

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 21st day of May 2026.

PRESENT: Jerome D. Schad, Chair
 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 PT
 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

PLEDGE TO THE FLAG

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:32 a.m. A quorum was present with two Commissioners. Commissioner Peggy A. LaGree was absent from the meeting.

II. READING OF MINUTES

Motion by Ms. Iannello seconded by Mr. Schad and carried to waive the reading of the Minutes of the Annual Meeting held on Tuesday, April 28, 2026.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello

Noes: None

III. APPROVAL OF MINUTES

Motion by Ms. Iannello seconded by Mr. Schad and carried to approve the Minutes of the Annual Meeting held on Tuesday, April 28, 2026.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello

Noes: None

IV. READING OF MINUTES

Motion by Ms. Iannello seconded by Mr. Schad and carried to waive the reading of the Minutes of the Meeting held on Tuesday, April 28, 2026.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello

Noes: None

V. APPROVAL OF MINUTES

Motion by Ms. Iannello seconded by Mr. Schad and carried to approve the Minutes of the Meeting held on Tuesday, April 28, 2026.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello

Noes: None

VI. REPORTS**A. SECRETARY****B. LEGAL**

1. Executive Session

Discussion relating to the proposed acquisition, sale or lease of real property where the value could be significantly affected by public disclosure pursuant to Public Officers Law § 105 (1)(h)

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

C. FISCAL

1. March 2026 Investment Report

Ms. Tomaka distributed the March 2026 Investment Report along with a brief explanation of the report.

2. March 2026 Financial Report

Ms. Tomaka distributed the March 2026 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 two formal contracts advertised for bidding that have been published since the last Board Meeting:

- Excavated Material Removal & Disposal, 2026 through 2028, PN 202600037.
- Water System Improvements STP WTP, Line Maintenance Storage Facility (HE-001A), PN 202100242

2. 2026 AWWA FLY IN

Ms. Figler gave the Board an overview of the AWWA priorities for discussions between AWWA members and Congress during the 2026 AWWA FLY IN which included CERCLA liability, LIHWAP and water affordability, Cybersecurity Resilience and Infrastructure Funding. Ms. Figler described each priority and their current status with Congress. Chair Schad observed that the funding remains unchanged and that the earmarked resources originate from the water fund.

3. NYSAWWA Water Utility Council Spring Meeting

Ms. Figler gave the Board an update from the spring meeting of the NYSAWWA Water Utility Council held on April 20, 2026. Topics discussed at the meeting included the following:

- LCRI and CCR (Consumer Confidence Report)
- School and Childcare Regulations
- Lead Pipe Replacement Act
- Emerging Contaminants

Ms. Figler noted that, per the federal rule, the CCR (aka Annual Water Quality Report) will start biannual reporting in July 2027. Ms. Figler also discussed working with the Engineering Department to solicit schools and daycares to participate in lead testing. Ms. Figler reported to the Board that the Water Quality Department has been monitoring a group of approximately 30 PFOS compounds and 1,4-Dioxane since 2020 and the Authority's results are well below or non-detect on those compounds.

E. HUMAN RESOURCES

F. AUDIT COMMITTEE

G. GOVERNANCE COMMITTEE

H. FINANCE COMMITTEE**I. ETHICS COMMITTEE****VII. 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 – THOMPSON V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOTICE OF CLAIM – CHOWDHURY V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-3 NOTICE OF CLAIM – GAGLIONE V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-4 NOTICE OF CLAIM – EISS V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-5 NOTICE OF CLAIM – KANEHL V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-6 LETTER FROM TOWN OF ELMA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-7 FOIL FROM MARIE MONNIN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM COAST 2 COAST - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-9 FOIL FROM ALTISOURCE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM SUNLIGHT ACCESS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 FOIL FROM ANDREW WRONA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-12 FOIL FROM RBCO TRUST - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-13 FOIL FROM 231 CENTER LLC - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

- C-14 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-15 FOIL FROM AMSTAR OF WNY - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-16 FOIL FROM CASULLO'S TRUCK & AUTO - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-17 FOIL FROM BERKADIA COMMERCIAL MORTGAGE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-18 FOIL FROM PATRICK RIMAR - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

VIII. 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.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

ITEM 1 - NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT DETERMINATION RELATIVE TO THE PROPOSED LEASE OF THE PROPERTY LOCATED AT APPLETREE BUSINESS PARK

Motion by Ms. Iannello seconded by Mr. Schad and carried.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello

Noes: None

ITEM 2 - AUTHORIZATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE TOWNS OF WEST SENECA AND ELMA RELATING TO TRANSIT ROAD INTERCONNECTION, PROJECT NO. 202500200

Motion by Ms. Iannello seconded by Mr. Schad and carried.

