

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 18th day of September 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
 Jennifer L. Hibit, Director of Human Resources
 Sabrina A. Figler, Director of Water Quality
 Lavonya C. Lester, Director of Administration
 Katherine A. Gillette, Senior Associate Attorney
 Jessica R. Brown, Comptroller
 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 9:30 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, August 21, 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, August 21, 2025.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. 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)

2. Executive Session

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

The above executive sessions have been deferred to after New Business - Item 20.

B. LEGAL**C. FISCAL**

1. July 2025 Investment Report

Ms. Tomaka distributed the July 2025 Investment Report along with a brief explanation of the report.

2. July 2025 Financial Report

Ms. Brown distributed the July 2025 Financial Report along with a brief explanation of the report. A brief discussion ensued.

D. OPERATIONS

1. Projects Advertised for Bidding – Formal Contracts

Mr. Kowalski reported to the Board on one Formal Contract that has been advertised for bidding since the last Board Meeting:

- Heating, Ventilating, and Air Conditioning Service and Preventive Maintenance Work for One Year, PN 202500098

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 – REDDICK V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOTICE OF CLAIM – KAMECK V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-3 NOTICE OF CLAIM – WALTER V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-4 NOTICE OF CLAIM – ROSE V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-5 NOTICE OF CLAIM – NEW YORK CENTRAL MUTUAL V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-6 NOTICE OF CLAIM – KRUSE V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-7 NOTICE OF CLAIM – GALLEGOS V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-8 NOTICE OF CLAIM – BYSTRAK V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-9 FOIL FROM ROCKET MORTGAGE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM PITTSBURGH WATER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 FOIL FROM MCS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-12 FOIL FROM GROSS POLOWY LLC - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-13 FOIL FROM GROSS POLOWY LLC - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

C-14 FOIL FROM AMELIA UNDERWRITERS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-15 FOIL FROM AMANDA FALLACARO - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-16 LETTER FROM TOWN OF BOSTON - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

Chair Schad requested clarification from Mr. Kowalski regarding the response process. Mr. Kowalski gave a brief overview of the process.

C-17 LETTER FROM KEN JONES - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-18 LETTER FROM TERRENCE D. MCCrackEN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

Chair Schad congratulated Mr. McCracken on his retirement and spoke to the profound impact he has had on the Authority. Chair Schad acknowledged that Mr. McCracken's nature to do the right thing and his skill set have greatly benefited the Authority and its customers. Chair Schad also remarked that as a result of Mr. McCracken's leadership, the Authority is now known for its honesty with people and is seen as a dedicated organization. Commissioner LaGree seconded the Chair's sentiments and added that Mr. McCracken's wisdom, integrity and depth of knowledge has left a lasting impression on everyone who has been fortunate enough to work with him. Commissioner LaGree also stated that Mr. McCracken has set an example that many will strive to follow. Commissioner Iannello echoed the previous statements and wished Mr. McCracken luck 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 - RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT IN CONNECTION WITH PIN NO. 5815.46, D265504, PROJECT NO. 202500187

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 EXECUTE AN INDEMNITY AGREEMENT WITH JOHN AND JESSICA MUNZEL RELATING TO AN EASEMENT FOR THE PROPERTY LOCATED ON HARVEY DRIVE, VILLAGE OF LANCASTER

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

DISCUSSION

On the question, Commissioner LaGree asked Mr. Carney for clarification regarding the steps that have been taken. Mr. Carney responded with steps that have been taken thus far.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 3 - AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH NIAGARA MOHAWK POWER CORPORATION RELATING TO THE ERIE COUNTY WATER AUTHORITY'S GUENTHER PUMP STATION AND TANK PROPERTY LOCATED AT 3478 PLEASANT AVENUE, TOWN OF HAMBURG

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 EXECUTE A SETTLEMENT AGREEMENT WITH PROVIDENCE FARM COLLECTIVE CORPORATION AND THE TOWN OF ORCHARD PARK

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

DISCUSSION

On the question, Chair Schad questioned Mr. Carney about the operational status of Providence Farm. Mr. Carney confirmed that it was up and running.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE ARC ERIE COUNTY NEW YORK FOR GENERAL CLEANING SERVICES FOR THE ERIE COUNTY WATER AUTHORITY SERVICE CENTER FROM OCTOBER 1, 2025 TO SEPTEMBER 30, 2026, PROJECT NO. 202000211

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 PROFESSIONAL SERVICES AGREEMENT WITH EPLUS TECHNOLOGY, INC. FOR CISCO IP PHONE SYSTEM MAINTENANCE SERVICES, IDENTIFIED AS CONTRACT NO. ET-002, PROJECT NO. 202500197

