

ITEM 1 - 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. 5815.46, D265504, PROJECT NO. 202500187

Motion by seconded by

WHEREAS, the New York State Department of Transportation (the “State”) proposes the construction, reconstruction, or improvement of the Intersection Improvement Project NY Route 952J (Armor Duells Road) at Murphy and Duerr Road Intersection, Town of Orchard Park, Erie County, identified as PIN No. 5815.46, D265504; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the adjustment of water 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 water 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:

09/18/25-alh

ITEM 2 - AUTHORIZATION TO EXECUTE AN INDEMNITY AGREEMENT WITH JOHN AND JESSICA MUNZEL RELATING TO AN EASEMENT FOR THE PROPERTY LOCATED ON HARVEY DRIVE, VILLAGE OF LANCASTER

Motion by and seconded by

WHEREAS, John and Jessica Munzel (the “Munzels”) are the owners of real property located in the Village of Lancaster, and more particularly described in a certain deed duly recorded in the office of the Clerk of the County of Erie in Liber of Deeds 11356 at page 9115 (the "Munzel Property"); and

WHEREAS, the Munzel Property is subject to an easement which grants rights to the Erie County Water Authority (the “Authority”) to maintain and repair a waterline along the property line between the Munzel Property and 100 Harvey Drive (the "Easement Area"); and

WHEREAS, the Munzels have requested permission to erect a six foot (6') privacy fence within the Easement Area; and

WHEREAS, the Authority’s Legal Department has negotiated the terms of a proposed indemnity agreement (the “Agreement”); and

WHEREAS, the Agreement holds the Munzels responsible for any damage done to the water line during installation of the fence or as a result of the same and for the replacement or repair of said fence should the Authority or any of their agents or assigns have to maintain, repair or replace the water line in said Easement Area; and

WHEREAS, by executing the Agreement, the Munzels agree to indemnify and hold the Authority harmless as to any damage and/or injuries which may be caused as result of the installation of said privacy fence, inclusive of all claims, suits, causes of action, judgments or damages sustained by the Authority or any other person or persons for bodily injury or for injury to or loss of property resulting from, caused by or arising out of the conduct of owners, their agents, servants or invitees; and

WHEREAS, the Legal Department recommends that the Authority’s Board of Commissioners (the “Board”) approve the execution of the Agreement with the Munzels; and

WHEREAS, there is no cost associated with the Agreement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves executing the Agreement with John and Jessica Munzel, the owner of real property located on Harvey Drive in the Village of Lancaster, to allow said owner the right to install and responsibility to maintain a six foot (6') privacy fence within the Easement Area; and be it further

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

Ayes:

Noes:

09/18/25-alh

**ITEM 3 - AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH
NIAGARA MOHAWK POWER CORPORATION RELATING TO THE ERIE
COUNTY WATER AUTHORITY'S GUENTHER PUMP STATION AND TANK
PROPERTY LOCATED AT 3478 PLEASANT AVENUE, TOWN OF HAMBURG**

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") owns property located at 3478 Pleasant Avenue in the Town of Hamburg, New York where the Authority's Guenther Pump Station and Water Storage Tank is located ("Guenther Pump Station Property"); and

WHEREAS, Niagara Mohawk Power Corporation ("Niagara Mohawk") requested permission for temporary access to a portion of the Guenther Pump Station Property; and

WHEREAS, in order to access an adjacent Niagara Mohawk owned property for maintenance of their transmission system, Niagara Mohawk has requested the execution of a License Agreement (the "Agreement") with the Authority; and

WHEREAS, the Authority's Legal and Engineering departments have negotiated the terms of the Agreement and recommend approving and executing the Agreement; and

WHEREAS, there is no cost associated with the Agreement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Board of Commissioners approves the execution of a License Agreement with Niagara Mohawk Power Corporation relating to property located at 3478 Pleasant Avenue in the Town of Hamburg, New York; and be it further

RESOLVED, that the Chair is authorized to execute said License Agreement on behalf of the Authority.

