

ITEM 1 - AUTHORIZATION TO ENTER INTO A COOPERATION AND COST SHARING AGREEMENT WITH THE BUFFALO WATER BOARD IN CONNECTION WITH THE CITY OF BUFFALO INTERCONNECTION HANCOCK TANK SITE, PROJECT NO. 202000310

Motion by seconded by

WHEREAS, the Buffalo Water Board (the “Buffalo Water”) owns and operates the water treatment system and water distribution system located in and constituting the City of Buffalo’s (the “City”) water system (collectively the “Buffalo Water System”) and the Erie County Water Authority (the “Authority”) owns and/or operates the water treatment and water distribution system located in and servicing various municipalities located in Erie County (collectively the “Authority Water System”); and

WHEREAS, pursuant to General Municipal Law Section 119-o, municipal corporations, including public benefit corporations, are authorized to enter into agreements for the performance, among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, pursuant to Public Authorities Law Section 1054, the Authority has the power to enter into cooperative agreements for the inter-connection of facilities, the exchange or interchange of services and commodities or for any other lawful purpose; and

WHEREAS, Buffalo Water and the Authority have been working together to enhance the current network of interconnections between their two independent water systems for the purpose of maximizing the scale of economies and sustainability of each independent water system; and

WHEREAS, Veolia Water North America-Northeast, LLC (the “Veolia”) is an independent professional manager of the Buffalo Water System and has expertise in the management of public water systems, and in furtherance of its Management Agreement with Buffalo Water, will assist Buffalo Water and the Authority to develop the Project, as hereinafter defined; and

WHEREAS, Buffalo Water and the Authority are examining the feasibility of an additional interconnection located near the City of Buffalo and City of Lackawanna border in the vicinity of the Hancock Water Storage Tank in South Buffalo; and

WHEREAS, in response to a request for proposals issued by the City of Buffalo Commissioner of Public Works, Parks and Streets, who also serves as the designated representative of Buffalo Water (the “City Commissioner” or the “Buffalo Water Representative”), Nussbaumer & Clarke, Inc. (the “Consultant”) has proposed to assess the impact of this proposed new interconnection and is available to conduct a feasibility study with respect to such interconnection; and

WHEREAS, the Consultant has conducted a preliminary analysis of the Buffalo Water System and various facilities within the City, concluding that under normal operating conditions, Buffalo Water has capacity to supply supplemental water to the Authority at a flow rate of

approximately ten (10) million gallons per day (MGD) for emergency usage or during periods of high demands or reduced output from the Authority's Sturgeon Point Water Treatment Plant; and

WHEREAS, recognizing the potential of the proposed additional interconnection between the Buffalo Water System and the Authority Water System, Buffalo Water proposes that the Consultant conduct a more detailed feasibility study (the "Project") with the cost relating to the Project to be shared between the Buffalo Water and the Authority; and

WHEREAS, the Authority and Buffalo Water desire to enter into a Cooperation and Cost Sharing Agreement (the "Agreement") to share information and the costs of the Project, in the form and substance more particularly described in this Agreement; and

WHEREAS, the Authority's 2023 Capital Budget includes funds under Unit 2520 Eng/Const Control, Item No. 101703 Hancock Tank Interconnection;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve the Agreement between the City and the Authority in connection with the City of Buffalo Interconnection Hancock Tank Site; and be it further

RESOLVED: That the Chairman is authorized to execute the 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 Buffalo Water Board.

Ayes:

Noes:

03/23/23-pjg

ITEM 2 - AUTHORIZATION TO ENTER INTO A CONFIDENTIALITY AND NON-DISCLOSURE LICENSING AGREEMENT WITH THE TOWN OF ORCHARD PARK RELATING TO THE ERIE COUNTY WATER AUTHORITY'S GEOGRAPHICAL INFORMATION SYSTEM (GIS), PROJECT NO. 202300016

Motion by seconded by

WHEREAS, the Town of Orchard Park (the "Town") has approached the Erie County Water Authority (the "Authority") requesting use of the Authority's Geographical Information System ("GIS") data pertinent to the Authority's facilities within the Town's limits; and

WHEREAS, in order to protect data and information tracking, plotting, or identifying properties and facilities of the critical water infrastructure owned, managed, or leased by the Authority, the Authority's Legal and Engineering departments (the "Departments") prepared a Confidentiality and Non-Disclosure Licensing Agreement (the "Agreement"); and

WHEREAS, the Departments respectfully request that the Board of Commissioners of the Authority (the "Board") approve of the Agreement and execution of same;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves the Agreement between the Town and the Authority relating to the use of the Authority's GIS data pertinent to the Authority's facilities within the Town's limits; and be it further

RESOLVED: That the Chairman is authorized to execute the 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 of Orchard Park.

