

ITEM 1 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO A ROUTING STUDY FOR DELIVERED WATER TRANSMISSION MAIN FROM STURGEON POINT WATER TREATMENT PLANT TO WINDOM PUMP STATION, IDENTIFIED AS CONTRACT NO. HS-004, PROJECT NO. 202400004 (CCII)

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 consulting engineering services relating to a Routing Study for Delivered Water Transmission Main from Sturgeon Point Water Treatment Plant to Windom Pump Station, identified as Contract No. HS-004; and

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

AECOM
Arcadis of New York, Inc.
Brown and Caldwell
GHD Consulting Services, Inc.
Hazen and Sawyer; and

WHEREAS, the RFP was not posted on the Authority’s website due to its confidential nature; and

WHEREAS, Hazen and Sawyer and AECOM responded to the RFP; 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 Engineering staff, it determined that Hazen and Sawyer was the best firm to perform the proposed work; and

WHEREAS, the Engineering staff recommends that the Authority enter into a Professional Services Agreement with Hazen and Sawyer to provide engineering services relating to a Routing Study for Delivered Water Transmission Main from Sturgeon Point Water Treatment Plant to Windom Pump Station, identified as Contract No. HS-004; and

WHEREAS, the Authority’s 2024 Capital Budget includes funds for this project under Unit 2595 Eng/Const Transmission Mains, Item No. 101755 Transmission Main Routing Study;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Board of Commissioners accepts the proposal of Hazen and Sawyer to provide consulting engineering services relating to a Routing Study for Delivered Water Transmission Main from Sturgeon Point Water Treatment Plant to Windom Pump Station, identified as Contract No. HS-004; and be it further

RESOLVED: That the Chair is authorized to execute said Professional Services Agreement on behalf of the Authority.

Ayes:

Noes:

01/18/24-alh

ITEM 2 - AUTHORIZATION TO EXECUTE A CISCO ENTERPRISE AGREEMENT PROGRAM TERMS FOR END USERS REGARDING THE LICENSE FOR THE CISCO PHONE SYSTEM

Motion by _____ seconded by _____

WHEREAS, on November 17, 2022, the Erie County Water Authority’s (the "Authority") Board of Commissioners (the “Board”) approved a resolution to enter into a Professional Services Agreement with ePlus Technology, Inc. (“ePlus”) to provide professional services to maintain, repair, update and adjust the Authority’s Cisco based telephone and conferencing systems; and

WHEREAS, on December 15, 2022, the Board approved a resolution to execute a Cisco Enterprise Agreement Program Terms and Conditions for End Users and a Cisco Subscription Service Agreement regarding the license for the Cisco Phone System to facilitate the transfer of licenses to ePlus; and

WHEREAS, David W. Aubertine, Director of Cybersecurity and Information Technology, advises that the Authority is required to execute a Cisco Enterprise Agreement Program Terms for End Users annually; and

WHEREAS, the Authority’s 2024 O&M Budget includes funds for this project under Unit 8525 Information Technology, Item No. 23 Telephone;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve the execution of a Cisco Enterprise Agreement Program Terms for End Users; and be it further

RESOLVED: That the Chair is authorized to execute the documents stated above.

Ayes:

Noes:

01/18/24-alh

ITEM 3 - 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. 5111.77, D265151 PROJECT NO. 202200175

Motion by seconded by

WHEREAS, the New York State Department of Transportation (the “State”) proposes the construction, reconstruction, or improvement of US 20 Transit Road and Southwestern Boulevard, BIN 1015520 over Cazenovia Creek, Highway Reconstruction and Bridge Replacement, Towns of West Seneca, Elma and Orchard Park, Erie County, identified as PIN 5111.77, D265151 (the “Project”); and

