

ITEM 1 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HEALTHWORKS-WNY, LLP TO RENDER COMPREHENSIVE OCCUPATIONAL HEALTH SERVICES, PROJECT NO. 202200063

Motion by seconded by

WHEREAS, on February 23, 2022, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") authorized the issuance of a Request for Proposal (the "RFP") to qualified firms to render health services and drug screening; and

WHEREAS, A copy of the RFP was sent to the following firms:

ADTS Aurora Drug Testing Services
Healthworks-WNY, LLP ("Healthworks")
Great Lakes Physicians Group
WellNow/Urgent Care
USA Occupational Services; and

WHEREAS, the RFP was also posted on the Authority's website, and

WHEREAS, Healthworks, USA Occupational Services and WellNow/Urgent Care submitted a proposal; and

WHEREAS, the RFP process was conducted pursuant to the enacted state legislation (New York State Finance Law §§139-j and 139-k) and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, after the proposals were reviewed and discussed among the review committee, it was determined that Healthworks provided the proposal best suited to the Authority's needs; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with Healthworks to render Comprehensive Occupational Health Services; and

WHEREAS, the Authority's 2022 O&M Budget includes funds under Unit 8010 Human Resources, Item No. 59 Doctor Examination Fees;

NOW, THEREFORE, BE IT RESOLVED:

That the Board accepts the proposal of Healthworks to render Comprehensive Occupational Health Services; and be it further

RESOLVED, pursuant to New York State Finance Law §§139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures with the award and execution by the Authority of this agreement, the Restricted Period will cease; and be it further

RESOLVED, that the Chairman is authorized to execute the Professional Services Agreement on behalf of the Authority; and be it further

RESOLVED, that the Secretary is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to Healthworks.

Ayes:

Noes:

06/08/22-pjg

ITEM 2 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS OF NEW YORK, INC., TO RENDER CONSULTING ENGINEERING SERVICES RELATING TO EPA LEAD AND COPPER RULE REVISIONS PROGRAM MANAGEMENT, IDENTIFIED AS CONTRACT NO. MP-091, PROJECT NO. 202200135

Motion by seconded by

WHEREAS, on March 10, 2022, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") authorized the issuance of a Request for Proposal (the "RFP") to qualified firms to render consulting engineering services relating to EPA Lead and Copper Rule Revisions Program Management; and

WHEREAS, A copy of the RFP was sent to the following firms:

Arcadis of New York, Inc. ("Arcadis")
Blue Conduit
Brown & Caldwell
GHD
Hazen & Sawyer
120Water; and

WHEREAS, the RFP was also posted on the Authority's website, and

WHEREAS, Arcadis and Hazen & Sawyer submitted a proposal; and

WHEREAS, Blue Conduit and 120Water chose to offer subconsultant services to the prime consulting firms; and

WHEREAS, the RFP process was conducted pursuant to the enacted state legislation (New York State Finance Law §§139-j and 139-k) and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, after the proposals were reviewed and discussed among the review committee, it was determined that Arcadis provided the proposal best suited to the Authority's needs; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with Arcadis to render consulting engineering services relating to EPA Lead and Copper Rule Revisions Program Management; and

WHEREAS, the Authority's 2022 Capital Budget includes funds under Unit 1030 Water Quality Assurance, Item No. 101664 Corrosion Control Program Management;

NOW, THEREFORE, BE IT RESOLVED:

That the Board accepts the proposal of Arcadis to render consulting engineering services relating to EPA Lead and Copper Rule Revisions Program Management; and be it further

RESOLVED, pursuant to New York State Finance Law §§139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures with the award and execution by the Authority of this agreement, the Restricted Period will cease; and be it further

RESOLVED, that the Chairman is authorized to execute the Professional Services Agreement on behalf of the Authority; and be it further

RESOLVED, that the Secretary is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to Arcadis.