Ayes:

Noes:

03/23/23-pjg

ITEM 3 - AUTHORIZATION TO ENTER INTO A CONFIDENTIALITY AND NON-DISCLOSURE LICENSING AGREEMENT WITH THE TOWN OF HAMBURG RELATING TO THE ERIE COUNTY WATER AUTHORITY'S GEOGRAPHICAL INFORMATION SYSTEM (GIS), PROJECT NO. 202300016

Motion by seconded by

WHEREAS, the Town of Hamburg (the "Town") has approached the Erie County Water Authority (the "Authority") requesting use of the Authority's Geographical Information System ("GIS") data pertinent to the Authority's facilities within the Town's limits; and

WHEREAS, in order to protect data and information tracking, plotting, or identifying properties and facilities of the critical water infrastructure owned, managed, or leased by the Authority, the Authority's Legal and Engineering departments (the "Departments") prepared a Confidentiality and Non-Disclosure Licensing Agreement (the "Agreement"); and

WHEREAS, the Departments respectfully request that the Board of Commissioners of the Authority (the "Board") approve of the Agreement and execution of same;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves the Agreement between the Town and the Authority relating to the use of the Authority's GIS data pertinent to the Authority's facilities within the Town's limits; and be it further

RESOLVED: That the Chairman is authorized to execute the 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 of Hamburg.

Ayes:

Noes:

03/23/23-pjg

ITEM 4 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF 2,480 LINEAR FEET OF EIGHT (8") INCH PVC (AWWA C-900, DR-18) 112 LINEAR FEET OF EIGHT (8") INCH DIP (CL 52) WATERMAIN, 30 LINEAR FEET OF SIX (6") INCH DIP (CL-52) WATERMAIN, FIVE (5) HYDRANTS, FIVE (5) VALVES AND APPURTENANCES IN QUEENS LANDING SUBDIVISION, PHASE 2, TOWN OF WEST SENECA, NEW YORK, EC NO. 7284, PROJECT NO. 202200189

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") entered into a Main Extension Agreement (Builder-Contractor-Developer) with 1000 Queens Grant, LLC and Russo Development, Inc. relative to Queens Landing Subdivision, Phase 2, Town of West Seneca, New York, identified by Work Authorization No. 7284; and

WHEREAS, the Bill of Sale and the Schedule of Inventory dated March 7, 2023 have been approved by Leonard F. Kowalski, Executive Engineer and the construction and installation of 2,480 linear feet of eight (8") inch PVC (AWWA C-900, DR-18) 112 linear feet of eight (8") inch DIP (CL 52) watermain, 30 linear feet of six (6") inch DIP (CL-52) watermain, five (5) hydrants, five (5) valves and appurtenances have been installed in accordance with the specifications of the Authority; and

WHEREAS, the Division of Environmental Health of the Health Department of the County of Erie has approved the completed works for public water supply improvement for Queens Landing Subdivision Phase 2B, Town of West Seneca, New York; and

WHEREAS, Jessica Brown, Comptroller has reviewed the costs of the main and hydrants and finds them reasonable and correct; and

WHEREAS, Leonard Kowalski, Executive Engineer recommends approval and acceptance of said main and hydrants;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Board of Commissioners accepts the construction and installation of 2,480 linear feet of eight (8") inch PVC (AWWA C-900, DR-18) 112 linear feet of eight (8") inch DIP (CL 52) watermain, 30 linear feet of six (6") inch DIP (CL-52) watermain, five (5) hydrants, five (5) valves and appurtenances and said mains, valves and hydrants be added to the property records of the Authority.

