

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Building, Buffalo, New York, on the 28th day of June, 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
Paul H. Riestler, Director of Administration
Karla L. Thomas, Director of Human Resources
Daniel J. NeMoyer, Public Affairs Officer
Albert J. Meaney, Comptroller

ATTENDEES: **Joseph Matteliano**

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 Thursday, June 14, 2007.

III. - APPROVAL OF MINUTES

Motion by Mr. Lichtenthal seconded by Mr. Warthling and carried to approve the Minutes of the Meeting held on Thursday, June 14, 2007.

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

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

F) AUDIT COMMITTEE

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 1-13 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 2-19)

ITEM 3 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND FOURTH RESOLUTION REFUNDING WATER REVENUE BONDS, SERIES 1992 - \$439,583.33

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Susan Rinaldo, Cash Manager, advised under date of June 25, 2007 that there was available on June 29, 2007 the following amounts in the Debt Service Fund Fourth Resolution Refunding Water Revenue Bonds, Series 1992:

Accreted Value \$439,583.33

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest from the Bond Fund in the amount of \$33,333.33 to mature in time for the June 1, 2008 Capital Appreciation Bond Maturity at the highest yield to 1992 Bondholders and invest from the Bond Fund in the amount of \$406,250.00 to mature in time for the December 1, 2007 Capital Appreciation Bond Maturity at the highest yield to 1992 Bondholders; and

WHEREAS, Inasmuch as the Authority does not have adequate safekeeping facilities for the aforementioned securities, the Comptroller recommends that the Manufacturers & Traders Trust Company be authorized to maintain possession of the securities, in trust, for the Authority for safekeeping purposes;

NOW, THEREFORE, BE IT RESOLVED:

That the action of Albert Meaney, Comptroller, in authorizing the Manufacturers & Traders Trust Company to invest from the Bond Fund in the amount of \$33,333.33 to mature in time for the June 1, 2008 Capital Appreciation Bond Maturity at the highest yield to 1992 Bondholders and invest from the Bond Fund in the amount of \$406,250.00 to mature in time for the December 1, 2007 Capital Appreciation Bond Maturity at the highest yield to 1992 Bondholders, is hereby approved and ratified; and be it further

RESOLVED: That the Manufacturers & Traders Trust Company be and it hereby is authorized to retain possession of the securities, in trust, for the Authority until further direction by the Authority's Comptroller.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 4 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND WATER WORKS SYSTEM REVENUE BONDS, SERIES 1993A - \$120,083.33

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Susan Rinaldo, Cash Manager, advised under the date of May 23, 2007 that there was available on June 25, 2007 the following amounts in the Debt Service Fund Water Works System Revenue Bonds, Series 1993A:

Secondary Interest Account	\$82,123.28
Payment Account	\$37,960.05

and has recommended that the Manufacturers and Traders Trust Company, as Fiscal Agent, be authorized to invest the Secondary Interest Account in the amount of \$82,123.28 and Payment Account in the amount of \$37,960.05 in the Guaranteed Investment Contract to mature in time for the December 1, 2007 Interest Payment to bondholders and Swap Payment to AIG at the highest yield to maturity; and

WHEREAS, Inasmuch as the Authority does not have adequate safekeeping facilities for the aforementioned securities, the Comptroller recommends that the Manufacturers & Traders Trust Company be authorized to maintain possession of the securities, in trust, for the Authority for safekeeping purposes;

NOW, THEREFORE, BE IT RESOLVED:

That the action of Albert Meaney, Comptroller, in authorizing the Manufacturers & Traders Trust Company to invest from the Secondary Interest Account the amount of \$82,123.28 and Payment Account in the amount of \$37,960.05 in the Guaranteed Investment Contract to mature in time for the December 1, 2007 Interest Payment to bondholders and Swap Payment to AIG at the highest yield to maturity, is hereby approved and ratified; and be it further

