

ITEM 10 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

Motion by seconded by

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of NY 75, South of Sunset Drive to US 20 to NY 5 in the Town of Hamburg located in Erie County, PIN 5813.54, D263934, BIN 1029910; 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 pursuant to Section 10, Subdivision 24 of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner; and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority (ECWA) approves of the adjustment of water valve box elevations and the above mentioned work performed on the project and shown on the contract plans relating to the project and that ECWA will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED:

That ECWA Chairman Jerome D. Schad has the authority to sign, with the concurrence of the Board, any and all documentation that may become necessary as a result of this project as it relates to ECWA; and

BE IT FURTHER RESOLVED:

That the Secretary of ECWA is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

2/21/19-slz

ITEM 11 - AUTHORIZATION TO ACCEPT PROPOSAL OF WATERFORD PINES COMMUNITY, LLC FOR THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 100+ LINEAR FEET OF 8-INCH DIP AND 1,992+ LINEAR FEET OF 8-INCH PVS WATERMAIN IN WATERFORD PINES PHASE 2, TOWN OF HAMBURG, NEW YORK, PROJECT NO: 200400497

Motion by seconded by

WHEREAS, The Erie County Water Authority ("Authority") desires to enter into a Main Extension Agreement (Builder-Contractor-Developer) with Waterford Pines Community, LLC for the construction and installation of approximately 100+ linear feet of 8-inch DIP and 1,992+ linear feet of 8-inch PVS watermain and three (3) hydrants in Waterford Pines Phase 2, Town of Hamburg, New York; and

WHEREAS, the materials, work, labor and services for said installation shall be supplied and paid for by the applicant; and

WHEREAS, said installation of main and hydrants has been assigned Work Authorization Nos. EC-7020, respectively; and

WHEREAS, Russell J. Stoll, Executive Engineer advised that the materials, work, labor and services for said installations, as proposed to be supplied and installed by the applicant, meet with the Authority's specifications;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Waterford Pines Community, LLC for the construction and installation of approximately 100+ linear feet of 8-inch DIP and 1,992+ linear feet of 8-inch PVS watermain and three (3) hydrants in Waterford Pines Phase 2, Town of Hamburg, New York; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said Main Extension Agreement (Builder-Contractor-Developer) between the Authority and Waterford Pines Community, LLC covering the abovementioned subdivision.

Ayes:

Noes:

2/21/19-slz

ITEM 12 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL O & M AND CAPITAL BUDGETS FOR FISCAL YEAR 2018

Motion by seconded by

WHEREAS, in a resolution dated November 13, 2017, the Erie County Water Authority ("Authority") adopted its Annual O&M and Capital Budgets 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, a year end review by Karen A. Prendergast, Comptroller, of the Authority's accounts has resulted in adjustments being made to some of the accounts in order to properly close the books for the year 2018 and the necessity of a reclassification adjustment to the Authority's O&M and Capital budgets, as follows:

2018 O&M Budget

<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
<u>Operating Expenses:</u>		
Salaries & Wages: Supervision Overtime	\$ 43,387	
Salaries & Wages: Labor Overtime	105,507	
Fringe Benefits	946,325	
Insurance	21,262	
Administrative Credits	756,980	
LMWD Service Installations	28,556	
Stores Expense Credits	7,964	
Various Other O&M Expense Line Item	<u>1,053,407</u>	
Balancing		
Salaries & Wages: Supervision		\$ 43,387
Salaries & Wages: Salaries		500,000
Salaries & Wages: Labor		551,832
Payments to Contractors – Other		557,782
Payments to Contractors – Tanks		256,980
Various Other O&M Expense Line Item		<u>1,053,407</u>
Balancing		
Totals	\$ 2,963,388	\$ 2,963,388

2018 Capital Budget

<u>Capital No.</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
100586	Misc Distribution Mains	\$ 1,162,735	
101105	NC-34 – Sturgeon Point Raw Water	5,913	
101022	CH-9 Waterline Replacement – BLVL,CHTN,HATN,LACY & WSTN	<u>16,517</u>	
101122	OBG12-A Filter Valves, Piping, Flouride Tanks		\$ 5,913
101188	Betterments		<u>1,179,252</u>
		Totals \$ 1,185,165	\$ 1,185,165

WHEREAS, Robert J. Lichtenthal, Deputy Director, Russell J. Stoll, Executive Engineer, Karen A. Prendergast, Comptroller, and Steven V. D’Amico, Business Office Manager, recommend approval of said amendment;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual O&M and Capital Budgets for the fiscal year 2018 be amended by adjusting them as listed above.

Ayes:

Noes:

2/21/19-SVD:slz

**ITEM 13 AUTHORIZATION TO ADOPT AMENDED ERIE COUNTY WATER
AUTHORITY BY-LAWS**

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”), Board of Commissioners (the “Board”) has assigned the task to its Governance Committee to review and recommend changes to the Authority’s By-Law; and

WHEREAS, the Governance Committee recommends several changes to the By-Law, among which include an article setting forth the Board’s standing committee and a provision establishing an Independent Ethics Boards; and

WHEREAS, the Governance Committee now recommended for adoption of the Amended and Restated By-Laws of the Erie County Water Authority;

NOW BE IT RESOLVED:

The Board adopts the Amended and Restated By-Laws of the Erie County Water Authority; and

BE IT FURTHER RESOLVED:

The Board directs the Secretary of the Authority to post the Amended and Restated By-Laws of the Erie County Water Authority on the Authority’s website; and to make available copies of same upon request; and

BE IT FURTHER RESOLVED:

The Board directs the Secretary to file a copy of the Amended and Restated By-Laws of the Erie County Water Authority with the Erie County Clerk’s Office and to have the Amended and Restated By-Laws of the Erie County Water Authority published in *The Buffalo News* and in *Buffalo Law Journal*.

Ayes:

Noes:

2/21/19-slz

**ITEM 14 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR
INSURANCE BROKERAGE SERVICES, PROJECT NO. 201900047**

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 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 Insurance Brokerage 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 Insurance Brokerage Services will be conducted pursuant to the enacted legislation, New York State Finance Law §§ 139-J and 139-K and the Authority’s Purchasing Guidelines, Policies and Procedures; and

WHEREAS, Sharon Zajdel, Confidential Secretary/Legal, will be the designated contact person for the RFP with the adoption of this resolution; and

WHEREAS, Jacqueline Mattina, Associate Attorney, 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 Insurance Brokerage Services.

Ayes:

Noes:

2/21/19-slz

ITEM 15 ADOPTION OF POLICY NO. 92 RELATING TO EMPLOYMENT OPPORTUNITY, POSTING AND HIRING

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, the Governance Committee has recommended for adoption a new policy and procedures, relating to employment opportunities, posting of position and procedures for hiring Authority personnel; and

NOW BE IT RESOLVED:

The Authority’s Board of Commissioners (the “Board”) adopts the new Policy No. 92 “Employment Opportunity, Posting and Hiring” (“Policy No. 92”); and

BE IT FURTHER RESOLVED:

The Board directs the Secretary of the Authority to post the new Policy No. 92 on the Authority’s Website and to make available copies of same upon request.

Ayes:

Noes:

2/21/19-slz

ITEM 16 - AUTHORIZATION FOR STEVEN DENZLER, DISTRIBUTION ENGINEER, TO ATTEND THE AMERICAN WATER WORKS ASSOCIATION NEW YORK SECTION 2019 NEW YORK WATER EVENT CONFERENCE IN SARATOGA SPRINGS, NEW YORK

Motion by seconded by

WHEREAS, the Erie County Water Authority deems it advisable for Steven Denzler, Distribution Engineer, to attend the American Water Works Association New York Section 2019 New York Water Event Conference in Saratoga Springs at a total estimated cost of \$950.00;

NOW, THEREFORE, BE IT RESOLVED:

That Steven Denzler, Distribution Engineer is hereby authorized to travel to Saratoga Springs, New York from April 16, 2019 to April 18, 2019 to attend the American Water Works Association New York Section 2019 New York Water Event Conference in Saratoga Springs at a total estimated cost of \$950.00.

Ayes:

Noes:

2/21/19-slz