

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 19th day of October 2026.

PRESENT: Jerome D. Schad, Chair
 Peggy A. LaGree, Commissioner
 Michele M. Iannello, Commissioner
 Jennifer Hibit, Secretary to the Authority
 Joyce A. Tomaka, Chief Financial Officer
 Mark S. Carney, General Counsel
 Charles E. Eaton, Chief Operating Officer
 Daniel J. Seider, Director of Production
 Lavonya C. Lester, Director of Administration
 Sabrina A. Figler, Director of Water Quality PT
 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 9:31 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 17, 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, September 17, 2026.

DISCUSSION

None

VOTE

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

IV. REPORTS

A. SECRETARY

B. LEGAL

1. Executive Session

Discussion with the Authority's General Counsel relating to pending litigation with Amstar of Western New York, Inc., pursuant to Public Officers Law §105(1)(d).

The above executive session has been deferred to precede Item 16.

C. FISCAL

1. August 2026 Investment Report

Ms. Tomaka distributed the August 2026 Investment Report along with a brief explanation of the report. A brief discussion ensued.

2. August 2026 Financial Report

Ms. Tomaka distributed the August 2026 Financial Report along with a brief explanation of the report. A brief discussion ensued.

D. OPERATIONS

1. Final Payment Applications

Mr. Seider reported to the Board that one Final Payment Application had been completed in the month of September 2026.

- Contract MP-088, Sturgeon Point Water Treatment Plant Washwater Tank Replacement, PN 202100111

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 – FOREST EDGE CLUSTER ASSOCIATION V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOTICE OF CLAIM – PHILLIPS V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-3 NOTICE OF CLAIM – PAXFORD LLC V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-4 NOTICE OF CLAIM – ZULINKE V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-5 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-6 FOIL FROM ANTHONY PECK - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-7 FOIL FROM RUPP PFALZGRAF LLC - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM NELSON KITA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-9 FOIL FROM ADIT MITTAL - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM CASULLO'S TRUCK & AUTO - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-12 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-13 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-14 FOIL FROM TRAVIS TRAN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

- C-15 FOIL FROM AMANI COLEMAN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-16 FOIL FROM TYLER HOELLIG - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-17 FOIL FROM SKYLINE TITLE SUPPORT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-18 FOIL FROM HOPE WENGRZYCKI - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-19 FOIL FROM KAMRON SMITH - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-20 FOIL FROM MITCHELL GARNER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-21 FOIL FROM SNAP TAX AND LIEN SEARCH - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-22 FOIL FROM SNAP TAX AND LIEN SEARCH - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-23 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-24 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-25 FOIL FROM MARK ZURADA - 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.

Chair Schad thanked Mr. Earl Wells III for his work done on behalf of the Authority and especially for the project completed this week.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

ITEM 1 - ADOPTION OF THE 2027 OPERATING & MAINTENANCE AND CAPITAL BUDGETS AND PARIS SUBMISSION

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

DISCUSSION

Commissioner LaGree recognized the tremendous effort by all staff involved in the development of the budget. Commissioner LaGree noted the budget held the rate increase to 5% while continuing critical investments in the infrastructure and completing the replacement of lead service lines a full decade ahead of the federal compliance deadline.

Commissioner Iannello thanked Ms. Tomaka and her team for their effort and time. Commissioner Iannello also recognized the work of Amawalk, the Authority's new rate consultant, for helping to keep the rate increase down. Commissioner Iannello acknowledged that due to the Authority's qualified, hardworking employees, customers are able to be confident that the water coming from their taps is safe, of high quality, and affordable.

Chair Schad spoke to the Authority's mission of maintaining a reliable infrastructure. Chair Schad described the budget as very responsible and possessing the ability to protect the Authority's bonding capacity. Chair Schad also expressed appreciation for the hard work of the staff to hold the line on the rates while still protecting the supply of water to the customers moving forward.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 2 - AWARD OF CONTRACT TO LAMA INNOVATION, INC. D/B/A JENTSCH COMPANY FOR CONCRETE PIPE REPAIR BAND PROCUREMENT, PROJECT NO. 202600164 - \$70,806.40

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 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS OF NEW YORK, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO PFAS PLANNING STUDY, IDENTIFIED AS CONTRACT NO. MP-094, PROJECT NO. 202600294 CCH

