

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Building, Buffalo, New York, on the 26th day of June, 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, Counsel
Ronald P. Bennett, Associate Counsel
Paul H. Riester, Director of Administration
Steven V. D'Amico, Budget and Financial Analyst
Daniel NeMoyer, Public Affairs Officer
Albert Meaney, Comptroller
Karla L. Thomas, Director of Human Resources

Attendees: Michael Rosich
Alex Vacco

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, June 12, 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, June 12, 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 \$10,000.00 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 1-13 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 3-19)

ITEM 3- AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH HSQ TECHNOLOGY TO RENDER PROFESSIONAL SERVICES IN CONNECTION WITH SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM MAINTENANCE SERVICE FROM JUNE 1, 2008 TO MAY 31, 2009 AT A TOTAL COST OF \$29,736.00

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority ("Authority") entered into a Maintenance Service Agreement with HSQ Technology ("HSQ") to perform maintenance services at the Authority's site including testing, inspection and cleaning as necessary for the equipment obtained from HSQ for the Authority's SCADA system; and

WHEREAS, This agreement expired on May 31, 2008; and

WHEREAS, Robert A. Niederpruem, Sr. Production Engineer, advised that HSQ is the sole source for parts and service, and that the Authority has been pleased with the services performed by HSQ; and

WHEREAS, HSQ has submitted an agreement to perform the abovementioned services at the contract price of \$29,736.00 for a period of one year; and

WHEREAS, Robert A. Niederpruem, Sr. Production Engineer, Wesley C. Dust, Executive Engineer and Robert A. Mendez, Executive Director recommend acceptance of said agreement by the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the agreement of HSQ to render professional services in connection with Supervisory Control and Data Acquisition System maintenance services under the terms and conditions set forth in said agreement; 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 HSQ.

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

ITEM 4 - AWARD OF CONTRACT TO FREY ELECTRIC CONSTRUCTION CO., INC. FOR CONTRACT NO. NC-32P, PORTABLE STANDBY GENERATOR PURCHASE CONTRACT, PROJECT NO. 200800010 - \$777,000.00

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 23rd day of April, 2008, and in Business First on the 25th day of April, 2008, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for Contract No. NC-32P, Portable Standby Generator Purchase Contract; and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 20th day of May, 2008, at 11:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Frey Electric Construction Co., Inc.	\$ 777,000.00
Southworth-Milton, Inc.	1,034,000.00; and

WHEREAS, The bid bonds have all been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Richard M. Rosenberry, Sr. Distribution Engineer advised that this bid does not require MWBE participation; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Frey Electric Construction 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 Frey Electric Construction 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 Contract No. NC-32P, Portable Standby Generator Purchase Contract in the total amount of \$777,000.00; 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, Vacco and Warthling
Noes: None

ITEM 5 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR GENERAL CLEANING AND MAINTENANCE FOR ERIE COUNTY WATER AUTHORITY SERVICE CENTER AND THE WATER QUALITY LABORATORY FROM SEPTEMBER 1, 2008 THROUGH AUGUST 30, 2011,

PROJECT NO. 200800281

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Wesley C. Dust, P.E., Executive Engineer 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 General Cleaning and Maintenance for Erie County Water Authority Service Center and the Water Quality Laboratory from September 1, 2008 through August 30, 2011; 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 General Cleaning and Maintenance for Erie County Water Authority Service Center and the Water Quality Laboratory from September 1, 2008 through August 30, 2011 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, Sandra Long, Administrative Assistant 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 General Cleaning and Maintenance for Erie County Water Authority Service Center and the Water Quality Laboratory from September 1, 2008 through August 30, 2011 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, Vacco and Warthling

Noes: None

ITEM 6 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO. CH-004, 2008 PAVEMENT REPLACEMENT PROJECT SERVICE CENTER & GUENTHER PUMP STATION, ERIE COUNTY, NEW YORK, PROJECT NO. 200800095

