BUFFALO WATER BOARD MINUTES
July 8, 2026

MEMBERS PRESENT:
William Sunderlin
Bill Hanley
Debbie Lombardo
Brian Gould

OTHERS PRESENT:
Peter J. Merlo
John D. McMahon
Fouad Arab
David Hill
Doug Fultz
Charlie Martorana
Bill Ferguson
Stephen Waldvogel
Damon Sykes
Sean McLaughlin
Ahmed Giwa
Dustin Steiner
Connor Bannochie
Matthew Adam
Mike Wolasz
Jeff Mays
Eric Machin
Pat Thornton
Roger Lis

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

1. Motion by Ms. Lombardo, seconded by Mr. Hanley, to approve the agenda. Approved.

2. Motion by Mr. Hanley, seconded by Ms. Lombardo, to approve the minutes of the June 10, 2026, meeting. Approved.

3. Public Comment: After the Vice Chair offered an opportunity for public comments, no comments were received.

4. Staff Update: Mr. Fultz and Mr. Mays, with Veolia Water, provided a staffing update to the Buffalo Water Board.

5. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Hanley, seconded by Ms. Lombardo, to authorize and fund an increase and extension to an existing contract (contract # 93002561) in an amount not to exceed $500,000.00 with Hazen and Sawyer. The project and contract will be administered by the City of Buffalo, Division of Water. Approved.

6. Upon the recommendation of the Principal Engineer of the Division of Water and the project engineering consultant Nussbaumer & Clarke, Inc., motion made by Mr. Gould, seconded by Mr. Hanley to authorize a no cost change order contract time extension with O'Connell Electric Co. for the Massachusetts Avenue Pump Station Electrical Upgrades Project Phase I (contract #93003254). The completion date of the Project Phase 1 is now anticipated to be June 30, 2027. The Project and contract will continue to be administered by the City of Buffalo, Division of Water. Approved.

7. Motion made by Mr. Hanley, seconded by Ms. Lombardo, to approve (a) R. A. Mercer & Co., P.C. as the professional independent Rate Consultant for the Buffalo Water Board, and (b) a services contract for the 2026-2027 fiscal year with R. A. Mercer & Co., P.C.to be funded in an amount not-to-exceed $32,500.00. Approved.

8. Motion made by Mr. Sunderlin, seconded by Mr. Gould, to postpone consideration of the Buffalo Water Board Mission Statement and Performance Measurements until the August 2026 Buffalo Water Board meeting. Approved.

9. Election of Officers: Mr. Gould, pursuant to Mayoral appointment, as authorized by law, will be Chair of the Buffalo Water Board. Motion by Mr. Hanley, seconded by Mr. Gould to nominate and elect Mr. Sunderlin as Vice Chair of the Buffalo Water Board. Approved.

10. Election of Officers: Motion by Ms. Lombardo, seconded by Mr. Hanley, to nominate and elect Mr. Merlo as Secretary and FOIL Officer of the Buffalo Water Board. Approved. Motion by Mr. Hanley, seconded by Ms. Lombardo, to nominate and elect Mr. McMahon as Assistant Secretary of the Buffalo Water Board. Approved. The City Comptroller continues pursuant to the Buffalo Municipal Water Finance Authority Act as the Chief Financial Officer of the Buffalo Water Board.

11. Audit and Governance Committees: Motion by Mr. Hanley, seconded by Ms. Lombardo, to nominate and elect Mr. Gould as Chair, and all other Buffalo Water Board members as a member of both the Audit and Governance Committees of the Buffalo Water Board. Approved.

12. Motion by Mr. Hanley, seconded by Ms. Lombardo, to approve a Resolution authorizing the Chair or Vice-Chair of the Buffalo Water Board to submit one or more grant applications in connection with the Buffalo Lead Service Line Replacement Project to the New York State Environmental Facilities Corporation. Approved. (See attached resolution).

13. Motion made by Mr. Hanley, seconded by Ms. Lombardo, to authorize and fund an increase for services as part of the Management Agreement dated as of July 1, 2020, with Veolia Water, specifically the following Limit Accounts:

    a) Specialty Preventative Maintenance Limit Account in an amount not-to-exceed $1,350,000.00 (bringing the total allocation to $1,503,152.76) for services through June 30, 2027; and,
    b) High Priority Repairs & Lead Services Limit Account in an amount not-to-exceed $5,000,000.00 (bringing the total allocation to $5,604,275.05) for services through June 30, 2027,

    Approved.

14. 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 closely with the Rate Consultant preparing a report for next month's meeting to review the Buffalo Water Board's current financial position; (b) GHD is continuing to assist the Buffalo Water Board and is working with the City of Buffalo, and Veolia Water to prepare and finalize a new Lead and Copper Rule Improvements (LCRI) Compliance Draft Policy; (c) GHD is continuing to provide engineering and oversight services at Colonel Ward Treatment Facility, for among other matters, the electrical upgrades at the Colonel Ward Water Treatment Facility, and survey of the spoils storage area. GHD continues to participate in weekly contractor meetings for development of Ralph C. Wilson Centennial Park.

