ITEM 1 - LEAD AGENCY STATUS RELATIVE TO STURGEON POINT LINE MAINTENANCE FACILITY, IDENTIFIED AS CONTRACT NO. HE-001, PROJECT NO. 202100242

Motion by seconded by

WHEREAS, on November 10, 2021, the Erie County Water Authority (the "Authority") executed an agreement with Hunt Engineers, Architects, Land Surveyors & Landscape Architects, DPC ("Hunt") for the design of a new Line Maintenance Facility to be located at the Sturgeon Point Water Treatment Plant (the "Project"); and

WHEREAS, due to the scope of the Project, the Authority's Engineering and Legal Departments in consultation with Hunt, believe that the Project, and actions associated with the Project, are subject to review under the Article 8 of the New York Environmental Conservation Law and 6 NYCRR Part 617 adopted pursuant thereto by the New York State Department of Environmental Conservation (collectively referred to as "SEQRA"); and

WHEREAS, recognizing the need for certain legal expertise with respect to implementing SEQRA, the Authority requested input on the SEQRA process from Harris Beach PLLC; and

WHEREAS, in accordance with SEQRA, Hunt, Harris Beach PLLC and Authority staff have reviewed the Project and the Environmental Assessment Form ("EAF") and determined that:

- (1) The Project can be preliminarily classified as an Unlisted Action under SEQRA as that term is defined by 6 NYCRR §617.2(al)
- (2) The Projects will require various approvals and/or permits from several agencies; and

WHEREAS, in accordance with 6 NYCRR §617.6(b)(2) for Unlisted Actions when more than one agency is involved, a Lead Agency should be established prior to a determination of significance; and

WHEREAS, the Authority will be principally responsible for carrying out and funding the Project and should be established as the Lead Agency for purposes of complying with SEQRA and to coordinate Project review with other involved agencies; and

WHEREAS, the Legal and Engineering departments concur with said recommendation; and

WHEREAS, Leonard F. Kowalski, Executive Engineer will be the Project sponsor;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority solicit for SEQRA lead agency status for the following reasons:

The anticipated impacts of the action being proposed are primarily of local significance, and

The Board of Commissioners of the Authority has the greatest capability for providing the most thorough environmental assessment of the proposed action; and be it further

RESOLVED: The actions undertaken by Authority staff with respect to completing the EAF are hereby ratified and confirmed; and be it further

RESOLVED: That Leonard F. Kowalski, Executive Engineer is authorized to execute the EAF on behalf of the Authority; and be it further

RESOLVED: That the Project involves an "Unlisted Action" as said term is defined pursuant to 6 NYCRR Section 617.2(al) of the SEQR regulations; and be it further

RESOLVED: That the Authority hereby declares its intent to act as SEQRA Lead Agency and directs Hunt and Authority staff to transmit Part 1 of the EAF and relevant Project materials, at the discretion of Authority staff, to each SEQRA Involved Agency (as such term is defined in SEQRA) stating the Authority's intent to act as Lead Agency and seeking input regarding potential impacts of the Projects, to ensure a single integrated environmental review is conducted with respect to the Projects in accordance with Section 617.6 of the SEQRA regulations for the proposed action: "the design and construction of a new line maintenance facility at the Sturgeon Point Water Treatment Plant".

Ayes:

Noes:

ITEM 2 - AUTHORIZATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CITY OF LACKAWANNA AND E. & R. GENERAL CONSTRUCTION, INC. IN CONNECTION WITH CONTRACT NO. GP-010, PROJECT NO. 202100035

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") has initiated a capital improvement project, known as the Transmission and Distribution Main Replacement, Towns of West Seneca and Hamburg and the City of Lackawanna, identified as Contract No. GP-010, generally consisting of the replacement of the existing watermains on Willett and Abbott Roads (the "Main Replacement Project"); and

WHEREAS, on October 20, 2022, the Authority awarded the construction contract to E. & R. General Construction, Inc. (the "Contractor") to complete the Main Replacement Project (the "Main Replacement Project Contract"); and