RESOLVED: That the Manufacturers & Traders Trust Company be and it hereby is authorized to retain possession of the securities, in trust, for the Authority until further direction by the Authority's Comptroller.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 5 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND WATER WORKS SYSTEM REVENUE BONDS, SERIES 1993B - \$73,625.00

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Susan Rinaldo, Cash Manager, advised under the date of June 25, 2007 that there was available on June 25, 2007 the following amounts in the Debt Service Fund Water Works System Revenue Bonds, Series, 1993B:

Secondary Interest Account	\$44,794.52
Payment Account	\$28,830.48

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest the Secondary Interest Account in the amount of \$44,794.52 and Payment Account in the amount of \$28,830.48 in the Guaranteed Investment Contract to mature in time for the December 1, 2007 Interest Payment to bondholders and Swap Payment to AIG at the highest yield to maturity; and

WHEREAS, Inasmuch as the Authority does not have adequate safekeeping facilities for the aforementioned securities, the Comptroller recommends that the Manufacturers & Traders Trust Company be authorized to maintain possession of the securities, in trust, for the Authority for safekeeping purposes;

NOW, THEREFORE, BE IT RESOLVED:

That the action of Albert Meaney, Comptroller, in authorizing the Manufacturers & Traders Trust Company to invest from the Secondary Interest Account the amount of \$44,794.52 and Payment Account in the amount of \$28,830.48 in the Guaranteed Investment Contract to mature in time for the December 1, 2007 Interest Payment to bondholders and Swap Payment to AIG at the highest yield to maturity, is hereby approved and ratified; and be it further

RESOLVED: That the Manufacturers & Traders Trust Company be and it hereby is authorized to retain possession of the securities, in trust, for the Authority until further direction by the Authority's Comptroller.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 6 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND WATER WORKS SYSTEM REVENUE REFUNDING BONDS, SERIES 1998A - \$50,840.41

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Susan Rinaldo, Cash Manager advised under date of June 25, 2007 that there was available on June 29, 2007 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 1998A:

Principal Account	\$30,833.33
Interest Account	\$20,007.08

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest from the Interest Account, in the amount of \$20,007.08 to mature in time for the December 15, 2007 Interest Payment at the highest yield to maturity and invest from the Principal Account in the amount of \$30,833.33 to mature in time for the December 15, 2007 Principal Payment at the highest yield to maturity; and

WHEREAS, Inasmuch as the Authority does not have adequate safekeeping facilities for the aforementioned securities, the Comptroller recommends that the Manufacturers & Traders Trust Company be authorized to maintain possession of the securities, in trust, for the Authority for safekeeping purposes;

NOW, THEREFORE, BE IT RESOLVED:

That the action of Albert Meaney, Comptroller, in authorizing the Manufacturers & Traders Trust Company to invest from the Interest Account in the amount of \$20,007.08 to mature in time for the December 15, 2007 Interest Payment at the highest yield to maturity and to invest from the Principal Account in the amount of \$30,833.33 to mature in time for the December 15, 2007 Principal Payment at the highest yield to maturity, is hereby approved and ratified; and be it further

RESOLVED: That the Manufacturers & Traders Trust Company be and it hereby is authorized to retain possession of the securities, in trust, for the Authority until further direction by the Authority's Comptroller.

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

**ITEM 7 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE
MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE
FUND WATER WORKS SYSTEM REVENUE REFUNDING BONDS,
SERIES 1998B - \$112,761.56**

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Susan Rinaldo, Cash Manager advised under date of June 25, 2007 that there was available on June 29, 2007 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 1998B:

Interest Account	\$50,261.56
Principal Account	\$62,500.00

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest from the Interest Account, in the amount of \$50,261.56 to mature in time for the October 15, 2007 Interest Payment at the highest yield to maturity to 1998B Bondholders and invest from the Principal Account in the amount of \$62,500.00 to mature in time for the October 15, 2007 Principal Payment at the highest yield to maturity to 1998B Bondholders; and

WHEREAS, Inasmuch as the Authority does not have adequate safekeeping facilities for the aforementioned securities, the Comptroller recommends that the Manufacturers & Traders Trust Company be authorized to maintain possession of the securities, in trust, for the Authority for safekeeping purposes;

