

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 2nd day of September, 2010.

PRESENT: Kelly M. Vacco, Chairperson
Francis G. Warthling, Vice Chairman
John F. O'Donnell, Treasurer
Robert A. Mendez, Executive Director
Matthew J. Baudo, Secretary to the Authority/Personnel Director
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, Director of Human Resources
Karen A. Prendergast, Comptroller
Steven V. D'Amico, Budget and Financial Analyst

ATTENDEES: Michael Rosich, Esq.
Adam Perry, Esq.

CALL TO ORDER

PLEDGE TO THE FLAG

I. - ROLL CALL

II. - READING OF MINUTES

Motion by Mr. Warthling seconded by Mr. O'Donnell and carried to waive the reading of the Minutes of the Meeting held on Thursday, August 19, 2010.

III. - APPROVAL OF MINUTES

Motion by Mr. Warthling seconded by Mr. O'Donnell and carried to approve the Minutes of the Meeting held on Thursday, August 19, 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 - MASTER PURCHASE ORDER RELEASES:

Motion by Mr. Warthling seconded by Mr. O'Donnell and carried to approve for payment of Master Purchase Order Nos. as listed on the attached pages 1-12 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 2-13)

ITEM 2 - AUTHORIZATION TO EXECUTE PRELIMINARY UTILITY WORK AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR NY ROUTE 78, NY ROUTE 5 TO ROLL ROAD (CR 277), PAVEMENT PREVENTATIVE MAINTENANCE, TOWNS OF AMHERST AND CLARENCE, ERIE COUNTY, PROJECT NO. 201000223, IDENTIFIED AS PIN NO. 5811.29

Motion by Mr. Warthling seconded by Mr. O'Donnell

WHEREAS, Wesley C. Dust, P.E., Executive Engineer, has advised that the New York State Department of Transportation ("NYSDOT") has submitted forms for Preliminary Utility Work Agreement for work to be performed on Authority facilities due to the project described as NY Route 78, NY Route 5 to Roll Road (CR 277), Pavement Preventative Maintenance, Towns of Amherst and Clarence, Erie County, identified as PIN No. 5811.29; and

WHEREAS, The work involved is to adjust valves in conflict with construction per contract documents; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director recommend the execution of said Preliminary Utility Work Agreement;

NOW, THEREFORE, BE IT RESOLVED:

That the Chairperson, or in her absence the Vice Chairman, be and he hereby is authorized and directed to enter into a Preliminary Utility Work Agreement with the NYSDOT for the abovementioned project identified as NY Route 78, NY Route 5 to Roll Road (CR 277), Pavement Preventative Maintenance, Towns of Amherst and Clarence, Erie County, identified as PIN No. 5811.29; and be it further

RESOLVED: That the Secretary be and he hereby is authorized to forward the original and three copies of the executed Agreement, to Richard Lunz, Regional Utilities Engineer, New York State Department of Transportation, 100 Seneca Street, Buffalo, New York, 14203.

Ayes: Three; Commrs. Vacco, Warthling, and O'Donnell

Noes: None

ITEM 3 - AWARD OF CONTRACT TO WIBBY ENVIRONMENTAL FOR CHEMISTRY AND MICROBIOLOGY PROFICIENCY SAMPLES AND CHEMISTRY STANDARDS, PROJECT NO. 201000158 - \$24,480.00

Motion by Mr. Warthling seconded by Mr. O'Donnell

WHEREAS, The Erie County Water Authority (Authority) heretofore advertised in the Dodge Reports and Front Page on the 4th day of August, 2010, and in Business First on the 6th day of August, 2010, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for chemistry and microbiology proficiency samples and chemistry standards; and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 17th day of August, 2010, at 11:15 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Absolute Standards, Inc.	\$ 9,000.00
R.T. Corporation (RTC)	14,148.00
Wibby Environmental	24,480.00; and

WHEREAS, Paul J. Whittam, Director of Water Quality advised that the apparent two low bidders did not bid on items 1 and 2 of the specification therefore failing to submit a complete bid in accordance with the Authority's bid requirements and therefore recommends that these bids be rejected as non-responsive; and

WHEREAS, As a result of the above information, Wesley C. Dust, Executive Engineer and Paul J. Whittam, Director of Water Quality recommend that bid numbers 1 and 2 be deemed non-responsive and that the contract be awarded to the third lowest bidder, Wibby Environmental; and

