BUFFALO WATER BOARD MINUTES
SEPTEMBER 9, 2026

MEMBERS PRESENT:
William Sunderlin
Bill Hanley
Tim Donovan
Brian Gould
Scott Billman

OTHERS PRESENT:
Peter J. Merlo
John D. McMahon
Fouad Arab
David Hill
Doug Fultz
Charlie Martorana
Bill Ferguson
Stephen Waldvogel
Damon Sykes
Ahmed Giwa
Dustin Steiner
Connor Bannochie
Zac Cox
Mike Wolasz
Erin Haines
Damond Rand
Pat Thornton
Luis Hernandez
Calypso Marx-Blake (with Mr. Hernandez)

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. Donovan, to approve the agenda. Approved.

2. Motion by Mr. Donovan, seconded by Mr. Hanley, to approve the minutes of the August 12, 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, with Veolia Water and Mr. Hernandez, City of Buffalo Department of Public Works Administrator, provided a staffing update to the Buffalo Water Board. Mr. Hernandez introduced himself to the Buffalo Water Board, described his job responsibilities and explained the process of recruiting, interviewing, and hiring City employees.

5. Upon the recommendation of the Principal Engineer of the Division of Water, and Nussbaumer & Clarke, Inc., motion made by Mr. Hanley, seconded by Mr. Billman, to authorize and fund an increase and extension to an existing contract (contract # 93003254) in an amount not to exceed $100,000.00 with O'Connell Electric Company, Inc. for electrical services for the Massachusetts Avenue Pump Station Electrical Upgrade Project Phase I. 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, motion made by Mr. Hanley, seconded by Mr. Billman, to authorize and fund an increase and extension to an existing contract (contract # 93003394) in an amount not to exceed $350,740.00 with Erdman Anthony for engineering services for the Various Locations 6 – D.A.R., Seneca, and Elk

Watermain Project. The project and contract will be administered by the City of Buffalo, Division of Water. Approved.

7. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Hanley, seconded by Mr. Billman, to authorize and fund an increase and extension to an existing contract (contract # 93002589) in an amount not to exceed $89,300.00 with Arcadis of New York, Inc. for Construction Administration (CA)/Resident Inspection (RI) for the City of Buffalo Water Treatment Plant Residuals Systems Improvements Project. The project and contract will be administered by the City of Buffalo, Division of Water. Approved.

8. Upon the recommendation of the Principal Engineer of the Division of Water, and Arcadis of New York, Inc., motion made by Mr. Billman, seconded by Mr. Donovan, to authorize and fund an increase and extension to an existing contract (contract # 93002898) in an amount not to exceed $540,000.00 with State Group for improvements for the City of Buffalo Water Treatment Plant Residuals Systems Improvements Project. The project and contract will be administered by the City of Buffalo, Division of Water. Approved.

9. Motion made by Mr. Billman, seconded by Mr. Donovan, to adopt the Buffalo Water Board Mission Statement and Performance Measurements (copy attached). Approved.

10. 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 developed ten initiatives from a strategic-priority workshop held with the Buffalo Water Board Chairman, City of Buffalo Administration and Public Works Commissioner including but not limited to service line warranty procurement, upgrade the billing system, workforce planning, Buffalo Sewer Authority cost recovery, Erie County Water Authority agreements, interconnections and communications support; (b) GHD recommended a technical working session with the Buffalo Water Board, Promise, and Veolia Water to discuss a proposal from Promise Pay to capture customer data . The working session is to clarify the data quality, ownership, maintenance and how the information would be used; (c) GHD is working closely with the Rate Consultant preparing a report to be presented to the Buffalo Water Board regarding the current and projected financial condition; (d) GHD is continuing to assist the Buffalo Water Board, in coordination with the City of Buffalo and Veolia Water to develop a Lead and Copper Rule Improvements (LCRI) Compliance Draft Policy; (e) 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. GHD continues to participate in weekly contractor meetings for development of Ralph C. Wilson Centennial Park.

11. Mr. Fultz and Mr. Sykes of Veolia Water presented Veolia Water's monthly Management Report. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Hanley, seconded by Mr. Billman, to authorize and fund an increase and extension to an existing account associated with a Memorandum of Understanding (MOU) between the Buffalo Water Board and Veolia Water that includes two Veolia personnel positions for the remainder of the current Management Agreement through June 30, 2030. The increase amount is not to exceed $600,000.00, bringing the total allocation to $1,200,000 for this MOU account. The contract will continue to be administered by the City of Buffalo, Division of Water. Approved.

    Mr. Fultz reported that Veolia Water was coordinating with contractors to remove sedimentation from the equalization tank and backwash wastewater wet well. In addition, the Erie County Department of Health and New York State Department of Health were scheduled

to perform routine sanitary surveys of the Colonel Ward Water Treatment Facility on September 10, 2026. Mr. Fultz announced a statewide water treatment plant operator symposium convening at the Colonel Ward Water Treatment Facility on September 16, 2026, for a conference and tour. Veolia Water will send Board Members invitations to attend the symposium and tour. Mr. Sykes reported that as of the end of August 2026, 2,435 customers were enrolled in the Residential Affordable Water Programs (RAWP), and 3,848 customers were enrolled in the Senior Discount Program, and received the benefits allowed by each Buffalo Water Board program. Mr. Sykes reported that 261 customers are currently enrolled in a payment plan originated by Promise Pay and 2,396 customers are currently enrolled in a payment plan originated by Buffalo Water. Mr. Sykes reported that $5.84 million in revenue was received in August 2026 as compared to budgeted estimates of $5.94 million for the same period. Mr. Sykes attributed the improvement in collections 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. Mr. Sykes also presented a list of the top 30 water customers located in the City of Buffalo and serviced by the Buffalo Water Board.

