

**Minutes**

**NORTH CHAUTAUQUA COUNTY WATER DISTRICT BOARD**

Thursday, April 11, 2024, 4:00 p.m.

Dunkirk Town Hall, 4737 Willow Road, Dunkirk, NY 14048

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Chairman Pacos called the meeting to order at 4:00 p.m.

Pledge of Allegiance

The roll was called and a quorum was present.

**Members Present:** Rich Lewis, Brian Purol, Tom Wik, Dave Hazelton, Craig Miller, John Penhollow, Priscilla Penfold, Dan Pacos, Richard Lascola

**Members Absent:** Bob Bankoski, Terry Niebel

**Others:** Randy Woodbury, Kathy Tampio, Natalie Whiteman, Jim Crowell, Pierre Chagnon, Eric Wies, Mayor Kate, Mitch Magierski, Juan Pagan, Mayor Ferguson, Jean Crane

MOVED by Miller, SECONDED by Lewis, the minutes of 3-14-2024 were approved as presented by unanimous vote.

**Privilege of the Floor** – No one spoke

**Communications**

1. Email notification sent April 10, 2024 to all member municipalities – official notice of new 2024 Water Rate of \$6.30/1,000 gallons metered usage effective 4/1/2024.
2. Certification of North Chautauqua County Water District Community Water System Risk and Resilience Assessment in Compliance with America’s Water Infrastructure Act.
3. Phillips Lytle LLP – CCIDA SEQRA Determination – Silver Creek Apartments.

**Unfinished Business**

- **CBI Water Works Assessment & Emergency Response Plans** – NCCWD Community Water system Risk and Resilience Assessment completed a delivered to CCDOH. Emergency Response Plan in process to complete.

**New Business**

1. MOVED by Penfold, SECONDED by Miller, to approve payment of City of Dunkirk Water Bills listed pursuant to Contract #18-39-04;
  - a. Invoice #0006423-24-10 – Arrowhead Drive Master Meter in the amount of \$11,754.48

***Unanimously Adopted***

2. MOVED by Hazelton, SECONDED by Miller, to approve North Chautauqua County Water District Regional Water System Map and Plan – Amendment #3 as prepared by CPL and submit said plan amendment to the Chautauqua County Legislature for a public hearing and approval on same.  
*Unanimously Adopted*
3. MOVED by Wik, SECONDED by Lewis, to approve payment of S. St. George Pay Application #7 Payment Correction in the total amount of \$\$3,800.00 pursuant to Contract #21-30-06 Phase 2 Watermain improvements.  
*Unanimously Adopted*
4. MOVED by Miller, SECONDED by Purol, to approve payment of Municipal Solutions, Inc. Invoice #19711 in the amount of \$680.00 for ESD Grant fiscal administration pursuant to contract #21-39-02.  
*Unanimously Adopted*
5. MOVED by Wik, SECONDED by Lewis, to approve change order for Contract 21-39-05 BECC Electric Pump Station Contract 11 to extend contract term by 90 days to August 29, 2024 for final completion and payment to allow for SCADA control equipment to be installed. No increase in current contract price.  
*Unanimously Adopted*
6. MOVED by Lewis, SECONDED by Miller, to approve change order for Contract 21-39-03 S. St. George Pump Station PW-2-21 to extend contract term by 90 days to August 29, 2024 for final completion and payment to allow for completion of SCADA control equipment within the pump station. No increase in current contract price.  
*Unanimously Adopted*
7. MOVED by Penfold, SECONDED by Miller, to approve payment of CBI Water Works O&M (Contract #19-39-02) invoices for January-March 2024 as listed:
  - a. Invoice #24-1 – National Grid Electric in the total amount of \$6,611.83
  - b. Invoice #24-2 – Village of Brocton Electric in the total amount of \$98.17
  - c. Invoice #24-3 – Lakeside Lawn Care Mow & Snow Removal in the total amount of \$425.00
  - d. Invoice #24-4 – National Fuel Pump Station – Feb. 2024 in the total amount of \$41.41
  - e. Invoice #24-5 – Enviroteknix Water Testing – Feb/March 2024 in the total amount of \$2,330.00*Unanimously Adopted*
8. MOVED by Miller, SECONDED by Penfold, to authorize Chairman Pacos to execute a contract with MICROBAC to provide water testing services to NCCWD.  
*Unanimously Adopted*

### Reports

- **Chairman’s Report and CBI Water Works Update** – Thanks to Natalie Whiteman CCDOH for her assistance in completing the required Risk and Resilience Assessment. She will be assisting efforts with NYS DOH to determine the relationship between NCCWD and CBI Water Works as it relates to reporting requirements. CBI WW invoicing for Brocton and Portland will be completed by the end of the week. In process to replace the old pickup vehicle. Meter replacements in Brocton in process. Appreciate

the proactive approach by CBI WW employee Mitch Magierski regarding a hydrant issue in Brocton. The trailer park in Brocton is installing their own new water meters.

