



**ERIE COUNTY WATER AUTHORITY**  
**INTEROFFICE MEMORANDUM**

To: Jerome D. Schad, Chair  
Peggy A. LaGree, Vice Chair  
Michele M. Ianello, Treasurer

Cc: Terrence D. McCracken, Secretary to the Authority  
Joyce A. Tomaka, Chief Financial Officer  
Charles E. Eaton, Chief Operating Officer  
Jennifer L. Hibit, Human Resource Director

From: Mark S. Carney, General Counsel

Date: March 22, 2024

Subject: Vacant Positions in Legal Department  
Senior Associate Attorney  
Associate Attorney PT

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As the Board is aware, upon the retirement of Margaret A. Murphy, the position of Senior Associate Attorney has been vacant. We posted this position on the Erie County Water Authority website and one resume was received from current Associate Attorney, Katherine A. Gillette. A search committee was formed consisting of Secretary Terrence D. McCracken, Human Resource Director, Jennifer L. Hibit and General Counsel, Mark S. Carney. After resumes were received, interviews were scheduled and occurred on 3/22/2024. Following the interviews, the search committee recommends offering the position of Senior Associate Attorney to Ms. Gillette at a Grade 36E, step 1 with a salary of \$174,555.68.

The Associate Attorney PT position became available by the resignation of John J. DelMonte, upon his appointment to the New York State Supreme Court. The job was posted on the Erie County Water Authority website and upon receipt of one resume from BrittneyLee Penberthy, an interview was scheduled for 3/22/2024. After the interview, the search committee recommends offering the position of Associate Attorney PT to Ms. Penberthy and salary of \$100.00 per hour for a maximum of nineteen (19) hours on a biweekly basis.

Pursuant to ECWA Policy No. 92, all exempt positions require Board approval, I will be submitting both a memo and resolution for the April Board meeting.

I would request that the position of Senior Associate Attorney have a starting date of March 25, 2024, and that the appointment of Associate Attorney PT commence upon the successful completion of the background check and physical, as the Legal Department currently is short staffed.

Should any of the Commissioners object to either of these appointments, or have any questions, please do not hesitate to contact either Secretary McCracken or myself to discuss further.

MSC:mes

ERIE COUNTY WATER AUTHORITY  
AUTHORIZATION FORM  
For Approval/Execution of Documents  
(check which apply)

**Contract:** \_\_\_\_\_ **Project No.:** \_\_\_\_\_  
**Project Description:** Appointment of Senior Associate Attorney

**Item Description:**


<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> Addendum
<input type="checkbox"/> Recommendation for Award of Contract	<input type="checkbox"/> Recommendation to Reject Bids		
<input type="checkbox"/> Request for Proposals			
<input checked="" type="checkbox"/> Other <u>Appointment of Senior Associate Attorney</u>			

**Action Requested:**

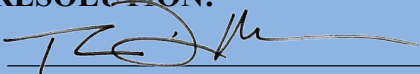
<input type="checkbox"/> Board Authorization to Execute	<input type="checkbox"/> Legal Approval
<input type="checkbox"/> Board Authorization to Award	<input type="checkbox"/> Execution by the Chairman
<input type="checkbox"/> Board Authorization to Advertise for Bids	<input type="checkbox"/> Execution by the Secretary to the Authority
<input type="checkbox"/> Board Authorization to Solicit Request for Proposals	
<input checked="" type="checkbox"/> Other <u>Appointment of Senior Associate Attorney</u>	

**Approvals Needed:**

**APPROVED AS TO CONTENT:**

<input type="checkbox"/> Other (if Applicable)	_____	Date: _____
<input type="checkbox"/> Chief Operating Officer	_____	Date: _____
<input type="checkbox"/> Executive Engineer	_____	Date: _____
<input type="checkbox"/> Director of Administration	_____	Date: _____
<input type="checkbox"/> Risk Manager	_____	Date: _____
<input type="checkbox"/> Chief Financial Officer	_____	Date: _____
<input checked="" type="checkbox"/> Legal		Date: <u>4/9/2024</u>

**APPROVED FOR BOARD RESOLUTION:**

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>4/9/2024</u>
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**Remarks:** \_\_\_\_\_

**Resolution Date:** \_\_\_\_\_ **Item No:** \_\_\_\_\_