

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 15th day of May 2025.

PRESENT: Jerome D. Schad, Chair
 Peggy A. LaGree, Commissioner
 Michele M. Iannello, Commissioner
 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
 Sabrina A. Figler, Director of Water Quality
 Jessica R. Brown, Comptroller
 Katherine A. Gillette, Senior Associate Attorney
 David W. Aubertine, Director of Cybersecurity and Information Technology
 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 9:49 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, April 17, 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, April 17, 2025.

DISCUSSION

None

VOTE

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

IV. REPORTS

1. SECRETARY

2. LEGAL

1. Executive Session

Discussion relating to proposed or pending litigation pursuant to Public Officers Law §105(1)(d)

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

3. FISCAL

1. 2025 Fitch Rating

Joyce Tomaka gave the Board an overview of the Authority's Annual Surveillance Review performed by Fitch Ratings. Ms. Tomaka reported that the Authority has maintained their AA+ rating for the ensuing year. A discussion was held regarding the potential for more thorough assessments in the future.

2. March 2025 Investment Report

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

3. March 2025 Financial Report

Jessica Brown distributed the March 2025 Monthly Financial report and briefly reviewed the data.

A brief discussion started regarding the newly deployed barcoding system. David Aubertine provided the Board with an overview of the system's rollout. Chair Schad requested a progress update at a future meeting.

Jessica Brown discussed with the Board changes regarding how the Authority's uncollectible accounts will be accrued and reported, which considers the balance and recommendations by the external auditors.

4. OPERATIONS

1. AWWA Fly-In

Sabrina Figler presented the Board insights about the 2025 AWWA Fly-In that occurred on April 8-9, 2025, in Washington, D.C., where she and Chair Schad,

along with several other members of the AWWA NYS delegation, met with Senator Kristen Gillibrand, Senator Charles Schumer, Congressman Tim Kennedy, and Congressman Nick Langworthy. Discussions centered on Investment in the Nation's Water Infrastructure, Protection of Water Systems and Ratepayers from PFAS Cleanup Costs, Support of a Collaborative Approach to Cybersecurity in the Water Sector, Support of a Permanent Low-Income Household Water Assistant Program (LIHWAP).

Ms. Figler noted that their meetings were well received, and that safe, affordable drinking water is a non-partisan issue. However, neither side seemed sure what programs have been cut and what the FY 2026 budget will look like. Chair Schad added that there is a possibility that there will not be earmarks in 2026.

Commissioner LaGree emphasized the significance of participating in and highlighting these critical issues. Chair Schad concurred, noting that it was beneficial for Congress to receive insights from the Authority and similar organizations.

2. Projects Advertised for Bidding – Short Form Contracts

Leonard Kowalski reported to the Board on one Short Form Contract that was advertised for bidding since the last Board Meeting:

- Overhead Crane Inspection, Repair, and Maintenance at Various ECWA Facilities from 07/01/2025 to June 30, 2026, PN 202500056

3. RFP Published

Leonard Kowalski reported to the Board one Request for Proposal that was published since the last Board Meeting:

- Distribution System Leak Detection Services, PN 202500065

Chair Schad asked for clarification of the project. Mr. Kowalski gave a brief overview of 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 – MURAWSKI V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOTICE OF CLAIM – WOODMAN V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-3 NOTICE OF CLAIM – FREDERICK V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-4 FOIL FROM CATCO - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-5 FOIL FROM COFORGE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-6 FOIL FROM COFORGE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-7 FOIL FROM ADRIENNE HALLOWS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM BETH ANNE STENDAHL AND DAVID DUDAS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-9 FOIL FROM LIPPES MATHIAS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM COAST 2 COAST - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 FOIL FROM PINNACLE PARTNERS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-12 FOIL FROM PAUL PAWENSKI - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-13 FOIL FROM ABS ENTERPRISE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-14 FOIL FROM JOE GUZA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-15 FOIL FROM RBCO GROUP - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

C-16 FOIL FROM RBCO GROUP - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-17 FOIL FROM RBCO GROUP - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-18 LETTER FROM GREG LINDNER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

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

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 ACCEPT THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 1192 LINEAR FEET OF EIGHT (8") INCH PVC (C-900), THREE (3) HYDRANTS, FOUR (4) LINE VALVES, AND APPURTENANCES IN PLEASANT WOODS SUBDIVISION, TOWN OF HAMBURG, NEW YORK, EC NO. 7360, PROJECT NO. 202200274

