MINUTES of the MEETING of the ERIE COUNTY WATER AUTHORITY held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 9th day of January, 2014.

PRESENT: Francis G. Warthling, Chairman

Earl L. Jann, Jr., Vice Chairman Jerome D. Schad, Treasurer

Matthew J. Baudo, Secretary to the Authority/Personnel Director

Robert F. Gaylord, Executive Director Robert J. Lichtenthal, Jr., Deputy Director

Wesley C. Dust, Executive Engineer

Shannon M. Heneghan, Associate Attorney

Ronald P. Bennett, Associate Attorney

Emilio Colaiacovo, Associate Attorney

Daniel J. NeMoyer, Director of Human Resources

Karen A. Prendergast, Comptroller

Steven V. D'Amico, Business Office Manager

Anthony Alessi, Claim Rep/Risk Manager

ATTENDEES: Brian Gould

CALL TO ORDER

PLEDGE TO THE FLAG

I. - ROLL CALL

II. - READING OF MINUTES

Motion by Mr. Jann seconded by Mr. Schad and carried to waive the reading of the Minutes of the Meeting held on Thursday, December 19, 2013.

III. - APPROVAL OF MINUTES

Motion by Mr. Jann seconded by Mr. Schad and carried to approve the Minutes of the Meeting held on Thursday, December 19, 2013.

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 AND/OR AMENDMENT OF MASTER PURCHASE ORDERS:

Motion by Mr. Jann seconded by Mr. Schad and carried to approve the creation and/or amendment of Master Purchase Order Nos. as attached not to exceed the amount of \$35,808.99 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 I

CP01562

Erie County Water Authority
Purchasing System
Master Purchase Order Board Approval Report
January 7, 2014 List No: 2014-01

Run Date 1/02/2014 Page 1

Item No.		Description and Vendor	Date	Amount
1		CONT-NO. DA-008, IMPROVEMENTS WATER SYST CHANGE ORDER NO. 1 OCCHINO CORP * New MPO from effective date: 4/01/2013 * New MPO thru effective date: 12/31/2013	(Original	
		ACTUAL COMPLETION DATE CHANGED TO BILLING PURPOSES. ADD 4 ADDITIONAL \$35,808.99		
2		VDW COAGULATION BASINS UPGRADE CHANGE ORDER NO.2 HOHL INDUSTRIAL SERVICES INC	12/27/2013	.00
		SEE DOCUMENTATION FOR DESCRIPTION		• • • • • • • • • • • • • • • • • • • •
3	7067-12 Amen # 2	GHD-6A: WASTEWATER FACILITY IMPRVMNTS CHANGE ORDER NO.2 HOHL INDUSTRIAL SERVICES INC	12/26/2013	.00
		INCREASE GENERAL CONSTRUCTION COST MISC. REPAIR WORK (\$84,127.00).	\$ \$84,127.0	00 AND REDUCE

Report Totals: 35,808.99 ** 3

ITEM 2 - MASTER PURCHASE ORDER RELEASES, PURCHASE ORDERS AND PURCHASE ORDER AMENDMENTS

Motion by Mr. Jann seconded by Mr. Schad and carried to approve for payment of Master Purchase Order Nos., Purchase Order Nos. and Purchase Order Amendments as attached 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 2

CP02562

Erie County Water Authority Purchasing System Board Approval Report January 7, 2014 List No: 2014-01 Run Date 1/02/2014 Page 1

Item No.	Master P/O Number	Re1 No.	Description and Vendor	Date	Amount
1.1	0242-14-#1	17		1/02/2014 RESTORATION Amount 252.84	
1.2	0242-14-#1	18	RESTORATION REPAIRS-AREA #1 INV #17 & P ECWA BIRCH GROVE LANDSCAPING & NURSERY INC Effective 4/01/2012 Thru 12/31/2014 Master P/O Amt Total Releases Open 2,125,925.00 1,334,015.56 791,	RESTORATION Amount	
1.3	0335-15	513	TOMEL, UNIFORM SERVICE ECMA VDW 12/16/2013 COYNE TEXTILE SERVICE Effective 4/01/2012 Thru 3/31/2015 Master P/O Amt Total Releases Open / 75,000.00 34,684.11 40,0	ERIE COUNTY	88.97 CONTRACT
1.4	0335-15	514	STURGEON POINT COYNE TEXTILE SERVICE Effective 4/01/2012 Thru 3/31/2015	1/02/2014 ERIE COUNTY Amount 228.00	87.89 CONTRACT
1.5	0335-15		COYNE TEXTILE SERVICE Effective 4/01/2012 Thru 3/31/2015 Haster P/O Amt Total Releases Open /	1/02/2014 ERIE COUNTY Amount 129.21	
1.6	0335-15				76.90 Contract

