

AMENDED

ITEM 1 - AUTHORIZATION TO ACCEPT THE FINDINGS OF THE PROJECT LABOR AGREEMENT FEASIBILITY ANALYSIS REGARDING BALL PUMP STATION PHASE 1 REHABILITATION, PROJECT NO. 202000177, IDENTIFIED AS CONTRACT NO. MP-086, AND THE DEVELOPMENT OF THE TERMS OF THE PROJECT LABOR AGREEMENT

Motion by seconded by

WHEREAS, on June 18, 2020, the Erie County Water Authority (the “Authority”) Board of Commissioners (the “Board”) approved a resolution to enter into a professional service agreement with Arcadis of New York, Inc. (“Arcadis”) to provide engineering and consulting services relating to Phase I of the rehabilitation of the Ball Pump Station, identified as Contract No. MP-086 (the “Agreement”); and

WHEREAS, on June 16, 2022, the parties executed Amendment No. 1 to the Agreement to amend the scope of services and increase the Engineer’s fees; and

WHEREAS, on September 20, 2023, the parties executed Amendment No. 2 to the Agreement to include additional Special Services funding to conduct a feasibility study to evaluate alternative contracting methods for the construction phase of the Agreement including development of a Project Labor Agreement (“PLA”); and

WHEREAS, pursuant to New York Public Authorities Law §1069, Authority projects for public works with a cost in excess of \$500,000.00 require separate specifications for work performed relating to plumbing and gas fittings, steam heating, hot water heating, ventilating and air conditioning apparatus, and electric wiring and standard illuminating fixtures; and

WHEREAS, pursuant to New York Labor Law §222, a contract for a public work project undertaken pursuant to such a section shall not be subject to the requirement of separate specifications; and

WHEREAS, LiRo Program and Construction Management, PE P.C. (“LiRo”) completed the Feasibility Study which included evaluation of several factors that can impact the cost and success or failure of a project; and

WHEREAS, Michael J. Quinn, Senior Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend the Board accepts the findings of the Feasibility Study; and

WHEREAS, the Engineering and Legal Departments, with the assistance of Arcadis and LiRo, request authorization to develop the terms of the PLA, negotiate the same with the local Building Trade Council and trade unions and include the final PLA in the contract documents; and

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners accepts the findings of the Project Labor Agreement Feasibility Analysis regarding Ball Pump Station Phase 1 Rehabilitation; and be it further

RESOLVED: That the Board of Commissioners authorizes the Engineering and Legal Departments, with the assistance of Arcadis and LiRo, to develop the terms of the PLA, negotiate the same with the local Building Trade Council and trade unions.

Ayes:

Noes:

03/11/24-alh

ITEM 2 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH INFRAPLAN, LLC TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO THE DISTRIBUTION SYSTEM LEVEL OF SERVICE DEVELOPMENT PROJECT, IDENTIFIED AS CONTRACT NO. IP-001, PROJECT NO. 202400022

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 the Distribution System Level of Service Development project, identified as Contract No. IP-001; and

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

Arcadis
Brown & Caldwell
Hazen and Sawyer
InfraPLAN, LLC; and

WHEREAS, one proposal was received from InfraPLAN, LLC and Arcadis, Brown & Caldwell, and Hazen and Sawyer declined to submit proposals; 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 the proposal was reviewed and discussed among the review committee, it was determined that InfraPLAN, LLC is a responsible firm who possesses relevant qualifications to perform the work proposed; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with InfraPLAN, LLC to provide professional engineering services relating to the Distribution System Level of Service Development project, identified as Contract No. IP-001; and

WHEREAS, the Authority's 2024 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101705 LOS Study;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners accepts the proposal of InfraPLAN, LLC to provide professional engineering services relating to the Distribution System Level of Service Development project, identified as Contract No. IP-001; and be it further

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

Ayes:

Noes:

03/21/24-alh

ITEM 3 - AWARD OF CONTRACT TO AMSTAR OF WNY, INC. FOR STORAGE TANK REFURBISHING - GARTMAN, CHESTNUT RIDGE, STURGEON POINT CLEARWELLS, IDENTIFIED AS CONTRACT NO. W-035-A, PROJECT NO. 202300060 - \$1,229,350.00

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 22nd day of January 2024, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Storage Tank Refurbishing - Gartman, Chestnut Ridge, Sturgeon Point Clearwells, identified as Contract No. W-035-A; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 13th day of February 2024, at 11:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Amstar of WNY, Inc.	\$1,229,350.00
Worldwide Industries Corp.	1,422,418.00
Atlas Painting and Sheet Metal Corp.	1,844,500.00; and

WHEREAS, Michael W. Wymer, Sr. Production Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specifications and bids and determined that Amstar of WNY, 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 2024 O&M Budget includes funds for this project under Unit 2502 Construction, Item No. 74 Payments to Contractors - Tanks;

NOW, THEREFORE, BE IT RESOLVED:

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

RESOLVED: That the Chair is authorized to execute a contract with Amstar of WNY, Inc. for Storage Tank Refurbishing - Gartman, Chestnut Ridge, Sturgeon Point Clearwells as a unit price contract for the estimated total amount of \$1,229,350.00.

Ayes:

Noes:

03/21/24-alh

ITEM 4 - AWARD OF CONTRACT TO MARK CERRONE, INC. RELATING TO AREA NO. 1 RESTORATION, APRIL 1, 2024 THROUGH MARCH 31, 2026, PROJECT NO. 202400011 - \$5,018,290.00

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 18th day of January 2024, a notice inviting sealed bids in accordance with Public Authorities Law §1069 relating to Area No. 1 Restoration, April 1, 2024 through March 31, 2026; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 13th day of February 2024 at 10:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Mark Cerrone, Inc.	\$5,018,290.00
Nova Site Company, LLC.	5,333,550.00*
Ledge Creek Development, Inc.	5,670,970.00

*Corrected amount; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specifications and bids and determined that Mark Cerrone, 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 2024 O&M Budget includes funds for this project under Unit 2535 Restoration, Item No.18 Payments to Contractors - Restore;

NOW, THEREFORE, BE IT RESOLVED:

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

RESOLVED: That the Chair is authorized to execute a contract with Mark Cerrone, Inc. relating to Area No. 1 Restoration, April 1, 2024 through March 31, 2026 as a unit price contract for the estimated total amount of \$5,018,290.00; 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:

03/21/24-alh

ITEM 5 - AWARD OF CONTRACT TO RUSSO DEVELOPMENT, INC. RELATING TO AREA NO. 2 RESTORATION, APRIL 1, 2024 THROUGH MARCH 31, 2026, PROJECT NO. 202400012 - \$4,840,250.00

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 18th day of January 2024, a notice inviting sealed bids in accordance with Public Authorities Law §1069 relating to Area No. 2 Restoration, April 1, 2024 through March 31, 2026; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 13th day of February 2024 at 10:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Russo Development, Inc.	\$4,840,250.00
Nova Site Company, LLC.	5,111,740.00
Ledge Creek Development, Inc.	5,469,822.50*

*Corrected amount; and

WHEREAS, Michael J. Quinn, Sr. Distribution 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 2024 O&M Budget includes funds for this project under Unit 2535 Restoration, Item No.18 Payments to Contractors - Restore;

NOW, THEREFORE, BE IT RESOLVED:

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

RESOLVED: That the Chair is authorized to execute a contract with Russo Development, Inc. relating to Area No. 2 Restoration, April 1, 2024 through March 31, 2026 as a unit price contract for the estimated total amount of \$4,840,250.00; 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:

03/21/24-alh

ITEM 6 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES CONTRACT WITH LABELLA ASSOCIATES TO PROVIDE GIS TECHNICAL SUPPORT CONSULTING SERVICES, IDENTIFIED AS CONTRACT NO. LA-003, PROJECT NO. 202000202