DISCUSSION

On the question, Chair Schad requested details on how the negotiations proceeded. Mr.

Carney replied that the Authority was not part of the negotiations , which were solely between the Town of West Seneca and the Town of Elma.

VOTE

Ayes: Two; Commrs. Schad and Iannello
Noes: None

ITEM 3 - AWARD OF CONTRACT TO KANDEY COMPANY, INC. FOR WATER SERVICE INVESTIGATIONS, CONTRACT 3, PROJECT NO. 202600071 - \$1,045,150.00

Motion by Ms. Iannello seconded by Mr. Schad and carried.

DISCUSSION

On the question, Chair Schad asked if this was the last investigation contract. Mr. Kowalski discussed the upcoming and current contracts. Commissioner Iannello inquired how long it takes to complete a public side replacement. Mr. Kowalski stated approximately two public side replacements could be completed each day.

VOTE

Ayes: Two; Commrs. Schad and Iannello
Noes: None

ITEM 4 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS OF NEW YORK, INC., TO RENDER CONSULTING ENGINEERING SERVICES RELATING TO PUMP VIBRATION INVESTIGATIONS, IDENTIFIED AS CONTRACT NO. MP-093, PROJECT NO. 202600096 - CCII

Motion by Ms. Iannello seconded by Mr. Schad and carried.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello
Noes: None

ITEM 5 - APPROVAL OF CHANGE ORDER NO. 1 OF D&H EXCAVATING, INC. FOR WATER SERVICE INVESTIGATIONS, CONTRACT 1, PROJECT NO. 202500057

Motion by Ms. Iannello seconded by Mr. Schad and carried.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello
Noes: None

ITEM 6 - APPROVAL OF AMENDMENT NO. 2 OF THE MANAGED PRINT SERVICE CONTRACT WITH UNITED COPIER & BUSINESS SYSTEMS, INC. FOR SERVICES RELATING TO FURNISHING AND DELIVERING EQUIPMENT, SUPPLIES, AND PARTS FOR PRINTERS, COPIERS, SCANNERS AND PLOTTERS, IDENTIFIED AS CONTRACT NO. UBS-001, PROJECT NO. 202300126

Motion by Ms. Iannello seconded by Mr. Schad and carried.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello
Noes: None

ITEM 7 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS

Motion by Ms. Iannello seconded by Mr. Schad and carried.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello
Noes: None

ITEM 8 - TRAVEL AUTHORIZATION FOR UP TO THREE EMPLOYEES FROM THE AUTHORITY'S PRODUCTION DEPARTMENT TO ASTON, PENNSYLVANIA TO TRANSPORT A PUMP IMPELLER TO HYDRO EAST, INC. TO UNDERGO A SCANNING PROCESS

Motion by Ms. Iannello seconded by Mr. Schad and carried.

DISCUSSION

On the question, Chair Schad requested more information regarding the scanning process. Mr. Kowalski elaborated on the various steps involved in the process.

VOTE

Ayes: Two; Commrs. Schad and Iannello
Noes: None

Motion made by Ms. Iannello, seconded by Mr. Schad to go into Executive Session for the discussion relating to continued lease negotiations where the value could be significantly affected by public disclosure pursuant to Public Officers Law § 105 (1)(h) at 9:58 a.m. Chair Schad invited Jennifer Hibit, Joyce Tomaka, Mark Carney, Charles Eaton, Leonard Kowalski, and Katherine Gillette.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello

Noes: None

Motion made by Ms. Iannello, seconded by Mr. Schad to exit Executive Session at 10:20 a.m.

DISCUSSION

Chair Schad reported that a productive discussion was held with Counsel and directions were given to proceed.

VIII. ADJOURNMENT

Motion made by Ms. Iannello, seconded by Mr. Schad carried that the meeting adjourned at 10:21 a.m.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello

Noes: None

Jennifer Hibit
Secretary to the Authority

ALH