

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 17th day of April 2025.

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
Jessica R. Brown, Comptroller
Lavonya C. Lester, Director of Administration
Katherine A. Gillette, Senior Associate Attorney
Matthew W. Barrett, Security Officer

ATTENDEES: Earl Wells III, e3 Communications

PLEDGE TO THE FLAG

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:39 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 Thursday, March 20, 2025.

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 Thursday, March 20, 2025.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello
 Noes: None

IV. REPORTS

1. SECRETARY

2. LEGAL

3. FISCAL

1. February 2025 Investment Report

Joyce Tomaka distributed the February 2025 Investment Report along with a brief explanation of the report.

2. February 2025 Financial Report

Jessica Brown distributed the February 2025 Monthly Financial report and briefly reviewed the data. A brief discussion ensued.

4. OPERATIONS

1. Projects Advertised for Bidding – Formal Contracts

Leonard Kowalski reported to the Board four Formal Contracts that have been advertised for bidding since the last Board Meeting:

- Water Service Investigations and Lead Service Replacements, Contract B, Village of Depew, PN 202500009*
- Water Service Investigations, Contract 1, PN 202500057
- New Operations Center Grading and Drainage Project, PN 202300077
- Asbestos Cement Pipe (ACP) and Asbestos Containing Materials (ACM) Abatement, Removal, and Disposal, June 1, 2025 through May 31, 2027, PN 202500020

Commissioner Iannello requested the bid amounts for each project. Mr. Kowalski gave an overview of the bid results for each project. Chair Schad sought clarification on the Grading and Drainage Project for the New Operations Center. Mr. Kowalski provided an update concerning the project's timeline. Mr. McCracken noted that the bid was lower than the projected estimate for the project.

5. HUMAN RESOURCES

6. AUDIT COMMITTEE

7. GOVERNANCE COMMITTEE

8. FINANCE COMMITTEE**9. 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 – GRITSAVAGE V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOTICE OF CLAIM – IZYDORCZAK V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-3 FOIL FROM WENDEL - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-4 FOIL FROM LINDA RIESS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-5 FOIL FROM BRENT MASTIN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-6 FOIL FROM BRENT MASTIN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-7 FOIL FROM MIKE VARISCO - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM JOANNE SCHIFFHAUER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-9 FOIL FROM TINA ZHU - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM D’AMORIE CONSTRUCTION - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 FOIL FROM NORTH AMERICA PROCUREMENT COUNCIL - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-12 FOIL FROM BRITTANY WILLIAMS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-13 FOIL FROM FRANCIS CLERKIN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

C-14 FOIL FROM LATESHA MCDONALD - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-15 LETTER FROM MARK WESOLOWSKI - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

The Commissioners thanked Mr. Wesolowski for his service at the Authority and wished him well in his retirement.

C-16 LETTER FROM MYRNA VRIESEN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

Mr. McCracken notified the Board that he is working alongside Ms. Tomaka to address the inquiry.

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 - AUTHORIZATION TO EXECUTE A REVOCABLE PERMIT FOR NON-COMMERCIAL USE OF UNIVERSITY FACILITIES WITH THE STATE UNIVERSITY OF NEW YORK AT BUFFALO RELATING TO WATER SYSTEM IMPROVEMENTS, 36-INCH & 42-INCH TRANSMISSION MAIN REPLACEMENT PROJECT, TOWN OF AMHERST, IDENTIFIED AS CONTRACT NO. W-030, PROJECT NO. 201800074

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

DISCUSSION

On the question, Commissioner LaGree inquired about the current status of the EFC funding for the project. Mr. Kowalski responded by confirming that an extension of the EFC funding had been granted and provided the Board with information regarding the delays affecting the project.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello
Noes: None

ITEM 2 - AUTHORIZATION TO APPOINT DANIEL SEIDER, DIRECTOR OF PRODUCTION (WATER SYSTEM), PAUL MIKLOS, WATER TREATMENT PLANT OPERATOR CREW CHIEF, AND NICHOLAS ROMAN, SENIOR WATER TREATMENT PLANT OPERATOR, AS SIGNATORIES RELATIVE TO AN INDUSTRIAL SEWER CONNECTION PERMIT WITH THE TOWN OF TONAWANDA, PROJECT NO. 202500071

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

DISCUSSION

On the question, Commissioner Iannello asked if this was a new procedure. Mr. Kowalski acknowledged that it was a new procedure.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 3 - AUTHORIZATION TO APPROVE SETTLEMENT OF THE CLAIM RELATING TO ECWA V LORICH, IDENTIFIED AS OWIP NO. 061956 - \$12,500.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 4 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GREENMAN-PEDERSEN, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO CONSTRUCTION PHASE SERVICES FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT B, VILLAGE OF DEPEW, IDENTIFIED AS CONTRACT NO. GP-012, PROJECT NO. 202500109