Ayes:

Noes:

ITEM 5- AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF 590 LINEAR FEET OF EIGHT (8”) INCH PVC (C-900), 30 LINEAR FEET OF TWENTY (20”) INCH CASING PIPE, ONE (1) HYDRANT, ONE (1) VALVE AND APPURTENANCES IN PLEASANT CREEK SUBDIVISION, PHASE 2A, TOWN OF HAMBURG, NEW YORK, EC NO. 7246, PROJECT NO. 202100301

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") entered into a Main Extension Agreement (Builder-Contractor-Developer) with Pleasant Development, LLC and Russo Development, Inc. relative to Pleasant Creek Subdivision, Phase 2A, Town of Hamburg, New York, identified by Work Authorization No. 7246; and

WHEREAS, the Bill of Sale and the Schedule of Inventory dated November 29, 2022 have been approved by Leonard F. Kowalski, Executive Engineer and the construction and installation of 590 linear feet of eight (8”) inch PVC (C-900), 30 linear feet of twenty (20”) inch casing pipe, one (1) hydrant, one (1) valve and appurtenances have been installed in accordance with the specifications of the Authority; and

WHEREAS, the Division of Environmental Health of the Health Department of the County of Erie has approved the completed works for public water supply improvement for Pleasant Creek Subdivision Phase 2A, Town of Hamburg, New York; and

WHEREAS, Jessica Brown, Comptroller has reviewed the costs of the main and hydrants and finds them reasonable and correct; and

WHEREAS, Leonard Kowalski, Executive Engineer recommends approval and acceptance of said main and hydrants;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority’s Board of Commissioners accepts the construction and installation of 590 linear feet of eight (8”) inch PVC (C-900), 30 linear feet of twenty (20”) inch casing pipe, one (1) hydrant, one (1) valve and appurtenances and said mains, valves and hydrants be added to the property records of the Authority.

Ayes:

Noes:

03/23/23-alh

ITEM 6 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF 858 LINEAR FEET OF EIGHT (8") INCH PVC (C-900), 40 LINEAR FEET OF TWENTY (20") INCH CASING PIPE, ONE (1) HYDRANT, TWO VALVES AND APPURTENANCES IN PLEASANT CREEK SUBDIVISION, PHASE 4, TOWN OF HAMBURG, NEW YORK, EC NO. 7247, PROJECT NO. 202100302

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") entered into a Main Extension Agreement (Builder-Contractor-Developer) with Pleasant Development, LLC and Russo Development, Inc. relative to Pleasant Creek Subdivision, Phase 4, Town of Hamburg, New York, identified by Work Authorization No. 7247; and

WHEREAS, the Bill of Sale and the Schedule of Inventory dated November 29, 2022 have been approved by Leonard F. Kowalski, Executive Engineer and the construction and installation of 858 linear feet of eight (8") inch PVC (C-900), 40 linear feet of twenty (20") inch casing pipe, one (1) hydrant, two valves and appurtenances have been installed in accordance with the specifications of the Authority; and

WHEREAS, the Division of Environmental Health of the Health Department of the County of Erie has approved the completed works for public water supply improvement for Pleasant Creek Subdivision Phase 4, Town of Hamburg, New York; and

WHEREAS, Jessica Brown, Comptroller has reviewed the costs of the main and hydrants and finds them reasonable and correct; and

WHEREAS, Leonard Kowalski, Executive Engineer recommends approval and acceptance of said main and hydrants;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Board of Commissioners accepts the construction and installation of 858 linear feet of eight (8") inch PVC (C-900), 40 linear feet of twenty (20") inch casing pipe, one (1) hydrant, two valves and appurtenances and said mains, valves and hydrants be added to the property records of the Authority.

Ayes:

Noes:

03/23/23-alh

ITEM 7 - RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT IN CONNECTION WITH PIN NO. 5086.31, PROJECT NO. 202300052

Motion by seconded by

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Pavement Resurfacing with ADA Compliance Requirements and Pedestrian Signals Upgrade, NY Route 324 from US Route 62 to NY Route 240, Town of Amherst, Erie County, identified as PIN 5086.31; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the adjustment of valve box elevations pursuant to Subdivision 24, Section 10 of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner; and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended; and

WHEREAS, the State will provide for the reconstruction of the above-mentioned work, as shown on the contract plans relating to the abovementioned project;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority (the “Authority”) approves the adjustment of valve box elevations and the abovementioned work performed on the project and shown on the contract plans relating to the project and that the Authority will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and be it further

