

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Building, Buffalo, New York, on the 19th day of April, 2007.

PRESENT: **Frank E. Swiatek, Chairman**
Robert J. Lichtenthal, Jr., Vice Chairman
Francis G. Warthling, Treasurer
Robert A. Mendez, Executive Director
Matthew J. Baudo, Secretary to the Authority
Edward J. Kasprzak, Deputy Director
Wesley C. Dust, Executive Engineer
Mark J. Fuzak, Attorney
Ronald P. Bennett, Associate Attorney
Emilio L. Colaiacovo, Associate Attorney
Paul H. Riester, Director of Administration
Karla L. Thomas, Director of Human Resources
Daniel J. NeMoyer, Public Affairs Officer
Albert J. Meaney, Comptroller
Karen A. Prendergast, Manager of Accounting Services
Susan L. Rinaldo, Cash Manager

ATTENDEES: **Joseph Matteliano**
Thomas Malecki
Luke Malecki

CALL TO ORDER

PLEDGE TO THE FLAG

I. - ROLL CALL

II. - READING OF MINUTES

Motion by Mr. Lichtenthal seconded by Mr. Warthling and carried to waive the reading of the Minutes of the Meeting held on Monday, April 2, 2007.

III. - APPROVAL OF MINUTES

Motion by Mr. Lichtenthal seconded by Mr. Warthling and carried to approve the Minutes of the Meeting held on Monday, April 2, 2007.

IV. - REPORTS (See "Report" Minutes for Details)

- A) SECRETARY/PERSONNEL**
- B) LEGAL**
- C) FISCAL**
- D) OPERATIONS**
- E) HUMAN RESOURCES**

V. - COMMUNICATIONS AND BILLS

ITEM 1 - MASTER PURCHASE ORDERS:

Motion by Mr. Lichtenthal seconded by Mr. Warthling and carried to approve for payment of Master Purchase Order Nos. as listed on the attached sheets pages 1-14 after certification by the Comptroller that the orders are in accordance with the quotations and that the Director of Administration be authorized to execute the above and all associated documents after certifying that they are in conformity with applicable laws and the Authority's By-Laws and Purchasing Guidelines, Policies and Procedures.

VI. - UNFINISHED BUSINESS (NONE)

VII. - NEW BUSINESS (RESOLUTIONS 2-28)

ITEM 2 - PAYMENT OF INVOICE OF CITIGROUP FOR SERVICES RENDERED IN CONNECTION WITH THE ISSUANCE OF ERIE COUNTY WATER AUTHORITY, WEEKLY ADJUSTABLE/FIXED RATE WATER WORKS SYSTEM REVENUE BONDS, SERIES 1993A AND WEEKLY ADJUSTABLE/FIXED RATE WATER WORKS SYSTEM REVENUE BONDS, SERIES 1993B - \$13,099.32

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 18th day of February 1993, the Authority adopted the Third Supplemental Resolution authorizing the issuance of \$42,500,000 Weekly Adjustable/Fixed Rate Water Works System Revenue Bonds, Series 1993A and 1993B; and

WHEREAS, CitiGroup has submitted their invoice in the total amount of \$13,099.32, dated March 29, 2007 for services performed for the period of January 1, 2007 to

March 31, 2007; and

WHEREAS, Said invoice has been approved for payment by Albert Meaney, Comptroller;

NOW, THEREFORE, BE IT RESOLVED:

That the abovementioned invoice of CitiGroup in the amount of \$13,099.32 services rendered in connection with the Erie County Water Authority Weekly Adjustable/Fixed Rate Water Works System Revenue Bonds, Series 1993A and Series 1993B be referred to the Comptroller for his verification and if found to be in order that said invoice be approved and the Treasurer, or in his absence the Assistant Treasurer, be and hereby is authorized to pay the same.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 3 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WATTS ARCHITECTURE & ENGINEERING, P.C. TO RENDER PROFESSIONAL CONSULTING ARCHITECTURAL AND ENGINEERING SERVICES FOR 2007 RENOVATION AND IMPROVEMENT PROJECTS, IDENTIFIED AS CONTRACT NO. WE-003, PROJECT NO. 200700126 FOR A LUMP SUM FEE OF \$41,350.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 28th day of December, 2006 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 architectural and engineering services for 2007 renovation and improvement projects; and

WHEREAS, A copy of the RFP was sent to:

Watts Architecture & Engineering, P.C.
Foit-Albert
Stearns & Wheler
URS
EI Team
Wendel Duchscherer; and

WHEREAS, The respondents to the RFP were: Watts Architecture & Engineering, P.C., Foit-Albert, Stearns & Wheler, URS, and EI Team; 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 Watts Architecture & Engineering, P.C. render professional architectural and engineering services for the design and construction for the renovation of two bathrooms, installation of a new bathroom, and pavement restoration at the Service Center, site improvements at Leydecker Pump Station and pavement restoration at Sturgeon Point Water Treatment Plant; and

