

DRAFT MINUTES FOR APPROVAL

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY**

June 25, 2025

BUFFALO SEWER AUTHORITY

REGULAR MEETING

June 25, 2025

9:00 A.M.

**Buffalo City Hall, 65 Niagara Square Room 1038
Teleconference +1 917- 933-2166, ID #605 167 358#**

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Attachments

Attachment A: Capital Assist Guide

Attachment B: Purchasing Guidelines

Attachment C: Fund Balance Policy

Attachment D: Investment Guidelines

Attachment E: Credit Card Policy

Attachment F: Full EAF Part 1

Attachment G: Full EAF Supplement

Attachment H: Full EAF Part 2

Attachment I: Full EAF Part 3

CALL OF THE ROLL

Present:	Herbert Bellamy	Chairman of the Board
	Thomas E. Caulfield, PhD.	Board Member
	Hope Young Watkins	Board Member
	Charles Riley	Executive Secretary
	Cheryl Colston, Esq.	General Counsel
	Alexander Emmerson	Treatment Plant Superintendent
	Rosaleen Nogle, P.E.	Principal Sanitary Engineer
	Timothy Blake	Senior Instrument Technician
	Gelea James	Director of Human Resources
	LaToya Cunningham	Special Assistant
	Joel Renzoni	Director of Sewer Maintenance
	Desiree Briggs	Preventative Maintenance Coordinator
	Carol Burns	Executive Assistant to Comptroller
	Laura Surdej	Erie County Department of Sewerage
	Delano Dowell	City of Buffalo Deputy Comptroller
Absent:	Christopher Roosevelt	Vice Chairman of the Board
	Patrick Sole Jr.	Board Member

The meeting was called to order at 9:41 AM . A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 28, 2025

MOTION TO _____ ADOPT _____

MADE BY _____ MS. YOUNG -WATKINS _____

2ND BY _____ DR. CAULFIELD _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of June 25, 2025

MOTION

TO Enter into Executive Session Pursuant to Open Meetings Law, Section 102 (3) (h) (d)

MADE

BY DR. CAULFIELD2ND BYMS. YOUNG -WATKINS

AYES

3

NOES

0

Board Meeting of May 28, 2025

ITEM NO. 1-A

**AUTHORIZATION FOR THE BUFFALO SEWER AUTHORITY TO ENTER INTO A
TEMPORARY EASEMENT AGREEMENT FOR AN EASEMENT AT 16 BLACK ROCK
HARBOR ROAD AND 2200 NIAGARA STREET**

WHEREAS: The Buffalo Sewer Authority is planning sewer improvement work that includes constructing combined sewer overflow backwater gate flooding mitigation and Real Time Control related improvements; and

WHEREAS: The sewer improvement project is located at approximately 16 Black Rock Harbor Road and 2200 Niagara Street; and

WHEREAS: To perform the construction work on the project to create the Real Time Control improvements to the Buffalo Sewer Authority subsurface sewer facilities, the Buffalo Sewer Authority needs access to portions of property that the County of Erie owns, known as Black Rock Harbor Canal Park; and

WHEREAS: The City of Buffalo, on behalf of the Buffalo Sewer Authority, is acquiring the property interests from the County of Erie at no monetary cost to the City of Buffalo and the Buffalo Sewer Authority.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the Principal Sanitary Engineer and the Executive Secretary to enter into a temporary easement at no cost to the Buffalo Sewer Authority for property located at 16 Black Rock Harbor Road and 2200 Niagara Street for the Buffalo Sewer Authority's Sewer Real Time Control Project.

MOTION TO APPROVE

MADE BY DR. CAULFIELD

2ND BY MS. YOUNG -WATKINS

AYES 3 NOES 0

Board Meeting of June 25, 2025

ITEM NO. 2

APPROVAL OF CONSENT AGENDA**CONTENTS**

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Contract Approval – Legal Services
- D. Contract Approval – Legal Services
- E. Contract Approval – Legal Services
- F. Contract Approval – Legal Services
- G. Tuition Reimbursement
- H. Tuition Assistance
- I. Confirmation Of Appointments

MOTION TO APPROVEMADE BY DR. CAULFIELD2ND BY MS. YOUNG -WATKINSAYES 3 NOES 0

Board Meeting of June 25, 2025

2-A

INFORMATIVE: TEMPORARY INVESTMENTS (CERTIFICATES OF DEPOSIT AND TREASURY BILLS)

As of May 31st, 2025

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$3,136,628.85	Key	0.01%	Public NOW
8-May-25	5-Jun-25	28	\$8,997,722.43	Key Banc Capital	4.17%	\$29,277.57
22-May-25	20-Jun-25	29	\$12,099,121.92	Key Banc Capital	4.18%	\$40,878.08
			\$24,233,473.20			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$223,430.19	Key	0.01%	Public NOW
17-Apr-25	17-Jul-25	91	\$787,609.50	Key Banc Capital	4.17%	\$8,390.50
			\$1,011,039.69			
OPERATING FUND						
31-Jul-12	SUPER NOW		\$3,622,656.78	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	SUPER NOW		\$22,301.22	Key	0.01%	Public NOW
SURPLUS FUND						
15-May-25	23-Oct-25	161	\$1,467.83	Wilmington U.S. Treasury	4.79%	
			\$10,003,428.46	M&T Securities	4.09%	\$186,571.54
			\$10,004,896.29			
NET REVENUE FUND						
29-May-25	26-Jun-25	28	\$1,239,744.47	Wilmington U.S. Treasury		
			\$4,799,420.80	M&T Securities	4.16%	\$15,579.20
			\$6,039,165.27			

BSA 2021 EIB FUND

			\$325,688.15	Cash	0.00%	
12-Dec-24	5-Jun-25	175	\$9,982,955.78	M&T Securities	4.16%	\$206,044.22
19-Dec-24	5-Jun-25	168	\$10,101,004.00	M&T Securities	4.14%	\$198,996.00
8-May-25	30-Oct-25	175	\$32,615,178.37	Key Banc Capital	4.06%	\$656,821.63
			\$53,024,826.30			