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Wesley C. Dust, P.E., Executive Engineer 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 Contract No. CH-004, Pavement Replacement Project Service Center & Guenther Pump Station, Erie County, New York; and

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

WHEREAS, The Advertisement for Bids for Contract No. CH-004, Pavement Replacement Project Service Center & Guenther Pump Station, Erie County, New York 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, Clough Harbour & Associates LLP will be the designated contact 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 Contract No. CH-004, Pavement Replacement Project Service Center & Guenther Pump Station, Erie County, New York 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, Vacco and Warthling
Noes: None

ITEM 7 - APPROVAL OF CHANGE ORDER NO. 2 OF E&R GENERAL CONSTRUCTION FOR CONTRACT NO. DA-006, LARGE VALVE REPLACEMENTS, PROJECT NO. 200700321, CONTRACT NO. 07-40-09 - \$71,050.58

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Heretofore and on the 19th day of September, 2007, the Erie County Water Authority ("Authority") entered into a contract with E&R General Construction for Contract No. DA-006, large valve replacements, identified as Contract No. 07-40-09; and

WHEREAS, Said contractor has submitted Change Order No. 2 in the sum of \$71,050.58 to provide for the following changes:

1. Change Contract Time for Substantial Completion from March 1, 2008 to May 31, 2008 and Final Completion from May 1, 2008 to June 15, 2008.
2. Installation of a 24-inch valve and 89 LF of 24-inch Ductile Iron Pipe north of Orchard Park Road/Slade intersection and install a new 24-inch valve south of Orchard Park Road/Slade intersection.
3. Repair a leak in the existing 24-inch watermain south of William/Cayuga Creek intersection at a location beyond contract work limits.
4. Installation of 27 LF of additional 24-inch DIP watermain and a new 1-inch water service as part of the work in William and Cayuga Creek Road.

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

1. Substantial and Final Contract Times modified per Section 12.02 and 12.03 of the General Conditions to allow work to be performed in the non-winter months as requested by highway agencies.
2. Valves and pipe are necessary to facilitate future interconnection without disruption of service to commercial customers.
3. Leak required immediate repair and it was advantageous to have the Contractor perform the work.
4. Additional work was necessary since actual conditions were different than what was anticipated at time of design; and

WHEREAS, DiDonato Associates, P.E., P.C., Consulting Engineers, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director recommend approval of said Change Order No. 2;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 2 of E&R General Construction in the amount of \$71,050.58 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. 2 on behalf of the Authority.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 8 - APPROVAL OF MASTER PURCHASE ORDER AMENDMENT NO. 1 OF BLUE COLLAR WORKWEAR FOR ERIE COUNTY WATER AUTHORITY SAFETY SHOES, MASTER PURCHASE ORDER NO. 3884-08 - \$2,000.00

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority ("Authority") currently uses Blue Collar Workwear to supply the Authority with safety shoes, identified as Master Purchase Order No. 3884-08; and

WHEREAS, Karla L. Thomas, Director of Water Quality submitted Master Purchase Order Amendment No. 1 in the amount of \$2,000.00 to increase total dollar value due to more demand for shoes from the vendor; 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 Blue Collar Workwear 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, Vacco and Warthling

Noes: None

ITEM 9 - APPROVAL OF MASTER PURCHASE ORDER AMENDMENT NO. 1 OF

**ASHLAND PEST CONTROL, INC. FOR RODENT CONTROL AT THE
ERIE COUNTY WATER AUTHORITY'S SERVICE CENTER, MASTER
PURCHASE ORDER NO. 200567 - \$1,000.00**

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority ("Authority") has exercised its right to use Ashland Pest Control, Inc. off a New York State Office of General Services Contract ("NYS/OGS") for pest control through integrated pest management at the Authority's Service Center, identified as Master Purchase Order No. 200567; and