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

DISCUSSION

On the question, Commissioner LaGree requested confirmation that the contract pertained to maintenance and support. Mr. Aubertine confirmed that it did.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 7 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH LABELLA ASSOCIATES TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR TECHNICAL SUPPORT OF THE ERIE COUNTY WATER AUTHORITY'S GEOGRAPHIC INFORMATION SYSTEM, IDENTIFIED AS CONTRACT NO. LA-008, PROJECT NO. 202500196

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 716 SITE CONTRACTING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT C, CITY OF TONAWANDA, PROJECT NO. 202500100 - \$6,461,570.00

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

DISCUSSION

On the question, Chair Schad asked Mr. Kowalski if this would be the last contract regarding lead service replacements for the current year. Mr. Kowalski stated that this is the final contract to be awarded for this year; however, once the 2026 budget receives approval, there will be additional projects available for awarding that are set to commence in the spring.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 9 - AWARD OF CONTRACT TO MARK CERRONE, INC. FOR STURGEON POINT WATER TREATMENT PLANT SLUDGE REMOVAL AND DISPOSAL, PROJECT NO. 202500117 - \$527,500.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 10 - AWARD OF CONTRACT TO E&R GENERAL CONSTRUCTION, INC. FOR LAKE SHORE ROAD 48-INCH TRANSMISSION MAIN REHABILITATION, TOWN OF EVANS, PROJECT NO. 202500113 - \$278,940.00

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 - APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH MASIELLO MARTUCCI HUGHES TO PROVIDE GOVERNMENT RELATIONS AND LOBBYING SERVICES, PROJECT NO. 202200276

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

DISCUSSION

On the question, Commissioner LaGree stated that she is happy to renew the agreement and noted that they are a valuable partner to the Authority.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 12 - APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT WITH HOHL INDUSTRIAL SERVICES, INC. FOR BUOY INSTALLATION AND UNDERWATER SERVICES, PROJECT NO. 202400030

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 - APPROVAL OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CORPORATE SCREENING & INVESTIGATIVE GROUP, LLC TO RENDER PRE-EMPLOYMENT BACKGROUND INVESTIGATION AND NATIONAL COMPREHENSIVE REPORTS, IDENTIFIED AS CONTRACT NO. CSI-001, PROJECT NO. 202200018

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 14 - APPROVAL OF CHANGE ORDER NO. 3 OF CONCRETE APPLIED TECHNOLOGIES CORP. D/B/A CATCO FOR CONTRACT NO. MP-084, WATER SYSTEM IMPROVEMENTS TRANSMISSION MAIN INSTALLATION, TOWN OF TONAWANDA, PROJECT NO. 202000084 - \$1,600,000.00

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

DISCUSSION

On the question, Commissioner LaGree asked Mr. Kowalski if National Grid and the Town of Tonawanda have approved the plan. Mr. Kowalski acknowledged that they have and offered a brief description of the process.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 15 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 – 48-INCH AND 42-INCH TRANSMISSION MAIN CONDITION ASSESSMENT AND TRANSIENT ANALYSIS, IDENTIFIED AS CONTRACT NO. BC-003, PROJECT NO. 202100221 AND LAKE SHORE RD 48-INCH TRANSMISSION MAIN REHABILITATION, TOWN OF EVANS, PROJECT NO. 202500113 - \$300,000.00

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

DISCUSSION

On the question, Commissioner LaGree requested confirmation from Mr. Kowalski regarding the amount of the budget transfer. Mr. Kowalski gave a brief overview.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 16 - AUTHORIZATION FOR APPROVAL OF SETTLEMENT OF CLAIMS

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

DISCUSSION

On the question, Chair Schad thanked everyone for their hard work on this item.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 17 - RATIFICATION OF THE NOTICE TO TERMINATE THE PROFESSIONAL SERVICES AGREEMENT WITH J. O'CONNELL &

ASSOCIATES, INC.

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 - 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 19 - CREATION OF ONE POSITION OF TRAINING AND SAFETY COORDINATOR (ECWA)

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 20 - CREATION OF ONE POSITION OF ASSISTANT PUMP MECHANIC CREW CHIEF

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 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) at 9:51 a.m. Chair Schad invited Terrence McCracken, Joyce Tomaka, Mark Carney, Chuck Eaton, 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 10:07 a.m.

DISCUSSION

Chair Schad reported that a productive discussion was held with Staff.

ITEM 21 - APPOINTMENT OF JENNIFER HIBIT AS SECRETARY TO THE AUTHORITY

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, pending or current litigation pursuant to Public Officers Law § 105 (1)(d) at 10:08 a.m. Chair Schad invited Terrence McCracken, Joyce Tomaka, Mark Carney, Chuck Eaton, Scott Kroll, Jennifer Hibit, and Jessica Brown.

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 10:45 a.m.

DISCUSSION

Chair Schad reported that a productive discussion was held with Staff and directions have been provided.

VIII. ADJOURNMENT

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 10:46 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Terrence D. McCracken
Secretary to the Authority

ALH