

**MINUTES** of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Building, Buffalo, New York, on the 7th day of February, 2008.

**PRESENT:** **Frank E. Swiatek, Chairman**  
**Kelly M. Vacco, Vice Chair**  
**Francis G. Warthling, Treasurer**  
**Robert A. Mendez, Executive Director**  
**Matthew J. Baudo, Secretary to the Authority**  
**Robert J. Lichtenthal, Jr., Deputy Director**  
**Wesley C. Dust, Executive Engineer**  
**Mark J. Fuzak, Attorney**  
**Paul H. Riester, Director of Administration**  
**Karla L. Thomas, Director of Human Resources**  
**Daniel J. NeMoyer, Public Affairs Officer**  
**Albert J. Meaney, Comptroller**

**ATTENDEES:** Danielle Elliott

**CALL TO ORDER**

**PLEDGE TO THE FLAG**

**I. - ROLL CALL**

**II. - READING OF MINUTES**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to waive the reading of the Minutes of the Meeting held on Thursday, January 24, 2008.

**III. - APPROVAL OF MINUTES**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve the Minutes of the Meeting held on Thursday, January 24, 2008.

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

- A) SECRETARY/PERSONNEL**
- B) LEGAL**
- C) FISCAL**
- D) OPERATIONS**
- E) HUMAN RESOURCES**
- F) AUDIT COMMITTEE**
- G) GOVERNANCE COMMITTEE**

## **V. - COMMUNICATIONS AND BILLS**

### **ITEM 1 - CREATION OF MASTER PURCHASE ORDERS:**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve the creation of Master Purchase Order Nos. as listed on the attached sheet page 1 not to exceed the amount of \$428,000.00 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 2 - MASTER PURCHASE ORDERS:**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve for payment of Master Purchase Order Nos. as listed on the attached sheets pages 1-11 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 (RESOLUTIONS 3-4)**

### **ITEM 3- AUTHORIZATION TO REMOVE FROM THE TABLE THE RESTRICTION OF CASH FOR CAPITAL PURPOSES**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to table the authorization to restrict cash for capital improvement purposes necessary to meet the needs of the current and future capital needs of the Authority.

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

### **ITEM 4 - RESTRICTION OF CASH FOR CAPITAL PURPOSES**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, the Erie County Water Authority annually adopts a Capital Budget which sets forth the planned expenditures for capital improvements for the current year and a projection of planned expenditures for the succeeding four years for a total of a five year plan, and

**WHEREAS**, throughout the course of the 2006 year, the Board of Commissioners and the management staff of the Authority developed a five year plan for capital improvements and the financing of those improvements to commence on January 1, 2007 and,

**WHEREAS**, the resources for the over \$113,000,000 of capital improvements planned for the years 2007 through 2011 were to come from Water Revenue Bonds to be issued in 2007, such bond funds being restricted for capital improvements, from annual contributions from revenues in excess of Operating and Maintenance needs in the years 2007 through 2011 and the remainder to be taken from the Authority's unrestricted cash balances, and,

**WHEREAS**, the Audit Committee of the Board of Commissioners has reported on it's discussions from the committee meeting of January 10, 2008 regarding this and other issues impacting the Authority;

**NOW, THEREFORE BE IT RESOLVED:**

The Erie County Water Authority Board of Commissioners hereby directs that the appropriate entries be made on the Authority's financial records for the year ending December 31, 2007 to restrict \$17,000,000, such cash to be restricted for capital improvement purposes necessary to meet the needs of the current and future capital needs of the Authority.

