

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Building, Buffalo, New York, on the 21st day of August, 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
Karla L. Thomas, Director of Human Resources
Daniel J. NeMoyer, Public Affairs Officer
Albert J. Meaney, Comptroller
Steven V. D'Amico, Budget and Financial Analyst
Susan Rinaldo, Cash Manager

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, August 7, 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, August 7, 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 - 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 1-10 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 2-20)

**ITEM 2 - 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 August 12, 2008 that there was available on August 22, 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 December 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 December 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 3 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND WATER WORKS SYSTEM REVENUE REFUNDING BONDS, SERIES 1998B - \$112,094.93

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Susan Rinaldo, Cash Manager advised under date of August 12, 2008 that there was available on August 22, 2008 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 1998B:

Interest Account	\$47,511.56
Principal Account	\$64,583.37

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 October 15, 2008 Interest Payment at the highest yield to maturity to 1998B Bondholders and invest from the Principal Account in the amount of \$64,583.37 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 October 15, 2008 Interest Payment at the highest yield to maturity to 1998B Bondholders and invest from the Principal Account in the amount of \$64,583.37 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 4 - RATIFICATION OF THE INVESTMENT OF FUNDS FROM THE MANUFACTURERS & TRADERS TRUST COMPANY, DEBT SERVICE FUND WATER WORKS SYSTEM REVENUE REFUNDING BONDS, SERIES 2003F - \$91,766.74

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Susan Rinaldo, Cash Manager advised under date of August 12, 2008 that there was available on August 22, 2008 the following amounts in the Debt Service Fund Water Works System Revenue Refunding Bonds, Series 2003F:

Interest Account	\$39,683.41
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 \$39,683.41 to mature in time for the January 15, 2009 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, 2009 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 \$39,683.41 to mature in time for the January 15, 2009 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, 2009 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 5 - 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 August 12, 2008 that there was available on August 22, 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 December 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 December 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 6 - AUTHORIZATION TO RENEW POLICY WITH VISION SERVICE PLAN (VSP) FOR PAYMENT OF VISION INSURANCE PREMIUMS FOR ERIE COUNTY WATER AUTHORITY NON-REPRESENTED/MANAGERIAL AND AFSCME EMPLOYEES FOR THE PERIOD OF SEPTEMBER 1, 2008 THROUGH AUGUST 31, 2010

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority's ("Authority") Plan term with Vision Service Plan ("VSP") for vision insurance coverage premiums for Authority Non-Represented/ Managerial and AFSCME employees (Group No. 04108103) expires on August 31, 2008; and

WHEREAS, VSP submitted a letter informing the Authority that the current policy will renew for the period September 1, 2008 through August 31, 2010 at the same rate; and

WHEREAS, Karla L. Thomas, Director of Human Resources and Robert A. Mendez, Executive Director recommend renewing the above policy for the period September 1, 2008 through August 31, 2010 at the current rate;

NOW, THEREFORE BE IT RESOLVED:

That the Authority renews the above policy with VSP for vision insurance coverage premiums for Authority Non-Represented/Managerial and AFSCME employees (Group No. 04108103) the period September 1, 2008 through August 31, 2010 at the current rate.

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

ITEM 7 - AUTHORIZATION TO SOLICIT REQUEST FOR EXTENSION OF THE 2008 INSURANCE PROTECTION PROGRAM

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water Authority ("Authority") has the authority to contract for expert professional services; and

WHEREAS, Article III, Section 6 of the Authority's By-Laws grants to the Authority the right to contract for expert professional services; and

WHEREAS, The Board of Commissioners on September 26, 2007 authorized by resolution (Item #3) the issuance of a Request for Proposal ("RFP") to qualified firms to provide the Authority with an insurance protection program; and

WHEREAS, The RFP was conducted pursuant to the New York State Finance Law §§ 139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, The RFP specified that the Authority, at its option, may extend the contract for one (1) year after December 31, 2008; and

WHEREAS, it is now determined that in order to maximize organizational efficiency with respect to the management of the Authority's insurance protection program it is in the best interests of the Authority to explore the option of extending the coverage's currently in force for a period of six months excluding Worker's Compensation coverage;

NOW, THEREFORE BE IT RESOLVED:

The Authority is hereby authorized to solicit in writing from its current brokers/carriers an opinion on the economic and operational viability of extending the Authority's current coverage's excluding Workers Compensation coverage for a six month period and designates Deputy Director Robert J. Lichtenthal, Jr. as the contact person for this written solicitation and the acceptance of written responses.