Motion by seconded by

WHEREAS, on August 27, 2020, the Erie County Water Authority’s (the "Authority") Board of Commissioners (the “Board”) awarded Labella Associates (the “Consultant”) a professional services agreement for GIS Technical Support Consulting Services for a three-year term, identified as Contract No. LA-003 (the “Agreement”); and

WHEREAS, on August 17, 2023, the Authority approved Amendment No. 1 under which the parties agreed to extend the Agreement through August 31, 2025 and increase the hourly rates billed under the Agreement; and

WHEREAS, the terms of the Agreement limit the total expenditure for services provided under the Agreement to \$250,000.00; and

WHEREAS, the Authority’s Director of Cybersecurity and Information Technology recommends that the Authority amend the Agreement by increasing the total expenditure for services provided under the Agreement to \$570,000.00; and

WHEREAS, in accordance with Article 3, Paragraph 3.02 of the Contract, any modification or variation from the terms of the Agreement must be in writing, authorized by a resolution of the Board and signed by all parties; and

WHEREAS, the parties agree to amend Article 2, Paragraph 2.03, Subparagraph A of the Agreement to increase the total cost not to exceed for services by \$320,000.00, changing the current figure of \$250,000.00 to \$570,000.00; and

WHEREAS, the Authority’s 2024 O&M Budget includes funds for this project under Unit 8525 Information Technology, Item No. 19 Payments to Contractors – Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement to increase the total cost not to exceed for services by \$320,000.00, changing the current figure of \$250,000.00 to \$570,000.00; and be it further

RESOLVED: That the Chair is authorized to execute said Amendment No. 2 on behalf of the Authority.

Ayes:

Noes:

03/21/24-alh

ITEM 7 - APPROVAL OF AMENDMENT NO. 2 TO THE CONTRACT WITH CARUS LLC FOR THE FURNISHING AND DELIVERING OF POTASSIUM PERMANGANATE TO THE ERIE COUNTY WATER AUTHORITY FOR THE USE IN THE TREATMENT OF WATER FOR ONE YEAR, IDENTIFIED AS CONTRACT NO. 22-13-04, PROJECT NO. 202200016

Motion by seconded by

WHEREAS, on April 7, 2022, the Erie County Water Authority’s (the “Authority”) Board of Commissioners (the “Board”) approved entering into a contract with Carus LLC for the Furnishing and Delivering of Potassium Permanganate to the Erie County Water Authority for the Use in the Treatment of Water for one year (the “Contract”), Contract No. 22-13-04; and

WHEREAS, the Contract provides for potassium permanganate to be delivered to the Authority, as ordered, from April 7, 2022 through April 6, 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 additional one (1) year terms, under the same terms and conditions; and

WHEREAS, on February 16, 2023, the Authority approved Amendment No. 1 to the Contract which extended the term of the Contract until April 6, 2024; 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 and signed by all parties; and

WHEREAS, Carus LLC has agreed to extend the Contract until April 6, 2025, based on the same terms and conditions, including pricing of \$5,240.00/ton, as set forth in Article 4 of the Contract; and

WHEREAS, the Authority’s 2024 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point Plant, Item No. 13 Chemicals and Unit 1015 Van de Water Plant, Item No. 13 Chemicals;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Contract with Carus LLC to extend the term of the Contract until April 6, 2025, based on the same terms and conditions, including pricing of \$5,240.00/ton, as set forth in Article 4 of the Contract; and be it further

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

Ayes:

Noes:

03/21/24-alh

ITEM 8 - APPROVAL OF AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE ARC ERIE COUNTY NEW YORK FOR LANDSCAPING, GROUND IMPROVEMENTS AND MAINTENANCE OF PROPERTIES OF THE ERIE COUNTY WATER AUTHORITY ERIE COUNTY, NEW YORK, PROJECT NO. 202100004