DEBT RESERVE FUND

				Series J		
02-Jul-14	13-Nov-33	7076	\$279,018.44	UST State/Local Govt	2.70%	
				Series K		
02-Jul-14	15-Feb-33	6803	\$194,497.05	UST State/Local Govt	2.70%	
				Series L		
12-Nov-15	1-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%	
				Series M		
27-Jun-14	1-May-44	10901	\$585,063.94	UST State/Local Govt	2.70%	
				Series N		
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%	

EFC 2021

			\$3.14	Wilmington U.S. Treasury	4.79%	
13-Feb-25	7-Aug-25	175	\$358,563.08	M&T Securities	4.18%	\$7,436.92
			\$358,566.22			

DSF PRIN &INT**\$0.01**

Wilmington Fund

DSF 2021 EIB**\$1,863,041.78**

Wilmington Fund 4.79%

RECEIVE & FILEBoard Meeting of June 25th, 2025

2-B

INFORMATIVE: REALLOCATION OF FUNDS

The following budgetary transfers have been made to cover unforeseen shortages. These transfers do not change the total amount of the Buffalo Sewer Authority's operating budget.

Wastewater Treatment Plant

05/22/2025	00230106 Refuse Disposal Services	-\$14,800.00	00650103 SWRM Gas	\$14,800.00
05/22/2025	00230106 Refuse Disposal Services	-\$5,401.00	00390103 Hamburg Drain Float	\$5,401.00
05/22/2025	00380106 INCIN Refuse Disposal	-\$29,871.00	00300103 BLOW Electric Light & Power	\$29,871.00
05/28/2025	00200105 PLAN Equipment Maintenance	-\$1,582.00	00200107 PLAN Office Equipment	\$1,582.00

Industrial Waste

05/15/2025	00550106 IWS Eng and Tech	-\$10,022.00	00550107 IWS Operating Equipment	\$10,022.00
05/22/2025	00550106 IWS Eng and Tech	-\$1,849.00	00550105 IWS Equipment Maintenance	\$1,849.00

Sewer Maintenance Division

05/16/2025	00660105 SWRR Road & Highway	-\$651.84	00670105 SWRC Chemicals & Gases	\$651.84
05/22/2025	00700106 EDU, Licenses & Training	-\$410.54	00700105 Clothing Safety & MED	\$410.54
05/22/2025	00680105 Equipment Maint. & Repair	-\$1,000.00	00670105 SWRC Chemicals & Gases	\$1,000.00
05/22/2025	00680105 Equipment Maint. & Repair	-\$1,100.00	00690106 AUTO Repairs	\$1,100.00
05/30/2025	00680105 Equipment Maint. & Repair	-\$1,000.00	00670105 SWRC Chemicals & Gases	\$1,000.00
06/04/2025	00700106 EDU, Licenses & Training	-\$316.80	00700105 GI Agriculture & Botanical	\$316.80
06/04/2025	00650106 SWRM ED, LIC & Training	-\$9,440.00	00660106 SWRR Service & Equipment	\$9,440.00

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Board Meeting of June 25, 2025

2-C

CONTRACT APPROVAL – LEGAL SERVICES

- WHEREAS: The Buffalo Sewer Authority has many complex regulatory, enforcement, and environmental matters that require the skills of a specialized attorney; and
- WHEREAS: Barnes & Thornburg LLP has a national team of attorneys who have significant experience in such areas as combined sewer overflow, sanitary sewer overflow, and in negotiating agreements with state and federal agencies; and
- WHEREAS: Upon request, Barnes & Thornburg, LLP has submitted a proposed retainer agreement to continue to provide legal services for the Buffalo Sewer Authority; and
- WHEREAS: The Executive Secretary and the Principal Sanitary Engineer recommend approval to retain Barnes & Thornburg, LLP for legal services on an as-needed basis for the 2025-2026 fiscal year.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and the Principal Sanitary Engineer to retain Barnes & Thornburg, LLP for legal services on an as-needed basis in an amount not to exceed \$25,000.00 for the period July 1, 2025 through June 30, 2026. Expenses for these services will be charged to account no. 00550106-432003.

2-D

CONTRACT APPROVAL – LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex regulatory, enforcement, and environmental matters that require the skills of a specialized attorney; and

WHEREAS: Barclay Damon, LLP has historically represented the Buffalo Sewer Authority in these areas as well as litigation and arbitration matters as needed; and

WHEREAS: Upon request, Barclay Damon, LLP has submitted a proposed retainer agreement to continue to provide legal services for the Buffalo Sewer Authority; and

WHEREAS: The Executive Secretary and the Principal Sanitary Engineer recommend approval to retain Barclay Damon, LLP for legal services on an as-needed basis for the 2025-2026 fiscal year.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and the Principal Sanitary Engineer to retain Barclay Damon, LLP for legal services on an as-needed basis in an amount not to exceed \$150,000.00 for the period July 1, 2025 through June 30, 2026. Expenses for these services will be charged to account no. 00550106-432003.

2-E

CONTRACT APPROVAL – LEGAL SERVICES

- WHEREAS: The Buffalo Sewer Authority has many complex general labor and employment matters as well as contract negotiations that require the skill of specialized employment and labor law attorneys; and
- WHEREAS: Phillips Lytle LLP has extensive experience in these areas; and
- WHEREAS: Upon request, Phillips Lytle LLP has submitted a proposed retainer agreement to provide legal services for the Buffalo Sewer Authority; and
- WHEREAS: The Executive Secretary and the Principal Sanitary Engineer recommend approval to retain Phillips Lytle LLP for legal services on an as-needed basis for the 2025-2026 fiscal year.

