

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 12th day of February 2026.

PRESENT: Jerome D. Schad, Chair
Peggy A. LaGree, Commissioner (via teleconference)
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
David W. Aubertine, Director of Cybersecurity and Information Technology
Matthew W. Barrett, Security Officer

ATTENDEES: Earl Wells III, e3 Communications
Rebecca Slabaugh, Arcadis of New York (via teleconference)
Hannah Rockwell, Arcadis of New York (via teleconference)

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, January 15, 2026.

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, January 15, 2026.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. REPORTS**A. SECRETARY****B. LEGAL**

1. Executive Session

Discussion relating to proposed, pending or current litigation pursuant to Public Officers Law § 105 (1)(d) regarding Bench Strength Partners, Inc.

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

C. FISCAL

1. December 2025 Investment Report

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

2. December 2025 Financial Report

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

D. OPERATIONS

1. LCCR Update

Rebecca Slabaugh from Arcadis of New York presented the Board a review and update on the Lead and Copper Rule Revisions Program (“LCRR”). Ms. Slabaugh provided a summary of the Lead and Copper Rule Improvements (“LCRI”) program overview and timeline and outlined the Federal and State Regulatory Actions. Ms. Slabaugh provided an update on the Authority's achievements and advancements thus far, as well as outlined the priorities and requirements for 2026. Potential risks, key decisions, and the next steps that need to be taken were also discussed. Ms. Slabaugh emphasized that the overarching program goal was to identify and remove all lead service lines before 2028.

Secretary Hibit informed the Board of a change in the order of Operation Items.

2. Galvanized Pipe Analysis

Sabrina Figler reported to the Board that under EPA's Lead and Copper Rule Improvements (LCRI) the EPA requires the replacement of galvanized service lines that are or ever were downstream of lead service lines due to potential contamination. Ms. Figler gave an account of the investigation into the impact of lead service line removal (LSLR) on lead release from galvanized service lines over time conducted by the Authority's Water Quality Department with the anticipation that EPA may grant an extension to the deadline of galvanized line removal. Ms. Figler went into detail regarding the process and results received to date. As more data is acquired, Ms. Figler will continue to update the Board.

3. Projects Advertised for Bidding – Formal Contracts

Mr. Kowalski reported to the Board on four formal contracts advertised for bidding that have been published since the last Board Meeting:

- Area No. 1 Restoration, April 1, 2026 through March 31, 2028, PN 202600018
- Area No. 2 Restoration, April 1, 2026 through March 31, 2028, PN 202600019
- Water Service Investigations & Lead Service Replacements, Contract E, City of Lackawanna and Town of West Seneca, PN 202600012
- Lake Shore Road 48" Transmission Main Rehab, Phase 2, PN 202600020

4. Projects Advertised for Bidding – Short Form Contracts

Mr. Kowalski reported to the Board on two short form contracts advertised for bidding that have been published since the last Board Meeting:

- Steel Repair Bands, PN 202500182
- Landscaping, Grounds Improvements & Maintenance, PN 202600010

5. Emergency Declaration – Leak Repairs

Mr. Kowalski reported a Declaration of State of Emergency was issued to enable the Authority to utilize additional crews from contractors that are currently under contracts with the Authority to assist with leak repairs. Mr. Kowalski noted that due to the recent stretch of extreme cold weather there has been a substantial increase in the number of leaks throughout the Authority's distribution system. A brief discussion was held.

6. Emergency Declaration – HYMAX Couplings Purchase

Mr. Kowalski reported that during the rehabilitation project on the transmission main between an Authority's Water Treatment Plant and a Pump Station, a leaking section of main was discovered. During the replacement of the main, the entire stock of 48-inch diameter HYMAX couplings was used. For the immediate

replacement of this crucial part to occur, it was necessary to issue a declaration of emergency.

7. RFPs Published

Mr. Kowalski reported to the Board on four Request for Proposals that have been issued since the last Board Meeting:

- Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant Intrusion Mitigation, PN 202600005
- Sturgeon Point Water Treatment Plant Quonset Hut & Building Façade, PN 202600005
- Chemical Tanks, Emergency Showers & Eye Wash, PN 202600013
- Rate Consulting Services, PN 202500235

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 –KEYSER V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-2 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-3 FOIL FROM TROY & BANKS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-4 FOIL FROM JORDAN VARVARO - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-5 FOIL FROM MARY HINTON - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-6 FOIL FROM ETHOS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

- C-7 FOIL FROM GUARDIAN ASSET MANAGEMENT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM BUFFALOBRAVES21 - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-9 FOIL FROM XAVIER KAID - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM RUPP PFALZGRAF LLC - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 LETTERS FROM US RENAL CARE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-12 LETTER FROM DIALYZE DIRECT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-13 LETTER FROM SABRINA FIGLER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

The Commissioners thanked Ms. Figler for her years of service to the Authority.

