

MINUTES  
SOUTH & CENTER CHAUTAUQUA LAKE SEWER DISTRICTS  
ADMINISTRATIVE BOARD MEETING  
NOVEMBER 2, 2021

PRESENT

Karen Rine – Chair  
William Ortman  
Andrea McLean  
Tom Walsh  
Bryan Wilson

PRESENT VIA VIDEO CONFERENCE (ZOOM)

Thomas Erlandson  
Pierre Chagnon  
Steve Abdella  
Brad Bentley – DPF  
Paul McGarvey – GHD

EXCUSED

Robert Yates  
William Chandler

Chair Karen Rine called the meeting to order at 12 noon.

**Andrea McLean moved to approve the Board Meeting Minutes of October 5, 2021 as written and distributed. William Ortman seconded the motion and the motion carried unanimously.**

When asked by Karen Rine, Pierre Chagnon reported that the Resolution (regarding the formation of the Sewer Agency) did pass, so now he will be commencing to assemble that group.

Next Paul McGarvey of GHD gave a brief update pertaining to the Sewer Extension easement and construction progress. He stated that Contractor JD Northrup has begun construction activities and completed installation of the “smaller diameter force main” and electrical conduit south of Cheney Point. They are continuing to work North and are trying to install pipe and electrical conduit simultaneously where and when possible. Mr. McGarvey estimated it could take until (possibly) the end of December for the smaller diameter force main installation to be completed.

Mr. McGarvey made mention that they now expect the grinder pump delivery to be around the end of November. He further stated that they believe the Contractor will not install the grinder pumps immediately, but will prefer to finish up installing the smaller force main. Upon completion of that, they will come back to the southern end and start the grinder pump installation.

Lastly, Mr. McGarvey informed the group that the production and fabrication of the wet wells (for the BOCES and Hadley Bay Pump Stations) is under way by Kistner Concrete Products Company. They are expected to arrive on-site in about a month according to Mr. McGarvey.

In regards to the easement status, Project Manager Bryan Wilson reported that we are down to one (original) easement. Additionally, we have about 6 “revised” easements we are working on. These are a result of location requests from property owners. Bryan further explained that none of these relocation easements are “critical” and are not expected to hold progress up in any way.

The next GHD update has been scheduled for November 18, 2021 @ 9:30 am.

#### ACTIONS BEFORE THE BOARD

Paul McGarvey initiated the discussion surrounding Change Order #1 surrounding the West Side Sewer Extension Phase 1. A copy of the proposed Change order was provided to Board Members in their packets and Mr. McGarvey mentioned that Item No. 01 specifically addressed the Districts being allowed to reimburse the Contractor for stored materials and to pay the Contractor, more proportionally, for completed work. He then briefly summarized Change Items No. 2-6. He stressed that the total *not to exceed* dollar amount of the Contract has not changed, but rather lines item amounts have been adjusted moving some funds to the contingency allowance for the contract. The purpose of the contingency is to allow the Districts to make decisions (as things may arise during the execution of the project) without having a formal change order.

Steve Abdella concurred with Mr. McGarvey’s assessment of the Change Order No. 1 and reiterated that the additional “buffer” in the Contingency account is benefit to the Districts (should any unforeseen circumstances arise).

At this juncture, Pierre Chagnon moved to approve the presented West Side Sewer Extension Change Order No. 1. William Ortman seconded the motion and the motion carried unanimously.

Next was a lengthy dialog concerning how any future Change Orders would be handled? Specifically being discussed were situations whereby a swift decision would be in the “best interests” of the Districts, as it pertained to the on-going Construction project. Steve Abdella asked the Board if they would want to delegate the authority to execute future change orders (within certain parameters) to Director Tom Walsh - without them waiting to meet for the next scheduled Board Meeting. It was also noted that “special” meetings could be called (prior to the next scheduled Board Meeting) if the need arose. Both Dr. Erlandson and Mr. Chagnon (Longtime Board Members) referred back to “past practice” and couldn’t recall any time where a contract Change Order was executed without a prior Board Vote. Mr. Chagnon stated that possibly, they would be comfortable with this; but only if it was within a designated dollar amount (pertaining to any increases).

After much discussion, Pierre Chagnon moved to authorize the Executive Director of the South & Center Sewer Districts to approve Change Orders that are not more than \$10,000, after consultation

with GHD Engineers, the Chautauqua County Law Department and the Director of Public Facilities, as necessary. If said Director is presented with a Change Order in excess of \$10,000, he must confer with the Chairmen of the Districts' Technical and Finance Committees to determine if a full Board Meeting needs to be scheduled immediately. William Ortman seconded the motion. Prior to the vote on the motion, Attorney Abdella wished to clarify (related to Mr. Chagnon's motion) that the Authority to Execute Change Orders of that magnitude are also conditioned on them *not causing any increase* in the overall estimated contract amount. We are still capped @ \$12,866,107. Mr. Chagnon spelled out that if we get to the point where the Contingency funds are depleted, then this approval is effectively ended. Mr. Chagnon stated that he would amend his motion as indicated by Mr. Abdella to include: the Authority to Execute Change Orders of that magnitude are also conditioned on them *not causing any increase* in the overall estimated contract amount. After a vote, the motion passed unanimously.

Mr. Bentley added that he feels giving Mr. Walsh, Mr. McGarvey and himself the ability to evaluate any changes (within the parameters of the just-passed motion) "will be very helpful from an efficiency standpoint."

Next Director Walsh reported that the credit card/pay on line program is still being worked on, and we are getting closer. Mr. Walsh was hopeful that this option (to pay on line) could come to fruition by the next bill pay for the Quarter ending 1/31/22. Additionally, Mr. Walsh noted that the RFP for the Map & Plan (for the Phase II Sewer Extension) has been sent out and the proposal due date is November 17, 2021.

Mr. Walsh added that during a construction meeting, the Contractor made known that all road cuts in the current (Lake Side) construction areas would be blacktopped prior to Memorial Day, 2022. They will then be mobilizing their operations to Route #394.

Before closing Chair Karen Rine mentioned Director Walsh's 3% annual salary increase has been approved. Further she stated the next Board Meeting is scheduled for Tuesday, December 7, 2021.

With no further business to discuss for the good of the Districts, Andrea McLean moved to adjourn the meeting at 1:07 pm. William Ortman seconded the motion and the motion carried unanimously.

Respectfully submitted,

Lou Ann Peterson  
Recording Secretary

c: Thomas Walsh, Director SCCLSD  
Steve Abdella, Chautauqua County and Districts' Attorney  
Board  
File