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 - AWARD OF CONTRACT TO D&H EXCAVATING, INC. FOR WATER SERVICE INVESTIGATIONS, CONTRACT 1, PROJECT NO. 202500057 - \$3,168,250.00

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

DISCUSSION

On the question, Commissioner LaGree requested more information regarding the contractor. Mr. Kowalski gave a brief overview of the contractor and the projects they have successfully executed for the state, in which the Authority was involved.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 3 - AWARD OF CONTRACT TO NEW FRONTIER EXCAVATING & PAVING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT B, VILLAGE OF DEPEW, PROJECT NO. 202500009 - \$3,072,637.50

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

DISCUSSION

On the question, Chair Schad asked if this work would be completed this year. Mr. Kowalski verified it would be done by November of this year.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 4 - AWARD OF CONTRACT TO MARK CERRONE, INC. FOR ASBESTOS CEMENT PIPE (ACP) AND ASBESTOS CONTAINING MATERIALS (ACM) ABATEMENT, REMOVAL, AND DISPOSAL, JUNE 1, 2025 THROUGH MAY 31, 2027, PROJECT NO. 202500020 - \$69,840.00

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 - AWARD OF CONTRACT TO ZOLADZ CONSTRUCTION CO., INC. FOR NEW OPERATIONS CENTER GRADING AND DRAINAGE PROJECT, IDENTIFIED AS CONTRACT NO. LA-007, PROJECT NO. 202300077 - \$4,003,699.00

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

DISCUSSION

On the question, Chair Schad asked if this work would be completed this year. Mr. Kowalski verified it would be done this year and noted it is the preliminary work to stabilize the site to eliminate any formation of future wetlands. Commissioner LaGree asked if there were reporting requirements once the work is completed to address the wetlands. Mr. Kowalski stated he would look into the requirements.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GHD CONSULTING SERVICES, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO VAN DE WATER WATER TREATMENT PLANT RESIDUALS TREATMENT SYSTEM UPGRADES, IDENTIFIED AS CONTRACT NO. GHD-008, PROJECT NO. 201900208 - \$265,000.00

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

DISCUSSION

On the question, Commissioner LaGree asked if this completed the GHD Consulting Services, Inc. part of the project. Mr. Kowalski verified that it would complete their part.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 7 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO CORROSION CONTROL TREATMENT PROGRAM – PIPE LOOP DEMONSTRATION STUDY, IDENTIFIED AS CONTRACT NO. HS-002, PROJECT NO. 202100152 - \$98,000.00

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

DISCUSSION

On the question, Commissioner LaGree asked if the Authority was being proactive in reference to orthophosphate chemicals. Mr. Kowalski verified that they want to proactively prepare for the USEPA Lead and Copper Rule Improvements and receive conceptual engineering for orthophosphate chemical feed systems at the Van de Water and Sturgeon Point Water Treatment Plants.

VOTE

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

ITEM 8 - APPROVAL OF AMENDMENT NO. 1 TO THE INDUSTRIAL BLASTING, PAINTING, AND ASSOCIATED MAINTENANCE CONTRACT WITH NIAGARA COATINGS SERVICES, INC., PROJECT NO. 202400038

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 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND RETIREMENT OF EXISTING HYDRANTS - 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 10 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 - VAN DE WATER WATER TREATMENT PLANT RESIDUALS TREATMENT SYSTEM UPGRADES, IDENTIFIED AS CONTRACT NO. GHD-008, PROJECT NO. 201900208 - \$265,000.00

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 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 - LEAD SERVICE LINE INVENTORY, PROJECT NO. 202500057 AND PROJECT NO. 202500089 - \$3,500,000.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 12 - CREATION OF ONE POSITION OF CHIEF INSTRUMENT AND CONTROLS SPECIALIST (PART-TIME)

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to go into Executive Session for the discussion relating to proposed or pending litigation pursuant to Public Officers Law §105(1)(d) at 10:22 a.m. Mr. Schad invited Terrence McCracken, Joyce Tomaka, Mark Carney, Chuck Eaton, Leonard Kowalski, Jessica Brown, and Katherine Gillette.

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 10:47 a.m.

DISCUSSION

Chair Schad reported that a productive discussion was held with Staff and Counsel. Chair noted directions have been given to address the issue.

VIII. ADJOURNMENT

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 10:48 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

A handwritten signature in black ink, appearing to read 'T.D. McCracken', with a long horizontal flourish extending to the right.

Terrence D. McCracken
Secretary to the Authority

ALH