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

ITEM 8 - AWARD OF CONTRACT TO POTENZA SERVICES, INC. FOR GENERAL CLEANING AND MAINTENANCE SERVICE FOR ERIE COUNTY WATER AUTHORITY SERVICE CENTER AND WATER QUALITY LABORATORY FROM SEPTEMBER 1, 2008 THROUGH AUGUST 31, 2011, PROJECT NO. 200800281 - \$148,140.00

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 9th day of July, 2008, and in Business First on the 11th day of July, 2008, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for general cleaning and maintenance service for Erie County Water Authority Service Center and Water Quality Laboratory from September 1, 2008 through August 31, 2011; and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 29th day of July, 2008, at 11:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Potenza Services, Inc.	\$148,140.00*
K&K Janitorial Services, Inc.	\$239,439.36
Stratus Building Solutions	\$279,445.80
Top of the Line Cleaning, Inc.	\$413,912.76
Jani-King of Buffalo	Non-Responsive
ABC Cleaning	Non-Responsive
Action Cleaning Services	Non-Responsive
P.S. Elliott Services, Inc.	Non-Responsive

* Corrected Figure; and

WHEREAS, Karla L. Thomas, Director of Human Resources, has advised that the low bidder, Potenza Services, 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, Paul H. Riester, Director of Administration and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Potenza

Services, 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 Potenza Services, 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 general cleaning and maintenance service for Erie County Water Authority Service Center and Water Quality Laboratory from September 1, 2008 through August 31, 2011 in the total amount of \$148,140.00; and be it further

RESOLVED: Pursuant to New York State Finance Law §§139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures with the award and execution by the Authority of this contract, the Restricted Period will cease; and be it further

RESOLVED: That the Director of Administration is hereby authorized and directed to create a Master Purchase Order for the abovementioned contract.

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

ITEM 9 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO. NC-32C, INSTALLATION OF ELECTRICAL IMPROVEMENTS OF STANDBY POWER, PROJECT NO. 200800010

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. NC-32C, installation of electrical improvements of standby power; 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. NC-32C, installation of electrical improvements of standby power 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, Nussbaumer & Clarke, Inc., Consulting Engineers 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. NC-32C, installation of electrical improvements of standby power 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 10 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NC-32A, INSTALLATION OF PERMANENT STANDBY POWER AT VAN DE WATER TREATMENT PLANT, BALL STATION AND WINDOM PUMP STATION, PROJECT NO. 200800010

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 NC-32A, installation of permanent standby power at Van de Water Treatment Plant, Ball Station and Windom Pump Station; 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 NC-32A, installation of permanent standby power at Van de Water Treatment Plant, Ball Station and Windom Pump Station 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, Nussbaumer & Clarke, Inc., Consulting Engineers 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 NC-32A, installation of permanent standby power at Van de Water Treatment Plant, Ball Station and

Windom Pump Station 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 11 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR FENCING, GUARDRAIL, GENERAL WELDING, PAINTING AND SANDBLASTING REPAIRS, PROJECT NO. 200800368

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 fencing, guardrail, general welding, painting and sandblasting repairs; 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 fencing, guardrail, general welding, painting and sandblasting repairs 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, Jay F. Meyers, Production Engineer 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 fencing, guardrail, general welding, painting and sandblasting repairs 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 12 - 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 18 Gates Avenue, City of Lackawanna with a new Clow hydrant on 7/24/08. Work done by ECWA forces under Work Authorization No. 107.200 5806.

Old hydrant originally installed in 1985 was scrapped and retired under Retirement Authorization No. R80037.

Replace existing hydrant at Southwestern Blvd. at Riley Blvd., Town of Hamburg with a new Clow hydrant on 7/25/08. Work done by ECWA forces under Work Authorization No. 107.200 5807.

Old Mueller centurian originally installed in 2002 was scrapped and retired under Retirement Authorization No. R80038.

Replace existing hydrant at 113 Nancycrest, Town of West Seneca with a new Clow hydrant on 7/29/08. Work done by ECWA forces under Work Authorization No. 107.200 5809.

Old Mathews hydrant originally installed in 1959 was scrapped and retired under Retirement Authorization No. R80039.

Replace existing hydrant at 222 Castlewood Drive, Town of Cheektowaga with a new Clow hydrant on 7/2/08. Work done by ECWA forces under Work Authorization No. 107.200 5804.

Old Darling hydrant originally installed in 1972 was scrapped and retired under Retirement Authorization No. R80036.

Replace existing hydrant and valve at 29 Wehrle Drive, Town of Amherst with a new Clow hydrant on 6/5/08. Work done by ECWA forces under Work Authorization No. 107.200

5796.

Old Kennedy K-10 hydrant and valve originally installed was scrapped and retired under Retirement Authorization No. R80028.

Replace existing hydrant and valve at Lexington Terrace, Town of Amherst with a new Clow hydrant on 6/6/08. Work done by ECWA forces under Work Authorization No. 107.200 5798.