WHEREAS, Wesley C. Dust, Executive Engineer and Robert A. Mendez, Executive Director recommend that the Authority enter into an agreement with Watts Architecture & Engineering, P.C. for a total cost of \$41,350.00;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Watts Architecture & Engineering, P.C. to provide professional consulting architectural and engineering services for 2007 renovation and improvement projects; 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 be and he hereby is authorized to execute said agreement on behalf of the Authority; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to Watts Architecture & Engineering, P.C.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

**ITEM 4 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH
 DIDONATO ASSOCIATES ENGINEERING & ARCHITECTURE, P.C.
 TO RENDER PROFESSIONAL ENGINEERING SERVICES FOR THE
 DESIGN AND CONSTRUCTION OF LARGE VALVE REPLACEMENTS
 AT TEN (10) LOCATIONS THROUGHOUT THE ERIE COUNTY
 WATER AUTHORITY'S SERVICE AREA, IDENTIFIED AS CONTRACT
 NO. DA-006, PROJECT NO. 200700321 AT A TOTAL ENGINEERING
 COST OF \$108,800.00**

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 28th day of December, 2006, 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 engineering services for waterline replacement projects for years 2007 and 2008 consisting of three new waterline replacement projects and one large valve replacement project for design in year 2007 and construction in 2008; and

WHEREAS, A copy of the RFP was sent to:

TVGA,
 Greenman-Pedersen
 Clough, Harbour & Associates, LLP
 Erdman Anthony
 Watts Architecture & Engineering, P.C.
 C&S Engineers
 DiDonato Associates Engineering & Architecture, P.C.
 EI Team, Inc.; and

WHEREAS, Proposals were received from all eight firms; 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 review by the Authority's Engineering staff the four firms selected were TVGA, Clough, Harbour & Associates, LLP, DiDonato Associates Engineering & Architecture, P.C. and EI Team, Inc.; and

WHEREAS, Wesley C. Dust, Executive Engineer recommends that the Authority's waterline replacement projects for years 2007 and 2008 be divided into three projects and awarded to TVGA, Clough, Harbour & Associates, LLP and EI Team, Inc. and the large valve replacement project be awarded to DiDonato Associates Engineering & Architecture, P.C.; and

WHEREAS, The Authority deems it advisable to have DiDonato Associates Engineering & Architecture, P.C. render professional engineering services for Contract No. DA-006, design and construction of large valve replacements at ten (10) locations throughout the Authority's service area; and

WHEREAS, The Authority agrees to pay DiDonato Associates Engineering & Architecture, P.C. for services described in said proposal in accordance with the terms as outlined in Section 3 of said proposal entitled Payment for Services; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director recommend acceptance of said proposal by the Authority

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of DiDonato Associates Engineering & Architecture, P.C. to render professional engineering services for the design and construction of large valve replacements, identified as Contract No. DA-006, 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 be and he hereby is authorized to execute said agreement on behalf of the Authority; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to DiDonato Associates Engineering & Architecture, P.C.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 5 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CLOUGH, HARBOUR & ASSOCIATES, LLP TO RENDER PROFESSIONAL ENGINEERING SERVICES FOR WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA AND THE CITY OF TONAWANDA, NEW YORK, IDENTIFIED AS CONTRACT NO. CH-003, PROJECT NO. 200700320 AT A TOTAL ENGINEERING COST OF \$165,110.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 28th day of December, 2006, 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 engineering services for waterline replacement projects for years 2007 and 2008 consisting of three new waterline replacement projects and one large valve replacement project for design in year 2007 and construction in 2008; and

WHEREAS, A copy of the RFP was sent to:

TVGA,
Greenman-Pedersen
Clough, Harbour & Associates, LLP
Erdman Anthony
Watts Architecture & Engineering, P.C.
C&S Engineers
DiDonato Associates Engineering & Architecture, P.C.
EI Team, Inc.; and

WHEREAS, Proposals were received from all eight firms; 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 review by the Authority's Engineering staff the four firms selected were TVGA, Clough, Harbour & Associates, LLP, DiDonato Associates Engineering & Architecture, P.C. and EI Team, Inc.; and

WHEREAS, One of the three waterline replacement projects is water system improvements in the Town of Cheektowaga and City of Tonawanda, New York; and

WHEREAS, The Authority deems it advisable to have Clough, Harbour & Associates, LLP render professional engineering services for Contract No. CH-003, design and construction of approximately 3,400 linear feet of 12-inch watermain on Walden Avenue from Harlem Road to Anderson Road in the Town of Cheektowaga and approximately 2,700 linear feet of 12-inch watermain on Young Street from Benton Street to State Street in the City of Tonawanda, New York; and

WHEREAS, The Authority agrees to pay Clough, Harbour & Associates, LLP for services described in said proposal in accordance with the terms as outlined in Section 3 of said proposal entitled Payment for Services; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director recommend acceptance of said proposal by the Authority

