

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 350 Ellicott Square Building, Buffalo, New York, on the 10th day of February, 2010.

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
Paul H. Riester, Director of Administration
Daniel J. NeMoyer, Director of Human Resources
Karen A. Prendergast, Comptroller
Steven V. D'Amico, Budget and Financial Analyst
Brian C. Bray, Public Affairs Officer

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, January 28, 2010.

III. - APPROVAL OF MINUTES

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve the Minutes of the Meeting held on Thursday, January 28, 2010.

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 \$291,118.04 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 ORDER RELEASES:

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 1-11 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 3-21)

ITEM 3 - FINAL ACCEPTANCE OF PROJECT WITH C. DESTRO DEVELOPMENT CO., INC. FOR SMALL SERVICES CONTRACT, AREA NO. 1 FOR THE PERIOD OF FEBRUARY 1, 2007 THROUGH JANUARY 31, 2009, PROJECT NO. 200700003, CONTRACT NO. 07-04-01 - \$21,977.01

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Heretofore and on the 23rd day of January, 2007, the Erie County Water Authority ("Authority") entered into a contract with C. Destro Development Co., Inc. for small services contract, Area No. 1 for the period of February 1, 2007 through January 31, 2009, identified as Contract No. 07-04-01; and

WHEREAS, C. Destro Development Co., Inc. has submitted a final invoice in the amount of \$21,977.01; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the above project is hereby accepted by the Authority as of the date hereof.

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

ITEM 4 - FINAL ACCEPTANCE OF PROJECT WITH C. DESTRO DEVELOPMENT CO., INC. FOR SMALL SERVICES CONTRACT, AREA NO. 2 FOR THE PERIOD OF FEBRUARY 1, 2007 THROUGH JANUARY 31, 2009, PROJECT NO. 200700004, CONTRACT NO. 07-05-01 - \$21,203.35

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Heretofore and on the 23rd day of January, 2007, the Erie County Water Authority ("Authority") entered into a contract with C. Destro Development Co., Inc. for small services contract, Area No. 2 for the period of February 1, 2007 through January 31, 2009, identified as Contract No. 07-05-01; and

WHEREAS, C. Destro Development Co., Inc. has submitted a final invoice in the amount of \$21,203.35; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the above project is hereby accepted by the Authority as of the date hereof.

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

ITEM 5 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ECOLOGY & ENVIRONMENT, INC. TO PROVIDE SERVICES RELATED TO THE ERIE COUNTY WATER AUTHORITY'S GEOGRAPHIC INFORMATION SYSTEM (GIS) FOR 2010 AND 2011, IDENTIFIED AS CONTRACT NO. EE-004, PROJECT NO. 201000007 AT A COST NOT TO EXCEED \$450,000

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 consulting services for technical support for the Authority's Geographic Information System (GIS) for 2010 and 2011 on October 15, 2009; and

WHEREAS, A copy of the RFP was sent to:

Ecology & Environment, Inc.
Bergmann Associates
URS
Wendel Duchscherer; and

WHEREAS, The respondents to the RFP were: Ecology & Environment, Inc., Bergmann Associates and Wendel Duchscherer; 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 Ecology & Environment, Inc. render professional consulting services for technical support for the Authority's GIS for 2010 and 2011; and

WHEREAS, Ecology & Environment, Inc. have committed to a two-year period to render professional consulting services for technical support for the Authority's GIS, commencing with the execution of the agreement and, at the Authority's option, to enter into a one year agreement renewal; and

WHEREAS, Wesley C. Dust, Executive Engineer and Robert A. Mendez, Executive Director recommend that the Authority enter into an agreement with Ecology & Environment, Inc. for a total cost not to exceed \$450,000;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Ecology & Environment, Inc. to provide consulting services for technical support for the Authority's Geographic Information System for 2010 and 2011; 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 Ecology & Environment, Inc.

