

MINUTES of the **SPECIAL MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 3030 Union Road, Cheektowaga, New York, on the 26th day of January 2024.

PRESENT: Jerome D. Schad, Chair
Peggy A. LaGree, Vice Chair (via videoconference)
Michele M. Iannello, Treasurer
Terrence D. McCracken, Secretary to the Authority
Joyce A. Tomaka, Chief Financial Officer
Mark S. Carney, General Counsel
Jen Hibit, Director of Human Resources
David W. Aubertine, Director of Cybersecurity & IT

ATTENDEES:

PLEDGE TO THE FLAG

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 3:10 p.m. A quorum was present with three Commissioners.

II. REPORTS

A. SECRETARY

1. Executive Session

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 and consideration of Report of Record and Recommendation of Civil Service Law §75 Hearing Officer to review a possible action of a Section 75 Hearing.

The above executive session has been deferred to the end of the meeting.

B. LEGAL

C. FISCAL

D. OPERATIONS

E. HUMAN RESOURCES

F. AUDIT COMMITTEE

G. GOVERNANCE COMMITTEE

H. FINANCE COMMITTEE

I. ETHICS COMMITTEE

III. 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.)

IV. 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.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

Motion made by Ms. LaGree, seconded by Ms. Iannello to go into Executive Session for the 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 and consideration of Report of Record and Recommendation of Civil Service Law §75 Hearing Officer to review a possible action of a Section 75 Hearing at 3:14 p.m. Mr. Schad invited Terrence McCracken, Joyce Tomaka, Mark Carney, and, Jennifer Hibit.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to exit Executive Session at 3:25 p.m.

DISCUSSION

Chairman Schad reported that a productive review and discussion regarding the Report of Record and Recommendation of the Hearing Officer on the Civil Service Law Section 75 with a recommendation to implement disciplinary action of termination. Chairman noted an amendment to the agenda is required to adopt the Hearing Officer's Report of Record and Recommendation and to take the disciplinary action of termination.

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion was made by Ms. LaGree, seconded by Ms. Iannello to add Item 1 Authorization to Adopt Report of Record and Recommendation of Hearing Officer John Delmonte and to Terminate Employee Following Civil Service Section 75 Hearing.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 1 - AUTHORIZATION TO ADOPT REPORT OF RECORD AND RECOMMENDATION OF HEARING OFFICER JOHN DELMONTE AND TO TERMINATE EMPLOYEE FOLLOWING CIVIL SERVICE SECTION 75 HEARING

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 3:26 p.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None



Terrence D. McCracken
Secretary to the Authority

ALH