

**ITEM 4 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR GOVERNMENT RELATIONS AND LOBBYING SERVICES, PROJECT NO. 201800178**

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 Government Relations and Lobbying 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 Government Relations and Lobbying 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**, 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 Government Relations and Lobbying Services.

Ayes:

Noes:

08/16/18-pjf

**ITEM 5 - AUTHORIZATION TO EXECUTE SETTLEMENT AGREEMENT WITH ZEPPELIN COMMUNICATIONS, LLC dba ZEPPCOM**

Motion by                      seconded by

**WHEREAS**, On or about August 14, 2015 the Erie County Water Authority (“Authority”) entered into a Professional Services Contract (“Contract”) with Zeppelin Communications, LLC dba ZeppCom (“ZeppCom”) to provide public relations services; and

**WHEREAS**, The Authority and ZeppCom have since mutually agreed to terminate the Contract and now desire to enter into a Settlement Agreement for the purposes of resolving any remaining conflicts among the parties; and

**WHEREAS**, Terrence D. McCracken, Secretary to the Authority and Margaret A. Murphy, Attorney recommend that the Board approve the Settlement Agreement;

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority accepts the Settlement Agreement with ZeppCom for the purposes of resolving any remaining conflicts among the parties; and be it further

**RESOLVED:** That the Chairman is hereby authorized to execute said Settlement 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 the ZeppCom.

Ayes:

Noes:

08/16/18-pjf

**ITEM 6 - AUTHORIZATION TO ACCEPT THE PROPOSAL OF E3  
COMMUNICATIONS TO PROVIDE PUBLIC RELATIONS SERVICES**

Motion by                      seconded by

**WHEREAS**, Heretofore and on the 17<sup>th</sup> day of May, 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 Public Relations Services; and

**WHEREAS**, A copy of the RFP was sent to:

19 Ideas  
Carolyn Human Communications LLC  
E3 Communications  
Farrow PR  
KC Public Relations  
Kirkpatrick Communications  
Momentum Public Affairs, LLC  
Pantano & Associates  
Tracy Diina Communications  
Crowley Webb & Associates  
Eric Mower & Associates  
Roy Gene Cassidy; and

**WHEREAS**, Respondents to the RFP were E3 Communications, Mower (Eric Mower & Associates) and Roy Gene Cassidy; 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**, Upon evaluating the response to the RFP, the Authority deems it advisable to have E3 Communications provide Public Relations Services; and

**WHEREAS**, Terrence D. McCracken, Secretary to the Authority recommends that the Authority accept the proposal of E3 Communications to provide Public Relations Services; and

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority accepts the proposal of E3 Communications to provide Public Relations Services; and

**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 all and any agreements necessary on behalf of the Authority; and be it further

**RESOLVED:** That the Secretary be and he hereby is authorized to forward a certified copy of this resolution to E3 Communications.

Ayes:

Noes:

08/16/18-pjf

**ITEM 7 - AUTHORIZATION TO REFUND SERVICE CONNECTION FEE TO  
KELLY SCHULTZ ANTIQUES - \$2,400.00**

Motion by                      seconded by

**WHEREAS**, On the 2<sup>nd</sup> day of June, 2015, Kelly Schultz Antiques applied for a two-inch service to 10976 Stage Road, Town of Clarence, New York and deposited with the Erie County Water Authority ("Authority") the sum of \$2,400.00; and

**WHEREAS**, Donna Spencer, Customer Service Representative, has advised that the contracts for this project were never received, and the backflow approval has expired therefore this project is now deemed inactive; and

**WHEREAS**, Karen A. Prendergast, Comptroller, recommends that the Authority refund the \$2,400.00 deposit of Kelly Schultz Antiques; and

**NOW, THEREFORE, BE IT RESOLVED:**

That the Comptroller is hereby authorized and directed to refund \$2,400.00 to Kelly Schultz Antiques.

Ayes:

Noes:

08/16/18-pjf

**ITEM 8 - AUTHORIZATION TO REFUND FEE TO 5181 TRANSIT ADL LLC -  
\$56,500.00**

Motion by                      seconded by

**WHEREAS**, On the 22<sup>nd</sup> day of May, 2017, 5181 Transit ADL LLC applied for a six-inch service to 5175 Transit Road, Town of Clarence, New York at the cost of \$11,600.00; and

**WHEREAS**, 5181 Transit ADL LLC also deposited the sum of \$56,500.00 for the lowering of the existing Transit Road watermains at two separate mains locations; and

**WHEREAS**, After review by Erie County Water Authority staff, it was determined that the lowering of the watermains was not necessary, and that portion of the work was not performed; and

**WHEREAS**, Karen A. Prendergast, Comptroller, recommends that the Authority refund 5181 Transit ADL LLC the amount of \$56,500.00 representing the cost of lowering the existing Transit Road watermains at two separate mains locations; and

**NOW, THEREFORE, BE IT RESOLVED:**

That the Comptroller is hereby authorized and directed to refund \$56,500.00 to 5181 Transit ADL LLC.