WHEREAS, the Main Replacement Project includes the replacement of an existing watermain on Carden Avenue in the City of Lackawanna with restoration to the trench width of the road only; and

WHEREAS, the City of Lackawanna (the "City") has requested that the Authority consider milling and paving the entire width of Carden Avenue from Abbott Road west approximately 250 linear feet to the property line of the Lackawanna Middle and High Schools as part of the Main Replacement Project; and

WHEREAS, the Main Replacement Project Contract includes milling and paving of Willett and Abbott Roads and includes unit prices for this work; and

WHEREAS, the Contractor has agreed to perform milling and paving work on Carden Avenue at the unit prices set forth in the Main Replacement Project Contract; and

WHEREAS, the City has reviewed the unit prices for milling and paving work as set forth in the Main Replacement Project Contract and agrees they are fair and reasonable; and

WHEREAS, by working in a cooperative fashion to resurface Carden Avenue as part of the Authority's Project, both the City and the Authority will save money and limit the disturbance to the residents of Carden Avenue, as well as the students and staff at the Lackawanna Middle and High Schools; and

WHEREAS, the Authority's 2023 Capital Budget includes funds under Unit 2595 Eng/Const Transmission Mains, Item No. 101599 GP-010 Transmission Main Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve the Cooperative Agreement with the City and the Contractor in connection with the Main Replacement Project; and be it further

RESOLVED:	That the Chair is authorized to execute the Cooperative Agreement on behalf
of the Authority.	

Ayes:

Noes:

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

Motion by seconded by

WHEREAS, the City of Lackawanna (the "City") 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 City'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 approve the Agreement between the City and the Authority relating to the use of the Authority's GIS data pertinent to the Authority's facilities within the City's limits; and be it further

RESOLVED:	That the Chair is	s authorized to	execute the	Agreement of	n behalf	of the
Authority.						

Ayes: Noes:

ITEM 4 - AWARD OF CONTRACT TO ALEXANDER CHEMICAL CORPORATION, INC. FOR THE FURNISHING AND DELIVERING OF CAUSTIC SODA (50% SOLUTION OF SODIUM HYDROXIDE) MEMBRANE GRADE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER, PROJECT NO. 202300175 - \$1,292,400.00

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 28th day of August 2023, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for the Furnishing and Delivering of Caustic Soda (50% Solution of Sodium Hydroxide) Membrane Grade to the Erie County Water Authority for Use in the Treatment of Water; and

WHEREAS, Authority personnel opened a sealed bid in the office of the Authority on the 26th day of September, at 11:00 a.m., local time, and were as follows:

BIDDERS AMOUNT

Alexander Chemical Corporation, Inc.* \$1,292,400.00

*Only bid received; and

WHEREAS, Michael W. Wymer, Sr. Production Engineer, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bid and determined that Alexander Chemical Corporation, Inc. 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 and 2024 O&M Budgets include funds for this project under Unit 1015 Van de Water Plant, Item No. 13 Chemicals and Unit 1010 Sturgeon Point Plant, Item No. 13 Chemicals;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Alexander Chemical Corporation, Inc as a responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Alexander Chemical Corporation, Inc. for the Furnishing and Delivering of Caustic Soda (50% Solution of Sodium Hydroxide) Membrane Grade to the Erie County Water Authority for Use in the Treatment of Water as a unit price contract for the estimated total amount of \$1,292,400.00.