15. Mr. Hill, Mr. Fultz and Mr. Sykes of Veolia Water presented Veolia Water's monthly Management Report. Mr. Hill reported that as of the end of June 2026, 2,343 customers received reduced bills through the Residential Affordable Water Programs (RAWP), and 3,853 senior citizens received assistance from the Senior Discount Program. Mr. Hill reported that 213 customers are enrolled in a payment plan originated by Promise Pay and 1,677 customers are enrolled in a payment plan originated by Buffalo Water. Mr. Fultz discussed some of the major projects currently underway including the Massachusetts Avenue Pump Station Electrical Improvements Project. Mr. Sykes reported that $5.55 million in revenue was received in June 2026 as compared to budgeted estimates of $4.68 million for the same period. He attributed the increase to heightened communication with customers regarding accounts in arrears and potential for enforcement measures, including service disconnections. He also reported a notable increase in customers enrolling in affordability programs and payment plans.

Motion by Ms. Lombardo, seconded by Mr. Hanley to adjourn at 10:23 A.M. Approved.

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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 12, 2026, 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 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 or call 716-851-9626 for more information.

EXTRACT OF MINUTES

Meeting of the

Buffalo Water Board

of the City of Buffalo, in the

County of Erie, New York

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A meeting of the Buffalo Water Board of the City of Buffalo, in the County of Erie, New York, was held at City Hall, Buffalo, New York, on July 8, 2026 at 9:00 o'clock in the A.M. (Prevailing Time).

There were present:

Members:	Brian A. Gould William L. Sunderlin Debbie Lombardo William Hanley
Also present:	Peter J. Merlo, Secretary Charles C. Martorana, Counsel to the Buffalo Water Board

On a motion made by William Hanley and seconded by Debbie Lombardo, the following resolution was placed before the members of the Buffalo Water Board.

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51027660.1

Resolution of Buffalo Water Board

By:

Subject: (type single space)

Resolution of the Buffalo Water Board authorizing the submission of one or more grant applications in connection with the Buffalo Lead Service Line Replacement Project and other matters related thereto

Text: (type single space below)

Resolution of the Buffalo Water Board authorizing the submission of one or more grant applications in connection with the Buffalo Lead Service Line Replacement Project and other matters related thereto.

Recitals

WHEREAS, the Buffalo Water Board desires to undertake the Buffalo Lead Service Line Replacement Project (the "Project"), such project consisting of the replacement of approximately 650 lead service lines (LSLs) throughout the Bailey-Kensington neighborhood, thereby reducing potential exposure to lead in drinking water, improving distribution system reliability, and delivering long-term public health and environmental benefits to residents of such neighborhood; and

WHEREAS, the Project is an important part of the Buffalo Water Board's strategic approach to providing safe, high-quality potable water for its customers; and

WHEREAS, it is anticipated that grant funds have been or will be made available to pay all or substantially all of the cost of the Project and that such grants will be provided through the New York State Environmental Facilities Corporation (EFC); and

WHEREAS, the Buffalo Water Board desires to approve the submission of one or more grant applications and the execution and delivery of the agreements and related documentation necessary to secure grants for the Project;

Now therefore, the Board of Directors of the Buffalo Water Board, hereby resolves as follows:

Section 1. The Chair or Vice-Chair of the Buffalo Water Board is hereby authorized to submit any necessary applications on behalf of the Buffalo Water Board and to perform any and all acts necessary or required to arrange for payment of the costs of the Project from grant funds or any other sources available therefore.

Section 2. The Buffalo Water Board expects that it will pay certain capital expenditures in connection with the Project prior to the issuance of bonds, loans, notes or other instruments of tax-exempt indebtedness (the "Obligations") issued by the Buffalo Municipal Water Finance Authority (the "Authority"), and reasonably expects to reimburse such expenditures from the proceeds of such Obligations. The Buffalo Water Board hereby declares its official intent to use proceeds of the Obligations to reimburse itself for future expenditures in connection with such public improvements. This Section 2 is adopted for the purpose of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations to enable such reimbursements.

Section 3. The Chair and/or Vice-Chair and other officers of the Buffalo Water Board as may be designated by the Chair and/or Vice-Chair are hereby authorized and empowered, collectively or individually, to take all action and steps and to execute all applications, instruments, documents, agreements and contracts on behalf of the Buffalo Water Board that are necessary or desirable in connection with the grant application and/or the execution and delivery of the bonds authorized by the Authority and for carrying out the transactions and other matters contemplated by this resolution, and which are specifically authorized or are not materially inconsistent with the terms and provisions of this resolution, including but not limited to the performance of all agreements and covenants on the part of the Buffalo Water Board contained in the Financing Agreement (as hereinafter defined), any grant application and/or a Project Finance Agreement for the Project, without any further action by the Board of Directors.

Section 4. Prior to the issuance of any bonds authorized to finance the Project, the Authority, the City of Buffalo and the Buffalo Water Board shall, in accordance with the provisions of the Act and Section 2.1 of the Financing Agreement dated as of September 24, 1992, as amended, (the "Financing Agreement"), approve an amendment to the Financing Agreement to add the Project and the cost thereof to the list of projects described in Appendix A of such Financing Agreement.

Section 5. All actions of Chairman or Vice-Chairman of the Board of Directors and other officers, employees, agents and attorneys of the Buffalo Water Board heretofore performed and undertaken that are in conformity with the intent and purposes of this resolution are hereby ratified and confirmed.

Section 6. This resolution shall take place immediately.

CERTIFICATE

I, Peter J. Merlo, Secretary of the Buffalo Water Board (the "Board") in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board and the members thereof at a regular meeting duly called and held on July 8th , 2026, at which a quorum was present and acting throughout, that the foregoing resolution has been compared by me with the original thereof as officially in my office in the Minute Book of said Authority and is a true, complete and correct copy therefrom and of the whole of said original, and that said resolution has not been amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 8th day of July, 2026.

Peter Merlo

Secretary

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