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 - AWARD OF CONTRACT TO 716 SITE CONTRACTING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT D, VILLAGE OF LANCASTER, PROJECT NO. 202500250 - \$2,947,840.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 2 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS OF NEW YORK, INC. TO RENDER CONSULTING ENGINEERING SERVICES RELATING TO CHLORINE RISK MANAGEMENT PROGRAM IMPROVEMENTS, IDENTIFIED AS CONTRACT NO. MP-092, PROJECT NO. 202600043

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

DISCUSSION

On the question, Commissioner LaGree inquired as to when the last program update was conducted. Mr. Kowalski stated the project the last formal update was in the nineties or early two thousands.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 3 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER TO RENDER CONSULTING ENGINEERING SERVICES RELATING TO WATER TREATMENT PLANT CORROSION CONTROL TREATMENT SYSTEM IMPROVEMENTS, IDENTIFIED AS CONTRACT NO. HS-006, PROJECT NO. 202600046

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 LETTER OF INTENT

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

DISCUSSION

On the question, Chair Schad thanked the committee that worked on the project.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, PC TO PROVIDE

CONSULTING ENGINEERING SERVICES RELATING TO WATER STORAGE TANK REHABILITATIONS, IDENTIFIED AS CONTRACT NO. W-035, PROJECT NO. 202300060

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

DISCUSSION

On the question, Commissioner LaGree asked if all the items in question were addressed. Mr. Kowalski verified that they were and gave a brief overview of said items.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH LABELLA ASSOCIATES DPC TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO THE NEW OPERATIONS CENTER, IDENTIFIED AS CONTRACT NO. LA-007, PROJECT NO. 202300077 - \$244,890.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 7 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT WITH CHILD AND FAMILY SERVICES OF ERIE COUNTY TO PROVIDE THE ERIE COUNTY WATER AUTHORITY WITH EMPLOYEE ASSISTANCE PROGRAM SERVICES

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. 2 TO THE PROFESSIONAL SERVICES CONTRACT WITH HEALTHWORKS-WNY, LLP TO PROVIDE COMPREHENSIVE OCCUPATIONAL HEALTH SERVICES, PROJECT NO. 202200063

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 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS OF NEW YORK, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES FOR STURGEON POINT WATER TREATMENT PLANT FILTRATION PIPING, VALVE AND UNDERDRAIN, IDENTIFIED AS CONTRACT NO. MP-090, PROJECT NO. 202200014 - \$410,000.00

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

DISCUSSION

On the question, Commissioner LaGree inquired if the work was completed in 2025. Mr. Kowalski verified that it was and described additional support the amendment would include.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 10 - APPROVAL OF AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BROWN AND CALDWELL ASSOCIATES TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO THE EVALUATION OF CERTAIN TRANSMISSION MAINS FROM THE STURGEON POINT WATER TREATMENT PLANT, IDENTIFIED AS CONTRACT NO. BC-003, PROJECT NO. 202100221 - \$80,000.00

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

DISCUSSION

On the question, Chair Schad questioned if this was related to the surge tank project. Mr. Kowalski verified that it was and briefly described the project. Commissioner LaGree asked if this was new technology. Mr. Kowalski responded that it was newer to concrete pipe but has been used for metallic pipe for several years.

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 2026 – MP-084 TRANSMISSION MAIN REPLACEMENT, PROJECT NO. 202000084 - \$525,000.00

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

DISCUSSION

On the question, Commissioner LaGree asked if this will complete the project. Mr. Kowalski verified that it would.

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 2026 – WINDOM GARAGE EXTENSION, PROJECT NO. 202500222 - \$30,000.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 13 - 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 14 - AUTHORIZATION FOR LEONARD KOWALSKI, EXECUTIVE ENGINEER, DANIEL SEIDER, DIRECTOR OF PRODUCTION, MARK JARMUZ, SENIOR DISTRIBUTION ENGINEER, SETH KRULL, PRODUCTION ENGINEER, SCOTT KLUBEK, PUMP MECHANIC CREW CHIEF, PAUL MIKLOS, WATER TREATMENT PLANT OPERATOR CREW CHIEF, RYAN

MCKERNAN, ANALYTICAL CHEMIST, AND CLAYTON RUMSEY, ANALYTICAL CHEMIST, TO ATTEND THE NEW YORK STATE AWWA WATER EVENT CONFERENCE IN SARATOGA SPRINGS, NEW YORK

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

DISCUSSION

On the question, Chair Schad requested the Authority personnel going to the conference to engage in discussions regarding the galvanized study with other attendees. Mr. Kowalski agreed to do so.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 15 - AUTHORIZATION FOR SABRINA FIGLER, DIRECTOR OF WATER QUALITY TO ATTEND THE AWWA FLY-IN EVENT IN WASHINGTON, DC

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

DISCUSSION

On the question, Chair Schad noted the importance of attending this event.

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 regarding Bench Strength Partners Inc. pursuant to Public Officers Law § 105 (1)(d) at 10:53 a.m. Chair Schad invited Jennifer Hibit, Joyce Tomaka, Mark Carney, Charles 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 11:12 a.m.

DISCUSSION

Chair Schad reported that a productive discussion was held with Counsel regarding Bench Strength Partners Inc.

VIII. ADJOURNMENT

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 11:13 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Jennifer Hibit
Secretary to the Authority

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