



ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM

To: Jerome D. Schad, Chair
Mark S. Carney, Vice Chair
Peggy A. LaGree, Treasurer

Cc: Karen A. Prendergast, Chief Financial Officer
Russell J. Stoll, Chief Operating Officer
Margaret A. Murphy, General Counsel
Leonard F. Kowalski, Executive Engineer
Daniel NeMoyer, Director of Human Resources

From: Terrence D. McCracken, Secretary of the Authority

Date: October 20, 2020

Subject: Vacation Bonus for New Employee

On October 5, 2020, the Erie County Water Authority (the "Authority") welcomed William W. Wheeler, P.E., as a newly hired Distribution Engineer. With the addition of Mr. Wheeler, the Authority can now proudly boast of having nine professional engineers on its staff. Less than two years ago, the Authority had only three.

In accordance with the Authority's Employee Policy and Practices, Mr. Wheeler was interviewed, selected, and recruited by COO Russ Stoll, Executive Engineer Len Kowalski, HR Director Dan NeMoyer and me (the "Interview Committee"). The 43-year old professional engineer is the third youngest among those engineers having such a license, and fits the need set forth in the Engineering Department's succession plans.

Mr. Wheeler has spent 21 years with one of Buffalo's leading engineering firms, GHD (formerly CRA Infrastructure & Engineering), handling linear infrastructure design and development projects. He has experience with trenchless technology (i.e., horizontal directional drilling; augured, micro-tunneled, pipe bursting and guided borings; and gravity piping), as well as hydraulic modeling, horizontal directional drilling design, and infiltration and inflow studies. In 2017, Mr. Wheeler was promoted to the managerial position of Associate. At the time he left GHD, he managed a diverse staff of 16 employees, across four offices in the Northeast Engineering and Design Business Group, which includes engineers, surveyors, and civil 3d designers.

In recruiting Mr. Wheeler, the Interview Committee faced certain challenges. First, Mr. Wheeler's GHD salary was significantly higher than what could be offered by the Authority. Second, Mr. Wheeler had accumulated significant personal leave time with GHD. Finally, like other applicants, Mr. Wheeler expressed concerns as to job security and opportunities for promotion.

In response, the Interview Committee emphasized the long-term, health and retirement benefits offered to Authority employees. Mr. NeMoyer explained the best job security for any Authority employee is not unlike individuals working in the private sector (i.e., job performance is the best assurance for job security). As Mr. NeMoyer stated, there are many ECWA employees having more than 25 years with the Authority.

Salary and leave time still presented a challenge for recruiting Mr. Wheeler. After the Interview Committee deliberated over his application and experience, the Committee recommended that I offer Mr. Wheeler the highest step in the salary grade for Distribution Engineer and two additional weeks of vacation, as had been offered to other engineering applicants, at the time of his appointment.

Russ Stoll notified the Board on August 5, 2020 that Mr. Wheeler was selected to fill the vacant position of Distribution Engineer. In a letter, dated August 20, 2020, I formally offered Mr. Wheeler the position, upon which he accepted and gave notice to his employer.

After receiving his first payroll check, Mr. Wheeler questioned why the paystub did not indicate the vacation time that had been promised in his job offer. Upon further examination, I discovered my authority under HR Policy No. 41.0 (Vacations), ¶ 6 only extends to position with a salary grade of 30E or higher. The salary grade for a Distribution Engineer is 25E.

On December 20, 2018, the Board amended HR Policy No. 41.0, adding ¶6 to provide as follows:

Effective as of November 1, 2018, the Authority may offer additional vacation time to newly hired employees whose salary grade is 30E or above for the purpose of attracting qualified applicants to these senior executive positions.

The Interview Committee recommends the Board extends by resolution the spirit of this provision to Mr. Wheeler. Mr. Wheeler is a well-qualified professional engineer who would qualify for a senior engineering position even though no vacancy exists at this time. The Interview Committee recommended his hiring consistent with the Board's directive relating to succession planning. For these reasons, we respectfully

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request the Board grant to Mr. Wheeler the additional two weeks of vacation that had been mistakenly offered to him at the time he accepted the appointment.

If you have any questions regarding this matter or require any additional information to consider this recommendation, I respectfully request that you contact me prior to the October 27th Board meeting, so I have time to respond or gather the information you may need to consider this recommendation and the accompanying resolution.

If there are any questions at the day of the Board meeting, this matter should be held in Executive Session pursuant to Public Officers Law § 105(1)(f) (matters leading to the appointment and employment of a particular person).