RESOLVED: That the Chairman has the authority to sign, with the concurrence of the Board, any and all documentation that may become necessary as a result of this project as it relates to the Authority; and be it further

RESOLVED: That the Secretary of Authority is hereby directed to transmit four (4) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

3/23/23-alh

ITEM 8 - AWARD OF CONTRACT TO DN TANKS OF NEW YORK, LLC FOR CONTRACT NO. MP-088 STURGEON POINT WATER TREATMENT PLANT WASHWATER TANK REPLACEMENT, PROJECT NO. 202100111 - \$3,530,700.00

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 12th day of December, 2022, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Contract No. MP-088 Sturgeon Point Water Treatment Plant Washwater Tank Replacement; and

WHEREAS, Authority personnel opened a sealed bid in the office of the Authority on the 1st day of February, 2023, and was as follows:

BIDDER	AMOUNT
DN Tanks of New York, LLC.*	\$3,530,700.00

*Only bid received; and

WHEREAS, Arcadis of New York, Inc., Consulting Engineers, Michael J. Quinn, Senior Distribution Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specification and bid and determined that DN Tanks of New York, LLC. is a responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2023 Capital Budget includes funds for this project under Unit 2510 Eng/Const Sturgeon Point, Item No. 101608 Washwater Tank Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That Authority awards the contract to DN Tanks of New York, LLC. as a responsible bidder for the abovementioned project, and be it further

RESOLVED: that the Chair is authorized to execute a contract with DN Tanks of New York, LLC. for Contract No. MP-088 Sturgeon Point Water Treatment Plant Washwater Tank Replacement in the total amount of \$3,530,700.00.

Ayes:

Noes:

3/23/23-alh

ITEM 9 - APPROVAL OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE ARC ERIE COUNTY NEW YORK RELATING TO GENERAL CLEANING SERVICES FOR THE ERIE COUNTY WATER AUTHORITY SERVICE CENTER, 3030 UNION ROAD, CHEEKTOWAGA, NEW YORK, PROJECT NO. 202000211

Motion by seconded by

WHEREAS, on September 10, 2020, the Erie County Water Authority (the “Authority”) entered into a Professional Services Agreement with the New York State Industries for the Disabled, Inc. (“NYSID”) and the Erie County Chapter NYSARC, Inc. d/b/a the ARC Erie County New York (“ARC”) to provide cleaning services at the Authority’s Service Center (the “Agreement”); and

WHEREAS, on November 10, 2021, the Authority authorized a one-year extension of the Agreement through August 31, 2022 pursuant to Amendment No. 1 to the Agreement; and

WHEREAS, on April 7, 2022, the Authority authorized a monthly rate increase pursuant to Amendment No. 2 to the Agreement; and

WHEREAS, on August 18, 2022, the Authority authorized an additional one-year extension of the Agreement through August 31, 2023; and

WHEREAS, in accordance with paragraph 3.02 of the Agreement, the parties may amend the Agreement by written amendment authorized by resolution of the Authority’s Board of Commissioners (the “Board”); and

WHEREAS, NYSID has requested an increase in the monthly payment for cleaning services from \$8,109.02 to \$8,621.91 as well as an increase in the hourly rate for cleaning services from \$31.39 to \$33.38, as a result of an increase by the State of New York in the Prevailing Wage Schedule applicable to this Agreement; and

WHEREAS, the Authority’s 2023 O&M Budget includes funds for this project under Unit 3070 Facilities, 19 Payments to Contractors - Other; and

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Professional Services Agreement with NYSID and ARC to increase in the monthly payment for cleaning services from \$8,109.02 to \$8,621.91 as well as an increase in the hourly rate for cleaning services from \$31.39 to \$33.38, as a result of an increase by the State of New York in the Prevailing Wage Schedule applicable to this Agreement; and be it further

RESOLVED: That the Chairman is hereby authorized to execute Amendment No. 4 on behalf of the Authority.