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

**VII. - NEW BUSINESS (RESOLUTIONS 5-24)**

**ITEM 5 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND FOURTH RESOLUTION REFUNDING WATER REVENUE BONDS, SERIES 1992 - \$33,333.33**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Susan Rinaldo, Cash Manager, advised under date of January 28, 2008 that there was available on February 1, 2008 the following amounts in the Debt Service Fund Fourth Resolution Refunding Water Revenue Bonds, Series 1992:

Accreted Value	\$33,333.33
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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

**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 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, Vacco 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 BONDS, SERIES 1993A - \$120,083.33**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS,** Susan Rinaldo, Cash Manager, advised under the date of January 28, 2008 that there was available on January 25, 2008 the following amounts in the Debt Service Fund Water Works System Revenue Bonds, Series 1993A:

Secondary Interest Account	\$70,413.85
Payment Account	\$49,669.48

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 \$70,413.85 and Payment Account in the amount of \$49,669.48 in the Guaranteed Investment Contract to mature in time for the June 1, 2008 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 \$70,413.85

and Payment Account in the amount of \$49,669.48 in the Guaranteed Investment Contract to mature in time for the June 1, 2008 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, Vacco 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 BONDS, SERIES 1993B -  
\$73,625.00**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Susan Rinaldo, Cash Manager, advised under the date of January 28, 2008 that there was available on January 25, 2008 the following amounts in the Debt Service Fund Water Works System Revenue Bonds, Series, 1993B:

Secondary Interest Account	\$38,407.56
Payment Account	\$35,217.44

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest the Secondary Interest Account in the amount of \$38,407.56 and Payment Account in the amount of \$35,217.44 in the Guaranteed Investment Contract to mature in time for the June 1, 2008 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 \$38,407.56 and Payment Account in the amount of \$35,217.44 in the Guaranteed Investment Contract to mature in time for the June 1, 2008 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, Vacco 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 1998A - \$50,270.84**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS,** Susan Rinaldo, Cash Manager advised under date of January 28, 2008 that there was available on February 1, 2008 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 1998A:

Principal Account \$31,666.67  
Interest Account \$18,604.17

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest from the Interest Account, in the amount of \$18,604.17 to mature in time for the June 15, 2008 Interest Payment at the highest yield to maturity to 1998B Bondholders and invest from the Principal Account in the amount of \$31,666.67 to mature in time for the December 15, 2008 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 \$18,604.17 to mature in time for the June 15, 2008 Interest Payment at the highest yield to maturity to 1998B Bondholders and invest from the Principal Account in the amount of \$31,666.67 to mature in time for the December 15, 2008 Principal Payment at the highest yield to maturity to 1998B, 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, Vacco and Warthling  
Noes: None

**ITEM 9 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE  
MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE  
FUND WATER WORKS SYSTEM REVENUE REFUNDING BONDS,  
SERIES 1998B - \$112,094.89**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Susan Rinaldo, Cash Manager advised under date of January 28, 2008 that there was available on February 1, 2008 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 1998B:

Interest Account    \$47,511.56  
Principal Account   \$64,583.33

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest from the Interest Account, in the amount of \$47,511.56 to mature in time for the April 15, 2008 Interest Payment at the highest yield to maturity to 1998B Bondholders and invest from the Principal Account in the amount of \$64,583.33 to mature in time for the October 15, 2008 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 \$47,511.56 to mature in time for the April 15, 2008 Interest Payment at the highest yield to maturity to 1998B Bondholders and invest from the Principal Account in the amount of \$64,583.33 to mature in time for the October 15, 2008 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, Vacco and Warthling  
Noes: None

**ITEM 10 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND WATER WORKS SYSTEM REVENUE REFUNDING BONDS, SERIES 2003F - \$92,860.49**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Susan Rinaldo, Cash Manager advised under date of January 28, 2008 that there was available on February 1, 2008 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 2003F:

Interest Account    \$40,777.16  
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 \$40,777.16 to mature in time for the July 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 \$40,777.16 to mature in time for the July 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, Vacco and Warthling  
Noes: None

**ITEM 11 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE  
MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE  
FUND WATER WORKS SYSTEM REVENUE REFUNDING BONDS,  
SERIES 2007 - \$160,819.89**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Susan Rinaldo, Cash Manager advised under date of January 28, 2008 that there was available on January 25, 2008 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 2007:

Interest Account    \$136,236.56  
Principal Account   \$ 24,583.33

and has recommended that the Manufacturers & Traders Trust Company, as Fiscal Agent, be authorized to invest from the Interest Account, in the amount of \$136,236.56 to mature in time for the June 1, 2008 Interest Payment at the highest yield to maturity to 2007 Bondholders and invest from the Principal Account in the amount of \$24,583.33 to mature in time for the December 1, 2008 Principal Payment at the highest yield to maturity to 2007 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 \$136,236.56 to mature in time for the June 1, 2008 Interest Payment at the highest yield to maturity to 2007 Bondholders and invest from the Principal Account in the amount of \$24,583.33 to mature in time for the December 1, 2008 Principal Payment at the highest yield to maturity to 2007 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, Vacco and Warthling  
Noes: None

**ITEM 12 - AUTHORIZATION TO ISSUE THE STATE ENVIRONMENTAL QUALITY REVIEW NEGATIVE DECLARATION AND SHORT ENVIRONMENTAL ASSESSMENT FORM IN CONNECTION WITH STURGEON POINT WATER TREATMENT PLANT ELECTRICAL SUBSTATION PROJECT, IDENTIFIED AS CONTRACT NO. NC-30, PROJECT NO. 200600113**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Heretofore and on the 25th day of May, 2006, the Erie County Water Authority ("Authority") entered into an agreement with Nussbaumer & Clarke, Inc. for design and construction of the high voltage electrical substation at the Authority's Sturgeon Point Water Treatment Plant, identified as Contract No. NC-30; and

**WHEREAS**, In compliance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act-SEQRA) of the Environmental Conservation Law, the Authority has reviewed the abovementioned project; and

**WHEREAS**, The Authority has determined it is duly qualified to act as lead agency with respect to compliance with SEQRA which requires environmental review of certain actions undertaken by local governments; and

**WHEREAS**, The Authority determined that the proposed action is an Unlisted Action under SEQRA and that it is the agency with the broadest governmental powers for investigating the impact of the proposed action and the greatest capacity for providing the most thorough environmental assessment of the proposed action and the most local agent with permitting authority; and

**WHEREAS**, After review, the Authority has determined that this project will not have a significant adverse impact on the environment, and therefore, a State Environmental Quality Review Negative Declaration and Short Environmental Assessment Form will be issued; and

**WHEREAS**, Wesley C. Dust, Executive Engineer, and Robert A. Mendez, Executive Director, recommend issuing the SEQRA Negative Declaration and Short Environmental Assessment Form in connection with Contract NC-30, design and construction of the high voltage electrical substation at the Authority's Sturgeon Point Water Treatment Plant project;

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

That the Authority hereby is authorized to issue the SEQR Negative Declaration and Short Environmental Assessment Form in connection with Contract NC-30, design and construction of the high voltage electrical substation at the Authority's Sturgeon Point Water Treatment Plant project.

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

**ITEM 13 - AUTHORIZATION TO RENEW THE AGREEMENT WITH CAPITOL PARTNERS, INC. IN CONNECTION WITH LOBBYING SERVICES AT THE FEDERAL LEVEL IN WASHINGTON, D.C.**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Heretofore and on the 1st day of September, 2006 the Erie County Water Authority ("Authority") entered into an agreement with Capitol Partners, Inc. in connection with lobbying services at the Federal level in Washington, D.C.; and

**WHEREAS**, The Agreement was for a one year period subject to a one year renewal at the option of the Authority; and

**WHEREAS**, Heretofore and on the 12<sup>th</sup> day of September, 2007 the Authority extended the contract through December 31, 2007; and

**WHEREAS**, The Authority was successful in securing an appropriation from the federal government in the amount of \$492,200 for emergency power generation at the Authority's Ball Pump Station; and

**WHEREAS**, This appropriation signifies that the federal government is a viable partner in the Authority's efforts to provide emergency power generation; and

**WHEREAS**, The Authority was one of many that the congressional process felt provided a benefit to the public; and

**WHEREAS**, There appears to be a favorable environment to secure additional federal funding through congressional directed projects in the upcoming year; and

**WHEREAS**, The Authority deems it in the best interest of the Authority to extend the agreement with Capitol Partners, Inc. until March 31, 2008 to build on the momentum from this past year and continue to seek additional federal funding;

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

That the Authority is hereby authorized to take all steps necessary to extend the agreement with Capitol Partners, Inc. in connection with lobbying services at the Federal level in Washington, D.C. until March 31, 2008.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

