

DRAFT MINUTES FOR APPROVAL

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

April 15, 2026

BUFFALO SEWER AUTHORITY

REGULAR MEETING

April 15, 2026

9:00 A.M.

**Buffalo City Hall, 65 Niagara Square Room 1038
Teleconference +1 929 229 5044, ID #884 374 143#**

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Attachments

Attachment A: Proposed Schedule of Sewer Rents and Other Charges for 2026-2027

CALL OF THE ROLL

Present:	<u>Patrick Sole</u>	<u>Secretary of the Board</u>
	<u>Benjamin Swanekamp</u>	<u>Board Member</u>
	<u>Thomas Caulfield</u>	<u>Vice Chairman of the Board</u>
	<u>Hope Young-Watkins</u>	<u>Assistant Secretary of the Board</u>
	<u>Cheryl Colston Esq</u>	<u>General Counsel</u>
	<u>Charles Riley PMP</u>	<u>Executive Secretary</u>
	<u>Jessica Smith</u>	<u>Secretary to General Manager</u>
	<u>Alex Emmerson</u>	<u>Treatment Plant Superintendent</u>
	<u>Timothy Blake</u>	<u>Senior Instrument Technician</u>
	<u>Joel Renzoni</u>	<u>Director of Sewer Maintenance</u>
	<u>Sydney McFoy</u>	<u>Typist</u>
	<u>Rosaleen Nogle PE</u>	<u>Principal Sanitary Engineer</u>
	<u>Lori Scaletta</u>	<u>Senior Administrative Assistant</u>
	<u>Paul Harris PMP</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Carol Burns</u>	<u>Assistant to Comptroller</u>
	<u> </u>	<u> </u>
Absent:	<u>Christopher Roosevelt</u>	<u>Chairman of the Board</u>
	<u> </u>	<u> </u>

The meeting was called to order at 9:10AM . A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of March 18, 2026

MOTION TO _____ ADOPT _____

MADE BY _____ MS. YOUNG-WATKINS _____

2ND BY _____ MR. SOLE _____

AYES _____ 4 _____ NOES _____ 0 _____

Board Meeting of April 15, 2026

ITEM NO. 2

APPROVAL OF CONSENT AGENDA

CONTENTS

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Payment from Judgments and Claims
- D. Amendment to Schedule of Job Classification Plan

MOTION TO APPROVE
MADE BY MR. SOLE
2ND BY MR. SWANEKAMP
AYES 4 NOES 0

Board Meeting of April 15, 2026

ITEM NO. 2-A

INFORMATIVE: TEMPORARY INVESTMENTS

As of February 28, 2026

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$6,617,209.21	Key	0.01%	Public NOW
19-Feb-26	5-Mar-26	14	\$12,099,155.39	Key Banc Capital	3.58%	\$16,844.61
			\$18,716,364.60			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$210,865.24	Key	0.01%	Public NOW
15-Jan-26	16-Apr-26	91	\$802,890.69	M&T Securities	3.51%	\$7,257.70
			\$1,013,755.93			
OPERATING FUND						
31-Jul-12	SUPER NOW		\$4,251,593.49	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	SUPER NOW		\$842,204.76	Key	0.01%	Public NOW
SURPLUS FUND						
			\$695.08	Wilmington U.S. Treasury	4.79%	
23-Oct-25	16-Apr-26	175	\$10,004,235.77	Key Banc Capital	3.77%	\$186,764.23
			\$10,004,930.85			
NET REVENUE FUND						
			\$5,139.57	Wilmington U.S. Treasury		
29-Jan-26	26-Mar-26	56	\$7,099,243.70	Key Banc Capital	3.58%	\$39,756.30
26-Feb-26	30-Apr-26	63	\$5,999,178.20	Key Banc Capital	3.58%	\$37,821.80
			\$13,103,561.47			

BSA 2021 EIB FUND

			-	Cash	0.00%	
30-Oct-25	5-Mar-26	126	\$28,514,966.54	M&T Securities	3.62%	\$366,033.46
28-Nov-25	7-May-26	160	\$18,999,403.09	M&T Securities	3.64%	\$312,596.91
			\$47,514,369.63			