WHEREAS, Paul H. Riester, Director of Administration submitted Master Purchase Order Amendment No. 1 in the amount of \$1,000.00 to increase the Master Purchase Order for the full 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 Ashland Pest Control, Inc. 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, Vacco and Warthling

Noes: None

**ITEM 10 - APPROVAL OF MASTER PURCHASE ORDER AMENDMENT NO. 1 OF
ASHLAND PEST CONTROL, INC. FOR RODENT CONTROL AT THE
ERIE COUNTY WATER AUTHORITY'S VAN DE WATER TREATMENT
PLANT, MASTER PURCHASE ORDER NO. 200566 - \$1,000.00**

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority ("Authority") has exercised its right to use Ashland Pest Control, Inc. off a New York State Office of General Services Contract ("NYS/OGS") for pest control through integrated pest management at the Van de Water Treatment Plant, identified as Master Purchase Order No. 200566; and

WHEREAS, Robert A. Niederpruem, Sr. Production Engineer submitted Master Purchase Order Amendment No. 1 in the amount of \$1,000.00 to increase the Master Purchase

Order for the full 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 Ashland Pest Control, Inc. 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, Vacco and Warthling
Noes: None

ITEM 11 - 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 hydrant at 16 Poinciana Parkway, Town of Cheektowaga with a new Clow hydrant on 5/28/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5791.

Kennedy K-10 hydrant originally installed in 1965 was scrapped and retired under Retirement Authorization No. R80023.

Replace existing sixteen (16") pipe at easement between Abbott and Pacific Ave., Town of West Seneca with a new 16' x 6" hydrant tee, 6" valve and hydrant Clow hydrant on 5/15/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5789.

Replace existing hydrant at 4821 Tadio Parkway, Town of Cheektowaga with a new Clow hydrant on 4/30/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5787.

Kennedy K-10 hydrant originally installed in 1974 was scrapped and retired under Retirement Authorization No. R80020.

Replace existing valve at Ridge Road at South Park Avenue, City of Lackawanna with a new eight (8") inch resilient valve on 5/21/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5790.

Eight (8") inch gate valve originally installed in 1902 was scrapped and retired under Retirement Authorization No. R80022.

Replace existing hydrant and valve at 6982 Transit Road, Town of Clarence with a new Clow hydrant on 6/4/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5793.

Old Kennedy K-10 hydrant originally installed was scrapped and retired under Retirement Authorization No. R80025.

Replace existing hydrant and valve at 4101 Transit Road, Town of Clarence with a new Clow hydrant on 6/5/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5792.

Old Kennedy K-10 hydrant originally installed was scrapped and retired under Retirement Authorization No. R80024.

Replace existing hydrant and valve at opposite 7152 Road, Town of Clarence with a new Clow hydrant on 6/10/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5794.

Old Mueller Improved hydrant originally installed was scrapped and retired under Retirement Authorization No. R80026.

Replace existing hydrant and valve at 3831 Harlem Road, Town of Cheektowaga with a new Clow hydrant on 6/3/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5795.

Old Waterous hydrant and valve originally installed was scrapped and retired under Retirement Authorization No. R80027.

Replace existing hydrant and valve at 3871 Harlem Road, Town of Cheektowaga with a new Clow hydrant on 6/4/08. Work done by ECWA forces under Work Authorization No. 107.200 EC5797.