WHEREAS, the Erie County Water Authority (the “Authority”) has existing facilities within the Project limits; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the Project the relocation of a segment of the Authority’s 36-inch transmission main, installation of air release valves, as well as other adjustments, pursuant to Section 10, Subdivision 24, 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 Project, at no expense to the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority’s Board of Commissioners (the “Board”) approves the relocation of a segment of the Authority’s 36-inch transmission main, installation of air release valves, as well as other adjustments as 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 via State-let contract; and be it further

RESOLVED: That the Authority grants the State the authority to perform the adjustment for the owner; and be it further

RESOLVED: That Authority’s Chair 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 directed to transmit four (4) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

01/18/2024-alh

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. 5512.53, D265180 PROJECT NO. 202300234

Motion by seconded by

WHEREAS, the New York State Department of Transportation (the “State”) proposes the construction, reconstruction, or improvement of the Pedestrian Bridges over Route 33 Ramps to I-90, BIN 1022840 Pedestrian Bridge over Ramps LE & LF, BIN 1022860 Pedestrian Bridge over Ramps C & H, Town of Cheektowaga, Erie County, identified as PIN 5512.53, D265180 (the “Project”); and

WHEREAS, the Erie County Water Authority (the “Authority”) has existing facilities within the Project limits; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the Project the adjustment of valve box elevations, pursuant to Section 10, Subdivision 24, 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 Project, at no expense to the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority Board of Commissioners (the “Board”) approves the adjustment of valve box elevations as 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 via State-let contract; and be it further

RESOLVED: That the Authority grants the State the authority to perform the adjustment for the owner; and be it further

RESOLVED: That the Authority’s Chair 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 directed to transmit four (4) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

01/18/2024-alh

ITEM 5 - AWARD OF CONTRACT TO UNION CONCRETE AND CONSTRUCTION CORPORATION FOR STURGEON POINT WATER TREATMENT PLANT SHORELINE STABILIZATION PROJECT, IDENTIFIED AS CONTRACT NO. GZA-001, PROJECT NO. 202200039 - \$1,220,790.00

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 8th day of November 2023, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Sturgeon Point Water Treatment Plant Shoreline Stabilization Project, identified as Contract No. GZA-001; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 12th day of December 2023, and was as follows:

BIDDERS	AMOUNT
Union Concrete and Construction Corp.	\$ 1,220,790.00
American Contracting & Environmental Services, Inc.	1,300,000.00
H&K Services, Inc.	1,442,195.00
Concrete Applied Technologies Corp. dba CATCO	1,540,310.00
Scott Lawn Yard, Inc.	1,652,045.00
McLaughlin Construction Corp. dba Edbauer Construction	1,687,345.00
Mark Cerrone, Inc.	1,939,450.00; and

WHEREAS, GZA Environmental, Inc., Consulting Engineers, Michael W. Wymer, Sr. Production Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specifications and bids and determined that Union Concrete and Construction Corp. 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 2024 Capital Budget includes funds for this project under Unit 2510 Eng/Const Sturgeon Point, Item No. 101666 Sturgeon Point Shoreline Protection;

NOW, THEREFORE, BE IT RESOLVED:

That Authority awards the contract to Union Concrete and Construction Corp. as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Union Concrete and Construction Corp. for Sturgeon Point Water Treatment Plant Shoreline Stabilization Project, identified as Contract No. GZA-001, as a unit price contract for the estimated total amount of \$1,220,790.00; 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:

01/18/24-alh

ITEM 6 - APPROVAL OF CHANGE ORDER NO. 1 OF O'CONNELL ELECTRIC COMPANY, INC. FOR STURGEON POINT WATER TREATMENT PLANT FILTRATION PIPING, VALVE AND UNDERDRAIN SYSTEM IMPROVEMENTS, IDENTIFIED AS CONTRACT NO. MP-090-E, PROJECT NO. 202200014

Motion by seconded by

WHEREAS, on August 17, 2023, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded O'Connell Electric Company, Inc. (the "Contractor") a contract for Sturgeon Point Water Treatment Plant Filtration Piping, Valve and Underdrain System Improvements, identified as Contract No. MP-090-E (the "Contract"); and