**ITEM 14 - AWARD OF CONTRACT TO WEST HERR FORD FOR THE FURNISHING AND DELIVERING OF THREE (3) NEW AND UNUSED VEHICLES, VEHICLE NOS. 22, 47 AND 80, PROJECT NO. 200800006 - \$68,670.00**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, The Erie County Water Authority (the "Authority") heretofore advertised in the Dodge Reports and Front Page on the 26<sup>th</sup> day of December, 2007, and in Business First on the 28<sup>th</sup> day of December, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of fourteen (14) new and unused Vehicles, Vehicle Nos. 1, 2, 5, 7, 17, 22, 34, 44, 46, 47, 59, 73, 80 and 104; and

**WHEREAS**, Sealed bids or proposals were opened in the office of the Authority on the 15th day of January, 2008 at 11:00 a.m., local time, and were as follows for Vehicle Nos. 22, 47 and 80 only:

<b>BIDDERS</b>	<b>AMOUNT</b>
West Herr Ford	\$68,670.00
Delacy Ford, Inc.	68,988.00
Basil Ford, Inc.	68,995.50
Towne Ford, Inc.	70,106.85; and

**WHEREAS**, Tamekia Hall, Director of Equal Employment Opportunity, has advised that the low bidder, West Herr Ford has complied with the Authority's Affirmative Action Requirements and recommends that they be allowed to proceed with their contract based on that fact; and

**WHEREAS**, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that West Herr Ford 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 West Herr Ford 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 (3) new and unused vehicles, Vehicle Nos. 22, 47 and 80 in the total amount of \$68,670.00; 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, Vacco and Warthling  
Noes: None

**ITEM 15 - AWARD OF CONTRACT TO DELACY FORD, INC. FOR THE FURNISHING AND DELIVERING OF SEVEN (7) NEW AND UNUSED VEHICLES, VEHICLE NOS. 1, 2, 34, 44, 46, 73 AND 104, PROJECT NO. 200800006 - \$120,352.00**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS,** The Erie County Water Authority (the "Authority") heretofore advertised in the Dodge Reports and Front Page on the 26<sup>th</sup> day of December, 2007, and in Business First on the 28<sup>th</sup> day of December, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of fourteen (14) new and unused Vehicles, Vehicle Nos. 1, 2, 5, 7, 17, 22, 34, 44, 46, 47, 59, 73, 80 and 104; and

**WHEREAS,** Sealed bids or proposals were opened in the office of the Authority on the 15th day of January, 2008 at 11:00 a.m., local time, and were as follows for Vehicle Nos. 1, 2, 34, 44, 46, 73 and 104 only:

<b>BIDDERS</b>	<b>AMOUNT</b>
Delacy Ford, Inc.	\$120,352.00
Basil Ford, Inc.	120,935.20
Towne Ford, Inc.	121,567.58
West Herr Ford	122,311.00; and

**WHEREAS,** Tamekia Hall, Director of Equal Employment Opportunity, has advised that the low bidder, Delacy Ford, Inc. has complied with the Authority's Affirmative Action Requirements and recommends that they be allowed to proceed with their contract based on that fact; and

**WHEREAS**, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Delacy Ford, 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 Delacy Ford, 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 seven (7) new and unused vehicles, Vehicle Nos. 1, 2, 34, 44, 46, 73 and 104 in the total amount of \$120,352.00; 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, Vacco and Warthling  
Noes: None

**ITEM 16 - AWARD OF CONTRACT TO BASIL FORD, INC. FOR THE FURNISHING AND DELIVERING OF FOUR (4) NEW AND UNUSED VEHICLES, VEHICLE NOS. 5, 7, 17 AND 59, PROJECT NO. 200800006 - \$59,895.70**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, The Erie County Water Authority (the "Authority") heretofore advertised in the Dodge Reports and Front Page on the 26<sup>th</sup> day of December, 2007, and in Business First on the 28<sup>th</sup> day of December, 2007, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of fourteen (14) new and unused Vehicles, Vehicle Nos. 1, 2, 5, 7, 17, 22, 34, 44, 46, 47, 59, 73, 80 and 104; and