Ayes:

Noes:

08/16/18-pjf

**ITEM 9 - AUTHORIZATION TO GRANT A ONE-TIME COURTESY REVERSAL OF DELINQUENT CHARGES FOR FRANK KRUSZKA - \$689.84**

Motion by                      seconded by

**WHEREAS**, Heretofore and on the 6th day of May, 2004 the Erie County Water Authority ("Authority") adopted a One-Time Courtesy Delinquent Charge Reversal Policy; and

**WHEREAS**, Said Policy states that if the Authority receives a request to waive a late fee over \$500, the request must be approved by the Board of Commissioners of the Authority; and

**WHEREAS**, Karen A. Prendergast, Comptroller, advised the Authority that she has received a request to waive the delinquent charges for Frank Kruszka; and

**WHEREAS**, Karen A. Prendergast, Comptroller advised that this customer has never received a waiver of late fees in the past; and

**WHEREAS**, Said request has complied with all one-time courtesy delinquent charge reversal requirements; and

**WHEREAS**, Karen A. Prendergast, Comptroller, recommends granting the above request; and

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director, concurs with said recommendation;

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority grant the one-time courtesy delinquent charge reversal request to the abovementioned customer; and be it further

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

Ayes:

Noes:

08/16/18-pjf

**ITEM 10 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER  
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2018**

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_

**WHEREAS,** In a resolution dated November 13, 2017, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2018; and

**WHEREAS,** From time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances, the Authority finds it proper to amend its Budget to reflect such changes; and

**WHEREAS,** The Authority has been advised by Stanley Jemiolo, Administrative Assistant, that replacement of the roof at the Service Center has become a priority; and

**WHEREAS,** There was no funding for this item in the adopted 2018 Capital Budget; and

**WHEREAS,** In order to provide funding for the Roof Replacement, funds that are not anticipated to be used within the Capital Budget will be re-allocated as follows:

| <u>Unit No</u> | <u>Capital No:</u> | <u>Description</u>                 | <u>Increase</u>   | <u>Decrease</u>   |
|----------------|--------------------|------------------------------------|-------------------|-------------------|
| 3070           | 101243             | Service Center Roof<br>Replacement | <u>\$ 650,000</u> |                   |
| 3070           | 101335             | Warehouse Conversion               |                   | <u>\$ 650,000</u> |
|                |                    | Totals                             | \$ 650,000        | \$ 650,000        |

**NOW, THEREFORE, BE IT RESOLVED:**

That the Authority's Annual Capital Budget for the fiscal year 2018 be amended as listed above.

Ayes:

Noes:

08/16/18-SVD:pjf



**ITEM 11 - AUTHORIZATION TO AMEND PREVIOUSLY ADOPTED MINUTES OF THE MEETINGS OF THE ERIE COUNTY WATER AUTHORITY**

Motion by                      seconded by

**WHEREAS**, As a normal Order of Business the Erie County Water Authority's (Authority) Board of Commissioners (Board) approve Minutes of previous meetings for Regular Board meetings and all Committee meetings; and

**WHEREAS**, In order to conform with guidelines set with the Authorities Budget Office, Terrence D. McCracken, Secretary to the Authority deems it necessary to amend the Authority's Minutes of the Meetings reflecting the dates listed below:

Regular Board Meeting: 5/3/18, 5/17/18, 5/31/18, 6/14/18, 6/28/18, 7/19/18  
Governance Committee: 5/3/18, 5/17/18, 5/23/18, 5/31/18, 6/14/18, 6/20/18, 7/19/18  
Finance Committee: 5/17/18  
Ethics Board: 5/3/18; and

**WHEREAS**, Terrence D. McCracken, Secretary to the Authority brought this matter to the Board of Commissioners as a staff report at the Board meeting held on August 2, 2018 apprising them of the new procedure for recording minutes for reasons stated above; and

**WHEREAS**, The proposed amended minutes have been reviewed by the Board;

**NOW, THEREFORE BE IT RESOLVED:**

The Authority amends the Minutes of the Meetings set forth above in order to conform with guidelines set with the Authorities Budget Office; and be it further

**RESOLVED:** That the Secretary to the Authority is hereby directed to files these amended Minutes in the Authority's official minute books; and be it further

**RESOLVED:** That the Secretary to the Authority is hereby directed to replace the Minutes currently on the Authority's website with the amended Minutes.

Ayes:

Noes:

08/16/18-pjf