

**BUFFALO WATER BOARD MINUTES**  
**July 9, 2025**

**MEMBERS PRESENT:**

**William L. Sunderlin**  
**Debbie Lombardo**  
**Scott Billman**  
**Bill Hanley**  
**Tim Donovan**  
**Brian Gould\***

**OTHERS PRESENT:**

**Peter J. Merlo**  
**John D. McMahon**  
**David Hill**  
**Pat Thorton**  
**Charles C. Martorana**  
**Stephen Waldvogel**  
**Damond Rand**  
**Kelly Leeb**  
**Christine Wingo**  
**Lisa Foti**  
**Bill Ferguson**  
**Damon Sykes**  
**Dustin Steiner**  
**Connor Bannochie**  
**Matthew Adam**  
**Nate Marton**  
**Jordan Brandau**

The regular monthly meeting of the Buffalo Water Board (BWB) was called to order at 9:00 A.M.

1. Motion by Mr. Hanley, seconded by Mr. Billman, to approve the agenda. Approved.
2. Motion by Mr. Donovan, seconded by Mr. Billman, to approve the minutes of the June 11, 2025, meeting. Approved.
3. Public Comment: After the Vice Chair offered an opportunity for public comments, no comments were received.
4. Staff Update: Mr. Hill, with Veolia Water, provided a staffing update to the Buffalo Water Board.
5. Motion by Mr. Billman, seconded by Ms. Lombardo to approve a Resolution of the Buffalo Water Board Regarding Settlement and Payment of Claims as recommended by the City of Buffalo Corporation Counsel. Approved. (See attached resolution).
6. Motion by Mr. Hanley, seconded by Mr. Billman to approve a Resolution of the Buffalo Water Board for Easement with Buffalo Central Terminal Corporation. Approved. (See attached resolution).
7. Mr. Waldvogel of GHD Consulting Services, Inc. delivered a report of GHD's on-going professional services to assist the Buffalo Water Board on several projects, including: (a) GHD is working with the City of Buffalo Rate Consultant on the Buffalo Water Board Fiscal and Capital Plan in preparation for a proposed bond issuance later this year. This includes calculating required transfers to close out the current fiscal year, reviewing current revenue figures, developing a fiscal plan for the Fiscal Year 2025-2026 and evaluating the rate changes needed for the coming year; (b) GHD is continuing to update the Get Water Wise web site with important Buffalo Water related information; (c) Mr. Waldvogel introduced Jordan Brandau, an intern hired by GHD, who has been working on several Buffalo Water projects this summer;

(d) GHD is continuing to provide engineering and oversight services at Colonel Ward Treatment Facility, for among other matters, the electrical upgrades at the plant, and construction of the Berm project to protect the Colonel Ward Treatment Facility including the repair of Outfall No 6. GHD continues to participate in weekly contractor meetings for work at Ralph C. Wilson Centennial Park.

8. Mr. Hill of Veolia Water presented Veolia Water's monthly Management Report. Mr. Hill reported that Customer Service Center Agents continue to process applications for the Pathways to Affordable Water programs that guide customers to options that may reduce their water bills. At the end of June 2025, 1,987 customers received reduced bills from the Residential Affordable Water Programs (RAWP) and 4,444 senior citizens are receiving assistance from the Senior Discount Program. Mr. Hill reported that 104 customers are enrolled in a payment plan originated by Promise Pay and 472 customers are enrolled in a payment plan originated by Buffalo Water. Mr. Hill identified that 29 residential water services were replaced in the month of June under the Replace Old Lead Lines (ROLL) Program. The Colonel Ward Lagoon Pump Station project is in progress. The project is designed to improve the transfer of storage basin sludge to the lagoon more efficiently and is nearing completion. The pump station is in final testing phase currently and will be ready for operation soon. Veolia Water continues to address a leak in a 48-inch water transmission line to Buffalo Water's South Buffalo customers by working cooperatively with Wendel, an engineering consultant, to investigate, among other things, the structural engineering aspects of crossing a CSX Railroad line and working with CSX to obtain the necessary permits to repair the transmission line. Additionally, Veolia Water is working with the telephone service provider to develop upgrades and solutions to improve the telephone service at the Exchange Street office.

Motion by Mr. Billman to enter Executive Session to discuss litigation matters. Seconded, by Mr. Hanley. Approved.

Motion by Mr. Billman to exit Executive Session. Seconded, by Mr. Hanley. Approved.

Motion by Mr. Hanley, seconded by Mr. Donovan to adjourn at 10:30 A.M. Approved.

\*Note: Brian Gould participated for a portion of the meeting

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The Buffalo Water Board members and staff will be present in person at the next meeting, which is scheduled for Wednesday, August 13, 2025, at 9:00 A.M.

Buffalo Water Board meetings are held in accordance with the New York State Open Meetings Law, Article 7 of the Public Officers' Law. The agenda will be posted on [www.Buffalowater.org](http://www.Buffalowater.org) in advance of the meeting and will provide time for public comment. The public are invited to attend in person or by remote video and audio conference. A computer access "MS Teams" link and a Toll-Free Conference Call Telephone Number will be provided in advance of the meeting. See [www.Buffalowater.org](http://www.Buffalowater.org) or call 716-851-9626 for more information.

