

ITEM 3 - AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT WITH TIME WARNER CABLE BUSINESS CLASS IN CONNECTION WITH THE ERIE COUNTY WATER AUTHORITY'S INTERNET, ETHERNET PRIVATE LINE SERVICE AND PHONE SERVICE

Motion by _____ seconded by _____

WHEREAS, The Erie County Water Authority ("Authority") currently uses phone, Ethernet private line service and internet; and

WHEREAS, The Authority desires to exercise its right to have Time Warner Cable Business Class provide PRI (phone) service, Ethernet private line service (fiber point-to-point) and internet for the Authority off of the New York State Office of General Services State Contract; and

WHEREAS, Time Warner Cable Business Class has submitted a Service Agreement for the providing and installing of PRI (phone) service, Ethernet private line service (fiber point-to-point) and internet; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director to the Authority recommends acceptance of said agreement by the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the Service Agreement of Time Warner Cable Business Class for the providing and installing of PRI (phone) service, Ethernet private line service (fiber point-to-point) and internet service off of the New York State Office of General Services State Contract under the terms and conditions set forth in said proposal; and be it further

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

RESOLVED: That the Secretary is hereby authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to Time Warner Cable Business Class.

Ayes:

Noes:

08/02/18-pjf

**ITEM 4 - TERMINATION OF PROFESSIONAL SERVICES CONTRACT WITH
HARTER SECREST & EMERY LLP**

Motion by seconded by

WHEREAS, Pursuant to Article 5, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water Authority has the authority to contract for expert professional services; and

WHEREAS, Article III, Section 6 of the By-Laws of the Erie County Water Authority grants to the Authority the right to contract for expert professional services; and

WHEREAS, On or about September 16, 2016 the Erie County Water Authority entered into a Professional Service Contract with Harter Secrest & Emery LLP to provide lobbying and government relations services; and

WHEREAS, Pursuant to the Professional Service Contract with Harter Secrest & Emery LLP, specifically Section III, Paragraph 3 of the above-referenced Professional Services Agreement, either party reserves the right to terminate Harter Secrest & Emery LLP's services at any time, without cause, based on thirty (30) days' written notice;

NOW, THEREFORE, BE IT RESOLVED:

That the Professional Services Contract with Harter Secrest & Emery LLP to provide lobbying and government relations services is hereby terminated; and be it further

RESOLVED: The Secretary to the Authority is hereby directed to notify the Consultant of the Authority's decision to terminate said Agreement and to submit a final statement for services rendered.

Ayes:

Noes:

08/02/18-pjf

ITEM 5 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR THE DESIGN, INSTALLATION AND PROGRAMING OF AUDIO AND VIDEO EQUIPMENT FOR THE ERIE COUNTY WATER AUTHORITY’S ELLICOTT SQUARE BOARDROOM, PROJECT NO. 201800613

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 the design, installation and programming of audio and video equipment for the Erie County Water Authority’s Ellicott Square Boardroom; 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 the design, installation and programming of audio and video equipment for the Erie County Water Authority’s Ellicott Square Boardroom 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, Terrence D. McCracken, Secretary to the Authority will be the designated contact person for the RFP with the adoption of this resolution; and

WHEREAS, Terrence D. McCracken, Secretary to the Authority, 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 the design, installation and programming of audio and video equipment for the Erie County Water Authority’s Ellicott Square Boardroom.

Ayes:

Noes:

ITEM 6 - AUTHORIZATION TO NEGOTIATE PROFESSIONAL SERVICE CONTRACT FOR WEBSITE DESIGN AND DEVELOPMENT FOR THE ERIE COUNTY WATER AUTHORITY

Motion by _____ seconded by _____

WHEREAS, on the 31st day of May, 2018 the Erie County Water Authority's ("Authority") Board of Commissioners authorized the issuance of a Request for Proposal ("RFP") to qualified firms to design and develop a new website for the Erie County Water Authority; and

WHEREAS, copies of the RFP were sent to 26 vendors involved in website development; and

WHEREAS, proposals were received from the following companies: 360 PSG, Hi-Tech Services, I-Evolve Technology Services, Newbird Design, Ingenius, Inc. and Clevermind, Inc.; and

WHEREAS, Terrence D. McCracken, Secretary to the Authority, assembled a committee to review and evaluate the proposals after hearing presentations from four companies; and

WHEREAS, Secretary McCracken reports that proposals submitted by Ingenious, Inc. and I-Evolve Technology Services were ranked first and second, respectively, by the committee; and

NOW, THEREFORE, BE IT RESOLVED:

That the Authority authorizes Secretary McCracken and Margaret A. Murphy, the Authority's Attorney to negotiate a professional service contract on terms mutually acceptable to Ingenius, Inc. for the design and development of the Authority's new website; and be it further

RESOLVED: if Secretary McCracken and Attorney Murphy are unable to negotiate a professional service contract on terms mutually acceptable to Ingenius, Inc., the Authority authorizes them to negotiate a professional service contract on terms mutually acceptable to I-Evolve Technology Services; and be it further

RESOLVED: Attorney Murphy has the authorization to retain the services of an outside law firm to advise and review any provisions within the professional service contract relating to ownership and rights relating to any intellectual property associated with the new website, and be if further

RESOLVED: the Authority limits any expenditures for outside legal counsel to no more than \$2,500.00; and be if further

RESOLVED: the Authority directs that professional service contract for web design and development be submitted to the Board of Commissioners for its final review and approval.

Ayes:

Noes:

08/02/18-pjf

ITEM 7 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING, AND LANDSCAPE ARCHITECTURE, P.C. TO PROVIDE CONSULTING ENGINEERING SERVICES FOR THE ERIE COUNTY WATER AUTHORITY'S BALL NORTH STORAGE TANK REPLACEMENT, PROJECT NO. 201800139, IDENTIFIED AS CONTRACT NO. W-031

Motion by seconded by

WHEREAS, Heretofore and on the 22nd day of February, 2018, the Erie County Water Authority's ("Authority") Board of Commissioners authorized the issuance of a Request for Proposals ("RFP") to qualified firms to provide consulting services for the Erie County Water Authority's Ball North Storage Tank Replacement, Guenther Pump Station Rehabilitation, Capital Improvements Program for Ball Pump Station, Hydraulic Integrity – Reliability of Water Supply & Alternate Sources; and

WHEREAS, A copy of the RFP was sent to:

Arcadis
CHA Consulting, Inc.
Clark Patterson Lee
GHD
Greenman-Pedersen, Inc.
Nussbaumer & Clarke, Inc.
Wendel Companies
Wm. Schutt & Associates; and

WHEREAS, RFPs were received by Arcadis, CHA Consulting, Clark Patterson Lee, Nussbaumer & Clarke, Inc., O'Brien & Gere Engineers, and Wendel Companies;

WHEREAS, This project will be divided into four separate projects; 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 thorough review, the Authority's Engineering staff recommends that the project for the Erie County Water Authority's Ball North Storage Tank Replacement, identified as Contract No. W-031 be awarded to Wendel WD Architecture, Engineering, Surveying, and Landscape Architecture, P.C. ("Wendel"); and

WHEREAS, Contract W-031 will consist of the design and construction of the replacement of the Ball North Tank with a pre-stressed concrete storage tank; and

WHEREAS, Upon evaluating the response to the RFP, the Authority deems it advisable to have Wendel render professional engineering services for the design and construction of the Erie County Water Authority's Ball North Storage Tank Replacement, identified as Contract No. W-031; and

WHEREAS, Russell Stoll, Executive Engineer and Leonard Kowalski, Sr. Distribution Engineer recommend that the Authority enter into an agreement with Wendel for the abovementioned services;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Wendel to render professional engineering services for the design and construction of the Erie County Water Authority's Ball North Storage Tank Replacement, identified as Contract No. W-031, under the terms and conditions set forth in said proposal; and be it further

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

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

RESOLVED: That the Secretary is hereby authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to Wendel.

Ayes:

Noes:

08/02/18-pjf

ITEM 8 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERING OF HALOGEN ACTUATORS AND CONTROLLER UNITS FOR STURGEON POINT WATER TREATMENT PLANT AND VAN DE WATER WATER TREATMENT PLANT, PROJECT NO. 201800105

Motion by seconded by

WHEREAS, Russell J. Stoll, Executive Engineer and John Mogavero, Chemist and Chief WTPO 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 halogen actuators and controller units for Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant; and

WHEREAS, The work, labor and services for the abovementioned project is estimated to cost an amount in excess of \$5,000.00; and

WHEREAS, The Advertisement for Bids for the furnishing and delivering of halogen actuators and controller units for Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant 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, John Mogavero, Chemist and Chief WTPO 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 halogen actuators and controller units for Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant 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:

08/02/18-pjf

ITEM 9 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERING OF FILTER EXPANSION METERS FOR STURGEON POINT WATER TREATMENT PLANT AND VAN DE WATER WATER TREATMENT PLANT, PROJECT NO. 201800108