NOW THEREFORE

- BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and the Principal Sanitary Engineer to retain Phillips Lytle LLP for legal services on an as-needed basis in an amount not to exceed \$200,000.00 for the period July 1, 2025 through June 30, 2026. Expenses for these services will be charged to account no. 00550106-432003.

2-F

CONTRACT APPROVAL – LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex regulatory, enforcement and governmental matters that require the skills of a specialized attorney; and

WHEREAS: Lippes Mathias LLP has a national team of attorneys who have significant experience in such areas as municipal law, human resources training and counseling and corporate governance; and

WHEREAS: Upon request, Lippes Mathias LLP has submitted a proposed retainer agreement to provide legal services for the Buffalo Sewer Authority; and

WHEREAS: The Executive Secretary and the Principal Sanitary Engineer recommend approval to retain Lippes Mathias LLP for legal services on an as-needed basis for the 2025-2026 fiscal year.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and the Principal Sanitary Engineer to retain Lippes Mathias LLP for legal services on an as-needed basis in an amount not to exceed \$25,000.00 for the period July 1, 2025 through June 30, 2026. Expenses for these services will be charged to account no. 00550106-432003.

2-G

TUITION REIMBURSEMENT

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employees have applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Edwin Geter	Buffalo State University	Nonprofit Grants Management	90%	\$1,291.70
Daniel O'Sullivan	University at Buffalo	Civil Engineering Materials	50%	\$707.00
Daniel O'Sullivan	University at Buffalo	Engineering Computations	75%	\$794.93

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$2,793.63. These Reimbursements will be charged to account no. 00200106-421026.

2-H

TUITION ASSISTANCE

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employee has applied for Tuition Assistance.

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION</u>
Brianna D. Larkin	Erie 1 BOCES	Welding Technology	\$5,000.00
Joel Woodell	D'Youville University	Assessment I	\$3,960.00
Joel Woodell	D'Youville University	Psychometrics	\$3,960.00

WHEREAS: No Funds will be expended at this time.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Assistance

2-I

CONFIRMATION OF APPOINTMENTS

ACCOUNT CLERK-TYPIST (PERMANENT)
TREATMENT PLANT ADMINISTRATION
\$47,152 PER ANNUM
EFFECTIVE: JUNE 6, 2025

CATHERINE AMOIA
49 TREEHAVEN RD
BUFFALO, NY 14215

PRINCIPAL CLERK (PERMANENT)
TREATMENT PLANT ADMINISTRATION
\$73,813 PER ANNUM
EFFECTIVE: JUNE 6, 2025

PATRICIA PINELLI
92 MIDLAND ST.
BUFFALO, NY 14220

ASSISTANT SANITARY CHEMIST (PERMANENT)
SEWAGE TREATMENT PLANT
\$67,653 PER ANNUM
EFFECTIVE: MAY 26, 2025

LYNDA BRUNDIGE
26 18TH ST
BUFFALO, NY 14213

ASSISTANT SANITARY CHEMIST (PERMANENT)
SEWAGE TREATMENT PLANT
\$59,086 PER ANNUM
EFFECTIVE: MAY 26, 2025

CHRISTOPHER JONES
417 COLVIN AVE.
BUFFALO, NY 14216

SANITARY CHEMIST (PERMANENT)
SEWAGE TREATMENT PLANT
\$84,440 PER ANNUM
EFFECTIVE: MAY 26, 2025

RAECHEL MILLER
540 SAINT LAWRENCE AVE.
BUFFALO, NY 14216

SANITARY CHEMIST (PERMANENT)
SEWAGE TREATMENT PLANT
\$79,720 PER ANNUM
EFFECTIVE: MAY 26, 2025

CRAIG RYBAK
361 TAUNTON
BUFFALO, NY 14216

LABORER II (PERMANENT)
SEWER MAINTENANCE DIVISION
\$23.95 PER HOUR
EFFECTIVE: MAY 26, 2025

JUSTIN BLACK
220 KAY ST.
BUFFALO, NY 14215

WHEREAS: The preceding appointments were made by the Executive Secretary and Principal Sanitary Engineer since the last Board Meeting; and

WHEREAS: The Executive Secretary and Principal Sanitary Engineer requests confirmation of each appointment.

NOW THEREFORE
BE IT RESOLVED:

That the preceding appointments are hereby confirmed by the Board of the Buffalo Sewer Authority

ITEM NO. 3

REVISION TO BUFFALO SEWER AUTHORITY POLICIES AND GUIDELINES

WHEREAS: The Buffalo Sewer Authority has developed the following policies and guidelines:
 Capital Asset Guide (Attachment A)
 Purchasing Guidelines (Attachment B)
 Fund Balance Policy (Attachment C)
 Investment Guidelines (Attachment D)
 Credit Card Policy (Attachment E); and

WHEREAS: These policies and guidelines shall be annually reviewed and approved by the Board.

NOW THEREFORE
 BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby adopts the policies and guidelines listed above.

MOTION TO APPROVE

MADE BY MS. YOUNG -WATKINS

2ND BY DR. CAULFIELD

AYES 3 NOES 0

Board Meeting of June 25, 2025

ITEM NO. 4

AUTHORIZATION TO PURCHASE CYBER INSURANCE

WHEREAS: The Buffalo Sewer Authority currently receives cyber insurance coverage through Coalition Insurance Solutions; and

WHEREAS: Coalition Insurance Solutions has proposed a renewal extension of the Authority's cyber insurance coverage for the period July 1, 2025 through June 30, 2026, with no increase to the current cost; and

WHEREAS: The Authority's insurance broker, Gallagher Insurance, received proposals from Coalition Insurance Solutions and Corvus Insurance. It was determined that the proposal from Coalition Insurance Solutions offered better pricing, terms, and conditions and provides stronger coverage than the proposal from Corvus Insurance; and

WHEREAS: The Executive Secretary and the Director of Information Technology have carefully reviewed the policies and recommend accepting the proposal from Coalition Insurance Solutions; and

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the purchase of a Cyber Insurance Policy from Coalition Insurance Solutions for a cost not to exceed \$28,695.18 for the period July 1, 2025 – June 30, 2026. These costs shall be charged to account nos. 00200108-452000 and 00650108-452000 on a pro-rata-basis.

