

ITEM 1 - RESOLUTION IN SUPPORT OF STATE LEGISLATION TO STRENGTHEN CYBERSECURITY ACROSS NEW YORK STATE'S MUNICIPALITIES

Motion by seconded by

WHEREAS, on June 27, 2025, New York Governor Kathy Hochul signed into law S.7672A/A.6769A, legislation to strengthen cybersecurity across New York State's municipalities (the "Legislation"); and

WHEREAS, the Legislation will improve New York State's ability to respond to threats, safeguard critical infrastructure and reduce statewide cybersecurity risks; and

WHEREAS, the Erie County Water Authority (the "Authority") has consistently supported the American Water Works Association, a principal advocate for robust cybersecurity regulations within the water sector, in its endeavor to safeguard the nation's water systems; and

WHEREAS, the Legislation builds on previous actions and investments to build a more resilient, safer and secure digital environment; and

WHEREAS, the Legislation mandates that all municipal corporations and public authorities promptly report cybersecurity incidents and ransom payments to the New York State Division of Homeland Security and Emergency Services ("DHSES"), fortifying the statewide defense against digital threats; and

WHEREAS, under the new Legislation, municipalities and public authorities are required to report cybersecurity incidents within 72 hours to DHSES and provide notice of payment of a ransom within 24 hours; and

WHEREAS, the Legislation also mandates annual cybersecurity awareness training for government employees across New York and sets data protection standards for state-maintained information systems; and

WHEREAS, the enactment of the Legislation underscores New York State's commitment to cybersecurity, setting a precedent for other states to follow in protecting both state and local critical infrastructure from cyber threats;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority does recognize the cybersecurity threats inherently associated with a water system's required daily functioning of operational and information technology systems necessary to produce and distribute clean, safe, potable water to customers on a daily basis; and be it further

RESOLVED: The Board of Commissioners of the Authority does hereby commend Governor Kathy Hochel for signing into law S.7672A/A.6769A, legislation to strengthen cybersecurity across New York State's municipalities; and be it further

RESOLVED: The Secretary of the Authority is authorized to forward executed copies of this resolution to Governor Kathy Hochel.

Ayes:

Noes:

07/23/25-alh

ITEM 2 - AUTHORIZATION TO DESIGNATE TERRENCE D. MCCRACKEN, SECRETARY TO THE AUTHORITY, AS SIGNATORY FOR NEW YORK STATE AND LOCAL RETIREMENT SYSTEMS' CERTIFICATE OF COMPLIANCE

Motion by seconded by

WHEREAS, New York State and Local Retirement System (“NYSLRS”) has requested the Erie County Water Authority (the “Authority”) complete a Certificate of Compliance with Electronic Signatures and Records Act and Regulations for Membership Applications; and

WHEREAS, applications for membership in NYSLRS require an electronic signature and must be completed through a method that ensures the authenticity, integrity, security, and, where relevant, confidentiality of the application; and

WHEREAS, as the Secretary to the Authority and the Personnel Department Head, by submitting this Certificate of Compliance, Terrence D. McCracken would be certifying that the electronic signatures have been obtained in compliance with the Electronic Signatures and Records Act and its associated regulations;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approves designating Terrence D. McCracken, Secretary to the Authority, as signatory for the NYSLRS Certificate of Compliance with Electronic Signatures and Records Act and Regulations for Membership Applications; and be it further

RESOLVED: That the Comptroller is authorized to forward the fully executed document to New York State and Local Retirement System.

Ayes:

Noes:

07/23/25-alh

ITEM 3 - AMENDMENT OF THE ERIE COUNTY WATER AUTHORITY FREEDOM OF INFORMATION LAW POLICY & PROCEDURES FOR ACCESSING PUBLIC RECORDS

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) pledges to the public and its customers to operate in an open and transparent manner, ensuring its policies, practices, procedures, and actions are subject to public inspection and scrutiny; and

WHEREAS, on September 20, 2018, the Authority adopted by resolution the “Erie County Water Authority Freedom of Information Law Policy & Procedures for Accessing Public Records” (the “FOIL Policy”); and

WHEREAS, the Secretary to the Authority and the Legal Department have reviewed and made minor changes to the FOIL Policy and presented this to the Governance Committee of the Authority; and

WHEREAS, the Governance Committee has reviewed and recommended the adoption of the amended FOIL Policy to the Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority’s Board of Commissioners adopts the amended FOIL Policy; and be it further

RESOLVED: The Board of Commissioners directs the Secretary of the Authority to post the amended FOIL Policy on the Authority’s Website and to make available copies of same upon request.

Ayes:

Noes:

07/23/25-alh

ITEM 4 - AUTHORIZATION TO ADOPT THE ERIE COUNTY WATER AUTHORITY DEBT MANAGEMENT POLICY

Motion by seconded by

WHEREAS, on September 17, 2008, the Erie County Water Authority (the “Authority”) Board of Commissioners (the “Board”) adopted a Debt Management Policy (the “Policy”) governing the issuance and management of Authority debt; and

WHEREAS, on October 20, 2022, the Policy was amended by changing the Authority’s debt limit to a debt to capitalization ratio of no more than 25%; and

WHEREAS, Joyce A. Tomaka, Chief Financial Officer, and the Finance Department have reviewed the Policy and do not recommend any amendments at this time; and

WHEREAS, on July 23, 2025, the Authority’s Finance Committee reviewed and recommended the adoption of the Policy without amendment to the Board of Commissioners;

NOW THEREFORE BE IT RESOLVED:

That the Board adopts the current Debt Management Policy without amendment; and be it further

RESOLVED: The Board of Commissioners directs the Secretary of the Authority to post the Debt Management Policy on the Authority’s website.