Motion by seconded by

WHEREAS, Russell J. Stoll, Executive Engineer and John Mogavero, Chemist and Chief WTPO 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 filter expansion meters for Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant; and

WHEREAS, The work, labor and services for the abovementioned project is estimated to cost an amount in excess of \$5,000.00; and

WHEREAS, The Advertisement for Bids for the furnishing and delivering of filter expansion meters for Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant 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, John Mogavero, Chemist and Chief WTPO 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 filter expansion meters for Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant 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:

**ITEM 10 - APPROVAL OF CHANGE ORDER NO. 4 OF E&R GENERAL
CONSTRUCTION, INC. FOR EXCAVATED MATERIAL REMOVAL AND
DISPOSAL, APRIL 1, 2016 THROUGH MARCH 31, 2018, PROJECT NO.
201600011, CONTRACT NO. 16-06-03 - \$98,729.82**

Motion by seconded by

WHEREAS, Heretofore and on the 17th day of March 2016, the Erie County Water Authority ("Authority") entered into a contract with E&R General Construction, Inc. for Excavated Material Removal and Disposal, April 1, 2016 through March 31, 2018, identified as Contract No. 16-06-03; and

WHEREAS, Said contractor has submitted Change Order No. 4 in the sum of \$98,729.82 to provide labor, tools, equipment and materials to perform emergency watermain repairs during the period of December 30, 2017 through January 14, 2018; and

WHEREAS, The reason for said change is because the Authority experienced an abnormally large number of watermain breaks during this period necessitating the use of numerous crews. The existing contract does not have an item to provide emergency watermain repair; and

WHEREAS, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommend approval of said Change Order No. 4;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 4 of E&R General Construction, Inc. in the amount of \$98,729.82 to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said Change Order No. 4 on behalf of the Authority.

Ayes:

Noes:

08/02/18-pjf

**ITEM 11 - APPROVAL OF CHANGE ORDER NO. 2 OF H&K SERVICES FOR
CONTRACT NO: OBG-12A STURGEON POINT AND VAN DE WATER
IMPROVEMENTS PROJECT, PROJECT NO. 201500169, CONTRACT NO.
17-01-01 - \$130,400.00**

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, Said contractor has submitted Change Order No. 2 in the sum of \$275,000.00 to provide for the changes noted on the attached Change Order; and

WHEREAS, O'Brien & Gere Engineers, Consulting Engineers, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommends approval of said Change Order No. 2;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 2 of H & K Services in the amount of \$130,400 to provide for the abovementioned change be approved; and be it further

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

Ayes:

Noes:

08/02/18-pjf

CHANGE ORDER NO. 2

**Erie County Water Authority
350 Ellicott Square Building
295 Main Street
Buffalo, New York 14203**

Contract No. Project No. 201500169 Date: July 19, 2018

Project: Contract OBG-12A
Sturgeon Point and Van de Water
Improvements Project

Contractor: H&K Services, Inc.
12025 Leon Road
Leon, NY 14751

Engineer: O'Brien and Gere Engineers, Inc.
400 Andrews Street, Harro East Building, Suite 710
Rochester, NY 14604

DESCRIPTION OF CHANGE:

1. Delete the following under Section 00500 Agreement, Article 3 – Contract Times, 3.02 Days to Achieve Substantial Completion and Final Payment:
 - “A. The Work shall be substantially completed by February 23, 2018 as provided in Paragraph 2.03 of the General Conditions, and completed and ready for final payment by April 20, 2018, in accordance with paragraph 14.07 of the General Conditions.

2. Insert the following under Section 00500 Agreement, Article 3 – Contract Times, 3.02 Days to Achieve Substantial Completion and Final Payment:
 - “A. The Work shall be substantially completed by June 1, 2018 as provided in Paragraph 2.03 of the General Conditions, and completed and ready for final payment by August 31, 2018, in accordance with paragraph 14.07 of the General Conditions.

3. Delete the following under Section 01 21 00, Allowances, Article 3.1.

3.1 SCHEDULE OF ALLOWANCES

Contract Bid /Payment Item No.	Allowance Name	Include Contingency Allowance Amount Of
Item 8	Contingency Allowance – Miscellaneous Improvements Allowance	\$600,000

Item 9	Cash Allowance – Security Allowance	\$0
Item 11	Cash Allowance – Control System Integration Allowance	\$125,000
Item 12	Cash Allowance – Potassium Permanganate Pump Allowance	\$30,000

4. Insert the following under Section 01 21 00, Allowances, Article 3.1.

3.1 SCHEDULE OF ALLOWANCES

Contract Bid /Payment Item No.	Allowance Name	Include Contingency Allowance Amount Of
Item 8	Contingency Allowance – Miscellaneous Improvements Allowance	\$691,194.80*
Item 9	Cash Allowance – Security Allowance	\$0
Item 11	Cash Allowance – Control System Integration Allowance	\$176,844.80
Item 12	Cash Allowance – Potassium Permanganate Pump Allowance	\$17,360.40

* See attached Modification Log for Work performed under this Item.

