

**ERIE COUNTY WATER AUTHORITY  
AMENDED MEETING OF SEPTEMBER 20, 2023**

**PRESENT:**

**PLEDGE TO THE FLAG**

**I. CALL TO ORDER/ROLL CALL**

**II. READING OF MINUTES**

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and carried to read the Minutes of the Meeting held on Thursday, August 17, 2023.

**III. APPROVAL OF MINUTES**

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and carried to approve the Minutes of the Meeting held on Thursday, August 17, 2023.

**IV. REPORTS**

**A. SECRETARY**

1. Executive Session McCracken  
Discussion relating to proposed or pending litigation pursuant to Public Officers Law §105(1)(d)

2. Executive Session McCracken  
Discussion relating to personnel matters of a particular person pursuant to Public Officers Law §105(1)(f) matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person

**B. LEGAL**

1. Executive Session Carney  
Discussion with the Authority's General Counsel relating to the proposed acquisition, sale, or lease of real property pursuant to Public Officers Law §105(1)(h)

**Reports cont.**

- 2. Executive Session Carney  
Discussion with the Authority’s General Counsel relating to  
the proposed acquisition, sale, or lease of real property pursuant to  
Public Officers Law §105(1)(h)

**C. FISCAL**

- 1. July 2023 Investment Report Tomaka
- 2. July 2023 Financial Report Brown

**D. OPERATIONS**

- 1. RFPs Published Kowalski
- 2. Projects Advertised for Bidding Kowalski
- 3. Recommendation to Award Kowalski

**E. HUMAN RESOURCES**

**F. AUDIT COMMITTEE**

**G. GOVERNANCE COMMITTEE**

**H. FINANCE COMMITTEE**

**I. ETHICS COMMITTEE**

**V. COMMUNICATIONS AND BILLS**  
**(Communications may be limited to items that are provided electronically. Every effort will be made to provide all communications at future meetings.)**

- C-1** Notice of Claim – Swanson v ECWA
- C-2** Notice of Claim – Lake View Storage of WNY, LLC v ECWA
- C-3** Notice of Claim – DeAngelo v ECWA

**Communications cont.**

- C-4** Notice of Claim – Erb v ECWA
- C-5** Notice of Claim – Freitas v ECWA
- C-6** Notice of Claim – Jaczewski v ECWA
- C-7** Notice of Claim – Martin v ECWA
- C-8** Notice of Claim – McGinley v ECWA
- C-9** Notice of Claim – Pirritano v ECWA
- C-10** Notice of Claim – Whitmarsh v ECWA
- C-11** Notice of Claim – Allen v ECWA
- C-12** FOIL from New York Foundation for Fair Contracting regarding JMD-001
- C-13** FOIL from Geoffrey Szymanski regarding Executive Director Candidates
- C-14** FOIL from Michelle Smardz regarding Delinquency List
- C-15** FOIL from Linda Montagne regarding Water Bills
- C-16** FOIL from Julie Barnes regarding 5399 Alderbrook Lane
- C-17** Letter from Michael Carlin
- C-18** Letter from Timothy McGowan

**VI. PERSONS ADDRESSING THE AUTHORITY**

Pursuant to the Erie County Water Authority's Open Meetings Law Policy Section 10 Public Expression, as posted on its website, the Commissioners will hear the concerns of persons desiring to address the Commissioners on any Water Authority subject.

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

- ITEM 1 -** Authorization to Execute Funding Agreement with New York State Environmental Facilities Corporation in Connection with Grant Award - \$20,000,000
  
- ITEM 2 -** Authorization to Execute a Service Contract with Time Warner Cable Northeast, LLC d/b/a Spectrum relative to Internet Services, State Contract No. PS68706
  
- ITEM 3 -** Authorization to Accept the Construction and Installation of Approximately 1,085 Linear Feet of Eight (8") Inch PVC (C-900), 50 Linear Feet of Eight (8") Inch DIP, Two (2) Hydrants, Five (5) Line Valves and Appurtenances in Northwoods Subdivision, Phase 5, Town of Clarence, New York, EC No. 7292, Project No. 202200264
  
- ITEM 4 -** 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. 5131.41, D265088 Project No. 202300011
  
- ITEM 5 -** Authorization to Enter into a Permanent Easement Agreement with Town of Boston relating to Rice Hill Tank
  
- ITEM 6 -** Authorization to Enter into a Professional Services Agreement with Utilis Inc. d/b/a Asterra to perform Engineering Services Relating to Satellite Leak Detection Program, identified as Contract No. AST-001, Project No. 202300151
  
- ITEM 7 -** Authorization to Execute a Legal Services Agreement with Douglas & London P.C. to provide Expert Legal Services regarding Potential Claims Contamination of Drinking Water
  
- ITEM 8 -** Authorization to Execute Termination Agreement with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless for the Leasing of Space on the Erie County Water Authority's Pleasantview Tank in Lancaster, New York and Execute Bill of Sale for Abandoned Shelter Installed on Leased Premises
  
- ITEM 9 -** Approval of Change Order No. 1 of John W. Danforth Company for Jerome D. Van De Water WTP Filter No. 3 Valves Replacement, Project No. 202200238

**New Business cont.**

- ITEM 10** - Approval of Amendment No. 2 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
  
- ITEM 11** - Approval of Amendment No. 1 to the Professional Services Agreement with WM Schutt Associates, PC to provide Consulting Engineering Services for Water System Improvements in the Town of Amherst and Village of Lancaster, identified as Contract No. WSA-017, Project No. 202100027
  
- ITEM 12** - Approval of Amendment No. 1 of Concrete Applied Technologies, Corp. d/b/a CATCO for Contract No. MP-084, Water System Improvements Transmission Main Installation, Town of Tonawanda, New York, Project No. 202000084
  
- ITEM 13** - Approval of Amendment No. 1 of United Copier & Business Systems, Inc. for Services Relating to Furnishing and Delivering Equipment, Supplies, and Parts for Printers, Copiers, Scanners and Plotters, Project No. 202300126
  
- ITEM 14** - Authorization to Amend the Erie County Water Authority's Annual Capital Budget for Fiscal Year 2023 – Sturgeon Point Water Treatment Plant Site Front End Loader V-Plow Attachment - \$27,000.00
  
- ITEM 15** - Authorization to Amend the Erie County Water Authority's Annual Capital Budget for Fiscal Year 2023 – Sturgeon Point Water Treatment Plant Site Utility Tractor - \$70,000.00
  
- ITEM 16** - Authorization to Amend the Erie County Water Authority's Annual Capital Budget for Fiscal Year 2023 – Sturgeon Point Water Treatment Plant Site Utility Vehicle - \$33,000.00
  
- ITEM 17** - Authorization to Adopt the Newly Revised Employee Policies and Procedures Manual
  
- ITEM 18** - Authorization for Marc Bellacose Distribution Engineer to Attend the AWWA Water Infrastructure Conference in Philadelphia, PA
  
- ITEM 19** - Authorization to Designate and Appoint Attorney John Delmonte as Hearing Officer for Civil Service Section 75 Hearing
  
- ITEM 20** - Authorization for Ronald Norman and Bradley Schreiber, Pump Mechanics, to attend the CLA-VAL CVU-101/201 Trainings in Beamsville, Ontario

**IX. ADJOURNMENT**