

ITEM 1 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH J. O'CONNELL & ASSOCIATES, INC. TO PROVIDE PROFESSIONAL GRANT WRITING CONSULTING SERVICES, PROJECT NO. 202300135

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") recently issued a Request for Proposals (the "RFP") to qualified firms to provide Professional Grant Writing Consulting Services; and

WHEREAS, A copy of the RFP was sent to:

Briana Popek Grants
C & S Companies
The Harrison Studio
J. O'Connell & Associates, Inc.
Municipal Solutions, Inc.
Robert J. Miller & Associates, Inc.
Rotella Grant Management
Upper Edge Consulting; and

WHEREAS, the RFP was also posted on the Authority's website which did not result in any additional responses; and

WHEREAS, the respondents to the RFP were: C & S Companies, J. O'Connell & Associates, Inc., and Rotella Grant Management; 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 J. O'Connell & Associates, Inc. was best suited to the Authority's needs; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with J. O'Connell & Associates, Inc. to provide Grant Writing Consulting Engineering Services; and

WHEREAS, the Authority's 2023 O&M Budget includes funds for this project under Unit 6030 Public Information, Item No. 60 Special Services;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners accepts the proposal of J. O'Connell & Associates, Inc. to provide Professional Grant Writing Consulting Services; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said agreement on behalf of the Authority; and be it further

RESOLVED: That the Secretary is hereby authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to J. O'Connell & Associates, Inc.; and be it further

RESOLVED: That the execution of this Agreement is contingent upon the approval by the Legal Department of all necessary insurance requirements.

Ayes:

Noes:

06/22/23-alh

ITEM 2 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CHA CONSULTING, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO SHERIDAN DRIVE WATER SYSTEM IMPROVEMENTS IN THE TOWN OF AMHERST, IDENTIFIED AS CONTRACT NO. CH-015, PROJECT NO. 202300130

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") recently issued a Request for Proposals (the "RFP") to qualified firms to provide professional engineering services relating to Sheridan Drive Water System Improvements in the Town of Amherst, identified as Contract No. CH-015; and

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

Barton and Loguidice
CHA Consulting, Inc.
Wm. Schutt & Associates, PC; and

WHEREAS, all three firms responded to the RFP; and

WHEREAS, the RFP was also posted on the Authority's website which did not result in any additional responses; 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 proposals were reviewed and discussed among the review committee, it was determined that CHA Consulting, Inc. was the best firm for this project; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with CHA Consulting, Inc. to provide professional engineering services relating to Sheridan Drive Water System Improvements in the Town of Amherst, identified as Contract No. CH-015; and

WHEREAS, the Authority's 2023 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101704 Sheridan Drive Main Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners accepts the proposal of CHA Consulting, Inc. to provide professional engineering services relating to Sheridan Drive Water System Improvements in The Town of Amherst, identified as Contract No. CH-015; and be it further

RESOLVED: That the Chairman is authorized to execute said 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 CHA Consulting, Inc.

Ayes:

Noes:

06/22/23-alh

ITEM 3 - AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT WITH TIME WARNER CABLE NORTHEAST, LLC D/B/A SPECTRUM TO PROVIDE AND INSTALL AN ETHERNET PRIVATE LINE SERVICE (FIBER POINT-TO-POINT) AT VARIOUS ERIE COUNTY WATER AUTHORITY LOCATIONS, PROJECT NO. 201800158

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) has a need for increased security at remote locations within the Authority; and

WHEREAS, for security cameras to be installed, additional internet connectivity will need to be installed at certain remote locations; and

WHEREAS, the Authority proposes to install increased security to three (3) to four (4) remote locations per year; and

WHEREAS, the bandwidth requirements for the remote locations will be the same as other locations with similar requirements under the current agreement (\$1,000.00 MRC per site) bringing the total MRC on the new contract to \$4,000.00; and

