

Minutes

NORTH CHAUTAUQUA COUNTY WATER DISTRICT BOARD

Thursday, March 12, 2020, 4:00 p.m.

Fireside Manor Restaurant

5377 W. Lake Road, Dunkirk, NY 14048

Chairman Purol called the meeting to order at 4:05 p.m.

The roll was called and a quorum was present.

Members Present: Dan Pacos, Richard Purol, John Walker, Richard Frost, Dave Hazelton, Jay Warren and Brian Purol

Members Absent: Dan Schrantz and Terry Niebel

Others: Kathy Tampio, Juan Pagan, Eric Wies, Jim Crowell, Randy Woodbury, Doug Essek, Roger Pacos, Nate Aldrich, Rick Johnson, Patty Hammond, Paul Snyder, Tom Wik and Jacqueline Phelps

MOVED by Hazelton, SECONDED by Walker, the minutes of 2-13-2020 were approved by unanimous vote.

Privilege of the Floor – No one spoke at this time.

Communications

1. City of Dunkirk Water invoices for Roberts Rd & Urban meter and Franklin & Greenhurst meter
2. Email communication from City of Dunkirk Attorney Morrisroe re: Water Purchase/Supply Agreement amendment
3. Email Communication - ESD Grant Disbursement deadline extension to April 1, 2021 to allow for a CPA to verify project costs

Unfinished Business

1. **Fredonia Interconnections** – Village of Fredonia will wait for Water Purchase/Supply agreement with City of Dunkirk to be amended for other entities to supply the District water in an emergency only.
2. **Amendment to the Water Purchase/Supply Agreement with the City of Dunkirk** – City of Dunkirk Mayor Rosas, City Attorney Morrisroe and Randy Woodbury have agreed with language to amend the Water Purchase/Supply Agreement to allow for emergency water supply from/to other entities. Section 1 of the agreement will be amended as follows with the addition of underlined language;

PURCHASE OF WATER BY THE DISTRICT: The District agrees to purchase from the Supplier and the Supplier agrees to sell to the District all water distributed by the Purchasers except the water distributed in the northeast part of Sheridan currently received from ECWA and except the water distributed in Pomfret currently received from Fredonia. The City will be the only supplier of water to the District. **Notwithstanding the foregoing, the City acknowledges that the District may purchase water from an alternative source in the case of an emergency. Subject to the City's available supply capacity, the District may also distribute water purchased from the City to entities other than the Purchasers. Interconnections to other suppliers (Fredonia, Westfield, Silver Creek, etc.) to the District are permitted, but will only be used under emergency situations. Examples include interruption of supply from the City, District water system failure that results in the City supply being insufficient, and emergency services (structure fire) that requires additional supply. The interconnections may also be used to supply City water to other suppliers (Fredonia, Westfield, Silver Creek, etc.) should an emergency situation occur within their systems. The interconnections will be locked and will only be utilized with concurrence from the City (Mayor or Public Works Director) and the District (Chairman, Executive Director, or Chief Operator).**

The amendment will be subject to approval by the City of Dunkirk Council.

MOTION by Hazelton, SECONDED by Pacos to approve the amendment to the Water Purchase/Supply Agreement with the City of Dunkirk and authorize the Chairman to execute the amended agreement on behalf of the NCCWD.

Unanimously Carried

3. **Vulnerability Assessment** – Paul Snyder of the CCDOH will assist Drew Smith and CPL in the development and review of a Vulnerability Assessment for the District service area to submit to NYSDOH for final review and approval by the end of this year.

New Business

- MOTION by Hazelton, SECONDED by Warren to approve payment of CPL Invoice #67353 in the amount of 49,400 for Professional Services.
Unanimously Carried
- MOTION by Pacos, SECONDED by Walker to approve payment of DJM Contract 5 – Water Meter Vaults Final Payout and release of retainage in the amount of \$26,430.00 on condition of receiving approved closeout documents.
Unanimously Carried
- MOTION by Walker, SECONDED by Hazelton to approve payment of 716 Site Contracting – Contract 8 – Rt. 5 Watermain in the amount of \$20,540.00 less retainage.
Unanimously Carried
- MOTION by Hazelton, SECONDED by Frost in support of transfer of property to the County from the Town of Dunkirk for the Phase II Pump Station location and the transfer of property from the Town of Sheridan for the Phase II Water Storage Tank location.
Unanimously Carried

- CBI Water Works Invoices for Insurance for Route 5 Portland pump station for 2019 and 2020 – hold for payment until receive Insurance Company Invoice