REASON FOR CHANGE:

1. The existing Substantial Completion and Final Completion dates are being deleted as new dates are being established.
2. New Substantial Completion and Final Completion dates are being established for the Contract. The completion schedule was delayed due to multiple construction modifications that were implemented as part of this project under Bid Item 8, Miscellaneous Improvement Allowance, and Bid Item 11, Control System Integration Allowance. Numerous shutdowns were also delayed due to repair work being performed on the 42-inch transmission main near the High Service Pumping Station.
3. The existing Miscellaneous Improvements Allowance and Control System Integration Allowance are being changed to provide additional funding for construction modifications.
4. During construction, several modifications to the original scope of work were included in the Contract to address areas of concern identified by the Owner. These

modifications included reliability improvements to the caustic system and plant water system at the Sturgeon Point WTP along with overall facility improvements that were not included in the original scope of work, as Bid.

CHANGE IN CONTRACT PRICE:

1. Not Applicable
2. Not Applicable
3. Not Applicable
4. Allowance Increase: \$130,400.00

CHANGE IN CONTRACT TIME:

1. Not Applicable
2. Addition of 97 days to the Substantial Completion Date and an addition of 133 days to the Final Completion Date of the Project.
3. Not Applicable
4. Not Applicable

APPROVALS - CHANGE ORDER NO. 2

Erie County Water Authority: _____ Date: _____
Chairman

Contractor: _____ Date: _____
H&K Services, Inc.

Engineer: _____ Date: _____
O'Brien and Gere Engineers, Inc.

SUMMARY

CHANGE IN CONTRACT PRICE:

Original Contract Price:
\$ 2,957,800.00

**Net Increase of this
Change Order:**
\$130,400.00

Contract Price with All Approved Change Orders:
\$ 3,363,200.00

CHANGE IN CONTRACT TIME:

Original Contract Time:
Notice to Proceed: Jan. 12, 2017
Substantial Completion: Oct. 19, 2017
Final Completion: Nov. 16, 2017

Net Increase of this Change Order:
Substantial Completion: 97 days
Final Completion: 133 days

Contract Times with all Approved Change Orders:
Substantial Completion: June 1, 2018
Final Completion: August 31, 2018

ITEM 12 - APPROVAL OF CHANGE ORDER NO. 3 OF AMSTAR OF WESTERN NEW YORK, INC. FOR CONTRACT NO. W-23, STORAGE TANK REFURBISHING, PROJECT NO. 201500177, CONTRACT NO. 16-19-08 - \$39,169.25

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, Said contractor has submitted Change Order No. 3 to provide for the following changes:

1. Amstar performed additional work within the Pleasant View valve vault pertaining to the electrical system (conduit, wire, light fixtures, etc.) associated with the power panel and valve vault. This work is in addition to the work included within Change Order No. 2.
2. Amstar performed additional work associated with the Van de Water Sludge Tank to repair coating damaged by the installation of a tank jet mixing system.
3. A 362-day time extension to the Pleasant View Tank Milestone date and Substantial Completion date.
4. A 331-day time extension for Final Completion; and

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

1. After further discussion with ECWA during rehabilitation of the Pleasant View Tank valve vault, it was agreed to have Amstar perform additional electrical work related to the electrical system. The work included more robust electrical conduit and wire, additional conduit and wire within the vault, and a new light fixture.
2. A new jet mixer system was installed in the Van de Water Sludge Tank by ECWA as part of a separate Contract, to replace the existing non-functioning propeller mixer. The mixing system is required to keep particulate in suspension with the tank.
3. A 362-day time extension is proposed under this change order to allow the contractor to perform the additional work associated with the Pleasant View Tank valve vault.
4. A 331-day time extension is proposed under this change order to allow the contractor to perform site restoration at the Pleasant View Tank site in the spring of 2018; and

WHEREAS, Wendel Engineers, Consulting Engineers, Leonard Kowalski, Sr. Distribution Engineer and Russell J. Stoll, Executive Engineer recommends approval of said Change Order No. 3;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 3 of Amstar of Western New York, Inc. to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said Change Order No. 3 on behalf of the Authority.