Ayes:

Noes:

07/23/25-alh

ITEM 5 - AUTHORIZATION TO ENTER INTO A MAIN EXTENSION SPECIAL AGREEMENT WITH JOHN D. HAWKINS AND VISONECO SITE DEVELOPMENT, LLC. FOR THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 530 LINEAR FEET OF EIGHT (8") INCH PVC WATERMAIN, TWO (2) HYDRANTS AND APPURTENANCES, STRICKLER ROAD, TOWN OF CLARENCE, NEW YORK, IDENTIFIED AS EC 7496, PROJECT NO. 202500051

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") desires to enter into a Main Extension Special Agreement with John D. Hawkins and Visoneco Site Development, LLC. (the "Applicants") for the construction and installation of approximately 530 linear feet of eight (8") inch PVC Watermain, two (2) hydrants and appurtenances, Strickler Road, Town of Clarence, New York (the "Agreement"); and

WHEREAS, the Agreement is made pursuant to Subdivision 10, Section 1054 of the Public Authorities Law; and

WHEREAS, the Agreement is made pursuant to Title 10.00, "Extensions of Mains" of the Authority's Tariff; and

WHEREAS, the Applicants desire to install watermains, hydrants and appurtenances as follows:

1. INSTALL approximately 530 +/- linear feet of 8-inch PVC water main along Strickler Road, Town of Clarence, under an Erie County Water Authority Main Extension Special Agreement.
2. INSTALL two (2) public fire hydrants along Strickler Road, Town of Clarence, under an Erie County Water Authority Special Agreement; and

WHEREAS, Leonard F. Kowalski, Executive Engineer, advised that the materials, work, labor, and services for said installations, as proposed to be supplied and installed by the Applicants, meet with the Authority's specifications;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of John D. Hawkins and Visoneco Site Development, LLC. for the construction and installation of approximately 530 linear feet of eight (8") inch PVC Watermain, two (2) public fire hydrants and appurtenances, Strickler Road, Town of Clarence, New York; and be it further

RESOLVED: That the Chair is hereby authorized to execute said Main Extension Special Agreement between the Authority and John D. Hawkins and Visoneco Site Development, LLC. covering the abovementioned project.

Ayes:

Noes:

07/23/25-alh

ITEM 6 - 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. 5268.53, D265452 PROJECT NO. 202500139

Motion by seconded by

WHEREAS, the New York State Department of Transportation (the “State”) proposes the construction, reconstruction, or improvement of the Highway Project, NY Route 240 (SH 9381), Harlem Road, Town of West Seneca, identified as PIN No. 5268.53, D265452; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the adjustment of valve box elevations, as well as other adjustments 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 replaced utilities will not be extended; and

WHEREAS, the State will provide for the reconstruction of the above-mentioned work, as shown on the contract plans relating to the above-mentioned project;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority (the “Authority”) approves the adjustment of valve box elevations, as well as other adjustments as shown on the contract plans relating to the project; and be it further

RESOLVED: That the Authority will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and be it further

RESOLVED: That the Authority grants the State 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 of Commissioners, 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 one certified copy of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

07/23/25-alh

ITEM 7 - 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. 5814.03, D265344 PROJECT NO. 202500140

Motion by seconded by

WHEREAS, the New York State Department of Transportation (the “State”) proposes the construction, reconstruction, or improvement of the ADA Compliance and Pedestrian Signal Upgrades NY Routes 20, 952A, 5, 93, 16, 391, 391, 62, 240, 277, 93, 324, 270, 425, US ROUTE 20 AND 62, identified as PIN No. 5814.03, D265344; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the adjustment of valve box elevations, as well as other adjustments 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 replaced utilities will not be extended; and

WHEREAS, the State will provide for the reconstruction of the above-mentioned work, as shown on the contract plans relating to the above-mentioned project;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority (the “Authority”) approves the adjustment of valve box elevations, as well as other adjustments as shown on the contract plans relating to the project; and be it further

RESOLVED: That the Authority will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and be it further

RESOLVED: That the Authority grants the State 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 of Commissioners, 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 one certified copy of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

07/23/25-alh

ITEM 8 - AWARD OF CONTRACT TO BISON LABORATORIES, INC. FOR THE FURNISHING OF SODIUM HYPOCHLORITE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE BOOSTER STATIONS FOR ONE YEAR FROM AUGUST 1, 2025 THROUGH JULY 31, 2026, PROJECT NO. 202500099 - \$42,690.00

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 3rd day of June 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for the Furnishing of Sodium Hypochlorite to the Erie County Water Authority for Use in the Booster Stations for One Year from August 1, 2025 through July 31, 2026; and

WHEREAS, Authority personnel opened a sealed bid in the office of the Authority on the 26th day of June 2025, and was as follows:

BIDDERS	AMOUNT
Bison Laboratories, Inc.	\$ 42,690.00*

*Only bid received; and

WHEREAS, Daniel J. Seider, Director of Production, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bid and determined Bison Laboratories, 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 2025 O&M Budget includes funds for this project under Unit 1020 Control Operations, Item No. 13 Chemicals;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Bison Laboratories, Inc. as a responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Bison Laboratories, Inc. for the Furnishing of Sodium Hypochlorite to the Erie County Water Authority for Use in the Booster Stations for One Year from August 1, 2025 through July 31, 2026, as a unit price contract for the estimated total amount of \$42,690.00; 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:

07/23/25-alh

ITEM 9 - AWARD OF CONTRACT TO UNIVAR SOLUTIONS USA, LLC FOR THE FURNISHING AND DELIVERING OF FLUOROSILICIC ACID TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR FROM AUGUST 1, 2025 THROUGH JULY 31, 2026, PROJECT NO. 202500076 - \$175,000.00

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 20th day of May 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for the Furnishing and Delivering of Fluorosilicic Acid to the Erie County Water Authority for Use in the Treatment of Water for One Year from August 1, 2025 through July 31, 2026; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 12th day of June 2025, and were as follows:

BIDDERS	AMOUNT
Univar Solutions, USA LLC	\$ 175,000.00
Alexander Chemical Corporation	248,220.00
PVS Nolwood Chemicals, Inc.	364,000.00*

*Corrected amount; and

WHEREAS, Daniel J. Seider, Director of Production, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined Univar Solutions, USA LLC is the lowest 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 2025 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 Authority awards the contract to Univar Solutions, USA LLC as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Univar Solutions, USA LLC for the Furnishing and Delivering of Fluorosilicic Acid to the Erie County Water Authority for Use in the Treatment of Water for One Year from August 1, 2025 through July 31, 2026, as a unit price contract for the estimated total amount of \$175,000.00; 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:

07/23/25-alh

ITEM 10 - AWARD OF CONTRACT TO CARUS, LLC FOR THE FURNISHING AND DELIVERING OF POTASSIUM PERMANGANATE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR FROM AUGUST 1, 2025 THROUGH JULY 31, 2026, PROJECT NO. 202500072 - \$65,040.00

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 20th day of May 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for the Furnishing and Delivering of Potassium Permanganate to the Erie County Water Authority for Use in the Treatment of Water for One Year from August 1, 2025 through July 31, 2026; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 12th day of June 2025, and were as follows:

BIDDERS	AMOUNT
Chemrite, Inc.	\$ 52,080.00*
Carus, LLC	65,040.00
Shannon Chemical Corporation	90,480.00

*Bidder deemed non-responsive; and

WHEREAS, the mathematically low bidder, Chemrite, Inc. was determined by the Engineering and Legal Departments to be non-responsive and non-responsible due to the fact that they did not submit using the Authority’s bid forms as required by the Instructions to Bidders; and

WHEREAS, Daniel J. Seider, Director of Production, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined Carus, LLC is the lowest responsive and 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 2025 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 Authority awards the contract to Carus, LLC as the lowest responsive and responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Carus, LLC for the Furnishing and Delivering of Potassium Permanganate to the Erie County Water Authority for Use in the Treatment of Water for One Year from August 1, 2025 through July 31, 2026, as a unit price contract for the estimated total amount of \$65,040.00; 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:

07/23/25-alh

ITEM 11 - AWARD OF CONTRACT TO E&R GENERAL CONSTRUCTION, INC. FOR WATER SYSTEM IMPROVEMENTS, TOWN OF CHEEKTOWAGA, IDENTIFIED AS CONTRACT NO. CH-013, PROJECT NO. 202000073 - \$890,835.00

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 27th day of May 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Water System Improvements, Town of Cheektowaga, identified as Contract No. CH-013; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 24th day of June 2025, and were as follows:

BIDDERS	AMOUNT
E&R General Construction, Inc.	\$ 890,835.00
Kandey Company, Inc.	899,725.00
CMH Company, Inc.	990,231.80; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined E&R General Construction, Inc. is the lowest 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 2025 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101805 CH-013 – NYSP Section;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to E&R General Construction, 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 E&R General Construction, Inc. for Water System Improvements, Town of Cheektowaga, Contract No. CH-013, as a unit price contract for the estimated total amount of \$890,835.00; 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:

07/23/25-alh

**ITEM 12 – AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT
WITH MERIT APPRENTICESHIP ALLIANCE FOR NCCER HEAVY EQUIPMENT
TRAINING PROGRAM, PN 202400095**

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 services relating to a NCCER Heavy Equipment Training Program; and

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

Great Lakes Environmental & Safety Consultants, Inc.
Merit Apprenticeship Alliance
Occupational Safety & Environmental Associates, Inc.; and

WHEREAS, Great Lakes Environmental & Safety Consultants, Inc. and Occupational Safety & Environmental Associates, Inc. were unable to fulfill the entire scope of the training program and therefore did not make submissions; 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 Procurement Policy; and

WHEREAS, after the proposal was reviewed and discussed among the review committee, it was determined that Merit Apprenticeship Alliance was a responsible firm and qualified for this project; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with Merit Apprenticeship Alliance to provide professional services relating to a NCCER Heavy Equipment Training Program; and

WHEREAS, the Authority's 2025 O&M Budget includes funds for this project under Unit 8010 Human Resources, Item No. 37 Training Payments;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Merit Apprenticeship Alliance to provide professional services relating to a NCCER Heavy Equipment Training Program; and be it further

RESOLVED: That the Chair is authorized to execute said Agreement on behalf of the Authority once it has been finalized and approved by the Authority's General Counsel.

