

**MINUTES** of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 19<sup>th</sup> day of October 2023.

**PRESENT:** Jerome D. Schad, Chair  
Peggy A. LaGree, Vice Chair  
Michele M. Iannello, Treasurer  
Terrence D. McCracken, Secretary to the Authority  
Joyce A. Tomaka, Chief Financial Officer  
Mark S. Carney, General Counsel  
Charles E. Eaton, Chief Operating Officer  
Leonard F. Kowalski, Executive Engineer  
Jennifer Hibit, Director of Human Resources  
Sabrina Figler, Director of Drinking Water Quality  
Jessica R. Brown, Comptroller  
Lavonya C. Lester, Director of Administration  
Katherine A. Gillette, Associate Attorney  
Matthew W. Barrett, Security Officer

**ATTENDEES:** Dave Fox, Raftelis

**PLEDGE TO THE FLAG**

**I. CALL TO ORDER/ROLL CALL**

The meeting was called to order at 9:33 a.m. A quorum was present with three Commissioners.

**II. READING OF MINUTES**

Motion by Ms. LaGree seconded by Ms. Iannello and carried to waive the reading of the Minutes of the Meeting held on Wednesday, September 20, 2023.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**III. APPROVAL OF MINUTES**

Motion by Ms. LaGree seconded by Ms. Iannello and carried to approve the Minutes of the Meeting held on Wednesday, September 20, 2023.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**IV. REPORTS****A. SECRETARY**

1. Executive Session McCracken  
 Discussion relating to personnel matters of a particular person pursuant to Public Officers Law §105(1)(f) matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person

The above executive session has been withdrawn.

**B. LEGAL****C. FISCAL**

1. Raftelis Presentation

Dave Fox from Raftelis gave the Board an updated rate study presentation. Mr. Fox discussed the changes in the rate study due to the completion of the annual budget. The items discussed included infrastructure needs, financial plans and forecasts, recommended rate increases, and bill comparisons.

Commissioner LaGree requested clarification regarding the Financial Forecast projection. Mr. Fox clarified the types of revenue included in the Financial Forecast projection. Chairman Schad asked for recommendations in terms of planning for infrastructure needs. Mr. Fox stated that he has observed the Authority is already planning for the future with the best information currently available.

2. August 2023 Investment Report

Joyce Tomaka distributed the August 2023 Investment Report along with a brief explanation of the report.

3. August 2023 Financial Report

Jessica Brown distributed the August 2023 Monthly Financial report and briefly reviewed the data.

**D. OPERATIONS**

## 1. Final Payment Applications

Len Kowalski informed the Board that there were three final payments that were processed by Accounts Payable since the last Board meeting: Industrial Blasting, Painting and Associated Maintenance Contract, April 1, 2020 through March 31, 2021, PN 202000005, Area No. 1 Restoration, April 1, 2020 through March 31, 2022, PN 202000016, and Area No. 2 Restoration, April 1, 2020 through March 31, 2022, PN 202000017.

**E. HUMAN RESOURCES****F. AUDIT COMMITTEE****G. GOVERNANCE COMMITTEE****H. FINANCE COMMITTEE****I. ETHICS COMMITTEE****V. COMMUNICATIONS AND BILLS**

**(Communications may be limited to items that are provided electronically. Every effort will be made to provide all communications at future meetings.)**

**C-1 NOTICE OF CLAIM – ALLSTATE FIRE AND CASUALTY INSURANCE COMPANY FOR LEONARDO PROIETTO & CAITLIN PROIETTO V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**

**C-2 NOTICE OF CLAIM – CURCIO OF WNY LLC V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**

**C-3 NOTICE OF CLAIM – DROF V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**

**C-4 NOTICE OF CLAIM – SISSON V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**

**C-5 FOIL FROM SMARTPROCURE REGARDING PURCHASING RECORDS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

**C-6 FOIL FROM NEW YORK FOUNDATION FOR FAIR CONTRACTING REGARDING CONTRACT NO. NC-043 - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

**C-7 FOIL FROM SHARI ZAJDEL REGARDING PERSONNEL, PAYROLL AND HUMAN RESOURCES RECORDS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

**C-8 FOIL FROM LISA GOODWIN REGARDING 6153 ABBOTT ROAD - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

**VI. PERSONS ADDRESSING THE AUTHORITY**

Pursuant to the Erie County Water Authority's Open Meetings Law Policy Section 10 Public Expression, as posted on its website, the Commissioners will hear the concerns of persons desiring to address the Commissioners on any Water Authority subject. No one appeared to speak.

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

**ITEM 1 - LEAD AGENCY STATUS RELATIVE TO STURGEON POINT LINE MAINTENANCE FACILITY, IDENTIFIED AS CONTRACT NO. HE-001, PROJECT NO. 202100242**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 2 - AUTHORIZATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CITY OF LACKAWANNA AND E. & R. GENERAL CONSTRUCTION, INC. IN CONNECTION WITH CONTRACT NO. GP-010, PROJECT NO. 202100035**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 3 - AUTHORIZATION TO ENTER INTO A CONFIDENTIALITY AND NON-DISCLOSURE LICENSING AGREEMENT WITH THE CITY OF LACKAWANNA RELATING TO THE ERIE COUNTY WATER AUTHORITY'S GEOGRAPHICAL INFORMATION SYSTEM (GIS), PROJECT NO. 202300016**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 4 - AWARD OF CONTRACT TO ALEXANDER CHEMICAL CORPORATION, INC. FOR THE FURNISHING AND DELIVERING OF CAUSTIC SODA (50% SOLUTION OF SODIUM HYDROXIDE) MEMBRANE GRADE TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER, PROJECT NO. 202300175 - \$1,292,400.00**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 5 - AUTHORIZATION TO EXECUTE AN UPDATED RENEWAL AGREEMENT WITH CSEA EMPLOYEE BENEFIT FUND**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 6 - APPROVAL OF AMENDMENT NO. 2 TO THE MATERIALS AND SUPPLIES CONTRACT WITH SOUTHTOWN SUPPLY, INC. FOR THE FURNISHING AND DELIVERING OF VARIOUS WOOD PRODUCTS TO THE ERIE COUNTY WATER AUTHORITY, PROJECT NO. 202100197, IDENTIFIED AS CONTRACT NO. 21-31-12**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 7 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 8 - ADOPTION OF THE 2024 OPERATING & MAINTENANCE AND CAPITAL BUDGETS AND PARIS SUBMISSION**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

Commissioner LaGree commended Joyce Tomaka, her team, and the Engineers for their hard work to complete the annual budget. Commissioner Iannello conveyed her appreciation for everyone who helped complete the annual budget and Chairman Schad's keeping the Authority's infrastructure needs at the forefront. Chairman Schad thanked both Finance and Engineering for their efforts and hard work, and especially Joyce Tomaka for her financial projections.

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 9 - AUTHORIZATION FOR LEONARD KOWALSKI, EXECUTIVE ENGINEER, WILLIAM WHEELER, DISTRIBUTION ENGINEER, AND MARC BELLACOSE, DISTRIBUTION ENGINEER, TO ATTEND THE AWWA PIPELINE CONDITION ASSESSMENT CONFERENCE IN DALLAS, TEXAS**

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**VIII. ADJOURNMENT**

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 10:17 a.m.

**DISCUSSION**

None

**VOTE**

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None



Terrence D. McCracken  
Secretary to the Authority

ALH