7 Notice of Claim National Grid - RECEIVED AND FILED

ITEM 8 Notice of Claim National Fuel - RECEIVED AND FILED

ITEM 9 Notice of Claim National Fuel - RECEIVED AND FILED

Mr. Schad advised that he had some discussions with Mr. Alessi regarding the matters with National Grid. Mr. Carney requested that our Attorney and Tony Alessi set up a meeting with National Grid's local in-house counsel to come up with an amicable resolution to these claims.

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. - NEW BUSINESS

ITEM 10 - AWARD OF CONTRACT TO 716 SITE CONTRACTING, INC. FOR SMALL SERVICES CONTRACT, AREA #2, FEBRUARY 1, 2019 THROUGH JANUARY 31, 2021, PROJECT NO. 201900004 - \$1,752,400.00

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

DISCUSSION

Mr. Carney asked for clarification of “corrected figure” on the resolution. He reminded the Board that this situation came up in the past and it was a problem. Ms. Prendergast advised that this was a result of a “unit minimum price” item and that 716 still remains the low bidder. Mr. Stoll advised that the process of the bid openings is that all bids are open and then their figures are checked for errors. Mr. Stoll reiterated that this did not change the fact that 716 is the lowest bidder. Mr. Schad asked Ms. Mattina if Legal had reviewed this matter. Ms. Mattina responded that Ms. Murphy reviewed this and she added that it is allowable to accept a bid with corrected figures depending on the circumstances.

VOTE

Ayes: Two; Commrs. Schad and Jones

Noes: One; Commr. Carney

ITEM 11 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR WATERLINE REPLACEMENT PROJECTS 2019-2020, PROJECT NO. 201900001

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 ADVERTISE FOR BIDS FOR FURNISHING AND DELIVERING OF LIQUID CHLORINE IN ONE TON CONTAINERS TO THE ERIE COUNTY WATER AUTHORITY FOR THE TREATMENT OF WATER FROM MAY 1, 2019 THROUGH APRIL 30, 2021, PROJECT NO. 201900007

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 13 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 14 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUEST – 4,285.72

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 15 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2018

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 16 - AUTHORIZATION FOR RUSSELL J. STOLL, EXECUTIVE ENGINEER, TO ATTEND THE AMERICAN WATER WORKS ASSOCIATION NEW YORK SECTION 2019 NEW YORK WATER EVENT CONFERENCE IN SARATOGA SPRINGS, NEW YORK

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

DISCUSSION

Mr. Carney and Mr. Schad advised that they are proponents to continued training and asked Mr. Stoll if there were other employees that could benefit from this training.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 17 - AUTHORIZATION FOR SUSAN RINALDO, CASH MANAGER TO ATTEND THE NYS GFOA ANNUAL CONFERENCE IN ALBANY, NEW YORK

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 18 - AUTHORIZATION FOR SABRINA A. FIGLER, DIRECTOR OF WATER QUALITY, TO ATTEND THE AMERICAN WATER WORKS ASSOCIATION NEW YORK SECTION 2019 NEW YORK WATER EVENT CONFERENCE IN SARATOGA SPRINGS, NEW YORK

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

ITEM 19 - Service Connection Work Order List

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None

IX. - ADJOURNMENT

Motion by Mr. Carney and seconded by Mr. Jones and carried that the meeting adjourn at 11:32 a.m.

DISCUSSION

Mr. Schad noted that in the near future the meetings will be broadcast live and advised everyone to make an effort to look up more instead of looking down all the time at paperwork.

VOTE

Ayes: Three; Commrs. Schad, Carney and Jones

Noes: None



Terrence D. McCracken
Secretary to the Authority

SLZ