**WHEREAS**, Sealed bids or proposals were opened in the office of the Authority on the 15th day of January, 2008 at 11:00 a.m., local time, and were as follows for Vehicle Nos. 5, 7, 17 and 59 only:

<b>BIDDERS</b>	<b>AMOUNT</b>
Basil Ford, Inc.	\$59,895.70
Delacy Ford, Inc.	60,989.00
West Herr Ford	61,136.00
Towne Ford, Inc.	61,167.47; and

**WHEREAS**, Tamekia Hall, Director of Equal Employment Opportunity, has advised that the low bidder, Basil Ford, Inc. has complied with the Authority's Affirmative Action Requirements and recommends that they be allowed to proceed with their contract based on that fact; and

**WHEREAS**, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Basil Ford, 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 Basil Ford, 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 four (4) new and unused vehicles, Vehicle Nos. 5, 7, 17 and 59 in the total amount of \$59,895.70; 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, Vacco and Warthling  
Noes: None

**ITEM 17 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, The Engineering Department of the Erie County Water Authority ("Authority") advised that hydrants and valves were installed as part of the Authority's program to keep pace with improvements in fire fighting technology, as follows:

Replace existing 6" valve at 53 Murray Terrace, City of Tonawanda with a new 6" resilient valve on 1/7/08. Work done by ECWA forces under Work Authorization No. 107.200 5692.

6" gate valve originally installed pre 2004 was scrapped and retired under Retirement Authorization No. R80001.

Replace existing 6" valve at 34 Wood Lee Drive, Town of Amherst with a new 6" resilient valve on 1/9/08. Work done by ECWA forces under Work Authorization No. 107.200 5763.

6" gate valve originally installed in 1949 was scrapped and retired under Retirement Authorization No. R80002.

Replace existing hydrant at 166 Franklin St., City of Tonawanda with a new Clow/6x6x6 tee and 6" valve on 1/16/08. Work done by ECWA forces under Work Authorization No. 107.200 5765.

Holly hydrant originally installed pre 2004 was scrapped and retired under Retirement Authorization No. R80004.

Replace existing hydrant at 124 Santin Dr., Town of Cheektowaga with a new Clow hydrant on 1/15/08. Work done by ECWA forces under Work Authorization No. 107.200 5764.

Mathew hydrant originally installed in 1960 was scrapped and retired under Retirement Authorization No. R80003; and

**WHEREAS**, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director ratify said installations and work;

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

That the Authority approve the retirement of the abovementioned hydrants and valves at the abovementioned locations; and be it further

**RESOLVED:** That the installation of the new hydrants and valves in the abovementioned locations, as part of the Authority's continuing program to improve its facilities is hereby approved, ratified and confirmed.

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

**ITEM 18 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUEST - \$2,208.29**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Robert J. Lichtenthal, Jr., 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) Bernard G. Kieffer  
8171 Main Street  
Williamsville, NY 14221  
\$2,208.29; and

**WHEREAS**, Robert J. Lichtenthal, Jr., 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**, Robert J. Lichtenthal, Jr., 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, Vacco and Warthling  
Noes: None

**ITEM 19 - AUTHORIZATION TO ADOPT THE ERIE COUNTY WATER  
AUTHORITY'S 2008 GOAL AND OBJECTIVES**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, The Erie County Water Authority ("Authority") is an organization of dedicated professionals to strive to continuously provide its customers with a plentiful supply of safe, clean drinking water at an affordable rate; and

**WHEREAS**, The Authority takes great pride in creating a work environment that achieves excellence through rewarding dedication, professionalism and a progressive vision; and

**WHEREAS**, In order to deliver a superior product and outstanding service that merits equal recognition from its customers and peers, the Authority has produced the attached Erie County Water Authority 2008 Proposed Goals and Objectives; and

**WHEREAS**, Robert A. Mendez, Executive Director, Robert J. Lichtenthal, Jr., Deputy Director and Wesley C. Dust, Executive Engineer recommend adopting the Erie County Water Authority 2008 Proposed Goals & Objectives;

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

That the Authority hereby adopts the attached Erie County Water Authority 2008 Proposed Goals & Objectives.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

