

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 16th day of October 2025.

PRESENT: Jerome D. Schad, Chair
 Peggy A. LaGree, Commissioner
 Michele M. Iannello, Commissioner
 Jennifer L. Hibit, 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
 Lavonya C. Lester, Director of Administration
 Katherine A. Gillette, Senior Associate Attorney
 Jessica R. Brown, Comptroller
 Matthew W. Barrett, Security Officer

ATTENDEES: Philip Wells, 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, September 18, 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, September 18, 2025.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Chair Schad announced that the Erie County Water Authority, in association with the New York Section American Water Works Association and the American Water Works Association, is participating in the 'Imagine a Day Without Water' today, October 16. Chair Schad explained that this is a national project to raise awareness of the critical role of clean water in public life. It is a reminder that water isn't just a resource but is essential to everything we value. Water protects our ecosystem; it fuels our local economies. Chair Schad invites everyone to join in and raise a collective voice to protect and prioritize water.

IV. REPORTS

A. SECRETARY

1. Lobbying Update

Secretary Hibit updated the Board on lobbying efforts coordinated between the Authority and Masiello Martucci Hughes.

B. LEGAL

1. Executive Session

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

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 the end of the meeting.

C. FISCAL

1. August 2025 Investment Report

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

2. August 2025 Financial Report

Ms. Brown distributed the August 2025 Financial Report along with a brief explanation of the report.

D. OPERATIONS

1. Emergency Generator Rental

Mr. Kowalski reported a Declaration of State of Emergency was issued for emergency generator rental for Sturgeon Point Water Treatment Plant. Due to increased summer

flows and the limited power supply to Sturgeon Point from National Grid, the Authority needed a temporary supplemental power supply for Raw Water Pump Station pumps. Using these generators ensures an adequate and uninterrupted power supply to other areas of the plant during high demand periods. A brief discussion was held.

2. Emergency Declaration – Union Road, Cheektowaga

Mr. Kowalski reported on a Declaration of State of Emergency that was issued for a water main that failed near the intersection of Union Road and George Urban Boulevard in the Town of Cheektowaga in July. Mr. Kowalski noted that several sections of pipe and fittings required removal and replacement, and an additional main valve was installed to reduce the number of customers out-of-service. Due to the location and magnitude of the break, the repair required the mobilization of a number of contractors over and above the Authority staff, as well as specialized equipment and materials.

3. Emergency Declaration – Walden Drive, Hamburg

Mr. Kowalski reported on September 8, 2025, a Declaration of State of Emergency was issued to replace the existing 12-inch watermain beneath the CSX Railroad and Norfolk Southern right-of-way utilizing the existing 24-inch steel casing pipe. The watermain was shut down due to the leak, which reduced fire flow availability to two neighborhoods affecting negatively approximately one hundred properties and limiting water service to a single feed. The repair needed to be completed as quickly as possible using a different contractor with specialized equipment to avoid the arduous permitting process required by the Railroads and the time-consuming and costly installation of an excavation protection system.

4. NYSAWWA Water Utility Council Meeting

Ms. Figler reported on the NYSAWWA Water Utility Council Meeting that was held on September 17, 2025. Ms. Figler provided a summary of statewide matters, which encompassed PFAS regulations, LCRI deadlines, as well as phosphorus-related issues and concerns that were addressed during the meeting.

Ms. Figler discussed EPA's recent proposals to extend the federal compliance deadline to 2031 to allow more time for systems to implement necessary changes. Federal exemptions and outreach initiatives which aim to assist rural and small community water systems were also mentioned. Ms. Figler reported that the EPA has recently announced plans to rescind and reconsider regulations for additional PFAS compounds which were previously included in the regulatory framework.

Ms. Figler noted that the U.S. Court of Appeals has filed motions related to the LCRI. The EPA intends to defend the LCRI against the AWWA lawsuit which challenges the requirements for lead service line replacements by 2037. The Court has set a briefing schedule which is scheduled to conclude in January 2026.

Ms. Figler gave the Board an update regarding phosphorus addition and corrosion control. She stated that the Department of Health acknowledged that corrosion control optimization presents a complex balance between water quality and wastewater treatment. Ms. Figler reported that the Authority is conducting a study examining the impacts of removal of orthophosphates, post full lead service line removal and its impact on corrosivity. Chair Schad spoke on if every water system puts orthophosphates in the water system that means that every wastewater system has to spend a huge amount of money to remove it. Chair Schad would like to stay on track to avoid having to use orthophosphates.

