



**ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM**

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

CC: Terrence D. McCracken, Secretary
Russell Stoll, COO
Karen A. Prendergast, CFO
Mark S. Carney, Attorney

From: Jacqueline C. Mattina, Associate Attorney,
of counsel to
Mark S. Carney, General Counsel

Date: February 14, 2022

Subject: Authority Website Compliance

The Public Authorities Law, as amended in 2005 by the Public Authorities Accountability Act and further amended by the Public Authorities Reform Act of 2009 (Chapter 506) requires all public authorities to have an official website and to make specific information available to the public through its website. To assist public authorities to meet their disclosure and reporting obligations, the Authorities Budget Office (“ABO”) developed a checklist of policies, reports, and authority information that public authorities must post and maintain on their website.

Over the past few years, the Erie County Water Authority (“Authority”) has been working diligently to improve and upgrade the Authority website and the information disseminated through the website. With

the help of the IT Department and other staff, all necessary updates have been made to ensure Authority compliance with ABO website guidance. This not only included ensuring the required and most recent information and policies were posted on the website but also reviewing to see if links were working. Currently, it appears the Authority is maintaining its website consistent with ABO guidance.

Since items are posted to the website on a continual basis, the following is the most recent status and location of information:

§2800 Annual Report

1) Report on Operations and Accomplishments

Report on Operations and Accomplishments can be found under Public Access/Reports/Filings. Information is current and provided for the past eight (8) years. It is updated annually within ninety (90) days of the end of the fiscal year as required.

2) Financial Reports

ABO policy guidance requires maintaining financial reports for two (2) years. Financial Reports of the Authority can be found in Budget Reports for the past five (5) years under Public Access/Reports/Filings along with the Annual Reports for the past twenty-one (21) years which can be found under Public Access/Reports Filings and Audited Financial Statements for the past nine (9) years.

3) Authority Mission Statement and Performance Measurement Report

The Authority Mission Statement and Performance Measures Report can be found for the past eight (8) years and is found under the About heading. The ABO requires that these items be reviewed annually and updated and approved as necessary. The Board reviews these in a Governance meeting in March of each year for the previous year in preparation for filing the PARIS report.

4) Schedule of Debt

Schedule of Debt can be found under Public Access/Reports/Filings and is current.

5) Personal and Real Property Transactions

The Authority is required to post a list on its website of real property owned by the Authority. The report should contain all property transactions including price of the transaction and name of the purchaser or seller. The real property schedule includes ten (10) years of reports and can be found under Public Access/Reports/Filings and Personal and real property transaction reports can be found under Public Access/Reports/Filings and includes nine (9) years of reports. However, this information has not been updated since 2018, although, the PARIS report includes these transactions and is posted to the website.

Guidelines concerning the awarding and monitoring of contracts for the disposal of property can be found in the Authority Procurement Policy found in two places on website, under 1) Doing Business/ Central Purchasing/Purchasing Guidelines and Procedures and 2) Public Access/Policies Procedures/Purchasing Guidelines and Procedures.

There is also direction on disposing of property in the enabling statute found under Public Access/Policies/Procedures/Enabling Statute.

6) Authority Code of Ethics

The Code of Ethics can be found under Public Access/Policies/Procedures/Code of Ethics. The Policy was updated on March 25, 2021, and the updated version is posted to the website. The Code should be maintained on the website permanently and updated and approved as necessary.

7) Management's Assessment of the Authority's Internal Control Structure and Procedures

The Management's Assessment of the Authority's Internal Control Structure and Procedures can be found under Public Access/Reports Filings/Management Assessment of Internal Controls. While ABO policy guidance provides for maintaining this information on the website for two (2) years, the Authority maintains seven (7) years of relevant reports.

8) Enabling Statute

The Enabling Statute is posted on the website and can be found under Public Access/Policy/Procedures/Enabling Statute. This Statute should be maintained on the website permanently.

9) List of Authority Board Members and Executive Management Team

The names of Board Members, Executive Management Team (Division Heads) and Senior Management are posted to the website and current as of this date and can be found under About/Board of Commissioners and Management.

10) List of Committees, Committee Members, and Committee Meetings

The List of Committees and its Members is current and posted on the website and can be found under About/Board of Commissioners/Board Committees. The Committee Meetings notices, agendas and board packets can be found under Public Access/Open Meetings.

11) Board Meetings

Board Meetings and related information can be found under Public Access/Open Meetings to access upcoming and past meetings. A review of the Board Meeting information posted on

the website and ABO policy guidance indicates the Authority is posting the necessary information.

12) Authority By-Laws

Authority By-Laws are posted to the website and can be found under Public Access/Policies/Procedures/By-Laws. The By-Laws posted are the most recent updated version. By-Laws should be maintained on the website permanently and updated and approved as necessary.

13) Subsidiaries, Affiliates, and Major Authority Units
N/A

14) Authority Organization Chart

The Authority Organization chart is updated and can be found under About/Organization Chart. This should be updated as necessary.

15) List of Projects

This requirement addresses grants and loans provided by the Authority and bonds issued by the Authority. The Authority does not provide Grants or loans and as a result these provisions do not apply to the Authority. Bond information can be found under Public Access/Reports/Filings/ECWA Bond Rating.

16) §2801 Budget Report

Annual Budget Reports can be found under Public Access/Reports/Filings/Budget Reports. Budget Reports are required to be maintained on the Authority website for two (2) years, however, the Authority exceeds the 2 years by maintaining five (5) years of Budget Reports on the Authority website.

17) §2802 Independent Audits and Audit Reports

ABO policy guidance requires maintaining audit reports for two (2) years. Audit Reports of the Authority can be found in the Annual Reports for the past twenty-one (21) years under Public Access/Reports/Filings/Comprehensive Annual Financial Report, Management Letters under Public Access/Reports/Filings/Management Letters for the past ten (10) years and Audited Financial Statements under Public Access/Reports/Filings/Audited Financial Statements for the past eight (8) years.

18) Procurement Policies and Annual Procurement Report

- a) The Authority Procurement Policy is found in two places on website, under 1) Doing Business/Central Purchasing/Purchasing Guidelines and Procedures and 2) Public Access/Policies/Procedures
- b) The Annual Procurement Reports can be found under Doing Business/FYI/Procurement Reports.

19) Investment Policies and Annual Investment Report

Investment Policies and Annual Investment Reports can be found under Public Access/Reports/Filings/Annual Investment Reports. While ABO policy guidance provides for maintaining this information on the website for two (2) years, the Authority presently maintains five (5) years of Audits of Investments and six (6) years of Annual Investment Fees on its website.

20) Conflicts of Interest Policy

The Conflicts of Interest Policy is included in the Code of Ethics. The Code of Ethics was updated on March 25, 2021, and the most recent version is posted under Public Access/Policies/Procedures/Code of Ethics & Conflicts of Interest. The policy should be maintained on the website permanently and revised and posted as necessary.

21) Whistleblower Policy

This Policy was updated on March 24, 2020, and the updated version is posted to the website. This can be found under Public Access/Policies/Procedures/Whistleblower Protection Policy. The policy should be maintained on the website permanently and revised and approved as necessary.

22) Fee Schedules

Applicable fee schedules are listed in the Tariff which can be found under Public Access/Tariff. Fee schedules should be maintained on the website permanently and revised and approved as necessary.