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

**ITEM 6 - ERIE COUNTY WATER AUTHORITY LOCAL GOVERNMENT
EFFICIENCY GRANT RESOLUTION FOR WATER DISTRICT
CONSOLIDATION WITH THE VILLAGE OF WILLIAMSVILLE**

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority (Authority) fully supports inter-municipal initiatives to enhance services and reduce costs; and

WHEREAS, The Authority, in collaboration with the Village of Williamsville (Village), seek grant funds in the amount of \$25,000, for the purposes of a General Efficiency Planning grant that will examine the potential benefits and costs to the Village and the Authority by converting to direct service; and

WHEREAS, The Authority in collaboration with the Village will support a feasibility study that examines the possible efficiencies, benefits and costs of an Authority takeover of

water service within the Village as a direct service provider, thereby potentially eliminating all future involvement and responsibility of the Village with respect to water system facilities within the Village except for the payment of certain hydrant fees; and

WHEREAS, The Authority has certain water system standards that the Village must comply with prior to becoming a direct service customer, and such standards may require improvements to the Village's current water system which the Village must identify and determine the financial impact of; and

WHEREAS, The Village will submit an application entitled the "Village of Williamsville and Erie County Water Authority Water Consolidation Study" that will include a detailed feasibility study to determine the viability of consolidating the Village water system into the Authority's County wide system as a direct service customer for benefit of the ratepayers; and

WHEREAS, The Village will serve as "Lead Agency" for purposes of securing and administering this General Efficiency Planning Grant; and

WHEREAS, The Authority and Village will work cooperatively to share all necessary information in a timely manner to facilitate this grant application and feasibility; and

WHEREAS, The Village will provide all matching funds required to complete this project, inclusive of the required local match of 10 percent (\$2,500), and there will be no cost to the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That Robert A. Mendez, Executive Director, on behalf of the Authority, is hereby authorized and directed to support an application filed by the Village on the Authority's behalf to the 2009-2010 Local Government Efficiency Grant Program to obtain financial assistance for a detailed feasibility study to determine the viability of consolidating the Village water system into the Authority's county wide system.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 7 - AUTHORIZATION TO TABLE THE AUTHORIZATION FOR THE ERIE COUNTY WATER AUTHORITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE VILLAGE OF WILLIAMSVILLE FOR A WATER SYSTEM CONSOLIDATION STUDY

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to table the authorization for the Erie County Water Authority to enter into a Memorandum of Understanding with the Village of Williamsville for a Water System Consolidation Study.

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

ITEM 8 - ERIE COUNTY WATER AUTHORITY LOCAL GOVERNMENT EFFICIENCY GRANT RESOLUTION FOR WATER DISTRICT CONSOLIDATION WITH THE VILLAGE OF EAST AURORA AND THE TOWN OF AURORA

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority (Authority) fully supports inter-municipal initiatives to enhance services and reduce costs; and

WHEREAS, The Authority, in collaboration with the Village of East Aurora (Village) and the Town of Aurora (Town), seek grant funds in the amount of \$26,000, for the purposes of a General Efficiency Planning grant that will examine the potential benefits and costs to the Village, Town, and the Authority by converting to direct service and/or lease management; and

WHEREAS, The Authority in collaboration with the Village/Town will support a feasibility study that examines the possible efficiencies, benefits and costs of an Authority takeover of water service within the Village/Town as a direct service or lease management provider, thereby potentially eliminating or reducing future involvement and responsibility of the Village/Town with respect to water system facilities within the Village/Town except for the payment of certain hydrant fees; and

WHEREAS, The Authority has certain water system standards that the Village/Town must comply with prior to becoming a direct service or lease management customer, and such standards may require improvements to the Village's and Town's current water system which the Village/Town must identify and determine the financial impact of; and

WHEREAS, The Village/Town will submit an application entitled the "Village of East Aurora/Town of Aurora and Erie County Water Authority Water Consolidation Study" that will include a detailed feasibility study to determine the viability of consolidating the Village/Town water system into the Authority's County wide system as a direct service or lease management customer for benefit of the ratepayers; and

WHEREAS, The Village will serve as "Lead Agency" for purposes of securing and administering this General Efficiency Planning Grant; and

WHEREAS, The Authority, Village and Town will work cooperatively to share all necessary information in a timely manner to facilitate this grant application and feasibility; and

WHEREAS, The Village/Town will provide all matching funds required to complete this project, inclusive of the required local match of 10 percent (\$2,666), and there will be no cost to the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That Robert A. Mendez, Executive Director, on behalf of the Authority, is hereby authorized and directed to support an application filed by the Village/Town on the Authority's behalf to the 2009-2010 Local Government Efficiency Grant Program to obtain financial assistance for a detailed feasibility study to determine the viability of consolidating the Village/Town water system into the Authority's county wide system.