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Clough, Harbour & Associates, LLP to render professional engineering services for water system improvements in the Town of Cheektowaga and City of Tonawanda, New York, identified as Contract No. CH-003, 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 be and he hereby is authorized to execute said agreement on behalf of the Authority; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to Clough, Harbour & Associates, LLP.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 6 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH EI TEAM, INC. TO RENDER PROFESSIONAL ENGINEERING SERVICES FOR WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CLARENCE, NEW YORK, IDENTIFIED AS CONTRACT NO. EI-001, PROJECT NO. 200700424 AT A TOTAL ENGINEERING COST OF \$147,500.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 28th day of December, 2006, 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 engineering services for waterline replacement projects for years 2007 and 2008 consisting of three new waterline replacement projects and one large valve replacement project for design in year 2007 and construction in 2008; and

WHEREAS, A copy of the RFP was sent to:

TVGA,
Greenman-Pedersen
Clough, Harbour & Associates, LLP
Erdman Anthony
Watts Architecture & Engineering, P.C.
C&S Engineers
DiDonato Associates Engineering & Architecture, P.C.
EI Team, Inc.; and

WHEREAS, Proposals were received from all eight firms; 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 review by the Authority's Engineering staff the four firms selected were TVGA, Clough, Harbour & Associates, LLP, DiDonato Associates Engineering & Architecture, P.C. and EI Team, Inc.; and

WHEREAS, One of the three waterline replacement projects is water system improvements in the Town of Clarence, New York; and

WHEREAS, The Authority deems it advisable to have EI Team, Inc. render professional engineering services for Contract No. EI-001, design and construction of approximately 2,850 linear feet of 8-inch watermain on Hillcrest Road from Main Street to Greiner Road and approximately 2,200 linear feet of 8-inch watermain on Salt Road from Main Street to Greiner Road in the Town of Clarence, New York; and

WHEREAS, The Authority agrees to pay EI Team, Inc. for services described in said proposal in accordance with the terms as outlined in Section 3 of said proposal entitled Payment for Services; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director recommend acceptance of said proposal by the Authority

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of EI Team, Inc. to render professional engineering services for water system improvements in the Town of Clarence, New York, identified as Contract No. EI-001, 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 be and he hereby is authorized to execute said agreement on behalf of the Authority; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to EI Team, Inc.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

**ITEM 7 - AUTHORIZATION TO EXECUTE LEASE MODIFICATION AGREEMENT
BETWEEN THE ERIE COUNTY WATER AUTHORITY AND 10
ELLICOTT SQUARE COURT CORPORATION D/B/A/ ELLICOTT
DEVELOPMENT COMPANY**

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Authority and 10 Ellicott Square Court Corporation d/b/a Ellicott Development Company have entered into a lease dated November 26, 1990 and Lease Modification Agreements dated May 2, 1991, September 8, 1993, July 16, 1997 and May 7, 2002, covering certain space and premises in the Ellicott Square Building located at 295 Main Street, Buffalo, New York commonly known as the Ellicott Square Building; and

WHEREAS, The Authority leases from 10 Ellicott Square Court Corporation 19,561 net usable square foot of space in Suite 350 of the Ellicott Square Building; and

WHEREAS, Said lease shall expire on April 30, 2007; and

WHEREAS, The Authority desires to extend the lease term; and

WHEREAS, 10 Ellicott Square Court Corporation and the Authority have agreed to modify and amend certain other provisions of the lease; and

WHEREAS, 10 Ellicott Square Court Corporation and the Authority agree to the following:

1. Extend the term of the lease for an additional five (5) years period commencing May 1, 2007 and terminating April 30, 2012;
2. Rental rate - \$12.95/sq. ft. - 5/1/07 to 4/30/08
\$13.45/sq. ft. - 5/1/08 to 4/30/12;
3. 10 Ellicott Square Court Corporation will provide five (5) monthly parking spaces to be used by the Commissioners and Executive Staff; and

WHEREAS, Robert A.. Mendez, Executive Director recommends entering into a Lease Modification Agreement with 10 Ellicott Square Court Corporation with all the conditions and terms contained therein;

NOW, THEREFORE, BE IT RESOLVED:

That the Chairman be and he hereby is authorized to execute said Lease Modification Agreement with all the conditions and terms contained in said agreement with 10 Ellicott Square Court Corporation; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to 10 Ellicott Square Court Corporation.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 8 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR THE LEASING OF PORTABLE ELECTRIC GENERATORS

Motion by Mr. Lichtenthal seconded by Mr. Warthling

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 for the leasing of portable electric generators; 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 leasing of portable electric generators will be conducted pursuant to the newly enacted legislation, New York State Finance Law §§ 139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, Scott Aiple, Electrical Engineer, will be the designated contact person for the RFP with the adoption of this resolution;

NOW, THEREFORE BE IT RESOLVED:

The Authority is hereby authorized to issue a RFP to qualified firms to provide the leasing of portable electric generators.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 9 - AUTHORIZATION TO TABLE THE AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING OF LEASE MANAGED AGREEMENT WITH THE TOWN OF EVANS

Motion by Mr. Lichtenthal seconded by Mr. Warthling and carried to table the authorization to enter into a Memorandum of Understanding of Lease Managed Agreement with the Town of Evans.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 10 - AUTHORIZATION TO EXTEND THE PROFESSIONAL SERVICES CONTRACT WITH HI-TECH SERVICES TO RENDER COMPUTER TECHNICAL SERVICES

