

ITEM 1 - FINAL ACCEPTANCE OF PROJECT WITH GLOBAL CONTRACTING & PAINTING, INC. FOR CONTRACT NO. W-22C-1, STORAGE TANK REFURBISHING - GROUND, PROJECT NO. 201300266, CONTRACT NO. 16-09-04 - \$17,259.66

Motion by seconded by

WHEREAS, heretofore and on the 10th day of March 2016, the Erie County Water Authority ("Authority") entered into a contract with Global Contracting & Painting, Inc. for Contract No. W-22C-1, Storage Tank Refurbishing – Ground, identified as Contract No. 16-09-04; and

WHEREAS, Global Contracting & Painting, Inc. has submitted a final invoice in the amount of \$17,259.66; and

WHEREAS, Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, P.C., Consulting Engineers, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommend acceptance of said project;

NOW, THEREFORE, BE IT RESOLVED:

That the above project is hereby accepted by the Authority as of the date hereof.

Ayes:

Noes:

04/18/19-pjf

**ITEM 2 - FINAL ACCEPTANCE OF PROJECT WITH UTILITY SERVICE CO., INC.
FOR CONTRACT NO. W-22C-2, STORAGE TANK REFURBISHING -
ELEVATED, PROJECT NO. 201300266, CONTRACT NO. 16-13-05 -
\$23,400.00**

Motion by seconded by

WHEREAS, heretofore and on the 16th day of March 2016, the Erie County Water Authority ("Authority") entered into a contract with Utility Service Co., Inc. for Contract No. W-22C-2, Storage Tank Refurbishing - Elevated, identified as Contract No. 16-13-05; and

WHEREAS, Utility Service Co., Inc. has submitted a final invoice in the amount of \$23,400.00; and

WHEREAS, Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, P.C., Consulting Engineers, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommend acceptance of said project;

NOW, THEREFORE, BE IT RESOLVED:

That the above project is hereby accepted by the Authority as of the date hereof.

Ayes:

Noes:

04/18/19-pjf

ITEM 3 - FINAL ACCEPTANCE OF PROJECT WITH AMSTAR OF WESTERN NEW YORK, INC. FOR CONTRACT NO. W-23, STORAGE TANK REFURBISHING, PROJECT NO. 201500177, CONTRACT NO. 16-19-08 - \$56,308.46

Motion by seconded by

WHEREAS, Heretofore and on the 8th day of August 2016, the Erie County Water Authority ("Authority") entered into a contract with Amstar of Western New York, Inc. for Contract No. W-23, Storage Tank Refurbishing, identified as Contract No. 16-19-08; and

WHEREAS, Amstar of Western New York, Inc. has submitted a final invoice in the amount of \$56,308.46; and

WHEREAS, Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, P.C., Consulting Engineers, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommend acceptance of said project;

NOW, THEREFORE, BE IT RESOLVED:

That the above project is hereby accepted by the Authority as of the date hereof.

Ayes:

Noes:

04/18/19-pjf

ITEM 4 - FINAL ACCEPTANCE OF PROJECT WITH H & K SERVICES FOR CONTRACT NO. OBG-12A STURGEON POINT AND VAN DE WATER IMPROVEMENTS PROJECT, PROJECT NO. 201500169, CONTRACT NO. 17-01-01 – \$20,000.00

Motion by seconded by

WHEREAS, heretofore and on the 16th day of December 2016, the Erie County Water Authority ("Authority") entered into a contract with H & K Services for Contract No. OBG-12A Sturgeon Point and Van de Water Improvements Project, identified as Contract No. 17-01-01; and

WHEREAS, H & K Services| has submitted a final invoice in the amount of \$20,000.00; and

WHEREAS, O'Brien & Gere Engineers, Consulting Engineers, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommend acceptance of said project;

NOW, THEREFORE, BE IT RESOLVED:

That the above project is hereby accepted by the Authority as of the date hereof.

