

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Building, Buffalo, New York, on the 27th day of February, 2009.

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. Riester, Director of Administration
Daniel J. NeMoyer, Public Affairs Officer
Steven V. D'Amico, Budget and Financial Analyst

ATTENDEES:

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, February 12, 2009.

III. - APPROVAL OF MINUTES

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve the Minutes of the Meeting held on Thursday, February 12, 2009.

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 2-18)

ITEM 2 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SECURITY CREDIT SYSTEMS, INC. TO PROVIDE COLLECTION SERVICES TO COLLECT DELINQUENT ACCOUNTS RECEIVABLE

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority's ("Authority") Board of Commissioners authorized the issuance of a Request for Proposals ("RFP") to qualified firms to provide collection services to collect delinquent accounts receivable on December 31, 2008; and

WHEREAS, A copy of the RFP was sent to:

Financial Recoveries
 Proline Solutions Group
 Credex America
 Mercantile Adjustment Bureau
 ZAC
 Tice Associates
 Commercial Collection Corp of NY
 Pentagroup Financial LLC
 Creditors Interchange
 Security Credit Systems
 Capital Management Services
 Parson Bishop National Collections, Inc.
 Norstar Collections
 LHR, Inc.
 Windham Professional, Inc.; and

WHEREAS, The only respondent to the RFP was Security Credit Systems, Inc.; and

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

WHEREAS, Upon evaluating the response to the RFP, the Authority deems it advisable to have Security Credit Systems, Inc. provide collection services to collect delinquent accounts receivable; and

WHEREAS, Security Credit Systems, Inc. have committed to a three-year period to provide collection services, commencing with the execution of the agreement with a one or two year agreement renewal at the option of the Authority; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director and Robert A. Mendez, Executive Director recommend that the Authority enter into an agreement with Security Credit Systems, Inc.;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Security Credit Systems, Inc. to provide collection services to collect delinquent accounts receivable; 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 agreement, the Restricted Period will cease; 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 Security Credit Systems, Inc.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 3 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SIEMENS ENERGY & AUTOMATION TO PERFORM PREVENTATIVE MAINTENANCE CHECKS ON EQUIPMENT AT THE ERIE COUNTY WATER AUTHORITY'S STURGEON POINT WATER TREATMENT PLANT, WINDOM PUMP STATION, VAN DE WATER TREATMENT PLANT AND BALL PUMP STATION, IDENTIFIED AS CONTRACT NO.

**ROB-004, PROJECT NO. 200800413 AT A COST NOT TO EXCEED
\$46,877.00 FOR YEAR ONE, \$49,220.00 FOR YEAR TWO AND \$51,680.00
FOR YEAR THREE**

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority ("Authority") owns and operates ten Robicon drives contained at the Authority's Sturgeon Point Water Treatment Plant, four at Windom Pump Station, two at Van de Water Treatment Plant and two at Ball Pump Station; and

WHEREAS, The Robicon drives require preventive maintenance checks consisting of inspection, cleaning, component testing/evaluation, cleaning/re-tightening of electrical connections, calibration and tuning; and

WHEREAS, Siemens Energy & Automation ("Siemens") is the sole supplier for the drives; and

WHEREAS, The Authority deems it advisable to have Siemens provide on-site labor required to perform preventative maintenance checks on the 18 Robicon drives contained at the Authority's Sturgeon Point Water Treatment Plant, Windom Pump Station, Van de Water Treatment Plant and Ball Pump Station; and

WHEREAS, Under the date of February 3, 2009, Siemens submitted two copies of the proposed agreement between the Authority and them consisting of typewritten pages outlining services to be performed as follows:

SECTION 1 - QUALIFICATION OF CONSULTANT

SECTION 2 - SCOPE OF SERVICES

SECTION 3 - PAYMENT FOR SERVICES

SECTION 4 - SUBCONTRACT AND ASSIGNMENT

SECTION 5 - AMENDMENTS

SECTION 6 - RIGHT TO TERMINATE

SECTION 7 - INDEMNIFICATION

SECTION 8 - LIMITATION OF LIABILITY

SECTION 9 - CONFIDENTIAL INFORMATION

SECTION 10 - INSURANCE**SECTION 11 - COPYRIGHTS, TRADEMARKS, AND LICENSING****SECTION 12 - NEW YORK LAW AND JURISDICTION****SECTION 13 - CONFLICTS OF INTEREST****SECTION 14 - ADDITIONAL CONDITIONS****SECTION 15 - ENTIRE AGREEMENT****SECTION 16 - INDEPENDENT STATUS****SECTION 17 - COMPLIANCE****SECTION 18 - GRATUITIES****SECTION 19 - NOTICE****SECTION 20 - SEVERABILITY****SECTION 21 - WARRANTY****SECTION 22 - FORCE MAJEURE; and**

WHEREAS, The term of the agreement is three years starting upon contract ratification;
and

WHEREAS, The Authority agrees to pay Siemens for services described in said proposal in accordance with the terms as outlined in Section 3 of said proposal entitled Payment for Services; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director recommend acceptance of said proposal by the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Siemens to provide on-site labor required to perform preventative maintenance checks on the 18 Robicon drives contained at the Authority's Sturgeon Point Water Treatment Plant, Windom Pump Station, Van de Water Treatment Plant and Ball Pump Station under the terms and conditions set forth in said proposal; 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 Siemens.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 4 - AUTHORIZATION TO EXTEND THE LEASE AGREEMENT WITH GATEWAY TRADE CENTER, INC.