Ayes:
Noes:

07/23/25-alh

ITEM 13 - AUTHORIZATION TO EXECUTE A SERVICE AGREEMENT WITH TIME WARNER CABLE NORTHEAST, LLC D/BA SPECTRUM ENTERPRISE RELATIVE TO INTERNET AND TELEPHONE SERVICES, STATE CONTRACT NO. PS68706

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) currently utilizes Time Warner Cable Northeast LLC d/b/a Spectrum (“Spectrum”) for its ethernet private line services (fiber point-to-point) at Authority locations; and

WHEREAS, the Authority has several internet and telephone service contracts with Spectrum that will be expiring in the next few months; and

WHEREAS, the proposed Service Agreement includes a three year term and results in a reduction of the Authority’s monthly recurring charges; and

WHEREAS, the pricing in the proposed Service Agreement follows the NYS OGS Contract; and

WHEREAS, David W. Aubertine, Director of Cybersecurity and Information Technology recommends executing a Service Agreement with Spectrum to provide internet and telephone services to the various Authority locations listed on the Service Agreement; and

WHEREAS, the Authority’s 2025 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 approves entering into a Service Agreement with Spectrum for the abovementioned services; and be it further

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

Ayes:

Noes:

07/23/25-alh

ITEM 14 - AUTHORIZATION TO ENTER INTO AN ONLINE AUCTION CONTRACT WITH AUCTIONS INTERNATIONAL, INC. FOR SALE OF ASSETS BY ONLINE AUCTION, PROJECT NO. 202100134

Motion by seconded by

WHEREAS, on July 20, 2023, the Erie County Water Authority (the “Authority”) Board of Commissioners approved a resolution to enter into an Online Auction Agreement (the “Agreement”) with Auctions International, Inc. (the “Auctioneer”) to provide online auction services for a period of two years; and

WHEREAS, the Agreement was based on a piggyback off of a contract issued by the County of Saratoga, New York (the “County”) pursuant to NYS General Municipal Law §103; and

WHEREAS, the Auctioneer is currently engaged under a cooperative agreement with Sourcewell; and

WHEREAS, Sourcewell is a cooperative purchasing organization that helps government, education, and nonprofit entities save time and money by pooling resources and negotiating contracts with vendors; and

WHEREAS, there is no cost to the Authority to list items on the Auctioneer’s website; and

WHEREAS, Lavonya Lester, Director of Administration, recommends that the Authority enters a two year Online Auction Contract through Sourcewell with the Auctioneer;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority enters into an Online Auction Contract with Auctions International, Inc. through Sourcewell for the sale of assets by online auction; and be it further

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

Ayes:

Noes:

07/23/25-alh

ITEM 15 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CAPITAL MARKETS ADVISORS, LLC TO PROVIDE PROFESSIONAL FINANCIAL ADVISORY SERVICES PROJECT NO. 202200071

Motion by seconded by

WHEREAS, on July 21, 2022, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded Capital Markets Advisors, LLC ("Consultant") a professional services agreement to provide professional financial advisory services for a three-year term beginning August 1, 2022 (the "Agreement"); and

WHEREAS, the Agreement provides for services to be provided to the Authority, as described in the Agreement, from August 1, 2022 through July 31, 2025; and

WHEREAS, in accordance with Article 5, Paragraph 5.01 of the Agreement, the parties may agree in writing to extend the term of the Agreement for two additional one year terms, at the sole discretion of the Authority, at mutually agreed upon terms and conditions; and

WHEREAS, the parties wish to extend the Agreement for a one-year period from August 1, 2025 through July 31, 2026 under the same terms and conditions; and

WHEREAS, Joyce A. Tomaka, Chief Financial Officer, recommends that the Authority amend the Agreement by extending the term for a one-year period under the same terms and conditions; and

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

WHEREAS, the Authority's O&M Budget includes funds for this project under Unit 4015 Cash Management, Item No. 19 Payments to Contractors – Other and Item No. 51 Corporate and Fiscal Expense;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement with Capital Markets Advisors, LLC by extending the term for a one-year period from August 1, 2025 through July 31, 2026 under the same terms and conditions; and be it further

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

Ayes:

Noes:

07/23/25-alh

ITEM 16 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WM. SCHUTT & ASSOCIATES TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO WATER SYSTEM IMPROVEMENTS, CITY OF LACKAWANNA AND TOWN OF HAMBURG, IDENTIFIED AS CONTRACT NO. WSA-015, PROJECT NO. 202000058 - \$13,680.00

Motion by seconded by

WHEREAS, on February 13, 2020, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded Wm. Schutt & Associates ("Consultant") a professional services agreement to provide consulting engineering services relating to Water System Improvements, City of Lackawanna and Town of Hamburg, identified as Contract No. WSA-015 (the "Agreement"); and