WHEREAS, the Contractor has submitted Change Order No. 1 to change the Contract by decreasing procurement contract allowances and increasing the contingency allowances; and

WHEREAS, the change order is a reallocation of funds within the existing contract and does not change the contract price or contract time; and

WHEREAS, the reason for said change is due to the pre-procurement of equipment by the Authority; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend approval of said Change Order No. 1;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 1 of O'Connell Electric Company, Inc. to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Chair is authorized to execute said Change Order No. 1 on behalf of the Authority.

Ayes:

Noes:

01/18/24-alh

ITEM 7 - APPROVAL OF CHANGE ORDER NO. 1 OF AMERICAN CONTRACTING & ENVIRONMENTAL SERVICES, INC. FOR STURGEON POINT WATER TREATMENT PLANT FILTRATION PIPING, VALVE AND UNDERDRAIN SYSTEM IMPROVEMENTS, IDENTIFIED AS CONTRACT NO. MP-090-G, PROJECT NO. 202200014

Motion by seconded by

WHEREAS, on August 17, 2023, the Erie County Water Authority’s (the "Authority") Board of Commissioners (the “Board”) awarded American Contracting & Environmental Services, Inc. (the “Contractor”) a contract for Sturgeon Point Water Treatment Plant Filtration Piping, Valve and Underdrain System Improvements, identified as Contract No. MP-090-G (the “Contract”); and

WHEREAS, the Contractor has submitted Change Order No. 1 to change the Contract by decreasing procurement contract allowances, adding equipment storage where needed for procurement contracts, and increasing the contingency allowances; and

WHEREAS, the change order is a reallocation of funds within the existing contract and does not change the contract price or contract time; and

WHEREAS, the reason for said change is due to the pre-procurement of equipment by the Authority; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend approval of said Change Order No. 1;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 1 of American Contracting & Environmental Services, Inc. to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Chair is authorized to execute said Change Order No. 1 on behalf of the Authority.

Ayes:

Noes:

01/18/24-alh

ITEM 8 - APPROVAL OF AMENDMENT NO. 1 TO 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, IDENTIFIED AS CONTRACT NO. 23-27-10, PROJECT NO. 202300175

Motion by _____ seconded by _____

WHEREAS, on October 19, 2023, the Erie County Water Authority (the “Authority”) awarded Alexander Chemical Corporation, Inc. (the “Supplier”) a contract 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 for a nine month term, beginning November 1, 2023, identified as Contract No. 23-27-10 (the “Contract”); and

WHEREAS, the Authority and the Supplier wish to clarify the terms of pricing to distinguish between liquid and dry tons; 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 Authority’s 2024 O&M Budget includes 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 Board approves amending the Contract with Alexander Chemical Corporation, Inc. by clarifying the terms of pricing to distinguish between liquid and dry tons; and be it further

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

Ayes:

Noes:

01/18/24-alh

ITEM 9 - 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:

Replaced existing 5' hydrant at Beach Road, first hydrant south of Lake Shore Road, Town of Hamburg with a new 5' Kennedy K81 hydrant on 08/16/2023. Work done by ECWA forces under Work Authorization No. 107.200 7358.

Hydrant originally installed prior to 07/14/2011 was scrapped and retired under Retirement Authorization No. R230043.

Replaced existing 5' hydrant at 1701 North Creek Road, Town of Hamburg with a new 5' Kennedy hydrant on 06/13/2023. Work done by ECWA forces under Work Authorization No. 107.200 7353.

Hydrant originally installed prior to 07/14/2011 was scrapped and retired under Retirement Authorization No. R230038.

Replaced existing 8" valve at 1125 Ridge Road, City of Lackawanna with a new 8" resilient valve on 06/22/2023. Work done by ECWA forces under Work Authorization No. 107.200 7354.