NOW, THEREFORE, BE IT RESOLVED:

That the action of Albert Meaney, Comptroller, in authorizing the Manufacturers & Traders Trust Company to invest from the Interest Account in the amount of \$50,261.56 to mature in time for the October 15, 2007 Interest Payment at the highest yield to maturity to 1998B Bondholders and invest from the Principal Account in the amount of \$62,500.00 to mature in time for the October 15, 2007 Principal Payment at the highest yield to maturity to 1998B Bondholders, is hereby approved and ratified; and be it further

RESOLVED: That the Manufacturers & Traders Trust Company be and it hereby is authorized to retain possession of the securities, in trust, for the Authority until further direction by the Authority's Comptroller.

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

ITEM 8 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND WATER WORKS SYSTEM REVENUE REFUNDING BONDS, SERIES 2003F - \$93,319.18

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Susan Rinaldo, Cash Manager advised under date of June 25, 2007 that there was available on June 29, 2007 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 2003F:

Interest Account	\$41,235.85
Principal Account	\$52,083.33

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest from the Interest Account, in the amount of \$20,847.27 to mature in time for the July 15, 2007 Interest Payment at the highest yield to maturity to 2003F Bondholders and to invest from the Interest Account, in the amount of \$20,388.58 to mature in time for the January 15, 2008 Interest Payment at the highest yield to maturity to 2003F Bondholders and to invest from the Principal Account in the amount of \$52,083.33 to mature in time for the July 15, 2008 Principal Payment at the highest yield to maturity to 2003F Bondholders; and

WHEREAS, Inasmuch as the Authority does not have adequate safekeeping facilities for the aforementioned securities, the Comptroller recommends that the Manufacturers & Traders Trust Company be authorized to maintain possession of the securities, in trust, for the Authority for safekeeping purposes;

NOW, THEREFORE, BE IT RESOLVED:

That the action of Albert Meaney, Comptroller, in authorizing the Manufacturers & Traders Trust Company to invest from the Interest Account in the amount of 20,847.27 to mature in time for the July 15, 2007 Interest Payment at the highest yield to maturity to 2003F Bondholders and to invest from the Interest Account, in the amount of \$20,388.58 to mature in time for the January 15, 2008 Interest Payment at the highest yield to maturity to 2003F Bondholders and to invest from the Principal Account in the amount of \$52,083.33 to mature in time for the July 15, 2008 Principal Payment at the highest yield to maturity to 2003F Bondholders, is hereby approved and ratified; and be it further

RESOLVED: That the Manufacturers & Traders Trust Company be and it hereby is authorized to retain possession of the securities, in trust, for the Authority until further direction by the Authority's Comptroller.

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

ITEM 9 - AUTHORIZATION TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH AFFINITY REALTY PARTNERS FOR THE SALE OF ONE MILE OF WATERLINE AND RELATED FACILITES LOCATED WITHIN THE KENSINGTON VILLAGE APARTMENT COMPLEX IN THE TOWN OF CHEEKTOWAGA, NEW YORK

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Affinity Realty Partners (“Affinity”), a private developer, is currently converting the Kensington Village Apartment complex in the Town of Cheektowaga, New York into student housing in a gated community; and

WHEREAS, There is approximately one mile of waterline currently serving the apartment complex and Affinity desires to purchase this waterline and related facilities (“waterline”) from the Erie County Water Authority (“Authority”); and

WHEREAS, The Authority’s independent consulting engineer, Clough Harbour & Associates LLP (“Clough Harbour”) conducted an appraisal to establish the fair market value of the waterline; and

WHEREAS, Clough Harbour determined that the appraised fair market value for the waterline is \$399,841.00; and

WHEREAS, Affinity has agreed to pay the full fair market value of the waterline to the Authority; and

WHEREAS, In accordance with the newly enacted Public Authorities Accountability Act of 2005 the Authority has notified the New York State Comptroller's Office, the Authority Budget Office and the New York State Budget Director of such sale; and