WHEREAS, the project experienced significant delays during construction due to railroad access issues including the premature removal of the rail crossing; and

WHEREAS, the Consultant has incurred additional engineering fees for construction administration services and will incur additional costs for record drawing preparation; and

WHEREAS, the additional fee requested by the Consultant to complete the work is \$43,680.00, however, since the project is nearing completion, there are remaining funds in the Special Services item available to offset some of the additional costs resulting in a total increase in the contract of \$13,680.00; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, recommend that the Authority amend the Agreement by increasing the Consultant's fee by \$13,680.00; and

WHEREAS, in accordance with Article 5 of the Agreement, 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 to be effective; and

WHEREAS, the Authority's 2025 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101518 WSA-015 Waterline Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement with Wm. Schutt & Associates by increasing the Consultant's fee by \$13,680.00; and be it further

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

Ayes:

Noes:

07/23/25-alh

ITEM 17 - APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT WITH JCI JONES CHEMICALS, 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

Motion by seconded by

WHEREAS, on August 15, 2024, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded JCI Jones Chemicals, Inc. (the "Supplier") a contract 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 one-year term, from September 1, 2024 to August 31, 2025 (the "Contract"); and

WHEREAS, in accordance with Paragraph 1.04 of the Contract, the parties may agree to extend the Contract on the same terms and conditions, or upon such terms and conditions acceptable to the Authority, for two (2) additional one (1) year terms; 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, the Supplier has agreed to extend the Contract for a period of eleven (11) months until July 31, 2026, based on the same terms and conditions, including pricing of \$880.00 per dry ton, as set forth in Article 4 of the Contract; and

WHEREAS, Daniel J. Seider, Director of Production, and Leonard F. Kowalski, Executive Engineer, recommend that the Authority amend the Contract by extending the term of the Contract for a period of eleven (11) months under the same terms and conditions; and

WHEREAS, The Authority's 2025 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 JCI Jones Chemicals, Inc. by extending the Contract for a period of eleven (11) months until July 31, 2026, based on the same terms and conditions, including pricing of \$880.00 per dry ton, as set forth in Article 4 of the Contract; and be it further

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

Ayes:

Noes:

07/23/25-alh

ITEM 18 - APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT WITH JCI JONES CHEMICALS, INC. FOR THE FURNISHING AND DELIVERING OF LIQUID CHLORINE IN ONE-TON CONTAINERS TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR, PROJECT NO. 202400124

Motion by seconded by

WHEREAS, on August 15, 2024, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded JCI Jones Chemicals, Inc. (the "Supplier") a contract the Furnishing and Delivering of Liquid Chlorine in One-Ton Containers to the Erie County Water Authority for Use in the Treatment of Water for a one-year term, from September 1, 2024 to August 31, 2025 (the "Contract"); and

WHEREAS, in accordance with Paragraph 1.04 of the Contract, the parties may agree to extend the Contract on the same terms and conditions, or upon such terms and conditions acceptable to the Authority, for two (2) additional one (1) year terms; 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, the Supplier has agreed to extend the Contract for a period of eleven (11) months until July 31, 2026, based on the same terms and conditions, including pricing of \$1,820.00 per liquid ton, as set forth in Article 4 of the Contract; and

WHEREAS, Daniel J. Seider, Director of Production, and Leonard F. Kowalski, Executive Engineer, recommend that the Authority amend the Contract by extending the term of the Contract for a period of eleven (11) months under the same terms and conditions; and

WHEREAS, The Authority's 2025 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 the Board approves amending the Contract with JCI Jones Chemicals, Inc. by extending the Contract for a period of eleven (11) months until July 31, 2026, based on the same terms and conditions, including pricing of \$1,820.00 per liquid ton, as set forth in Article 4 of the Contract; and be it further

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

Ayes:

Noes:

07/23/25-alh

**ITEM 19 - APPROVAL OF CHANGE ORDER NO. 1 OF JOHN W. DANFORTH COMPANY
FOR CONTRACT NOS. MP-090-H AND MP-090-P STURGEON POINT WATER
TREATMENT PLANT FILTRATION PIPING, VALVE AND UNDERDRAIN
SYSTEM IMPROVEMENTS, 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") approved resolutions to enter into contracts with John W. Danforth Company (the "Contractor"), identified as Contract No. MP-090-H and MP-090-P Sturgeon Point Water Treatment Plant Filtration Piping, Valve and Underdrain System Improvements (the "Contracts"); and

WHEREAS, the Authority's Engineering Department and consultant, Arcadis of New York, Inc., are recommending Change Order No. 1 to include the following changes to the Contracts:

- Specification Section 01 13 13 - Milestones - modifications to Paragraph 1.2 Milestone Requirements;
- Specification Section 01 14 16 – Coordination with Owner's Operations – Modifications to Paragraph 1.4 Sequence of Work;
- Milestone 1 - Changed from August 30, 2024 to April 9, 2025.
- Milestone 2 – Changed from May 30, 2025 to August 17, 2026
- Milestone 3 - Changed from April 24, 2026 to March 27, 2027
- Substantial Completion - Changed from April 30, 2027 to January 18, 2028
- Final Completion - Changed from June 4, 2027 to February 22, 2028; and