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

DISCUSSION

On the question, Commissioner Iannello asked for clarification regarding the project. Mr. Kowalski responded with an overview of the Lead Service Replacement Project and outlined the next steps in the process.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH NUSSBAUMER & CLARKE, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO CONSTRUCTION PHASE SERVICES FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT A, CITY OF TONAWANDA, IDENTIFIED AS CONTRACT NO. NC-045, PROJECT NO. 202500108

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 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH WM SCHUTT ASSOCIATES TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO CONSTRUCTION PHASE SERVICES FOR WATER SERVICE INVESTIGATIONS, CONTRACT 1, IDENTIFIED AS CONTRACT NO. WSA-019, PROJECT NO. 202500157

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 - AWARD OF CONTRACT TO MODERN DISPOSAL SERVICE, INC. FOR FURNISHING NECESSARY LABOR AND MATERIALS FOR PICKUP, HAULING, AND DISPOSAL OF ALUMINUM-BASED RESIDUALS, ZEBRA MUSSELS, AND OTHER DEBRIS AND WASTE LOCATED AT DIFFERENT PROPERTIES BELONGING TO THE ERIE COUNTY WATER AUTHORITY FOR ONE YEAR FROM MAY 1, 2025 THROUGH APRIL 30, 2026, PROJECT NO. 202500028 - \$503,489.16

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 - AWARD OF CONTRACT TO NEW FRONTIER EXCAVATING & PAVING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT A, CITY OF TONAWANDA, PROJECT NO. 202500008 - \$4,395,425.95

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 9 - AWARD OF CONTRACT TO KANDEY COMPANY, INC. FOR WATER DISTRIBUTION SYSTEM REPLACEMENTS AND IMPROVEMENTS, MAY 1, 2025 TO APRIL 30, 2027, PROJECT NO. 202500010 - \$2,933,645.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 10 - AWARD OF CONTRACT TO FERGUSON ELECTRIC, INC. FOR HIGH VOLTAGE, SERVICE, SWITCHGEAR INSPECTION AND EMERGENCY ELECTRICAL WORK WITHIN THE ERIE COUNTY WATER AUTHORITY'S FACILITIES FOR A PERIOD OF TWO YEARS FROM JUNE 1, 2025 THROUGH MAY 31, 2027, PROJECT NO. 202500015 - \$2,072,700.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 11 - AWARD OF CONTRACT TO WAYPOINT TECHNOLOGY GROUP, LLC.
FOR TRIMBLE DATA COLLECTOR REPLACEMENT, PROJECT NO.
202500012 - \$78,966.00**

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

DISCUSSION

On the question, Commissioner Iannello pointed out that there was only a single bidder. Mr. Kowalski confirmed that it was accurate, stating that the price was fair. Ms. Gillette remarked that during the initial bidding, no proposals were submitted on time, leading to the current outcome in the second bidding process.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 12 - APPROVAL OF AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES
AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE
DISABLED AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE
ARC ERIE COUNTY NEW YORK FOR LANDSCAPING, GROUND
IMPROVEMENTS AND MAINTENANCE OF PROPERTIES OF THE ERIE
COUNTY WATER AUTHORITY ERIE COUNTY, NEW YORK, PROJECT
NO. 202100004**

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 13 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025
-VAN DE WATER WATER TREATMENT PLANT FILTER NO. 3 VALVES
REPLACEMENT, PROJECT NO. 202200238 - \$225,000.00**

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

DISCUSSION

On the question, Commissioner LaGree asked for a status report on the project. Mr. Kowalski presented an overview of the progress made and the project's schedule. Chair Schad questioned if the Authority is encountering delays in obtaining equipment. Mr. Kowalski noted that although some timelines have extended over the past few years, others have improved.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 14 - RATIFICATION OF THE INSTALLATION OF VALVES AND RETIREMENT OF EXISTING 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 15 - AUTHORIZATION FOR CLAYTON RUMSEY, ANALYTICAL CHEMIST TO ATTEND THE AWWA ANNUAL CONFERENCE AND EXPOSITION IN DENVER, COLORADO

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 16 - AUTHORIZATION TO AMEND AND ADOPT THE ERIE COUNTY WATER AUTHORITY'S POLICY NO. 8 TRAVEL & TRAINING

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 17 - AUTHORIZATION TO REVISE AND ADOPT THE ERIE COUNTY WATER AUTHORITY'S PROCUREMENT POLICY

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 18 - AUTHORIZATION FOR JENNIFER HIBIT, DIRECTOR OF HUMAN RESOURCES, AND DAVID IAFALLO, COORDINATOR OF EMPLOYEE RELATIONS TO ATTEND THE 2025 PERMA ANNUAL MEMBER CONFERENCE IN VERONA, NEW YORK

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

DISCUSSION

On the question, Commissioner LaGree inquired whether this was the first time a representative from the Authority attended a PERMA conference. Ms. Hibit acknowledged that it was and discussed the topics included in the conference that would be beneficial to the Authority. Mr. McCracken announced to the Board that the Authority is set to receive an award from PERMA, recognizing the efforts led by David Iafallo. This award highlights the Authority's commitment to fostering a culture of safety.

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 10:03 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None



Terrence D. McCracken
Secretary to the Authority

ALH