

**ITEM 1 - AUTHORIZATION TO ADOPT REPORT OF RECORD AND
RECOMMENDATION OF HEARING OFFICER JOHN DELMONTE AND
TO TERMINATE EMPLOYEE FOLLOWING CIVIL SERVICE SECTION
75 HEARING**

Motion by seconded by

WHEREAS, on September 6, 2023, the Erie County Water Authority (the “Authority”) served notice of charges seeking the termination of employee Sharon Zajdel pursuant to Section 75 of the Civil Service Law (“CSL”) of New York; and

WHEREAS, on September 20, 2023, the Authority’s Board of Commissioners (the “Board”) by resolution appointed John DelMonte as the hearing officer (the “Hearing Officer”) and authorized the Hearing Officer to conduct and preside over the hearing as required by CSL § 75 in connection with said charges; and

WHEREAS, a hearing on said charges was held on October 3, 2023 and December 12, 2023; and

WHEREAS, on January 16, 2024, the Hearing Officer issued to the Board a Report of Record and Recommendation (the “Report”) along with the original transcripts and exhibits of record in the matter; and

WHEREAS, the Hearing Officer issued in the Report a finding that Ms. Zajdel’s conduct constituted guilt of misconduct under the charges brought against her to warrant appropriate consideration and adoption by the Board, the proposed disciplinary action set forth in the charges, to wit, termination of Ms. Zajdel from her employment with the Authority effective the date of the adoption of this resolution; and

WHEREAS, on January 26, 2024, the Board, in Executive Session, reviewed and discussed the Report and determined that the findings and recommendations in the Report should be adopted and the disciplinary action taken against Ms. Zajdel should be termination;

NOW, THEREFORE, BE IT RESOLVED:

That the Board adopts the Report of Record and Recommendation of the Hearing Officer and hereby terminates Ms. Zajdel, effective the date of the adoption of this resolution, pursuant to Civil Service Law Section 75 for misconduct as set forth in each and all charges brought in the proceeding and based upon the Hearing Officer’s findings and recommendations contained in his report dated January 16, 2024.

Ayes:

Noes:

01/26/24-BARCLAYDAMON:KAG:alh