

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 20th day of March 2025.

PRESENT: Jerome D. Schad, Chair
 Peggy A. LaGree, Vice Chair
 Michele M. Iannello, Treasurer
 Terrence D. McCracken, Secretary to the Authority
 Joyce A. Tomaka, Chief Financial Officer
 Mark S. Carney, General Counsel
 Charles E. Eaton, Chief Operating Officer
 Leonard F. Kowalski, Executive Engineer
 Jessica R. Brown, Comptroller
 Lavonya C. Lester, Director of Administration
 Sabrina A. Figler, Director of Drinking Water Quality
 Katherine A. Gillette, Senior Associate Attorney
 Daniel J. Seider, Director of Production (Water System)
 David W. Aubertine, Director of Cybersecurity and Information Technology
 Matthew W. Barrett, Security Officer

ATTENDEES: Vic Martucci, Masiello, Martucci, Hughes
 Matthew Nasca, Erie Painting & Maintenance, Inc.

PLEDGE TO THE FLAG

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 10:14 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, February 20, 2025.

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, February 20, 2025.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. REPORTS

1. SECRETARY

1. Masiello Martucci Hughes – Lobbying Update

Secretary McCracken began the conversation by commending Chair Schad for his endeavors to engage local congregations in raising funds to support the LCRR mandates. Vic Martucci of the Authority’s lobbying firm, Masiello, Martucci, Hughes, provided the Board an outline of their lobbying objectives for the upcoming year. Mr. Martucci provided insights into the New York State budget procedures and detailed the Authority's lobbying initiatives. The discussion included Senate Bill No. 1850A which establishes the Safe Water and Infrastructure Action Program (“SWAP”). Mr. Martucci informed the Board that public authority-funded drinking water was included in the bill. Mr. Martucci indicated another objective is to provide letters of support from the Board to the Western New York Delegation for Article VII budget language to establish SWAP. Mr. Martucci also proposed more frequent meetings be arranged between Masiello, Martucci, Hughes and the Authority to maintain continuous communication.

Commissioner LaGree requested Mr. Martucci to continue promoting language and formula changes within the EFC grants. Mr. Martucci stated that they would remain persistent. Chair Schad asked if there might be another individual, aside from a Legislator, who could effectively assist in promoting the changes to the EFC grant. Mr. Martucci recommended starting discussions with the Governor’s Deputy Secretary for Energy and Environment and the Division of Budget.

2. LEGAL

3. FISCAL

1. Certificate of Achievement

Joyce Tomaka announced to the Board that the Finance Department received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA).

2. January 2025 Investment Report

Joyce Tomaka distributed the January 2025 Investment Report along with a brief explanation of the report.

3. January 2025 Financial Report

Jessica Brown distributed the January 2025 Monthly Financial report and briefly reviewed the data. A brief discussion ensued.

4. OPERATIONS

1. Projects Advertised for Bidding – Formal Contracts

Leonard Kowalski reported to the Board three Formal Contracts that have been advertised for bidding since the last Board Meeting:

- Water Service Investigations and Lead Service Replacements, Contract A, City of Tonawanda, PN 202500008
- Trimble Data Collector Replacement, PN 202500012
- Water Distribution System Replacements and Improvements – May 1, 2025 to April 30, 2027, PN 202500010

Chair Schad mentioned that he has requested that when Authority staff visit a customer's home for the lead service line programs, they should replace the meter if it is deemed necessary. He indicated that this approach would decrease the frequency of visits to a customer's residence and contribute positively to the overall meter program. Secretary McCracken noted that he had conversations with Mr. Kowalski, and while the existing contract does not include provisions for meter changes, all parties concur that any necessary meter changes will be implemented.

2. RFP Recommendations

Leonard Kowalski informed the Board that an RFP was recently issued for Construction Inspection for Service Line Investigation and Lead Service Replacement Program (2025 and 2026), PN 202500006. Mr. Kowalski provided a summary of the RFP process, detailing the responses obtained and the Engineering Department's recommendations.

5. HUMAN RESOURCES

6. AUDIT COMMITTEE

7. GOVERNANCE COMMITTEE

8. FINANCE COMMITTEE

9. 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 – WIKTORSKI V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

Chair Schad inquired whether these claims were typical of those frequently received. Mr. Carney confirmed that they were and provided an overview of the process to the Board.

C-2 NOTICE OF CLAIM – SULLIVAN V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-3 NOTICE OF CLAIM – DUNN AND KOWAL V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-4 NOTICE OF CLAIM – FITZGERALD V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-5 NOTICE OF CLAIM – HARTMAN V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

C-6 FOIL FROM SMARTPROCURE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-7 FOIL FROM MARK CERRONE INC - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-8 FOIL FROM COFORGE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-9 FOIL FROM GEOFF KELLY - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-10 FOIL FROM RALPH DAILEY - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-11 FOIL FROM O'CONNELL ELECTRIC COMPANY - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-12 FOIL FROM JANE HARRINGTON - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-13 FOIL FROM EVERETT J. PRESCOTT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-14 FOIL FROM COFORGE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-15 LETTER FROM BRITTANYLEE PENBERTHY - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

The Commissioners thanked Ms. Penberthy for her service at the Authority.