WHEREAS, there are additional one-time construction fees related to the installation of the new service at the four remote locations totaling \$84,878.06; and

WHEREAS, Time Warner Cable Northeast, LLC d/b/a Spectrum (“Spectrum”) has advised that if the new service contract is signed by end of month June 2023 for a 5-year duration, the construction costs will be waived in full; and

WHEREAS, the pricing for the new services follow the NYS OGS Contract; and

WHEREAS, David W. Aubertine, Director of Cybersecurity and Information Technology recommends executing a Service Agreement with Spectrum for the above services; and

WHEREAS, the Authority’s 2023 O&M Budget includes funds for this project under Unit 8525 Information Technology, Item No. 23 Telephone;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority’s Board of Commissioners approve entering into a Service Agreement with Spectrum for the above services; and be it further

RESOLVED: That the Chairman is authorized to execute the Service 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 Spectrum.

Ayes:

Noes:

06/22/23-alh

ITEM 4 - AWARD OF CONTRACT TO RUSSO DEVELOPMENT, INC. FOR STURGEON POINT WATER TREATMENT PLANT RESIDUALS/SLUDGE REMOVAL, DISPOSAL, AND RELOCATION, PROJECT NO. 202300097 - \$767,568.000

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 8th day of May 2023, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Sturgeon Point Water Treatment Plant Residuals/Sludge Removal, Disposal, and Relocation; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 30th day of May, 2023, and were as follows:

BIDDERS	AMOUNT
Russo Development, Inc.	\$767,568.00
S. St. George Enterprises, Inc.	820,370.00
Pinto Construction Services, Inc.	873,600.00; and

WHEREAS, Michael W. Wymer, Senior Production Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specifications and bids and determined that Russo Development, Inc. is the lowest 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 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point Plant, Item No. 35 Refuse and Waste Disposal;

NOW, THEREFORE, BE IT RESOLVED:

That Authority awards the contract to Russo Development, Inc. as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: that the Chairman is authorized to execute a contract with Russo Development, Inc. for Sturgeon Point Water Treatment Plant Residuals/Sludge Removal, Disposal, and Relocation as a unit price contract for the estimated total amount of \$767,568.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:
Noes:

**ITEM 5 - AWARD OF CONTRACT TO JOHN W. DANFORTH COMPANY FOR
JEROME D. VAN DE WATER WTP FILTER NO. 3 VALVES
REPLACEMENT, PROJECT NO. 202200238 - \$625,700.000**

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 27th day of March 2023, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Jerome D. Van de Water WTP Filter No. 3 Valves Replacement; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 25th day of April, 2023, and were as follows:

BIDDERS	AMOUNT
John W. Danforth Company	\$625,700.00
STC Construction, Inc.	647,800.00; and

WHEREAS, Michael W. Wymer, Senior Production Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specifications and bids and determined that John W. Danforth Company is the lowest 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 1015 Van De Water Plant, Item No. 101691 Filter Valves – Actuation Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That Authority awards the contract to John W. Danforth Company as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: that the Chair is authorized to execute a contract with John W. Danforth Company for Jerome D. Van de Water WTP Filter No. 3 Valves Replacement as a unit price contract for the estimated total amount of \$625,700.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:
Noes:

06/22/23-alh

ITEM 6 - APPROVAL OF AMENDMENT TO A PERMANENT EASEMENT AGREEMENT WITH NIAGARA MOHAWK POWER CORPORATION RELATING TO WATER SYSTEM IMPROVEMENTS, TRANSMISSION MAIN INSTALLATION, TOWN OF TONAWANDA, IDENTIFIED AS CONTRACT NO. MP-084, PROJECT NO. 202000084

Motion by seconded by

WHEREAS, on October 16, 1978, the Erie County Water Authority’s (the "Authority") entered into a Permanent Easement (the “Easement”)with Niagara Mohawk Power Corporation (“NMPC”) to grant the Authority the right to construct water pipeline facilities known as Van de Water Raw Pipe Line and Van de Water to Ball Pipe Line on various properties in the Towns of Tonawanda and Amherst; and