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

WHEREAS, Inasmuch as said contract is under the limit of \$100,000 and complies with the Authority's Affirmative Action Policy, Robert Brown, Director of Equal Employment Opportunity, recommends that Wibby Environmental proceed with their contract; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and Paul J. Whittam, Director of Water Quality have reviewed the specifications and bids and determined that Wibby Environmental is the next lowest responsive bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

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

NOW, THEREFORE, BE IT RESOLVED:

That the Authority deem bid numbers 1 and 2 non-responsive and award said project to the third lowest bidder in accordance with the terms and conditions stated in Paragraph 5 of the Instructions to Bidders Section of the specification and contract documents; and be it further

RESOLVED: That it is hereby determined that Wibby Environmental is the lowest responsive bidder for the abovementioned project, and that the Chairperson be and she hereby is authorized and directed to execute a contract with said contractor for the chemistry and microbiology proficiency samples and chemistry standards in the total amount of \$24,480.00; 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. Vacco, Warthling, and O'Donnell
Noes: None

ITEM 4 - AWARD OF CONTRACT TO JCI JONES CHEMICALS, INC. FOR THE FURNISHING AND DELIVERING OF CAUSTIC SODA (50% SOLUTION) MEMBRANE GRADE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR FROM NOVEMBER 1, 2010 THROUGH OCTOBER 31, 2011, PROJECT NO. 201000139 - \$233,450.00

Motion by Mr. Warthling seconded by Mr. O'Donnell

WHEREAS, The Erie County Water Authority (Authority) heretofore advertised in the Dodge Reports and Front Page on the 7th day of July, 2010, and in Business First on the 9th day of July, 2010, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of caustic soda (50% solution) membrane grade to the Erie County Water Authority for use in the treatment of water for one year from November 1, 2010 through October 31, 2011; and

WHEREAS, A sealed bid or proposal was opened in the office of the Authority on the 27th day of July, 2010, at 11:15 a.m., local time, and was as follows:

BIDDER	AMOUNT
JCI Jones Chemicals, Inc.*	\$233,450.00

*Only bid received; and

WHEREAS, The bid bond has been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Robert Brown, Director of Equal Employment Opportunity, has advised that the low bidder, JCI Jones Chemicals, 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, Wesley C. Dust, P.E., Executive Engineer and Robert A. Niederpruem, Sr. Production Engineer have reviewed the specification and bid and determined that JCI Jones Chemicals, Inc. is a responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

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

NOW, THEREFORE, BE IT RESOLVED:

That it is hereby determined that JCI Jones Chemicals, Inc. is a responsible bidder for the abovementioned project, and that the Chairperson be and she hereby is authorized and directed to execute a contract with said contractor for the furnishing and delivering of caustic soda (50% solution) membrane grade to the Erie County Water Authority for use in the treatment of water for one year from November 1, 2010 through October 31, 2011 in the total amount of \$233,450.00; 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. Vacco, Warthling, and O'Donnell
Noes: None

ITEM 5 - AWARD OF CONTRACT TO SOLVAY FLUORIDES, LLC, FOR THE FURNISHING AND DELIVERING OF FLUOSILICIC ACID TO THE ERIE COUNTY WATER AUTHORITY FOR ONE YEAR FROM OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011, PROJECT NO. 201000137 - \$373,200.00

Motion by Mr. Warthling seconded by Mr. O'Donnell

WHEREAS, The Erie County Water Authority (Authority) heretofore advertised in the Dodge Reports and Front Page on the 7th day of July, 2010, and in Business First on the 9th day of July, 2010, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for furnishing and delivering of fluosilicic acid to the Erie County Water Authority for one year from October 1, 2010 through September 30, 2011; and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 27th day of July, 2010, at 11:30 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Solvay Fluorides, LLC	\$373,200.00
Thatcher Company of New York	396,840.00; and

WHEREAS, The bid bond and cashier check have all been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Robert Brown, Director of Equal Employment Opportunity, has advised that the low bidder, Solvay Fluorides, LLC 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, Wesley C. Dust, P.E., Executive Engineer and Robert A. Niederpruem, Sr. Production Engineer have reviewed the specifications and bids and determined that Solvay Fluorides, LLC is the lowest bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

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

NOW, THEREFORE, BE IT RESOLVED:

That it is hereby determined that Solvay Fluorides, LLC is the lowest responsible bidder for the abovementioned project, and that the Chairperson be and she hereby is authorized and directed to execute a contract with said contractor for the furnishing and delivering of fluosilicic acid to the Erie County Water Authority for one year from October 1, 2010 through September 30, 2011 in the total amount of \$373,200.00; 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 Secretary be and he hereby is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project; 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. Vacco, Warthling, and O'Donnell

Noes: None

ITEM 6 - AWARD OF CONTRACT TO NEW FRONTIER EXCAVATING AND PAVING, INC. FOR CONTRACT NO. GP-004, WATER SYSTEM IMPROVEMENTS IN THE CITIES OF LACKAWANNA AND TONAWANDA AND THE TOWNS OF AMHERST, CHEEKTOWAGA AND WEST SENECA, PROJECT NO. 200800091 - \$1,216,636.00

Motion by Mr. Warthling seconded by Mr. O'Donnell

WHEREAS, The Erie County Water Authority (Authority) heretofore advertised in the Dodge Reports and Front Page on the 4th day of August, 2010, and in Business First on the 6th day of August, 2010, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for Contract No. GP-004, water system improvements in the Cities of Lackawanna and Tonawanda and the Towns of Amherst, Cheektowaga and West Seneca; and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 17th day of August, 2010, at 11:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT
New Frontier Excavating & Paving, Inc.	\$1,216,636.00
Milherst Construction, Inc.	1,307,250.49
Kandey Company, Inc.	1,494,735.00; and

WHEREAS, The bid bonds have all been approved by Anthony Alessi, Claims Representative/Risk Manager; and

WHEREAS, Robert Brown, Director of Equal Employment Opportunity, has advised that the low bidder, New Frontier Excavating & Paving, 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, Greenman-Pedersen, Inc., Consulting Engineers, Wesley C. Dust, P.E., Executive Engineer and Richard M. Rosenberry, Sr. Distribution Engineer have reviewed the specifications and bids and determined that New Frontier Excavating & Paving, 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; and

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

NOW, THEREFORE, BE IT RESOLVED:

That it is hereby determined that New Frontier Excavating & Paving, Inc. is the lowest responsible bidder for the abovementioned project, and that the Chairperson be and she hereby is authorized and directed to execute a contract with said contractor for Contract No. GP-004, water system improvements in the Cities of Lackawanna and Tonawanda and the Towns of Amherst, Cheektowaga and West Seneca in the total amount of \$1,216,636.00; 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 Secretary be and he hereby is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project; 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; Comms. Vacco, Warthling, and O'Donnell

Noes: None

ITEM 7 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO. EA-009B, STURGEON POINT TREATMENT PLANT DRAINAGE AND PAVING IMPROVEMENTS, TOWN OF EVANS, ERIE COUNTY, NEW YORK, PROJECT NO. 201000118

Motion by Mr. Warthling seconded by Mr. O'Donnell

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. EA-009B, Sturgeon Point Treatment Plant Drainage and Paving Improvements, Town of Evans, New York; 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. EA-009B, Sturgeon Point Treatment Plant Drainage and Paving Improvements, Town of Evans, New York 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, Erdman Anthony, 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. EA-009B, Sturgeon Point Treatment Plant Drainage and Paving Improvements, Town of Evans, New York 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. Vacco, Warthling, and O'Donnell
Noes: None

ITEM 8 - APPROVAL OF CHANGE ORDER NO. 1 OF C.M.H. COMPANY, INC. FOR CONTRACT NO. EA-008, WATER SYSTEM IMPROVEMENTS, CITIES OF TONAWANDA AND LACKAWANNA, TOWNS OF ORCHARD PARK AND WEST SENECA, PROJECT NO. 200800094, CONTRACT NO. 10-08-04 - \$65,936.00

Motion by Mr. Warthling seconded by Mr. O'Donnell

WHEREAS, Heretofore and on the 17th day of March, 2010, the Erie County Water Authority ("Authority") entered into a contract with C.M.H. Company, Inc. for Contract No. EA-008, water system improvements, Cities of Tonawanda and Lackawanna, Towns of Orchard Park and West Seneca, identified as Contract No. 10-08-04; and

WHEREAS, Said contractor has submitted Change Order No. 1 in the sum of \$65,936.00 to provide for the following changes:

1. Additional work required for removal of the existing Concrete PRV Chamber at Site 1 – Berg Road.
2. Addition of work for watermain replacement on Andres Place, Town of Cheektowaga, NY.