- **Financial Report and Administrative Update** –Financial Reports prepared by Chautauqua County Budget Director Swan and by Kathy Tampio (Hard copy Capital Report and 2024 Budget to date provided to Board members and placed on file) Current Balance due from CBI WW = \$1,480,362.93
  - **Grants Update** –
    - DOCCS –letter and documentation sent from Village of Brocton to amend contract with DOCCS. Awaiting DOCCS response. Suggested Brocton involve municipal attorney and state representatives.
    - ESD – 1<sup>st</sup> grant disbursement still in process - MWBE waiver approved. ESD to send Grant Disbursement Agreement to Chautauqua County Executive for processing of grant funds.
    - EFC – draw #18 received from EFC in the amount of \$263,694.23
- **Capital Project Update** – see attached report

### **Discussion/Other**

- Kathy Tampio – Chautauqua County Legislature will act on Resolutions at their 4/24/2024 to set the Public Hearing for the Map & Plan Amendment 3 and to establish Chautauqua County as the lead agency for SEQRA review for the Map & Plan Amendment 3. The Public Hearing will be held at the May 22, 2024 Legislature meeting and other resolutions to make determination regarding SEQRA and the Bond Resolution for the Phase 3 project.
- Randy Woodbury – Thanked Mayor Ferguson for the educational meeting held at the Fredonia Opera House re: Fredonia water system. Presented agreement for signatures to activate the west side “Emergency Interconnect” between Town of Pomfret, NCCWD and Village of Fredonia as a back-up water supply if needed while the Village of Fredonia implements their water treatment plant cleaning/service activities.

MOVED to Adjourn by Hazelton, SECONDED by Wik and Unanimously Carried, the meeting ended at 4:54 p.m.

Respectfully Submitted,  
Kathy Tampio, Financial Analyst - Chautauqua County Legislature/NCCWD Administrative Coordinator

- **Next Board meeting – May 9, 2024, 4:00 pm, Dunkirk Town Hall**

*Approved 5/9/2024*

## **NCCWD CAPITAL PROJECT UPDATE**

PROJECT: Various Projects

DATE: April 11, 2024 4:00 PM

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Below is update on various projects that CPL is involved with. Updates in bold text.

1. NCCWD Phase 2 Improvements
  - a. Construction schedule: Facilities can be placed in service upon DOH approval. **Anticipate late April.**
    - i. Watermain
      1. Construction complete.
      2. CPL sent contractor punch list.
      3. Watermain pressure tested & passed.
      4. Watermain flushed.
      - 5. Watermain bacteria tested and approved by DOH.**
    - ii. Storage Tank
      1. Site work complete and contractor recently restored site.
      2. Watermain pressure tested & passed.
      3. Contractor pressure washed tank.
      4. Watermain flushed. Tank filled now with several feet of water.
      - 5. Watermain bacteria testing occurring early April. Tank bacteria testing to be mid-April.**
    - iii. Pump Station
      1. Generator tested and CBI able to manually operate pumps for testing purposes.
      2. Backup generator gas piping installed, and National Fuel turn on service.
      3. Awaiting SCADA controls installation.
  - b. Change Orders
    - i. **Contract 11 Pump Station General & Electric. Current dates as noted. Requesting time extension change orders for an additional 90 days.**
      - 1. Substantial Completion from 4/30/24 to 7/29/24**
      - 2. Final Completion from 5/31/24 to 8/29/24**
  - c. Pay Applications
    - i. **Contract 9 Watermain – CPL made error on request #7 which resulted in \$3,800.24 underpayment. CPL sent letter regarding this and noting request to process \$3,610.23 (95%) payment now. Then final pay request for all retainage to be made in future.**
  - d. Total construction contract amount \$3,693,218.55 of which \$3,550,023.91 has been requested (96%), includes above pay requests.



2. Town of Portland Water District 2 Van Buren Point
  - a. Construction started 10/23/23.
  - b. All watermain installed. Testing occurring early April. Install services in Pont area late April to mid-May.**
  - c. Next progress meeting **4/12/24** at 1pm.
  
3. Town of Pomfret Van Buren Bay Water Improvements
  - a. Town obtaining two remaining easements.
  - b. Anticipate bid in next month or two.
  
4. Town of Dunkirk Shorewood Water Improvements
  - a. Town sending easement requests to property owners mid-April. Meeting with residents scheduled for 5/8 and 6/11.**
  - b. Anticipate bidding **late 2024.**
  
5. Village of Brocton DOCCS
  - a. CPL provided Village letter with recent water consumption data and revised reimbursement request of \$1,459,643.95.
  - b. Village request to DOCCS in May 2023. Awaiting DOCCS response.
  - c. CPL working with Brocton and CBI to send requested information and letter to DOCCS.
  
6. Water Meter Grant (GIGP)
  - a. Portland & Brocton to use Badger meters. Dunkirk, Pomfret and Sheridan to use Neptune Meters.
  - b. No applications made in 2023 funding round.
  
7. Industrial Tank
  - a. Rehabilitation work complete. Tank back in service since first week of December.
  - b. Contractor to restore lawn in spring.
  
8. Brocton Central Ave Watermain
  - a. Bid opening 3/13/24. CPL reviewing bids.**



9. SCADA
  - a. NCCWD phase 2 improvements include control data from new storage tank and pump station that will be connected to CBI office, CBI staff and City of Dunkirk. As part of phase 2 work, control data from NCCWD phase 1 storage tank and pump station will also be connected to the same facilities. This work is to be done under Phase 2 Pump Station contract.
  
10. Chlorination Booster Stations.
  - a. Two stations to be located at Phase 2 pump station and at Industrial Tank.
  - b. CPL to submit preliminary design plans to DOH in near future.
  - c. To be change order to Pump Station General and Electrical contracts. Waiting on preliminary pricing from contractors.
  
11. Future Projects
  - a. Sheridan is moving forward with forming water district around Phase 2 watermain so they can connect with service lines. District formation takes 3-5 months. Enough residents are interested. Town meeting to be scheduled for discussing process.
  - b. Pomfret Phase 2 & 3 water projects under design. EFC awarded this week \$5 million for Phase 3.
  - c. **NCCWD Phase 3 improvements for additional master meter vaults and watermain sections throughout the district.**