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

yes:

Noes:

03/23/23-alh

ITEM 10 - APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT WITH MODERN DISPOSAL SERVICES, INC. FOR THE FURNISHING OF NECESSARY LABOR AND MATERIALS FOR THE PICKUP, HAULING AND DISPOSAL OF ALUMINUM-BASED RESIDUALS, ZEBRA MUSSELS, AND OTHER DEBRIS AND WASTE LOCATED AT DIFFERENT PROPERTIES BELONGING TO THE ERIE COUNTY WATER AUTHORITY FOR ONE YEAR FROM MAY 1, 2022 THROUGH APRIL 30, 2023, PROJECT NO. 202200044, CONTRACT NO. 22-16-04

Motion by seconded by

WHEREAS, on April 28, 2022, the Board of Commissioners (the “Board”) of the Erie County Water Authority (the “Authority”) awarded a contract to Modern Disposal Services, Inc. for the Furnishing of Necessary Labor and Materials for the Pickup, Hauling and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste Located at Different Properties Belonging to the Erie County Water Authority for one year from May 1, 2022 through April 30, 2023, Contract No. 22-16-04 (the “Contract”); and

WHEREAS, in accordance with Section 00500, Paragraph 11.00, subparagraph A of the Contract, the parties may agree to extend the Contract on the same terms and conditions for two additional one-year terms; and

WHEREAS, Modern Disposal Services, Inc. has agreed to extend this Contract until April 30, 2024 based on the same terms and conditions; and

WHEREAS, the Authority’s 2023 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point Plant, Item No. 35 Refuse and Waste Disposal; Unit 1015 Van de Water Plant, Item No. 35 Refuse and Waste Disposal; Unit 1020 Control Operations, Item No. 19 Payment to Contractors-Other; and Unit 3070 Facilities, Item No. 35 Refuse and Waste Disposal;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Contract to extend this Contract until April 30, 2024; and be it further

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

Ayes:

Noes:

3/23/23-alh

ITEM 11 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS

Motion by seconded by

WHEREAS, the Engineering Department of the Erie County Water Authority (the "Authority") advised that hydrants and valves were installed as part of the Authority's program to keep pace with improvements in firefighting technology, as follows:

Replace existing 4' hydrant at Transit Road, south of French Road, Town of Cheektowaga with a new 4' AVK hydrant on 12/6/2022. Work done by ECWA forces under Work Authorization No. 107.200 7302.

Hydrant originally installed in 1972 was scrapped and retired under Retirement Authorization No. R220054.

Replace existing 6" valve at 820 Maryvale Drive, Town of Cheektowaga with a new 6" resilient seat valve on 10/11/2022. Work done by ECWA forces under Work Authorization No. 107.200 7300.

Valve originally installed in 1954 was scrapped and retired under Retirement Authorization No. R220052.

Replace existing 5' hydrant at 5470 Salt Road, Town of Clarence with a new 5' AVK hydrant on 10/6/2022. Work done by ECWA forces under Work Authorization No. 107.200 7299.

Hydrant originally installed prior to 10/1/1999 was scrapped and retired under Retirement Authorization No. R220051.

Replace existing 5' hydrant at 4599 Deerfield Road, Town of Hamburg with a new 5' AVK hydrant on 12/2/2022. Work done by ECWA forces under Work Authorization No. 107.200 7301.

Hydrant originally installed prior to 6/1/2011 was scrapped and retired under Retirement Authorization No. R220053.

Replace existing 6" valve at Milestrip Road and Hawley Road, Town of Hamburg with a new 6" resilient seat valve on 11/4/2022. Work done by ECWA forces under Work Authorization No. 107.200 7298.

Valve originally installed in 1936 was scrapped and retired under Retirement Authorization No. R220050.

WHEREAS, Leonard F. Kowalski, Executive Engineer ratifies said installations and work;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority approve the retirement of the abovementioned hydrants and valves at the abovementioned locations; and be it further

RESOLVED: That the installation of the new hydrants and valves in the abovementioned locations, as part of the Authority's continuing program to improve its facilities is hereby approved, ratified and confirmed.

Ayes:

Noes:

3/23/23-alh

ITEM 12 - AUTHORIZATION FOR GABRIELLA HOLEVINSKI, ANALYTICAL CHEMIST (WATER QUALITY) TO ATTEND THE 2023 AWWA ACE CONFERENCE (WATER EVENT) IN TORONTO, CANADA

Motion by seconded by

WHEREAS, the Erie County Water Authority deems it advisable for Gabriella Holevinski, Analytical Chemist (Water Quality) to attend the 2023 AWWA ACE Conference (Water Event) in Toronto, Canada at a total estimated cost of \$3,000.00;

NOW, THEREFORE, BE IT RESOLVED:

That Gabriella Holevinski, Analytical Chemist (Water Quality) is authorized to travel to Toronto, Canada from June 11, 2023 to June 14, 2023 to attend the 2023 AWWA ACE Conference (Water Event) at a total estimated cost of \$3,000.00.