Ayes:

Noes:

04/18/19-pjf

ITEM 5 - AUTHORIZATION TO ENTER INTO A CONSENT WITH UPSTATE CELLULAR NETWORK D/B/A VERIZON WIRELESS TO ALLOW CELLULAR EQUIPMENT MODIFICATION ON THE ERIE COUNTY WATER AUTHORITY'S PLEASANT VIEW TANK

Motion by _____ seconded by _____

WHEREAS, the Erie County Water Authority (Authority) entered into a Lease Agreement (Agreement) with Upstate Cellular Network d/b/a Verizon Wireless (Verizon) dated December 1, 1996 in which Verizon leased a certain portion of the property on the Authority's Pleasant View Tank; and

WHEREAS, pursuant to the Agreement consent is required for any alterations, additions and/or improvements to Verizon's installations; and

WHEREAS, at this time Verizon is proposing to modify its existing facility on the Pleasant View Tank; and

WHEREAS, the improvements are not expected to impact the water tank in terms of use, access or maintenance of the facility during or after construction; and

WHEREAS, Verizon has submitted a Letter of Consent relative to the above; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director has reviewed said letter and recommends that the Authority execute a Letter of Consent with Verizon allowing cellular equipment modification on the Authority's Pleasant View Tank;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority authorizes entering into a Letter of Consent with Verizon allowing cellular equipment modification on the Authority's Pleasant View Tank; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said Letter of Consent 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 Verizon.

Ayes:

Noes:

04/18/19-pjf

ITEM 6 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR UTILITY AND TELECOMMUNICATION AUDIT/CONSULTING SERVICES, PROJECT NO. 201900059

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 Utility and Telecommunication Audit/Consulting 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 Utility and Telecommunication Audit/Consulting 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, Richard Planavsky, Chief Business Office Manager, will be the designated contact person for the RFP with the adoption of this resolution; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director, 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 Utility and Telecommunication Audit/Consulting Services.

Ayes:

Noes:

04/18/19-pjf

ITEM 7 - AUTHORIZATION TO ACCEPT PROPOSAL OF WATERFORD PINES COMMUNITY, LLC AND RUSSO DEVELOPMENT, INC. FOR THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 100 LINEAR FEET OF EIGHT (8") INCH DIP, 1,992 LINEAR FEET OF EIGHT (8") INCH PVC WATERMAIN, THREE (3) HYDRANTS AND APPURTENANCES IN WATERFORD PINES PHASE 2, TOWN OF HAMBURG, NEW YORK, PROJECT NO. 200400497, EC NO. 7020

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 and Russo Development, Inc. for the construction and installation of approximately 100 linear feet of eight (8") inch DIP, 1,992 linear feet of eight (8") inch PVC watermain, three (3) hydrants and appurtenances in Waterford Pines Phase 2, Town of Hamburg, New York; and

WHEREAS, this Agreement supersedes the agreement approved by the Authority's Board of Commissioners on February 21, 2019; 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 No. 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 and Russo Development, Inc. for the construction and installation of approximately 100 linear feet of eight (8") inch DIP, 1,992 linear feet of eight (8") inch PVC watermain, three (3) hydrants and appurtenances 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 and Russo Development, Inc. covering the abovementioned subdivision.

Ayes:

Noes:

ITEM 8 - AUTHORIZATION TO ACCEPT PROPOSAL OF THE MARRANO/MARC EQUITY CORPORATION AND CIMATO BROS. CONSTRUCTION, INC. FOR THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 681 LINEAR FEET OF EIGHT (8") INCH PVC WATERMAIN, ONE (1) HYDRANT AND APPURTENANCES IN DEER SPRINGS SUBDIVISION PART 4, PHASE 2E, TOWN OF HAMBURG, NEW YORK, PROJECT NO. 201600287, EC NO. 6933

Motion by seconded by

WHEREAS, the Erie County Water Authority ("Authority") desires to enter into a Main Extension Agreement (Builder-Contractor-Developer) with The Marrano/Marc Equity Corporation and Cimato Bros. Construction, Inc. for the construction and installation of approximately 681 linear feet of eight (8") inch PVC watermain, one (1) hydrant and appurtenances in Deer Springs Subdivision, Part 4, Phase 2E, 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 No. EC-6933, 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 The Marrano/Marc Equity Corporation and Cimato Bros. Construction, Inc. for the construction and installation of approximately 681 linear feet of eight (8") inch PVC watermain, one (1) hydrant and appurtenances in Deer Springs Subdivision, Part 4, Phase 2E, 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 The Marrano/Marc Equity Corporation and Cimato Bros. Construction, Inc.