**ITEM 20 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL O & M AND CAPITAL BUDGETS FOR FISCAL YEAR 2007**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, In a resolution dated November 20, 2006 the Erie County Water Authority ("Authority") adopted its Annual O&M and Capital Budgets for the fiscal year 2007; 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**, A year end review, by Albert J. Meaney, Comptroller, of the Authority's accounts has resulted in adjustments being made to some of the accounts, in order to properly close the books for the year 2007, and the necessity of a reclassification adjustment to the Authority's O&M and Capital budgets, as follows:

**2007 O&M Budget**

<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
<b><u>Operating Expenses:</u></b>		
Salaries & Wages: Supervision	\$152,721	
Salaries & Wages: Salaries	\$384,836	
Salaries & Wages: Employee Training	\$ 7,687	
Salaries & Wages: Supervision Overtime	\$ 5,943	
Salaries & Wages: Salary Overtime	\$ 70,979	
Salaries & Wages: Labor Overtime	\$116,099	
Payments to Contractors - Restore	\$204,162	
Right of Way Rents	\$ 116	
Refuse & Waste Disposal	\$ 29,765	
Insurance	\$ 20,816	
PC's & Peripherals	\$ 416	
Generator Lease	<u>\$165,353</u>	
Salaries & Wages: Labor		\$ 55,802
Salaries & Wages: Nonproductive Time		\$682,463
Chemicals		\$115,344
Power Purchased		\$148,502
Payments to Contractors - Other		\$ 98,117
Payments to Contractors – Elect.		\$ 13,742
Equipment Maintenance Contract		<u>\$ 44,923</u>
Totals	\$1,158,893	\$1,158,893

**2007 Capital Budget**

<u>Capital No.</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
100472	Scada Remote Radio Upgrade	\$ 5	
100473	Replace Exist. Electric Service Feeder & Panel	\$ 2,094	
100475	Rebuild of Existing Pump Starters & Controls	\$ 6,435	
100136	Fire Hydrants, New & Replacements	\$221,360	
100137	Service Pipes and Installations in ECWA	\$173,097	
100138	Valves & Appurtenances	\$133,469	
100139	Misc. Distribution Mains	<u>\$108,011</u>	
100304	Variable Speed Drive Improvements		\$271,566
100524	Coagulation Basins		\$ 13,727
100525	Electrical Substation		\$ 81,268

02/07/08

100553	Replace 115KV Tie Switch	\$ 8,534
100576	Roof Replacement for Existing Garage	\$ 31,693
100577	Repaving Svc. Center Parking Area	\$ 59,672
100583	Fire Hydrants, New & Replacements	\$ 35,000
100585	Valves & Appurtenances	\$ 35,000
100586	Misc. Distribution Mains	<u>\$ 108,011</u>
Totals		\$644,471    \$644,471

**WHEREAS,** The Authority desires to amend the 2007 Annual O&M and Capital Budgets by adjusting them for the items as listed above; and

**WHEREAS,** Robert A. Mendez, Executive Director, Robert J. Lictenthal, Deputy Director, Wesley C. Dust, Executive Engineer, Albert J. Meaney, Comptroller, and Steven V. D'Amico, Budget/Financial Analyst, recommend approval of said amendment;

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

That the Authority's Annual O&M and Capital Budgets for the fiscal year 2007 be amended by adjusting them for the items as listed above.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

**ITEM 21 - SKAY ABDALLAH, SKILLED WATER UTILITY WORKER - LEAVE OF ABSENCE WITHOUT PAY**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to grant Skay Abdallah, Skilled Water Utility Worker a one year leave of absence without pay effective March 3, 2008.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

**ITEM 22 - PURCHASE ORDERS:**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve for payment of Purchase Order Nos. as listed on the attached sheets pages 12-26 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 23 - PURCHASE ORDER AMENDMENTS:**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve for payment of Purchase Order Amendments as listed on the attached sheet page 27 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 24 - SERVICE CONNECTION WORK ORDER LIST:**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve Service Connection Work Order Nos. 08-04 and 08-05, 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, February 19, 2008 at 10:00 a.m.

Matthew J. Baudo  
Secretary to the Authority

PF