Motion by seconded by

WHEREAS, on April 15, 2021, the Erie County Water Authority (the “Authority”) executed an agreement with New York State Industries for the Disabled (“NYSID”) and the Erie County Chapter NYSARC, Inc. d/b/a the ARC Erie County New York (“ARC”) for Landscaping, Ground Improvements and Maintenance of Properties of the Erie County Water Authority (the “Agreement”); and

WHEREAS, on November 10, 2021, the parties executed Amendment No. 1 to the Agreement reducing pricing of certain line items in the Agreement; and

WHEREAS, on April 7, 2022, the parties executed Amendment No. 2 to the Agreement extending the term of the Agreement to April 14, 2023; and

WHEREAS, on November 17, 2022, the parties executed Amendment No. 3 to the Agreement increasing the unit prices set forth in the Agreement as a result of an increase in the Prevailing Wage Schedule applicable to this Agreement; and

WHEREAS, on April 20, 2023, the parties executed Amendment No. 4 to the Agreement extending the term of the Agreement to April 14, 2024; and

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

WHEREAS, the parties wish to extend the Agreement for an additional one-year period from April 15, 2024 through April 14, 2025 and increase the unit prices set forth in the Agreement as a result of an increase in the Prevailing Wage Schedule applicable to this Agreement; and

WHEREAS, the Authority’s 2024 O&M includes funds for this project under Unit 1020 Control Operations, Item No. 19 Payments to Contractors - Other; Unit 1010 Sturgeon Point Plant, Item No. 19 Payments to Contractors - Other; Unit 1015 Van de Water Plant, Item No. 19 Payments to Contractors - Other and Unit 3070 Facilities, Item No. 19 Payment to Contractors - Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Professional Services Contract with NYSID and ARC by extending the Agreement for an additional one-year period from April 15, 2024 through April 14, 2025 and increasing the unit prices set forth in the Agreement as a result of an increase in the Prevailing Wage Schedule applicable to this Agreement; and be it further

RESOLVED: That the Chair is hereby authorized to execute Amendment No. 5 on behalf of the Authority.

Ayes:

Noes:

03/21/24-alh

ITEM 9 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2024 – WATER SYSTEM IMPROVEMENTS, CITY OF TONAWANDA, IDENTIFIED AS CONTRACT NO. LA-005, PROJECT NO. 202100025

Motion by seconded by

WHEREAS, in a resolution dated October 19, 2023, the Erie County Water Authority (the "Authority") adopted its annual capital budget for the fiscal year 2024; 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 budget item 101590 LA-005 Waterline Replacement; 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	101590	LA-005 Waterline Replacement	<u>\$ 450,000</u>	
2595	110362	W-030 Transmission Main Replacement		<u>\$ 450,000</u>
		Totals	\$ 450,000	\$ 450,000;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's annual capital budget for the fiscal year 2024 be amended as listed above.

Ayes:

Noes:

03/21/24-JRB:alh

**ITEM 10 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
 AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2024 –
 WATER SYSTEM IMPROVEMENTS, CITY OF TONAWANDA,
 IDENTIFIED AS CONTRACT NO. LA-006, PROJECT NO. 202200060**

Motion by _____ seconded by _____

WHEREAS, in a resolution dated October 19, 2023, the Erie County Water Authority (the "Authority") adopted its annual capital budget for the fiscal year 2024; 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 budget item 101673 LA-006 Waterline Replacement; 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	101673	LA-006 Waterline Replacement	<u>\$ 60,000</u>	
2595	110362	W-030 Transmission Main Replacement		<u>\$ 60,000</u>
		Totals	\$ 60,000	\$ 60,000;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's annual capital budget for the fiscal year 2024 be amended as listed above.