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

DISCUSSION

On the question, Commissioner LaGree asked if this project was a proactive measure. Mr. Seider confirmed that it was indeed proactive. Mr. Seider and Ms. Figler reported minimal amounts of PFAS detected in less than a handful of times since 2020 and noted the results were well below the state requirements.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 4 - APPROVAL OF AMENDMENT NO. 1 TO THE REVOCABLE PERMIT FOR NON-COMMERCIAL USE OF UNIVERSITY FACILITIES WITH THE STATE UNIVERSITY OF NEW YORK AT BUFFALO RELATING TO CONTRACT NO. MP-086, BALL PUMPING STATION IMPROVEMENTS, PROJECT NO. 202000177

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 PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO FILTER AND UNDERDRAIN EVALUATION AND TESTING AT THE STURGEON POINT WATER TREATMENT PLANT, IDENTIFIED AS CONTRACT NO. HS-007, PROJECT NO. 202600091 - \$75,000.00 - CCII

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

DISCUSSION

On the question, Commissioner LaGree asked if the amendment was primarily for extending the contract through the end of 2027 with a slight increase in billing rates. Mr. Seider verified that was correct. Chair Schad questioned if this would address the testing of the modification to solve the filter problem. Mr. Seider acknowledged that it was and gave a brief overview of the project including an update of the project going forward.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES

AGREEMENT WITH ARCADIS OF NEW YORK, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO PUMP VIBRATION INVESTIGATIONS, IDENTIFIED AS CONTRACT NO. MP-093, PROJECT NO. 202600096 - \$73,445.00 - CCH

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

DISCUSSION

On the question, Commissioner LaGree asked for clarification. Mr. Seider discussed the project and the need to test additional pumps to understand if the original issue is isolated to the pumps listed in the original contract or if it extends to multiple pumps.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 7 - APPROVAL OF AMENDMENT NO. 2 TO THE MATERIALS AND SUPPLIES CONTRACT WITH FOREST MATERIALS, INC. FOR THE FURNISHING AND DELIVERING OF 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 8 - APPROVAL OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES CONTRACT WITH ARCADIS OF NEW YORK, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO EPA LEAD AND COPPER RULE REVISIONS PROGRAM MANAGEMENT, IDENTIFIED AS CONTRACT NO. MP-091, PROJECT NO. 202200135 - \$410,000.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 9 - APPROVAL OF AMENDMENT NO. 4 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 - \$75,000.00 CCII**

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 FOR THE SOLE SOURCE PURCHASE OF AQUASCAN
620L LAPTOP CORRELATOR FOR USE IN THE DETECTION AND LOCATION
OF SUSPECTED WATER LEAKS - \$25,500.00**

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

DISCUSSION

On the question, Chair Schad requested further information regarding this technology. Mr. Seider explained this is a newer version of equipment currently being utilized.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

**ITEM 11 - AUTHORIZATION FOR THE SOLE SOURCE PURCHASE OF TWO
CHEMTRAC ORGANICS MONITORS AND ACCESSORIES FOR USE IN THE
CONTINUOUS MONITORING OF ORGANIC LOADING IN SOURCE
WATER- \$27,268.00**

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 2026 –
COMPREHENSIVE FACILITIES PLAN, IDENTIFIED AS CONTRACT NO.
LA-007 - \$1,250,000.00**

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

DISCUSSION

On the question, Commissioner LaGree inquired as to the timeline. Ms. Tomaka stated some work will be finished in 2026 with the remainder completed in 2027. Chair Schad discussed work to be done on the Service Center roof and expressed concerns about future repairs.

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 TO AMEND POLICY NO. 13 PHYSICAL STANDARDS FOR SELECTIVE TITLES OF THE ERIE COUNTY WATER AUTHORITY'S EMPLOYEE POLICIES AND PROCEDURES MANUAL

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 - MARY NYTZ-HOSLER - APPOINTMENT AS COMPTROLLER

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

DISCUSSION

On the question, Chair Schad thanked Ms. Hibit for finding the candidate.

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 pending litigation with Amstar of Western New York, Inc. pursuant to Public

Officers Law §105(1)(d) at 9:51 a.m. Chair Schad invited Jennifer Hibit, Joyce Tomaka, Mark Carney, Charles Eaton, and Katherine Gillette.

DISCUSSION

None

VOTE

Ayes: Two; Commrs. Schad and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to exit Executive Session at 10:00 a.m.

DISCUSSION

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

ITEM 16 - AUTHORIZATION TO EXECUTE AN ENGAGEMENT LETTER WITH LIPPE MATHIAS LLP TO PROVIDE EXPERT LEGAL SERVICES REGARDING ONGOING LITIGATION WITH AMSTAR OF WESTERN NEW YORK, INC.

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

VIII. ADJOURNMENT

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 10:00 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Jennifer Hibit
Secretary to the Authority

ALH

10/19/26