WHEREAS, Wesley C. Dust, Executive Engineer, Mark J. Fuzak, Counsel and Robert A. Mendez, Executive Director recommend entering into a Purchase and Sale Agreement with Affinity for the sale of the one mile of waterline located within the Kensington Village Apartment Complex in the Town of Cheektowaga, New York in the amount of \$399,841.00;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority enter into a Purchase and Sale Agreement with Affinity for the sale of the one mile of waterline located within the Kensington Village Apartment Complex in the Town of Cheektowaga, New York in the amount of \$399,841.00; and be it further

RESOLVED: That the Chairman be and he hereby is authorized to execute said Purchase and Sale 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 Affinity; and be it further

RESOLVED: That the Legal Department of the Authority is hereby authorized to take all steps necessary to effectuate the sale and transfer of the waterline.

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

ITEM 10 - AUTHORIZATION TO ENTER INTO A CONTRACT FOR THE PURCHASE OF WATER FROM THE VILLAGE OF AKRON

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority ("Authority") desires to purchase water for the benefit of its customers and the Village of Akron ("Village") has water in an amount which is in excess of the needs of its customers; and

WHEREAS, The Village has agreed to sell and deliver water up to one million eight hundred thousand gallons (1,800,000) per quarter from its municipal water system to the

Authority; and

WHEREAS, The Authority agrees to buy and take said water from the Village for the agreed price and at the rate of four dollars and forty-one cents (\$4.41) per one thousand (1,000) gallons; and

WHEREAS, The Village, by resolution, authorized execution of the Contract and has submitted same; and

WHEREAS, Wesley C. Dust, Executive Engineer, Mark J. Fuzak, Counsel and Robert A. Mendez, Executive Director recommend entering into a Contract with the Village;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority enter into a Contract with the Village allowing the Authority to purchase water from the Village as specified above; and be it further

RESOLVED: That the Chairman be and he hereby is authorized to execute said Contract 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 the Village; and be it further

RESOLVED: That the Legal Department of the Authority is hereby authorized to take all steps necessary to effectuate the execution of the Contract.

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

ITEM 11 - AUTHORIZATION TO EXTEND THE AGREEMENT WITH DRESCHER & MALECKI LLP TO PROVIDE PROFESSIONAL ACCOUNTING SERVICES IN CONNECTION WITH THE EXAMINATION OF THE ERIE COUNTY

**WATER AUTHORITY'S FINANCIAL STATEMENTS AND SUBMITTING
THE AUTHORITY'S FINANCIAL STATEMENTS/REPORTS TO THE
GOVERNMENT FINANCE OFFICERS ASSOCIATION FOR
CONSIDERATION OF RECEIVING THE CERTIFICATE OF
ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING**

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Pursuant to a resolution dated October 7, 2004 the Erie County Water Authority ("Authority") entered into an Agreement with Drescher & Malecki LLP to provide professional accounting services in connection with the examination of the Authority's financial statements for the years ending December 31, 2004, 2005 and 2006 and submission of the Authority's financial statements/reports to Government Finance Officers Association ("GFOA"); and

WHEREAS, The Authority has the option to extend the agreement for the above services for the audit years ending December 31, 2007 and 2008 with Drescher & Malecki LLP, based on terms and conditions acceptable to the Authority; and

WHEREAS, Drescher & Malecki LLP has submitted a letter dated June 13, 2007 requesting to continue as auditors of the Authority financial statements for the years ending December 31, 2007 and December 31, 2008; and

WHEREAS, The fees for these services are \$39,500 and \$40,500 for the years ending December 31, 2007 and 2008, respectively; and

WHEREAS, The Erie County Water Authority's Audit Committee recommends extending the Agreement with Drescher & Malecki LLP as stated above; and

NOW, THEREFORE, BE IT RESOLVED:

That the Authority extends the Agreement with Drescher & Malecki LLP for the above services for the years ending December 31, 2007 and 2008 with the rates specified above; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward a certified copy of this resolution to Drescher & Malecki LLP.