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Erie County Water Authority Purchasing System Board Approval Report January 7, 2014 List No: 2014-01

Item No.	Master P/O Number	Rei No.	Description and Vendor	Date	Amount
1.13	1401-13	294	4695-992-11 JEWETT HOLMWOOD DECEMBER '13 ECWA MATIONAL FUEL GAS CORP Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Open 150,000.00 73,393.07 76,0	NEW YORK STATE Amount	
1.14	1401-13	295	3944-279-09 LAKEVIEW PUMP STN DECEMBER ECWA NATIONAL FUEL GAS CORP Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Open / 150,000.00 73,449.12 76,5	NEW YORK STATE	
1.15	1401-13	296	7039-017-07 SHADAGEE RD PUMP STN DEC.'13 ECMA NATIONAL FUEL GAS CORP Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Open / 150,000.00 73,616.50 76	NEW YORK STATE	
1.16	1401 - 13	297	5999-939-10 JENNINGS RD STN DECEMBER'13 ECHA NATIONAL FUEL GAS CORP Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Open / 150,000.00 73,639.57 76,3	MEW YORK STATE	
1.17	1401-13		5036-070-01 KELLER RD PUMP DECEMBER 2013 ECNA NATIONAL FUEL GAS CORP Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Open / 150,000.00 74,482.43 75.5	MEW YORK STATE	37.03 CONTRACT
1.18	1401-13		6268-698-04 VIOLET PKWY DECEMBER 2013 ECMA NATIONAL FUEL GAS CORP Effective 1/01/2013 Thru 12/31/2013 Haster P/O Amt Total Releases Open A 150.000.00 75.424.84 74,5	NEW YORK STATE	123.80 Contract

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Item No.	Master P/O Number	Re1 No.	Description and Vendor	Date	Amount
1.19	1401-14	1		1/02/2014 NEW YORK STATE Amount 922.73	77.27 CONTRACT
1.20	1405 - 13	23		1/02/2014 Amount 518.50	315.00
1.21	1405-13	24		1/02/2014 Amount 358.50	160.00
1.22	1407-13	379		1/02/2014 Amount 792.15	39.74
1.23	1407-13	380		1/02/2014 Amount 768.22	23.93
1.24	1407-13			1/02/2014 Anount 740.04	28.18

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Item No.	Master P/O Number		Description and Vendor	Date	Amount
1.25	1407-13	382		1/02/2014 Amount 720.46	19.58
1.26	1407-13	383		1/02/2014 Amount 586.10	34.36
1.27	1407-13	389	1001-4687-924 WARD RD STANDPIPE DEC.2013 ECMA NEW YORK STATE ELECT(PO BOX 5600 ITHACA) Effective 1/01/2013 Thru 12/31/2013 Haster P/O Amt Total Releases Open / 500,000.00 249,067.91 250,	Amount	28.96
1.28	1903-17	24		1/02/2014 Amount 782.90	18,210.00
1.29	200674	110	TIRES VARIOUS ECMA VEHICLES GOODYEAR SERVICE STORES (FRENCH RD) Effective 4/12/2010 Thru 10/31/2014 Haster P/O Amt Total Releases Open / 130,000.00 107,218.67 22,7	1/02/2014 NEW YORK STATE Amount /81.33	2,322.48 CONTRACT
1.30	200723	11		1/02/2014 Amount 223.08	122.32