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

ITEM 9 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR INSURANCE CONSULTING 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 (ARFP@) to qualified firms to provide insurance consulting 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 insurance consulting 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, Robert J. Lichtenthal, Jr., Deputy Director, 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 insurance consulting services.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 10 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR CONSULTING ENGINEERING SERVICES FOR VARIOUS DESIGN AND CONSTRUCTION PROJECTS AT THE ERIE COUNTY WATER AUTHORITY'S STURGEON POINT WATER TREATMENT PLANT, VAN DE WATER TREATMENT PLANT, PUMP STATIONS AND STORAGE TANKS, PROJECT NO. 201000009

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 (AAuthority@) 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 (ARFP@) to qualified firms to provide consulting engineering services for various design and construction

projects at the Authority's Sturgeon Point Water Treatment Plant, Van de Water Treatment Plant, Pump Stations and Storage Tanks; 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 various design and construction projects at the Authority's Sturgeon Point Water Treatment Plant, Van de Water Treatment Plant, Pump Stations and Storage Tanks 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, Rick Rosenberry, Sr. Distribution Engineer, 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 various design and construction projects at the Authority's Sturgeon Point Water Treatment Plant, Van de Water Treatment Plant, Pump Stations and Storage Tanks.

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

ITEM 11 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO. NC-32B, INSTALLATION OF STANDBY POWER AT VARIOUS ERIE COUNTY WATER AUTHORITY LOCATIONS, 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-32B, installation of standby power at various Erie County Water Authority locations; 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-32B, installation of standby power at various Erie County Water Authority locations 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. 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-32B, installation of standby power at various Erie County Water Authority locations 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 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR AREA NO. 1 RESTORATION, APRIL 1, 2010 THROUGH MARCH 31, 2012, PROJECT NO. 20100011

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 Area No. 1 Restoration, April 1, 2010 through March 31, 2012; 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 Area No. 1 Restoration, April 1, 2010 through March 31, 2012 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, James K. Ehrin, Distribution 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 Area No. 1 Restoration, April 1, 2010 through March 31, 2012 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 13 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR AREA NO. 2 RESTORATION, APRIL 1, 2010 THROUGH MARCH 31, 2012, PROJECT NO. 201000012

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 Area No. 2 Restoration, April 1, 2010 through March 31, 2012; 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 Area No. 2 Restoration, April 1, 2010 through March 31, 2012 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, James K. Ehrin, Distribution 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 Area No. 2 Restoration, April 1, 2010 through March 31, 2012 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 14 - 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 74 Unionvale Road, Town of Cheektowaga with a new Clow hydrant on 12/3/09. Work done by ECWA forces under Work Authorization No. 107.200 5915.

Old hydrant originally installed in 1940 was scrapped and retired under Retirement Authorization No. R90059.

Replace existing hydrant at Gates Ave. and Church St., City of Lackawanna with a new Clow hydrant on 12/3/09. Work done by ECWA forces under Work Authorization No. 107.200 5916.

Old hydrant originally installed in 2008 was scrapped and retired under Retirement Authorization No. R90060.

Replace existing hydrant at 102 Colton Avenue, City of Lackawanna with a new Kennedy K81A hydrant on 12/18/09. Work done by ECWA forces under Work Authorization No. 107.200 5923.

Old hydrant originally installed in 1994 was scrapped and retired under Retirement Authorization No. R90067.

Replace existing hydrant at corner of Abbott Road and Weber Road, City of Lackawanna with a new Kennedy K81A hydrant on 12/16/09. Work done by ECWA forces under Work Authorization No. 107.200 5921.

Old hydrant originally installed in 1972 was scrapped and retired under Retirement Authorization No. R90064.

Replace existing hydrant at 8560 Goodrich Road, Town of Clarence with a new Clow hydrant on 12/22/09. Work done by ECWA forces under Work Authorization No. 107.200 5924.

Old hydrant originally installed pre 1999 was scrapped and retired under Retirement Authorization No. R90068.