Ayes:

Noes:

03/23/23-alh

ITEM 13 - AUTHORIZATION FOR NATALIA WALCZAK, ACCOUNT CLERK, ANN LONGO, ACCOUNT CLERK, AND KIMBERLY WHITBECK, STORES CLERK TO ATTEND THE NYSSAMPO 2023 WESTERN REGIONAL CONFERENCE IN CORTLAND, NEW YORK

Motion by seconded by

WHEREAS, the Erie County Water Authority deems it advisable for Natalia Walczak, Account Clerk, Ann Longo, Account Clerk and Kimberly Whitbeck, Stores Clerk to attend the NYSSAMPO 2023 Western Regional Conference in Cortland, New York at a total estimated cost of \$1,800.00;

NOW, THEREFORE, BE IT RESOLVED:

That Natalia Walczak, Account Clerk, Ann Longo, Account Clerk and Kimberly Whitbeck, Stores Clerk are authorized to travel to Cortland, New York from April 18, 2023 to April 20, 2023 to attend the NYSSAMPO 2023 Western Regional Conference at a total estimated cost of \$1,800.00.

Ayes:

Noes:

3/23/23-alh

**ITEM 14 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
AUTHORITY’S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2023**

Motion by seconded by

WHEREAS, in a resolution dated October 20, 2022, the Erie County Water Authority (the "Authority") adopted its annual capital budget for the fiscal year 2023; and

WHEREAS, from time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances, the Authority finds it proper to amend its budget to reflect such changes; and

WHEREAS, the Authority has been advised by Stan Jemiolo Jr., Administrative Assistant, funding is needed for capital budget item 101719; and

WHEREAS, in order to provide funding for this project, funds within the capital budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
1090	101719	Vehicle 079	<u>\$ 18,000</u>	
1090	101693	Vehicle 052		\$ 3,500
1090	101695	Vehicle 707		7,000
1090	101697	Vehicle 106		3,500
1090	101698	Vehicle 084		<u>4,000</u>
Totals			\$ 18,000	\$ 18,000;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's annual capital budget for the fiscal year 2023 be amended as listed above.

Ayes:
Noes:

03/23/23-SVD:pjg

**ITEM 15 - AUTHORIZATION TO ADOPT THE ERIE COUNTY WATER
AUTHORITY’S CODE OF ETHICS & CONFLICTS OF INTEREST POLICY,
THE 2022 FINANCIAL DISCLOSURE STATEMENT FORM AND 2022
VENDOR LIST**

Motion by seconded by

WHEREAS, on March 23, 2023, the Governance Committee (the “Committee”) of the Erie County Water Authority (the “Authority”) conducted an annual review of the Authority’s Code of Ethics & Conflicts of Interest Policy, Whistleblower Protection Policy, In-House Financial Disclosure Statement and Vendor List for the previous calendar year and any reports or recommendations submitted to the Committee by the Authority’s Independent Ethics Panel (the “Panel”); and

WHEREAS, following this annual review, the Committee recommends to the Board of Commissioners (the “Board”) the adoption of a Code of Ethics & Conflicts of Interest Policy; and

WHEREAS, the Committee recommends no changes to the Authority’s Whistleblower Protection Policy; and

WHEREAS, the Committee recommends for approval a Financial Disclosure Statement, as amended for calendar year 2022 and a 2022 Vendor List;

NOW, THEREFORE, BE IT RESOLVED:

The Board adopts the Erie County Water Authority Code of Ethics & Conflicts of Interest Policy together with the 2022 ECWA Financial Disclosure Statement and 2022 Vendor List; and be it further

RESOLVED: That the Secretary is directed to post the Code of Ethics & Conflicts of Interest Policy on the Authority website.