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Item No.	Master P/ Number	O Rel No.	Description and Vendor	Date	Amount
1.31	200740	31	REPAIR OF SAMS, PUMPS, GENERATORS, ETC. VOLLAND ELECTRIC EQUIPMENT CORP Effective 3/15/2012 Thru 3/14/2014 Master P/O Amt Total Releases Open	1/02/2014 Amount 323.30	85.49
1.32	200776	41	SERVICE CENTER ASHLAND PEST CONTROL INC Effective 1/01/2013 Thru 5/31/2015 Haster P/O Amt Total Releases Open	1/02/2014 ERIE COUNTY Amount 055.00	
1.33	200780	10	SMALL SERVICES CONTRACT, AREA MO.1 ECWA SERVICE AREA NO.1 (NORTH AREA) NICHOLS LONG & MOORE CONST CORP Effective 2/01/2013 Thru 5/31/2015 Master P/O Amt Total Releases Open 1,477,175.00 442,050.15 1,035.	Anount	52,428.05
1.34	200782	5	EST #5 & P 11/23/2013 TO 12/20/2013 INSTALLATION OF LARGE SERVICES KANDEY COMPANY INC Effective 2/01/2013 Thru 5/31/2015 Master P/O Amt Total Releases Open 1,732,075.00 674,191.49 1.057.	SERVICE INST	56,503.15 ALLATION
1.35	200787		CITY OF LACKAMANNA E & R GENERAL CONSTRUCTION INC Effective 3/12/2013 Thru 12/31/2014	1/02/2014 CONTRACTOR Amount 670.02	190,655.31
1.36	2013004			1/02/2014 Amount 059.32	272.52

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Item No.	Master P/O Re Number N		Date	Amount.
1.37	2013011	8 VARIOUS SIGNS AND BARRICADES ROAD WORK LOCATIONS US TRAFFIC CONTROL, INC. Effective 9/12/2013 Thru 12/31/2013 Master P/O Amt Total Releases 48,500.00 45,015.80	1/02/2014 pen Amount 3,484.20	4,330.00
1.38	2030-13	5 DELIVERY SERVICES 2013 WQ V274A7463 12.21.2013 UNITED PARCEL SERVICE Effective 1/01/2013 Thru 12/31/2013 Haster P/O Amt Total Releases 0 10,000.00 2.448.42	1/02/2014 NEW YORK STATE Open Amount 7,551.58	23.13 CONTRACT
1.39	2824-13	AVL VEHICLE LOCATION SYSYEM - ECWA ENTIRE ECMA SERVICE AREA CALAMP WIRELESS DATA SYSTEMS INC Effective 10/01/2013 Thru 5/30/2016 Master P/O Amt Total Releases 0 98,000.00 9,367.61		2,710.87
1.40	3610-13	CELLULAR PHONE SERVICE - DECEMBER 20 ECMA AT&T MOBILITY (FORMERLY CINSULAR W) Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases 0 18,000.00 5,556.05	13 1/02/2014 NEW YORK STATE pen Amount 12.443.95	455.66 CONTRACT
1.41	4138-13		1/02/2014 pen Amount 130,569.20	150.50
1.42	5577-GHD-6		/13 1/02/2014 MP CONSULTANT Den Amount 522.541.00	22,201.00

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Item No.		Description and Vendor	Date	Amount
1.43	5658-14	19 PUNP 1, 2, 3 VFD & CONTROL UPGRADE JEWETT-HOLMHOOD STATION OCONNELL ELECTRIC CO (BUFFALO) Effective 6/01/2012 Thru 5/31/2014 Haster P/O Amt Total Releases Ope 1,293.950.00 846,790.04 44	1/02/2014 CONTRACTOR n Amount 7,159.96	585.20
1.44	5674-DA-08	6 DA-008, PAYMENT NO. 6, FINAL TOWNS OF CHEEKTOWAGA & CLARENCE, N.Y. OCCHINO CORP Effective 4/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Ope 993,305.20 900,448.93 9	1/02/2014 CONTRACTOR n Amount 2,856.27	138,773.03
1.45	6449-13	GROUP DT-5541&DT-5542 INV #ECMAD121413 ECMA LABOR-MANAGEMENT HEALTHCARE (DIRECT DE Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Ope 4,800,000.00 3,605,901.92 1,19	P)	1,489.00
1.46	6449-13	GROUP 00400674 12/16/13·12/22/13 ECWA LABOR-MANAGEMENT HEALTHCARE (DIRECT DEI Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Oper 4,800,000.00 3,627,081.32 1,172	P) n Amount	21.179.40
1.47	6449-13	GROUP DT-5541&DT-5542 INV #ECHAD122113 ECHA LABOR-MANAGEMENT HEALTHCARE (DIRECT DEI Effective 1/01/2013 Thru 12/31/2013 Master P/O Amt Total Releases Oper 4,800,000.00 3,628,738.32 1,171) n Amount	1,657.00
1.48	8026-13ER		AL 1/02/2014 CA CONTRACTOR Amount 5,980.77	94,584.16