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Heretofore and on the 17th day of July, 2007 the Erie County Water Authority (Authority) entered into a Lease Agreement (“Agreement”) with Gateway Trade Center, Inc.(Gateway) for laboratory space for a two year term; and

WHEREAS, Paragraph 4 of this Agreement states that the Authority shall have the right to renew this Lease for two (2) successive renewal terms of one (1) year(s) each under all of the same terms, provisions and conditions as are contained in the Lease Agreement except for rental increases; and

WHEREAS, The Authority desires to exercise its option to renew the lease for a two year period; and

WHEREAS, The additional fixed rent shall increase as follows:

		<u>Biannually</u>
Year 3	July 1, 2009	\$20,455.84
	January 1, 2008	\$20,455.84
Year 4	July 1, 2010	\$21,478.84
	January 1, 2011	\$21,478.84; and

WHEREAS, Matthew J. Baudo, Secretary to the Authority and Robert A. Mendez, Executive Director recommend extending the Lease as stated above; and

NOW, THEREFORE, BE IT RESOLVED:

That the Authority is hereby authorized to extend the Lease Agreement with Gateway for a period of two years from July 1, 2009 through June 30, 2011 with the fixed rent as stated above; and be it further

RESOLVED: That the Secretary be and he hereby is authorized and directed to forward a certified copy of this resolution to Gateway.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 5 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR A SURVEY OF ERIE COUNTY WATER AUTHORITY CUSTOMERS

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 qualified firms to conduct a telephone survey of customers to gauge attitudes and opinions about the Authority and its operations; 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 the customer survey 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, Daniel J. NeMoyer, Director of Human Resources, 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 RFP to qualified firms to a telephone survey of customers to gauge attitudes and opinions about the Authority and its operations.

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

ITEM 6 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR EMPLOYMENT ASSISTANCE SERVICES

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 qualified firms to provide employment assistance services; 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 employment assistance 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 RFP to qualified firms to provide employment assistance services.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 7 - AWARD OF CONTRACT TO GOWANDA FORD FOR THE FURNISHING AND DELIVERING OF NINE (9) NEW AND UNUSED VEHICLES (VEHICLE NOS. 14, 28, 49, 50, 53, 74, 84, 89 AND 96), PROJECT NO. 200900009 - \$163,842.00

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 14th day of January, 2009, and in Business First on the 16th day of January, 2009, 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. 14, 16, 26, 28, 48, 49, 50, 53, 71, 74, 84, 89, 96 and 107); and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 3rd day of February, 2009, at 11:00 a.m., local time, and were as follows for Vehicle Nos. 14, 28, 49, 50, 53, 74, 84, 89 and 96 only:

BIDDERS	AMOUNT
Gowanda Ford	\$163,842.00
Dave Smith Ford	167,857.00
Delacy Ford	168,559.00
Towne Ford	169,374.14
West Herr Ford	169,755.00
Van Borter Ford	171,484.83; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Gowanda 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 Gowanda 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 nine (9) new and unused vehicles (vehicle nos. 14, 28, 49, 50, 53, 74, 84, 89 and 96) in the total amount of \$163,842.00; 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 8 - AWARD OF CONTRACT TO DAVE SMITH FORD FOR THE FURNISHING AND DELIVERING OF FIVE (5) NEW AND UNUSED VEHICLES (VEHICLE NOS. 16, 26, 48, 71 AND 107), PROJECT NO. 200900009 - \$111,585.00

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 14th day of January, 2009, and in Business First on the 16th day of January, 2009, 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. 14, 16, 26, 28, 48, 49, 50, 53, 71, 74, 84, 89, 96 and 107); and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 3rd day of February, 2009, at 11:00 a.m., local time, and were as follows for Vehicle Nos. 16, 26, 48, 71 and 107 only:

BIDDERS	AMOUNT
Dave Smith Ford	\$111,585.00
Gowanda Ford	112,340.00
Delacy Ford	114,315.00
Van Borter Ford	114,573.74
West Herr Ford	116,370.00
Towne Ford	116,741.41; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director have reviewed the specifications and bids and determined that Dave Smith 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 Dave Smith 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 five (5) new and unused vehicles (vehicle nos. 16, 26, 48, 71 and 107) in the total amount of \$111,585.00; 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 THE FURNISHING AND DELIVERING OF POLYALUMINUM CHLORIDE COAGULANT TO THE ERIE COUNTY WATER AUTHORITY FOR THE TREATMENT OF WATER FOR THE PERIOD OF JULY 1, 2009 THROUGH JUNE 30, 2011, PROJECT NO. 200900037