WHEREAS, the Easement includes provisions for future construction which will necessitate amendments; and

WHEREAS, on February 13, 2020, the Authority executed an agreement with Arcadis of New York for the design and construction of a new 48-inch diameter transmission main in the Town of Tonawanda, identified as Contract No. MP-084; and

WHEREAS, in order to add the additional transmission main, there are certain locations, requirement and conditions (the “Conditions”) that must be adhered to by the Authority in addition to those set forth in the Easement; and

WHEREAS, NMPC and the Authority have agreed to amend the Easement, in writing, to include the aforementioned Conditions; and

WHEREAS, there is no cost associated with this Amendment;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves the amending the Easement to include the aforementioned Conditions ; and be it further

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

RESOLVED: That the Secretary of the Authority is authorized to forward an executed copy of the Amendment together with a certified copy of this resolution to NMPC.

Ayes:

Noes:

ITEM 7 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT WITH ERDMAN ANTHONY & ASSOCIATES, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES RELATIVE TO THE REPLACEMENT OF UNDERSIZED DISTRIBUTION MAINS IN THE TOWNS OF WEST SENECA AND CHEEKTOWAGA AND VILLAGE OF DEPEW, NEW YORK (CONTRACT B), IDENTIFIED AS CONTRACT NO. EA-012, PROJECT NO. 202000065

Motion by seconded by

WHEREAS, on February 13, 2020, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") approved entering into a Professional Services Contract with Erdman Anthony & Associates, Inc. (the "Consultant") to provide consulting engineering services relative to the Replacement of Undersized Distribution Mains in the Towns of West Seneca and Cheektowaga and Village of Depew, New York, identified as Contract No. EA-012 (the "Contract"); and

WHEREAS, several changes to the scope of the work occurred during the construction phase of the project; and

WHEREAS, the Consultant has requested additional compensation of \$183,394.89 for the additional services it provided to the Authority; and

WHEREAS, Michael J. Quinn, Senior Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend that the Authority amend the Contract by increasing the compensation to the Consultant by \$183,394.89; and

WHEREAS, in accordance with Paragraph 5 of the Contract, no modification or variation from the terms of the Contract shall be effective unless it is in writing and authorized by a resolution of the Board and signed by all parties; and

WHEREAS, the Authority's 2023 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101516 EA-012 Waterline Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approve amending the Contract by increasing the compensation to the Consultant by \$183,394.89 for additional services provided to the Authority; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said Amendment No. 1 on behalf of the Authority; and be it further

RESOLVED: That the Secretary is hereby authorized to forward an executed copy of said Amendment together with a certified copy of this resolution to Erdman Anthony & Associates, Inc.

Ayes:

Noes:

06/22/23-alh

ITEM 8 - APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT WITH KEMIRA WATER SOLUTIONS, INC. FOR FURNISHING AND DELIVERING OF POLYALUMINUM CHLORIDE COAGULANT TO THE ERIE COUNTY WATER AUTHORITY FOR THE TREATMENT OF WATER, IDENTIFIED AS CONTRACT NO. 22-21-05, PROJECT NO. 202200031

Motion by seconded by

WHEREAS, on the 19th day of May 2022 the Erie County Water Authority’s (the "Authority") Board of Commissioners (the “Board”) approved entering into a contract with Kemira Water Solutions, Inc. (“Kemira”) for Furnishing and Delivering of Polyaluminum Chloride Coagulant to the Erie County Water Authority for the Treatment of Water, identified as Contract No. 22-21-05, (the “Contract”); and

WHEREAS, the Contract provides for the furnishing and delivering of polyaluminum chloride coagulant (“PACI”) to the Authority, as ordered, from July 1, 2022 until June 30, 2023; and