Ayes:

Noes:

09/18/25-alh

ITEM 4 - AUTHORIZATION TO EXECUTE A SETTLEMENT AGREEMENT WITH PROVIDENCE FARM COLLECTIVE CORPORATION AND THE TOWN OF ORCHARD PARK

Motion by _____ seconded by _____

WHEREAS, Providence Farm Collective Corporation (“Providence Farm”), a not-for-profit farm cooperative, operates approximately thirty-seven (37) acres of farmland in the Town of Orchard Park (“Town”); and

WHEREAS, Providence Farm requested the right to tie into the water distribution line on Powers Road, currently in the Town’s Water District 17 in order to utilize public water provided by the Erie County Water Authority (the “Authority”) for washing produce and for restrooms and showers in its new barn facility; and

WHEREAS, Providence Farm submitted an application for new service to the Authority and installed a private water line within its property from Powers Road to the new facility; and

WHEREAS, the Town and its engineer determined that the Providence Farm property was not located in the Town’s Water District 17 but instead was located within the boundary of a new district the Town was in the process of creating, Water District 17-4; and

WHEREAS, relying on the Town’s determination, the Authority was not able to connect Providence Farm to the distribution main located on Powers Road; and

WHEREAS, on January 13, 2025, Providence Farm commenced an Article 78 proceeding against the Town, its engineer, and the Authority; and

WHEREAS, Providence Farm sought declaratory relief against the Town, its engineer, and the Authority declaring that the Town and its engineer acted arbitrarily and capriciously in denying Providence Farm the right to tie into the Town’s water system in a different water district; and

WHEREAS, after private mediation, a settlement agreement was negotiated which allowed Providence Farm to tap into the Authority’s distribution line on Powers Road as an out-of-district user of the Town’s Water District 17 and upon completion of the construction of a new main in Water District 17-4, Providence Farm will become an in-district user of that water district; and

WHEREAS, under the proposed settlement agreement, all parties have agreed to bear their own costs, expenses, and attorney’s fees, which includes an equal apportionment of the mediation fees; and

WHEREAS, the Legal Department recommends that the Authority approve the execution of the proposed settlement agreement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Board of Commissioners authorize the execution of a Settlement Agreement with Providence Farm Collective Corporation and the Town of Orchard Park; and be it further

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

Ayes:

Noes:

09/18/25-alh

ITEM 5 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE ARC ERIE COUNTY NEW YORK FOR GENERAL CLEANING SERVICES FOR THE ERIE COUNTY WATER AUTHORITY SERVICE CENTER FROM OCTOBER 1, 2025 TO SEPTEMBER 30, 2026, PROJECT NO. 202000211

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) is a public benefit corporation organized pursuant to §1053 of the Public Authorities Law of the State of New York, and pursuant to such statute, the Authority’s members are appointed by Erie County Legislature; and

WHEREAS, no member of the Authority is appointed by the Governor of the State of New York and therefore the Authority is a local public authority; and

WHEREAS, as a public authority, the Authority is required to purchase cleaning services from a preferred source as established under New York law, and is required to ensure that its vendors comply with the prevailing wages set forth in Article 9 of the New York Labor Law; and

WHEREAS, New York State Industries for the Disabled, Inc. (“NYSID”) is a preferred source facilitating agency that works with preferred sources throughout New York State, including the Erie County Chapter NYSARC, Inc. d/b/a the ARC Erie County New York (“ARC”);

WHEREAS, the Authority seeks to enter into a contract for general cleaning services at its Service Center located at 3030 Union Road, Cheektowaga, New York (“Service Center”); and

WHEREAS, Lavonya Lester, Director of Administration, recommends entering into a Professional Services Agreement with NYSID and ARC for General Cleaning Services for the Authority’s Service Center for the period October 1, 2025 through September 30, 2026 at a monthly cost of \$8,148.41 and an annual cost of \$97,780.95;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority’s Board of Commissioners authorize the execution of a Professional Services Agreement with NYSID and ARC for General Cleaning Services for the Erie County Water Authority’s Service Center for the period October 1, 2025 through September 30, 2026 at a monthly cost of \$8,148.41 and an annual cost of \$97,780.95; and be it further