Reports

✓ Financial Report and Administrative Update – Kathy Tampio

NORTH CHAUTAUQUA COUNTY WATER DISTRICT - Financial Report

Prepared by Kathy Tampio

3/12/2020

CAPITAL PROJECT EXPENSE

VENDOR	Contract Amount	Expense to date	DESCRIPTION	EXPENSE PENDING APPROVAL
CPL-3RD amended	\$ 1,372,902.00	\$ 1,096,092.00	Professional Services - Engineering	\$ 49,400.00
Chaut. County Engineer		\$ 20,523.66	Professional Services of Paul Snyder	
CSX		\$ 6,850.00	Permit Fee	
CSX - Engineer fee		\$ 25,130.84	Inspection Fees per Agreement	
Norfolk Southern		\$ 12,500.00	Permit Fee	
Norfolk Southern		\$ 11,431.84	Engineering/inspection fees	
NYS DEC		\$ 330.00	Base permit fees	
National Grid		\$ 3,800.00	Permit Fee	
Empire State Development		\$ 250.00	Grant application fee	
Chaut. County		\$ 913.90	Map & Plan amendment printing	
Chaut. County		\$ 5,797.73	Map & Plan amendment mailing postage	
Observer/P-J		\$ 54.27	Legal Ads - Notice required by NYS DEC	
Observer/P-J		\$ 117.90	Legal Ads- Map & Plan amendment	
Brocton Village		\$ 63,560.25	Capital Project Overrun Reimbursement	
Brocton Village		\$ 439,895.05	Capital Lease - EFC Loan Debt Service	
Contract 8 - 716	\$ 1,367,675.00	\$ 1,336,371.00	Contract 8 - Sheridan Water Main const.	
Contract 5 - DJM	\$ 531,000.00	\$ 528,600.00	Contract 5 - meter vaults const.	

Contract -			Contract - water main to new tank	
Contract -			Contract - Water Storage Tank	
Contract -			Contract - Pump Station	
Dunkirk Upsizing	\$ 271,000.00	\$ 271,000.00		
ESD GDA Fee	\$ 10,384.19	\$ 10,384.19		
TOTAL CAPITAL EXPENSE TO DATE		\$ 3,833,602.63		\$ 49,400.00

County Interim funding - Capital - CC RES 236-19 extended up to \$4mil to 12/31/2020

\$
3,883,002.63 Total expense + pending expense
\$
116,997.37 Remaining

- ✓ Meeting with Jeff Smith of Municipal Solutions on 3/5/2020 and NCCWD board members Frost, Purol, Walker and engineer Seth Krull (CPL) to begin the process to execute the WIIA grant agreement with EFC
- ✓ Meeting with County Finance and Law officials, Eric Wies (CPL) and District board members Frost, Purol and Walker on 3/12/2020 to discuss capital project financing going forward. At this time no new county interim funds are needed. EFC and ESD grant funds will be able to be utilized to finish the project. Discussion of outstanding CBI Water Works bills – the County understands their cash flow challenges and is okay with carrying the outstanding receivables.
- Capital Project Construction Update – Eric Wies
 - Wrap up of Contract 5 and 8 almost complete with final submissions.
 - Design and agency approvals of Phase II will be completed soon.
 - Phase II will go out to bid late Spring
 - Fredonia Interconnects are part of the design – can be considered an alternate in the bid process or a later change order contingent on Village of Fredonia approval to proceed with the interconnections.

Discussion:

- 5-year plan for future NCCWD Capital Projects – Eric Wies – suggestions -
 - Complete Route 5 water main transmission west to Pennsylvania line
 - Route 20 expansion in Town of Sheridan
 - Rehab existing water mains in Shorewood area (local project)
 - Replace 8” water main from Athenex to conference center in Town of Dunkirk
 - Rehab water storage tank – Industrial Park if needed after current capital project completed
- Northern Chautauqua Community Foundation – Local Economic Development Committee – Rick Johnson, Patty Hammond
 - Rick presented the 34 year history of NCCF
 - Rick discussed the activities and focus of the LED economic development initiatives for economic prosperity for the region. Stressed Progress not Process.

Working with County Partnership for Economic Progress and developing public/private partnership.

- Offered assistance to municipalities.
- Juan Pagan – reported that some individuals cannot afford to pay for hook-ups to new water mains. Asked for ways to assist these individuals. Paul Snyder offered to check with County for any funds that might be available. Eric Wies mentioned that USDA Rural Development may have grants to assist.

Other:

- Dave Hazelton inquired about a report that was requested re: CBI Water Works Financial audit. Richard Purol reported that in discussion with Attorney Passafaro he advised that CBI is an operating group only and not a separate municipal entity subject to audit requirements.
- MOTION by Pacos, SECONDED by Walker to **rescind** the Motion carried on 1/9/2020 by NCCWD board to request CBI Water Works perform an audit of FY 2019 financials and provide a copy of said audit to the NCCWD Board, and further to Move to amend the request by requesting that a financial report of CBI Water Works be provided to the NCCWD Board.

Unanimously Carried

MOVED to Adjourn by Frost, SECONDED by Pacos

Unanimously Carried

The meeting ended at 5:20 p.m.

Respectfully Submitted,

Kathy Tampio, Clerk, Chautauqua County Legislature/NCCWD Administrative Coordinator

- Next meeting – April 9, 2020, 4:00 pm, Fireside

Approved 4-9-2020