WHEREAS, the Contracts included detailed requirements for work contemplated for a series of project milestones as well as a specific sequence of work, and during construction, these items have been modified to better incorporate existing plant operations and prevent the opportunity for plant disruptions in future phases of the work; and

WHEREAS, the work has also been delayed by unforeseen conditions encountered due to conflicts with the construction of other Authority projects; and

WHEREAS, Michael J. Quinn, Sr. Production 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 John W. Danforth Company 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:

07/23/25-alh

ITEM 20 - APPROVAL OF CHANGE ORDER NO. 2 OF O'CONNELL ELECTRIC COMPANY, INC. FOR CONTRACT NO. MP-090-E STURGEON POINT WATER TREATMENT PLANT FILTRATION PIPING, VALVE AND UNDERDRAIN SYSTEM IMPROVEMENTS, 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") approved a resolution to enter into a contract with O'Connell Electric Company, Inc. (the "Contractor"), identified as Contract No. MP-090-E Sturgeon Point Water Treatment Plant Filtration Piping, Valve and Underdrain System Improvements (the "Contract"); and

WHEREAS, on January 18, 2024, the Board approved Change Order No. 1 to change the Contract by decreasing procurement contract allowances and increasing the contingency allowances; and

WHEREAS, the Authority's Engineering Department and consultant, Arcadis of New York, Inc., are recommending Change Order No. 2 to include the following changes to the Contract:

- Specification Section 01 13 13 - Milestones - modifications to Paragraph 1.2 Milestone Requirements;
- Specification Section 01 14 16 – Coordination with Owner's Operations – Modifications to Paragraph 1.4 Sequence of Work;
- Milestone 1 - Changed from August 30, 2024 to April 9, 2025.
- Milestone 2 – Changed from May 30, 2025 to August 17, 2026
- Milestone 3 - Changed from April 24, 2026 to March 27, 2027
- Substantial Completion - Changed from April 30, 2027 to January 18, 2028
- Final Completion - Changed from June 4, 2027 to February 22, 2028; and

WHEREAS, the Contract included detailed requirements for work contemplated for a series of project milestones as well as a specific sequence of work, and during construction, these items have been modified to better incorporate existing plant operations and prevent the opportunity for plant disruptions in future phases of the work; and

WHEREAS, the work has also been delayed by unforeseen conditions encountered due to conflicts with the construction of other Authority projects; and

WHEREAS, Michael J. Quinn, Sr. Production Engineer and Leonard F. Kowalski, Executive Engineer recommend approval of said Change Order No. 2;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 2 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. 2 on behalf of the Authority.

Ayes:

Noes:

07/23/25-alh

ITEM 21 - APPROVAL OF CHANGE ORDER NO. 2 OF AMERICAN CONTRACTING & ENVIRONMENTAL SERVICES, INC. FOR CONTRACT NO. MP-090-G STURGEON POINT WATER TREATMENT PLANT FILTRATION PIPING, VALVE AND UNDERDRAIN SYSTEM IMPROVEMENTS, 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") approved a resolution to enter into a contract with American Contracting & Environmental Services, Inc. (the "Contractor"), identified as Contract No. MP-090-G Sturgeon Point Water Treatment Plant Filtration Piping, Valve and Underdrain System Improvements (the "Contract"); and

WHEREAS, on January 18, 2024, the Board approved 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 Authority's Engineering Department and consultant, Arcadis of New York, Inc., are recommending Change Order No. 2 to include the following changes to the Contract:

- Specification Section 01 13 13 - Milestones - modifications to Paragraph 1.2 Milestone Requirements;
- Specification Section 01 14 16 – Coordination with Owner's Operations – Modifications to Paragraph 1.4 Sequence of Work;
- Milestone 1 - Changed from August 30, 2024 to April 9, 2025.
- Milestone 2 – Changed from May 30, 2025 to August 17, 2026
- Milestone 3 - Changed from April 24, 2026 to March 27, 2027
- Substantial Completion - Changed from April 30, 2027 to January 18, 2028
- Final Completion - Changed from June 4, 2027 to February 22, 2028; and

WHEREAS, the Contract included detailed requirements for work contemplated for a series of project milestones as well as a specific sequence of work, and during construction, these items have been modified to better incorporate existing plant operations and prevent the opportunity for plant disruptions in future phases of the work; and

WHEREAS, the work has also been delayed by unforeseen conditions encountered due to conflicts with the construction of other Authority projects; and

WHEREAS, Michael J. Quinn, Sr. Production Engineer and Leonard F. Kowalski, Executive Engineer recommend approval of said Change Order No. 2;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 2 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. 2 on behalf of the Authority.