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

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

Motion by Mr. Hanley, seconded by Mr. Sunderlin to adjourn at 11:41 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, October 14, 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.

Authorities Budget Office
Policy Guidance

Authority Mission Statement and Performance Measurements

Name of Public Authority: Buffalo Water Board

Public Authority's Mission Statement:

The Buffalo Water Board, a public benefit corporation of the State of New York, is dedicated to providing safe, affordable drinking water to more than 275,000 consumers that depend on our reliable service delivery every day. The Water Board upholds the principles of sound governance, fiscal stewardship, and operational excellence to ensure a resilient and sustainable water system that meets the needs of current and future generations.

Date Adopted: September 9, 2026

List of Performance Goals (If additional space is needed, please attach):

A) Financial:

- Performance Goal: Ensure the long-term financial sustainability of the Buffalo Water Board (BWB) through responsible fiscal management, a fair and equitable rate structure, and effective use of public funding resources.
- Measurement:
  - Adopt balanced and accurate budgets.
  - Maintain sufficient revenues to support operations, maintenance, debt service, and capital investment.
  - Maintain appropriate financial reserves and liquidity.
  - Achieve annual financial audit results with no material weaknesses.
  - Monitor key financial performance indicators and budget variances.

B) Infrastructure and Asset Management:

- Performance Goal: Protect and enhance the Buffalo Water System through strategic investment in infrastructure, proactive asset management, and long-term capital planning.
- Measurement:
  - Maintain and periodically update a multi-year Capital Improvement Program (CIP).
  - Prioritize projects based on system condition, risk, regulatory requirements, and customer needs.
  - Monitor completion of capital projects within approved budgets and schedules.

- Improve overall condition, redundancy, and reliability of critical infrastructure.

C) Professional Operations and Service Delivery:

- Performance Goal: Deliver safe, reliable, and affordable water service through improved policies and oversight, efficient system operations, and excellent customer service.
- Measurement:
  - Monitor customer service performance through satisfaction and complaint resolution data.
  - Track key indicators for distribution system performance, reliability, and efficiency.
  - Promote transparency through enhanced customer and public communications tactics.
  - Offer initiatives and incentives that support customer affordability.

D) Regulatory Compliance:

- Performance Goal: Ensure compliance with all applicable federal, state, and local drinking water regulations and adhere to the NYS Authorities Budget Office (ABO) reporting requirements for public utilities.
- Measurement:
  - Maintain compliance with all safe drinking water regulations.
  - Monitor progress toward regulatory mandates and consent requirements.
  - Maintain emergency preparedness and continually monitor operational risks.
  - Annually publish and provide easy customer/public access to drinking water quality monitoring results.

E) Governance and Accountability:

- Performance Goal: Provide transparent, ethical, and effective governance that promotes accountability, sound organizational management practices, and customer confidence.
- Measurement:
  - Adopt policies consistent with recognized industry best practices.
  - Conduct annual Board member self-evaluations.
  - Annually review and evaluate performance of senior management.
  - Adhere to requirements and recommendations of the NYS ABO for public reporting of financial, operational, and water quality information.
  - Ensure compliance with all applicable NYS Public Authorities laws and federal, state, and local laws and regulations for public water utilities.

Additional questions:

1. Have the Board members acknowledged that they have read and understood the mission of the public authority? Yes

2. Who has the power to appoint the management of the public authority?

The Members of the Buffalo Water Board are appointed by the Mayor of the City of Buffalo and confirmed by the City of Buffalo Common Council. Pursuant to the Financing Agreement by and between the City of Buffalo, the Buffalo Municipal Water Finance Authority and the Buffalo Water Board dated as of September 24, 1992, as amended, the Buffalo Water Board uses the services of the employees and officers of the City of Buffalo, including but not limited to, the Commissioner of Public Works, Parks and Streets and the City Engineer to operate and maintain the Buffalo Water System. In addition, the Buffalo Water Board continues its engagement of Veolia Water North America-Northeast, LLC pursuant to a Management Agreement dated as of July 1, 2020, as its professional manager to manage the operation and maintenance of the Buffalo Water System.

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority?

Yes, the policies are stated in the Buffalo Municipal Water Finance Authority Act of the State of New York, the New York State Public Authorities Law, and other related laws of the State of New York and the Financing Agreement by and between the City of Buffalo, the Buffalo Municipal Water Finance Authority and the Buffalo Water Board dated as of September 24, 1992, as amended.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

The Buffalo Water Board meets regularly, in public sessions, in compliance with the New York Open Meetings Law and related laws. It regularly receives and reviews reports from the Commissioner of Public Works, Parks and Streets, the City Engineer, its independent Consulting Engineers, Legal Counsel and Auditors, and Rate Consultant regarding the operation and maintenance of the Buffalo Water System to oversee the management of the Buffalo Water System. It also works cooperatively with the United States Environmental Protection Agency, and various departments and agencies of State of New York, County of Erie, City of Buffalo, including but not limited to, City of Buffalo Commissioner of Public Works, Parks and Streets, City of Buffalo Comptroller, City of Buffalo Corporation Counsel and other City of Buffalo officers and employees and Veolia Water North America-Northeast, LLC to implement policies and procedures to achieve the mission of the Buffalo Water Board.

5. Has the Board acknowledged that they have read and understood the responses to each of these questions? Yes