

**MINUTES** of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Building, Buffalo, New York, on the 4th day of September, 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**  
**Ronald P. Bennett, Associate Attorney**  
**Paul H. Riestler, Director of Administration**  
**Karla L. Thomas, Director of Human Resources**  
**Daniel J. NeMoyer, Public Affairs Officer**  
**Albert J. Meaney, Comptroller**  
**Steven V. D'Amico, Budget and Financial Analyst**  
**Anthony Alessi, Claims Representative/Risk 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 21, 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 21, 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 \$154,260.00 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 1-10 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 3-8)**

**ITEM 3 - AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS IN CONNECTION WITH EMPLOYEE ASSISTANCE PROGRAMS**

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 Authority deems it necessary to issue a Request for Proposal ("RFP") to retain the professional services of an Employee Assistance Program provider to, in addition to other services, provide counseling and referral to all full-time and part-time ECWA employees working at five separate locations within Erie County, New York, conduct periodic informational and educational seminars, provide training for ECWA supervisors, furnish quarterly statistical reports for a period of three (3) years; and

**WHEREAS**, The proposals received by the Authority will be evaluated in accordance with the terms of the RFP, and a professional services contract will be negotiated and executed with the successful offerer; and

**WHEREAS**, The RFP for Employee Assistance Program services 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**, Matthew J. Baudo, Secretary to the Authority, will be the designated contact person for the RFP with the adoption of this resolution;

**NOW, THEREFORE BE IT RESOLVED:**

The Authority is hereby authorized to issue a Request for Proposal ("RFP") to qualified providers for the services mentioned above.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

**ITEM 4 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL O & M BUDGET FOR FISCAL YEAR 2008**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, In a resolution dated November 30, 2007 the Erie County Water Authority (the "Authority") adopted its Annual Budget for the fiscal year 2008; 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**, The Authority's 2008 Budget contains two (2) positions of Instrumentation Electrical & Electronic Technician in the Instrumentation Unit, one of which is currently vacant; and

**WHEREAS**, The Authority has determined that it is advisable to remove the vacant position of Instrumentation Electrical & Electronic Technician in the Instrumentation Unit and add an additional position of Assistant Instrumentation Electrical & Electronic Technician in this unit; and

**WHEREAS**, Robert A. Mendez, Executive Director, Robert J. Lichtenthal Jr., Deputy Director, Matthew J. Baudo, Secretary to the Authority, and Wesley Dust, Executive Engineer, recommend approval of said amendment;

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

That the Authority's Annual Budget for the fiscal year 2008 be amended by removing one position of Instrumentation Electrical & Electronic Technician in the Instrumentation Unit and adding one position of Assistant Instrumentation Electrical & Electronic Technician in the Instrumentation Unit.

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

**ITEM 5 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS –  
\$2,147.65**

Motion by Mr. Warthling seconded by Mrs. Vacco

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director advised the Authority that he has received leak allowance requests from Authority customers listed below resulting from service line leaks:

- |  |   |
|--|---|
| 1) Dean E. Becker, Jr.<br>6156 Old Lake Shore Road<br>Lakeview, NY 14085<br>\$1,496.22 | 2) Colley's Pools<br>4953 Camp Road<br>Hamburg, NY 14075<br>\$651.43; and |
|--|---|

**WHEREAS**, Robert J. Lichtenthal, Jr., Deputy Director advised that the requests contain documentation showing that the leak has been repaired; and

**WHEREAS**, Said leak allowance requests have 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 requests; and

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

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

That the Authority grant the leak allowance requests to the abovementioned customers; and be it further

**RESOLVED:** That the Comptroller is hereby authorized and directed to adjust the account of the abovementioned customers.

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

**ITEM 6 - RICHARD AMMERMAN - LEAVE OF ABSENCE**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to grant Richard Ammerman a leave of absence from his permanent position of Meter Service Worker during his provisional appointment as Water Treatment Plant Operator.

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

**ITEM 7 - 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 11-15 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 8 - SERVICE CONNECTION WORK ORDER LIST:**

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve Service Connection Work Order No. 2008-34, 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 Wednesday, September 17, 2008 at 10:00 a.m.

Matthew J. Baudo  
Secretary to the Authority

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