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Item No.	Master P/O R Number N	te1	Description and Vendor	Date	Amount
1.49	8128-13	56		1/02/2014 SQ en Amount 5,825.92	3,625.95
			Total Master P/O Re	leases: 49	743,446.06

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Item No.	Purchase Order No.	Description and Vendor	Date	Amount
2.1	GAR13-0173	LETTERS FOR LADDER IDENTIFICATION VAN DE WATER MSC INDUSTRIAL SUPPLY CO INC	1/02/2014 NONE	32.55
2.2	GAR13-0174	EPOXY ASSORTMENT VAN DE WATER HERCULES HARDHARE	1/02/2014	224.25
2.3	GJM13-0085	TREDS 17" SUPER GRIT RUBBER OVERSHOE LINE MAINTENANCE DIVAL SAFETY EQUIPMENT INC	1/02/2014	675.50
2.4	GJM13-0090	NUMBERED KEY CHECKS AND RINGS SERVICE CENTER MSC INDUSTRIAL SUPPLY CO INC	1/02/2014	205.09
2.5	6JM13-0091	WIDE FORMAT COPIER/SCANNER/PRINTER DESIGN COPIER FAX BUSINESS TECHNOLOGIES INC	1/02/2014 ECWA SUPPLIER	14,712.00 CONTRACT
2.6	JHW13-0284	TOOLS, HISCELANEOUS LINE MAINTENANCE BLAIR SUPPLY CORPORATION	1/02/2014	1,219.20
2.7	JMH13-0285	REFLECTIVE STOP SLOW PADDLES LINE MAINTENANCE DIVAL SAFETY EQUIPMENT INC	1/02/2014	757.50
2.8	JHW13-0290	HYDRANT PARTS KENNEDY K-11 & K-81 REPAIR OF HYDRANTS BLAIR SUPPLY CORPORATION	1/02/2014	4.812.00
2.9	JMW13-0291	NATER MAIN MATERIALS ECNA TI-SALES INC	1/02/2014	138.00
2.10	KAP13-0015	MATERMAIN INSTALLATION N PLEASANT PKWY BETTERMENT TOWN OF CHEEKTOMAGA	1/02/2014	87,847.30

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Item No.	Purchase Order No.	Description and Vendor	Date	Amount
2.11	RFB13-0164	PVC VALVES STURGEON POINT MSC INDUSTRIAL SUPPLY CO INC	1/02/2014	128.55
2.12	RFB13-0167	DAILY REMINDER 2014 STURGEON POINT GRAINGER (DEPT 846348423)	1/02/2014	42.62
2.13	SAA13-0043	TRANSFER PUMP 2 MOTOR REBUILD STURGEON POINT VOLLAND ELECTRIC EQUIPMENT CORP	1/02/2014 ERIE COUNTY	5,326.72 CONTRACT
2.14	SAA13-0046	CIRCUIT BREAKERS MULTIPLE LOCATIONS ZELLER CORP (404 SONWIL DR)	1/02/2014	189.60
2.15	SAJ13-0028	PETTY CASH REIMBURSEMENT-SERVICE CENTER ECMA PAUL H RIESTER/PETTY CASH	1/02/2014	95.51
2.16	S0813-0571	VEHICLE PARTS VEHICLE MAINT. REGIONAL INTERNATIONAL - BUFFALO	1/02/2014 MONE	70.58
2.17	SDB13-0572	VEHICLE PARTS VEHICLE MAINT. REGIONAL INTERNATIONAL - BUFFALO	1/02/2014 NONE	12.42
2.18	SD813-0573	VEHICLE PARTS VEHICLE MAINT. REGIONAL INTERNATIONAL - BUFFALO	1/02/2014 NONE	60.84
2.19	SD813-0591	VEHICLE PARTS VEHICLE MAINT. REGIONAL INTERNATIONAL - BUFFALO	1/02/2014 NONE	239.60
2.20	SDB13-0602	VEHICLE PARTS VEHICLE MAINT. REGIONAL INTERNATIONAL - BUFFALO	1/02/2014 NONE	99.06