Ayes:

Noes:

04/18/19-pjf

ITEM 9 - 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. 5EST.01, PROJECT NO. 201800260

Motion by seconded by

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of ADA Compliance and Pedestrian Signal Updates on Various Routes of Erie & Niagara Counties, identified as PIN 5EST.01; 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 (Authority) 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 the Authority 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 Authority Chairman 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 the Authority; and

BE IT FURTHER RESOLVED:

That the Secretary of Authority is hereby directed to transmit four (4) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

ITEM 10 - AWARD OF CONTRACT TO MODERN DISPOSAL SERVICES, INC. FOR FURNISHING NECESSARY LABOR AND MATERIALS FOR THE PICKUP, HAULING, AND DISPOSAL OF ALUMINUM-BASED RESIDUALS, ZEBRA MUSSELS, AND OTHER DEBRIS AND WASTE LOCATED AT DIFFERENT PROPERTIES BELONGING TO THE ERIE COUNTY WATER AUTHORITY FOR TWO YEARS FROM MAY 1, 2019 THROUGH APRIL 30, 2021 PROJECT NO. 201900012 - \$198,155.64

Motion by seconded by

WHEREAS, the Erie County Water Authority (Authority) heretofore advertised in the Dodge Reports and the NYS Contract Reporter on the 15th day of February 2019, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for Furnishing Necessary Labor and Materials for the Pickup, Hauling, and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste Located at Different Properties Belonging to the Erie County Water Authority for Two Years from May 1, 2019 through April 30, 2021; and

WHEREAS, a sealed bid or proposal was opened in the office of the Authority on the 12th day of March 2019, at 11:00 a.m., local time, and was as follows:

BIDDER	AMOUNT
Modern Disposal Services, Inc.*	\$198,155.64

*Only bid received; and

WHEREAS, the bid bond has been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Lavonya Lester, Director of Equal Employment Opportunity, has advised that the low bidder, Modern Disposal Services, Inc. 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 David Patton, Sr. Production Engineer have reviewed the specification and bid and determined that Modern Disposal Services, 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;

NOW, THEREFORE, BE IT RESOLVED:

That it is hereby determined that that Modern Disposal Services, Inc. is a responsible bidder for the abovementioned project, and that the Chairman is hereby authorized and directed to execute a contract with said contractor for the Pickup, Hauling, and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste Located at Different Properties Belonging to the Erie County Water Authority for Two Years from May 1, 2019 through April 30, 2021 as a unit price contract for the estimated total amount of \$198,155.64; 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 Director of Administration is hereby authorized and directed to create a Master Purchase Order for the abovementioned contract.

Ayes:

Noes

04/18/19-pjf

ITEM 11 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERING OF TEN (10) BOOSTER PUMPS AND MOTORS FOR ERIE COUNTY PUMP STATIONS, PROJECT NO. 201900023

Motion by seconded by

WHEREAS, Russell J. Stoll, Executive Engineer and David Patton, Sr. Production Engineer recommend that the Erie County Water Authority ("Authority") publish a notice inviting sealed bids or proposals pursuant to Section 1069 of the Public Authorities Law for the furnishing and delivering of ten (10) Booster Pumps and Motors for Authority Pump Stations; and

WHEREAS, the work, labor and services for the abovementioned project is estimated to cost an amount in excess of \$10,000.00; and

WHEREAS, The Advertisement for Bids for the furnishing and delivering of ten (10) Booster Pumps and Motors for Erie County Pump Stations will be conducted pursuant to the enacted legislation, New York State Finance Law Sections 139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, David Patton, Sr. Production Engineer will be the designated contact person for the project with the adoption of this resolution;

NOW, THEREFORE, BE IT RESOLVED:

That the plans and specifications and form of bid be prepared for the furnishing and delivering of ten (10) Booster Pumps and Motors for Authority Pump Stations 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 or proposals pursuant to Section 1069 of the Public Authorities Law for the abovementioned project.

Ayes:

Noes:

04/18/19-pjf

ITEM 12 - APPROVAL OF AMENDMENT NO. 2 OF NUSSBAUMER & CLARKE, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF A NEW ELECTRICAL SUBSTATION FOR BALL PUMP STATION, IDENTIFIED AS CONTRACT NO. NC-35, PROJECT NO. 201600238 - \$68,000.00

Motion by seconded by

WHEREAS, heretofore and on the 22nd day of September 2016, the Erie County Water Authority ("Authority") entered into an agreement with Nussbaumer & Clarke, Inc. to provide consulting engineer services for the design and construction of a new Ball Pump Station Electrical Substation, identified as Contract No. NC-35; and

WHEREAS, said consultant has submitted Amendment No. 2 in the sum of \$68,000.00 to provide for the following changes:

1. Additional effort before award of contract, change order to extend completion date, additional meetings with National Grid and redesigning the existing DC power control system increased Consultant's General Services cost.