3. Addition of work for valve replacement on Fisher Road (West of the 219 Expressway); and

WHEREAS, The reasons for the above changes are as follows:

1. Contractor encountered unforeseen existing conditions at Site 1 – Berg Road. The existing Concrete PRV Chamber had thicker reinforced concrete walls than shown on record plans. This resulted in additional time, labor and equipment expenditures by the Contractor.

2. The Authority requested additional work.

3. The Authority requested additional work; and

WHEREAS, Erdman Anthony, Consulting Engineers, Wesley C. Dust, P.E., Executive Engineer and Robert A. Mendez, Executive Director recommend approval of said Change Order No. 1;

NOW, THEREFORE, BE IT RESOLVED:

That Change Order No. 1 of C.M.H. Company, Inc. in the amount of \$65,936.00 to provide for the abovementioned change be approved; and be it further

RESOLVED: That the Chairperson be and she hereby is authorized to execute said Change Order No. 1 on behalf of the Authority.

Ayes: Three; Commrs. Vacco, Warthling, and O'Donnell

Noes: None

ITEM 9 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS

Motion by Mr. Warthling seconded by Mr. O'Donnell

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 99 Capen Blvd., Town of Amherst with a new Kennedy K81 hydrant on 6/23/10. Work done by ECWA forces under Work Authorization No. 107.200 5980.

672

Old hydrant originally installed in 1961 was scrapped and retired under Retirement Authorization No. R10051.

Replace existing hydrant at 12 Ceil Drive, Town of Cheektowaga with a new Kennedy K81 hydrant on 7/6/10. Work done by ECWA forces under Work Authorization No. 107.200 5987.

Old hydrant originally installed in 1956 was scrapped and retired under Retirement Authorization No. R10058.

Replace existing hydrant at 91 Ellen Drive, Town of Cheektowaga with a new Kennedy K81 hydrant on 6/15/10. Work done by ECWA forces under Work Authorization No. 107.200 5977.

Old hydrant originally installed in 1943 was scrapped and retired under Retirement Authorization No. R10048.

Replace existing hydrant at 19 Ellen Drive, Town of Cheektowaga with a new Kennedy K81 hydrant on 6/24/10. Work done by ECWA forces under Work Authorization No. 107.200 5983.

Old hydrant originally installed in 1943 was scrapped and retired under Retirement Authorization No. R10054.

Replace existing hydrant at 50 Garden Road, Town of Cheektowaga with a new Kennedy K81 hydrant on 6/15/10. Work done by ECWA forces under Work Authorization No. 107.200 5973.

Old hydrant originally installed in 1943 was scrapped and retired under Retirement Authorization No. R10047.

Replace existing hydrant at 105 Isabelle Road, Town of Cheektowaga with a new Kennedy K81 hydrant on 7/12/10. Work done by ECWA forces under Work Authorization No. 107.200 5990.

Old hydrant originally installed in 1955 was scrapped and retired under Retirement Authorization No. R10060.

Replace existing hydrant at 1141 Maryvale Drive, Town of Cheektowaga with a new Kennedy K81 hydrant on 7/19/10. Work done by ECWA forces under Work Authorization No. 107.200 5993.

9/2/10

Old hydrant originally installed in 1992 was scrapped and retired under Retirement Authorization No. R10063.

Replace existing hydrant at 86 Rossler Avenue, Town of Cheektowaga with a new Kennedy K81 hydrant on 7/15/10. Work done by ECWA forces under Work Authorization No. 107.200 5991.

Old hydrant originally installed in 1972 was scrapped and retired under Retirement Authorization No. R10061.

Replace existing hydrant at 104 Virginia Road, Town of Cheektowaga with a new Kennedy K81 hydrant on 6/18/10. Work done by ECWA forces under Work Authorization No. 107.200 5978.

Old hydrant originally installed in 1943 was scrapped and retired under Retirement Authorization No. R10049.

Replace existing hydrant at 60 Virginia Road, Town of Cheektowaga with a new Kennedy K81 hydrant on 6/23/10. Work done by ECWA forces under Work Authorization No. 107.200 5981.

Old hydrant originally installed in 1943 was scrapped and retired under Retirement Authorization No. R10052.