Ayes:	
Noes:	

ITEM 5 - AUTHORIZATION TO EXECUTE AN UPDATED RENEWAL AGREEMENT WITH CSEA EMPLOYEE BENEFIT FUND

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") and CSEA have agreed on a Collective Bargaining Agreement (the "CBA"), which runs through March 2027; and

WHEREAS, the CBA was ratified by Union and approved by the Board on November 24, 2021; and

WHEREAS, as required by the CBA, it is necessary to renew the Employee Benefit Fund Agreement with CSEA which provides for their dental and vision insurance; and

WHEREAS, on March 24, 2022, the Authority approved entering into the Renewal Agreement with the CSEA Employee Benefit Fund; and

WHEREAS, CSEA Employee Benefit Fund has submitted an updated Renewal Agreement that includes pricing for future years which were not available when the Renewal Agreement was executed; and

WHEREAS, Jennifer Hibit, Director of Human Resources recommends approving the updated Renewal Agreement with the CSEA Employee Benefit Fund;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve the updated Renewal Agreement with the CSEA Employee Benefit Fund; and be it further

RESOLVED: That the Chair is authorized to execute the updated Renewal Agreement on behalf of the Authority.

Ayes	•
Noes	•

ITEM 6 - APPROVAL OF AMENDMENT NO. 2 TO THE MATERIALS AND SUPPLIES CONTRACT WITH SOUTHTOWN SUPPLY, INC. FOR THE FURNISHING AND DELIVERING OF VARIOUS WOOD PRODUCTS TO THE ERIE COUNTY WATER AUTHORITY, PROJECT NO. 202100197, IDENTIFIED AS CONTRACT NO. 21-31-12

Motion by seconded by

WHEREAS, on December 22, 2021, the Erie County Water Authority (the "Authority") awarded Southtown Supply, Inc. (the "Supplier") a Materials and Supplies Contract to furnish and deliver wood products (the "Contract") for a one-year term, beginning January 1, 2022; and

WHEREAS, the Contract provides for various wood products to be delivered to the Authority, as ordered, from January 1, 2022 through December 31, 2022; and

WHEREAS, on October 20, 2022, the Authority authorized Amendment No. 1 to the Contract extending the term through December 31, 2023; and

WHEREAS, in accordance with Article 1, Paragraph 1.04 of the Contract, the parties may agree in writing to extend the term of the Contract for two (2) additional one (1) year terms, under the same terms and conditions, or upon such terms and conditions acceptable to the Authority; and

WHEREAS, in accordance with Article 5, Paragraph 5.02 of the Contract, any modification or variation from the terms of the Contract must be in writing, authorized by a resolution of the Board of Commissioners of the Authority (the "Board") and signed by all parties; and

WHEREAS, the Supplier has agreed to extend the Contract until December 31, 2024, based on the same terms and conditions, including pricing as set forth in Article 4, Paragraph 4.01 of the Contract; and

WHEREAS, the Authority's 2023 O&M Budget includes funds for this project under Unit 2010 Line Maintenance, Item No. 10 Materials and Supplies;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Contract with Southtown Supply, Inc. by extending the Contract completion date to December 31, 2024; and be it further

RESOLVED:	That the Chair is hereby authorized to execute Amendment No. 2 on beha	ılf
of the Authority.		

Ayes: Noes:

ITEM 7 - 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 5' hydrant at 55 Kingston Lane, Town of Cheektowaga with a new 5' AVK hydrant on 01/11/2023. Work done by ECWA forces under Work Authorization No. 107.200 7332.

Hydrant originally installed in 1964 was scrapped and retired under Retirement Authorization No. R230021.

Replace existing 5' hydrant at Treehaven Road and Century Road, Town of Cheektowaga with a new 5' AVK hydrant on 01/09/2023. Work done by ECWA forces under Work Authorization No. 107.200 7333.

Hydrant originally installed in 1941 was scrapped and retired under Retirement Authorization No. R230022.

Replace existing 5' hydrant at 24 Argus Drive, Village of Depew with a new 5' AVK hydrant on 01/11/2023. Work done by ECWA forces under Work Authorization No. 107.200 7329.

Hydrant originally installed prior to 07/01/1999 was scrapped and retired under Retirement Authorization No. R230018.

Replace existing 5' hydrant at 2699 Woodlawn Avenue, Town of Hamburg with a new 5' hydrant on 01/12/2023. Work done by ECWA forces under Work Authorization No. 107.200 7330.

Hydrant originally installed prior to 07/14/2011 was scrapped and retired under Retirement Authorization No. R230019.