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 the furnishing and delivering of polyaluminum chloride coagulant to the Erie County Water Authority for the treatment of water for the period of July 1, 2009 through June 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 the furnishing and delivering of polyaluminum chloride coagulant to the Erie County Water Authority for the treatment of water for the period of July 1, 2009 through June 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, John Mogavero, Chemist & Chief Water Treatment Plant Operator 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 furnishing and delivering of polyaluminum chloride coagulant to the Erie County Water Authority for the treatment of water for the period of July 1, 2009 through June 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 10 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FURNISHING OF SUBMERSIBLE AGITATOR PUMP FOR ERIE COUNTY WATER AUTHORITY, PROJECT NO. 200900011

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 the furnishing of submersible agitator pump for Erie County Water Authority; 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 the furnishing of submersible agitator pump for Erie County Water Authority 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 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 furnishing of submersible agitator pump for Erie County Water Authority 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 THE FURNISHING AND DELIVERING OF THE 2008 ANNUAL WATER QUALITY REPORT, PROJECT NO. 200900044

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 the furnishing and delivering of the 2008 Annual Water Quality Report; 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 the furnishing and delivering of the 2008 Annual Water Quality Report 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, Daniel J. NeMoyer, Director of Human Resources 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 furnishing and delivering of the 2008 Annual Water Quality Report 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:

Install a valve at Hamburg Turnpike at Lincoln, City of Lackawanna on 12/3/08. Work done by ECWA forces under Work Authorization No. 107.200 5837.

Replace existing 6" gate valve at 66 George Urban Blvd., Town of Cheektowaga with a 6" resilient valve on 1/16/09. Work done by ECWA forces under Work Authorization No. 107.200 5844.

Old 6" gate valve originally installed in 1926 was scrapped and retired under Retirement Authorization No. R90005.

Replace existing hydrant at 73 Elmview Avenue, City of Lackawanna with a Clow hydrant on 12/10/08. Work done by ECWA forces under Work Authorization No. 107.200 5838.

Old Kennedy hydrant originally installed in 1980 was scrapped and retired under Retirement Authorization No. R80063; 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 - REFUND FOR NEW SERVICE INSTALLATIONS - \$27,125.00

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority ("Authority") has installed new services identified on its records by OWIP numbers; and

WHEREAS, Said new services have been completed and the actual cost thereof ascertained; and

WHEREAS, The entire actual cost thereof is less than the estimated cost of the new services; and

WHEREAS, Albert J. Meaney, Comptroller, under the date of February 20, 2009, has recommended that the following refunds be made;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority repay the difference between the estimated cost of said new services and the entire actual costs thereof to the parties and in the amounts hereinafter set forth:

#OWIP	NAME & ADDRESS	DESCRIPTION	AMOUNT
59932	Mr. Michael Sciandra Sciandra Development LLC 9735 Main St. Clarence, NY 14031	Provide an 8" PFP service for Winding Creek Patio Homes 259 N. French Rd. Amherst, NY	\$27,125.00

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

**ITEM 14 - AUTHORIZATION TO INSTALL ONE HYDRANT AT 10 SONWIL DRIVE,
TOWN OF CHEEKTOWAGA, NEW YORK, PROJECT NO. 200900038, EC
NO. 5845**

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, In a resolution dated, January 20, 2009, The Town Board of the Town of Cheektowaga authorized the Erie County Water Authority ("Authority") to install one hydrant at 10 Sonwil Drive, Town of Cheektowaga, New York under the Authority's annual large service contract; and

WHEREAS, This hydrant installation has been assigned Work Authorization No. EC 5845 and Project No. 200900038;

NOW, THEREFORE, BE IT RESOLVED:

That one hydrant be installed at 10 Sonwil Drive, Town of Cheektowaga, New York under the Authority's annual large service contract.

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

ITEM 15 - AUTHORIZATION FOR SCOTT AIPLE, ELECTRICAL ENGINEER TO ATTEND THE HP OPEN VMS FUNDAMENTALS TRAINING IN DENVER, COLORADO

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority deems it advisable for Scott Aiple, Electrical Engineer to attend the HP Open VMS Fundamentals Training in Denver, Colorado at a total estimated cost of \$3,000;

NOW, THEREFORE, BE IT RESOLVED:

That Scott Aiple, Electrical Engineer be and he is hereby authorized to travel to Denver, Colorado from April 12, 2009 to April 17, 2009 to attend the HP Open VMS Fundamentals Training at a total estimated cost of \$3,000.00.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 16 - 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 11-18 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 17 - 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 19 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 - SERVICE CONNECTION WORK ORDER LIST:

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve Service Connection Work Order Nos. 2009-06, 2009-07 and 2009-08, 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, March 11, 2009 at 8:30 a.m.

Matthew J. Baudo
Secretary to the Authority

PF