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 3rd day of April, 2003 the Erie County Water Authority ("Authority") entered into an agreement with Hi-Tech Services to render computer technical services; and

WHEREAS, Section I (Scope of Services) Paragraph 4 states that the Agreement may be renewed at the option of both parties hereto under the same terms and conditions provided in the Contract; and

WHEREAS, The contract will expire April 30, 2007; and

WHEREAS, The Authority and Hi-Tech Services, Inc. have agreed to a thirty-day extension of the contract effective May 1, 2007; and

WHEREAS, Matthew J. Baudo, Secretary to the Authority recommends extending the contract for a thirty-day period; and

WHEREAS, Robert A. Mendez, Executive Director concurs with said recommendation;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority extends the agreement with Hi-Tech Services to render computer technical services for a thirty-day period commencing May 1, 2007.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 11 - AUTHORIZATION TO EXECUTE GENERAL RELEASE IN CONNECTION WITH COST OF RELOCATING MUNICIPALLY OWNED FACILITIES MAINTAINED FOR PUBLIC USE (SUBDIVISION 24, SECTION 10, OF THE HIGHWAY LAW) FOR BROADWAY, SH 914 & 916 NY ROUTE 130 (DICK ROAD TO BORDEN ROAD), TOWN OF CHEEKTOWAGA AND VILLAGE OF DEPEW, ERIE COUNTY, PROJECT NO. 200000341, IDENTIFIED AS PIN NO. 5012.19 - \$1,906.84

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, By resolution identified as Item No. 9 of the Minutes of the Meeting of February 2, 2002, the Erie County Water Authority ("Authority"), a public benefit corporation in the County of Erie and State of New York, entered into a Preliminary Utility Work Agreement with the New York State Department of Transportation ("NYSDOT") acting by and through Adele Cannarozzo, Main Office Utilities Engineer for the Commissioner of Transportation, for the Broadway, SH 914 & 916 NY Route 130 (Dick Road to Borden Road), Town of Cheektowaga and Village of Depew, Erie County, identified as PIN No. 5012.19 at an amount not to exceed \$5,506.00; and

WHEREAS, By resolution identified as Item No. 7 of the Minutes of the Meeting of August 22, 2002, the Authority entered into an Agreement in Connection with Cost of Relocating Municipally Owned Facilities Maintained for Public Use (Subdivision 24, Section 10 of the Highway Law) in an amount not to exceed \$5,506.00; and

WHEREAS, All the work under said Agreements has been performed by the employment of the forces and the use of the equipment of the Authority or by contract between the Authority and others and accepted by the State of New York; and

WHEREAS, The NYSDOT under date of April 2, 2007, submitted a Utility Field Audit Report for costs incurred in the relocation of the Authority's facilities in the adjusted amount of \$1,906.84 and has requested the execution of a General Release in said amount; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Albert J. Meaney, Comptroller have verified the Summary of Costs and recommended executing the General

Release in the adjusted amount of \$1,906.84;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority hereby authorizes the Chairman to execute a General Release to the State of New York in consideration of the sum of \$1,906.84 to it previously paid in part, the balance of which is to be duly paid by the State of New York, the receipt whereof is to be confessed and acknowledged and which sum is in complete and full reimbursement for the work performed by the said Authority, which does for itself, its successors and assigns, in all things give full release and discharges the said State of New York, its officers, agents and employees, from all claims, demands and liabilities of every kind and nature, legal or equitable, occasioned by or arising out of the work performed by the Authority under said Agreement; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward the original and four copies of the executed General Release to Scott McKay, Regional Utilities Engineer, New York State Department of Transportation, Region 5 Office, 125 Main Street, Buffalo, New York, 14203.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 12 - AWARD OF CONTRACT TO MILTON CAT - SOUTHWORTH-MILTON, INC. FOR THE FURNISHING AND DELIVERING OF 100 KW PORTABLE GENERATOR FOR VARIOUS ERIE COUNTY WATER AUTHORITY SITES, PROJECT NO. 200700045 - \$47,671.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority ("Authority") heretofore advertised in the Dodge Reports and Front Page on the 21st day of February, 2007, and in Business First on the 23rd day of February, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of 100 kW portable generator for various Authority sites; and

WHEREAS, A sealed bid or proposal was opened in the office of the Authority on the 6th day of March, 2007, at 11:30 a.m., local time, and was as follows:

BIDDER	AMOUNT
Milton CAT - Southworth- Milton, Inc.*	\$47,671.00

*Only bid received; and

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

WHEREAS, Inasmuch as said contract is under the limit of \$100,000 and complies with the Authority's Affirmative Action Policy, Tamekia Hall, Director of Equal Employment Opportunity, recommends that Milton CAT - Southworth-Milton, Inc. proceed with their contract; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Milton CAT - Southworth-Milton, Inc. is a 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 Milton CAT - Southworth-Milton, Inc. is a responsible bidder for the abovementioned project, and that the Chairman be and he hereby is authorized and directed to execute a contract with said contractor for the furnishing and delivering of 100 kW portable generator for various Authority sites in the total amount of \$47,671.00; 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: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 13 - AWARD OF CONTRACT TO ZELLER CORPORATION FOR THE FURNISHING AND DELIVERING OF VARIABLE FREQUENCY DRIVES FOR HAMBURG PUMP STATION, PROJECT NO. 200700026 - \$11,058.82