Old Kennedy K-10 hydrant and valve originally installed was scrapped and retired under Retirement Authorization No. R80029; 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 12 - AUTHORIZATION TO OPEN AN ACCOUNT AT M&T BANK, BUFFALO, NEW YORK, ENTITLED "BOND ISSUANCE COSTS 2008"

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Heretofore and on the 5th day of June, 2008 the Erie County Water Authority ("Authority") authorized the issuance of bonds known as the Series 2008 (not to exceed \$50,000,000) pursuant to the Fourth Resolution Refunding Water Revenue Bonds; and

WHEREAS, The establishment of a separate account for interest and principal payable on the Authority's bonds is required which is to be entitled "Bond Issuance Costs 2008"; and

WHEREAS, This account will be held by the Trustee, M&T Bank, on behalf of the bondholders and is to be funded beginning six months prior to the interest due dates and twelve months prior to the principal due dates; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director advises that an account will be opened at M&T Bank, Buffalo, New York, entitled "Bond Issuance Costs 2008"; Account No. 1013481; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director and Robert A. Mendez, Executive Director recommend approving the opening of an account at M&T Bank, Buffalo, New York, referred to as the "Bond Issuance Costs 2008"; and

WHEREAS, In accordance with the terms and conditions of Resolution Item No. 12 of

the Erie County Water Authority's Annual Meeting held on May 8, 2008 said persons as described therein are authorized to act on behalf of the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority open a bank account at M&T Bank entitled the "Bond Issuance Costs 2008" required for the above-referenced bond issuance; and be it further

RESOLVED: That the individuals listed in Resolution Item No. 12 of the Erie County Water Authority's Annual Meeting held on May, 8, 2008 are authorized to act on behalf of the Authority.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 13 - AUTHORIZATION TO DISPOSE OF USED AND SCRAP ELECTRONIC EQUIPMENT TO ELECTRONIC RECYCLING TECHNOLOGIES, LLC

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Matthew J. Baudo, Secretary to the Authority advised that the Erie County Water Authority ("Authority") currently has computer equipment that is either obsolete or not expected to be re-deployed at the Authority; and

WHEREAS, Paul H. Riester, Director of Administration advises that the County of Erie currently contracts with Recycling Technologies, LLC to dispose of the County's electronic equipment including the donation process; and

WHEREAS, Paul H. Riester, Director of Administration and Matthew J. Baudo, Secretary to the Authority recommend that the Authority exercise its right to use the County of Erie's contract with Recycling Technologies, LLC to dispose of the Authority's electronic equipment as listed on attached Schedule "A"; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the Authority is hereby authorized to use the County of the Erie's contract with

Recycling Technologies, LLC to dispose of the Authority's electronic equipment as listed on attached Schedule "A".

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

ITEM 14 - AUTHORIZATION FOR MICHAEL FARRELL, ENGINEERING DRAFTSWORKER AND ADAM MASSARO, ENGINEERING DRAFTSWORKER TO ATTEND THE CROSS CONNECTION CONTROL COURSE IN ROCHESTER, NEW YORK

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority deems it advisable for Michael Farrell, Engineering Draftsworker and Adam Massaro, Engineering Draftsworker to attend the Cross Connection Control Program in Rochester, New York at a total estimated cost of \$1,200;

NOW, THEREFORE, BE IT RESOLVED:

That Michael Farrell, Engineering Draftsworker and Adam Massaro, Engineering Draftsworker be and they are hereby authorized to travel to Rochester, New York from September 14, 2008 to September 18, 2008 to attend the Cross Connection Control Program at a total estimated cost of \$1,200.

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

ITEM 15 - AUTHORIZATION TO AMEND ITEM NO. 50.0 (TUITION ASSISTANCE PROGRAM) TO THE ERIE COUNTY WATER AUTHORITY'S HUMAN RESOURCES POLICIES/PROCEDURES MANUAL

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Heretofore and on the 18th day of May, 1995, by Resolution Item No. 25, the Erie County Water Authority ("Authority") adopted a Human Resources Policies/ Procedures Manual; and

WHEREAS, Heretofore and on the 27th day of December, 2005 the Authority adopted a revised Human Resources Policies/Procedures Manual; and

WHEREAS, Matthew J. Baudo, Secretary to the Authority advises that it is in the best interest of the Authority to amend Policy No. 50.0 (Tuition Assistance Program) of said Manual to read as follows:

PURPOSE

To encourage and support the educational development of all employees.