2. Under the Special Services section of the contract, a full Environmental Assessment Form was required for the project. A Short Form Environmental Assessment was assumed per the RFP; and

WHEREAS, the reasons for the above changes are as follows:

1. Various unanticipated delays

2. The project is an "Unlisted" action and required a full EAF, Lead Agency designation, Negative Declaration, and publication in the NYS Environmental Notice Bulletin. The disturbed area exceeds one acre which requires a SWPPP report and Notice of Intent to comply with NYSDEC Environmental regulations; and

WHEREAS, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommend approval of said Amendment No. 2;

NOW, THEREFORE, BE IT RESOLVED:

That Amendment No. 2 of Nussbaumer & Clarke, Inc. in the amount of \$68,000.00 to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said Amendment No. 2 on behalf of the Authority.

Ayes:

Noes:

04/18/19-pjf

ITEM 13 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUEST - \$4,244.12

Motion by seconded by

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

- | | |
|---|--|
| 1) Hamburg Lodging, Inc.
5440 Camp Road
Hamburg, NY 14075
\$2,119.42 | 3) Alyssa Chayban
76 George Urban Blvd.
Cheektowaga, NY 14225
\$569.46; and |
| 2) RT2 Holding LLC Home Park
1883 Electric Ave.
Lackawanna, NY 14218 | |

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director advised that the requests contain documentation showing that the leaks have been repaired; and

WHEREAS, said leak allowance requests have 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 requests;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority grant the leak allowance requests to the abovementioned customers; and be it further

RESOLVED: That the Comptroller is hereby authorized and directed to adjust the account of the abovementioned customers.

Ayes:
Noes:

ITEM 14 - AUTHORIZATION FOR LAVONYA LESTER, DIRECTOR OF ADMINISTRATION AND LORI MOLINA, ACCOUNT CLERK TYPIST TO ATTEND THE NEW YORK STATE ASSOCIATION OF MUNICIPAL PURCHASING OFFICIALS (SAMPO) CONFERENCE IN ALBANY, NEW YORK

Motion by seconded by

WHEREAS, The Erie County Water Authority deems it advisable for Lavonya Lester, Director of Administration and Lori Molina, Account Clerk Typist to attend the SAMPO Conference in Albany, NY at a total estimated cost of \$1,200.00;

NOW, THEREFORE, BE IT RESOLVED:

That Lavonya Lester, Director of Administration and Lori Molina, Account Clerk Typist are hereby authorized to travel to Albany, NY from April 29, 2019 to May 1, 2019 to attend the SAMPO Conference at a total estimated cost of \$1,200.00.

Ayes:

Noes:

04/18/19-pjf

ITEM 15 - CREATION OF ONE POSITION OF SR. PRODUCTION ENGINEER

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;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create the position of Sr. Production Engineer, Salary Grade 30E of the Authority’s Career and Salary Plan, subject to the review and approval of the Erie County Personnel Officer effective April 18, 2019.

Ayes:

Noes:

04/18/19-pjf

ITEM 16 - CREATION OF ONE POSITION OF SCADA ENGINEER

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;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create the position of SCADA Engineer, Salary Grade 30E of the Authority’s Career and Salary Plan, subject to the review and approval of the Erie County Personnel Officer effective April 18, 2019.

Ayes:

Noes:

04/18/19-pjf

ITEM 17 - CREATION OF ONE POSITION OF STORES CLERK (55A)

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;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create the position of Stores Clerk (55A), Salary Grade 6 of the Authority’s Career and Salary Plan, subject to the review and approval of the Erie County Personnel Officer effective April 18, 2019.

Ayes:

Noes:

04/18/19-pjf

**ITEM 18 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2019**

Motion by seconded by

WHEREAS, in a resolution dated November 1, 2018, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2019; 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 Patton, Sr. Production Engineer, that funding is needed to pay for an Air Compressor initially budgeted and expected to be delivered in 2018; and

WHEREAS, due to the contract being awarded late, the purchase and delivery of the compressor could not be completed in 2018; and

WHEREAS, in order to provide funding for this, 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	101361	Air Compressor	\$ <u>18,900</u>	
1015	101244	Sludge Plant Study		\$ <u>18,900</u>
		Totals	\$ 18,900	\$ 18,900

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual Capital Budget for the fiscal year 2019 be amended as listed above.