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Item No.	Purchase Order No.	Description and Vendor	Date	Amount
2.21	SDB13-0603	VEHICLE PARTS VEHICLE MAINT. REGIONAL INTERNATIONAL - BUFFALO	1/02/2014 NONE	284.42
2.22	SDB13-0607	VEH.PARTS LINE MAINT. BOBCAT OF BUFFALO	1/02/2014	121.67
2.23	SD813-0608	BACKHOE PARTS LINE MAINT. MILTON CAT	1/02/2014 NONE	336.16
2.24	SDB13-0610	VEH.PARTS LINE MAINT. BOBCAT OF BUFFALO	1/02/2014	623.28
2.25	SEK13-0101	MISC WELDING SUPPLIES GENERATOR SHOP JACKSON WELDING & GAS PRODUCTS	1/02/2014	185.50
2.26	SEK13-0104	MISC SUPPLIES MAINTENANCE SHOP NU-WAY AUTO PARTS - BUFFALO	1/02/2014	50.59
2.27	SEK13-0105	MISC SUPPLIES MAINTENANCE SHOP CARQUEST AUTO PARTS	1/02/2014	167.50
2,28	SLZ13-0225	CLAIM FOR PROPERTY DAMAGES 60 SMITH ROAD, AMHERST 2013-066NY ENILY'S GARDEN ESTATES, INC.	1/02/2014	1,622.80
2.29	SLZ13-0226	LEGAL NOTICE - BID ADVERTISEMENT LEGAL AD -BACKHOE TRAILER BUSINESS FIRST OF BUFFALO (CHICAGO IL)	1/02/2014	90.75
2.30	SLZ13-0230	LEGAL NOTICE - POTASSIUM PERMANGANATE THE FRONT PAGE GROUP INC	1/02/2014	50.63

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Item No.	Purchase Order No.	Description and Vendor	Date	Amount
2.31	SLZ13-0231	LEGAL NOTICE · LIME SLURRY THE FRONT PAGE GROUP INC	1/02/2014	50.63
2.32	TAT13-0110	LATEX OR RUBBER CRINKLE GLOVES ECMA CAMPIONE ENTERPRISES INC	1/02/2014	2,208.00
		Total Purchase	e Orders: 32	122,680.82

VI. - UNFINISHED BUSINESS (NONE)

VII. - NEW BUSINESS (RESOLUTIONS 3-12)

ITEM 3 - AUTHORIZATION TO WAIVE SECTION 9.11 OF THE ECWA TARIFF

Motion by Mr. Jann seconded by Mr. Schad

WHEREAS, The Erie County Water Authority was created by an Act of the New York State Legislature, codified in Sections 1050 through 1073 of Title 3 (the "Erie County Water Authority Act") of Article 5 of the Public Authorities Law of the State of New York; and

WHEREAS, Section 1054 (10) provides ECWA the authority to make by-laws for the management and regulation of its affairs, and subject to agreements with bondholders, rules for the sale of water and the collection of rents and charges therefore; and

WHEREAS, Under this authority, the ECWA Board of Commissioners on April 6, 1954 adopted rules for the sale of water and collection of rents and charges and from time to time adopts revisions and updates to these rules; and

WHEREAS, As of January 1, 2014, Section 9.11 of the Authority's Tariff states "A delinquent service charge as specified in paragraph 14.04 shall be applied to all outstanding accounts where payment has not been fully received by the Authority within ten (10) days after the due date as specified in the bill"; and

WHEREAS, The Town of Orchard Park, due to staff out on leave, paid their bills three (3) days beyond the 10 days after the due date and the Authority assessed total delinquent charges of \$1,624.50 against the Town's public fire protection accounts, Service Classification No. 3-A; and

WHEREAS, The Town of Orchard Park has met all the criteria stated in Section 9.11 of the Authority's Tariff and has requested a one-time waiver of the delinquent charges; and

WHEREAS, Accounts billed under Service Classification No. 3, Public Fire Protection, are not eligible for a one-time courtesy delinquent charge reversal as are accounts billed under Service Classification No. 1, General Metered Purposes; and

WHEREAS, The Town of Orchard Park has an otherwise on-time payment history; and

WHEREAS, The Town of Orchard Park has asked the Authority to grant a one-time courtesy delinquent charge reversal,

NOW, THEREFORE, BE IT RESOLVED:

That the Authority grants a onetime waiver of the Erie County Water Authority Tariff, allowing for a reversal of delinquent charges totaling \$1,642.50 against several Town of Orchard Park public fire protection accounts, Service Classification No. 3-A.