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

Ayes:

Noes:

09/18/25-alh

ITEM 6 - AUTHORIZATION TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT WITH EPLUS TECHNOLOGY, INC. FOR CISCO IP PHONE SYSTEM MAINTENANCE SERVICES, IDENTIFIED AS CONTRACT NO. ET-002, PROJECT NO. 202500197

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") recently issued a Request for Proposal (the "RFP") to qualified firms to provide professional services to maintain, repair, update and adjust the Authority's Cisco based telephone and conferencing systems; and

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

Arctiq
Cisco
CS Business Systems
ePlus Technology, Inc.
Firstlight
SHI; and

WHEREAS, the RFP was also posted on the Authority's website which resulted in two additional submissions; and

WHEREAS, the respondents to the RFP were: ePlus Technology, Inc., ConnX Inc., and Consultadd, Inc.; 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 proposals were reviewed and discussed among the review committee, it was determined that ePlus Technology, Inc. is the best fit for this project; and

WHEREAS, the review committee recommends that the Board of Commissioners of the Authority ("the Board") approve entering into a Professional Services Agreement with ePlus Technology, Inc. to provide professional services to maintain, repair, update and adjust the Authority's Cisco based telephone and conferencing systems; and

WHEREAS, the Authority's 2025 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 accepts the proposal of ePlus Technology, Inc. to provide professional services to maintain, repair, update and adjust the Authority's Cisco based telephone and conferencing systems, identified as Contract No. ET-002, under the terms and conditions set forth in said proposal; and be it further

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

Ayes:

Noes:

09/18/25-alh

ITEM 7 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH LABELLA ASSOCIATES TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR TECHNICAL SUPPORT OF THE ERIE COUNTY WATER AUTHORITY'S GEOGRAPHIC INFORMATION SYSTEM, IDENTIFIED AS CONTRACT NO. LA-008, PROJECT NO. 202500196

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 Consulting Services for Technical Support of the Authority's Geographic Information System; and

WHEREAS, A copy of the RFP was sent to:

Bergman Associates
EBA Engineering
Fisher Associates
Geocove
LaBella Associates
Wendel Companies; and

WHEREAS, the RFP was also posted on the Authority's website which resulted in two additional submissions; and

WHEREAS, the respondents to the RFP were: Fisher Associates, Geocove, LaBella Associates, Blue Raster, and Larson Design Group; 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 proposals were reviewed and discussed among the review committee, it was determined that LaBella Associates was the best firm suited for this project; and

WHEREAS, the review committee recommends that the Board of Commissioners of the Authority ("the Board") approve entering into a Professional Services Agreement with LaBella Associates to provide Professional Consulting Services for Technical Support of the Authority's Geographic Information System, identified as Contract No. LA-008; and

WHEREAS, the Authority's 2025 O&M Budget includes funds for this project under Unit 8525 Information Technology, Item No. 19 Payment to Contractors - Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of LaBella Associates to provide Professional Consulting Services for Technical Support of the Authority's Geographic Information System, identified as Contract No. LA-008; and be it further

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

Ayes:

Noes:

09/18/25-alh

ITEM 8 - AWARD OF CONTRACT TO 716 SITE CONTRACTING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT C, CITY OF TONAWANDA, PROJECT NO. 202500100 - \$6,461,570.00

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 7th day of August 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Water Service Investigations and Lead Service Replacements, Contract C, City of Tonawanda; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 2nd day of September 2025, and were as follows:

BIDDERS	AMOUNT
716 Site Contracting, Inc.	\$ 6,461,570.00*
M&C Utilities, LLC	7,239,250.00
Nova Site Company, LLC	7,680,500.00
Kandey Company, Inc.	7,960,560.00
D&H Excavating, Inc.	11,143,580.00

*Corrected amount; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, determined 716 Site Contracting, 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. 101804 – Lead Service Line Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to 716 Site Contracting, 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 716 Site Contracting, Inc. for Water Service Investigations and Lead Service Replacements, Contract C, City of Tonawanda, as a unit price contract for the estimated total amount of \$6,461,570.00.