BSA SERIES 2025A COI

\$117,031.74	Wilmington U.S. Treasury
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BSA SERIES 2025A CONS FUND

\$50,808,986.22	Wilmington U.S. Treasury
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DEBT RESERVE FUND

Series J

02-Jul-14	13-Nov-33	7076	\$279,829.88	UST State/Local Govt	2.70%
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Series K

02-Jul-14	15-Feb-33	6803	\$194,814.12	UST State/Local Govt	2.70%
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Series L

12-Nov-15	1-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
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Series M

27-Jun-14	1-May-44	10901	\$585,288.89	UST State/Local Govt	2.70%
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Series N

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
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EFC 2021

			\$0.84	Wilmington U.S. Treasury	4.79%	
15-Jan-26	9-Jul-26	175	\$372,660.44	M&T Securities	3.44%	\$6,339.56
			\$372,661.28			

DSF PRIN & INT

\$0.01	Wilmington Fund
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DSF 2021 EIB

\$1,247,885.03	Wilmington Fund	4.79%
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RECEIVE & FILE

Board Meeting of April 15, 2026

ITEM NO. 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

03/02/2026	00520106 MAIN Maintenance Contract	-\$650.00	00520105 MAIN Office Supplies	\$650.00
03/09/2026	00380103 INCIN GAS	-\$1,400.00	00360103 DEWA Water	\$1,400.00
03/09/2026	00380103 INCIN GAS	-\$10,000.00	00360103 DEWA Water	\$10,000.00
03/09/2026	00380103 INCIN GAS	-\$10,000.00	00400103 SOUTH Electric Light & Power	\$10,000.00
03/12/2026	00250105 SECO Equipment Maintenance	-\$695.00	00510105 LAB Equipment Maintenance	\$695.00
03/18/2026	00360105 AERATION Refuse Disposal	-\$50,000.00	00380103 INCIN GAS	\$50,000.00
03/18/2026	00300103 BLOW Electric Light & Power	-\$5,000.00	00410103 HAMB Electric Light & Power	\$5,000.00

Sewer Maintenance Division

03/19/2026	00690105 Automotive Gas & Lubricants	-\$1,200.00	00670105 SWRC Chemicals & Gas	\$1,200.00
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RECEIVE & FILE

Board Meeting of April 15, 2026

ITEM NO. 2-C

PAYMENT FROM JUDGEMENTS AND CLAIMS

WHEREAS: Board approval is required for charges made against the Buffalo Sewer Authority's current budget for services and/or materials received during a prior fiscal year; and

WHEREAS: The following services were received during a prior fiscal year charged to the 2024-2025 budget account no. 00800108-480214:

VENDOR	INVOICE	AMOUNT
APGN INC	22216	\$3554.90
Johnson Fastener Corp.	38595	275.22
Johnson Fastener Corp.	38731	54.84

WHEREAS: The Executive Secretary and staff recommend the above payment from the Judgements and Claims account.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above payment from the Judgements and Claims account.

ITEM NO 2-D

AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN

WHEREAS: There is a need to modify the Job Classification Plan.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority approves the addition of the following positions to the Job Classification Plan:

One (1) Laborer I	00530161	411001
Four (4) Seasonal Laborer Is	00530161	411001
Four (4) Seasonal Laborer Is	00700161	411001
Two (2) Sewer Construction Inspectors	00600161	411001