MOTION TO APPROVE

MADE BY MS. YOUNG -WATKINS

2ND BY DR. CAULFIELD

AYES 3 NOES 0

Board Meeting of June 25, 2025

ITEM NO. 5

AUTHORIZATION FOR RENEWAL OF ANNUAL CUSTOMER SUPPORT PLAN

WHEREAS: The Buffalo Sewer Authority utilizes International Business Machines Maximo Maintenance System software for asset management, work order tracking, purchasing and inventory control program; and

WHEREAS: An annual customer support plan is necessary to keep current, receive the latest releases, and receive unlimited off-site support; and

WHEREAS: The Treatment Plant Superintendent, Director of Information Technology and staff recommend renewal of the annual customer support plan with International Business Machines Corporation for the period August 1, 2025, through July 31, 2026 for a cost of \$122,341.85; and

WHEREAS: Board approval is required on the purchase of services over \$35,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to renew the annual customer support plan with International Business Machines Corporation for a one-year period, August 1, 2025 through July 31, 2026, at a cost not to exceed \$122,431.85. Account no. 00200106-443420 will be charged for this service.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MS. YOUNG -WATKINS</u>		
2 ND BY	<u>DR. CAULFIELD</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of June 25, 2025

ITEM NO. 6

**EXTENSION OF THE CONTRACT FOR IN-PLANT HIGH PRESSURE STEAM SYSTEM
MAINTENANCE SERVICES**

- WHEREAS: On May 25, 2022, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush Company, Inc. for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2022 to June 30, 2023, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$576,700.00; and
- WHEREAS: On July 26, 2023, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with Quackenbush Company, Inc., for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2023 to June 30, 2024, at a cost not to exceed \$576,700.00; and
- WHEREAS: On April 3, 2024, the Board of the Buffalo Sewer Authority approved Change Order No. 1 to Contract No. 82000045 increasing the contract cost in the amount of \$80,000.00 for additional work making the adjusted contract cost \$1,233,400.00; and
- WHEREAS: On July 31, 2024, the Board authorized the extension of the contract for the period July 1, 2024 to June 30, 2025 at a cost not to exceed \$576,700.00 making the adjusted contract cost \$1,810,100.00; and
- ; and
- WHEREAS: On February 19, 2025, the Board authorized the Change Order No.. 2 to Contract No. 82000045 increasing the contract cost in the amount of \$240,000.00 making the adjusted contract cost \$2,050,100.00; and
- WHEREAS: Quackenbush Company, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions with an increase in the prevailing wage adjustment the total cost not to exceed \$760,000.00 for fiscal year 2025-2026 making the adjusted contract cost \$2,810,100.00; and
- WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$760,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to renew the contract with Quackenbush Company, Inc., for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2025 to June 30, 2026; at a total cost not to exceed \$760,000.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO	<u>TABLE</u>		
MADE BY	<u>DR. CAULFIELD</u>		
2 ND BY	<u>MS. YOUNG -WATKINS</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of June 25, 2025

ITEM NO. 7

EXTENSION OF THE CONTRACT FOR IN-PLANT ELECTRICAL MAINTENANCE SERVICES

- WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority awarded a contract to O'Connell Electric Company, Inc., for In-Plant Electrical Maintenance Services at a total cost not to exceed \$600,000.00 for the fiscal year 2021-2022 with up to four (4) one-year renewals beginning July 1, 2021; and
- WHEREAS: On June 22, 2022, O'Connell Electric Company, Inc., agreed to extend this contract for one (1) additional year at a cost not to exceed \$1,418,616.00 for fiscal year 2022-2023; and
- WHEREAS: On May 3, 2023, O'Connell Electric Company, Inc., agreed to extend this contract for one (1) additional year at a cost not to exceed \$2,179,717.00 for fiscal year 2023-2024; and
- WHEREAS: On June 26, 2024, O'Connell Electric Company, Inc., agreed to extend this contract for one (1) additional year at a cost not to exceed \$2,210,482.00 for fiscal year 2024-2025; and
- WHEREAS: On March 12, 2025, Change Order No. 1 was approved in the amount of \$359,121.35, bringing the contract total to \$6,767,936.35; and
- WHEREAS: O'Connell Electric Company, Inc., has agreed to extend this contract for one (1) additional year for fiscal year 2025-2026 for an amount not to exceed \$2,609,191.09; This renewal amount represents additional identified work including preventative & de-energized maintenance, equipment repairs, general maintenance & service, lighting repairs & installations, process improvements and anticipated labor escalation; and
- WHEREAS: \$1,462,997.11 of the total \$2,609,191.09 renewal amount represents both deferred and planned overall facility de-energized electrical preventative maintenance, replacement of multiple facility main breakers, along with replacement of the raw wastewater substation yard medium voltage (13.8kV) duplex switch; and
- WHEREAS: The Superintendent of Mechanical Maintenance, the Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$2,609,191.09.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to renew the contract with O'Connell Electric Company, Inc., for In-Plant Electrical Services for the period July 1, 2025 through June 30, 2026, at a total cost not to exceed \$2,609,191.09, brining the total contract cost to \$9,377,127.44 Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO	<u>TABLE</u>		
MADE BY	<u>DR. CAULFIELD</u>		
2 ND BY	<u>MS. YOUNG -WATKINS</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of June 25, 2025