Ayes:

Noes:

09/18/25-alh

ITEM 9 - AWARD OF CONTRACT TO MARK CERRONE, INC. FOR STURGEON POINT WATER TREATMENT PLANT SLUDGE REMOVAL AND DISPOSAL, PROJECT NO. 202500117 - \$527,500.00

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 31st day of July 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Sturgeon Point Water Treatment Plant Sludge Removal and Disposal; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 21st day of August 2025, and were as follows:

BIDDERS	AMOUNT
Mark Cerrone, Inc.	\$ 527,500.00
Geiter Done of WNY, Inc.	1,263,750.00; and

WHEREAS, Daniel J. Seider, Director of Production, and Leonard F. Kowalski, Executive Engineer, determined Mark Cerrone, 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 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point Water Treatment Plant, Item No. 35 Refuse and Waste Disposal;

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. for Sturgeon Point Water Treatment Plant Sludge Removal and Disposal, as a unit price contract for the estimated total amount of \$527,500.00.

Ayes:
Noes:

09/18/25-alh

**ITEM 10 - AWARD OF CONTRACT TO E&R GENERAL CONSTRUCTION, INC. FOR
LAKE SHORE ROAD 48-INCH TRANSMISSION MAIN REHABILITATION,
TOWN OF EVANS, PROJECT NO. 202500113 - \$278,940.00**

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 15th day of July 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Lake Shore Road 48-Inch Transmission Main Rehabilitation, Town of Evans; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 19th day of August 2025, and were as follows:

BIDDERS	AMOUNT
E&R General Construction, Inc.	\$ 278,940.00
Nova Site Co., LLC	329,800.00
Mark Cerrone, Inc.	342,950.00
Kandey Company, Inc.	549,220.00; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, 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 2595 Eng/Const Transmission Mains, Item No. 101611 BC-003 48” & 42” Transmission and Unit 2520 Eng/Const Control, Item 101512 Ball PS Pumping Improvements;

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 Lake Shore Road 48-Inch Transmission Main Rehabilitation, Town of Evans, as a unit price contract for the estimated total amount of \$278,940.00.

Ayes:
Noes:

09/18/25-alh

ITEM 11 - APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH MASIELLO MARTUCCI HUGHES TO PROVIDE GOVERNMENT RELATIONS AND LOBBYING SERVICES, PROJECT NO. 202200276

Motion by seconded by

WHEREAS, on November 17, 2022, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded Masiello Martucci Hughes f/k/a Masiello, Martucci, and Associates ("Consultant") a professional services agreement to provide government relations and lobbying services for a three-year term, from January 1, 2023 through December 31, 2025 (the "Agreement"); and

WHEREAS, in accordance with Article 4, Paragraph 4.01 of the Agreement, the parties may agree in writing to extend the term of the Agreement for two (2) additional one (1) year terms, upon the same terms and conditions; and

WHEREAS, in accordance with Article 6, Paragraph 6.02 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; and

WHEREAS, the parties wish to extend the Agreement for an additional one (1) year term, upon the same terms and conditions; and

WHEREAS, the Authority's 2025 O&M Budget includes funds for this project under Unit 6030 Public Information, Item No. 60 Special Services;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement with Masiello Martucci Hughes f/k/a Masiello, Martucci, and Associates by extending the Agreement for a period of one (1) year 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:

09/18/25-alh

ITEM 12 - APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT WITH HOHL INDUSTRIAL SERVICES, INC. FOR BUOY INSTALLATION AND UNDERWATER SERVICES, PROJECT NO. 202400030

Motion by seconded by

WHEREAS, on October 17, 2024, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded Hohl Industrial Services, Inc. ("Contractor") an agreement for Buoy Installation and Underwater Services from November 1, 2024 to October 31, 2025 (the "Agreement"); and

WHEREAS, in accordance with Article 1, Section 1.05 of the Agreement, the parties may agree to extend the Agreement 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, the Contractor has agreed to extend the Agreement until October 31, 2026 based on the same terms and conditions; and

