

**MINUTES** of the **ANNUAL MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Build, Buffalo, New York, on the 7<sup>th</sup> day of May, 2009.

**PRESENT:** Frank E. Swiatek, Commissioner  
Kelly M. Vacco, Commissioner  
Francis G. Warthling, Commissioner  
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  
Daniel J. NeMoyer, Director of Human Resources  
Paul H. Riester, Director of Administration  
Susan L. Rinaldo, Cash Manager

**ATTENDEES:**

**CALL TO ORDER**

**PLEDGE TO THE FLAG**

**I. - ROLL CALL**

**ITEM 1- TEMPORARY SECRETARY**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to appoint Mr. Matthew J. Baudo Temporary Secretary for the Annual Meeting.

**ITEM 2- TEMPORARY CHAIRMAN**

Motion by Mr. Frank E. Swiatek seconded by Mr. Francis G. Warthling and carried to appoint Ms. Kelly M. Vacco Temporary Chair for the Annual Meeting.

**ITEM 3- CHAIRMAN**

Nominations were opened for the office of Chairman.

Unanimous motion and second and carried to nominate Mr. Frank E. Swiatek as Chairman of the Erie County Water Authority for the ensuing year.

Motion by Ms. Kelly M. Vacco seconded by Mr. Francis G. Warthling and carried to move that nominations be closed.

On Roll Call the following votes were cast:

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

Motion carried to elect Frank E. Swiatek as Chairman.

**ITEM 4 - VICE CHAIR**

Nominations were opened for the office of Vice Chair.

Unanimous motion and second and carried to nominate Ms. Kelly M. Vacco, as Vice Chair of the Erie County Water Authority for the ensuing year.

Motion by Mr. Frank E. Swiatek seconded by Mr. Francis G. Warthling and carried to move that nominations be closed.

On Roll Call the following votes were cast:

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

Motion carried to elect Kelly M. Vacco, as Vice Chair.

**ITEM 5 - TREASURER**

Nominations were opened for the office of Treasurer.

Unanimous motion and second and carried to nominate Mr. Francis G. Warthling as Treasurer of the Erie County Water Authority for the ensuing year.

Motion by Ms. Kelly M. Vacco seconded by Mr. Frank E. Swiatek, and carried to move that nominations be closed.

On Roll Call the following votes were cast:

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

Motion carried to elect Mr. Francis G. Warthling as Treasurer.

**ITEM 6 - ASSISTANT TREASURER**

Nominations were opened for the office of Assistant Treasurer.

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco, and carried to nominate Mr. Mark J. Fuzak as Assistant Treasurer of the Erie County Water Authority for the ensuing year.

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco, and carried to move that nominations be closed.

On Roll Call the following votes were cast:

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

Motion carried to elect Mark J. Fuzak as Assistant Treasurer.

**ITEM 7 - RENEWAL OF TREASURER'S AND EMPLOYEES' BONDS**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco, and carried that the Erie County Water Authority ratify the continuation of the Treasurer Bond with Hanover Insurance Group in the amount of \$250,000 for the period April 28, 2009 through April 28, 2011 and the Bill Collector=s Bonds with NGM Insurance Co. in the amount of \$250,000.00 for the period January 1, 2009 through January 1, 2010 and all other employees with Travelers Casualty & Surety Company of America in the amount of \$500,000.00 for the period of January 1, 2009 through January 1, 2010, (covered under the existing Commercial Crime Policy for a Government Entity).

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

**ITEM 8 - SECRETARY**

Nominations were opened for the office of Secretary.

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco, and carried to nominate Mr. Matthew J. Baudo as Secretary to the Erie County Water Authority for the ensuing year.

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco, and carried to move that nominations be closed.

On Roll Call the following votes were cast:

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

**ITEM 9 - ASSISTANT SECRETARY**

Nominations are open for the office of Assistant Secretary.

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco, and carried to nominate Mr. Robert J. Lichtenthal, Jr. as Assistant Secretary to the Erie County Water Authority for the ensuing year.

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco, and carried to move that nominations be closed.

On Roll Call the following votes were cast:

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

Motion carried to elect Robert J. Lichtenthal, Jr. as Assistant Secretary to the Authority.

