



ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM

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

Cc: Joyce A. Tomaka, Chief Financial Officer
Jessica R. Brown, Comptroller

From: Mark S. Carney, General Counsel

Date: April 7, 2025

Subject: ECWA v. Lorch Lorch OWIP # 061956

The above referenced matter concerns a property damage only motor vehicle accident in which a driver struck a fire hydrant resulting in \$28,176.68 damage to Authority property. The driver at fault is a young individual with no assets and no gainful employment. Prior to her departure, Associate Attorney Penberthy reached out to Lorch's private counsel, Patrick Kenney, who assisted in obtaining the full coverage of \$10,000 from the insurance policy and after much negotiation, settled the remaining balance of the claim for an additional \$2,500.00. A release has been sent to Geico Insurance and it is anticipated the payment from the policy of \$10,000 will be received shortly.

It is the opinion of the Legal Department that a judgement against this individual would be deemed uncollectible, and therefore, it is in the Authority's best interest to resolve the matter for \$12,500 offered by the defendant (\$10,000 from Geico and \$2,500 from the defendant, personally).

I would respectfully request that the Board of Commissioners approve settling the outstanding balance of \$28,176.68 for \$12,500.00.

MSC:mes

**ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Board Meeting Documents**

Document Name: _____ **Project No.:** _____

Description: _____

Item Description:

Choose one:

Other: _____

Action Requested:

Choose one:

Other: _____

Approvals Required:

APPROVED AS TO CONTENT:

Chief Financial Officer



Date: 04/07/2025


Chief Operating Officer

Date: _____

Claims Rep. – Risk Manager

Date: _____

Comptroller



Date: 4/7/2025

Director of Administration

Date: _____

Director of Distribution

Date: _____

Director of Human Resources

Date: _____

Director of IT

Date: _____

Director of Production

Date: _____

Director of Water Quality

Date: _____

Executive Engineer

Date: _____

General Counsel (Legal)



Date: 4/7/2025

Other: _____

Date: _____

APPROVED FOR BOARD RESOLUTION:

Secretary to the Authority



Date: 4/7/2025

Remarks: _____

Resolution Date: _____ **Item No:** _____