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority ("Authority") heretofore advertised in the Dodge Reports and Front Page on the 7th day of March, 2007, and in Business First on the 9th day of March, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of variable frequency drives for Hamburg Pump Station; and

WHEREAS, A sealed bid or proposal was opened in the office of the Authority on the 27th day of March, 2007, at 11:15 a.m., local time, and was as follows:

BIDDER	AMOUNT
Zeller Corporation*	\$11,058.82

*Only bid received; and

WHEREAS, The Official Check has been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Inasmuch as said contract is under the limit of \$100,000 and complies with the Authority's Affirmative Action Policy, Tamekia Hall, Director of Equal Employment Opportunity, recommends that Zeller Corporation proceed with their contract; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Zeller Corporation is 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 Zeller Corporation is a responsible bidder for the abovementioned project, and that the Chairman be and he hereby is authorized and directed to execute a contract with said contractor for the furnishing and delivering of variable frequency drives for Hamburg Pump Station in the total amount of \$11,058.82; 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: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 14 - AWARD OF CONTRACT TO ORFFEO PRINTING CO., INC. FOR THE FURNISHING AND DELIVERING OF THE 2006 ANNUAL WATER QUALITY REPORT, PROJECT NO. 200700128 - \$9,699.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority ("Authority") heretofore advertised in the Dodge Reports and Front Page on the 21st day of March, 2007, and in Business First on the 23rd day of March, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of the 2006 Annual Water Quality Report; and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 10th day of April, 2007, at 11:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Orffeo Printing Co., Inc.	\$ 9,699.00
Keller Bros. & Miller, Inc.	11,452.00; and

WHEREAS, Inasmuch as said contract is under the limit of \$100,000 and complies with the Authority's Affirmative Action Policy, Tamekia Hall, Director of Equal Employment Opportunity, recommends that Orffeo Printing Co., Inc. proceed with their contract; and

WHEREAS, Matthew J. Baudo, Secretary to the Authority and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Orffeo Printing Co., 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;

NOW, THEREFORE, BE IT RESOLVED:

That it is hereby determined that Orffeo Printing Co., Inc. is the lowest responsible bidder for the abovementioned project, and that the Chairman be and he hereby is authorized and directed to execute a contract with said contractor for the furnishing and delivering of the 2006 Annual Water Quality Report in the total amount of \$9,699.00; 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: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 15 - AWARD OF CONTRACT TO SIEWERT EQUIPMENT CO., INC. FOR THE FURNISHING AND DELIVERING OF ONE BOOSTER PUMP FOR THE ERIE COUNTY WATER AUTHORITY'S HORNER PUMP STATION NO. 3, PROJECT NO. 200700019 - \$15,985.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority ("Authority") heretofore advertised in the Dodge Reports and Front Page on the 14th day of February, 2007, and in Business First on the 16th day of February, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of Booster Pumps for the Authority; and

WHEREAS, Pursuant to Paragraph No. 5 of the Instruction to Bidders section of the specification and contract documents, the Authority reserves the right to reject any and all bids, to accept either in whole or in part of any one bid or combination of bids as may be provided in the bid specifications, and to waive any informalities in bids; and

WHEREAS, Paragraph No. 5 also states that the Authority does not obligate itself to accept the lowest or any other proposal, and reserves the right to re-bid; and

WHEREAS, The bid specifications/bidders proposal was broken down into three separate items: the furnishing and delivering of Booster Pumps at the Authority's Horner Pump Station #3, Hamburg Pump Station #2 and Van de Water Plant; and

WHEREAS, Robert A. Niederpruem, Sr. Production Engineer advises that it is in the

best interest of the Authority to award this project into three separate contracts for each location;

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 6th day of March, 2007, at 11:00 a.m., local time, and were as follows for the furnishing and delivering of one Booster Pump for the Authority's Horner Pump Station No. 3; and:

BIDDERS	AMOUNT
Gehring Pumps, Inc.	\$12,900.00
Siewert Equipment Co., Inc.	15,985.00
Pioneer Pump Systems, Inc.	19,803.00
Fluid Kinetics, Inc.	29,309.00; and

WHEREAS, Robert A. Niederpruem, Sr. Production Engineer advised that the apparent low bidder, Gehring Pumps, Inc., did not meet the specifications for efficiency and therefore, recommends that this bid be rejected; and

WHEREAS, As a result of the above information, Robert A. Niederpruem, Sr. Production Engineer recommends that bid number 1 be deemed non-responsive and that the contract be awarded to the second lowest bidder, Siewert Equipment Co., Inc.; and

WHEREAS, Wesley C. Dust, Executive Engineer and Robert A. Mendez, Executive Director concur with said recommendation; and