WHEREAS, Daniel J. Seider, Director of Production, and Leonard F. Kowalski, Executive Engineer, recommend that the Authority amend the Agreement by extending the term of the Agreement for a period of one (1) year 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. 19 Payments to Contractors – Other and Unit 1010 Sturgeon Point Plant, Item No. 19 Payments to Contractors – Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement with Hohl Industrial Services, Inc. by extending the Agreement until October 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:

09/18/25-alh

ITEM 13 - APPROVAL OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CORPORATE SCREENING & INVESTIGATIVE GROUP, LLC TO RENDER PRE-EMPLOYMENT BACKGROUND INVESTIGATION AND NATIONAL COMPREHENSIVE REPORTS, IDENTIFIED AS CONTRACT NO. CSI-001, PROJECT NO. 202200018

Motion by seconded by

WHEREAS, on January 20, 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 Corporate Screening & Investigative Group, LLC (the "Consultant") to render Pre-Employment Background Investigation Services and National Comprehensive Reports, identified as Contract No. CSI-001 (the "Agreement"); and

WHEREAS, the Agreement provided for certain investigative services to be conducted for the Authority, as ordered, from January 20, 2022 through January 19, 2025; and

WHEREAS, on April 20, 2023, the Authority and the Consultant entered into Amendment No. 1 to the Agreement to provide additional consulting and security services to the Agreement; and

WHEREAS, on November 16, 2023, the Authority and the Consultant entered into Amendment No. 2 to the Agreement increasing the unit price payments for background investigative services; and

WHEREAS, on November 21, 2024, the Authority and the Consultant entered into Amendment No. 3 to the Agreement extending the terms through January 19, 2026; 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 (1) year terms, under mutually agreed upon terms and conditions; and

WHEREAS, in accordance with Article 3, Paragraph 3.02 of the Agreement, no modification or variation from the terms of the Agreement shall be effective unless it is in writing and authorized by a resolution of the Board and signed by all parties; and

WHEREAS, the parties wish to extend the Agreement for an additional one (1) year term from January 20, 2026 through January 19, 2027, upon the same terms and conditions, including price, as set forth in the Agreement, as amended; and

WHEREAS, the Authority's O&M Budget includes funds for this project under Unit 6000 Secretary to the Authority, Item No. 19 Payments to Contractors - Other;

NOW, THEREFORE, BE IT RESOLVED:

That Board approves amending the Agreement with Corporate Screening & Investigative Group, LLC. by extending the Agreement for an additional one (1) year term from January 20, 2026 through January 19, 2027, upon the same terms and conditions, including price, as set forth in the Agreement, as amended; and be it further

RESOLVED: That the Chair is authorized to execute Amendment No. 4 on behalf of the Authority.

Ayes:

Noes:

09/18/25-alh

ITEM 14 - APPROVAL OF CHANGE ORDER NO. 3 OF CONCRETE APPLIED TECHNOLOGIES CORP. D/B/A CATCO FOR CONTRACT NO. MP-084, WATER SYSTEM IMPROVEMENTS TRANSMISSION MAIN INSTALLATION, TOWN OF TONAWANDA, PROJECT NO. 202000084 - \$1,600,000.00

Motion by seconded by

WHEREAS, on July 21, 2022, the Erie County Water Authority (the “Authority”) Board of Commissioners (the “Board”) awarded Concrete Applied Technologies, Corp. d/b/a CATCO (the “Contractor”) a contract for Water System Improvements Transmission Main Installation, Town of Tonawanda, identified as Contract No. MP-084 (the “Contract”); and

WHEREAS, on September 20, 2023, the Authority approved Amendment No. 1 (“Change Order No. 1”) to the Contract which extended the Substantial Completion Date from August 15, 2023 to May 15, 2024 and the Final Completion Date from December 30, 2023 to June 30, 2024; and

WHEREAS, on April 17, 2024, the Authority approved Change Order No. 2 in the sum of \$200,000.00 to provide for soil sampling and material handling of potentially contaminated soils and buried trash encountered during the installation of the transmission main and to extend the Substantial Completion Date from May 15, 2024 to November 1, 2024 and the Final Completion Date from June 30, 2024 to December 31, 2024; and