Ayes:

Noes:

04/18/19-SVD:pjf

ITEM 19 - APPOINTMENT OF AD HOC MEMBERS TO THE ERIE COUNTY WATER AUTHORITY, INDEPENDENT ETHICS PANEL

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) expects its Commissioners, officers, ad hoc members, and employees to observe high ethical standards of conduct in the performance of their duties, in compliance with all laws and regulations governing the Authority’s operation; and

WHEREAS, the Authority has recently adopted a new Code of Ethics and Conflict of Interest Policy, along with a newly-revised in-house Financial Disclosure Statement for calendar year 2018; and

WHEREAS, pursuant to Article V of the Code of Ethics and Conflict of Interest Policy, the Board of Commissioners shall designate ad hoc members to an Independent Ethics Panel, who collectively serve as the Authority’s Ethics Officers, and whose duties are set forth in Section 2, subdivision (c) of Article V; and

WHEREAS, each Commissioner has nominated an individual to serve on the Independent Ethics Panel, who has agreed to serve if nominated and appointed;

NOW BE IT RESOLVED:

The Board hereby appointments Maureen Krause of Angola, New York, J. Matthew Plunkett of Amherst, New York and Paul W. Wolf of Getzville, New York as ad hoc members to the Authority’s Independent Ethics Panel; and

BE IT FURTHER RESOLVED:

These ad hoc members will serve without compensation, but will be reimbursed for all incidental expenses, including but not limited to expenses relating to parking;

BE IT FURTHER RESOLVED:

The Board directs a certified copy of this resolution be given to each ad hoc member and filed in the Erie County Clerk’s office; and

BE IT FURTHER RESOLVED:

The Secretary of the Authority is directed to have each ad hoc member complete an oath of office card to be filed in the Erie County Clerk's office pursuant to Public Officers Law § 10.

Ayes:

Noes:

4/18/19-MAM:pjf

**ITEM 20 - AUTHORIZATION TO PAY CITY OF TONAWANDA NOTICE OF CLAIM
RELATING TO WATERMAIN REPLACEMENT ALONG KOENIG ALLEY**

Motion by seconded by

WHEREAS, on March 23, 2017, the Board of Commissioners (the “Board”) of the Erie County Water Authority (the “Authority”) approved and executed a Cooperative Agreement between the Authority and the City of Tonawanda for the coordination and facilitation of a reconstruction project along Koenig Alley Avenue in the City of Tonawanda; and

WHEREAS, pursuant to the Cooperative Agreement, the Authority agreed to reimburse the City of Tonawanda for waterline replacement “in an amount not to exceed \$234,000”; and

WHEREAS, upon the completion of the waterline replacement, the City of Tonawanda presented the Authority with invoices totaling \$253,265.12; and

WHEREAS, the Authority has paid the City of Tonawanda \$234,000, as authorized in the Cooperative Agreement; and

WHEREAS, after consulting with Engineering and the Comptroller, the Legal Department recommends the payment of the remaining \$19,265.12 as an equitable *quantum meruit* claim,

NOW BE IT RESOLVED:

The Board hereby approves the claim in the amount of \$19,265.12; and be it further

RESOLVED: The Board hereby directs the Comptroller to issue a check made payable to the City of Tonawanda in full satisfaction of its claim.

Ayes:

Noes:

4/18/19-MAM:slz

ITEM 21 - AUTHORIZATION TO ENTER INTO A CATHODIC PROTECTION SYSTEM EASEMENT GRANT WITH ENBRIDGE ENERGY, LIMITED PARTNERSHIP

Motion by seconded by

WHEREAS, Enbridge Energy contacted the Erie County Water Authority (Authority) requesting the Authority enter into a Cathodic Protection System Easement Grant (Easement) in order to install an AC Mitigation System (Cathodic Protection System) near the Authority's 48-inch PCCP transmission main in the Town of Tonawanda, near Colvin Tank; and

WHEREAS, the purpose of the AC Mitigation System is to protect maintenance personnel from AC induced electrocution hazards as well as prevent AC induced corrosion of their 12-inch pipeline from the overhead National Grid high voltage transmission lines; and

WHEREAS, the Authority does not have the in-house expertise to assess the short- and long-term effects of the AC Mitigation System on our 48-inch PCCP transmission main; and

WHEREAS, therefore, the Authority contracted with CorrTech, an expert on corrosion control and cathodic protection systems; and

WHEREAS, the easement reflects the findings of the CorrTech investigation; and

WHEREAS, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommend entering into the Easement in order to install an AC Mitigation System (Cathodic Protection System) near the Authority's 48-inch PCCP transmission main in the Town of Tonawanda, near Colvin Tank;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority enters into the abovementioned Easement with Enbridge Energy in order to install an AC Mitigation System (Cathodic Protection System) near the Authority's 48-inch PCCP transmission main in the Town of Tonawanda, near Colvin Tank; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said Easement between the Authority and Enbridge Energy.

Ayes:

Noes:

04/18/19-pjf