ITEM NO. 3

CONTRACT APPROVAL - PROPERTY INSURANCE

- WHEREAS: The Buffalo Sewer Authority currently receives property insurance coverage through Affiliated FM Insurance Company; and
- WHEREAS: Affiliated FM Insurance Company has proposed a two-year renewal extension to the Buffalo Sewer Authority for property insurance coverage for the period April 15, 2026 through April 15, 2027, and April 15, 2027 through April 15, 2028, at the current rate of 0.049% of total insured value; and
- WHEREAS: The proposed renewal for April 15, 2026 through April 15, 2027, is at a cost of \$309,598.28, which represents an increase of \$2,932.28.00 or 1% over last year's cost. This increase represents a \$6.2 million increase to the appraised value of insured property, from \$ 627,012,150 to \$633,196,533; and;
- WHEREAS: The proposed renewal for April 15, 2027 through April 15, 2028 will remain at the current rate of 0.049% of total insured value, with an estimated cost not to exceed \$316,500.00; and
- WHEREAS: The Buffalo Sewer Authority requested its broker, Gallagher Insurance, to contact other carriers in the market for competitive pricing and it was determined that Affiliated FM's comparative pricing, terms, and conditions provided stronger coverage than other insurance providers; and
- WHEREAS: The Executive Secretary has carefully reviewed the policies and has concluded that it is in the best financial interest of the Authority to accept the proposals and recommends that the Board approve the two-year renewal extension.
- WHEREAS: Due to time constraints, members of the Board were individually polled on April 6, 2026, and authorized acceptance of this proposal; and
- WHEREAS: It is now necessary to formally ratify that authorization.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves property insurance coverage through Affiliated FM Insurance Company effective April 15, 2026 through April 15, 2027 at a cost not to exceed \$309,598.28, and approves an additional year of coverage effective April 15, 2027 through April 15, 2028 at the current rate of 0.049% of total insured value, and an estimated cost not to exceed \$316,500.00. The cost shall be charged to account nos. 00200108-452000 and 00650108-452000 on a pro rata basis.

MOTION TO APPROVE

MADE BY MR. SOLE

2ND BY MS. YOUNG-WATKINS

AYES 4 NOES 0

Board Meeting of April 15, 2026

ITEM NO. 4

CONSIDERATION OF THE OPERATING FUND BUDGET FOR FISCAL YEAR 2026-2027

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached Operating Fund Budget and Five-Year Capital Plan for the fiscal year commencing July 1, 2026.

MOTION TO APPROVE

MADE BY MR. SOLE

2ND BY MS. YOUNG-WATKINS

AYES 4 NOES 0

Board Meeting of April 15, 2026

ITEM NO. 5

PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"
(ATTACHMENT A)

WHEREAS: The Buffalo Sewer Authority has hereto adopted a "Schedule of Sewer Rents and Other Charges" pursuant to Section 1180 of Title 8, Article 5 of Chapter 870 of the Laws of 1939 of the State of New York; and

WHEREAS: Such "Schedule of Sewer Rents and Other Charges" now requires adjustments to provide the required revenue to finance our Operating Fund Budget for the fiscal year July 1, 2026 to June 30, 2027; and

WHEREAS: The "Schedule of Sewer Rents and Other Charges" has been adjusted to include an increase in the levy of sewer rents based on assessed value, and an increase to sewer rents based on water use. Total sewer fees for a home assessed at \$150,000.00 will increase by less than two dollars per month; and

WHEREAS: With the goal of providing the citizens of the City of Buffalo with equitable and affordable water resources, the Schedule of Sewer Rents continues to include the Authority's low-income and senior discount programs.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached proposed amended "Schedule of Sewer Rents and Other Charges" (Attachment A).

MOTION TO APPROVE

MADE BY MR. SWANEKAMP

2ND BY MS. YOUNG-WATKINS

AYES 4 NOES 0

Board Meeting of April 15, 2026

ITEM NO. 6

AUTHORIZATION TO PUBLISH NOTICE OF PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"

WHEREAS: The Buffalo Sewer Authority requires an amendment to the "Schedule of Sewer Rents and Other Charges."

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes and directs that the proposed amended "Schedule of Sewer Rents and Other Charges" be published as a notice once a week for three (3) successive weeks, in *The City Record*, and the *Buffalo News* on Friday, April 17, April 24, and May 1, 2026. This notice shall state that the proposed amended "Schedule of Sewer Rents and Other Charges" will remain open for inspection in the office of the Authority for thirty (30) days from the date of said notice, and that objections thereto may be filed during said period with said Authority by any person conceiving himself or herself aggrieved thereby, and that the Authority shall hear and examine such complaints and may modify the proposed Schedule and shall adopt the final amended "Schedule of Sewer Rents and Other Charges" within sixty (60) days of such notice.