WHEREAS, in accordance with Section 00700, General Conditions, Paragraph 3.04(A) of the Contract, the parties may amend the Contract Documents by written amendment; and

WHEREAS, the Contractor has submitted Change Order No. 3 in the sum of \$1,600,000.00 to provide for the assessment of potentially contaminated materials encountered during the installation of the transmission main as well as required changes to material handling, disposal and site restoration; and

WHEREAS, the parties wish to amend the Contract to extend the Substantial Completion Date from November 1, 2024 to December 30, 2025 and the Final Completion Date from December 31, 2024 to May 29, 2026; and

WHEREAS, Michael J. Quinn, Director of Distribution and Leonard F. Kowalski, Executive Engineer recommend approval of said Change Order No. 3; and

WHEREAS, the Authority’s 20245 Capital Budget includes funds for this project under Unit 2595 Eng/Const Transmission Mains Item No. 101521 MP-084 Trans Main Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 3 of Concrete Applied Technologies, Corp. d/b/a CATCO in the amount of \$1,600,000.00 to provide for the abovementioned change be approved and to extend the Substantial Completion Date from November 1, 2024 to December 30, 2025 and the Final Completion Date from December 31, 2024 to May 29, 2026; and be it further

RESOLVED: That the Chair is authorized to execute said Change Order No. 3 on behalf of the Authority.

Ayes:

Noes:

09/18/25-alh

ITEM 15 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 – 48-INCH AND 42-INCH TRANSMISSION MAIN CONDITION ASSESSMENT AND TRANSIENT ANALYSIS, IDENTIFIED AS CONTRACT NO. BC-003, PROJECT NO. 202100221 AND LAKE SHORE RD 48-INCH TRANSMISSION MAIN REHABILITATION, TOWN OF EVANS, PROJECT NO. 202500113 - \$300,000.00

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 101611 – 48-inch and 42-inch Transmission Main Condition Assessment and Transient Analysis, identified as BC-003 and Lake Shore Rd 48-inch Transmission Main Rehabilitation, Town of Evans; 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>
2595	101611	BC-003 48” & 42” Transmission	\$ <u>300,000.00</u>	
2520	101512	Ball PS – Pumping Improvements		\$ <u>300,000.00</u>
Totals			\$ 300,000.00	\$ 300,000.00;

NOW, THEREFORE, BE IT RESOLVED:

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

Ayes:

Noes:

09/18/25-alh

ITEM 16 - AUTHORIZATION FOR APPROVAL OF SETTLEMENT OF CLAIMS

Motion by seconded by

WHEREAS, the Erie County Water Authority's (the "Authority") Claims Representative - Risk Manager and General Counsel investigate and review all claims made on the Authority's behalf, as well as all notices of claims filed against the Authority; and

WHEREAS, the Authority's insurance policies have a \$25,000 deductible; and

WHEREAS, the Authority's General Counsel recommends that it is in the best interest of the Authority to delegate the approval of any and all claims with a value under \$25,000 to designated Authority personnel;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Board of Commissioners authorizes the settlement of any and all claims with a value under \$25,000, subject to the approval of the Secretary to the Authority, General Counsel, Chief Financial Officer and Comptroller, following a recommendation of such approval by the General Counsel.

Ayes:

Noes:

09/18/25-KAG:alh

ITEM 17 - RATIFICATION OF THE NOTICE TO TERMINATE THE PROFESSIONAL SERVICES AGREEMENT WITH J. O'CONNELL & ASSOCIATES, INC.

Motion by seconded by

WHEREAS, on June 22, 2023, the Erie County Water Authority (the "Authority") Board of Commissioners (the "Board") authorized the execution of a professional services agreement with J. O'Connell & Associates, Inc. (the "Consultant") to provide professional grant writing consulting services (the "Agreement"); and

WHEREAS, pursuant to Article 3, Section 3.03 of the Agreement, the Authority reserves the right to terminate the Consultant's services at any time, without cause, based on seven (7) days' written notice; and

WHEREAS, on September 4, 2025, upon direction given from the Board, the Secretary to the Authority sent J. O'Connell & Associates, Inc. a certified letter stating the Authority would be evoking their right to terminate the Consultant's services effective September 30, 2025;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approves said termination of the professional services agreement with J. O'Connell & Associates, Inc. to provide professional grant writing consulting services effective September 30, 2025.