Ms. Figler addressed the recent concerns regarding an odor coming from the water. She noted that from her thirty years at the Authority, she can say it is a cyclical and common occurrence. Ms. Figler explained that each fall as the water cools, both air and water temperatures, algae blooms start to die and release metabolic byproducts. This combined with the natural lake cycle and a dry, hot summer, produces compounds that cause an earthy taste and odor. The compounds are non-toxic to humans and animals.

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 – SHINNERS V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOTICE OF CLAIM – SCADUTO V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-3 NOTICE OF CLAIM – AMSTAR OF WESTERN NEW YORK V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-4 FOIL FROM REAL RES - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-5 FOIL FROM MARC SHAER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

- C-6 FOIL FROM KELLEY KRONENBERG - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-7 FOIL FROM COFORGE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM ZAEPFEL DEVELOPMENT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-9 FOIL FROM SERVICELINK - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM LISA RAVEL - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 FOIL FROM M&T BANK - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-12 FOIL FROM COLLIERS ENGINEERING & DESIGN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-13 FOIL FROM RUTLEDGE CLAIMS MANAGEMENT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-14 FOIL FROM JOHNSON CONTROLS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-15 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-16 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-17 LETTER FROM US RENAL CARE - 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 - AUTHORIZATION TO FUND MANDATED PUBLIC AND PRIVATE SIDE LEAD SERVICE LINE REPLACEMENTS

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 GREATER NIAGARA MECHANICAL, INC. FOR HEATING, VENTILATING, AND AIR CONDITIONING SERVICE AND PREVENTIVE MAINTENANCE WORK FOR ONE YEAR, PROJECT NO. 202500098 - \$158,934.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 3 - AWARD OF CONTRACT TO STC CONSTRUCTION, INC. FOR VAN DE WATER WATER TREATMENT PLANT FILTER NO. 1 VALVES REPLACEMENT, PROJECT NO. 202500027 - \$844,800.00

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 FOR THE PURCHASE OF REPLACEMENT PARTS FOR TWO DECANT BACKWASH PUMPS AT STURGEON POINT WATER TREATMENT PLANT - \$48,189.16

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - APPROVAL OF AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH THE TOWN OF CHEEKTOWAGA FOR LEASING OF SPACE ON THE ERIE COUNTY WATER AUTHORITY'S WEHRLE TANK FOR WIRELESS COMMUNICATIONS

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

DISCUSSION

On the question, Commissioner LaGree requested verification that it was for the police radio equipment. Mr. Carney verified that it was.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - APPROVAL OF AMENDMENT NO. 1 TO THE MATERIALS AND SUPPLIES CONTRACT WITH FOREST MATERIALS, INC. FOR THE FURNISHING AND DELIVERING VARIOUS WOOD PRODUCTS, PROJECT NO. 202500005

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 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH TRANSWAVE COMMUNICATIONS SYSTEMS, INC. TO PROVIDE MICROWAVE RADIO MAINTENANCE SERVICES, IDENTIFIED AS CONTRACT NO. TCS-004, PROJECT NO. 202200015 - \$47,000.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 8 - APPROVAL OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES

AGREEMENT WITH ARCADIS OF NEW YORK, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES FOR BALL PUMP STATION PHASE 1 REHABILITATION, IDENTIFIED AS CONTRACT NO. MP-086, PROJECT NO. 202000177 - \$207,745.00

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

DISCUSSION

On the question, Commissioner LaGree requested verification that the construction for this project is included in the 2026 budget. Mr. Kowalski verified that is included in the 2026 budget.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 9 - APPROVAL OF CHANGE ORDER NO. 1 OF NEW FRONTIER EXCAVATING & PAVING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT A, CITY OF TONAWANDA, PROJECT NO. 202500008

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 - APPROVAL OF CHANGE ORDER NO. 1 OF NEW FRONTIER EXCAVATING & PAVING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT B, VILLAGE OF DEPEW, PROJECT NO. 202500009

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 – PURCHASE OF REMOTE SYSTEM MONITORING EQUIPMENT, PROJECT NO. 202500217 - \$75,000.00

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 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 –WINDOM PUMP STATION GARAGE EXTENSION, PROJECT NO. 202500222 - \$30,000.00

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

DISCUSSION

On the question, Commissioner LaGree requested information regarding what was included in this project. Mr. Kowalski gave an overview of the project.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 13 - ADOPTION OF THE 2026 OPERATING & MAINTENANCE AND CAPITAL BUDGETS AND PARIS SUBMISSION

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

DISCUSSION

Ms. Tomaka started the discussion thanking everyone who participated in assembling the budget. Ms. Tomaka also discussed the work of Raftelis, the Authority's rate consultant, and their updated report delivered at the second Budget Hearing held on October 8, 2025.