MOTION TO APPROVE

MADE BY MR. SOLE

2ND BY MR. SWANEKAMP

AYES 4 NOES 0

Board Meeting of April 15, 2026

ITEM NO. 8

AUTHORIZATION FOR PURCHASE OF REPLACEMENT BELL AND GOSSETT HEAT EXCHANGERS FOR BOILER ROOM

WHEREAS: The Principal Chief Stationary Engineer has determined the need for replacement Bell and Gossett heat exchangers for the Boiler Room at the Wastewater Treatment Plant Facility; and

WHEREAS: The Frank P Langley Company, Inc. is the authorized distributor of Bell and Gossett products in Western New York and submitted a price quotation in the amount of \$23,539.00; and

WHEREAS: The Sole Source status of the Frank P Langley Company, Inc was confirmed by the Assistant Supervisor of Fixed Assets on February 15, 2026; and

WHEREAS: The Principal Chief Stationary Engineer and Superintendent of Mechanical Maintenance reviewed the price quotation and recommend this purchase from Frank P. Langley Company, Inc., at a total cost of \$23,539.00.

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Chief Stationary Engineer to purchase the heat exchanger from Frank P. Langley Company, Inc., at a cost not to exceed \$23,539.00. Account no. 00380105-466107 will be charged for this purchase.

MOTION TO APPROVE

MADE BY MR. SWANEKAMP

2ND BY MR. SOLE

AYES 4 NOES 0

Board Meeting of April 15, 2026

ITEM NO. 9

CHANGE ORDER NO. 6 - CONTRACT NO. 82000045 IN-PLANT HIGH PRESSURE STEAM SYSTEM MAINTENANCE SERVICES

CONTRACTOR:	ORIGINAL CONTRACT COST	\$576,700.00
Quackenbush Company, Inc.	RENEWAL 2023-2024	\$576,700.00
495 Kennedy Road	CHANGE ORDER	\$ 80,000.00
Buffalo, NY 14227	RENEWAL 2024-2025	\$576,700.00
	CHANGE ORDER	\$240,000.00
	RENEWAL 2025-2026	\$576,700.00
	THIS CHANGE ORDER	<u>\$629,081.90</u>
	ADJUSTED CONTRACT COST	\$3,255,881.90

WORK: In-Plant High Pressure Steam System Maintenance Services

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 Additional cost associated with both excessive work and increased costs for labor, equipment rental and materials compared to bidding due to inflation.
- Item #2 Support for methane storage sphere inspection as required for regulatory compliance.
- Item #3 Capital project assistance

DESCRIPTION FOR CHANGE OR EXTRA WORK:

- Item #1 Labor hours for Project Manager, Foreman, and Journeyman teams estimated through completion of fiscal year 2025-2026 for repair and replacement tasks on the facility and outlying stations' steam and heating systems. Prevailing wage labor rates have increased from the initial year to current year for Project Manager by 9.6%, Foreman by 8.1% and Journeyman by 7.9%.
- Item #2 Estimates for internal inspection of methane storage sphere including labor hours for administration, site staging, and pipe and valve replacement, rental of internal scaffolding and nitrogen tanker, subcontractor costs for internal coating repair and relief valve certifications, and materials including gas line plug valves.
- Item #3 Labor hours and materials associated with coordination for No Feasible Alternative Phase II (Primaries) construction.

