

**ITEM 6 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO:  
CPL-004, WATER SYSTEM IMPROVEMENTS IN THE TOWN OF  
CLARENCE PROJECT NO. 201800079**

Motion by           seconded by

**WHEREAS**, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Senior Distribution Engineer recommend that the Erie County Water Authority ("Authority") publish a notice inviting sealed bids pursuant to § 1069 of the Public Authorities Law for Contract No: CPL-004 Water System Improvements in the Town of Clarence; and

**WHEREAS**, the material, labor and services for the above-mentioned project will be in excess of \$10,000.00 for materials and supplies and \$5,000.00 for construction and

**WHEREAS**, the Advertisement for Bids for Contract No: CPL-004 Water System Improvements in the Town of Clarence will be in accordance with the provisions of New York State Finance Law §§ 139-J and 139-K and the Authority's Purchasing Guidelines, Policies and Procedures; and

**WHEREAS**, Clark Patterson Lee, as the Consulting Engineer, will be the designated contact for the project upon the adoption of this resolution;

**NOW, THEREFORE, BE IT RESOLVED:**

That the plans and specifications, and form of bid be prepared for Contract No: CPL-004 Water System Improvements in the Town of Clarence and upon completion be made available for inspection by bidders in the office of the Authority; and be it further

**RESOLVED:**

That the Secretary is hereby authorized and directed to publish a notice inviting sealed bids pursuant to § 1069 of the Public Authorities Law for the above-mentioned project.

Ayes:

Noes:

12/27/18-slz

**ITEM 7 - APPROVAL OF CHANGE ORDER NO. 2 OF FERGUSON ELECTRIC CONSTRUCTION CO., INC. FOR BALL PUMP STATION ELECTRICAL, PROJECT NO. 201600238, CONTRACT NO. 18-19-07**

Motion by                      seconded by

**WHEREAS**, on June 24, 2018, the Erie County Water Authority ("Authority") authorized entering into a contract with Ferguson Electric Construction Co., Inc. for Ball Pump Station Electrical, identified as Contract No. 18-19-07; and

**WHEREAS**, said contractor has submitted Change Order No. 2 to provide for the following change:

Section 00500 Agreement, Article 3 – Contract Times, 3.02 Milestone Dates, delete Item A. in its entirety, and substitute the following:

A. Milestone M1: The Phase 1 Work shall be completed by May 17, 2019;

Section 00500 Agreement, Article 3 – Contract Times, delete 3.03 Days to Achieve Substantial Completion and Final Completion; delete Item A. in its entirety, and substitute the following:

A. The Work shall be substantially completed by December 27, 2019 as provided in paragraph 2.03 of the General Conditions, and completed and ready for final payment by February 21, 2020 in accordance with paragraph 14.07 of the General Conditions; and

**WHEREAS**, the reason for said change is because the time from the Bid Opening (April 17, 2018) until the Notice to Proceed (July 12, 2018) was issued was longer than anticipated. This resulted in delays in deliveries for the high voltage equipment; and

**WHEREAS**, Nussbaumer & Clarke, Inc., Consulting Engineers, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Production Engineer recommend approval of said Change Order No. 2;

**NOW, THEREFORE, BE IT RESOLVED:**

That Change Order No. 2 of Ball Pump Station Electrical Contract No. 18-19-07, with Ferguson Electric Construction Co., Inc. to provide for the abovementioned change be approved; and be it further

**RESOLVED:**

That the Chairman is hereby authorized to execute said Change Order No. 2 on behalf of

the Authority.