Commissioner LaGree thanked the staff for their work on the Budget and overcoming notable challenges. Commissioner LaGree acknowledged the collaboration between the staff was instrumental and produced thoughtful and accurate projections for upcoming initiatives and anticipated expenditures. Commissioner LaGree also noted that budgets are more than financial documents, they reflect our values, and this budget clearly brings our dedication to infrastructure investments and the protection of public health.

Commissioner Iannello stated that the Authority continues to fulfill its mission statement by providing a plentiful supply of safe, high quality, affordable drinking water through a reliable infrastructure. Commissioner Iannello highlighted that the health of our customers is the top priority. Although the new, unfunded mandates to eliminate lead will incur costs for ratepayers, the Authority still maintains one of the lowest water utility costs. Commissioner Iannello expressed gratitude to the staff for their dedication during this difficult budgeting period.

Chair Schad expressed his gratitude to the staff and was impressed by their ability to generate effective ideas and implement them successfully. He remarked that this is no simple feat and emphasized that investment in infrastructure is crucial for public health and our future. Chair Schad recognized that while he wishes to prevent rate increases, we are attentive to our customers' needs and striving to maintain the lowest possible rates. Additionally, he pointed out that the budget reflects a prudent choice aimed at achieving our objectives to safeguard public health.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 14 - 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 15 - AUTHORIZATION FOR MICHAEL QUINN, DIRECTOR OF DISTRIBUTION, DANIEL SEIDER, DIRECTOR OF PRODUCTION, WILLIAM WHEELER, DIRECTOR OF PLANNING AND WATER SUPPLY, SETH KRULL, PRODUCTION ENGINEER, AND CHRISTOPHER LOUTH, SENIOR WATER TREATMENT PLANT OPERATOR, TO TRAVEL TO PHILADELPHIA, PENNSYLVANIA TO TOUR TWO WATER TREATMENT FACILITIES

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

DISCUSSION

On the question, Commissioner LaGree requested more details. Mr. Kowalski discussed the Authority's project of designing a surge control system at Sturgeon Point Water Treatment Plant. He informed the Board that the surge control system at water treatment plants in Pennsylvania were comparable to the system currently being designed at Sturgeon Point. Mr. Kowalski also noted that the Authority's consultants on the project, Brown and Caldwell, designed the systems they would be touring. Commissioner Iannello requested the group provide the Board with an update at the next meeting. Chair Schad pointed out that this project aims to safeguard the reliability of the water supply by decreasing the chances of line failures and service disruptions.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 16 - CREATION OF ONE POSITION OF STORES CLERK (55A)

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 - CREATION OF THREE POSITIONS OF CREW CHIEF

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

DISCUSSION

On the question, Chair Schad asked for clarification. Secretary Hibit stated that the roles are needed to fill vacancies, support the increased workload, and may be required for potential shift work.

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 the Menorah Campus and proposed, pending or current litigation pursuant to Public Officers Law § 105 (1)(d) at 10:10 a.m. Chair Schad invited Jennifer Hibit, Joyce Tomaka, Mark Carney, Chuck Eaton, Leonard Kowalski, 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 10:17 a.m.

DISCUSSION

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

Motion made by Ms. LaGree, seconded by Ms. Iannello to go into Executive Session for the discussion relating to Contract No. GHD-008 and proposed, pending or current litigation pursuant to Public Officers Law § 105 (1)(d) at 10:18 a.m. Chair Schad invited Jennifer Hibit, Joyce Tomaka, Mark Carney, Chuck Eaton, Leonard Kowalski, 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 10:30 a.m.

DISCUSSION

Chair Schad reported that a productive discussion was held with Counsel and have given authorization to proceed as directed.

VIII. ADJOURNMENT

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 10:31 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Jennifer Hibit
Secretary to the Authority

ALH