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

ITEM 12 - APPROVAL OF CHANGE ORDER NO. 1 OF MAR-WAL CONSTRUCTION CO., INC. FOR CONTRACT NO. WE-002, WATER SYSTEM IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, PROJECT NO. 200600181, CONTRACT NO. 07-14-03 - \$2,318.48

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, Heretofore and on the 28th day of February, 2007, the Erie County Water Authority ("Authority") entered into a contract with Mar-Wal Construction Co., Inc. for Contract No. WE-002, water system improvements in the Town of Cheektowaga, identified as Contract No. 07-14-03; and

WHEREAS, Said contractor has submitted Change Order No. 1 in the sum of \$2,318.48 to provide for additional work associated with replacing an existing six-inch watermain valve at 575 Kennedy Road with six-inch piping; and

WHEREAS, The reason for said change is because the existing valve was leaking and needed to be repaired and the work was not part of the original scope of the project; and

WHEREAS, Watts Architecture & Engineering, P.C., Consulting Engineers, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director recommend approval of said Change Order No. 1;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 1 of Mar-Wal Construction Co., Inc. in the amount of \$2,318.48 to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Chairman be and he hereby is authorized to execute said Change Order No. 1 on behalf of the Authority.

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

ITEM 13 - AUTHORIZATION TO ACCEPT RATES FROM GROUP HEALTH INCORPORATED (GHI) FOR PAYMENT OF DENTAL COVERAGE PREMIUMS FOR ERIE COUNTY WATER AUTHORITY NON-REPRESENTED/MANAGERIAL (GROUP NO. DT-193) AND AFSCME EMPLOYEES (GROUP NO. DT-123) FOR THE PERIOD OF AUGUST 1, 2007 THROUGH JULY 31, 2008 AND EXECUTION OF RATE SHEET

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority's ("Authority") Plan term with Group Health Incorporated (GHI) for Authority Non-Represented/Managerial and AFSCME employees expires on July 31, 2007; and

WHEREAS, GHI submitted a rate sheet for payment of dental coverage premiums for Authority Non-Represented/Managerial employees (Group No. DT-193) and AFSCME employees (Group No. DT-123) for the period of August 1, 2007 through July 31, 2008; and

WHEREAS, Karla L. Thomas, Director of Human Resources has reviewed the submitted rate sheet and recommends acceptance and execution thereof; and

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

NOW, THEREFORE BE IT RESOLVED:

That the Authority accepts the rates submitted by GHI for payment of dental coverage premiums for Erie County Water Authority Non-Represented/Managerial (Group No. DT-193) and AFSCME employees (Group No. DT-123) for the period of August 1, 2007 through July 31, 2008; and be it further

RESOLVED: That the Chairman be and he hereby is authorized to execute the rate sheet as stated above.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 14 - AUTHORIZATION FOR JAY MEYERS, PRODUCTION ENGINEER, JOHN

MOGAVERO, CHEMIST & CHIEF WATER TREATMENT PLANT OPERATOR AND DANIEL SEIDER, DISTRIBUTION ENGINEER TO VISIT THE ST. LOUIS WATER TREATMENT PLANT IN ST. LOUIS, MISSOURI

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority deems it advisable for Jay Meyers, Production Engineer, John Mogavero, Chemist & Chief WTPO and Daniel Seider, Distribution Engineer to visit the St. Louis Water Treatment Plant to investigate super scraper sludge collection equipment in St. Louis, Missouri at a total estimated cost of \$1,900.00;

NOW, THEREFORE, BE IT RESOLVED:

That Jay Meyers, Production Engineer, John Mogavero, Chemist & Chief WTPO and Daniel Seider, Distribution Engineer be and they are hereby authorized to travel to St. Louis, Missouri from July 12, 2007 to July 13, 2007 to attend a site visit at the St. Louis Water Treatment Plant to investigate super scraper sludge collection equipment at a total estimated cost of \$1,900.00.