Ayes:

Noes:

06/08/22-pjg

ITEM 3 - AUTHORIZATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE TOWN OF CHEEKTOWAGA AND CMH COMPANY, INC. IN CONNECTION WITH ANDREWS AVENUE WATERMAIN RELOCATION PROJECT IN THE TOWN OF CHEEKTOWAGA, NEW YORK, PROJECT NO. 202200066

Motion by seconded by

WHEREAS, the Town of Cheektowaga (the “Town”) has initiated a capital improvement project, known as the East Delavan Avenue Pump Station, proposing a sanitary trunk sewer installation to remove the East Delavan Avenue Pump Station (the “Project”),

WHEREAS, the Town has accepted the bid and awarded a contract to the CMH Company, Inc. (the “Contractor”) which began construction in 2021; and

WHEREAS, the Town requested the relocation of an existing direct service distribution main due to several leaks occurring during the initial phase of the Project resulting in unsafe working conditions within the trench limits for the sanitary trunk sewer; and

WHEREAS, to expedite the project and to keep the Town’s project on schedule, the Erie County Water Authority’s (the “Authority”) Engineering department and the Town Engineer determined it would be best to execute a joint project utilizing the Contractor; and

WHEREAS, the Authority’s Engineering Department (“Engineering”) to design the replacement/ relocation of the existing main to improve the resiliency and efficiency of a portion of the water distribution system in a section of Andrews Avenue approximately between Schoedel Avenue and West Delavan Avenue as well as West Delavan Avenue between Marne Road and Preston Road by abandoning approximately 1,000 linear feet of obsolete cast iron 8-inch diameter waterline (installed in 1938) and installing a new ductile iron 8-inch waterline, interconnections and abandonments, hydrant replacement, and service transfers within the Project area (“Andrews Avenue Water System Improvements”); and

WHEREAS, Engineering developed quantity take-offs and cost estimate, and the Contractor provided an estimate, based off the Authority’s quantity take-off, for the relocation of the existing distribution main. The Project would recognize an economy of scales if it was incorporated into the Town’s existing contract (Savings: mobilization, bedding and backfill, restoration, and demobilization); and

WHEREAS, the parties desire to enter into a Cooperative Agreement to coordinate and facilitate the relocation of 1,000 linear feet of existing 8-inch cast iron waterline with new 8-inch ductile iron waterline and appurtenances on Andrews Avenue approximately between Schoedel Avenue and West Delavan Avenue as well as West Delavan Avenue between Marne Road and Preston Road; and

WHEREAS, the Authority’s 2022 Capital Budget includes funds under Unit 2590 Eng/Const Distribution Mains, Item No. 101188 Betterments;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve the Cooperative Agreement with the Town and the Contractor in connection with the Andrews Avenue Watermain Relocation Project; and be it further

RESOLVED: That the Chairman is authorized to execute the Cooperative Agreement on behalf of the Authority; and be it further

RESOLVED: That the Secretary is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to the Town and the Contractor.

Ayes:

Noes:

06/16/22-pjg

ITEM 4 - AUTHORIZATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE VILLAGE OF LANCASTER AND 4TH GENERATION CONSTRUCTION, INC. IN CONNECTION WITH PAC WAY WATERMAIN PROJECT IN THE VILLAGE OF LANCASTER, NEW YORK, PROJECT NO. 202200112

Motion by seconded by

WHEREAS, the Village of Lancaster (the “Village”) has initiated a capital improvement project, known as the Cayuga Creek Park and Trail Project, an urban pocket park, located south of the West Main Street Extension Project and north of Broadway along Cayuga Creek, proposing a terraced “green space” where Pac Way currently runs up to Main Street (the “Project”); and

WHEREAS, the Village retained the engineering services of CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (“CPL”) to design and oversee the construction and completion of the Project,

WHEREAS, the Village accepted the bid and awarded a contract to 4th Generation Construction, Inc. (the “Contractor”); and

WHEREAS, on March 4, 2021, the Erie County Water Authority (the “Authority”) retained the services of Wm. Schutt Associates relating to the replacement of distribution mains in the Authority’s direct service areas, including the replacement of four distribution mains within the Village of Lancaster, one of which is located within the Project area (the “Pac Way Watermain Project”); and

WHEREAS, the Authority has provided the Village and CPL with the initial design plans for the Pac Way Watermain Project; and

WHEREAS, the Village and CPL have recommended to the Authority changes to, and expansion of the Pac Way Watermain Project; and

WHEREAS, the Authority’s Engineering Department has reviewed and approved the proposed changes to the Pac Way Watermain Project as proposed by the Village, and

WHEREAS, the parties desire to enter into a Cooperative Agreement to replace the Pac Way distribution main as part of the Village’s Project; and

WHEREAS, the Authority’s 2022 Capital Budget includes funds under Unit 2590 Eng/Const Distribution Mains, Item No. 101593 WSA-017 Waterline Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve the Cooperative Agreement with the Village and the Contractor in connection with the Pac Way Watermain Project; and be it further

RESOLVED: That the Chairman is authorized to execute the Cooperative Agreement on behalf of the Authority; and be it further

RESOLVED: That the Secretary is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to the Village and the Contractor.