ITEM NO. 8

EXTENSION OF THE CONTRACT FOR MEDIUM AND LARGE MOTOR TURNKEY MAINTENANCE SERVICES

- WHEREAS: On May 29, 2024, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Hannon Electric Company, to provide Large Motor Turnkey Maintenance services for the period July 1, 2024 to June 30, 2025 at \$300,000.00, with an option to renew for four (4) one-year periods; and
- WHEREAS: On March 12, 2025, Change Order No. 1 was approved in the amount of \$249,471.00, bringing the contract total to \$549,471.00 for fiscal year 2024-2025; and
- WHEREAS: Hannon Electric Company has agreed to extend this contract for one (1) additional year for fiscal year 2025-2026 for an amount not to exceed \$800,000.00; and
- WHEREAS: \$535,000.00 of the total \$800,000.00 renewal amount represents repairs to various large motors. These repairs will increase overall process reliability and prevent future more costly and time-consuming repairs and/or replacements; and
- WHEREAS: The Superintendent of Mechanical Maintenance, the Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$800,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to renew the contract with Hannon Electric Company, to provide Large Motor Turnkey Maintenance services for the period July 1, 2025 through June 30, 2026, at a total cost not to exceed \$800,000.00, bringing the total contract cost to \$1,044,471.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	DR. CAULFIELD	_____
2 ND BY	_____	MS. YOUNG -WATKINS	_____
AYES	_____	3	NOES _____ 0

Board Meeting of June 25, 2025

ITEM NO. 9

REPORTS ON BIDS RECEIVED FOR THE PURCHASE OF NEW & UNUSED PERMANENTLY MOUNTED GAS DETECTOR SYSTEMS

WHEREAS: Formal bids were advertised and solicited for the purchase of new & unused permanently mounted gas detector systems; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on May 20, 2025:

Vendor:	Total Cost:
Bomark Instruments, Inc.	\$82,775.00
Sensidyne C/O Trinova	\$112,443.30

: and

WHEREAS: The Superintendent of Mechanical Maintenance and staff reviewed the quotes received and recommend awarding the entire purchase to the lowest bidder, Bomark Instruments, Inc., at a total cost of \$82,775.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to purchase the above listed new & unused permanently mounted gas detector systems from the lowest bidder, Bomark Instruments, Inc., at a total cost not to exceed \$82,775.00. This purchase will be charged to account nos. 00400105-466107, 00420105-466107, 00410105-466107, 00230105-466107, 00380105-466107, 00250105-466107, 00260105-466107 and 00210105-466107.

MOTION TO APPROVE

MADE BY MS. YOUNG -WATKINS

2ND BY DR. CAULFIELD

AYES 3 NOES 0

Board Meeting of June 25, 2025

ITEM NO. 10

AUTHORIZATION FOR ORIGINAL EQUIPMENT MANUFACTURER PURCHASES OVER \$20,000.00 AND SERVICES OVER \$35,000.00 FOR FISCAL YEAR 2025-2026

WHEREAS: The Buffalo Sewer Authority designated various original equipment manufacturers, and/or their local representatives, as sole sources for the purchase of various commodities, technology, and/or services for the fiscal year 2025-2026; and

WHEREAS: Based upon historical usage and the fiscal budget plan for this fiscal year of 2025-2026, the Superintendent of Mechanical Maintenance has determined that purchases for the following sole source designated vendors for various commodities, technologies and/or services shall not exceed those listed below for the fiscal year 2025-2026:

Original Equipment Manufacturer	Estimated Purchases/Services
AAF McQuay	\$30,000.00
ABB Inc., Instrumentation Department	\$50,000.00
Allen Bradley	\$30,000.00
Allen Sherman Hoff	\$60,000.00
Auma Actuators	\$150,000.00
Blackmer, Division of Dover Energy Inc.	\$110,000.00
Comairco	\$50,000.00
Duperon	\$15,000.00
EIM Controls	\$75,000.00
Emerson Process Management	\$50,000.00
Envirocare	\$80,000.00
Evoqua Water Technologies	\$90,000.00
Fairbanks Morse	\$80,000.00
GEA Mechanical Equipment US Inc. -GEA Westfalia Separator Division	\$425,000.00
Gorman-Rupp Company	\$90,000.00
Goulds/ITT IP Division	\$40,000.00
Henry Pratt	\$20,000.00
Infilco	\$100,000.00
Ingersoll-Rand	\$160,000.00
JDV	\$70,000.00
JWC Environmental, LLC	\$80,000.00
Limitorque (Division of Flowserve)	\$60,000.00
Royal Purple	\$5,000.00
Schwing Bioset	\$40,000.00
Serpentix	\$60,000.00

Smith & Loveless, Inc.	\$70,000.00
Val-Matic Valve	\$30,000.00
Val-Matic Valve (Scum Ejector Parts)	\$ 50,000.00
Vaughan Co., Inc.	\$120,000.00
W.S.G. & Solutions	\$75,000.00
Xylem Water Solutions (ITT Flygt Pumps)	\$140,000.00
Xylem Water Solutions (Allis Chalmers Pumps)	\$40,000.00
YSI Incorporated	\$30,000.00
APGN INC	\$50,000.00

; and

WHEREAS: The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, and staff recommend approval for the estimated amounts listed for the various original equipment manufacturers for purchases/services anticipated for fiscal year 2025-2026; and

WHEREAS: Board approval is required on purchases made over \$20,000.00 and services over \$35,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to purchase original equipment commodities, as needed, and services from the original equipment manufacturers, or their designated local representatives, at a total cost not to exceed the listed amounts for fiscal year 2025-2026 and to charge the appropriate department accounts.