Replace existing hydrant at corner of Hemenway Road and Beach Road, Town of Cheektowaga with a new Clow hydrant on 12/17/09. Work done by ECWA forces under Work Authorization No. 107.200 5922.

Old hydrant originally installed in 1928 was scrapped and retired under Retirement Authorization No. R90066.

Replace existing valve at 135 Toelsin Road, Town of Cheektowaga with a new resilient seat valve on 12/11/09. Work done by ECWA forces under Work Authorization No. 107.200 5920.

Old valve originally installed in 1951 was scrapped and retired under Retirement Authorization No. R90065.

Replace existing valve at corner of Orchard Place and Chapel Avenue, Town of Cheektowaga with a new resilient seat valve on 12/22/09. Work done by ECWA forces under Work Authorization No. 107.200 5925.

Old valve originally installed in 1927 was scrapped and retired under Retirement Authorization No. R90069; 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 15 - AUTHORIZATION FOR WESLEY DUST, EXECUTIVE ENGINEER, RICHARD ROSENBERY, SR. DISTRIBUTION ENGINEER AND ROBERT NIEDERPRUEM, SR. PRODUCTION ENGINEER TO ATTEND THE AWWA NEW YORK SECTION WATER EVENT IN SARATOGA SPRINGS, NEW YORK

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, The Erie County Water Authority deems it advisable for Wesley Dust, Executive Engineer, Richard Rosenberry, Sr. Distribution Engineer and Robert Niederpruem, Sr. Production Engineer to attend the AWWA New York Section Water Event in Saratoga Springs, NY at a total estimated cost of \$2,300.00;

NOW, THEREFORE, BE IT RESOLVED:

That Wesley Dust, Executive Engineer, Richard Rosenberry, Sr. Distribution Engineer and Robert Niederpruem, Sr. Production Engineer be and they are hereby authorized to travel to Saratoga Springs, NY from April 20, 2010 to April 22, 2010 to attend the AWWA New York Section Water Event at a total estimated cost of \$2,300.00.

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

ITEM 16 - AUTHORIZATION TO AMEND RESOLUTION NOS. 12 THROUGH 17 AND 19 OF THE MINUTES OF THE ANNUAL MEETING OF THE ERIE COUNTY WATER AUTHORITY HELD ON MAY 7, 2009

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, Due to recent staffing changes of the Erie County Water Authority's (Authority) Finance Department, it is necessary to amend the following resolutions of the Minutes of the Annual Meeting of the Authority held on May 7, 2009 reflecting said changes:

Item 12 (Authorization To Approve The Following Individuals To Make Wire Transfers On Behalf Of The Erie County Water Authority)

Remove: Karen A. Prendergast, Manager of Accounting Services
Add: Joyce A. Tomaka, Assistant Manager of Accounting Services

Item 13 (Authorization To Approve The Following Individuals Approve Wire Transfers Via Bank Call Backs On Behalf Of The Erie County Water Authority)

Remove: Albert J. Meaney, Comptroller

Add: Karen A. Prendergast, Comptroller

Item 14 (Authorization To Approve The Following Individuals To Make Automated Clearing House (ACH) Transfers On Behalf Of The Erie County Water Authority)

Remove: Albert J. Meaney, Comptroller

Change: Karen A. Prendergast, Manager of Accounting Services to Comptroller

Add: Joyce A. Tomaka, Assistant Manager of Accounting Services

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)

Remove: Albert J. Meaney, Comptroller

Change: Karen A. Prendergast, Manager of Accounting Services to Comptroller

Add: Joyce A. Tomaka, Assistant Manager of Accounting Services

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)

Remove: Albert J. Meaney, Comptroller

Change: Karen A. Prendergast, Manager of Accounting Services to Comptroller

Add: Joyce A. Tomaka, Assistant Manager of Accounting Services

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)

Remove: Karen A. Prendergast, Manager of Accounting Services

Add: Joyce A. Tomaka, Assistant Manager of Accounting Services

Item 19 (Authorization To Approve The Following Individuals To Authorize Investment Transactions Executed By Citizens Investment Management Services)