**ITEM 10 - AUTHORIZATION TO DESIGNATE DEPOSITORIES FOR FUNDS**

Motion by Mr. Frank E. Swiatek seconded by Ms. Kelly M. Vacco, and carried that the Erie County Water Authority designate the following as depositories for funds collected by Mr. Francis G. Warthling Treasurer:

**HSBC BANK USA**

Erie County Water Authority Water System Revenue Account

Erie County Water Authority Savings Account

**MANUFACTURERS & TRADERS TRUST COMPANY**

Erie County Water Authority Water System Revenue Fund

Erie County Water Authority Extension & Improvement Fund

Erie County Water Authority MTB Money Market Fund

Erie County Water Authority Private Fire Protection Construction

Account

Erie County Water Authority Operating and Maintenance

Erie County Water Authority Sick Pay and Pension Reserves

Erie County Water Authority Savings Account – Water System Revenue

Erie County Water Authority Savings Account – Customer Deposit

Erie County Water Authority Water Works System Revenue Refunding Bonds Series 1990B - Debt Service Fund:

1. Principal Account - Serial Bonds
2. Interest Account
3. Bond Retirement Account - Term Bonds (Sinking Fund - for Principal on Called Bonds)

Erie County Water Authority Series 1992 Escrow Account

Erie County Water Authority Debt Service Fund, Series 1998A

Erie County Water Authority (DWSRF) Debt Service Reserve Fund,  
Series 1998A

Erie County Water Authority Debt Service Fund, Series 1998B

Erie County Water Authority Debt Service Reserve Fund, Series 1998B

Erie County Water Authority 2003F Debt Service Reserve Fund

Erie County Water Authority 2003F Debt Service Fund

Erie County Water Authority 2007 Debt Service Reserve Fund

Erie County Water Authority 2007 Debt Service Fund

Erie County Water Authority 2008 Debt Service Fund

Erie County Water Authority 2008 Debt Service Reserve Fund

**BANK OF AMERICA**

Erie County Water Authority Extension & Improvement Fund

Erie County Water Authority Customer Deposits/Refunds Account

Erie County Water Authority Money Market Account

**KEY BANK OF NEW YORK**

Erie County Water Authority Operating & Maintenance Fund

Erie County Water Authority Money Market Account

Erie County Water Authority High Balance Money Market Account

Erie County Water Authority Employee Activity Account

**JP MORGAN CHASE BANK, N.A.**

Erie County Water Authority Water Extension and Improvement Fund

Erie County Water Authority Payroll Account

Erie County Water Authority Government Money Market

Erie County Water Authority Water System Revenue Account

**MBIA - MUNICIPAL INVESTORS SERVICES CORPORATION**

Erie County Water Authority Extension and Improvement Fund

Erie County Water Authority Operating and Maintenance Fund

Erie County Water Authority Sick Pay and Pension Reserves

Erie County Water Authority Customer Deposits\

**FIRST NIAGARA BANK**

Erie County Water Authority Money Market Account

**RBS CITIZENS, NA (D/B/A CITIZENS)**

Erie County Water Authority Money Market Account

On Roll Call the following votes were cast:

Ayes: Three; Commr. Swiatek, Vacco and Warthling

Noes: None

**ITEM 11 - AUTHORIZATION TO APPROVE THE FOLLOWING  
INDIVIDUALS TO EXECUTE ERIE COUNTY WATER  
AUTHORITY CHECKS ON BEHALF OF THE ERIE COUNTY WATER  
AUTHORITY**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to authorize the following individuals to execute Erie County Water Authority checks on behalf of the Authority:

Robert A. Mendez, Executive Director  
Matthew J. Baudo, Secretary to the Authority  
Francis G. Warthling, Treasurer  
Mark J. Fuzak, Assistant Treasurer

On Roll Call the following votes were cast:

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

**ITEM 12 - AUTHORIZATION TO APPROVE THE FOLLOWING  
INDIVIDUALS TO MAKE WIRE TRANSFERS ON BEHALF OF THE  
ERIE COUNTY WATER AUTHORITY**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and  
carried to authorize the following individuals to make wire transfers on behalf of the Erie County  
Water Authority:

Susan L. Rinaldo, Cash Manager  
Karen A. Prendergast, Manager of Accounting Services

On Roll Call the following votes were cast:

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

**ITEM 14 - AUTHORIZATION TO APPROVE THE FOLLOWING  
INDIVIDUALS TO MAKE AUTOMATED CLEARING HOUSE (ACH)  
TRANSFERS ON BEHALF OF THE ERIE COUNTY WATER  
AUTHORITY**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and  
carried to authorize the following individuals to make payroll direct deposit wire transfers on  
behalf of the Erie County Water Authority:

See attached list

On Roll Call the following votes were cast:

Ayes: Three; Commr. Swiatek, Vacco and Warthling

Noes: None

**ITEM 15 - AUTHORIZATION TO APPROVE THE FOLLOWING INDIVIDUALS TO VIEW ALL DEPOSITORY AND INVESTMENT ACTIVITY ON THE INTERNET ON BEHALF OF THE ERIE COUNTY WATER AUTHORITY**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to authorize the following individuals to view all depository and investment activity on the Internet on behalf of the Erie County Water Authority:

Robert J. Lichtenthal, Jr., Deputy Director  
Albert J. Meaney, Comptroller  
Susan L. Rinaldo, Cash Manager  
Karen A. Prendergast, Manager of Accounting Services  
Timothy J. Pulsifer, Jr. Accountant