Ayes:

Noes:

06/16/22-pjg

ITEM 5 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS OF NEW YORK, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES FOR BALL PUMP STATION PHASE 1 REHABILITATION, IDENTIFIED AS CONTRACT NO. MP-086, PROJECT NO. 202000177

Motion by seconded by

WHEREAS, on June 18, 2020 the Erie County Water Authority (the “Authority”) awarded Arcadis of New York, Inc. (“Arcadis”) a professional service contract to provide engineering and consulting services relating to Phase I of the rehabilitation of the Ball Pump Station, identified as Contract No. MP-086 (the “Agreement”); and

WHEREAS, based on the recommendation of the Authority’s Chief Operating Officer and Executive Engineer, the Authority seeks to amend the Agreement’s scope of services to include additional work to improve the initial phase of this project; and

WHEREAS, the Engineer has agreed to the amendment of the scope of services and has requested an additional fee of \$88,901.00 to perform the additional services; and

WHEREAS, in accordance with Article 5, paragraph 5.02 of the Agreement, any modification or variation from the terms of the Agreement, must be in writing, authorized by a resolution of the Board of Commissioners of the Authority (the “Board”), and signed by all parties to be effective;

WHEREAS, the Authority’s 2022 Capital Budget includes funds for this project under Unit 2520 Eng/Const Control, Item No. 101512 Ball PS Pumping Improvements;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement’s scope of services to include additional work to improve the initial phase of this project; and be it further

RESOLVED: that the Board approves the additional fee of \$88,901.00 to perform the additional services as stated above; and be it further

RESOLVED: That the Chairman is hereby authorized to execute Amendment No. 1 on behalf of the Authority.

Ayes:

Noes:

06/16/22-pjg

ITEM 6 - 2022-2023 INSURANCE COVERAGE AND AUTHORIZATION TO BIND AND PAY INSURANCE INVOICES

Motion by γ seconded by γ

WHEREAS, the Erie County Water Authority (the "Authority") maintains insurance coverage for its properties and protection from loss, damage, or liability, arising from the operation, improvement, maintenance, or repair of its water system for which commercially available insurance coverage is available; and

WHEREAS, the Authority has designated Lawley Insurance Services (“Lawley”), as its insurance broker for the purpose of seeking, negotiating, and securing commercially available insurance coverage in the following areas: general liability, property, auto, crime, cyber, employees and public officers, security guard liability, workers compensation and disability, and such umbrella coverage as necessary; and

WHEREAS, in consultation with the Authority’s Chief Financial Officer and its General Counsel, Lawley has marketed the Authority’s pre-approved insurance protection program by soliciting coverage and pricing from the marketplace; and

WHEREAS, at a regular meeting of the Board held on June 16, 2022, Lawley presented a report on the results of the marketing effort as of that date; and

WHEREAS, the Authority will be required to bind coverage for each type of insurance coverage no later than June 30, 2022, for such insurance coverage to be in effective July 1, 2022 through June 30, 2023, and

WHEREAS, working with the Authority’s Chief Financial Officer, Lawley will continue to solicit the best rates and coverage within the marketplace prior to the June 30, 2022 deadline;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners (the “Board”) hereby authorizes, Karen A. Prendergast as the Authority’s Chief Financial Officer to bind coverage as identified in this resolution including but not limited to completing all applications or such other forms necessary to secure sufficient insurance coverage, and be it further

RESOLVED, the Board directs the Chief Financial Officer to file a final report with the carrier's name, type of coverage, coverage and deduction limitations, and such other information relating to the sufficiency of such coverage, and be it further

RESOLVED: upon receipt, invoices from Lawley Service Insurance for subject coverage's be referred to the Comptroller's Office for verification, and if found to be in order, that said invoices be approved and the Treasurer is authorized to pay the same.