C-16 LETTER FROM PVS CHEMICALS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-17 LETTER FROM BETTER BUSINESS BUREAU - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-18 LETTER FROM DEBBIE WILD - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-19 LETTER FROM ECDOH - 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.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

ITEM 1 - RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT IN CONNECTION WITH PIN NO. 5181.10, D265453 PROJECT NO. 202400146

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 2 - RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT IN CONNECTION WITH PIN NO. 5814.61, D265317 PROJECT NO. 202400121

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 EXECUTE TERMINATION AGREEMENT WITH BELL ATLANTIC MOBILE SYSTEMS LLC D/B/A VERIZON WIRELESS FOR THE LEASING OF SPACE ON THE ERIE COUNTY WATER AUTHORITY'S WEHRLE TANK IN WILLIAMSVILLE, NEW YORK

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 4 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 1200 LINEAR FEET OF EIGHT (8") INCH PVC (C-900), ONE (1) HYDRANT, FOUR (4) LINE VALVES AND APPURTENANCES IN WATERFORD PINES, PHASE 3, TOWN OF HAMBURG, NEW YORK, EC NO. 7394, PROJECT NO. 202300230

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 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 -WATER SYSTEM IMPROVEMENTS, TOWN OF WEST SENECA, IDENTIFIED AS CONTRACT NC-041 PROJECT B, PROJECT NO. 202000072 - \$1,750,000.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 6 - AWARD OF CONTRACT TO E&R GENERAL CONSTRUCTION, INC. FOR WATER SYSTEM IMPROVEMENTS, TOWN OF WEST SENECA, IDENTIFIED AS CONTRACT NO. NC-041 PROJECT B, PROJECT NO. 202000072 - \$2,956,384.00

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

DISCUSSION

On the question, Commissioner LaGree requested clarification regarding project budget. Mr. Kowalski described the process of budgeting for this project which included creating Project A and Project B.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 7 - AWARD OF CONTRACT TO FREDERICK MACHINE & MANUFACTURING, INC. FOR MACHINING AND FABRICATION SERVICES FOR THE REPAIR OF VARIOUS ERIE COUNTY WATER AUTHORITY EQUIPMENT FROM APRIL 1, 2025 TO MARCH 31, 2026, PROJECT NO. 202500007 - \$84,437.50

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 - AWARD OF CONTRACT TO ERIE PAINTING & MAINTENANCE, INC. FOR STORAGE TANK REFURBISHING – EDEN 2, NEWSTEAD, IDENTIFIED AS CONTRACT NO. W-035-C, PROJECT NO. 202300060 - \$1,668,950.00

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

DISCUSSION

On the question, Commissioner LaGree asked whether this vendor was new to the Authority. Mr. Kowalski confirmed this and offered a concise overview of their qualifications.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 9 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BROWN AND CALDWELL ASSOCIATES TO PROVIDE CONSULTING ENGINEERING SERVICES FOR A SURGE CONTROL SYSTEM AT THE STURGEON POINT WATER TREATMENT PLANT, IDENTIFIED AS CONTRACT NO. BC-005, PROJECT NO. 202500035 (CCII)

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

DISCUSSION

On the question, Chair Schad requested the timeline for the project. Mr. Kowalski presented a short overview of the project's timeline, noting that while the goal is to complete the project in five years, this timeline is subject to budget constraints.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 10 - AUTHORIZATION TO EXECUTE A SERVICES AGREEMENT WITH TRALIAN OPERATING, LLC FOR ANNUAL EMPLOYEE TRAININGS

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

DISCUSSION

On the question, Commissioner Iannello asked whether this vendor was new to the Authority. Mr. McCracken confirmed that it was a new vendor. Commissioner LaGree inquired if the training will be similar to the previous training. Mr. McCracken verified that it was and noted that Cybersecurity training is included even though it is not currently mandated.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 11 - AUTHORIZATION TO PURCHASE ONE PROMOCHROM SOLID PHASE EXTRACTION INSTRUMENT FROM PROMOCHROM TECHNOLOGIES LTD., PROJECT NO. 202500049 -\$23,315.50

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 EXECUTE A PREVENTATIVE SERVICE PLAN WITH THERMO ELECTRON NORTH AMERICA LLC RELATING TO CHEMISTRY AND ANALYTICAL INSTRUMENTATION, PROJECT NO. 202500048 -\$89,459.00

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 13 - AUTHORIZATION TO EXECUTE AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC. TO PROVIDE FINANCIAL SERVICES RELATING TO COST OF SERVICE ANALYSIS, RATE MODELING AND FINANCIAL FEASIBILITY ANALYSIS, PROJECT NO. 202000129

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 - 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 15 - AUTHORIZATION TO ADOPT THE ERIE COUNTY WATER AUTHORITY'S 2024 FINANCIAL DISCLOSURE STATEMENT FORM AND 2024 VENDOR LIST

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 16 - AUTHORIZATION TO FOLLOW THE RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-01) REGARDING DIGITALLY CREATED RECORDS

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 17 - AUTHORIZATION FOR JEROME D. SCHAD, CHAIR, TO ATTEND THE NYSAWWA LEGISLATIVE DAY IN ALBANY, NY AND THE AWWA NATIONAL WATER POLICY FLY-IN IN WASHINGTON, DC

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

DISCUSSION

None

VOTE

Ayes: Three; Commrs. LaGree and Iannello

Noes: None; Chair Schad abstained

ITEM 18 - AUTHORIZATION TO FILE THE PUBLIC AUTHORITY REPORTING INFORMATION SYSTEM (PARIS) 2024 REPORTS TO THE NEW YORK STATE AUTHORITIES BUDGET OFFICE

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 11:06 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Terrence D. McCracken
Secretary to the Authority

ALH