WHEREAS, in accordance with article 5, paragraph 5.02 of the Contract, no modification or variation from the terms of the Contract shall be effective unless it is in writing and authorized by a resolution of the Board and signed by all parties; and

WHEREAS, the parties wish to extend this Contract for an additional one-year period from July 1, 2023 until June 30, 2024 pursuant to article 1, paragraph 1.04 of the Contract; and

WHEREAS, Kemira has requested an increase in payment to the price of \$0.233 per liquid pound of PACI; and

WHEREAS, Michael W. Wymer, Senior Production Engineer and Leonard F. Kowalski, Executive Engineer recommend approval of said Amendment No. 1; and

WHEREAS, the Authority’s 2023 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point, Item No. 13 Chemicals and Unit 1015 Van de Water, Item No. 13 Chemicals;

NOW, THEREFORE, BE IT RESOLVED:

That Board approves amending the Contract to increase the price of PACI to \$0.233 per liquid pound and to the extend the term of the Contract until June 30, 2024 ; and be it further

RESOLVED: That the Chairman is authorized to execute said Amendment No. 1 on behalf of the Authority; and be it further

RESOLVED: That the Secretary of the Authority is authorized to forward an executed copy of the Amendment together with a certified copy of this resolution to Kemira.

Ayes:

Noes:

06/22/23-alh

ITEM 9 - APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT WITH PVS NOLWOOD CHEMICALS, INC. FOR THE FURNISHING AND DELIVERING OF FLUOROSILICIC ACID TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER, IDENTIFIED AS CONTRACT NO. 22-47-12, PROJECT NO. 202200237

Motion by seconded by

WHEREAS, on the 15th day of December 2022 the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") approved a resolution to enter into a Contract with PVS Nolwood Chemicals, Inc. (the "Supplier") for the Furnishing and Delivering of Fluorosilicic Acid to the Erie County Water Authority for Use in the Treatment of Water, identified as Contract No. 22-47-12, (the "Contract"); and

WHEREAS, the Contract provides for the furnishing and delivering of Fluorosilicic Acid to the Authority, as ordered, from December 15, 2022 until July 31, 2023; and

WHEREAS, in accordance with article 5, paragraph 5.02 of the Contract, no modification or variation from the terms of the Contract shall be effective unless it is in writing and authorized by a resolution of the Board and signed by all parties; and

WHEREAS, the Supplier has agreed to extend the term of the Contract for an additional one-year period from August 1, 2023 until July 31, 2024, pursuant to article 1, paragraph 1.05 of the Contract, and based on the same terms and conditions, including pricing of \$990.00 per liquid ton of Fluorosilicic Acid; and

WHEREAS, Michael W. Wymer, Senior Production Engineer and Leonard F. Kowalski, Executive Engineer recommend approval of said Amendment No. 1; and

WHEREAS, the Authority's 2023 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point, Item No. 13 Chemicals and Unit 1015 Van de Water, Item No. 13 Chemicals;

NOW, THEREFORE, BE IT RESOLVED:

That Board approves amending the Contract with PVS Nolwood Chemicals, Inc. to extend the term of the Contract until July 31, 2024, based on the same terms and conditions, including pricing of \$990.00 per liquid ton of Fluorosilicic Acid; and be it further

RESOLVED: That the Chairman is authorized to execute said Amendment No. 1 on behalf of the Authority; and be it further

RESOLVED: That the Secretary of the Authority is authorized to forward an executed copy of the Amendment together with a certified copy of this resolution to PVS Nolwood Chemicals, Inc.