Ayes:

Noes:

09/18/25-alh

**ITEM 18 - 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 18 Century Drive, Town of West Seneca with a new 6” resilient seat valve on 07/23/2025. Work done by ECWA forces under Work Authorization No. 107.200 7517.

Valve originally installed in 1949 was scrapped and retired under Retirement Authorization No. R250032; and

Replaced existing 12” valve opposite 1282 Townline Road, Town of Alden with a new 12” resilient seat valve on 07/29/2025. Work done by ECWA forces under Work Authorization No. 107.200 7516.

Valve originally installed in 1959 was scrapped and retired under Retirement Authorization No. R250031; and

Replaced existing 6” valve at Ashmund Road and Lenox Road, Town of West Seneca with a new 6” resilient seat valve on 07/30/2025. Work done by ECWA forces under Work Authorization No. 107.200 7515.

Valve originally installed in 1948 was scrapped and retired under Retirement Authorization No. R250030; and

Replaced existing 6” valve at 82 Empress Avenue, Town of Amherst with a new 6” resilient seat valve on 08/05/2025. Work done by ECWA forces under Work Authorization No. 107.200 7519.

Valve originally installed in 1960 was scrapped and retired under Retirement Authorization No. R250033; and

Replaced existing 5’ hydrant at 61 Trudy Lane, Town of Cheektowaga with a new 5’ Kennedy K81 hydrant on 08/15/2025. Work done by ECWA forces under Work Authorization No. 107.200 7520.

Hydrant originally installed in 1957 was scrapped and retired under Retirement Authorization No. R250034.

Installed a new 4” resilient seat valve at 3780 South Park Avenue, Village of Blasdell on 08/18/2025. Work done by ECWA forces under Work Authorization No. 107.200 7521.

Replaced existing 8” valve at 58 Syracuse Street, City of Tonawanda with a new 8” resilient seat valve on 08/19/2025. Work done by ECWA forces under Work Authorization No. 107.200 7522.

Valve originally installed prior to 08/18/2004 was scrapped and retired under Retirement Authorization No. R250035; 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:

09/18/25-alh

**ITEM 19 - CREATION OF ONE POSITION OF TRAINING AND SAFETY COORDINATOR
(ECWA)**

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; and

WHEREAS, on September 9, 2025, the Erie County Department of Personnel reviewed and approved the creation of one (1) position of Training and Safety Coordinator (ECWA);

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create one (1) position of Training and Safety Coordinator (ECWA), Salary Grade 19E at a starting salary of \$100,555.52 of the Authority’s Career and Salary Plan, effective September 18, 2025.

Ayes:

Noes:

09/18/25-alh

ITEM 20 - CREATION OF ONE POSITION OF ASSISTANT PUMP MECHANIC CREW CHIEF

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; and

WHEREAS, on September 9, 2025, the Erie County Department of Personnel reviewed and approved the creation of one (1) position of Assistant Pump Mechanic Crew Chief;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create one (1) position of Assistant Pump Mechanic Crew Chief, Salary Grade 28 at a starting salary of \$77,498.72 of the Authority’s Career and Salary Plan, effective September 18, 2025.

Ayes:

Noes:

09/18/25-alh

ITEM 21 - APPOINTMENT OF JENNIFER HIBIT AS SECRETARY TO THE AUTHORITY

Motion by seconded by

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water 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 qualification, 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 County 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 Jennifer Hibit be appointed to the position of Secretary to the Authority, said appointment being subject to the approval of the Erie County Personnel Office, and to be compensated under Salary Grade 37E, Step 3 with a salary of \$195,651.04 of the Authority's Career and Salary Plan, effective September 29, 2025.

Ayes:

Noes:

09/18/25-alh