Ayes:

Noes:

07/23/25-alh

ITEM 22 - APPROVAL OF CHANGE ORDER NO. 2 OF AMSTAR OF WESTERN NEW YORK INC. FOR WATER STORAGE TANK REFURBISHING – SANDRIDGE TANK, IDENTIFIED AS CONTRACT NO. W-035-B, PROJECT NO. 202300060

Motion by seconded by

WHEREAS, on June 20, 2024, the Erie County Water Authority’s (the "Authority") Board of Commissioners (the “Board”) approved a resolution to enter into a contract with Amstar of Western New York, Inc. (the “Contractor”) for Water Storage Tank Refurbishing – Sandridge Tank, identified as Contract No. W-035-B (the “Contract”); and

WHEREAS, on December 19, 2024, the Board approved Change Order No. 1 extending the Substantial Completion date to December 20, 2024; and

WHEREAS, the Contractor has submitted Change Order No. 2 requesting a new Final Completion date of September 30, 2025 ; and

WHEREAS, the reason for said change is to account for personnel changes and long production times; and

WHEREAS, William W. Wheeler, Senior Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend approval of said Change Order No. 2;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approve Change Order No. 2 of with Amstar of Western New York, Inc. to extend the Final Completion date to September 30, 2025; and be it further

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

Ayes:

Noes:

07/23/25-alh

ITEM 23 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 – VAN DE WATER WATER TREATMENT PLANT CAPACITY EXPANSION PROJECT, IDENTIFIED AS CONTRACT NO. HS-001, PROJECT NO. 202000134 - \$30,000.00

Motion by seconded by

WHEREAS, in a resolution dated October 17, 2024, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2025; 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 Annual Capital Budget to reflect such changes; and

WHEREAS, the Authority has been advised by Michael J. Quinn, Director of Distribution, funding is needed for budget item 101526 – HS-001, Van de Water WTP Capacity Expansion Project; and

WHEREAS, in order to provide funding for this project, funds within the Annual 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>
2515	101526	HS-001, Van de Water WTP Capacity Expansion Project	\$ <u>30,000.00</u>	
2520	101512	Ball PS – Pumping Improvements		\$ <u>30,000.00</u>
		Totals	\$ 30,000.00	\$ 30,000.00;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual Capital Budget for the fiscal year 2025 be amended as listed above.

Ayes:

Noes:

07/23/25-alh

ITEM 24 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 – WATER SYSTEM UPDATES, TOWN OF HAMBURG AND CITY OF LACKAWANNA, IDENTIFIED AS CONTRACT NO. WSA-015, PROJECT NO. 202000058 - \$400,000.00

Motion by seconded by

WHEREAS, in a resolution dated October 17, 2024, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2025; 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 Annual Capital Budget to reflect such changes; and

WHEREAS, the Authority has been advised by Michael J. Quinn, Director of Distribution, funding is needed for budget item 101518 – WSA-015 Waterline Replacement; and

WHEREAS, in order to provide funding for this project, funds within the Annual 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	101518	WSA-015 Waterline Replacement	\$ <u>400,000.00</u>	
2595	101362	W-030 Transmission Main Replacement		\$ <u>400,000.00</u>
		Totals	\$ 400,000.00	\$ 400,000.00;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual Capital Budget for the fiscal year 2025 be amended as listed above.

Ayes:

Noes:

07/23/25-alh

ITEM 25 - 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 6" valve at 28 Coshway Place, City of Tonawanda with a new 6" resilient seat valve on 05/09/2025. Work done by ECWA forces under Work Authorization No. 107.200 7499.

Valve originally installed prior to 08/18/2004 was scrapped and retired under Retirement Authorization No. R250019; and

Replaced existing 6" valve at Lynwood Avenue and Abbott Road, Town of Hamburg with a new 6" resilient seat valve on 05/19/2025. Work done by ECWA forces under Work Authorization No. 107.200 7500.

Valve originally installed prior to 07/14/2011 was scrapped and retired under Retirement Authorization No. R250020; and

Replaced existing 5' hydrant at Goodrich Road, Town of Clarence with a new 5' Kennedy K81 hydrant on 05/27/2025. Work done by ECWA forces under Work Authorization No. 107.200 7501.

Hydrant originally installed prior to 10/01/1999 was scrapped and retired under Retirement Authorization No. R250021.

Replaced existing 5' hydrant at 2278 Derby Road, Town of Eden with a new 5' Kennedy K81 hydrant on 05/28/2025. Work done by ECWA forces under Work Authorization No. 107.200 7502.

Hydrant originally installed prior to 01/06/2020 was scrapped and retired under Retirement Authorization No. R250022.

Installed a new 6" resilient seat valve at 3745 Seneca Street, Town of West Seneca on 06/03/2025. Work done by ECWA forces under Work Authorization No. 107.200 7498.

Replaced existing 6' hydrant at 4767 Southwestern Boulevard, Town of Hamburg with a new 6' Kennedy K81 hydrant on 06/03/2025. Work done by ECWA forces under Work Authorization No. 107.200 7503.

Hydrant originally installed prior to 07/14/2011 was scrapped and retired under Retirement Authorization No. R250023.

Replaced existing 5' hydrant at 9560 Lapp Road, Town of Clarence with a new 5' Kennedy K81 hydrant on 06/04/2025. Work done by ECWA forces under Work Authorization No. 107.200 7505.

Hydrant originally installed prior to 10/01/1999 was scrapped and retired under Retirement Authorization No. R250025.

Replaced existing 6” valve at Clinton Street and South Rossler Avenue, Town of Cheektowaga with a new 6” resilient seat valve on 06/11/2025. Work done by ECWA forces under Work Authorization No. 107.200 7504.