Ayes:

Noes:

08/02/18-pjf

**ITEM 13 - APPROVAL OF CHANGE ORDER NO. 9 OF KANDEY COMPANY, INC.
FOR EMERGENCY WATERMAIN REPAIR CONTRACT, AUGUST 1, 2015
THROUGH JULY 31, 2017, PROJECT NO. 201500031, CONTRACT NO. 15-
11-07 - \$28,889.03**

Motion by _____ seconded by _____

WHEREAS, Heretofore and on the 22nd day of July, 2015, the Erie County Water Authority ("Authority") entered into a contract with Kandey Company, Inc. for Emergency Watermain Repair Contract, August 1, 2015 through July 31, 2017, identified as Contract No. 15-11-07; and

WHEREAS, Said contractor has submitted Change Order No. 9 to provide for the following change:

1. Lump sum extra to pay for labor and materials associated with the replacement of multiple sections of 42" transmission main at the Sturgeon Point Water Treatment Plant. The work period covered is from March 18, 2018 through April 14, 2018; and

WHEREAS, The reason for the above change is because the existing contract does not contain items for the type of work that is being performed; and

WHEREAS, Russell J. Stoll, Executive Engineer and Leonard F. Kowalski, Sr. Distribution Engineer recommend approval of said Change Order No. 9;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 9 of Kandey Company, Inc. to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Chairman is hereby authorized to execute said Change Order No. 9 on behalf of the Authority.

Ayes:

Noes:

08/02/18-pjf

**ITEM 14 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS -
\$24,816.06**

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) Windwood Place LLC
2 Nugget Drive
Cheektowaga, NY 14225
\$5,645.28 | 3) Benderson Development
3035 Union Road
Orchard Park, NY 14127
\$18,098.74; and |
| 2) Infant of Prague Church
921 Cleveland Drive
Cheektowaga, NY 14225
\$1,072.04 | |

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 15 - AUTHORIZATION TO CHANGE THE HOURLY RATE OF PAY FOR THE TITLE OF CLERK (19 HRS.)

Motion by _____ seconded by _____

WHEREAS, The Erie County Water Authority (Authority) currently appoints individuals to the position of Clerk (19 hrs.) to work throughout the year; and

WHEREAS, The current hourly rate for this position is \$12.50 and is not entitled to any health benefits; and

WHEREAS, The Authority desires to bring the rate in line with other comparable positions;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority changes the current hourly rate for the title of Clerk (19 hrs.) to \$21.35 to better reflect the skills and duties necessary of the position.

Ayes:

Noes:

08/02/18-pjf

ITEM 16 - DAVID MINEO - APPOINTMENT AS ASSOCIATE ATTORNEY (PART-TIME)

Motion by seconded by

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water Authority has the authority to appoint an attorney and an engineer and such additional officers and employees as it may require for the performance of its duties, fix and determine their qualification, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York and such rules as the personnel officer of the County of Erie may adopt and make applicable to such authority; and

WHEREAS, Article V, Section 6 of the By-Laws of the Erie County Water Authority grants to the Authority the right to name and appoint from time to time an attorney or engineer and employees as it may require for the performance of its duties, fix their qualification, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York;

NOW, THEREFORE BE IT RESOLVED:

That David Mineo, be appointed to the position of Associate Attorney (Part-Time); said appointment being subject to the approval of the Erie County Personnel Officer, and to be compensated at a rate of \$100.00 per hour, not to exceed nineteen hours (19) per biweekly pay period and not to exceed the annual budgetary appropriation, effective August 2, 2018.

Ayes:

Noes:

08/02/18-pjf

ITEM 18 - ELECTION OF TREASURER

Motion by _____ seconded by _____

WHEREAS, The Erie County Water Authority (“Authority”) accepted the resignation of Karl J. Simmeth as Treasurer of the Authority effective midnight May 17, 2018; and

WHEREAS, On the 26th day of July, 2018 the Erie County Legislature duly appointed E. Thomas Jones as a Member of the Authority to serve for the balance of a three year term expiring April 27, 2020; and

WHEREAS, It is desired to elect a Treasurer to fill the vacancy created by Karl J. Simmeth; and

Nominations are opened for the office of Treasurer;

Motion by _____ seconded by _____ and carried to nominate Mr. Jones as Treasurer of the Authority to serve until the next annual meeting of the Authority.

Mr. _____ moves the nominations be closed, seconded by _____ and carried.

On Roll Call the following votes were cast:

Ayes:

Noes:

08/02/18-pjf