Ayes:

Noes:

12/27/18- slz

**ITEM 8 - AUTHORIZATION TO ENTER INTO CONSENT WITH AT&T TO ALLOW CELLULAR EQUIPMENT MODIFICATION ON THE COLVIN TANK**

Motion by                      seconded by

**WHEREAS**, on November 9, 2004 the Erie County Water Authority (“Authority”) entered into a lease agreement (“Lease”) with Southwestern Bell Mobile Systems, LLC, d/b/a Cingular Wireless (New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility) (hereinafter referred to as “AT&T”) to lease space on the Colvin Tank, 225 Frederick Rd, Tonawanda, NY 14150 (“Colvin Tank”); and

**WHEREAS**, Centerline Communications as consultant for AT&T submitted a request to the Authority dated November 9, 2018 for consent to modify equipment on the Colvin Tank necessary to upgrade their cellular equipment installations; and

**WHEREAS**, pursuant to Section 7.1 of the Lease, all alterations, additions, deletions, removals and/or improvements to the installations are subject to the prior written approval of the Authority; and

**WHEREAS**, the Engineering Department and the Legal Department have reviewed the Consent letter and proposed modifications and recommend approval of the equipment updates;

**NOW, THEREFORE, BE IT RESOLVED,**

That the Chairman is hereby authorized to execute the written consent authorizing the equipment updates;

**BE IT FURTHER RESOLVED:**

That the Secretary is hereby directed to forward to Centerline Communications, LLC, consultant for AT&T a certified copy of this resolution, along with an executed copy of the Consent letter, signed by the Chairman.

Ayes:

Noes:

12/27/18-JM:slz

**ITEM 9 - AUTHORIZATION TO ENTER INTO CONSENT WITH VERIZON TO ALLOW CELLULAR EQUIPMENT MODIFICATION ON THE PLEASANT VIEW TANK**

Motion by           seconded by

**WHEREAS**, on December 1, 1996 the Erie County Water Authority (“Authority”) entered into a lease agreement (“Lease”) with Upstate Cellular Network d/b/a Verizon Wireless (“Verizon”) to lease space on the Pleasant View Tank, 12 Pleasant View Drive, Lancaster, NY 14086 (“Pleasant View Tank”); and

**WHEREAS**, Airosmith Development as consultant for Verizon submitted a request to the Authority dated November 12, 2018 for consent to modify equipment on the Pleasant View Tank necessary to upgrade their cellular equipment installations; and

**WHEREAS**, pursuant to Section 7.1 of the Lease, all alterations, additions, deletions, removals and/or improvements to the installations are subject to the prior written approval of the Authority; and

**WHEREAS**, the Engineering Department and the Legal Department have reviewed the Consent letter and proposed modifications and recommend approval of the equipment updates;

**NOW, THEREFORE, BE IT RESOLVED,**

That the Chairman is hereby authorized to execute the written consent authorizing the equipment updates;

**BE IT FURTHER RESOLVED:**

That the Secretary is hereby directed to forward to Airosmith Development, consultant for Verizon, a certified copy of this resolution, along with an executed copy of the Consent letter, signed by the Chairman.

Ayes:

Noes:

12/27/18-JM:slz

**ITEM 10 - AWARD OF CONTRACT TO RUSSO DEVELOPMENT, INC. FOR  
SMALL SERVICES CONTRACT, AREA #1, FEBRUARY 1, 2019  
THROUGH JANUARY 31, 2021, PROJECT NO. 201900003 - \$2,098,050.00**

Motion by                      seconded by

**WHEREAS**, on November 5, 2018, the Erie County Water Authority (“Authority”) advertised in the Dodge Reports and the NYS Contract Reporter, a notice inviting sealed bids or proposals in accordance with § 1069 of the Public Authorities Law for Small Services Contract, Area #1, February 1, 2019 through January 31, 2021; and

**WHEREAS**, sealed bids or proposals were opened in the office of the Authority on the 4th day of December 2018, at 11:00 a.m., local time, and were as follows:

<b>BIDDERS</b>	<b>AMOUNT</b>
Russo Development, Inc.	\$2,098,050.00
Nichols Long & Moore Construction Corp.	2,213,969.75
716 Site Contracting, Inc.	2,350,650.00
Kandey Company, Inc.	2,661,800.00; and

**WHEREAS**, the bid bonds have all been approved by Anthony Alessi, Claims Representative/Risk Manager; and

**WHEREAS**, Lavonya Lester, Director of Equal Employment Opportunity, has advised that the low bidder, Russo Development has complied with the Authority's Affirmative Action Requirements and recommends that they be allowed to proceed with their contract based on that fact; and