Ayes:

Noes:

06/22/23-alh

ITEM 10 - 2023-2024 INSURANCE COVERAGE AND AUTHORIZATION TO BIND AND PAY INSURANCE INVOICES

Motion by _____ seconded by _____

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 22, 2023, 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, 2023, for such insurance coverage to be effective July 1, 2023 through June 30, 2024, 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, 2023 deadline;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners (the "Board") hereby authorizes, Joyce A. Tomaka 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:

06/22/23-alh

**ITEM 11 - 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 Michael Quinn, Senior Distribution Engineer, funding is needed for capital budget item 101676; 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</u>	<u>Capital No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
2590	101676	NC-044 Waterline Replacement	\$ <u>50,000</u>	
2590	101596	JMD-001 Waterline Replacement		\$ <u>50,000</u>
Totals			\$ 50,000	\$ 50,000;

NOW, THEREFORE, BE IT RESOLVED:

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

Ayes:

Noes:

06/22/23-SVD:alh

**ITEM 12 - 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 Michael Quinn, Senior Distribution Engineer, funding is needed for capital budget item 101516; 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>
2590	101516	EA-012 Waterline Replacement	\$ <u>190,000</u>	
2590	101707	Distribution Project C		\$ <u>190,000</u>
Totals			\$ 190,000	\$ 190,000;

NOW, THEREFORE, BE IT RESOLVED:

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

Ayes:

Noes:

06/22/23-SVD:alh

ITEM 13 - SALARY INCREMENTS - JULY 1, 2023

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, 2023 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:

06/22/23-alh

ITEM 14 - APPROVAL OF A LEAVE OF ABSENCE FOR TIMOTHY MEEGAN

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") is subject to the Rules for the Classified Civil Service of the County of Erie (the "County Rules"), pursuant to Public Authorities Law § 1053(3) and Civil Service Law § 20; and

WHEREAS, Rule XVIII, Subdivision 2, provides, "A leave of absence without pay, not to exceed one year, may be granted to an employee by an appointing officer;" and

WHEREAS, Policy No. 61.0 determines the "appointing officer" to be the "Members of the Authority," and states, "The ultimate decision as to whether or not the leave without pay will be granted rests with the Members of the Authority;" and

WHEREAS, subdivision 2 of the Rule XVIII gives the Members of the Authority complete discretion to grant an unpaid leave for a one-year period with only a notice being sent to the County Personnel Director; and

WHEREAS, subdivisions 3 and 5 of the Rule XVIII give the sole discretion to the County Personnel Director to extend such a leave of absence for a period of more than one year; and

WHEREAS, on June 12, 2023, the Authority appointed Timothy Meegan to the position of Crew Chief; and

WHEREAS, Mr. Meegan has requested a leave of absence from his permanent position of Line Maintenance Operator while he continues to serve the Authority as Crew Chief;

NOW, THEREFORE, BE IT RESOLVED:

Timothy Meegan is granted a leave of absence from his permanent position of Line Maintenance Operator while he continues to serve the Authority as Crew Chief.

Ayes:
Noes:

06/22/23-alh

ITEM 15 - AUTHORIZATION FOR ADDITIONAL VACATION TIME FOR NEW DISTRIBUTION ENGINEER

Motion by seconded by

WHEREAS, on June 5, 2023, the Erie County Water Authority (the “Authority”) welcomed Marc A. Bellacose, as a newly hired Distribution Engineer; and

WHEREAS, Mr. Bellacose joins the Engineering Department with over 18 years’ experience in the Town of Amherst (the “Town”) including capital planning and emergency repairs of the Town’s water distribution system, project management and construction phases services for water main improvement projects, and fits well within the Engineering Department’s succession plan; and

WHEREAS, in leaving his position with the Town, Mr. Bellicose has foregone significant vacation time accrued over his 18-year career; and

WHEREAS, the Executive Staff, along with Jennifer Hibit, Director of Human Resources, recommends the Board of Commissioners (the “Board”) immediately grant Mr. Bellicose two weeks of vacation, which he may use within the 2023 calendar year or may carry over to the 2024 calendar year in accordance with the Authority’s current Policies and Procedures Manual Policy 41 (Vacation Policies & Procedures);