MOTION TO APPROVE

MADE BY DR. CAULFIELFD

2ND BY MS. YOUNG -WATKINS

AYES 3 NOES 0

Board Meeting of June 25, 2025

ITEM NO. 11

AUTHORIZATION FOR ORIGINAL EQUIPMENT MANUFACTURER PURCHASES OVER \$20,000.00 FROM REXEL USA

- WHEREAS: The Buffalo Sewer Authority designated various original equipment manufacturers, and/or their local representatives, as sole sources for the purchase of various commodities, technology, and/or services for the fiscal year 2024-2025; and
- WHEREAS: The Buffalo Sewer Authority has standardized programmable logic controllers (PLCs) using Allen-Bradley products including those associated with the existing real time control facilities; and
- WHEREAS: Rexel USA is the sole source provider of Allen-Bradley PLCs; and
- WHEREAS: The existing PLCs for the oldest real time control facilities have reached the end of their useful lives and require replacement; and
- WHEREAS: Rexel USA has provided a quote of \$50,016.11 for replacement parts and equipment; and
- WHEREAS: Board approval is required on purchases made over \$20,000.00 and services over \$35,000.00; and
- WHEREAS: The Principal Sanitary Engineer, Superintendent of Mechanical Maintenance, and staff recommend approval of the purchase of these sole source parts and equipment from Rexel USA for the quoted amount.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer and Executive Secretary to purchase selected parts and equipment from Rexel USA at a cost not to exceed \$50,016.11 and to charge account no. 00680105-466107 for this purchase.

MOTION TO APPROVE

MADE BY MS. YOUNG -WATKINS

2ND BY DR. CAULFIELD

AYES 3 NOES 0

Board Meeting of June 25, 2025

ITEM NO. 12

CHANGE ORDER NO. 1– SCAJAQUADA CREEK AND BLACK ROCK CANAL SMART SEWER PROJECT CONTRACT NO 82000074

CONTRACTOR:	ORIGINAL CONTRACT COST	\$5,987,000.00
Mark Cerrone Inc.	PREVIOUS CHANGE ORDER	N/A
2368 Maryland Ave.	THIS CHANGE ORDER	<u>\$493,196.62</u>
Niagara Falls, New York 14210	ADJUSTED CONTRACT COST	\$6,480,196.62

WORK: Scajaquada Creek and Black Rock Canal Smart Sewer Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1	Addition of project SPP 338 overflow weir modifications at Bailey Avenue & Kerns Avenue SPP338 work including installing a new weir wall, riser, and roof slab along with site restorations at Bailey Avenue & Kerns Avenue.
Item #2	Increase of existing allowance pay item G-6 budget due to additional insurance requirements and unforeseen subsurface conditions at several project sites under this contract.

REASON FOR CHANGE OR EXTRA WORK:

Item #1	Work at the intersection of Bailey and Kerns was already included in original contract and the addition of the modification to SPP 338 will reduce overall costs and ensure timely completion of this required work.
Item #2	The original contract included a \$100,000.00 contingency allowance to be used to cover unforeseen site conditions related to the six project sites comprised under the contract. This existing contingency has been used for additional insurance premium and multiple unknown subsurface conditions.

COST OF CHANGE ORDER NO. 1:

Item #1	\$268,196.62
Item #2	\$225,000.00
THE TOTAL COST OF CHANGE ORDER NO 1:	\$493,196.62

WHEREAS: On July 26, 2023 the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Mark Cerrone, Inc., for Scajaquada Creek and Black Rock Canal Smart Sewer Project at a cost not to exceed \$5,987,000.00; and

WHEREAS: The New York State Environmental Facilities Corporation (EFC) has awarded this project \$3,333,000.00 in Bipartisan Infrastructure Law grant funding and \$3,333,000.00 in Bipartisan Infrastructure Law subsidized financing; and

WHEREAS: The adjusted contract including Change Order No. 1 would remain within the original \$3,500,000.00-\$6,500,000.00 Engineer's Estimate range ; and

WHEREAS: The Project Consulting Engineer, T.Y. Lin (formerly Greeley and Hansen), Principal Sanitary Engineer, and staff have reviewed a request for Change Order No. 1 to Contract No. 82000074 in the amount of \$493,196.62 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000074 as written in the above Agenda Item, increasing the contract cost in the amount of \$493,196.62, making the adjusted contract cost \$6,480,196.62. Expenses from this contract will be funded from Account No. 02000550-490740.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>DR. CAULFIELD</u>	
2 ND BY	<u>MS. YOUNG -WATKINS</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of June 25, 2025

ITEM NO. 13

CHANGE ORDER NO. 2- PURCHASE ORDER 22100542 ON THE MARK UTILITY LOCATION SERVICES

CONTRACTOR:	ORIGINAL CONTRACT APPROVAL	\$68,772.00
On The Mark, LLC	CHANGE ORDER 2021-2021	\$50,000.00
21 Goodway Dr Ste #171	CONTRACT EXTENSION 2021-2022	\$236,000.00
Rochester, New York 14623	CONTRACT EXTENSION 2022-2023	\$200,000.00
	CONTRACT EXTENSION 2023-2024	\$225,000.00
	CONTRACT EXTENSION 2024-2025	\$250,000.00
	THIS CHANGE ORDER	\$100,000.00
	ADJUSTED CONTRACT COST	\$1,129,772.00

VENDOR # 16072

ACCOUNT # 00600106-432004

WORK: Utility Locating Services

CHANGE ORDER OF THE CONTRACT FOR UTILITY LOCATION SERVICES

WHEREAS: On September 30, 2020, the Board of the Buffalo Sewer Authority awarded a contract to On the Mark, LLC (OTM) for utility location services for the period from November 1, 2020 through June 30, 2021 at the total cost not to exceed \$68,772.00 with up to four (4) one-year renewals beginning July 1, 2021; and

WHEREAS: On April 7, 2021, the Board authorized a change order due to larger than expected number of tickets and linear feet of markings for the amount of \$50,000.00 to cover the costs through the end of the period on June 30, 2021; and

WHEREAS: On June 23, 2021, the Board authorized a one (1) year extension at a cost not to exceed \$236,000.00 for fiscal year 2021-2022; and

WHEREAS: On June 22, 2022, the Board authorized a one (1) year extension at a cost not to exceed \$200,000.00 for fiscal year 2022-2023; and

WHEREAS: On May 24, 2023, the Board authorized a one (1) year extension at a cost not to exceed \$225,000.00 for fiscal year 2023-2024; and

WHEREAS: On June 26, 2024, the Board authorized a one (1) year extension at a cost not to exceed \$250,000.00 for fiscal year 2024-2025; and

WHEREAS: The Principal Engineer and staff have determined that the use of internal resources for utility location services will likely provide a cost savings and better communication regarding upcoming projects moving forward, but the plurality of markings are done during the months of June-September and therefore any change in services are recommended for after this peak season; and

WHEREAS: OTM has agreed to extend this contract for four (4) months (July 1, 2025 - October 31, 2025) under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: Based on the Invoice amounts from the fiscal year 2024-2025 period of July 1, 2024 – October 31, 2024 the Principal Sanitary Engineer and staff recommend a change order at a total cost not to exceed \$100,000.00 for the change order period (July 1, 2025 – October 31, 2025).