Ayes: Three; Commrs. Swiatek, Lichtenthal and Warthling

Noes: None

ITEM 15 - AUTHORIZATION TO AMEND THE AUTHORITY'S CAREER AND SALARY PLAN - BI-WEEKLY EMPLOYEES NOT ELIGIBLE FOR MEMBERSHIP IN A COLLECTIVE BARGAINING UNIT

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority (the "Authority") has periodically adopted resolutions establishing a Career and Salary Plan which plan has been amended by resolution of the Authority from time to time; and

WHEREAS, Certain employees of the Authority are represented for the purpose of collective bargaining by AFSCME Local 930 and CSEA Local 1000; and

WHEREAS, Certain bi-weekly employees of the Authority not included in either of the two bargaining units within the Authority are referred to as "Managerial/Confidential" employees; and

WHEREAS, By resolution identified as Item No. 20 of the Minutes of the Meeting of December 16, 2004, the Authority adopted certain negotiated wage increments and entered into a

Collective Bargaining Agreement covering the Authority's Blue Collar employees for a five-year term period from April 1, 2003 through March 31, 2008; and

WHEREAS, By resolution identified as Item No. 40 of the Minutes of the Meeting of December 28, 2006, the Authority adopted certain negotiated wage increments and entered into a Collective Bargaining Agreement covering the Authority's White Collar employees for a three-year term period from April 1, 2006 through March 31, 2008; and

WHEREAS, The Authority deems it advisable to provide for all Managerial/Confidential" employees that are not covered under separate contract a 2.0 % salary increase for the term of one year;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority is hereby directed to provide the abovementioned 2.0 % wage increase for all "Managerial/Confidential" employees that are not covered under separate contract effective April 1, 2007.

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

ITEM 16 - SALARY INCREMENTS - JULY 1, 2007

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority (the "Authority") adopted a Career and Salary Plan for its employees, which, among other things, provides a five-step wage and salary increment schedule; said increments shall be granted after due consideration of merit and quality of individual performance; and

WHEREAS, The compensation for each increment shall be as specified in the salary schedules for each specific salary grade; and

WHEREAS, Satisfactory evaluations have been presented to the Board for the employees listed on the attached sheet recommending increments;

NOW, THEREFORE, BE IT RESOLVED:

That the awarding of salary increments to the employees listed on the attached sheet in

their respective salary grades and to the steps listed on their increment anniversary, namely July 1, 2007 is approved and ratified; and be it further

RESOLVED: That the Comptroller is hereby directed to pay said increments in accordance with the amendment to the Career and Salary Plan herein described.

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

ITEM 17 - PAUL WHITTAM, DIRECTOR OF WATER QUALITY – TERMINATION OF PAID ADMINISTRATIVE LEAVE

Motion by Mr. Lichtenthal seconded by Mr. Warthling

WHEREAS, The Erie County Water Authority ("Authority") placed Paul Whittam, Director of Water Quality on paid Administrative Leave effective March 7, 2007; and

WHEREAS, The Authority deems it necessary to terminate Paul Whittam's paid Administrative Leave at the close of business June 28, 2007;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority hereby terminates Paul Whittam's paid Administrative Leave at the close of business June 28, 2007.

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

ITEM 17 - PURCHASE ORDERS:

Motion by [redacted] seconded by [redacted] and carried to approve for payment of Purchase Order Nos. as listed on the attached sheets pages 14-25 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 18 - PURCHASE ORDER AMENDMENTS:

Motion by seconded by and carried to approve for payment of Purchase Order Amendments as listed on the attached sheet page 26 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 19 - SERVICE CONNECTION WORK ORDER LIST:

Motion by seconded by and carried to approve Service Connection Work Order Nos. 07-25 and 07-26, 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.

VIII. - ADJOURNMENT

Meeting adjourned until the next regular meeting to be held on Tuesday, July 17, 2007 at 4:00 p.m.

Matthew J. Baudo
Secretary to the Authority

PF