POLICY

It is the policy of the Authority to encourage and assist employees to prepare for greater opportunities and responsibilities. In order to achieve this goal, the Authority will reimburse eligible employees for tuition and fees incurred, as limited below, when they satisfactorily complete approved university, college or trade schools.

PROCEDURE

1. All permanent, full-time employees with at least one year of accrued service are eligible for Tuition Assistance. When in the best interest of the Authority or a pre-employment condition, the one year of accrued service requirement may be waived jointly by the Executive Director and Secretary to the Authority.
2. Courses will be approved for reimbursement according to the following guidelines:
 - A. Single, non-degree related courses must be relevant to the employee's current or future positions at the Authority.
 - B. Degree or certificate programs must be generally relevant to an employee's current or future positions at the Authority. All courses and distribution requirements mandated for the degree will be covered.
3. Applications for this program must be made by completing a Tuition Assistance Application Form (No. 50.1) and submitting it to the Human Resources Department prior to enrollment.
4. In the case of single courses, the application shall include a complete description of the course and its relevance to the employee's job.
5. The application for a degree or certificate-related program should be accompanied by an Approval For Degree-Related Courses Form (No. 50.2) containing a list of required courses and a description of the degree or certificate to be obtained. Each semester, prior to enrollment, a list of courses to be taken should be submitted to the Human Resources Department. However, once a degree or certificate program has been approved,

individual courses only need to be submitted each semester for reference.

6. All Applications must be accompanied by a recommendation from the employee's direct supervisor.
7. Upon receipt of a complete application, the Human Resources Department will forward it to the Secretary to the Authority for final approval.
8. The employee will be notified of the Secretary's approval, pending timely submittal of his/her application, prior to the registration deadline for each semester.
9. The Authority shall reimburse covered employees for approved and completed courses, subject to the established schedule below, up to the annual exclusion amount established by the U.S. Tax Code, published by the Internal Revenue Service (IRS), for tuition reimbursement, subject to increases, when occurring.

Schedule of Reimbursement:

- A. If a grade of "A" is attained, reimbursement shall be 100%, subject to the annual exclusion amount stated above;
 - B. If a grade of "B" is attained, reimbursement shall be 80%, subject to the annual exclusion amount stated above;
 - C. If a grade of "C" is attained, reimbursement shall be 60% subject to the annual exclusion amount stated above; and
 - D. In the case of a Pass/Fail course, if a "Pass" is attained, reimbursement shall be 80%, subject to the annual exclusion amount stated above.
10. Employees already enrolled in approved Degree Related Courses will be reimbursed under the terms of the policy adopted by the Commissioners on May 18, 1995, until they complete degree requirements or June 30, 2003, whichever event occurs first.
 11. Following completion of the course(s) and receipt of grade(s), the employee shall be required to complete a Reimbursement Request Form (No. 50.3) and submit it to the Human Resources Department for approval and payment; and

WHEREAS, Matthew J. Baudo, Secretary to the Authority recommends amending Policy No. 50.0 (Tuition Assistance Program) of the Authority's Human Resources Policies/Procedures Manual; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the Authority amend Policy No. 50.0 (Tuition Assistance Program) of the Authority's Human Resources Policies/Procedures Manual as noted above.

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

ITEM 16 - SALARY INCREMENTS - JULY 1, 2008

Motion by Mr. Warthling seconded by Mrs. Vacco

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, 2008 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, Vacco and Warthling
Noes: None

ITEM 17 - PURCHASE ORDERS:

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve for payment of

6/26/08

Purchase Order Nos. as listed on the attached sheets pages 14-24 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 18 - 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 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 19 - SERVICE CONNECTION WORK ORDER LIST:

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve Service Connection Work Order Nos. 2008-25, 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 Thursday, July 24, 2008 at 10:00 a.m.

Matthew J. Baudo
Secretary to the Authority

SLZ

06/26/08