**RESOLUTION OF THE BUFFALO WATER BOARD  
REGARDING SETTLEMENT AND PAYMENT OF CLAIMS**

WHEREAS, the Buffalo Water Board (the "Water Board") is a public benefit corporation of the State of New York and is authorized pursuant to the New York State Public Authorities Law section 1048-a *et seq.* to own and operate the water treatment plant, water distribution system and related water facilities of the City of Buffalo (the "Water System"), and has entered into the Financing Agreement (the "Financing Agreement") and the Operation Agreement (the "Operation Agreement") by and among the Water Board, the City of Buffalo (the "City") and the Buffalo Municipal Water Finance Authority (the "Water Authority") dated as of September 24, 1992, as amended; and

WHEREAS, City of Buffalo Corporation Counsel has notified the Water Board that several claims have been submitted by various claimants pursuant to procedures set forth in the New York State Public Authorities Law for damages arising from and in connection with injuries allegedly sustained by such claimants with property and operation of the Water System, and the City Corporation Counsel, upon its investigation has recommended settlement of such claims and that the Water Board pay such claims, as more particularly set forth and described in Exhibit A, attached hereto and made a part hereof (the "Claims Settlement Schedule"); and

WHEREAS, the Water Board has reviewed and deliberated on the Claims Settlement Schedule, and upon the advice of the City Corporation Counsel has determined, without any admission of liability or fault, that it is in the best interest of the Water Board and Water System to avoid the cost of further investigations, discovery and contests of such claims, and the uncertainty and expense of litigation to settle such claims and pay the claims from the Water Board reserves and other resources, in accordance with the amounts set forth in Exhibit A, attached hereto and made a part hereof.

NOW, THEREFORE, be it resolved as follows:

1. The Water Board hereby approves and adopts the Claims Settlement Schedule as more particularly set forth and described in Exhibit A, attached hereto and made a part hereof, and directs the Water Board Chair, Vice Chair, Secretary or City Commissioner of Public Works, Parks and Streets, or his designee, to work cooperatively with the City Comptroller, as the fiscal officer of the Water Board, and to arrange to pay such claims and obtain such settlement agreements and releases from the claimants as the City Corporation Counsel deems appropriate.

2. The Water Board Chair, Vice Chair, Secretary, or City Commissioner of Public Works, Parks and Streets, or his designee and any person as the Chair may designate is authorized to execute and deliver such agreements, instruments as the Corporation Counsel may recommend to carry out and implement this resolution.

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At a meeting of the Buffalo Water Board, convened on July 9, 2025 in public session at Room 210 City Hall, Buffalo, New York, the foregoing resolution, was offered by SCOTT BILLMAN and seconded by DEBBIE LOMBARDO, and with a quorum present throughout the meeting, such resolution was duly adopted by unanimous vote of the Buffalo Water Board.

STATE OF NEW YORK     )  
  ) SS.:  
COUNTY OF ERIE         )

I, the undersigned Secretary of the Buffalo Water Board (the "Water Board"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Water Board, including the resolution contained therein, held the 9th day of July, 2025, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Water Board and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of said Water Board had due notice of said meeting, (B) said meeting was duly held, (C) pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Article 7 and (D) there was a quorum of the members of the Water Board present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand on July 9, 2025.

  
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Peter J. Merlo, P. E., Secretary

EXHIBIT A

Buffalo Water Board Claims Settlement Schedule

1. Rosemarie Mescall	\$	733.50
2. Robert Hartman	\$	1,250.00
3. Juneteenth Festival, Inc.	\$	15,000.00
4. George Loncar	\$	20,516.70
5. Federal Insurance Co. and Pacific Indemnity Co.	\$	250,000.00
6. Maria Jaoude and Faoud Bou-Jaoude	\$	9,000.00

## **Buffalo Water Board Resolution for Easement with Central Terminal Restoration Corp.**

WHEREAS, the Central Terminal Restoration Corp. has agreed to grant a permanent easement to the Buffalo Water Board and City of Buffalo to construct, reconstruct, repair and make other improvements to Water Facilities, including water lines and other appurtenances (collectively the "Project") owned and operated by the Buffalo Water Board on a portion of real property commonly known as 495 Paderewski Plaza, Buffalo, New York (the "Permanent Easement Area") owned by the Central Terminal Restoration Corp.; and

WHEREAS, as part of the construction, reconstruction, repair or improvement of the Project, the Buffalo Water Board and City of Buffalo require access and permanent rights to operate and maintain the Water Facilities (the "Easement") located on the Permanent Easement Area; and

WHEREAS, the Central Terminal Restoration Corp. has agreed to grant the Easement to the Buffalo Water Board and City of Buffalo, without monetary cost, and in accordance with other terms and conditions acceptable to the Buffalo Water Board and City of Buffalo as more particularly stated in an Easement Agreement presented to the Buffalo Water Board.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Buffalo Water Board hereby determines that the Project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), as it involves minor activity connecting or closing existing underground water lines to ensure adequate water pressure and enables Buffalo Water Board and City of Buffalo to operate and maintain the existing Water Facilities, without any significant adverse environmental impacts, and hereby approves of the Easement Agreement, in accordance with its terms.
- 2) The Buffalo Water Board does hereby authorize the Chair, Vice-Chair of the Buffalo Water Board, Nathan Marton, the City of Buffalo Commissioner of Public Works, Parks and Streets and/or Peter J. Merlo, P.E., the Principal Engineer of the City Division of Water and Secretary of the Buffalo Water Board, to execute and deliver the Easement Agreement, or as may be modified without any significant change in substance upon the advice of legal counsel, and any contracts, instruments or other documents, which upon the advice of legal counsel, are necessary and appropriate to execute, deliver and/or record the Easement Agreement, and to take such other action as deemed necessary and appropriate in furtherance of this Resolution.