Ayes:
 Noes:

03/21/24-JRB:alh

**ITEM 11 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
 AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2024 –
 WATER SYSTEM IMPROVEMENTS, TOWN OF HAMBURG, IDENTIFIED
 AS CONTRACT NO. WE-005 PH-1, PROJECT NO. 202200055**

Motion by _____ seconded by _____

WHEREAS, in a resolution dated October 19, 2023, the Erie County Water Authority (the "Authority") adopted its annual capital budget for the fiscal year 2024; 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 budget item 101674 WE-005 Waterline Replacement; 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	101674	WE-005 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 2024 be amended as listed above.

Ayes:

Noes:

03/21/24-JRB:alh

ITEM 12 - CREATION OF ONE POSITION OF CLERK TYPIST (55A)

Motion by seconded by

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water Authority (“Authority”) has the authority to appoint an attorney and an engineer and such additional officers and employees as it may require for the performance of its duties, fix and determine their qualifications, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York and such rules as the Personnel Officer of the Count of Erie may adopt and make applicable to such authority; and

WHEREAS, Article V, Section 6 of the By-Laws of the Erie County Water Authority grants to the Authority the right to name and appoint from time to time an attorney or engineer and employees as it may require for the performance of its duties, fix their qualification, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create one position of Clerk Typist (55A), Salary Grade 2 at a starting salary of \$48,674.08 of the Authority’s Career and Salary Plan, effective March 21, 2024; and be it further

RESOLVED: On March 12, 2024, the Erie County Department of Personnel reviewed and approved the above creations.

Ayes:

Noes:

03/21/24-alh

ITEM 13 - AUTHORIZATION TO FILE THE PUBLIC AUTHORITY REPORTING INFORMATION SYSTEM (PARIS) 2023 REPORTS TO THE NEW YORK STATE AUTHORITIES BUDGET OFFICE

Motion by seconded by

WHEREAS, in accordance with the Public Authorities Law, as amended by the Public Authorities Accountability Act of 2005, and the Public Authorities Reform Act of 2009, the Erie County Water Authority is required to file an Annual Report which reflects the 2023 results of operations and other supporting information; a Procurement Report of the Authority’s activity for the year; the Authority’s audited Investment Report; and the Certified Financial Audit report; and

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

WHEREAS, the Governance Committee has recommended that the Board approves the filing of the Public Authority Reporting Information System (PARIS) 2023 Reports to the NYS Authorities Budget Office;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves the filing of the PARIS 2023 Reports to the NYS Authorities Budget Office; and be it further

RESOLVED: that the Board authorizes the Authority’s Chief Financial Officer to file the Public Authority Reporting Information System 2023 Reports described above to the New York State Authority Budget Office and post all required documents to the Authority’s website.

Ayes:

Noes:

03/21/24-alh

ITEM 14 - ADOPTION OF AMENDMENT TO THE OPEN MEETINGS LAW POLICY

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) has adopted procedures ensuring access to public meetings set forth in Article 7 of the New York State Open Meetings Law; and

WHEREAS, during a Public Hearing held on February 22, 2024, the Legal Department presented to the Board of Commissioners (the “Board”) an overview of Public Officers Law §103(a) regarding Procedures for Member Videoconferencing at Board Meetings; and

WHEREAS, immediately following the Public Hearing, the Secretary to the Authority directed the Legal Department to recommend changes to the Authority’s Open Meetings Law Policy to be consistent with Public Officers Law §103(a); and

WHEREAS, the Secretary to the Authority and the Legal Department have reviewed and recommended to the Governance Committee the Authority’s amended Open Meetings Law Policy ensuring adherence to Public Officers Law §103(a); and

WHEREAS, on March 21, 2024, the Governance Committee reviewed, considered, and recommended the amendment to the Authority’s Open Meetings Law Policy;

NOW THEREFORE BE IT RESOLVED:

That the Authority adopt the amended Open Meetings Law Policy recommended by the Governance Committee ensuring adherence to Public Officers Law §103(a); and be it further

RESOLVED, the Secretary is hereby directed to post the amended Open Meetings Law Policy on the Authority website.

Ayes:

Noes:

03/21/24-alh