WHEREAS, The official and bank checks have all been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Inasmuch as said contract is under the limit of \$100,000 and complies with the Authority's Affirmative Action Policy, Tamekia Hall, Director of Equal Employment Opportunity, recommends that Siewert Equipment Co., Inc. proceed with their contract; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Siewert Equipment Co., Inc. is the next lowest responsive 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 the Authority deem bid number 1 non-responsive and award said project to the second lowest bidder in accordance with the terms and conditions stated in Paragraph 5 of the Instruction to Bidders section of the specification and contract documents; and be it further

RESOLVED: That it is hereby determined that Siewert Equipment Co., Inc. is the lowest responsive bidder for the abovementioned project, and that the Chairman be and he hereby is authorized and directed to execute a contract with said contractor for the furnishing and delivering of one Booster Pump for the Authority's Horner Pump Station No. 3 in the total amount of \$15,985.00; 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 Secretary be and he hereby is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project; 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: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

**ITEM 16 - AWARD OF CONTRACT TO GEHRING PUMPS, INC. FOR THE
FURNISHING AND DELIVERING OF ONE BOOSTER PUMP FOR THE
ERIE COUNTY WATER AUTHORITY'S HAMBURG PUMP STATION
NO. 2, PROJECT NO. 200700019 - \$8,400.00**

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority ("Authority") heretofore advertised in the Dodge Reports and Front Page on the 14th day of February, 2007, and in Business First on the 16th day of February, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of Booster Pumps for the Authority; and

WHEREAS, Pursuant to Paragraph No. 5 of the Instruction to Bidders section of the specification and contract documents, the Authority reserves the right to reject any and all bids, to accept either in whole or in part of any one bid or combination of bids as may be provided in the bid specifications, and to waive any informalities in bids; and

WHEREAS, Paragraph No. 5 also states that the Authority does not obligate itself to accept the lowest or any other proposal, and reserves the right to re-bid; and

WHEREAS, The bid specifications/bidders proposal was broken down into three separate items: the furnishing and delivering of Booster Pumps at the Authority's Horner Pump Station #3, Hamburg Pump Station #2 and Van de Water Plant; and

WHEREAS, Robert A. Niederpruem, Sr. Production Engineer advises that it is in the best interest of the Authority to award this project into three separate contracts for each location;

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 6th day of March, 2007, at 11:00 a.m., local time, and were as follows for the furnishing and delivering of one Booster Pump for the Authority's Hamburg Pump Station No. 2; and:

BIDDERS	AMOUNT
Gehring Pumps, Inc.	\$ 8,400.00
Siewert Equipment Co., Inc.	11,735.00
Fluid Kinetics, Inc.	19,998.00
Pioneer Pump Systems, Inc.	21,979.00; and

WHEREAS, The official and bank checks have all been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Inasmuch as said contract is under the limit of \$100,000 and complies with the Authority's Affirmative Action Policy, Tamekia Hall, Director of Equal Employment Opportunity, recommends that Gehring Pumps, Inc. proceed with their contract; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Gehring Pumps, 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;

NOW, THEREFORE, BE IT RESOLVED:

That it is hereby determined that Gehring Pumps, Inc. is the lowest responsible bidder for the abovementioned project, and that the Chairman be and he hereby is authorized and directed to execute a contract with said contractor for the furnishing and delivering of one Booster Pump for the Authority's Hamburg Pump Station No. 2 in the total amount of \$8,400.00; 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 Secretary be and he hereby is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project; 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: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 17 - AWARD OF CONTRACT TO PIONEER PUMP SYSTEMS, INC. FOR THE FURNISHING AND DELIVERING OF THREE BOOSTER PUMPS FOR THE ERIE COUNTY WATER AUTHORITY'S VAN DE WATER TREATMENT PLANT, PROJECT NO. 200700019 - \$19,956.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority ("Authority") heretofore advertised in the Dodge Reports and Front Page on the 14th day of February, 2007, and in Business First on the 16th day of February, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of Booster Pumps for the Authority; and

WHEREAS, Pursuant to Paragraph No. 5 of the Instruction to Bidders section of the specification and contract documents, the Authority reserves the right to reject any and all bids, to accept either in whole or in part of any one bid or combination of bids as may be provided in the bid specifications, and to waive any informalities in bids; and

WHEREAS, Paragraph No. 5 also states that the Authority does not obligate itself to accept the lowest or any other proposal, and reserves the right to re-bid; and

WHEREAS, The bid specifications/bidders proposal was broken down into three separate items: the furnishing and delivering of Booster Pumps at the Authority's Horner Pump Station #3, Hamburg Pump Station #2 and Van de Water Plant; and

WHEREAS, Robert A. Niederpruem, Sr. Production Engineer advises that it is in the best interest of the Authority to award this project into three separate contracts for each location;

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 6th day of March, 2007, at 11:00 a.m., local time, and were as follows for the furnishing and delivering of three Booster Pumps for the Authority's Van de Water Treatment Plant; and:

BIDDERS	AMOUNT
Pioneer Pump Systems, Inc.	\$19,956.00
Gehring Pumps, Inc.	23,700.00
Siewert Equipment Co., Inc.	32,745.00
Fluid Kinetics, Inc.	39,360.00; and