Valve originally installed in 1963 was scrapped and retired under Retirement Authorization No. R250024; 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:

07/23/25-alh

ITEM 26 - AUTHORIZATION FOR LEONARD KOWALSKI, EXECUTIVE ENGINEER, AND DANIEL SEIDER, DIRECTOR OF PRODUCTION, TO ATTEND THE 2025 NYSAWWA TIFFT SYMPOSIUM IN SYRACUSE, NEW YORK

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) deems it advisable for Leonard Kowalski, Executive Engineer, and Daniel Seider, Director of Production, to attend the 2025 NYSAWWA Tift Symposium in Syracuse, New York at a total estimated cost of \$1,800.00;

NOW, THEREFORE, BE IT RESOLVED:

That Leonard Kowalski, Executive Engineer, and Daniel Seider, Director of Production, are authorized to travel to Syracuse, New York from September 16, 2025 to September 18, 2025 to attend the 2025 NYSAWWA Tift Symposium at a total estimated cost of \$1,800.00;

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Ayes:

Noes:

07/23/25-alh

**ITEM 27 - AUTHORIZATION FOR DAVID AUBERTINE, DIRECTOR OF CYBERSECURITY
AND INFORMATION TECHNOLOGY, TO ATTEND A CYBERSECURITY TABLE-
TOP EXERCISE IN SYRACUSE, NEW YORK**

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) deems it advisable for David Aubertine, Director of Cybersecurity and Information Technology, to attend a Cybersecurity Table-Top Exercise in Syracuse, New York at a total estimated cost of \$240.00;

NOW, THEREFORE, BE IT RESOLVED:

That David Aubertine, Director of Cybersecurity and Information Technology, is authorized to travel to Syracuse, New York on August 13, 2025 to attend a Cybersecurity Table-Top Exercise at a total estimated cost of \$240.00;

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Ayes:

Noes:

07/23/25-alh

ITEM 28 - AUTHORIZATION FOR RYAN CASSENS, PLANNER – GEOGRAPHIC INFORMATION SYSTEMS, TO ATTEND THE 2025 NY GEOCON IN LAKE PLACID, NEW YORK

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) deems it advisable for Ryan Cassens, Planner – Geographic Information Systems, to attend the 2025 NY GeoCon in Lake Placid, New York at a total estimated cost of \$1,115.00;

NOW, THEREFORE, BE IT RESOLVED:

That Ryan Cassens, Planner – Geographic Information Systems, is authorized to travel to Lake Placid, New York from October 8, 2025 to October 10, 2025 to attend the 2025 NY GeoCon at a total estimated cost of \$1,115.00;

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Ayes:

Noes:

07/23/25-alh

**ITEM 29 - APPROVAL OF ONE-YEAR LEAVE OF ABSENCE FOR TIMOTHY A. ELLING
(CCII)**

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 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, Timothy A. Elling, Line Maintenance Operator has requested a one-year leave of absence effective August 5, 2025;

NOW, THEREFORE, BE IT RESOLVED:

Timothy A. Elling's one-year leave of absence from his position of Line Maintenance Operator until August 4, 2026 or such other time as approved by the Erie County Personnel Director is hereby approved, ratified and confirmed.

Ayes:

Noes:

07/23/25-alh

**ITEM 30 - AUTHORIZATION TO EXECUTE THE SETTLEMENT AGREEMENT WITH
RELEASE AND THE BULK SALES AGREEMENT WITH THE TOWN OF ELMA**

Motion by seconded by

WHEREAS the Town of Elma (the “Town”) manages and maintains its own water infrastructure system; and

WHEREAS, from on or about February 4, 1999 through February 3, 2019, the Erie County Water Authority's (the “Authority”) sale and delivery of potable water to the Town was governed by the terms of a Bulk Sales Agreement entered into by the parties in 1999, as supplemented by the terms of the Authority's Tariff, as amended from time to time; and

WHEREAS, on January 16, 2018, the Authority put the Town on notice that the Authority intended to renegotiate or terminate its Bulk Sales Agreement with the Town; and

WHEREAS, subsequently, on July 22, 2021, the Authority commenced litigation against the Town related to the sale of water in the Town; and

WHEREAS, during the course of litigation, the parties negotiated acceptable terms to a new Bulk Sales Agreement and a settlement of all claims related to the litigation; and

WHEREAS, on July 17, 2025, the Town’s Board authorized the Town Supervisor to execute the new Bulk Sales Agreement with the Authority, along with a Settlement Agreement; and

WHEREAS, the Legal Department recommends that the Authority execute the Settlement Agreement with Release and the new Bulk Sales Agreement with the Town to be effective on July 23, 2025 for a ten-year period and successive ten-year periods thereafter unless a notice of intent to terminate or renegotiate is properly served pursuant to the terms of the Agreement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve the execution of the Settlement Agreement with Release and the new Bulk Sales Agreement with the Town of Elma to be effective on July 23, 2025 for a ten-year period and successive ten-year periods thereafter unless a notice of intent to terminate or renegotiate is properly served pursuant to the terms of the Agreement; and

RESOLVED: That the Chair is authorized to execute the Settlement Agreement with Release and the new Bulk Sales Agreement on behalf of the Authority.

Ayes:

Noes:

07/23/25-alh