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to extend the contract with OTM for utility location services at a cost not-to-exceed \$100,000.00 for the period July 1, 2025 - October 31, 2025. Account no. 00600106-432004 will be utilized for these services.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>DR. CAULFIELD</u>		
2 ND BY	<u>MS. YOUNG -WATKINS</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of June 25, 2025

ITEM NO. 14

CHANGE ORDER NO. 1 – CONTRACT NO. 82000072 DESTRO & BROTHERS CONCRETE CO., INC.

CONTRACTOR:	ORIGINAL CONTRACT COST	\$4,850,600.00
Destro & Bros Concrete Co., Inc.	PREVIOUS CHANGE ORDERS	0.00
132 Dingens Street	THIS CHANGE ORDER	\$2,000,000.00
Buffalo, NY 14206	ADJUSTED CONTRACT COST	\$6,850,600.00
VENDOR NO. 254	ACCOUNT NO.	02000574-490740
WORK: Miscellaneous System Wide Sewer Repairs		

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Addition of North Ogden Street Sewer Extension Project
- Item #2 Addition of Boyd Street Sewer and Waterline Replacement Project
- Item #3 Addition of contingency funding to cover work through October 2025.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 Nine properties have reported multiple backups on North Ogden and there are no record drawings or other documentation of public sewers having been constructed. This project will provide new mains and services for these homes while separating storm flows and replacing existing lead water services.
- Item #2 In Winter of 2024-2025, multiple sewer main breaks were found in the Boyd Street sewer which lies immediately below the waterline and it was determined that the sewer main required replacement and the waterline would need to be replaced in order to facilitate this and that trying to bid as a separate contract would be more costly than using the existing miscellaneous system wide sewer repair contract.
- Item #3 A new contract for miscellaneous system wide sewer repairs is not anticipated to be finalized until October after the peak summer construction season; providing contingency funding at this time will ensure that necessary repairs can be completed in the interim.

COST OF CHANGE OR EXTRA WORK:

- Item #1 \$455,150.00
- Item #2 \$1,137,300.00
- Item #3 \$407,550.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$ 2,000,000.00

WHEREAS: In Item No. 24, on July 26, 2023, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Destro & Bros. Concrete Co., Inc. in the amount of \$4,850,600.00 to perform miscellaneous sewer repair services with expenses to be charged to Account # 02000574-490740; and

WHEREAS: On August 28, 2023 Contract No. 82000072 was executed between the Buffalo Sewer Authority and Destro & Bros. Concrete Co., Inc. pursuant to the aforementioned Item No. 24 of the July 26, 2023, Board Meeting; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No.1 to Contract No. 82000072 in the amount of \$2,000,000.0 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000072 as written in the above Agenda Item, increasing the contract cost in the amount of \$2,000,000.00 making the adjusted contract cost \$6,850,600.00. Expenses from this contract will be funded from Account No.02000574-490740.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>DR. CAULFIELD</u>		
2 ND BY	<u>MS. YOUNG -WATKINS</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of June 25, 2025

ITEM NO. 15

**CHANGE ORDER NO. 2 – DESIGN, CONSTRUCTION ADMINISTRATION/ INSPECTION
AND ENVIRONMENTAL REVIEW SERVICES FOR CONTRACT NO. 820000043 - DELAVAN
TRUNK SEWER IMPROVEMENTS PROJECT**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$277,425.00
Hazen and Sawyer	PREVIOUS CHANGE ORDER	\$3,259,080.00
111 Broadway Suite 2101	THIS CHANGE ORDER (INCREASE)	\$3,931,046.00
New York, New York 10006	ADJUSTED CONTRACT COST	\$7,467,551.00

VENDOR NO. 15818	ACCOUNT NO.	02000542-432004
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PROJECT: Delavan Trunk Sewer Improvements Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Project management and coordination; including development and submission of required documentation to New York State for grant and loan applications.
- Item #2 Contract 1 (Florida Street Sewer Reconstruction): Construction administration, resident engineering, field investigations and community betterment services including lead line replacements.
- Item #3 Environmental Review per New York State Environmental Quality Review (SEQR) Act and Enhanced Participation Plan (EPPP) per Commissioner Policy-29 for Contract 2 and 3; including Environmental Impact Statement Development and public review, and implementation of project-specific EPPP.
- Item #4 Contract 2 Spillman Sewer Design, including 60% design and 90% design milestones.
- Item #5 Contract 3 Offline Storage Tank Design, including 30% design and 60% design milestones.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 The scope of work and timeline for work has been extended and expanded due to site constraints and concerns and the availability of Buffalo Sewer staff for grant and loan submissions has become more constrained precipitating greater reliance on consulting staff.
- Item #2 As design continues for Contracts 2 & 3, it has been determined to be helpful to maintain continuity between the construction administration for the ongoing Contract 1 to facilitate the sharing of new site data, as this work was not included in previous proposals, it is being proposed to be added at this time.
- Item #3 The original project scope did not include an Enhanced Participation Plan (EPPP) per Commissioner Policy-29 and development of a full Environmental Impact Statement (EIS), but after consultation with NYSDEC and BSA leadership it was determined that these services were necessary for successful completion of the project and to ensure that significant construction change orders are not encountered.