**WHEREAS**, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer have reviewed the specifications and bids and determined that Russo Development, Inc. is the lowest bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project;

**NOW, THEREFORE, BE IT RESOLVED:**

That it is hereby determined that Russo Development, Inc. is the lowest responsible bidder for the abovementioned project, and that the Chairman is hereby authorized and directed to execute a contract with said contractor for Small Services Contract, Area #1, February 1, 2019 through January 31, 2021 in the total amount of \$2,098,050.00; and be it further

**RESOLVED:**

Pursuant to New York State Finance Law §§ 139-J and 139-K and the Authority's Purchasing Guidelines, Policies and Procedures with the award and execution by the Authority of this contract, the Restricted Period will cease; and be it further

**RESOLVED:**

That the Secretary is hereby authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project; and be it further

**RESOLVED:**

That the Director of Administration is hereby authorized and directed to create a Master Purchase Order for the abovementioned contract.

Ayes:

Noes:

12/27/18-slz

**ITEM 11 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH  
TRANSWAVE COMMUNICATIONS SYSTEMS, INC. TO PROVIDE  
MICROWAVE RADIO MAINTENANCE SERVICES, CONTRACT NO.  
TCS-003, PROJECT NO. 201900014**

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_

**WHEREAS**, on November 15, 2018 the Erie County Water Authority's ("Authority") Board of Commissioners authorized the issuance of a Request for Proposals ("RFP") to qualified firms to provide microwave radio maintenance services; and

**WHEREAS**, a copy of the RFP was sent to:

Transwave Communications Systems, Inc.  
Saia Communication, Inc.  
FM Communications; and

**WHEREAS**, Transwave Communications Systems, Inc. was the only company responding to the RFP; and

**WHEREAS**, the RFP was conducted in accordance with New York State Finance Law §§139-J and 139-K and the Authority's Purchasing Guidelines, Policies and Procedures; and

**WHEREAS**, upon evaluating the response to the RFP, the Authority deems it advisable to have Transwave Communications Systems, Inc. provide microwave radio maintenance services; and

**WHEREAS**, Robert Lichtenthal, Deputy Director and Jeffrey Schlierf, Acting Manager of Data Processing recommend that the Authority enter into an agreement with Transwave Communications Systems, Inc. for the abovementioned services;

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority accepts the proposal of Transwave Communications Systems, Inc. to provide microwave radio maintenance services; and be it further

**RESOLVED:**

Pursuant to New York State Finance Law §§139-J and 139-K and the Authority's Purchasing Guidelines, Policies and Procedures with the award and execution by the Authority of this agreement, the Restricted Period will cease; and be it further

**RESOLVED:**

That the Chairman is hereby authorized to execute said agreement on behalf of the Authority; and be it further



**RESOLVED:**

That the Secretary is hereby authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to Transwave Communications Systems, Inc.

Ayes:

Noes:

12/27/18-slz

**ITEM 12 - AUTHORIZATION TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF AURORA**

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_

**WHEREAS**, pursuant to Town Law § 198, the Town of Aurora (the “Town”) has created water districts and constructed facilities for the purpose of delivering water for domestic and commercial usage and for fire protection; and

**WHEREAS**, the Town has determined it would be in the best interests of its residents and businesses to convey the property and facilities of these water districts to the Erie County Water Authority (the “Authority”), allowing the Authority to provide direct service to these water customers; and

**WHEREAS**, once the Town water system has been conveyed to the Authority, the Town will no longer have any obligation or responsibility to maintain, repair, improve, or oversee the water system property and facilities, except for the payment of annual, public hydrant fees to the Authority; and

**WHEREAS**, the Authority’s Board of Commissioners and the Town’s Board have approved, and authorized the execution of the Memoranda of Understanding, on or after September 18, 2014 and December 29, 2015, leading to the sale and conveyance of the Town water system to the ECWA; and

**WHEREAS**, before the ECWA and the Town may enter into a direct service agreement, a referendum must be approved by voters to authorize the transfer of property and facilities owned by the Town to the Authority, which cannot be completed prior to the expiration of the Memoranda of Understanding; and

**WHEREAS**, the Legal Department is recommending for approval a new Memorandum of Understanding, incorporating the two prior Memoranda, which would extend the time to complete the legal requirements necessary for the Town to convey the property and facilities of its water system to the Authority;

**NOW, THEREFORE, BE IT RESOLVED:**

That the Chairman is hereby authorized to execute the Memorandum of Understanding and to offer same to the Town Board for its review and approval;

**BE IT FURTHER RESOLVED:**

That the Secretary is hereby directed to forward to the Town Board a certified copy of this resolution, along with two original versions of the Memorandum of Understanding, signed by the Chairman;

**BE IT FURTHER RESOLVED:**

That the Secretary shall record the date of the Memorandum of Understanding as of the date of approval by the Town Board, and shall request the Town Attorney to provide the Authority with a certified copy of the resolution passed by the Town Board authorizing the execution of the Memorandum of Understanding.

Ayes:

Noes:

12/27/18– MAM:slz

**ITEM 13 - AUTHORIZATION TO ACCEPT THE PROPOSAL OF MASIELLO,  
MARTUCCI, CALABRESE AND ASSOCIATES TO PROVIDE  
GOVERNMENT AND LOBBYING SERVICES**

Motion by                      seconded by

**WHEREAS**, on August 16, 2018, the Erie County Water Authority's ("Authority") Board of Commissioners authorized the issuance of a Request for Proposals ("RFP") to qualified firms to provide government and lobbying services; and

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

J P Barrett & Associates Inc  
Park Strategies  
Brown and Weinraub  
Pitta Bishop Del Giorno LLC  
Richardson Management  
Bolton St. Johns  
Sheridan Associates  
Capitol Group  
Statewide Public Affairs  
Corning Place Communications  
Upstate Consultants  
Carreau Consulting  
Dickinson, Avella & Vidal  
e-3communications, Inc.  
Barclay Damon  
Featherstonhaugh Wiley Clyne  
Greenberg Traurig  
Harter Secrest & Emery LLP  
Hinman Straub  
Lawrence Schillinger  
Malkin & Ross  
Manatt, Phelps & Phillips  
Masiello, Martucci, Calabrese and Associates  
Patricia Lynch Associates Inc.  
Parkside Group

**WHEREAS**, the following five (5) firms responded to the RFP:

Masiello, Martucci, Calabrese & Associates  
Statewide Public Affairs Inc.  
Featherstonhaugh Wiley Clyne  
Brown Weinraub  
Harter Secret; and

**WHEREAS**, the RFP was conducted in accordance with New York State Finance Law §§ 139-J and 139-K and the Authority's Purchasing Guidelines, Policies and Procedures; and

**WHEREAS**, upon evaluating the response to the RFP, the Authority deems it advisable to have Masiello, Martucci, Calabrese & Associates provide government relations and lobbying services; and

**WHEREAS**, Terrence D. McCracken, Secretary to the Authority recommends the Authority accept the proposal of Masiello, Martucci, Calabrese & Associates to provide government relations and lobbying services; and

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority accepts the proposal of Masiello, Martucci, Calabrese & Associates to provide government and lobbying services; and

**RESOLVED:**

Pursuant to New York State Finance Law §§ 139-J and 139-K and the Authority's Purchasing Guidelines, Policies and Procedures with the award and execution by the Authority of this agreement, the Restricted Period will cease; and be it further

**RESOLVED:**

That the Chairman is hereby authorized to execute all and any agreements necessary on behalf of the Authority; and be it further

**RESOLVED:**

That the Secretary is hereby authorized to forward a certified copy of this resolution to Masiello, Martucci, Calabrese & Associates.

Ayes:

Noes:

**ITEM 14 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR WATERLINE REPLACEMENT PROJECTS LAKESHORE ROAD (ROUTE 5) NYSDOT BETTERMENT, PROJECT NO. 201900008**

Motion by                      seconded by

**WHEREAS**, Pursuant to Article V, Title 3, § 1053 of the Public Authorities Law, the Erie County Water Authority (“Authority”) has the authority to contract for expert professional services; and

**WHEREAS**, Article III, Section 6 of the Authority's By-Laws grants to the Authority the right to contract for expert professional services; and

**WHEREAS**, the Authority deems it necessary to issue a Request for Proposal (“RFP”) to qualified firms to provide consulting engineering services; and

**WHEREAS**, the proposals received by the Authority will be evaluated in accordance with the terms of the RFP, and a professional services contract will be negotiated and executed with the successful offerer; and

**WHEREAS**, the RFP for Waterline Replacement Project Lake Shore Road (Route 5) – NYS Betterment will be conducted in accordance with New York State Finance Law §§ 139-J and 139-K and the Authority’s Purchasing Guidelines, Policies and Procedures; and

**WHEREAS**, Leonard F. Kowalski, Distribution Engineer, will be the designated contact person for the RFP with the adoption of this resolution; and

**WHEREAS**, Russell J. Stoll, Executive Engineer, recommends that the Board approve the RFP;

**NOW, THEREFORE BE IT RESOLVED:**

The Authority is hereby authorized to issue a RFP to qualified firms to provide consulting services.

Ayes:

Noes:

12/27/18 - slz

**ITEM 15 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUEST – \$509.56**

Motion by                      seconded by

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director advised the Authority that he has received a leak allowance request from an Authority customer listed below resulting from a service line leak:

Mr. Jamilah Miller  
44 Preston Road  
Buffalo, New York 14215

In the amount of \$509.56

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director advised that the request contains documentation showing that the leak has been repaired; and

**WHEREAS**, said leak allowance request has complied with all leak allowance requirements; and

**WHEREAS**, as stated in § 9.09 of the Authority's Tariff, the granting of a leak allowance shall be in the sole discretion of the Authority; and

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director recommends granting the above leak allowance request;

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority grants the leak allowance request to the abovementioned customer; and be it further

**RESOLVED:**

That the Comptroller is hereby authorized and directed to adjust the account of the abovementioned customer.

Ayes:  
Noes:

12/27/18 - slz

**ITEM 16 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUEST – \$906.12**

Motion by                      seconded by

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director advised the Authority that he has received a leak allowance request from an Authority customer listed below resulting from a service line leak:

Shaffer Road Inc  
8696 North Main Street  
Angola, New York 14006

In the amount of \$906.12

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director advised that the request contains documentation showing that the leak has been repaired; and

**WHEREAS**, said leak allowance request has complied with all leak allowance requirements; and

**WHEREAS**, as stated in Section 9.09 of the Authority's Tariff, the granting of a leak allowance shall be in the sole discretion of the Authority; and

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director recommends granting the above leak allowance request;

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority grants the leak allowance request to the abovementioned customer; and be it further

**RESOLVED:**

That the Comptroller is hereby authorized and directed to adjust the account of the abovementioned customer.

Ayes:

Noes:

12/27/18



**ITEM 17 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER  
AUTHORITY'S ANNUAL O & M BUDGET FOR FISCAL YEAR 2018**

Motion by                      seconded by

**WHEREAS**, in a resolution dated November 13th, 2017, the Erie County Water Authority (the "Authority") adopted its Annual Operating & Maintenance Budget for the fiscal year 2018; and

**WHEREAS**, from time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances the Authority finds it proper to amend its Budget to reflect such changes; and

**WHEREAS**, the Authority has been advised by Dennis Ball, Director of Operations, that additional funding is needed to cover emergency water main repairs; and

**WHEREAS**, in order to provide the additional funds needed for emergency water main repairs, funds will be re-allocated as follows:

<u>Unit No</u>	<u>Internal No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
2010	15	Payments to Contractors - Repair	\$ <u>201,000</u>	
2010	10	Materials and Supplies		\$ 45,000
2010	12	Travel		1,000
2010	16	Payments to Contractors - Rental		60,000
2010	28	Small Tools		20,000
2030	10	Materials and Supplies		<u>75,000</u>
		Totals	\$ 201,000	\$ 201,000

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority's Annual O & M Budget, for the fiscal year 2018, be amended as shown above.

Ayes:

Noes:

12/27/18 SVD:slz

**ITEM 18 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL O & M BUDGET FOR FISCAL YEAR 2018**

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_

**WHEREAS**, in a resolution dated November 13th, 2017, the Erie County Water Authority (the "Authority") adopted its Annual Operating & Maintenance Budget for the fiscal year 2018; and

**WHEREAS**, from time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances the Authority finds it proper to amend its Budget to reflect such changes; and

**WHEREAS**, the Authority has been advised by Karen Prendergast, Comptroller, that additional funding is needed to cover the cost of Retiree Health Insurance expenses; and

**WHEREAS**, in order to provide the additional funds needed, funds will be re-allocated as follows:

<u>Unit No</u>	<u>Internal No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
7510	72	Retiree Health Insurance	\$ <u>120,000</u>	
7510	20	Miscellaneous		\$ <u>120,000</u>
		Totals	\$ 120,000	\$ 120,000

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority's Annual O & M Budget, for the fiscal year 2018, be amended as shown above.

Ayes:

Noes:

12/27/18-SVD:slz

**ITEM 19 -- APPOINTMENT AS ASSOCIATE ATTORNEY (PART-TIME)**

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 John J. Gilmour be appointed to the position of Associate Attorney (Part-Time); said appointment being subject to the approval of the Erie County Personnel Officer, and to be compensated at a rate of \$100.00 per hour, not to exceed nineteen hours (19) per biweekly pay period and not to exceed the annual budgetary appropriation, effective December 27, 2018.

Ayes:

Noes:

12/27/18-slz

**ITEM 20 – JACQUELINE MATTINA – PROMOTION TO ASSOCIATE ATTORNEY**

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; and

**WHEREAS**, Jacqueline Mattina has served as Deputy Associate Attorney for the past four years; and

**WHEREAS**, Jacqueline Mattina has taken on added responsibilities and additional workload and has the requisite knowledge to perform the duties of Associate Attorney; and

**WHEREAS**, Jacqueline Mattina’s promotion to the Associate Attorney position would be in the best interest of the Authority and the Legal Department;

**NOW, THEREFORE BE IT RESOLVED:**

That Jacqueline Mattina be promoted to the position of Associate Attorney; said appointment being subject to the approval of the Erie County Personnel Office, and to be compensated under Salary Grade 29E, Step 5 of the Authority’s Career and Salary Plan, effective January 1, 2019.

Ayes:

Noes:

12/27/18

**ITEM 21 – AUTHORIZATION TO EXECUTE NEW YORK STATE WATER  
INFRASTRUCTURE IMPROVEMENT ACT GRANT FOR THE PROJECT  
IDENTIFIED AS CONTRACT NO. W-030, 36-INCH TRANSMISSION MAIN  
REPLACEMENT PROJECT**

Motion by                      seconded by

**WHEREAS**, on August 30, 2018, the Erie County Water Authority Board of Commissioners (Authority) authorized the filings of grant applications to the New York State Department of Health, Environmental Facilities Corp. (EFC) for the project identified as Contract No. W-030, 36-inch Transmission Main Replacement Project; and be it further

**WHEREAS**, the Authority has been awarded a New York State Water Infrastructure Improvement Act (WIIA) grant for the above-mentioned project in an amount not to exceed \$1,722,159.00; and

**WHEREAS**, the Authority confirmed its acceptance of the grant award and intent to proceed with this project by signing the acknowledgment on November 29, 2018;

**BE IT FURTHER RESOLVED:**

That the Chairman of the Authority is hereby authorized to execute the Grant Agreement.

Ayes:  
Noes:

12/27/18-slz