Ayes:

Noes:

06/16/22-pjg

ITEM 7 - CREATION OF TWO POSITIONS OF PRINCIPAL CLERK

Motion by seconded by

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water Authority (“Authority”) has the authority to appoint an attorney and an engineer and such additional officers and employees as it may require for the performance of its duties, fix and determine their qualifications, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York and such rules as the Personnel Officer of the Count of Erie may adopt and make applicable to such authority; and

WHEREAS, Article V, Section 6 of the By-Laws of the Erie County Water Authority grants to the Authority the right to name and appoint from time to time an attorney or engineer and employees as it may require for the performance of its duties, fix their qualification, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create two positions of Principal Clerk, Salary Grade 5E and a starting salary of \$58,793.28 of the Authority’s Career and Salary Plan, effective June 16, 2022; and be it further

RESOLVED: On June 7, 2022 the Erie County Department of Personnel reviewed and approved the above creations.

Ayes:

Noes:

06/16/22-pjg

ITEM 8 - SALARY INCREMENTS - JULY 1, 2022

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") adopted a Career and Salary Plan for its employees, which, among other things, provides a five-step wage and salary increment schedule; said increments shall be granted after due consideration of merit and quality of individual performance; and

WHEREAS, the compensation for each increment shall be as specified in the salary schedules for each specific salary grade; and

WHEREAS, satisfactory evaluations have been presented to the Board for the employees listed on the attached sheet recommending increments;

NOW, THEREFORE, BE IT RESOLVED:

That the awarding of salary increments to the employees listed on the attached sheet in their respective salary grades and to the steps listed on their increment anniversary, namely July 1, 2022 is approved and ratified; and be it further

RESOLVED: That the Comptroller is hereby directed to pay said increments in accordance with the amendment to the Career and Salary Plan herein described.

Ayes:

Noes:

06/16/22-pjg

SALARY STEP INCREMENTS - JULY 2022

EMP NO	LAST NAME	FIRST NAME	TITLE	UNION CODE	GRADE	CURRENT STEP	NEW STEP	NEW HOURLY RATE	NEW ANNUAL SALARY
25	Catanzaro	John	Director of Operations	E	25E	3	4	57.223	119,023.84
118	Alagna	Paul	Construction Inspector	C	19	1	2	34.139	71,009.12
135	Pajonk	Gary	Water Utility Worker	A	3B	4	5	26.740	55,619.20
137	Devlin	Steven	Water Utility Worker	A	3A	4	5	27.110	56,388.80
138	Dickey	Robert	Meter Service Worker	A	4B	4	5	27.350	56,888.00
139	Simson Jr.	William	Meter Service Worker	A	4B	4	5	27.350	56,888.00
140	Hassett	Amy	Account Clerk	C	05	2	3	26.996	56,151.68
150	Livecchi	Meghan	Account Clerk	C	05	4	5	28.106	58,460.48
155	Keller	Jared	Assistant Instrumentation Electrical & Electronic Technician	C	12	3	4	32.298	67,179.84
157	Norman	Ronald	Pump Mechanic	A	7A	3	4	31.050	64,584.00
159	Fahey	Matthew	Water Utility Worker	A	3B	3	4	26.390	54,891.20
161	Stoklosa	Michael	Assistant Engineering Drafts Worker	C	04	1	2	25.941	53,957.28
162	Bates	Carter	Assistant Engineering Drafts Worker	C	04	1	2	25.941	53,957.28
165	Burkhardt	Stephanie	Account Clerk	C	05	1	2	26.441	54,997.28
166	Walczak	Natalia	Account Clerk	C	05	1	2	26.441	54,997.28
167	Pugh	Derek	Assistant Engineering Drafts Worker	C	04	1	2	25.941	53,957.28
168	Kirkwood	Gavin	Water Utility Worker	A	3A	3	4	26.760	55,660.80
169	Clark	Bryan	Water Utility Worker	A	3A	3	4	26.760	55,660.80
174	Holevinski	Gabriella	Analytical Chemist (Water Quality)	C	13	B	1	30.602	63,652.16
175	Eckl	Joseph	Water Treatment Plant Operator	A	6B	1	2	28.930	60,174.40
176	Schreiber	Bradley	Pump Mechanic	A	7A	2	3	30.750	63,960.00
177	Kammerdeiner	Dawn	Water Treatment Plant Operator	A	6B	1	2	28.930	60,174.40
178	Russell	Patrick	Diesel Generator Mechanic	A	7A	2	3	30.750	63,960.00
179	Paluch	Marissa	Water Treatment Plant Operator	A	6B	1	2	28.930	60,174.40
191	Black	John	Automotive Mechanic Helper	A	2B	1	2	25.690	53,435.20
192	Longo	Ann	Account Clerk	C	5	A	B	24.787	51,556.96
193	Benimoff	Daniel	Account Clerk	C	5	A	B	24.787	51,556.96
268	Roman	Nicholas	Senior Water Treatment Plant Operator	C	22	B	1	35.592	74,031.36
300	Lenoci	Lori	Account Clerk	C	5	A	B	24.787	51,556.96
301	Noltee	Kimberly	Account Clerk	C	5	A	B	24.787	51,556.96
302	Sheley	Scott	Account Clerk	C	5	A	B	24.787	51,556.96
364	Stone III	William	Automotive Mechanic Crew Chief	C	25	B	1	35.257	73,334.56
573	Figler	Sabrina	Director of Drinking Water Quality (ECWA)	E	30E	4	5	68.998	143,515.84
683	Poole	Andrea	Claims Management Clerk	E	8E	1	2	32.026	66,614.08
868	Patton	David	Senior Production Engineer	E	30E	4	5	68.998	143,515.84
873	Jankiewicz	Erica	Assistant Business Office Manager	E	16E	3	4	40.394	84,019.52
874	Gillette	Katherine	Associate Attorney	E	32E	3	4	71.255	148,210.40
875	Boughton	Barbara	Manager of Accounting Services	E	29E	3	4	63.233	131,524.64
887	Iafallo	David	Crew Chief (ECWA)	C	22F	1	2	34.864	72,517.12
892	Schultz	Ronald	Construction Inspector	C	19	1	2	34.139	71,009.12
912	Merriam	Gregory	Chief Instrument and Control Systems Specialist	E	30E	2	3	65.206	135,628.48
1255	Stepanik	Mary	Confidential Liason	E	9E	1	2	33.038	68,719.04
2044	Lichtenthal	Laura	Account Clerk	C	05	4	5	28.106	58,460.48
2152	Jemiolo	Justin	Water Utility Worker	A	3A	3	4	26.760	55,660.80
2221	Whitbeck	Kimberly	Stores Clerk (55A)	A	6	4	5	27.540	57,283.20