NOW, THEREFORE BE IT RESOLVED

That the Board of Commissioners authorizes by this resolution the granting of two weeks of vacation to Marc A. Bellicose, serving in the position of Distribution Engineer; and be it further

RESOLVED, that the Chief Financial Officer and the Comptroller are directed to credit Mr. Bellicose with two weeks of vacation (i.e. 80 hours) as of the date of his appointment; and be further

RESOLVED, this resolution is intended to apply such vacation time for the 2023 calendar year or may carry over to the 2024 calendar year and does not affect the rules otherwise applicable by the Authority’s current Policies and Procedures Manual Policy 41 (Vacation Policies & Procedures).

Ayes:

Noes:

06/22/23-pjf

ITEM 16 - AUTHORIZATION TO AMEND ITEM 12 OF THE MINUTES OF THE MEETING OF THE ERIE COUNTY WATER AUTHORITY HELD ON MAY 25, 2023 RELATING TO THE CREATION OF SENIOR CONSTRUCTION INSPECTOR

Motion by seconded by

WHEREAS, on May 25, 2023 the Erie County Water Authority (the “Authority”) Board of Commissioners (the “Board”) approved the creation of Sr. Construction Inspector;

WHEREAS, the creation was intended for one position, however, the resolution reads as follows:

“That the Erie County Water Authority does hereby create two positions of Senior Construction Inspector, Salary Grade 30 at a starting salary of \$79,830.40 of the Authority’s Career and Salary Plan, effective May 25, 2023; and be it further”; and

WHEREAS, Terrence D. McCracken advised that the resolution should read as follows:

“That the Erie County Water Authority does hereby create one position of Senior Construction Inspector, Salary Grade 30 at a starting salary of \$79,830.40 of the Authority’s Career and Salary Plan, effective May 25, 2023; and be it further”;

NOW, THEREFORE, BE IT RESOLVED:

That the Board amends Item 12 of the Minutes of the Meeting of the Authority held on May 25, 2023 to read as mentioned above.

Ayes:

Noes:

06/22/23-pjg

ITEM 17 - AUTHORIZATION TO AMEND POLICY NO. 41 (VACATION POLICY AND PROCEDURES) OF THE ERIE COUNTY WATER AUTHORITY'S EMPLOYEE POLICIES AND PROCEDURES MANUAL

Motion by seconded by

WHEREAS, on October 20, 2022, the Erie County Water Authority (the "Authority") Board of Commissioners (the "Board") adopted a newly revised Employee Policies and Procedures Manual; and

WHEREAS, it is the policy of the Board of Commissioners (the "Board") of the Authority to review, on a regular basis, policies and procedures relating to the Authority's operations; and

WHEREAS, on June 22, 2023, the Authority's Governance Committee reviewed and recommended amending Policy No. 41 (Vacation Policy and Procedures) of the new Employee Policies and Procedures Manual;

NOW THEREFORE BE IT RESOLVED:

The Board approves amending Policy No. 41 (Vacation Policy and Procedures) of the new Employee Policies and Procedures Manual; and be it further

RESOLVED: The Board directs the Office of the Secretary to replace the newly amended policy with the old policy that is on the Authority's portal.

Ayes:

Noes:

06/22/23-pjg

ITEM 18 - AUTHORIZATION TO ADOPT A REVISED ERIE COUNTY WATER AUTHORITY COMPREHENSIVE STRATEGIC PLAN

Motion by seconded by

WHEREAS, the Mission of the Erie County Water Authority (the “Authority”) is to provide all its customers a plentiful supply of safe, high quality and affordable drinking water through reliable infrastructure; and

WHEREAS, pursuant to Policy No. 17, (Duties and Responsibilities of the Board of Commissioners), of the Authority’s Employee Policies/Procedure Manual, in consultation with the Executive and Senior Staff, the Board of Commissioners of the Authority (the “Board”) shall adopt, review, and revise as warranted a long-range strategic plan which will allow the Authority to support and fulfill its mission; and

