

ITEM 1 - NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT DETERMINATION RELATIVE TO THE PROPOSED IMPROVEMENTS TO THE STURGEON POINT WATER TREATMENT PLANT AND VAN DE WATER RAW WATER PUMP STATION, IDENTIFIED AS CONTRACT NO. MP-089, PROJECT NO. 202100172

Motion by _____ seconded by _____

WHEREAS, the Erie County Water Authority (the “Authority”) owns and operates the Sturgeon Point Water Treatment Plant (“STP”) in the Town of Evans and the Van de Water Raw Water Pump Station (“RWPS”) in the Town of Tonawanda; and

WHEREAS, the Authority is considering certain facility upgrades at the STP, consisting of the on-site replacement of an existing temporary air compressor with a permanent air compressor system involving approximately 310 square feet of permanent ground disturbance, the replacement of timber grating with new HDPE grating, the replacement or rehabilitation of existing chemical, sample, and feed lines, the extension of two new raw water sample lines from the RWPS to the intake structure, and associated on-site electrical activities (the “STP Project”); and

WHEREAS, the Authority is also considering certain facility infrastructure upgrades at the RWPS, consisting of the on-site replacement and upgrades to existing piping and equipment (the “RWPS Project”; together with the STP Project, the “Projects”); and

WHEREAS, the Projects are included within the scope of the same contract, Sturgeon Point Water Treatment Plant and Van de Water Raw Water Pump Station Intake Improvements, identified as Contract No. MP-089; and

WHEREAS, the Engineering Department undertook a review of the Projects pursuant to Article 8 of the New York Environmental Conservation Law and regulations at 6 NYCRR Part 617 (collectively, “SEQR”); and

WHEREAS, upon the review and consideration of the Projects and after due deliberation thereon, including in consideration of the regulatory criteria for Type II actions set forth under 6 NYCRR §617.5(c), the Engineering Department has determined that each of the Projects consists of the replacement, rehabilitation, or reconstruction of a structure or facility, in kind, on the same site and that the STP Project involves the extension of utility distribution facilities in connection with the replacement, rehabilitation, or reconstruction of a structure or facility, in kind, on the same site, and that, accordingly, the Projects are Type II actions pursuant to 6 NYCRR §617.5(c); and

WHEREAS, the Legal Department concurs with said determinations and recommendations;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority hereby finds and determines that the STP Project is a Type II action under 6 NYCRR §617.5(c)(2) and (13), and that the RWPS Project is a Type II action under 6 NYCRR §617.5(c)(2); and be it further

RESOLVED: That, as a Type II action, neither the STP Project nor the RWPS Project requires a determination of significance, environmental impact statement, or findings statement for purposes of SEQR compliance; and be it further

RESOLVED: That, in accordance with 6 NYCRR §617.6(a)(1)(i), the Authority will proceed with considering the Projects without any further environmental review under SEQR.

Ayes:

Noes:

02/20/2025-HARRIS BEACH:alh

ITEM 2 - AUTHORIZATION TO EXECUTE PERMANENT EASEMENT WITH THE TOWN OF CLARENCE, NEW YORK RELATING TO WATER SYSTEM IMPROVEMENTS, IDENTIFIED AS CONTRACT NO. WSA-018, PROJECT NO. 202200025

Motion by _____ and seconded by _____

WHEREAS, the Erie County Water Authority (the “Authority”) is undertaking water system improvements in the Town of Clarence, New York (the “Town”) identified as Contract No. WSA-018 (the “Project”); and

WHEREAS, a portion of the new main, including an interconnection to an existing main, will be constructed on property owned by the Town; and

WHEREAS, the new main will replace an existing section of main located along Goodrich Road that does not appear to be covered by an existing easement; and

WHEREAS, in order to construct the improvements as well as to operate and maintain the main following completion of the Project a permanent easement is required; and

WHEREAS, the Authority’s Legal and Engineering Departments, with the assistance of Harris Beach Murtha, have negotiated the terms of the easement which has been approved and executed by the Town; and

WHEREAS, the Authority’s Legal and Engineering Departments are collectively recommending that the Authority’s Board of Commissioners (the “Board”) approve executing a permanent easement with the Town; and

WHEREAS, there is no cost associated with this Agreement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves executing a permanent easement with the Town of Clarence to allow the Authority the right to construct the improvements along Goodrich Road as well as to operate and maintain the main following completion of the Project; and be it further

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

Ayes:

Noes:

02/20/25-alh

ITEM 3 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 2502 LINEAR FEET OF EIGHT (8") INCH PVC (C-900), 1425 LINEAR FEET OF TEN (10") INCH PVC (C-900), SIX (6) HYDRANTS, TWELVE (12) LINE VALVES, TWO (2) TAP VALVES AND APPURTENANCES IN WOODLAND HILLS SUBDIVISION, PHASE 1, TOWN OF CLARENCE, NEW YORK, EC NO. 5572, PROJECT NO. 200300143

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") entered into a Main Extension Agreement (Builder-Contractor-Developer) with Cimato Enterprises, Inc. and Cimato Bros. Construction, Inc. relative to Woodland Hills Subdivision, Phase 1, Town of Clarence, New York, identified by Work Authorization No. 5572; and

WHEREAS, the Bill of Sale and the Schedule of Inventory, both dated December 20, 2024, have been approved by Leonard F. Kowalski, Executive Engineer and the construction and installation of approximately 2502 linear feet of eight (8") inch PVC (C-900), 1425 linear feet of ten (10") inch PVC (C-900), six (6) hydrants, twelve (12) line valves, two (2) tap valves and appurtenances have been installed in accordance with the specifications of the Authority; and

WHEREAS, the Division of Environmental Health of the Health Department of the County of Erie has approved the completed works for public water supply improvement for Woodland Hills Subdivision, Phase 1, Town of Clarence, New York; and

WHEREAS, Jessica R. Brown, Comptroller has reviewed the costs of the main and hydrant and finds them reasonable and correct; and

WHEREAS, Leonard F. Kowalski, Executive Engineer recommends approval and acceptance of said main and hydrant;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority accepts the construction and installation of approximately 2502 linear feet of eight (8") inch PVC (C-900), 1425 linear feet of ten (10") inch PVC (C-900), six (6) hydrants, twelve (12) line valves, two (2) tap valves and appurtenances and said mains and hydrant be added to the property records of the Authority.

Ayes:

Noes:

02/20/25-alh

ITEM 4 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT WITH HEALTHWORKS-WNY, LLP TO PROVIDE COMPREHENSIVE OCCUPATIONAL HEALTH SERVICES, PROJECT NO. 202200063

Motion by seconded by

WHEREAS, on June 16, 2022, the Erie County Water Authority’s (the “Authority”) Board of Commissioners (the “Board”) awarded HealthWorks-WNY, LLP (“Consultant”) a professional service contract to provide comprehensive occupational health services (the “Contract”); and

WHEREAS, the Contract provides for services to be provided to the Authority, as described in the Contract, from May 1, 2022 through April 30, 2025; and

WHEREAS, in accordance with Article 5, Paragraph 5.01 of the Contract, the parties may agree in writing to extend the term of the Contract for two additional one (1) year terms, at the sole discretion of the Authority, upon mutually agreed on terms and conditions; and

WHEREAS, the Consultant has requested a one-year extension under the same terms and conditions, with the exception of a pricing adjustment, which is attached hereto as Appendix “A”; and

WHEREAS, in accordance with Article 3, Paragraph 3.06 of the Contract, the Consultant agrees to provide Certificates of Insurance certifying required coverage; and

WHEREAS, in accordance with Article 3, Paragraph 3.02 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, Jennifer Hibit, Director of Human Resources, recommends that the Authority amend the Contract by extending the Contract an additional one year term from May 1, 2025 through April 30, 2026 under the same terms and conditions, with the exception of a pricing adjustment, as shown in Appendix “A”; and

WHEREAS, the Authority’s 2025 O&M Budget includes funds for this project under Unit 8010 Human Resources, Item No. 920259 Doctor Examination Fees;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Professional Services Contract with HealthWorks-WNY, LLP by extending the Contract for an additional one year term from May 1, 2025 through April 30, 2026 under the same terms and conditions, with the exception of a pricing adjustment, as shown in Appendix “A”; and be it further

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

Ayes:

Noes:

02/20/25-alh

APPENDIX A

PRICING FOR MAY 1, 2025 THROUGH APRIL 30, 2026

SERVICES

SERVICE	¹ CHARGE
1. PRE-EMPLOYMENT PHYSICALS	
Pre-Employment Physical Examination, including:	
• Physical Exam	\$79
• Medical and Work History	Included
• Vital Signs	Included
• Visual Acuity Test	Included
• Urine Dipstick	Included
• Audiometry	\$33
• Physical Agility Test, as needed	\$130
2. EVALUATION FOR RESPIRATOR CLEARANCE (29 CFR1910.134)	
Respirator Clearance Examination, including:	
• Respirator Clearance Exam	\$90
• Medical and Work History	Included
• Vital Signs	Included
• Visual Acuity Test	Included
• Urine Dipstick	Included
• OSHA Respirator Medical Evaluation Questionnaire	Included with Physical
• OSHA Respirator Medical Evaluation Questionnaire (Standalone/ Without a Physical)	\$21
• ² Quantitative Respirator Fit Testing (pre-employment and annually)	\$55
• Spirometry, as needed	\$59
• Single View Chest X-ray, as needed	\$87
3. ASBESTOS EVALUATION (29 CFR1910.1001)	
Asbestos Examination (including pre-employment, annual and exit):	
• Asbestos Exam	\$109
• Medical and Work History	Included
• Vital Signs	Included
• Visual Acuity Test	Included
• Urine Dipstick	Included
• ³ OSHA Asbestos questionnaire (Part 1: Pre-employment)	Included with physical
• ³ OSHA Asbestos questionnaire (Part 2: Annually)	Included with physical

• Spirometry	\$59
• Single View Chest X-ray	\$87
• X-ray Interpretation by a classified B-Reader, and performed at the intervals defined in 29 CFR1910.1001(l)(3)(ii)	\$115
• Quantitative Respirator Fit Testing (pre-employment and annually)	\$55
4. RETURN TO WORK EXAMS	
The time required for performing return to work or fitness for duty exams will vary depending on the complexity of the employee’s condition and the complexity and length of time of the treatment plan. As such, the charge for return to work exams can range from \$95 for less complex cases up to and including \$250 for more complex cases.	\$95 - \$250
5. OTHER SERVICES	
• ⁴ Non-Life-Threatening Work-Related Injury Care & Treatment	\$110.09 - \$196.62
• ⁴ Work-Related Injury Follow up Visit	\$67.78 - \$122.94
• Audiometry	\$33
• Blood Chemistry, including:	
○ Basic Metabolic Panel	\$30
○ Comprehensive Metabolic Panel	\$43
• Urinalysis	\$19
• CBC w/Differential	\$21
• Lumbar-Sacral X-ray	\$220
• Standalone Visual Acuity Test	\$19
6. DRUG SCREENING SERVICES	
HealthWorks can and will comply with all water authority drug screening requirements. However, it is important to note that Federal DOT regulations do not currently recognize/permit hair-based drug screen testing.	
• 5 Panel Hair Drug Screen Testing	\$105
• 5 Panel DOT Drug Screen Testing	\$67
• 5 Panel Non-DOT Drug Screen Testing	\$63
• 5 Panel INSTANT Drug Screen Test – Post Accident Incidents	\$47
• Laboratory Confirmation Test for “non-negative” INSTANT drug screen results only	\$50
• 24/7 After-Hours Drug Screen Testing for reasonable suspicion or post-accident incidents when performed:	
○ In-Clinic (<i>plus</i> the charge for the drug screen test)	\$250
○ On-Site (<i>plus</i> the charge for the drug screen test)	\$300
○ Holidays (<i>plus</i> the charge for the drug screen test)	\$400
• On-Site Testing can be coordinated through HealthWorks On-Site Services Division	
7. BREATH ALCOHOL TESTING	

HealthWorks can and will comply with all water authority breath alcohol testing requirements.	
• DOT and Non-DOT Breath Alcohol Test	\$38
• DOT and Non-DOT Confirmation Breath Alcohol Test	\$38
• 24/7 After-Hours Breath Alcohol Testing for reasonable suspicion or post-accident incidents when performed:	
○ In-Clinic (<i>plus</i> the charge for the breath alcohol test)	\$250
○ On-Site (<i>plus</i> the charge for the breath alcohol test)	\$300
○ Holidays (<i>plus</i> the charge for the breath alcohol test)	\$400
• On-Site Testing can be coordinated through HealthWorks On-Site Services Division	
8. DEVELOPMENT AND MAINTENANCE OF A DATABASE FOR RANDOM DRUG AND ALCOHOL SELECTION/TESTING	
HealthWorks can and will comply with all water authority random testing program requirements.	
• Random Testing Program Annual Maintenance Fee	\$800

Remarks:

¹Administration of the OSHA Respirator Medical Evaluation Questionnaire as part of a respirator clearance exam carries no charge. However, a standalone OSHA Respirator Medical Evaluation Questionnaire carries a charge of \$21.

²Administration of Part 1/Part 2 of the OSHA Asbestos Questionnaire as part of an asbestos exam carries no charge. However, administration of a standalone Part 1/Part 2 Asbestos Questionnaire carries a charge of \$21.

³The rates associated with work related injury care and/or treatment are not established by HealthWorks, but rather by the New York State Workers Compensation Board. Furthermore, the above rates are presented as a range because they are now based on the complexity and type of office visit, as well as the duration of time required to complete the required treatment procedure(s).

ITEM 5 - APPROVAL OF CHANGE ORDER NO. 2 OF JOHN W. DANFORTH COMPANY FOR VAN DE WATER WATER TREATMENT PLANT FILTER NO. 3 VALVES REPLACEMENT, PROJECT NO. 202200238

Motion by seconded by

WHEREAS, on June 22, 2023, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") approved a resolution to enter into a contract with John W. Danforth Company (the "Contractor") for Jerome D. Van De Water WTP Filter No. 3 Valves Replacement (the "Contract"); and

WHEREAS, the Contractor has submitted Change Order No. 2 to make the following changes:

1. Contract Substantial Completion date extension of 145 calendar days, from 12/15/2024 to 5/9/2025.
2. Contract Substantial Completion date extension of 145 calendar days, from 12/15/2024 to 5/9/2025.
3. Delete Specification Section 0 1131 - Milestones in its entirety. This section no longer applies; and

WHEREAS, the reason for said change is due to the prolonged delays in the fabrication and delivery of a new Rate of Flow Controller through no fault of the Contractor; and

WHEREAS, the new Rate of Flow Controller is critical to the operation of the filter and must be installed prior to project completion; and

WHEREAS, due to ongoing delays in obtaining equipment and materials the deadlines associated with Specification Section 0 1131 – Milestones no longer apply and the revised Substantial and Final Completion dates now govern; and

WHEREAS, Michael J. Quinn, Director of Distribution, 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 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. 2 on behalf of the Authority.

Ayes:

Noes:

02/20/25-alh

ITEM 6 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 - WATER DISTRIBUTION SYSTEM HYDRAULIC MODEL DEVELOPMENT, IDENTIFIED AS CONTRACT NO. BC-004, PROJECT NO. 202200159 - \$20,000.00

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 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 101592 BC-004 Distribution System Hydraulic Model Development; and

WHEREAS, in order to provide funding for this project, funds within the Capital Budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
2520	101592	BC-004 Distribution System Hydraulic Model Development	<u>\$ 20,000</u>	
2520	101512	MP-086 Ball Pumping Station Improvements		<u>\$ 20,000</u>
Totals			\$ 20,000	\$ 20,000;

NOW, THEREFORE, BE IT RESOLVED:

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

Ayes:

Noes:

02/20/25-alh

ITEM 7 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR - CISCO SWITCHES - \$22,600.00

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 Budget to reflect such changes; and

WHEREAS, the Authority has been advised by David Aubertine, Director of IT and Cybersecurity, funding is needed for budget item 101808 Cisco Switches; and

WHEREAS, in order to provide funding for this project, funds within the Capital Budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
8525	101808	Cisco Switches	<u>\$ 22,600</u>	
8525	101768	Security Camera Server Upgrade		<u>\$ 22,600</u>
Totals			\$ 22,600	\$ 22,600;

NOW, THEREFORE, BE IT RESOLVED:

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

Ayes:

Noes:

02/20/25-alh

ITEM 8 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR VAN DE WATER WATER TREATMENT PLANT BOILER REPLACEMENT, PROJECT NO. 202500032 - \$150,000.00

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 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 101809 Van de Water Water Treatment Plant Boiler Replacement; and

WHEREAS, in order to provide funding for this project, funds within the Capital Budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
1015	101809	Van de Water Water Treatment Plant Boiler Replacement	<u>\$ 150,000</u>	
1015	101798	Filter 2 Valve and Actuator Replacement		<u>\$ 150,000</u>
Totals			\$ 150,000	\$ 150,000;

NOW, THEREFORE, BE IT RESOLVED:

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

Ayes:
Noes:

02/20/25-alh

ITEM 9 - 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 Algiers Lane and South Creek Drive, Town of Cheektowaga with a new 6" resilient seat valve on 01/08/2025. Work done by ECWA forces under Work Authorization No. 107.200 7474.

Valve originally installed in 1960 was scrapped and retired under Retirement Authorization No. R250002; 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 valve at the abovementioned location; and be it further

RESOLVED: That the installation of the new valve in the abovementioned location, as part of the Authority's continuing program to improve its facilities is hereby approved, ratified and confirmed.

Ayes:

Noes:

02/20/25-alh

ITEM 10 - ACKNOWLEDGEMENT AND ACCEPTANCE OF THE CIVIL SERVICE RESIDENCY REQUIREMENTS OF THE ERIE COUNTY DEPARTMENT OF PERSONNEL

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) is responsible for the treatment and distribution of 25 billion gallons of safe, clean, potable water annually to more than 540,000 residential, commercial, and industrial customers in 36 municipalities located within Erie County and parts of Chautauqua, Cattaraugus, western Wyoming and western Genesee counties, as well as the territories of the Seneca Nation of Indians; and

WHEREAS, pursuant to Public Authorities Law § 1053(3) all appointments made by the Authority are subject to the civil service laws of the State of New York and such rules as may be adopted and made applicable to the Authority by the Erie County Department of Personnel; and

WHEREAS, Rule VII Recruitment of Personnel in the Rules for the Classified Civil Service of the County of Erie and the Towns, Villages, Special Districts and School Districts within the County states the following:

1. Residence requirements for municipal positions.

An applicant must be at the time of examination, and for at least one month prior thereto, and at the time of appointment, a resident of the municipality in which appointment is to be made, or any reasonable combination of municipalities both in and outside of New York State contiguous to the municipality in which appointment is to be made, or contiguous to the municipality in which such municipality is located, as determined by the Personnel Officer. Residence requirements may be suspended or reduced by the Personnel Officer where such requirements are disadvantageous to the public interest; and

WHEREAS, Civil Service examination qualifications for certain competitive positions within the Authority restrict candidates who do not reside within Erie County; and

WHEREAS, by broadening the pool of candidates available for all positions, the Authority would be able to select qualified candidates who might otherwise be disqualified; and

WHEREAS, Terrence D. McCracken, Secretary to the Authority, recommends the Authority’s Board of Commissioners (the “Board”) follow the Erie County Department of Personnel’s rules and allow any applicant in a county contiguous to Erie County to be eligible to take Civil Service examinations for all competitive positions within the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves following the Rules for the Classified Civil Service of the County of Erie and the Towns, Villages, Special Districts and School Districts within the County and allow any applicant in a county contiguous to Erie County to be eligible to take Civil Service examinations for all competitive positions within the Authority; and

RESOLVED: That the Secretary to the Authority is hereby authorized to forward a certified copy of this resolution to the Erie County Department of Personnel.

Ayes:

Noes:

02/20/2024-alh

ITEM 11 - REVOCATION OF SEPARATION AND WAIVER AND RELEASE AGREEMENT

Motion by seconded by

WHEREAS, on January 14, 2016, the Erie County Water Authority (the “Authority”) authorized the execution of a confidential Separation and Waiver and Release Agreement between a past employee and the Authority (the “Agreement”); and

WHEREAS, the parties now wish to remove any continuing obligations between the parties as set forth in the Agreement; and

WHEREAS, in accordance with Paragraph 17 of the Agreement, the Agreement may only be amended or modified by a writing signed by both the past employee and the Authority; and

WHEREAS, Terrence D. McCracken, Secretary to the Authority, and Mark S. Carney, General Counsel, recommend the Revocation of the Agreement effective February 20, 2025;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority Board of Commissioners approves the revocation of a confidential Separation and Waiver and Release Agreement between a past employee and the Authority executed on January 14, 2016; and be it further

RESOLVED: That the Chair is hereby authorized to execute said Revocation of Separation and Waiver and Release Agreement effective February 20, 2025.

Ayes:

Noes:

02/20/2024-alh

ITEM 12 - AUTHORIZATION TO AMEND THE WAGE SCHEDULE FOR BI-WEEKLY EMPLOYEES NOT ELIGIBLE FOR MEMBERSHIP IN A COLLECTIVE BARGAINING UNIT

Motion by seconded by

WHEREAS, on December 19, 2024, the Erie County Water Authority’s (the "Authority") Board of Commissioners (the “Board”) approved and adopted the 2025 Wage Schedule for all Non-Represented Positions effective January 1, 2025; and

WHEREAS, Terrence D. McCracken, Secretary to the Authority, deems it in the Authority’s best interest to move the Deputy Administrative Director ECWA position from a Salary Grade 36E to a Salary Grade 32E and recommend amending the 2025 Wage Schedule for all Non-Represented Positions to reflect the change;

NOW, THEREFORE, BE IT RESOLVED:

That the Board amends the 2025 Wage Schedule for all Non-Represented Positions by moving the position of Deputy Administrative Director ECWA from a Salary Grade 36E to Salary Grade 32E.

Ayes:

Noes:

02/20/25-alh

ITEM 13 - CREATION OF ONE POSITION OF ASSOCIATE ATTORNEY RPT

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 February 7, 2025, the Erie County Department of Personnel reviewed and approved the creation of one (1) position of Associate Attorney RPT;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create one (1) position of Associate Attorney RPT, with an hourly rate of \$100.00 up to a maximum of 19 hours biweekly, effective February 20, 2025.

Ayes:

Noes:

02/20/25-alh

ITEM 14 - AUTHORIZATION FOR SABRINA FIGLER, DIRECTOR OF WATER QUALITY TO ATTEND THE AWWA NATIONAL WATER POLICY FLY-IN IN WASHINGTON, DC

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) deems it advisable for Sabrina Figler, Director of Water Quality to attend the AWWA National Water Policy Fly-In in Washington DC; and

WHEREAS, all travel, meals, and lodging costs will be covered by AWWA;

NOW, THEREFORE, BE IT RESOLVED:

That Sabrina Figler, Director of Water Quality is authorized to travel to Washington, DC from April 7, 2025 to April 9, 2025 to attend the AWWA National Water Policy Fly-In at no cost to the Authority.

Ayes:

Noes:

02/20/25-alh

ITEM 15 - AUTHORIZATION FOR SABRINA FIGLER, DIRECTOR OF WATER QUALITY, MICHAEL QUINN, DIRECTOR OF DISTRIBUTION, WILLIAM WHEELER, SENIOR DISTRIBUTION ENGINEER, MARC BELLACOSE, DISTRIBUTION ENGINEER, MARK JARMUZ, DISTRIBUTION ENGINEER, SETH KRULL, PRODUCTION ENGINEER, SCOTT KLUBEK PUMP MECHANIC CREW CHIEF, AND GABRIELLA HOLEVINSKI, CHEMIST, TO ATTEND THE NEW YORK STATE AWWA WATER EVENT CONFERENCE IN SARATOGA SPRINGS, NEW YORK

Motion by seconded by

WHEREAS, the Erie County Water Authority deems it advisable for Sabrina Figler, Director of Water Quality, Michael Quinn, Director of Distribution, William Wheeler, Senior Distribution Engineer, Marc Bellacose, Distribution Engineer, Mark Jarmuz, Distribution Engineer, Seth Krull, Production Engineer, Scott Klubek Pump Mechanic Crew Chief, and Gabriella Holevinski, Chemist, to attend the New York State AWWA Water Event Conference in Saratoga Springs, New York at a total estimated cost of \$10,945.00;

NOW, THEREFORE, BE IT RESOLVED:

That Sabrina Figler, Director of Water Quality, Michael Quinn, Director of Distribution, William Wheeler, Senior Distribution Engineer, Marc Bellacose, Distribution Engineer, Mark Jarmuz, Distribution Engineer, Seth Krull, Production Engineer, Scott Klubek Pump Mechanic Crew Chief, and Gabriella Holevinski, Chemist, are authorized to travel to Saratoga Springs, New York from April 15, 2025 to April 17, 2025 to attend the New York State AWWA Water Event Conference at a total estimated cost of \$10,945.00.

Ayes:

Noes:

02/20/25-alh

ITEM 16 - JACOB KOBLER - APPOINTMENT AS ASSOCIATE ATTORNEY RPT

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 Jacob Kobler, be appointed to the position of Associate Attorney RPT; said appointment being subject to the approval of the Erie County Personnel Office, 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 February 20, 2025.

Ayes:

Noes:

02/20/25-alh