WHEREAS, The official and bank checks have all been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Inasmuch as said contract is under the limit of \$100,000 and complies with the Authority's Affirmative Action Policy, Tamekia Hall, Director of Equal Employment Opportunity, recommends that Pioneer Pump Systems, Inc. proceed with their contract; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Pioneer Pump Systems, 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;

NOW, THEREFORE, BE IT RESOLVED:

That it is hereby determined that Pioneer Pump Systems, Inc. is the lowest responsible bidder for the abovementioned project, and that the Chairman be and he hereby is authorized and directed to execute a contract with said contractor for the furnishing and delivering of three Booster Pumps for the Authority's Van de Water Treatment Plant in the total amount of \$19,956.00; 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 Secretary be and he hereby is authorized to return to the

unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project; 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: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 18 - AUTHORIZATION TO AMEND ITEM NO. 6 OF THE MINUTES OF THE MEETING OF THE ERIE COUNTY WATER AUTHORITY HELD ON MARCH 22, 2007 IN CONNECTION WITH THE AWARD OF CONTRACT TO FERGUSON ELECTRIC SERVICE CO., INC. FOR CONTRACT NO. NC-26B, VAN DE WATER RAW WATER PUMP STATION, BALL PUMP STATION, ELECTRICAL IMPROVEMENTS, PROJECT NO. 200000374

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 22nd day of March, 2007 the Erie County Water Authority ("Authority") authorized entering into a contract with Ferguson Electric Service Co., Inc. for Contract No. NC-26B, Van de Water Raw Water Pump Station, Ball Pump Station, Electrical Improvements; and

WHEREAS, Matthew J. Baudo, Secretary to the Authority advised that the correct name of the corporation is Ferguson Electric Construction Co., Inc.; and

WHEREAS, Matthew J. Baudo, Secretary to the Authority recommends amending Item No. 6 of the Minutes of the Meeting of the Authority held on March 22, 2007 to reflect the correct name of the company as Ferguson Electric Construction Co., Inc.; and

WHEREAS, Robert A. Mendez, Executive Director concurs with said recommendation;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority amends Item No. 6 of the Minutes of the Meeting of the Authority held on March 22, 2007 reflecting the correct name of the company as Ferguson Electric Construction Co., Inc.; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward a certified copy of this resolution to Ferguson Electric Construction Co., Inc.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 19 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING, STORING AND DELIVERING OF FORMS, ENVELOPES, PAPERS AND STATIONARY FOR THE PERIOD JULY 1, 2007 THROUGH DECEMBER 31, 2007, PROJECT NO. 200700184

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Paul H. Riester, Director of Administration and Robert A. Mendez, Executive Director 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, storing and delivering of forms, envelopes, papers and stationary for the period July 1, 2007 through December 31, 2007; 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, storing and delivering of forms, envelopes, papers and stationary for the period July 1, 2007 through December 31, 2007 will be conducted pursuant to the newly enacted legislation, New York State Finance Law §§ 139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, Paul H. Riester, Director of Administration 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, storing and delivering of forms, envelopes, papers and stationary for the period July 1, 2007 through December 31, 2007 and upon completion be made available for inspection by bidders in the office of the Authority; and be it further

RESOLVED: That the Secretary be and he hereby is 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: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 20 - APPROVAL OF MASTER PURCHASE ORDER AMENDMENT NO. 1 OF JOHN W. DANFORTH COMPANY FOR PLUMBING SERVICES AT VARIOUS ERIE COUNTY WATER AUTHORITY LOCATIONS, MASTER PURCHASE ORDER NO. 200494 - \$10,000.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 28th day of March, 2006, the Erie County Water Authority ("Authority") solicited quotes for general plumbing services at various Authority locations, identified as Master Purchase Order No. 200494; and

WHEREAS, Said contract will expire on April 30, 2007; and

WHEREAS, This is a one year bid with an option to renew for an additional year; and

WHEREAS, John W. Danforth Company submitted a letter dated March 28, 2007 requesting a one year extension under the same terms and conditions as the current contract; and

WHEREAS, Edward J. Kuwik, Sr. Distribution Engineer submitted Master Purchase Order Amendment No. 1 in the amount of \$10,000.00 to extend the contract for an additional year; and

WHEREAS, Paul H. Riester, Director of Administration, Wesley C. Dust, Executive Engineer and Robert A. Mendez, Executive Director recommend approval of said Master Purchase Order Amendment No. 1;

NOW, THEREFORE, BE IT RESOLVED:

That Master Purchase Order Amendment No. 1 of John W. Danforth Company to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Budget Director be and he hereby is directed to make the necessary budgetary changes.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 21 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUEST - \$600.97

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Edward J. Kasprzak, Deputy Director advised the Authority that he has received a leak allowance request from an Authority customer listed below resulting from a service line leak:

- 1) Altrina Taylor
520 Emerson Drive
Amherst, NY 14226
\$600.97; and

WHEREAS, Edward J. Kasprzak, Deputy Director advised that the request contains documentation showing that the leak has been repaired; and