Valve originally installed in 1926 was scrapped and retired under Retirement Authorization No. R230039.

Replaced existing 6' hydrant at 3387 South Park Avenue, City of Lackawanna with a new 6' Kennedy K81 hydrant on 06/10/2023. Work done by ECWA forces under Work Authorization No. 107.200 7355.

Hydrant originally installed in 1967 was scrapped and retired under Retirement Authorization No. R230040.

Installed a new 16" butterfly valve at 783 Millersport Highway, Town of Amherst on 10/05/2023. Work done by ECWA forces under Work Authorization No. 107.200 7365.

Installed a new 6" resilient seat valve at 3440 Genesee Street, Town of Cheektowaga on 08/22/2023. Work done by ECWA forces under Work Authorization No. 107.200 7364.

Replaced existing 6" valve at Roxbury Drive and Wehrle Drive , Town of Clarence with a new 6" resilient seat valve on 07/27/2023. Work done by ECWA forces under Work Authorization No. 107.200 7361.

Valve originally installed prior to 10/01/1999 was scrapped and retired under Retirement Authorization No. R230045.

Replaced existing 6' hydrant at 5620 Salt Road, Town of Clarence with a new 6' Kennedy K81 hydrant on 09/12/2023. Work done by ECWA forces under Work Authorization No. 107.200 7369.

Hydrant originally installed prior to 10/01/1999 was scrapped and retired under Retirement Authorization No. R230050.

Replaced existing 12" valve at Walden Avenue and Transit Road, Village of Depew with a new 12" resilient seat valve on 09/30/2023. Work done by ECWA forces under Work Authorization No. 107.200 7363.

Valve originally installed in 1926 was scrapped and retired under Retirement Authorization No. R230046.

Installed a new 8" resilient seat valve opposite 3230 West Pleasant Drive, Town of Hamburg on 09/22/2023. Work done by ECWA forces under Work Authorization No. 107.200 7362.

Removed a 5' Mueller hydrant at 4574 Lake Avenue, Town of Hamburg on 10/04/2023. Work done by ECWA forces under Work Authorization No. 107.200 7368.

Hydrant originally installed in 1957 was scrapped and retired under Retirement Authorization No. R230049.

Replaced existing 5' hydrant at 95 Glenwood Avenue, City of Lackawanna with a new Kennedy K81 hydrant on 08/24/2023. Work done by ECWA forces under Work Authorization No. 107.200 7372.

Hydrant originally installed in 1994 was scrapped and retired under Retirement Authorization No. R230053.

Replaced existing 8" valve at Erie Street and Cambria Street, Village of Lancaster with a new 8" resilient seat valve on 09/16/2023. Work done by ECWA forces under Work Authorization No. 107.200 7367.

Valve originally installed prior to 12/31/2002 was scrapped and retired under Retirement Authorization No. R230048.

Replaced existing 5' hydrant at 38 Garfield Street, Village of Lancaster with a new 5' Kennedy hydrant on 09/14/2023. Work done by ECWA forces under Work Authorization No. 107.200 7371.

Hydrant originally installed prior to 12/31/2002 was scrapped and retired under Retirement Authorization No. R230052.

Replaced existing 7' hydrant at 3531 Seneca Street, Town of West Seneca with a new 7' AVK hydrant on 08/30/2023. Work done by ECWA forces under Work Authorization No. 107.200 7370.