- Item #4 The original scope included a Tunnel within the Right-of-Way. After significant community input and analysis through the EIS and EPPP process, it was determined that an alternate approach of installing an offline storage (OLS) tank and completing the work in 3 primary contracts was the preferred approach from a construction cost and community impact perspective. Contract 2 includes development of a microtunnel to connect the OLS to the Scajaquada Tunnel and connection to an existing dropshaft tunnel. The current proposal covers this design work through 90% design and the end of 2025.
- Item #5 The Contract 3 Offline Storage Tank Design replaces the original tunnel design and brings design through 60% design milestones and the end of 2025.

COST OF CHANGE OR EXTRA WORK:

Item #1	\$103,800.00
Item #2	\$558,596.00
Item #3	\$563,181.00
Item #4	\$1,029,698.00
Item #5	\$1,675,771.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK	\$3,931.046.00
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The total INCREASE to the contract as a result of this Change Order is	\$3,931,046.00
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WHEREAS: In Item No. 13, on November 22, 2021, the Board of the Buffalo Sewer Authority prequalified five (5) engineering firms for submission of proposals for the engineering services for future real time control projects; and

WHEREAS: In Item No. 18, on May 4, 2022, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Hazen and Sawyer; one of those five engineering firms which were pre-qualified on November 22, 2021, in the amount of \$277,425.00 to perform preliminary design services for the Jefferson Avenue Real Time Control (RTC) Smart Sewer Project (now named the Delavan Trunk Sewer Improvements Project); and

WHEREAS: In Item 17, on July 26, 2023, the Board of the Buffalo Sewer Authority authorized Hazen to perform Scajaquada Tunnel Investigation and Inspections, as well as Design and Bid Phase Services for Contract 1 of the Delavan Trunk Sewer Improvements Project in the amount of \$3,259,080.00; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 2 to Contract No. 82000043 in the amount of \$3,931,046.00 as detailed above and recommend its approval.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000043 as written in the above Agenda Item, increasing the contract cost in the amount of \$3,931,046.00, making the adjusted contract cost \$7,467,551.00. The cost of this contract will be funded from Account no. 02000542-432004.

MOTION TO APPROVE

MADE BY DR. CAULFIELD

2ND BY MS. YOUNG -WATKINS

AYES 3 NOES 0

Board Meeting of June 25, 2025

ITEM NO. 16

ADOPTION OF A STATE ENVIRONMENTAL QUALITY REVIEW ACT POSITIVE DECLARATION FOR THE DELAVAN TRUNK SEWER IMPROVEMENTS PROJECT (SPP 333 CSO-053 11) AND NOTICE OF PUBLIC HEARINGS AND PUBLIC COMMENT PERIOD ON THE PROJECT'S DRAFT ENVIRONMENTAL IMPACT STATEMENT

- WHEREAS: The Buffalo Sewer Authority (the “Authority”) was created by New York Public Authorities Law (the “Public Authorities Law”) Section 1177 (the “Authority Act”) and is authorized and empowered by the Public Authorities Law Article 5, Title 8 to provide for the jurisdiction, control, possession, supervision and use of the “facilities”, as defined in Section 1176(10) of the Authority Act, including but not limited to the sewage treatment plant, storm water and sewage collection system constituting the sewer system that serves the City of Buffalo (the “City”) and neighboring communities (the “Sewer System”); and
- WHEREAS: Pursuant to Section 1179 of the Authority Act, the City assigned, transferred and dedicated to the Authority the jurisdiction, control, supervision, possession and use of the Sewer System; and
- WHEREAS: The Authority proposes to upgrade the Sewer System along East Delavan Avenue and Spillman Place to control combined sewer overflow (CSO) discharges to the Scajaquada Creek (“the Project”); and
- WHEREAS: The Project will reduce the number of CSO activation events to the Scajaquada Creek; and
- WHEREAS: In accordance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act – “SEQRA”) of the Environmental Conservation Law, the Board has determined that the above project is classified as an Unlisted Action; and
- WHEREAS: The Authority is acting as Lead Agency in accordance with SEQRA and has undertaken a coordinated review with various public agencies; and
- WHEREAS: Parts 1, 2, and 3 of the SEQRA Long Environmental Assessment Form (EAF) evaluating the Project have been completed (Attachments F-I) and the Authority has considered the criteria contained in 6 NYCRR Part 617.7 to determine whether the proposed action may have a significant adverse impact on the environment; and
- WHEREAS: Based on its review, the Lead Agency finds that the proposed action may result in significant adverse environmental impacts to the environment and, therefore, has issued a Positive Declaration for the project; and
- WHEREAS: The issuance of a Positive Declaration requires completion of a Draft Environmental Impact Statement (DEIS) and associated opportunity for public comment; and

WHEREAS: A Draft Scope of Work for the DEIS was completed, public hearings were held on (October 15th and 17th, 2024) and public comments were received for a period of 30 days.

NOW THEREFORE
BE IT RESOLVED:

The Board of the Buffalo Sewer Authority hereby issues a Positive Declaration pursuant to SEQRA for the proposed Delavan Trunk Sewer Improvements Project (SPP 333 CSO-053_11), a Notice of Completion of the DEIS for the Project, and an intent to hold public hearings during a public comment period to receive feedback on the DEIS through August 22, 2025.

MOTION TO APPROVE

MADE BY MS. YOUNG -WATKINS

2ND BY DR. CAULFIELD

AYES 3 NOES 0

Board Meeting of June 25, 2025

ITEM NO. 17

ADJOURNMENT OF MEETINGMOTION TO ADJOURNMADE BY MS. YOUNG -WATKINS2ND BY DR. CAULFIELDAYES 3 NOES 0

Board Meeting of June 25, 2025