COST OF CHANGE OR EXTRA WORK:

Item #1	Labor hours allocation for PM, Foreman and Journeyman teams:	\$240,892.20
	Materials, subcontractors and equipment estimated:	\$ 16,250.00
	Allocation of labor and materials for facility mechanical assistance and emergency repairs estimated:	\$ 68,920.90

Item #1 total: \$326,063.10

Item #2	Estimated labor hours to include:	
	Administration/meetings	\$ 2,160.00
	Job site staging	\$ 8,000.00
	Ancillary pipe and valve replacements	\$ 8,000.00
	Full gas system and sphere purging efforts	\$62,685.00

Estimated materials, subcontractors and miscellaneous expenses:

	Nitrogen tanker	\$60,000.00
	Relief valve certifications	\$26,845.00
5,000.00	Two (2) 8" gas line plug valves	\$
	Internal scaffolding	\$30,000.00
	Internal coating repair	\$75,000.00

Estimated rental equipment:

	80' Lift	\$ 6,000.00
	Lull	\$ 4,500.00

Item #2 total: \$288,190.00

Item #3	Labor hours (13):	\$ 1,704.80
	Materials:	\$ 13,124.00

Item #3 total: \$ 14,828.80

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$629,081.90

The Total INCREASE to the Contract as a result of this Change Order is \$629,081.90

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract remains unchanged.

2. Any additional work to be performed under this Contract Supplement shall be carried out in compliance with the specifications included in the preceding Description of Changes involved with the Supplemental Contract Drawings designated none and under the provisions of the Original Contract, including compliance with applicable Equipment specifications, General Specifications and Project Specifications for the same type of work.
3. This Contract Supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guaranteed provisions of the Original Contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and Payment Bonds and Contractor's Insurance all work covered by this Contract Supplement. The Contractor will furnish to the Owner evidence of increased coverage of his Performance and Payment Bonds for the accrued value of all Contract Supplements that exceeds the Original Contract Price by twenty percent (20%).
5. The costs established under this Contract Supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

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 contract number 82000045 with Quackenbush, for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2023 to June 30, 2024, at an annual cost not to exceed \$576,700.00; and

WHEREAS: On April 3, 2024, the Board of the Buffalo Sewer Authority authorized change order No. 2 to contract number 82000045 in the amount of \$80,000.00; and

WHEREAS: On June 26, 2024, the Board of the Buffalo Sewer Authority authorized the General Manager to renew contract number 82000045 with Quackenbush, for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2024 to June 30, 2025, at an annual cost not to exceed \$576,700.00; and

WHEREAS: On April 3, 2025, the Board of the Buffalo Sewer Authority authorized change order No. 4 to contract number 82000045 in the amount of \$240,000.00; and

WHEREAS: On June 26, 2025, the Board of the Buffalo Sewer Authority authorized the General Manager to renew contract number 82000045 with Quackenbush, for

In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2025 to June 30, 2026, at an annual cost not to exceed \$576,700.00; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff have reviewed a request for Change Order No. 6 to Contract No. 82000045 in the amount of \$629,081.90, as detailed above and recommend approval.

WHEREAS: Due to time constraints, members of the Board were individually polled on April 6, 2026, and authorized acceptance of this proposal; and

WHEREAS: It is now necessary to formally ratify that authorization.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve Change Order No. 6 to Contract No. 82000045 as written in the above Agenda Item, increasing the contract cost \$629,081.90 making the adjusted contract cost \$3,255,881.90. Expenses from this contract will be charged to account no. 0038016-443421.

MOTION TO	<u>REMOVE FROM TABLE</u>
MADE BY	<u>MR. SWANEKAMP</u>
2 ND BY	<u>MS. YOUNG-WATKINS</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of April 15, 2026

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. SOLE</u>
2 ND BY	<u>MR. SWANEKAMP</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of April 15, 2026

ITEM NO. 10

**CHANGE ORDER NO. 1 – NIAGARA ST RECONSTRUCTION PHASE 4B SEWER PORTION
CONTRACT NO 82000070**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,333,564.28
McLaughlin Construction Corp	PREVIOUS CHANGE ORDER	N/A
2790 Clinton Street	THIS CHANGE ORDER	<u>(\$178,829.84)</u>
West Seneca, NY 14224	ADJUSTED CONTRACT COST	\$1,154,734.44

WORK: Deduction Change Order for unused allowance items on the Niagara St Reconstruction

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Deduction Change Order for unused allowance items on the Niagara Street Reconstruction Phase 4B Sewer Portion.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 The original contract included unused contingency and overestimated unit bid items totaling \$178,829.84.