Hydrant originally installed in 2014 was scrapped and retired under Retirement Authorization No. R230051; 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 approves 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:

10/19/23-alh

**ITEM 10 - NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
DETERMINATION RELATIVE TO STURGEON POINT WATER TREATMENT
PLANT LINE MAINTENANCE BUILDING, IDENTIFIED AS CONTRACT NO. HE-
001**

Motion by seconded by

WHEREAS, the Erie County Water Authority (“ECWA”) is proposing to complete certain upgrades for the Sturgeon Point Water Treatment Plant on approximately 1.85 acres of land located at 722 Sturgeon Point Road in the Town of Derby, County of Erie (the “Sturgeon WTP Site”) which consists of the construction of a new Line Maintenance Building including site work , a concrete spoils area, gravel pipe storage area, an asphalt access driveway, a stormwater conveyance system, an underground stormwater management facility, multiple bioretention planting areas, and gas/electric service to the additional storage building (collectively referred to hereinafter as the “Project”); and

WHEREAS, ECWA has reviewed the Project in light of the requirements set forth in the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and the applicable regulations promulgated thereto at 6 NYCRR Part 617 (collectively referred to as “SEQRA”); and

WHEREAS, ECWA has completed Part 1 of a Short Environmental Assessment Form (“EAF”) along with certain accompanying attachments for the Project for the purpose of conducting a review of the Project pursuant to SEQRA; and

WHEREAS, ECWA has considered the potential impacts on the environment of the Project as set forth in more detail below by undertaking a thorough review of the conditions associated with construction of the Project, including the completion of Parts 2 and 3 of the EAF; and

WHEREAS, ECWA resolves based upon the information contained in Parts 1, 2 and 3 of the EAF as completed for the Project by ECWA’s consultants, which ECWA hereby adopts as its own after review and analysis of same, as well as based on the review ECWA has completed of the EAF Mapper for the Sturgeon WTP Site where the Project work is to be performed and the documents associated with the Project, ECWA has determined that the Project will not result in a potential significant adverse impact to the environment for the reasons set forth below in this resolution.

NOW, THEREFORE, BE IT RESOLVED:

1. The Project is classified as an Unlisted Action as that term is defined by 6 N.Y.C.R.R. § 617.2(a) of the SEQRA regulations.
2. Each of the Whereas Clauses in this Resolution are incorporated by reference as specific findings of this Resolution and shall have the same effect as the other findings herein.

3. ECWA has considered the significance of the potential adverse environmental impacts of the Project by: (i) carefully reviewing and examining the responses to the EAF, including the information in the completed Parts 1, 2 and 3, which ECWA hereby adopts and incorporates by reference with the enactment of this Resolution, together with examining other available supporting information and documents including the Project plans, as well as reviewing the EAF Mapper results at the Sturgeon WTP Site where Project work will be completed and assessing the potential impacts from the Project to land, stormwater and groundwater, wetlands, other water resources, agriculture, historic, archaeological and other recognized and/or protected resources, threatened or endangered plant and animal species, transportation, traffic, community character and cumulative impacts, if any, and other potential impacts as required, and considered each of the other potential impacts as required by applicable regulation; (ii) considered the criteria set forth in 6 NYCRR § 617.7(c) of the SEQRA regulations in light of such potential impacts; and (iii) thoroughly analyzed the identified areas of relevant environmental concern in issuing this Negative Declaration, and finds that the Project will not result in a potential significant adverse impact on the environment for the following reasons:

Impacts to Community Character and Land:

The Project will not have a significant adverse impact on land since the location of the Project, including where replacement and upgrades work will occur on the Sturgeon WTP Site, will take place on property that has for a significant period of time been developed and utilized for wastewater treatment purposes by ECWA. All work will be conducted within the Sturgeon WTP Site's boundaries and will not encroach on adjacent or neighboring properties. Moreover, there is no change in land use proposed. Lastly, the Sturgeon WTP Site is located within the NYS Heritage Area called the West Erie Canal Corridor. All Project work will be confined within the boundaries of the Sturgeon WTP Site and will therefore not impact the West Erie Canal Corridor.

Water/Stormwater Impacts:

The Project will not have a significant potential adverse environmental impact on water, wetlands, surface water, stormwater, and/or a protected water body. Two (2) stream features (Stream S1 and S2) and wetland complexes are located within and/or adjoin the Sturgeon WTP Site which are subject to New York State Department of Environmental Conservation (NYSDEC) and U.S. Army Corps of Engineers (USACE) jurisdiction. The Project work will avoid these streams and wetland complexes.