WHEREAS, Said leak allowance request has 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, Edward J. Kasprzak, Deputy Director recommends granting the above leak allowance request; and

WHEREAS, Robert A. Mendez, Executive Director concurs with said recommendation;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority grant the leak allowance 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: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 22 - AUTHORIZATION TO GRANT PAUL WHITTAM, DIRECTOR OF WATER QUALITY ADMINISTRATIVE LEAVE WITH PAY

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Environmental Protection Agency (EPA) and the New York State Department of Environmental Conservation (DEC) are currently conducting an investigation regarding the Erie County Water Authority's (Authority) Water Quality reporting; and

WHEREAS, The Authority deems it necessary to place Paul Whittam, Director of Water Quality on Administrative Leave with pay until the EPA and DEC's investigation are complete;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority hereby places Whittam, Director of Water Quality on Administrative Leave with pay retroactive to March 7, 2007 until the EPA and DEC's investigation are complete.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 23 - AUTHORIZATION FOR MARGARET CONLON, SR. STORES CLERK TO ATTEND THE NEW YORK STATE ASSOCIATION OF MUNICIPAL PURCHASING OFFICIALS CONFERENCE IN OWEGO, NEW YORK

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority deems it advisable for Margaret Conlon, Sr. Stores Clerk to attend the New York State Association of Municipal Purchasing Officials Conference in Owego, New York at a total estimated cost of \$1,300.00;

NOW, THEREFORE, BE IT RESOLVED:

That Margaret Conlon, Sr. Stores Clerk be and he is hereby authorized to travel to Owego, New York from May 8, 2007 to May 11, 2007 attend the New York State Association of Municipal Purchasing Officials Conference at a total estimated cost of \$1,300.00.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 24 - AUTHORIZATION FOR PAUL RIESTER, DIRECTOR OF ADMINISTRATION TO ATTEND THE EIGHTH ANNUAL STATE PURCHASING FORUM IN ALBANY, NEW YORK

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority deems it advisable for Paul Riestler, Director of Administration to attend the Eighth Annual State Purchasing Forum in Albany, New York at a total estimated cost of \$450.00;

NOW, THEREFORE, BE IT RESOLVED:

That Paul Riestler, Director of Administration be and he is hereby authorized to travel to Albany, New York from May 16, 2007 to May 17, 2007 to attend the Eighth Annual State Purchasing Forum at a total estimated cost of \$450.00.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 25 - AUTHORIZATION FOR JOHN MOGAVERO, CHEMIST & CHIEF WATER TREATMENT PLANT OPERATOR TO ATTEND THE AWWA NATIONAL CONFERENCE IN TORONTO, CANADA

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority deems it advisable for John Mogavero, Chemist & Chief Water Treatment Plant Operator to attend the AWWA National Conference in Toronto, Canada at a total estimated cost of \$2,000.00;

NOW, THEREFORE, BE IT RESOLVED:

That John Mogavero, Chemist & Chief Water Treatment Plant Operator be and he is hereby authorized to travel to Toronto, Canada from June 23, 2007 to June 27, 2007 to attend the AWWA National Conference at a total estimated cost of \$2,000.00.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling
Noes: None

ITEM 26 - PURCHASE ORDERS:

Motion by Mr. Lichtenthal seconded by Mr. Warthling and carried to approve for payment of Purchase Order Nos. as listed on the attached sheets pages 15-22 after certification by the Comptroller that the orders are in accordance with the quotations and that the Director of Administration be authorized to execute the above and all associated documents after certifying that they are in conformity with applicable laws and the Authority's By-Laws and Purchasing Guidelines, Policies and Procedures.

ITEM 27 - PURCHASE ORDER AMENDMENTS:

Motion by Mr. Lichtenthal seconded by Mr. Warthling and carried to approve for payment of Purchase Order Amendments as listed on the attached sheets pages 23 and 24 after certification by the Comptroller that the orders are in accordance with the quotations and that the Director of Administration be authorized to execute the above and all associated documents after certifying that they are in conformity with applicable laws and the Authority's By-Laws and Purchasing Guidelines, Policies and Procedures.

ITEM 28 - SERVICE CONNECTION WORK ORDER LIST:

Motion by Mr. Lichtenthal seconded by Mr. Warthling and carried to approve Service Connection Work Order Nos. 07-14, 07-15 and 07-16, to C. Destro Development Co., Inc. for Service Area No. 1 under Contract No. 07-04-01 and to C. Destro Development Co., Inc. for Service Area No. 2 under Contract No. 07-05-01 and large services under Contract No. 07-03-01 to Kandey Company, Inc.

Motion by Mr. Lichtenthal seconded by Mr. Warthling at 9:20 a.m. and carried to adjourn regular meeting and enter into Executive Session.

Motion by Mr. Lichtenthal seconded by Mr. Warthling at 9:45 a.m. and carried to adjourn Executive Session and reconvene regular meeting.

VIII. - ADJOURNMENT

Meeting adjourned until the next regular meeting to be held on Wednesday, May 2, 2007 at 8:30 a.m.

Matthew J. Baudo
Secretary to the Authority

PF

04/19/07