On Roll Call the following votes were cast:

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

**ITEM 16 - AUTHORIZATION TO APPROVE THE FOLLOWING INDIVIDUALS TO EXECUTE ALL FEDERAL AND STATE TAX RETURNS, INCLUDING BUT NOT LIMITED TO W-2, AND 1099 FORMS ON BEHALF OF THE ERIE COUNTY WATER AUTHORITY**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to authorize the following individuals to execute all Federal and State Tax Returns, including but not limited to W-2 and 1099 Forms on behalf of the Erie County Water Authority:

Albert J. Meaney, Comptroller  
Susan L. Rinaldo, Cash Manager  
Karen A. Prendergast, Manager of Accounting Services

On Roll Call the following votes were cast:

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

**ITEM 17 - AUTHORIZATION TO APPROVE THE FOLLOWING INDIVIDUALS TO VIEW DAILY COLLATERAL REPORTS FOR THE BANK OF NEW YORK ON THE INTERNET ON BEHALF OF THE ERIE COUNTY WATER AUTHORITY**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to authorize the following individuals to view daily collateral reports for the Bank of New York on the Internet on behalf of the Erie County Water Authority:

Susan L. Rinaldo, Cash Manager  
Karen A. Prendergast, Manager of Accounting Services  
Peter R. Reszka, Assistant Business Office Manager

On Roll Call the following votes were cast:

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

**ITEM 18 - AUTHORIZATION TO APPROVE THE ERIE COUNTY WATER AUTHORITY'S ANNUAL INVESTMENT REPORT WITH AUDIT AND THE ANNUAL INVESTMENT GUIDELINES**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to approve the Annual Investment Report with attached Audit and the Investment Guidelines for the ensuing year or until such time at the Erie County Water Authority deems it necessary to amend said Guidelines.

On Roll Call the following votes were cast:

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

**ITEM 19 - AUTHORIZATION TO APPROVE THE FOLLOWING INDIVIDUALS**

**TO AUTHORIZE INVESTMENT TRANSACTIONS EXECUTED BY  
CITIZENS INVESTMENT MANAGEMENT SERVICES**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to authorize the following individuals to authorize investment transactions executed by Citizens Investment Management Services:

Robert J. Lichtenthal, Jr., Deputy Director  
Albert J. Meaney, Comptroller  
Susan L. Rinaldo, Cash Manager  
Karen A. Prendergast, Manager of Accounting Services

On Roll Call the following votes were cast:

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

**ITEM 20 - AUTHORIZATION TO APPROVE THE DIRECTOR OF  
ADMINISTRATION TO AUTHORIZE AND EXECUTE  
PURCHASE ORDERS AFTER DEPARTMENTAL AND  
BOARD APPROVAL**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to approve the Director of Administration to authorize and execute purchase orders after departmental and Board approval.

On Roll Call the following votes were cast:

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

**ITEM 21 - AUTHORIZATION TO APPROVE THE DIRECTOR OF ADMINISTRATION TO AUTHORIZE AND EXECUTE ASSOCIATED PURCHASING AGREEMENTS, WARRANTEES AND MAINTENANCE AGREEMENTS ON DEPARTMENTAL AND BOARD APPROVED PURCHASE ORDERS NOT TO EXCEED AN AGGREGATE OF \$20,000 PER CALENDAR YEAR PER VENDOR**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to approve the Director of Administration to authorize and execute associated purchasing agreements, warrantees and maintenance agreements on departmental and Board approved purchase orders not to exceed an aggregate of \$20,000 per calendar year per vendor.

On Roll Call the following votes were cast:

Ayes: Three; Commr. Swiatek, Vacco and Warthling

Noes: None

**ITEM 22 - COMMITTEES**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to approve that the existing committees remain the same for the coming year and that the Chairman of the Erie County Water Authority will continue to be empowered to name new committees and assign members.

On Roll Call the following votes were cast:

Ayes: Three; Commr. Swiatek, Vacco and Warthling

Noes: None

**ITEM 23 - ADJOURNMENT**

Motion by Mr. Francis G. Warthling seconded by Ms. Kelly M. Vacco and carried to adjourn this annual organization meeting until the next organization meeting to be held on the first regularly scheduled board meeting after the 27<sup>th</sup> day of April, 2010.

On Roll Call the following votes were cast:

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

Matthew J. Baudo  
Secretary to the Authority

PF

	NYS Retirement	Payroll Direct Deposit
Maria Gugliuzza Jr. Accountant	X	X
Timothy Pulsifer Jr. Accountant	X	X
Joseph Cukierski Chief Account Clerk	X	X
Karen Prendergast Mgr. of Acct. Services	X	X
Albert Meaney Comptroller	X	X



