Ayes: Three; Commrs. Warthling, Jann and Schad

Noes: None

ITEM 4 - AUTHORIZATION TO ENTER INTO A BULK SALE AGREEMENT WITH THE TOWN OF AURORA

Motion by Mr. Jann seconded by Mr. Schad

WHEREAS, The Town Board of the Town of Aurora, ("Town") acting as Water Commissioners on behalf of the duly constituted Water District Nos. 1A (now IS), 7, WIA7 and 11 has expressed to the Erie County Water Authority ("Authority") a desire to make arrangements with the Authority for the purchase and delivery of water to the Town; and

WHEREAS, The Town has submitted to the Authority an executed Bulk Sale Agreement for a period of ten years with the Authority setting forth the terms and conditions under which the Authority will sell and deliver water; and

WHEREAS, The Town has advised the Authority that it has complied with Section 198 of the Town Law; and

WHEREAS, The term of this Agreement shall be for a period of ten (10) years from the date hereof and for successive ten-year periods thereafter unless a notice of intent to renegotiate or terminate said Agreement is given by one party to the other within one year prior to the expiration of one of the ten-year periods; and

WHEREAS, Under the date of December 27, 2013, the Town, by resolution, authorized execution of the Authority's Bulk Sale Agreement; and

WHEREAS, Wesley C. Dust, Executive Engineer and Robert F. Gaylord, Executive Director recommend execution of said Agreement by the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority enter into a written Agreement with the Town Board of the Town of Aurora acting as Water Commissioners for a term of ten years; and be it further

RESOLVED: That the Secretary is hereby authorized and directed to forward a duly executed copy of said Agreement to the Town together with a certified copy of this resolution.

Ayes: Three; Commrs. Warthling, Jann and Schad

Noes: None

ITEM 5 - JANUARY 7, 2014 - COMPENSATION FOR INCLEMENT WEATHER DAY

Motion by Mr. Jann seconded by Mr. Schad

WHEREAS, On Tuesday, January 7, 2014 severe blizzard conditions in Erie County resulted in many Authority employees reporting absent because of their inability to report to their place of work; and

WHEREAS, Policy Number 28 of the Employees Policy & Procedures Manual states that the Secretary to the Authority of the Erie County Water Authority (Authority) may designate an inclement weather day; and

WHEREAS, Because of the severity of the storm the Secretary to the Authority on behalf of the Authority as well as many other public agencies has deemed it advisable to declare this date an inclement weather day; and

WHEREAS, In recognition of the employees who were able to report to their job location and to also not penalize employees who were unable to report to work due to the severe weather conditions the Authority feels it advisable to grant one additional personal leave day to those full-time employees scheduled to work on January 7, 2014; and

WHEREAS, Employees absent from their scheduled shift on January 7, 2014 due to the severe weather will be charged a personal leave day;

NOW, THEREFORE, BE IT RESOLVED:

Pursuant to Policy Number 28 of the Employees Policy & Procedures Manual, Tuesday, January 7, 2014 was declared an inclement weather day and the Accounting Department of the Authority is hereby authorized to grant one additional personal leave day to those full-time employees scheduled to work on January 7, 2014 and charge the employees absent from their scheduled shift on January 7, 2014 due to the severe weather a personal leave day.

Ayes: Three; Commrs. Warthling, Jann and Schad

Noes: None

ITEM 6 - TERMINATION OF EMPLOYMENT SERVICES

Motion by Mr. Jann seconded by Mr. Schad

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water 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 qualification, 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 County 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; and

WHEREAS, The Authority also has the legal right to terminate certain employees who serve at the pleasure of the Commissioners; and

NOW, THEREFORE, BE IT RESOLVED:

That the employment services of Edward A. Betz as Attorney for the Erie County Water Authority are hereby terminated effective January 10, 2014; and be it further

RESOLVED: That Edward Betz's services as Assistant Treasurer are hereby terminated effective immediately.