ITEM 9 - AUTHORIZATION TO EXTEND THE COLLECTIVE BARGAINING AGREEMENT WITH THE BROTHERHOOD OF WESTERN NEW YORK WATER WORKERS, AFL-CIO

Motion by seconded by

WHEREAS, on December 20, 2018 the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") authorized the execution of a new five-year collective bargaining agreement (the "Blue-Collar CBA") with the Brotherhood of Western New York Water Workers, AFL-CIO (the "Brotherhood"); and

WHEREAS, the Blue-Collar CBA is for the period April 1, 2017 through March 31, 2024; and

WHEREAS, on November 24, 2021, the Board authorized the execution of a new five-year collective bargaining agreement ("White-Collar CBA") with the White-Collar employees represented by the CSEA for the period April 1, 2022 through March 31, 2027; and

WHEREAS, a revised holiday schedule was negotiated for the CSEA employees under the new White-Collar CBA; and

WHEREAS, on May 19, 2022, the Board approved adopting and amending Policy No. 40 Holidays of the Authority's Policies and Procedures Manual for the Non-Rep/Managerial Unit to mirror the revised holiday schedule as set forth in the White-Collar CBA; and

WHEREAS, the Authority and the Brotherhood have mutually agreed to extend the Blue-Collar CBA to expire on March 31, 2027 coinciding with the White-Collar CBA including the revised holiday schedule; and

WHEREAS, the Authority and the Brotherhood have been negotiating an extension of the Blue-Collar CBA; and

WHEREAS, the negotiating committees representing the Brotherhood and the Authority have adopted terms for the extension that has been presented by the Brotherhood at a membership ratification meeting held on June 15, 2022; and

WHEREAS, on June 15, 2022, Daniel Rusin, President of the Union advised the Authority's negotiating team that the extension was accepted and ratified by its members; and

WHEREAS, the extension is subject to approval by the Board of Commissioners (the "Board"); and

WHEREAS, the Authority's negotiating team deems it advisable for the Board to ratify the extension to the Blue-Collar CBA and to include the holiday schedule mirroring the White-Collar and Non-Rep/Managerial Units;

NOW, THEREFORE, BE IT RESOLVED:

That the Members of the Authority negotiating team are authorized and directed to execute an extension of the Blue-Collar CBA expiring on March 31, 2027.

Ayes:

Noes:

06/16/22-pjg