Replace existing 5' hydrant opposite 230 Martin Road, City of Lackawanna with a new 5' AVK hydrant on 01/04/2023. Work done by ECWA forces under Work Authorization No. 107.200 7331.

Hydrant originally installed on 11/03/1996 was scrapped and retired under Retirement Authorization No. R230020.

Replace existing 20" valve at 386 Walton Drive, Town of Amherst with a new 20" butterfly valve on 04/26/2023. Work done by ECWA forces under Work Authorization No. 107.200 7338.

Valve originally installed in 1942 was scrapped and retired under Retirement Authorization No. R230025.

Installed a new 12" butterfly valve at 578 Dick Road, Town of Cheektowaga on 03/23/2023. Work done by ECWA forces under Work Authorization No. 107.200 7335; and

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:	

ITEM 8 - ADOPTION OF THE 2024 OPERATING & MAINTENANCE AND CAPITAL BUDGETS AND PARIS SUBMISSION

Motion by seconded by

WHEREAS, Joyce A. Tomaka, Chief Financial Officer, Jessica R. Brown, Comptroller, and Steven V. D'Amico, Business Office Manager have reviewed the 2024 Operating & Maintenance and Capital Budgets (the "Budgets") prepared by the Erie County Water Authority (the "Authority") department managers; and

WHEREAS, the Budgets were reviewed by the Board of Commissioners of the Authority (the "Board") at a budget hearing on September 27, 2023; and

WHEREAS, the Budgets have been presented to and reviewed by Joyce A. Tomaka, Chief Financial Officer, who recommends its adoption;

WHEREAS, Public Authorities Law §2801(2), requires the Authority to send a certified copy of the resolution along with a copy of the adopted Budgets to the Chairperson of the Erie County Legislature; and

WHEREAS, Public Authorities Law §2801(2) further requires the Authority to submit annually to the Authorities Budget Office (the "ABO") information on operations and capital setting forth actual results from the last completed year and estimated receipts and expenditures for the current and next four fiscal years; and

WHEREAS, the ABO has established the Public Authorities Reporting Information System ("PARIS") to submit the Budget & Financial Plan no later than November 1, 2023;

NOW, THEREFORE, BE IT RESOLVED:

That the Board adopts the 2024 Operating & Maintenance and Capital Budgets; and be it further

RESOLVED, pursuant to Public Authorities Law §2801(2), the Secretary to the Authority is directed to send a certified copy of the resolution along with a copy of the adopted Budgets to the Chairperson of the Erie County Legislature; and be it further

RESOLVED, the Chief Financial Officer is directed to submit the 2024 Budget & Financial Plan to the ABO on PARIS; and be it further

RESOLVED, the Secretary to the Authority is directed to post the adopted budget on the Authority website.

Ayes: Noes:

10/19/23-JAT:alh

ITEM 9 - AUTHORIZATION FOR LEONARD KOWALSKI, EXECUTIVE ENGINEER, WILLIAM WHEELER, DISTRIBUTION ENGINEER, AND MARC BELLACOSE, DISTRIBUTION ENGINEER, TO ATTEND THE AWWA PIPELINE CONDITION ASSESSMENT CONFERENCE IN DALLAS, TEXAS

Motion by seconded by

WHEREAS, the Erie County Water Authority deems it advisable for Leonard Kowalski, Executive Engineer, William Wheeler, Distribution Engineer, and Marc Bellacose, Distribution Engineer, to attend the AWWA Pipeline Condition Assessment Conference in Dallas, Texas at a total estimated cost of \$7,635.00;

NOW, THEREFORE, BE IT RESOLVED:

That Leonard Kowalski, Executive Engineer, William Wheeler, Distribution Engineer, and Marc Bellacose, Distribution Engineer, are hereby authorized to travel to Dallas, Texas from November 5, 2023 to November 8, 2023 to attend the AWWA Pipeline Condition Assessment Conference at a total estimated cost of \$7,635.00.

Ayes: Noes: