

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. 5181.10, D265453 PROJECT NO. 202400146

Motion by seconded by

WHEREAS, the New York State Department of Transportation (the “State”) proposes the construction, reconstruction, or improvement of the Safety Improvement Project, NY Route 270 (SH 0584) from North French Road to the Erie County Line, North French Road from Campbell Boulevard to I-990, identified as PIN 5181.10, D265453; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the adjustment of valve box elevations and fire hydrant locations and the replacement of the waterline where it conflicts with proposed drainage improvements, as well as other adjustments as shown on the contract plans relating to the project and meeting the requirements of the owner; and

WHEREAS, the service life of the relocated and replaced utilities will not be extended; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority (the “Authority”) approves the adjustment of valve box elevations and fire hydrant locations and the replacement of the waterline where it conflicts with proposed drainage improvements, 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 five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes:
Noes:

03/20/25-alh

ITEM 2 - RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT IN CONNECTION WITH PIN NO. 5814.61, D265317 PROJECT NO. 202400121

Motion by seconded by

WHEREAS, the New York State Department of Transportation (the “State”) proposes the construction, reconstruction, or improvement of a Large Culvert Program – North (In-house Design) US 62 & 219 and NY 18, 78, 93, 277, 400 & 429, identified as PIN 5814.61, D265317; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the relocation of 16” and 24” waterlines and the relocation of a 8” asbestos waterline, 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 relocation of 16” and 24” waterlines and the relocation of a 8” asbestos waterline, 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 five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

03/20/25-alh

ITEM 3 - AUTHORIZATION TO EXECUTE TERMINATION AGREEMENT WITH BELL ATLANTIC MOBILE SYSTEMS LLC D/B/A VERIZON WIRELESS FOR THE LEASING OF SPACE ON THE ERIE COUNTY WATER AUTHORITY'S WEHRLE TANK IN WILLIAMSVILLE, NEW YORK

Motion by seconded by

WHEREAS, pursuant to a lease dated as of March 9, 2004, the Erie County Water Authority (the "Authority") leased to Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless ("Verizon") certain premises commonly known and referred to as the "Wehrle Tank" located at 496 Wehrle Drive, Williamsville, New York (the "Agreement") ; and

WHEREAS, the Agreement expired on April 6, 2024; and

WHEREAS, on June 5, 2024, the Authority and Verizon entered into Amendment No. 1 extending the term of the lease to January 30, 2025; and

WHEREAS, the Authority and Verizon wish to terminate the Agreement; and

WHEREAS, in accordance with Section 16 and Section 17 of the Agreement, Verizon performed the decommissioning removal of its cellular installation facilities pursuant to the Authority's required guidelines which was supervised and approved by the Authority's Risk Manager and Security Officer; and

WHEREAS, the Legal Department has reviewed the Termination Agreement and found it fairly and accurately represents the mutual acknowledgement of the termination and, therefore, recommends it be approved and executed by the Board of Commissioners (the "Board");

NOW, THEREFORE, BE IT RESOLVED:

That the Board authorizes executing the Termination Agreement with Verizon to terminate lease of the Wehrle Tank; and be it further

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

Ayes:

Noes:

03/20/25-alh

ITEM 4 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 1200 LINEAR FEET OF EIGHT (8") INCH PVC (C-900), ONE (1) HYDRANT, FOUR (4) LINE VALVES AND APPURTENANCES IN WATERFORD PINES, PHASE 3, TOWN OF HAMBURG, NEW YORK, EC NO. 7394, PROJECT NO. 202300230

Motion by _____ seconded by _____

WHEREAS, the Erie County Water Authority (the "Authority") entered into a Main Extension Agreement (Builder-Contractor-Developer) with Waterford Pines Community, LLC. and Visone Construction, Inc. relative to Waterford Pines, Phase 3, Town of Hamburg, New York, identified by Work Authorization No. 7394; and

WHEREAS, the Bill of Sale, dated February 17, 2025, and the Schedule of Inventory, dated February 18, 2025, have been approved by Leonard F. Kowalski, Executive Engineer, and the construction and installation of approximately 1200 linear feet of eight (8") inch PVC (C-900), one (1) hydrant, four (4) line 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 Waterford Pines, Phase 3, Town of Hamburg, 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 1200 linear feet of eight (8") inch PVC (C-900), one (1) hydrant, four (4) line valves and appurtenances and said mains and hydrant be added to the property records of the Authority.

Ayes:

Noes:

03/20/25-alh

ITEM 5 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 -WATER SYSTEM IMPROVEMENTS, TOWN OF WEST SENECA, IDENTIFIED AS CONTRACT NC-041 PROJECT B, PROJECT NO. 202000072 - \$1,750,000.00

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 101533 NC-041 Transmission Main 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>
2595	101533	NC-041 Transmission Main Replacement	\$ <u>1,750,000</u>	
2595	101756	Transmission Main Design		\$ 200,000
2590	101801	Distribution Project A		250,000
2590	101672	WSA-018 Distribution Systems Upgrade		700,000
3070	101800	Underground Fuel Tanks – Service Center		<u>600,000</u>
		Totals	\$ 1,750,000	\$ 1,750,000;

NOW, THEREFORE, BE IT RESOLVED:

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

Ayes:

Noes:

03/20/25-alh

ITEM 6 - AWARD OF CONTRACT TO E&R GENERAL CONSTRUCTION, INC. FOR WATER SYSTEM IMPROVEMENTS, TOWN OF WEST SENECA, IDENTIFIED AS CONTRACT NO. NC-041 PROJECT B, PROJECT NO. 202000072 - \$2,956,384.00

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 14th day of January 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Water System Improvements, Town of West Seneca, identified as Contract No. NC-041 Project B; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 18th day of February 2025, and were as follows:

BIDDERS	AMOUNT
E&R General Construction, Inc.	\$ 2,956,384.00
New Frontier Excavating & Paving, Inc.	3,017,430.03
Kandey Company, Inc.	3,163,725.00; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined E&R General Construction, Inc. is the lowest 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. 101533 NC-041 Trans Main Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to E&R General Construction, Inc. as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with E&R General Construction, Inc. for Water System Improvements, Town of West Seneca, identified as Contract No. NC-041 Project B, as a unit price contract for the estimated total amount of \$2,956,384.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:
Noes:

03/20/25-alh

ITEM 7 - AWARD OF CONTRACT TO FREDERICK MACHINE & MANUFACTURING, INC. FOR MACHINING AND FABRICATION SERVICES FOR THE REPAIR OF VARIOUS ERIE COUNTY WATER AUTHORITY EQUIPMENT FROM APRIL 1, 2025 TO MARCH 31, 2026, PROJECT NO. 202500007 - \$84,437.50

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 28th day of January 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Machining and Fabrication Services for the Repair of Various Erie County Water Authority Equipment from April 1, 2025 to March 31, 2026; and

WHEREAS, Authority personnel opened a sealed bid in the office of the Authority on the 20th day of February 2025, and was as follows:

BIDDERS	AMOUNT
Frederick Machine & Manufacturing, Inc.*	\$ 84,437.50

*Only bid received; and

WHEREAS, William W. Wheeler, Senior Distribution Engineer, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bid and determined Frederick Machine & Manufacturing, Inc. is a responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 O&M Budget includes funds for this project under Unit 1020 Control Operations, Item No. 19 Payment to Contractors - Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Frederick Machine & Manufacturing, Inc. as a responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Frederick Machine & Manufacturing, Inc. for Machining and Fabrication Services for the Repair of Various Erie County Water Authority Equipment from April 1, 2025 to March 31, 2026, as a unit price contract for the estimated total amount of \$84,437.50.

Ayes:

Noes:

03/20/25-alh

ITEM 8 - AWARD OF CONTRACT TO ERIE PAINTING & MAINTENANCE, INC. FOR STORAGE TANK REFURBISHING – EDEN 2, NEWSTEAD, IDENTIFIED AS CONTRACT NO. W-035-C, PROJECT NO. 202300060 - \$1,668,950.00

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 17th day of December 2024, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Storage Tank Refurbishing – Eden 2, Newstead, identified as Contract No. W-035-C; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 28th day of January 2025, and were as follows:

BIDDERS	AMOUNT
Erie Painting & Maintenance, Inc.	\$ 1,668,950.00
Amstar of WNY, Inc.	1,698,950.00
Atlas Painting and Sheeting Corp.	2,995,000.00; and

WHEREAS, William W. Wheeler, Senior Distribution Engineer, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined Erie Painting & Maintenance, 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; and

WHEREAS, the Authority’s 2025 O&M Budget includes funds for this project under Unit 2502 Construction, Item No. 74 Payments to Contractors - Tanks;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Erie Painting & Maintenance, 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 Erie Painting & Maintenance, Inc. for Storage Tank Refurbishing – Eden 2, Newstead, identified as Contract No. W-035-C, as a unit price contract for the estimated total amount of \$1,668,950.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:
Noes:

03/20/25-alh

ITEM 9 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BROWN AND CALDWELL ASSOCIATES TO PROVIDE CONSULTING ENGINEERING SERVICES FOR A SURGE CONTROL SYSTEM AT THE STURGEON POINT WATER TREATMENT PLANT, IDENTIFIED AS CONTRACT NO. BC-005, PROJECT NO. 202500035 (CCII)

Motion by seconded by

WHEREAS, the Erie County Water Authority's (the "Authority") recently issued a Request for Proposals (the "RFP") to qualified firms to provide consulting engineering services for a Surge Control System at the Sturgeon Point Water Treatment Plant; and

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

Arcadis
Brown and Caldwell Associates
Hazen and Sawyer
AECOM; and

WHEREAS, the RFP was not posted on the Authority's website due to its confidential nature; and

WHEREAS, Arcadis, Brown and Caldwell Associates, and Hazen and Sawyer responded to the RFP; 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 Purchasing Guidelines, Policies and Procedures; and

WHEREAS, after a thorough review, William W. Wheeler, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend that the Authority enter into a Professional Services Agreement with Brown and Caldwell Associates to provide consulting engineering services for a Surge Control System at the Sturgeon Point Water Treatment Plant; and

WHEREAS, the Authority's 2025 Capital Budget includes funds for this project under Unit 2510 Eng/Const Sturgeon Point, Item No. 101754 Surge Tank Design;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners accepts the proposal of Brown and Caldwell Associates to provide consulting engineering services for a Surge Control System at the Sturgeon Point Water Treatment Plant, identified as BC-005; and be it further

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

Ayes:
Noes:

03/20/25-alh

ITEM 10 - AUTHORIZATION TO EXECUTE A SERVICES AGREEMENT WITH TRALIAN OPERATING, LLC FOR ANNUAL EMPLOYEE TRAININGS

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) is committed to a work environment in which all individuals are treated with respect and dignity; and

WHEREAS, pursuant to § 201-g of the Labor Law, every employer in New York State is required to provide employees with sexual harassment prevention training on an annual basis; and

WHEREAS, the Authority is further committed to the safety and security of its agency, staff, contractors, vendors and customers; and

WHEREAS, pursuant to New York Labor Law § 27-b and NYCRR Part 800.6, the Authority is required to provide employees with annual training on preventing workplace violence; and

WHEREAS, Jennifer Hibit, Director of Human Resources, contacted three (3) companies (Enterprise Training Solutions, HR Learning Center and Traliant Operating, LLC), who specialize in video training in sexual harassment, workplace violence, and cybersecurity, requesting proposals and the ability to review their training products; and

WHEREAS, in order to comply to §201-g of the New York State Labor Law and New York Labor Law § 27-b and NYCRR Part 800.6, the Authority intends to provide training videos on sexual harassment and workplace violence to its employees; and

WHEREAS, the Authority is further committed to the safety and security of its agency and staff by also providing cybersecurity training to all employees; and

WHEREAS, after the training videos were reviewed for compliance and ease of use for the employee, it was determined that Traliant Operating, LLC had the most comprehensive training videos in a format that most engages the employee while providing ease of monitoring by the Authority; and

WHEREAS, after the proposals were reviewed and discussed among the review committee, it was determined that Traliant Operating, LLC provided the proposal best suited to the Authority’s needs; and

WHEREAS, Jennifer Hibit recommends the Authority enter into a Services Agreement with Traliant Operating, LLC to provide annual employee trainings; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve executing a Services Agreement with Traliant Operating, LLC to provide employees with annual training on sexual harassment prevention, workplace violence and cybersecurity; and be it further

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

Ayes:

Noes:

03/20/25-alh

ITEM 11- AUTHORIZATION TO PURCHASE ONE PROMOCHROM SOLID PHASE EXTRACTION INSTRUMENT FROM PROMOCHROM TECHNOLOGIES LTD., PROJECT NO. 202500049 -\$23,315.50

Motion by _____ seconded by _____

WHEREAS, the Erie County Water Authority’s (the “Authority) Water Quality Department utilizes a PromoChrom solid phase extraction instrument for the preparation of PFAS/PFOA samples that are analyzed on the chromatograph mass spectrometer; and

WHEREAS, the depreciated value of the current PromoChrom solid phase extraction instrument is \$5,204.97; and

WHEREAS, Sabrina Figler, Director of Water Quality advises that if the Authority opts to trade-in the PromoChrom solid phase extraction instrument currently utilized in the Water Quality Department, it will qualify for a fifty percent (50%) discount on a new model, which is currently valued at \$46,631.00; and

WHEREAS, PromoChrom Technologies LTD. is the sole source equipment manufacturer of an 8-Channel Automated Solid Phase Extraction system that employs syringe pumps to fully automate EPA Methods 537.1/533/1633 and performs all extraction steps in parallel while meeting background, recovery and repeatability requirements; and

WHEREAS, Lavonya Lester, Director of Administration has reviewed the vendor and the product they would supply to the Authority and found they met the qualifications to be deemed as sole source provider; and

WHEREAS, PromoChrom Technologies LTD. has submitted a quote to provide the Authority with a new PromoChrom solid phase extraction instrument which includes the fifty percent (50%) trade-in discount; and

WHEREAS, Sabrina A. Figler, Director of Water Quality recommends trading the PromoChrom solid phase extraction instrument currently utilized in the Water Quality Department towards the purchase of a new model from PromoChrom Technologies LTD., a sole source provider, for the total cost of \$23,315.50; and

WHEREAS, the Authority’s 2025 Capital Budget includes funds for this project under Unit 1030 Water Quality Assurance, Item No. 101806 Solid Phase Extractor Promochrom;

NOW, THEREFORE BE IT RESOLVED:

That the Board of Commissioners approves the purchase of a new PromoChrom solid phase extraction instrument with PromoChrom Technologies LTD. as a sole source provider for the total cost of \$23,315.50.

Ayes:

Noes:

03/20/25-alh

ITEM 12 - AUTHORIZATION TO EXECUTE A PREVENTATIVE SERVICE PLAN WITH THERMO ELECTRON NORTH AMERICA LLC RELATING TO CHEMISTRY AND ANALYTICAL INSTRUMENTATION, PROJECT NO. 202500048 -\$89,459.00

Motion by _____ seconded by _____

WHEREAS, the Erie County Water Authority’s (the “Authority) Water Quality department utilizes various chemistry analytical instruments for the compliance testing of PFOA/PFAS, 1,4-dioxane, volatile organic compounds, lead, haloacetic acids, and algal toxins; and

WHEREAS, the warranty periods have expired for these instruments which included preventative maintenance and access to expedited technical support and maintenance visits; and

WHEREAS, Sabrina Figler, Director of Water Quality advises that it is now necessary to purchase these services through Thermo Electron North America LLC; and

WHEREAS, Thermo Electron North America LLC is the sole source equipment manufacturer and service provider for all Thermo Fisher Scientific spectrometers, parts, training, technical support, field service support and software; and

WHEREAS, Lavonya Lester, Director of Administration has reviewed the vendor and the service they would supply to the Authority and found they met the qualifications to be deemed as sole source provider; and

WHEREAS, Thermo Electron North America LLC has submitted a Service Plan Quotation to provide the Authority with the abovementioned services; and

WHEREAS, Sabrina A. Figler, Director of Water Quality recommends executing the Service Plan Quotation to provide the Authority with the abovementioned services as a sole source provider for the total cost of \$89,459.00; and

WHEREAS, the Authority’s 2025 O&M Budget includes funds for this project under Unit 1030 Water Quality Assurance, 26 Equipment Maintenance Contract;

NOW, THEREFORE BE IT RESOLVED:

That the Board of Commissioners approves executing a Service Plan with Thermo Electron North America LLC as a sole source provider to provide the Authority with the abovementioned services for the total cost of \$89,459.00; and be it further

RESOLVED: That the Chair is hereby authorized to execute a Support Plan Quotation with Thermo Electron North America LLC for the abovementioned services.

Ayes:
Noes:

03/20/25-alh

ITEM 13 - AUTHORIZATION TO EXECUTE AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC. TO PROVIDE FINANCIAL SERVICES RELATING TO COST OF SERVICE ANALYSIS, RATE MODELING AND FINANCIAL FEASIBILITY ANALYSIS, PROJECT NO. 202000129

Motion by seconded by

WHEREAS, on April 30, 2020, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded Raftelis Financial Consultants, Inc. (the "Consultant") a professional services agreement to provide financial services including financial planning and rate assessment, as well as debt issuance support for a three-year term, beginning April 1, 2020 (the "Agreement"); and

WHEREAS, on July 30, 2020, the Authority and the Consultant entered into Amendment No. 1 adding a billing rate of \$155.00 per hour for an Associate; and

WHEREAS, on February 2, 2023, the Authority and the Consultant entered into Amendment No. 2 extending the term of the Agreement through March 31, 2024; and

WHEREAS, on April 17, 2024, the Authority and the Consultant entered into Amendment No. 3 extending the term of the Agreement through March 31, 2025; and

WHEREAS, on October 17, 2024, the Authority and the Consultant entered into Amendment No. 4 increasing the total not to exceed amount for services performed under the Agreement to \$200,000.00; and

WHEREAS, the parties wish to extend the Agreement for an additional one-year period from April 1, 2025 through March 31, 2026; and

WHEREAS, the terms of the Agreement, as amended limit the total expenditure for services to \$200,000.00; and

WHEREAS, Joyce A. Tomaka, Chief Financial Officer, and Jessica R. Brown, Comptroller, recommend that the Authority amend the Agreement by increasing the total expenditure for services by \$50,000.00 to \$250,000.00; and

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

WHEREAS, the Authority's O&M Budget includes funds for this project under Unit 7510 General Expenses, Item No. 20 Miscellaneous;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement with Raftelis Financial Consultants, Inc. by extending the term of the Agreement through March 31, 2026 and increasing the total expenditure for services performed by \$50,000.00 to \$250,000.00; and be it further

RESOLVED: That the Chair is hereby authorized to execute Amendment No. 5 on behalf of the Authority.

Ayes:

Noes:

03/20/25-alh

ITEM 14 - 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' hydrant at 3225 Weller Road, Town of Eden with a new 6' Kennedy K81 hydrant on 01/29/2025. Work done by ECWA forces under Work Authorization No. 107.200 7477.

Hydrant originally installed prior to 01/06/2020 was scrapped and retired under Retirement Authorization No. R250003.

Replaced existing 6' hydrant at 128 Leocrest Court, Town of West Seneca with a new 6' Kennedy K81 hydrant on 02/02/2025. Work done by ECWA forces under Work Authorization No. 107.200 7478.

Hydrant originally installed in 1961 was scrapped and retired under Retirement Authorization No. R250004.

Replaced existing 5' hydrant at 3530 Lakeview Road, Town of Hamburg with a new 5' Kennedy K81 hydrant on 02/04/2025. Work done by ECWA forces under Work Authorization No. 107.200 7480.

Hydrant originally installed prior to 07/14/2011 was scrapped and retired under Retirement Authorization No. R250006.

Replaced existing 7' hydrant at 909 Losson Road, Town of Cheektowaga with a new 7' AVK hydrant on 02/11/2025. Work done by ECWA forces under Work Authorization No. 107.200 7482.

Hydrant originally installed in 1988 was scrapped and retired under Retirement Authorization No. R250007; and

WHEREAS, Leonard F. Kowalski, Executive Engineer ratifies said installations and work;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority approve the retirement of the abovementioned hydrants and valves at the abovementioned locations; and be it further

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

Ayes:

Noes:

03/20/25-alh

**ITEM 15 - AUTHORIZATION TO ADOPT THE ERIE COUNTY WATER AUTHORITY'S
2024 FINANCIAL DISCLOSURE STATEMENT FORM AND 2024 VENDOR LIST**

Motion by seconded by

WHEREAS, on March 20, 2025, the Governance Committee (the "Committee") of the Erie County Water Authority (the "Authority") conducted an annual review of the Authority's Code of Ethics & Conflicts of Interest Policy, as amended on December 19, 2024, Whistleblower Protection Policy, In-House Financial Disclosure Statement and Vendor List for the previous calendar year and any reports or recommendations submitted to the Committee by the Authority's Independent Ethics Panel; and

WHEREAS, following this annual review, the Committee recommends no changes to the Authority's Code of Ethics & Conflicts of Interest Policy, as amended on December 19, 2024; and

WHEREAS, following this annual review, the Committee recommends no changes to the Authority's Whistleblower Protection Policy; and

WHEREAS, the Committee recommends for approval a Financial Disclosure Statement, as amended for calendar year 2024 and a 2024 Vendor List;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners adopts 2024 ECWA Financial Disclosure Statement and 2024 Vendor List.

Ayes:

Noes:

03/20/25-alh

ITEM 16 - AUTHORIZATION TO FOLLOW THE RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-01) REGARDING DIGITALLY CREATED RECORDS

Motion by seconded by

WHEREAS, on May 3, 1990, the Erie County Water Authority (the “Authority”) adopted a Records Retention and Disposition Schedule MI-1 (“MI-1”) pursuant to §57.25 of the Arts and Cultural Affairs Law, and Part 15 Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York; and

WHEREAS, on June 4, 1998, the Authority approved the adoption of an internal Records Retention Schedule (“ECWA Office Records Retention Schedule”) to meet all minimum retention periods and in some cases, exceeding the retention periods in accordance with the way the Authority conducts business; and

WHEREAS, on May 10, 2022, the Authority adopted the Retention and Disposition Schedule for New York Local Government Records (“LGS-01”) effective January 1, 2021 which superseded MI-1; and

WHEREAS, on April 29, 2024, the Authority’s Board of Commissioners (the “Board”) appointed Terrence D. McCracken, Secretary to the Authority, to the position of Records Management Officer (“RMO”) pursuant to the requirements of §57.19 of the Arts and Cultural Affairs Law of the State of New York and §185.2 of the New York Codes Rules and Regulations; and

WHEREAS, Terrence D. McCracken, Secretary to the Authority and RMO, recommends the Authority follow the LGS-01 guidelines for maintaining digitally created records in their native digital format for the legally proscribed retention period of the record and adhering to the guidelines set forth in the Regulations of the Commissioner of Education Part 185.8; and

WHEREAS, Secretary McCracken understands retaining digital records requires strict adherence to LGS-01 and is not feasible in all circumstances; and

WHEREAS, prior to deeming a digital copy as the official set of records, approval must be given by the RMO; and

WHEREAS, once permission is given to deem a digital copy as the official set of records, copies of such records in other formats, including paper shall be deemed convenience copies and disposed of when no longer needed for reference or other administrative purposes;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority shall maintain digitally created records in their native digital format, upon approval of the RMO, for the legally proscribed retention period of the record; and be it further

RESOLVED: That the Authority adhere to the guidelines set forth in the Regulations of the Commissioner of Education Part 185.8.

ITEM 17 - AUTHORIZATION FOR JEROME D. SCHAD, CHAIR, TO ATTEND THE NYSAWWA LEGISLATIVE DAY IN ALBANY, NY AND 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 Jerome D. Schad, Chair to attend the NYSAWWA Legislative Day in Albany, NY and the AWWA National Water Policy Fly-In in Washington, D.C.; and

WHEREAS, the Authority’s Chair utilized his personal vehicle to attend the NYSAWWA Legislative Day in Albany, NY and is entitled to reimbursement as directed in Policy No. 8 Travel & Training Policy and Procedures for a total of \$420.92; and

WHEREAS, Terrence D. McCracken, Secretary to the Authority, recommends Jerome D. Schad, Chair, represent the Authority at the AWWA National Water Policy Fly-In in Washington, D.C. from April 6, 2025 through April 9, 2025 for an estimated total of \$1,016.82;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority’s Board of Commissioners approve the NYSAWWA Legislative Day travel reimbursement of Jerome D. Schad, Chair, as directed in Policy No. 8 Travel & Training Policy and Procedures, for a total of \$420.92; and be it further

RESOLVED: That the Authority’s Chair is authorized to travel to Washington, D.C to represent the Authority at the AWWA National Water Policy Fly-In from April 6, 2025 through April 9, 2025 for an estimated total of \$1,016.82.

Ayes:
Noes:

03/20/25-alh

ITEM 18 - AUTHORIZATION TO FILE THE PUBLIC AUTHORITY REPORTING INFORMATION SYSTEM (PARIS) 2024 REPORTS TO THE NEW YORK STATE AUTHORITIES BUDGET OFFICE

Motion by seconded by

WHEREAS, in accordance with the Public Authorities Law, as amended by the Public Authorities Accountability Act of 2005, and the Public Authorities Reform Act of 2009, the Erie County Water Authority (the “Authority”) is required to file an Annual Report which reflects the 2024 results of operations and other supporting information; a Procurement Report of the Authority’s activity for the year; the Authority’s audited Investment Report; and the Certified Financial Audit report; and

WHEREAS, the certification statement must be affirmatively answered confirming that the Report has been presented to and accepted by the Board of Commissioners (the “Board”) before the submission of the data; and

WHEREAS, the Governance Committee has recommended that the Board approves the filing of the Public Authority Reporting Information System (“PARIS”) 2024 Reports to the New York State Authorities Budget Office;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves the filing of the PARIS 2024 Reports to the New York State Authorities Budget Office; and be it further

RESOLVED: That the Board authorizes the Authority’s Chief Financial Officer to file the PARIS 2024 Reports described above to the New York State Authorities Budget Office and post all required documents to the Authority’s website.

Ayes:

Noes:

03/20/25-alh