Old Mueller improved hydrant and valve originally installed was scrapped and retired under Retirement Authorization No. R80030; 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 13 - AUTHORIZATION TO AMEND ITEM NO. 11 OF THE MINUTES OF THE MEETING OF THE ERIE COUNTY WATER AUTHORITY HELD ON AUGUST 7, 2008

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Heretofore and on the 7th day of August, 2008 the Erie County Water Authority ("Authority") authorized various refunds for new service installations for a total of \$28,283.69; and

WHEREAS, The resolution authorized Piccadilly Plaza II, Inc. a refund of \$25,265.95; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director has advised that additional

charges to Piccadilly have incurred and that the refund should only be \$24,819.84; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director recommends amending Item No. 11 of the Minutes of the Meeting of the Erie County Water Authority held on August 7, 2008 changing the total refund to \$27,837.58 shown on attached Schedule "A"; and

NOW, THEREFORE, BE IT RESOLVED:

That the Authority amends Item No. 11 of the Minutes of the Meeting of the Erie County Water Authority held on August 7, 2008 changing the total refund to \$27,837.58 shown on attached Schedule "A".

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 14 - AUTHORIZATION TO INSTALL ONE FIRE HYDRANT AT 8910 SHERIDAN DRIVE, TOWN OF CLARENCE, NEW YORK, PROJECT NO. 200800348, EC NO. 5808

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, In a resolution dated, June 11, 2008, The Town Board of the Town of Clarence authorized the Erie County Water Authority ("Authority") to install one fire hydrant at 8910 Sheridan Drive, Town of Clarence, New York under the Authority's annual large service contract; and

WHEREAS, This hydrant installation has been assigned Work Authorization No. EC 5808 and Project No. 200800348;

NOW, THEREFORE, BE IT RESOLVED:

That one fire hydrant be installed at 8910 Sheridan Drive, Town of Clarence, New York under the Authority's annual large service contract.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 15 - AUTHORIZATION TO AMEND POLICY NO. 13.0 (PHYSICAL STANDARDS AND REQUIREMENTS POLICY) OF 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 (the "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, Heretofore and on the 17th day of July, 2007 the Authority adopted a Physical Standards & Requirements Policy to incorporate into the 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. 13.0 (Physical Standards & Requirements Policy) of said manual adding the positions of Auto Mechanic and Auto Mechanic Crew Chief as noted on Schedule "A" attached; and

WHEREAS, Matthew J. Baudo, Secretary to the Authority recommends amending Policy No. 13.0 (Physical Standards & Requirements Policy) of the Authority's Human Resources Policies/Procedures Manual adding the positions of Auto Mechanic and Auto Mechanic Crew Chief; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the Authority amend Policy No. 13.0 (Physical Standards & Requirements Policy) of the Authority's Human Resources Policies/Procedures Manual adding the positions of Auto Mechanic and Auto Mechanic Crew Chief as noted on Schedule "A" attached.

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

ITEM 16 - AUTHORIZATION FOR DANIEL SEIDER, DISTRIBUTION ENGINEER TO ATTEND THE ADVANCING ASSET MANAGEMENT IN YOUR UTILITY: A "HANDS-ON" WORKSHOP IN ROANOKE, VIRGINIA

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority deems it advisable for Daniel Seider,

Distribution Engineer to attend the Advancing Asset Management in Your Utility: A “Hands-On” Workshop in Roanoke, Virginia at a total estimated cost of \$1,600.00;

NOW, THEREFORE, BE IT RESOLVED:

That Daniel Seider, Distribution Engineer be and he is hereby authorized to travel to Roanoke, Virginia from October 7, 2008 to October 10, 2008 to attend the Advancing Asset Management in Your Utility: A “Hands-On” Workshop at a total estimated cost of \$1,600.00.

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

ITEM 17 - MARTIN LANG, DISPATCHER - LEAVE OF ABSENCE WITHOUT PAY

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to grant Martin Lang, Dispatcher a one year leave of absence without pay effective September 12, 2008 in accordance with the personnel rules of the Authority.

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

ITEM 18 - AUTHORIZATION OF WAIVER AND RELEASE AGREEMENT WITH DIRECTOR OF HUMAN RESOURCES

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Karla L. Thomas, Director of Human Resources has submitted her letter of resignation from the employ of the Erie County Water Authority; and

WHEREAS, The Erie County Water Authority and the Director of Human Resources wish to resolve any outstanding rights, duties and obligations of the respective parties relating to said employment; and

WHEREAS, The Authority and Ms. Thomas desire to enter into an Waiver and Release agreement from employment to resolve any outstanding rights, duties and obligations of the respective parties to the employment; and

WHEREAS, The parties hereto have agreed as a condition of said severance and separation from employment that the conditions of said Waiver and Release agreement remain confidential; and

WHEREAS, Mark J. Fuzak, Attorney and Robert A. Mendez, Executive Director recommend entering into a confidential Waiver and Release agreement with Ms. Thomas to be executed by the Chairman;

NOW, THEREFORE, BE IT RESOLVED:

That the Chairman be and he hereby is authorized to execute said confidential Waiver and Release agreement on behalf of the Authority; and be it further

RESOLVED: That the funds necessary to effectuate said confidential agreement be and the same hereby are approved.

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

ITEM 18 - 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 11-20 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 - 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 21 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 20 - SERVICE CONNECTION WORK ORDER LIST:

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve Service Connection Work Order Nos. 2008-032 and 2008-033, 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, September 4 at 10:00 a.m.

Matthew J. Baudo
Secretary to the Authority

SLZ