Ayes:

Noes:

03/23/23-pjg

ITEM 16 - AUTHORIZATION TO FILE THE PUBLIC AUTHORITY REPORTING INFORMATION SYSTEM (PARIS) 2022 REPORTS TO THE NEW YORK STATE AUTHORITY BUDGET OFFICE

Motion by seconded by

WHEREAS, in accordance with the Public Authorities Law, as amended by the Public Authorities Accountability Act of 2005, and the Public Authorities Reform Act of 2009, the Erie County Water Authority is required to file an Annual Report which reflects the 2022 results of operations and other supporting information; a Procurement Report of the Authority’s activity for the year; the Authority’s audited Investment Report; and the Certified Financial Audit report.

WHEREAS, the certification statement must be affirmatively answered confirming that the Report has been presented to and accepted by the Board of Commissioners (the “Board”) before the submission of the data; and

WHEREAS, the Governance Committee has recommended that the Board approves the filing of the Public Authority Reporting Information System (PARIS) 2022 Reports to the NYS Authorities Budget Office;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves the filing of the PARIS 2022 Reports to the NYS Authorities Budget Office; and be it further

RESOLVED: that the Board authorizes the Authority’s Chief Financial Officer to file the Public Authority Reporting Information System 2022 Reports described above to the New York State Authority Budget Office and post all required documents to the Authority’s website.

Ayes:

Noes:

03/23/23-pjf

**ITEM 17 - AUTHORIZATION TO RESCIND THE ERIE COUNTY WATER
AUTHORITY COVID-19 POLICIES AND PROCEDURES**

Motion by seconded by

WHEREAS, on October 20, 2022 the Erie County Water Authority’s (the “Authority”) Board of Commissioners (the “Board”) approved adopting a Covid Policies and Procedures (the “Policy”); and

WHEREAS, President Biden declared that on May 11, 2023, the Covid-19 national public health emergency will end; and

WHEREAS, on March 23, 2023, at the Authority’s Governance Committee meeting, it was determined and recommended to the Board that the Authority end its Policy on May 11, 2023;

NOW THEREFORE BE IT RESOLVED:

That the Board rescinds the Covid Policies and Procedures on May 11, 2023; and be it further

RESOLVED: The Board directs the Director of Human Resources issue a statement informing the employees of this action.

Ayes:

Noes:

03/23/23-pjg

ITEM 18 - AUTHORIZATION FOR THE ERIE COUNTY WATER AUTHORITY TO OFFER A \$25 BILL CREDIT RELATIVE TO A SERVICE LINE INSPECTION FOR THE EPA LEAD AND COPPER RULE AND LEAD AND COPPER RULE REVISIONS

Motion by seconded by

WHEREAS, on February 9, 2023, the New York State Department of Health (the “NYSDOH”) returned the Erie County Water Authority (the “Authority”) to Standard Monitoring under the current EPA Lead and Copper Rule (“LCR”), effective January 1, 2023; and

WHEREAS, LCR Standard Monitoring requires the sampling of 100 Tier One sites, or single-family residences, every 6 months, and 50 of these 100 sites are required to be homes with a lead service line; and

WHEREAS, in an effort to recruit these 100 Tier One sites, the Board of Commissioners of the Authority (the “Board”) approved a \$50 bill credit incentive for each 6-month monitoring period which has proven to be successful; and

WHEREAS, to complete the sampling pool, an additional 15-20 homes with lead service lines are needed; and

WHEREAS, in order to find a home with a lead service line it requires reaching out to customers who the Authority believes might have a lead service line and perform an in-home inspection to confirm material type at the meter and obtain a commitment to the sampling; and

WHEREAS, on June 8, 2022, the Board approved entering into a Professional Service Agreement with Arcadis of New York services relating to EPA Lead and Copper Rule Revisions Program Management, identified as Contract No. MP-091 (the “Agreement”); and

WHEREAS, under the Agreement, to build the lead service line inventory required by the upcoming Lead and Copper Rule Revisions, a predictive model has been developed which has generated 200-250 homes requiring field verifications, or in-home inspection at the meter; and

WHEREAS, Sabrina Figler, Director of Water Quality believes a \$25 bill credit is the best way to achieve access to the home which will benefit both programs and recommends that the Board approve a \$25 bill credit until the Board decides otherwise;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves offering a \$25 bill credit to customers who allow access to their homes to perform an in-home inspection to confirm material type at the meter and commit to the sampling or field verifications for the lead service line inventory and will continue until the Board decides otherwise.

Ayes:

Noes:

03/23/23