Remove: Albert J. Meaney, Comptroller

Change: Karen A. Prendergast, Manager of Accounting Services to Comptroller

Add: Joyce A. Tomaka, Assistant Manager of Accounting Services;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority hereby amends the above resolutions of the Minutes of the Annual Meeting of the Authority held on May 7, 2009 to reflect the staffing changes in the Authority's Finance Department.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 17 - KAREN PRENDERGAST - LEAVE OF ABSENCE

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to grant Karen Prendergast a leave of absence from her permanent position of Assistant Manager of Accounting Services during her temporary appointment as Comptroller.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

**ITEM 18 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL O & M AND CAPITAL BUDGETS FOR FISCAL
YEAR 2009**

Motion by Mr. Warthling seconded by Mrs. Vacco

WHEREAS, In a resolution dated November 24, 2008, the Erie County Water Authority ("Authority") adopted its Annual O&M and Capital Budgets for the fiscal year 2009; 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, A year end review by Albert J. Meaney, Comptroller, of the Authority's accounts has resulted in adjustments being made to some of the accounts in order to properly close the books for the year 2009 and the necessity of a reclassification adjustment to the Authority's O&M and Capital budgets, as follows:

2009 O&M Budget

<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
<u>Operating Expenses:</u>		
Salaries & Wages: Supervision	\$ 96,724	
Salaries & Wages: Employee Training	\$ 7,771	
Salaries & Wages: Salary Overtime	\$ 30,656	
Salaries & Wages: Labor Overtime	\$ 45,139	
Chemicals	\$ 49,105	
Payments to Contractors – Restore	\$ 222,542	
Refuse & Waste Disposal	\$ 124,294	
Postage	\$ 5,084	
LMWD Service Installations	\$ 191,374	
Stores Expense Credit	<u>\$ 2,220</u>	
Salaries & Wages: Salaries		\$ 96,724
Salaries & Wages: Labor		\$ 83,566
Power Purchased		<u>\$ 594,619</u>
Totals	\$ 774,909	\$ 774,909

2009 Capital Budget

<u>Capital No.</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
100143	Pumps, Motors, Valves & Peripheral Equip.	\$ 97,338	
100683	Redundant Scada System	\$ 33,706	
100684	Circulators for Remote Tanks	\$ 1,744	
100583	Fire Hydrants, New & Replacements	\$ 93,170	
100584	Service Pipes and Installations in ECWA	\$ 229,551	
100585	Valves & Appurtenances	\$ 28,697	
100580	Waterline Work Associated w/Erie County Road Projects	\$ 56,123	
100524	Contract MP-73	\$ 14,802	
100406	Contract WSA-5	\$ 7,302	
100518	ECHD Betterment – Como Park Blvd.	\$ 21,271	
100596	Contract CH-3	<u>\$ 11,840</u>	
100618	Contract NC-32A		\$ 205,000

02/10/10

100586	Misc. Distribution Mains	\$ 169,000
100625	Contract NC-32B	\$ 171,000
100319	Contract MP-75	<u>\$ 50,544</u>
Totals		\$ 595,544 \$ 595,544

WHEREAS, The Authority desires to amend the 2009 Annual O&M and Capital Budgets by adjusting them for the items as listed above; and

WHEREAS, Robert A. Mendez, Executive Director, Robert J. Lichtenthal, Deputy Director, Wesley C. Dust, Executive Engineer, Albert J. Meaney, Comptroller, and Steven V. D'Amico, Budget/Financial Analyst, recommend approval of said amendment;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual O&M and Capital Budgets for the fiscal year 2009 be amended by adjusting them for the items as listed above.

Ayes: Three; Commrs. Swiatek, Vacco and Warthling

Noes: None

ITEM 19 - 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 12-16 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 - 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 17 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 21 - SERVICE CONNECTION WORK ORDER LIST:

Motion by Mr. Warthling seconded by Mrs. Vacco and carried to approve Service Connection Work Order Nos. 2010-04 and 2010-05, to Nichols Long & Moore Construction Corp. for Service Area No. 1 under Contract No. 09-07-01 and to Russo Development, Inc. for Service Area No. 2 under Contract No. 09-08-01 and large services under Contract No. 09-06-01 to Kandey Company, Inc.

VIII. - ADJOURNMENT

Meeting adjourned until the next regular meeting to be held on Wednesday, March 3, 2010.

Matthew J. Baudo
Secretary to the Authority/Personnel Director

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