All potential impacts from erosion, flooding or drainage will be avoided to the maximum extent practicable by the implementation of a Stormwater Pollution Prevention Plan. Stormwater control shall be provided by an underground detention facility which will control the release of stormwater flow to match existing conditions. As such, the Project will not alter drainage flow or patterns, or surface water runoff as any work on the Sturgeon WTP Site and features added will follow the current flow patterns previously established.

Air Quality Impacts:

The Project will not result in any significant adverse impact to air quality. No new air registrations or permits are associated with the Project. ECWA therefore finds there will be no substantive adverse impacts to air quality from the Project including from construction activities.

Impacts to Plants and Animals:

The Project will not result in a significant adverse impact on plants or animals. Given the nature of the work to be completed in constructing the Project, no significant adverse impact from same is anticipated, nor from operation of the Project as the Sturgeon WTP Site will continue to function as it has previously. Further, no impacts from construction of the Project are anticipated in light of the fact that other similar work on the Sturgeon WTP Site has taken place in the past without any documented significant adverse impact.

Impacts on Agricultural Resources:

The Project will not result in a significant adverse impact on agricultural resources since the Sturgeon WTP Site is not located on, or adjacent to, agricultural lands.

Impacts of Aesthetic Resources:

The Project will not have a significant adverse impact on aesthetic resources. The Project is consistent with the current use of the Sturgeon WTP Site, and as a result, it is not anticipated that the Project will have any significant adverse impact to aesthetic resources, including to the areas in proximity to where Project work will be undertaken.

Impacts to Historic and Archeological Resources:

The Project will not result in a significant adverse impact to historic or archaeological resources.

Impacts on Open Space and Recreation:

The Project will not have a potential significant adverse impact on existing open space and recreation. As the Project contemplates work consistent with continued use of the Sturgeon WTP Site for wastewater treatment, no potential significant adverse impact to open space and recreation will occur.

Impacts on Critical Environmental Areas:

The Project will not have a significant adverse impact on any Critical Environmental Area as designated pursuant to 6 N.Y.C.R.R. § 617.14(g) of the SEQRA regulations.

Impacts on Transportation (Traffic):

The Project will not have a significant adverse impact on transportation or existing traffic patterns and flow. The additional access road to the storage building will be utilized for ECWA personnel only and is well within the boundaries of the Sturgeon WTP Site. Based on the scope of the Project, ECWA further determines there will be no significant adverse impact to transportation resulting from construction activities associated with the Project.

Impacts on Energy:

The Project will not have a potential significant adverse impact on energy and/or energy use.

Impacts Related to Noise, Odor and Light:

The Project will not have a significant adverse impact resulting from objectionable noise or on odor or light. The Town of Evans Noise Ordinance prohibits construction activities between the hours of 10:00 p.m. and 7:00 a.m. except in the case of emergencies. Construction activities associated with the Project will occur 7:00 am to 4:00 pm, Monday through Friday, only, with no construction activities occurring in evenings or on weekends and holidays. ECWA standards for noise reduction require that contractors' vehicles and equipment shall be such as to minimize noise to the maximum extent practicable. Noise levels shall conform with OSHA standards; noise levels will not be permitted which interfere with the work of others. Further, once construction is complete, the Project is not anticipated to have any material impact on odors or light significantly different from current activities at the Sturgeon WTP.

Impacts on Public Safety:

The Project will not have a significant adverse impact on public health or safety. An above ground chemical storage building with a containment area below will be constructed pursuant to applicable NYSDEC requirements. No solid or hazardous wastes are anticipated to be generated or disposed of due to the upgraded operations of the Sturgeon WTP Site.

Impacts on Local Utilities:

No significant adverse impact is expected on local utilities from the Project, including to such utilities after the Project becomes operational, as no issue has been identified as to the capacity of such local utilities to provide services to the Project.