WHEREAS, on September 19, 2019 the Board adopted a Comprehensive Strategic Plan (the “2019 Plan”); and

WHEREAS, the Board deemed it in the best interest of the Authority to update and revise the 2019 Plan; and

WHEREAS, on June 22, 2023, the Authority’s Governance Committee reviewed and recommended adopting the revised Comprehensive Strategic Plan (the “Revised 2023 Plan”);

NOW, THEREFORE BE IT RESOLVED:

That the Board adopt the Revised 2023 Plan with the caveat that the correct policy is referenced on page 1 of said Plan; and be it further

RESOLVED: The Board directs the Secretary of the Authority to post the Revised 2023 Plan on the Authority’s Website and to make available copies of same upon request.

Ayes:

Noes:

06/22/23-alh

ITEM 19 - AUTHORIZATION TO JOIN MUNICIPAL GROUP SELF-INSURANCE PROGRAM

Motion by seconded by

WHEREAS, the Authorized Representative of the Erie County Water Authority (the Authority”) desires to secure the Authority’s obligation to provide workers’ compensation benefits, as applicable, through participation in a group self-insurance program of which the Erie County Water Authority will be a member; and

WHEREAS, the Authorized Representative of the Authority, duly convened in regular session, does hereby resolve, pursuant to, and in accordance with the provisions of Section 50 3-a of the New York State Workers Compensation Law and other applicable provisions of law and regulations thereunder, as follows:

Section 1. The Authorized Representative (the “Representative”) of the Authority does hereby resolve to secure the Erie County Water Authority’s obligation to provide workers’ compensation benefits, as applicable, through participation in a group self-insurance plan of which the Erie County Water Authority will be a member;

Section 2. The Representative of the Authority does hereby resolve to become a member of Public Employer Risk Management Association, Inc., a workers’ compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York;

Section 3. In order to effect the Authority’s membership in said group self-insurance program, the authorized officer of the Erie County Water Authority is hereby authorized to execute and enter into the Public Employer Risk Management Association Workers’ Compensation Program Agreement, annexed hereto as Exhibit A, on behalf of the Erie County Water Authority.

Section 4. This Resolution shall take effect immediately for coverage effective July 1, 2023.

Ayes:

Noes:

06/22/23-Lawley:pjg

ITEM 20 - PAYMENT OF WORKERS' COMPENSATION CLAIMS AND LIABILITIES

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") has determined it is in its best interests, financial and otherwise, to obtain its Workers' Compensation coverage through the Public Employer Risk Management Association, (PERMA); and

WHEREAS, the New York State Workers' Compensation Board is seeking confirmation that the Authority has by law the ability to raise funding to cover payment for any outstanding Workers' Compensation claims or liabilities; and

WHEREAS, pursuant to Public Authorities Law§ 1056, the Authority has the power and authority to issue bonds, notes or other obligations for any corporate purpose of the Erie County Water Authority; and

WHEREAS, pursuant to Public Authorities Law§ 1054(9) the Authority has the power and authority to pledge its revenues and mortgage any and all properties to secure the obligations of the authority and to do all things necessary, convenient or desirable to carry out its purposes; and

WHEREAS, pursuant to Public Authorities Law§ 1054(15) the fees, rates and charges fixed by the Authority must be sufficient to cover all bond indebtedness, liabilities and expenses of the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority acknowledges that it will be responsible for any outstanding Workers' Compensation Claims accruing as a result of Self-Insuring its workers' compensation liabilities under Section 50-4a of the NYS Workers' Compensation Law, and that the Erie County Water Authority shall take any and all steps necessary to fund said claims, including commencing the process of bond issuance, subject to the laws and regulations governing the bonding process, together with utilizing all other financial resources necessary to satisfy any outstanding Workers' Compensation claims accruing during the period in question.

Ayes:

Noes:

06/22/23-Lawley:pjg