Replace existing hydrant at 198 Lyndale Court, Town of West Seneca with a new Kennedy K81 hydrant on 6/8/10. Work done by ECWA forces under Work Authorization No. 107.200 5972.

Old hydrant originally installed in 1955 was scrapped and retired under Retirement Authorization No. R10044.

Replace existing hydrant at 3330 Seneca Street, Town of West Seneca with a new Kennedy K81 hydrant on 6/21/10. Work done by ECWA forces under Work Authorization No. 107.200 5979.

Old hydrant originally installed in 1987 was scrapped and retired under Retirement Authorization No. R10050.

Replace existing valve at corner of High Park Blvd. and Main Street, Town of Amherst with a new resilient seat valve on 6/23/10. Work done by ECWA forces under Work Authorization No. 107.200 5984.

Old valve originally installed in 1915 was scrapped and retired under Retirement Authorization No. R10055.

Replace existing valve at North Forest Road, Town of Amherst with a new resilient seat valve on 7/15/10. Work done by ECWA forces under Work Authorization No. 107.200 5992.

Old valve originally installed in 1929 was scrapped and retired under Retirement Authorization No. R10062.

Replace existing valve at 126 Lackawanna Avenue, Village of Sloan with a new resilient seat valve on 7/1/10. Work done by ECWA forces under Work Authorization No. 107.200 5986.

Old valve originally installed in 1924 was scrapped and retired under Retirement Authorization No. R10057.

Replace existing valve at 11 Ellicott Creek Road, City of Tonawanda with a new resilient seat valve on 7/26/10. Work done by ECWA forces under Work Authorization No. 107.200 5994.

Old valve originally installed prior to 2004 was scrapped and retired under Retirement Authorization No. R10064.

Replace existing valve at 8 Niagara Shore Road, City of Tonawanda with a new resilient seat valve on 7/27/10. Work done by ECWA forces under Work Authorization No. 107.200 5995.

Old valve originally installed prior to 2004 was scrapped and retired under Retirement Authorization No. R10065.

Installed new valve at 3754 Lakeview Road, Town of Hamburg with a new resilient seat valve on 6/8/10. Work done by ECWA forces under Work Authorization No. 107.200 5973; 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. Vacco, Warthling, and O'Donnell

Noes: None

ITEM 10 - CREATION OF PRODUCTION TECHNICIAN (ECWA) POSITION

Motion by Mr. Warthling seconded by Mr. O'Donnell

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water Authority ("Authority") has the authority to appoint an attorney and an engineer and such additional officers and employees as it may require for the performance of its duties, fix and determine their qualifications, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York and such rules as the Personnel Officer of the Count of Erie may adopt and make applicable to such authority; and

WHEREAS, Article V, Section 6 of the By-Laws of the Erie County Water Authority grants to the Authority the right to name and appoint from time to time an attorney or engineer and employees as it may require for the performance of its duties, fix their qualification, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create the position of Production Technician (ECWA), Salary Grade 23 of the Authority's Career and Salary Plan, subject to the review and approval of the Erie County Personnel Officer effective September 2, 2010.

Ayes: Three; Commrs. Vacco, Warthling, and O'Donnell

Noes: None

ITEM 11 - PURCHASE ORDERS:

Motion by Mr. Warthling seconded by Mr. O'Donnell and carried to approve for payment of Purchase Order Nos. as listed on the attached pages 13-17 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 12 - PURCHASE ORDER AMENDMENTS:

Motion by Mr. Warthling seconded by Mr. O'Donnell and carried to approve for payment of Purchase Order Amendments as listed on the attached page 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 13 - SERVICE CONNECTION WORK ORDER LIST:

Motion by Mr. Warthling seconded by Mr. O'Donnell and carried to approve Service Connection Work Order Nos. 2010-33 and 2010-34, 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.

Motion by Mr. O'Donnell seconded by Mr. Warthling and carried to enter into Executive Session (8:16 a.m) for the purpose of Adam Perry, Esq. (Hodgson Russ LLP) reporting on the Matusick litigation.

Motion by Mr. Warthling seconded by Mr. O'Donnell and carried to exit Executive Session (8:45 a.m).

VIII. - ADJOURNMENT

Meeting adjourned until the next regular meeting to be held on Thursday, September 16, 2010.

Matthew J. Baudo
Secretary to the Authority/Personnel Director

SLZ