Ayes: Three; Commrs. Warthling, Jann and Schad

Noes: None

ITEM 7 - AUTHORIZATION OF SEVERANCE AGREEMENT WITH ATTORNEY

Motion by Mr. Jann seconded by Mr. Schad

WHEREAS, Edward A. Betz has been terminated from the employ of the Erie County Water Authority; and

WHEREAS, The Erie County Water Authority and Mr. Betz wish to resolve any outstanding rights, duties and obligations of the respective parties to said employment; and

WHEREAS, The Authority and Mr. Betz desire to enter into an agreement for severance to resolve any outstanding rights, duties and obligations of the respective parties to the employment; and

WHEREAS, The parties hereto have agreed as a condition of said severance that the conditions of said severance remain confidential; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director and Matthew J. Baudo, Secretary to the Authority recommend entering into a confidential severance agreement with Mr. Betz to be executed by the Secretary to the Authority;

NOW, THEREFORE, BE IT RESOLVED:

That the Secretary to the Authority is hereby authorized to execute said confidential severance agreement on behalf of the Authority; and be it further

RESOLVED: That the funds necessary to effectuate said confidential agreement be and the same hereby are approved.

Ayes: Three; Commrs. Warthling, Jann and Schad

Noes: None

ITEM 8 - AUTHORIZATION TO AMEND ITEM NO. 6 OF THE MINUTES OF THE MEETING OF THE ERIE COUNTY WATER AUTHORITY HELD ON DECEMBER 5, 2013 IN CONNECTION WITH THE AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR BOND COUNSEL SERVICES, PROJECT NO. 201300164

Motion by Mr. Jann seconded by Mr. Schad

WHEREAS, Heretofore and on the 5th day of December, 2013 the Board of Commissioners of the Erie County Water Authority authorized the solicitation of Request for

Proposals (RFP) for Bond Counsel Services; and

WHEREAS, Pursuant to the resolution Edward A. Betz was designated the contact person for the RFP; and

WHEREAS, The Authority deems it necessary to amend the resolution to change the contact person to Robert J. Lichtenthal, Jr.;

NOW, THEREFORE BE IT RESOLVED:

The Authority amends Item No. 6 of the Minutes of the Meeting of the Erie County Water Authority held on December 5, 2013 changing the designated contact person for the solicitation of Request for Proposals (RFP) for Bond Counsel Services to Robert J. Lichtenthal, Jr.

Ayes: Three; Commrs. Warthling, Jann and Schad

Noes: None

ITEM 9 - AWARD OF CONTRACT TO CONTRACTORS HEAVY EQUIPMENT RENTAL, INC. FOR THE FURNISHING AND DELIVERING OF ONE NEW AND UNUSED BACKHOE TRAILER (ECWA NO. 703), PROJECT NO. 201300256 - \$25,579.00

Motion by Mr. Jann seconded by Mr. Schad

WHEREAS, The Erie County Water Authority (Authority) heretofore advertised in the Dodge Reports and Front Page on the 20th day of November, 2013, and in Business First on the 22nd day of November, 2013, a notice inviting sealed bids or proposals in accordance with Section 1069 of the Public Authorities Law for the furnishing and delivering of one new and unused backhoe trailer (ECWA No. 703); and

WHEREAS, Sealed bids or proposals were opened in the office of the Authority on the 10th day of December, 2013, at 11:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT					
Monroe Tractor	\$24,069.00					
George & Swede Sales and						
Service, Inc.	24,154.00					
Contractors Heavy Equipment						
Rental, Inc.	25,579.00					
Niagara Frontier Equipment						

Sales, Inc.
Tracy Road Equipment
Regional International Corp.