4. Based on the foregoing, and after a thorough and comprehensive review of the Parts 1, 2, and 3 of the EAF, the EAF Mapper results, and the other documents and information concerning the Project, ECWA finds that the Project will not have a potential significant adverse impact on the environment in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and, in particular, pursuant to the criteria set forth at 6 N.Y.C.R.R. § 617.7(b) of the SEQRA regulations. After conducting a coordinated review pursuant to SEQRA, ECWA therefore issues a Negative Declaration for the Project pursuant to 6 N.Y.C.R.R. § 617.7.

5. The Negative Declaration, which this Resolution constitutes, shall be filed and/or published to the extent required by the SEQRA regulations and/or as ECWA may deem advisable.

6. This Resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Law and the regulations promulgated thereto at 6 N.Y.C.R.R. Part 617 by the Erie County Water Authority with offices located at 3030 Union Road, Cheektowaga, New York 14227-1097.

7. The Executive Engineer of ECWA is authorized to file this Negative Declaration, as necessary, in accordance with the applicable provisions of the law.

8. This Resolution shall take effect immediately.

Ayes:

Noes:

01/18/24-HARRIS BEACH:alh

ITEM 11 - AUTHORIZATION TO REVISE AND ADOPT THE ERIE COUNTY WATER AUTHORITY'S PROCUREMENT POLICY

Motion by seconded by

WHEREAS, Article IV, Title 2 §2824 (1) (e) of the Public Authorities Law requires boards of state and local authorities to adopt written policies and procedures for the procurement of goods and services; and

WHEREAS, pursuant to the Erie County Water Authority's (the "Authority") By-Laws Article IV, § 2(a), the Members of the Authority shall oversee the management of the affairs of the Authority including the reviewing and updating of procurement policies; and

WHEREAS, the Authority's Board of Commissioners (the "Board") has requested a review of the Authority's Procurement Policy; and

WHEREAS, Lavonya Lester, Director of Administration and the Legal Department conducted a review of the Procurement Policy; and

WHEREAS, the revised Procurement Policy was presented to the Authority's Executive Staff for review; and

WHEREAS, Lavonya Lester, Director of Administration and the Legal Department recommend that the Board adopt the revised Procurement Policy;

NOW, THEREFORE, BE IT RESOLVED:

The Board adopts the revised Erie County Water Authority Procurement Policy; and be it further

RESOLVED: That the Secretary is hereby directed to post the revised Procurement Policy on the Authority's website.

Ayes:

Noes:

01/18/24-alh

**ITEM 12 - AUTHORIZATION TO ADOPT THE NEWLY REVISED POLICY NO. 97
PARKING REIMBURSEMENT OF THE EMPLOYEE POLICY AND
PROCEDURES MANUAL**

Motion by seconded by

WHEREAS, on March 24, 2022, the Erie County Water Authority (the "Authority") adopted Policy No. 97 Parking Reimbursement of the Employee Policy and Procedures Manual; and

WHEREAS, ratification of the Collective Bargaining Agreement with the CSEA, Local 1000 AFSCME, AFL-CIO, effective April 1, 2022, includes a parking allowance provision reimbursing employees assigned to the Ellicott Square office a \$75 per month parking allowance; and

WHEREAS, past practice has been to extend provisions to the Non-Represented/ Managerial employees well; and

WHEREAS, Joyce A. Tomaka, CFO, submitted to the Governance Committee a newly revised Policy No. 97 Parking Reimbursement and recommended adoption of the revised Policy; and

WHEREAS, the Governance Committee reviewed and recommended to the Board of Commissioners to adopt a revised Policy No. 97 Parking Reimbursement;

NOW THEREFORE BE IT RESOLVED:

The Authority's Board of Commissioners adopt the newly revised Policy No. 97 Parking Reimbursement.

Ayes:

Noes:

01/18/24-alh