25,892.00 27,737.00 27,901.00; and

WHEREAS, James K. Ehrin, Sr. Distribution Engineer advised that the apparent low and second low bidders failed to meet the bid specifications 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 James K. Ehrin, Sr. Distribution Engineer recommend that bid numbers 1 and 2 be deemed non-responsive and that the contract be awarded to the third lowest bidder, Contractors Heavy Equipment Rental, Inc.; and

WHEREAS, Wesley C. Dust, P.E., Executive Engineer and James K. Ehrin, Sr. Distribution Engineer have reviewed the specifications and bids and determined that Contractors Heavy Equipment Rental, Inc. 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

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 Instruction to Bidders Section of the specification and contract documents; and be it further

RESOLVED: That it is hereby determined that Contractors Heavy Equipment Rental, Inc. is the lowest responsive bidder for the abovementioned project, and that the Chairman is hereby authorized and directed to execute a contract with said contractor for the furnishing and delivering of one new and unused backhoe trailer (ECWA No. 703) in the total amount of \$25,579.00; 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. Warthling, Jann and Schad

Noes: None

ITEM 10 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUEST - \$1,873.10

Motion by Mr. Jann seconded by Mr. Schad

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director advised the Authority that he has received a leak allowance request from an Authority customer listed below resulting from a service line leak:

Bantry Green Condominiums
 Tralee Terrace
 Williamsville, NY 14221
 \$1,873.10; and

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

WHEREAS, Said leak allowance request has complied with all leak allowance requirements; and

WHEREAS, As stated in Section 9.09 of the Authority's Tariff, the granting of a leak allowance shall be in the sole discretion of the Authority; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director recommends granting the above leak allowance request;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority grant the leak allowance request to the abovementioned customer; and be it further

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

Ayes: Three; Commrs. Warthling, Jann and Schad

Noes: None

ITEM 11 - NICOLETTE NOREK – LEAVE OF ABSENCE

Motion by Mr. Jann seconded by Mr. Schad and carried to grant Nicolette Norek, Data Entry Operator a leave of absence without pay commencing January 13, 2014 through and including February 7, 2014.

Ayes: Three; Commrs. Warthling, Jann and Schad

Noes: None

ITEM 12 - Service Connection Work Order List:

Motion by Mr. Jann seconded by Mr. Schad and carried to approve Service Connection Work Order Nos. 2013-48 and 2013-49, to Nichols Long & Moore Construction Corp. for Service Area No. 1 under Contract No. 13-03-01 and to Russo Development, Inc. for Service Area No. 2 under Contract No. 13-04-01 and large services under Contract No. 13-05-01 to Kandey Company, Inc.

EFTS COUNTY WATER AUTHORITY REBASCR CORRECASON ROBY CHUCKS ROF DATE 13/16/2019

RACID: 1

TO . KANDEY COMPANY INC 19 RANGIER OR WEST EMBEL BY 14214-1245

2013-40 DATE: 12/20/2013 CONTRACT: 13-05-01

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ERIX COUNTY MATER ASTERDARTY RESTRICTS CHEERETT LOS MERES GROSS #UN DEFF 13/10/2011

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TO: NICHOLS LOSS & MUORE CONST COPP 149 GUNYTELR ED LARCASTER ST 14005

MD. . 1 2033-40 DATE: 13/30/2013 OCHTRACT: 13-03-01

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ERIN COUNTY WATER ADTROPTY ERROLDS COMMENTED NORTH OFFICE

RCM DATE 11/27/2013 PAGE: 8

TO: STOROLO LORD & STORES CORFT CORP. 149 CONVILLE RD LANCASTER MT 14006

ED. . 1 3013-49 DATE: 13/27/2013 CONTRACT: 11-03-01

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SERVICES SHALL WE INSTALLIS PERSONNET TO SPECIFICATIONS OF THE AUTHORITY.

Motion by Mr. Jann seconded by Mr. Schad and carried to enter Executive Session to discuss the Matusick litigation matter at 10:05 a.m.

Motion by Mr. Jann seconded by Mr. Schad and carried to exit Executive Session.

VIII. - ADJOURNMENT

Motion by Mr. Jann, second by Mr. Schad and carried that the meeting adjourn.

Matthew J. Baudo Secretary to the Authority/Personnel Director

SLZ

ERIB COURTY WATER AUTHORITY SERVICE COMMETTION NORM OFFICE NUM DATE 12/27/2013

PMGE: 2

NICHOLS LONG & MODER COURT CORP. 149 GUNTLLE NO LANCASTER MT 14004

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Secretary to the Authority/Personnel Director

SLZ