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$178,829.84)

The total decrease to the contract as a result of this Change Order is \$178,829.84

WHEREAS: In Item 21 on July 26, 2023, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with McLaughlin Construction Corp., for the Niagara Street Reconstruction Phase 4B project at a cost not to exceed \$1,333,564.28; and

WHEREAS The Project consulting Engineer, Watts Engineering, has certified that the contractor completed the work in accordance with the plans and specifications on April 15, 2026, and that \$178,829.84 remains unspent in this contract and that a deduct change order in this amount is therefore appropriate and the Principal Sanitary Engineer and staff concurs; and

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.

ITEM NO. 11

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY NIAGARA ST RECONSTRUCTION
PHASE 4B SEWER PORTION CONTRACT 82000070**

PROJECT: Niagara Street Reconstruction Phase 4B Sewer Portion

BID: \$1,333,564.28

CONTRACTOR: McLaughlin Construction Corp.
2790 Clinton Street
West Seneca, NY 14224

WHEREAS: In Item 21 on July 26, 2023, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with McLaughlin Construction Corp., for the Niagara Street Reconstruction Phase 4B project at a cost not to exceed \$1,333,564.28; and

WHEREAS: In Item 10 of the April 15, 2026, Board meeting, the Board of the Buffalo Sewer Authority authorized a deduction Change Order #1 in the amount of \$178,829.84, making the adjusted contract cost \$1,154,734.44; and

WHEREAS The Project consulting Engineer, Watts Engineering, has certified that the contractor completed the work in accordance with the plans and specifications on April 15, 2026, and the Buffalo Sewer Authority Capital Improvement Project staff concurs; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of April 15, 2026;
- c. The final cost of the Contract is \$1,154,734.44.

MOTION TO APPROVE

MADE BY MR. SOLE

2ND BY MS. YOUNG-WATKINS

AYES 4 NOES 0

Board Meeting of April 15, 2026

ITEM NO. 12

AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR CONSTRUCTION INSPECTION SERVICES WITH NUSSBAUMER & CLARKE, INC.

- WHEREAS: The Buffalo Sewer Authority issued a request for qualifications (RFQ) for the purpose of securing the services of a consulting firm to provide Construction Inspection services for Various Capital Projects on August 18, 2025;
- WHEREAS: Four (4) firms responded to this RFQ; and
- WHEREAS: A selection committee appointed by the Principal Sanitary Engineer reviewed and ranked the submitted qualification packages and recommended prequalification of Hazen and Sawyer, Nussbaumer & Clarke, Inc, AECOM and Colliers; and
- WHEREAS: At the October 15, 2025, Board Meeting, The Board of the Buffalo Sewer Authority deemed the above listed firms as prequalified for work on engineering, landscape architecture, urban design and planning construction inspection services; and
- WHEREAS: In accordance with the Authority's Procurement Guidelines, Agreements between the Buffalo Sewer Authority and the firms listed will be submitted to the Board of the Buffalo Sewer Authority as specific projects are identified and scopes of work and associated fees are agreed upon; and
- WHEREAS: On November 26, 2025, the Buffalo Sewer Authority issued a request for proposals (RFP) to Nussbaumer & Clarke, Inc. for the purpose of securing a consulting firm to provide Construction Inspection services for the Various SPP Modifications Project; and

WHEREAS:

On March 26, 2026, Nussbaumer & Clarke, Inc. submitted a proposal for Construction Inspection Services for the Various SPP Modifications Project at a negotiated cost not to exceed \$211,163.00; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the awarding of the contract for Construction Inspection Services for Various SPP Modifications Project to Nussbaumer & Clarke, Inc. and authorizes the Executive Secretary and the Principal Sanitary Engineer to enter into a contract for a not to exceed amount of **\$211,163**. Expenses for this contract will be charged to account no. 02000606-432004.

MOTION TO APPROVE

MADE BY MS. YOUNG-WATKINS

2ND BY MR. SOLE

AYES 4 NOES 0

Board Meeting of April 15, 2026

ITEM NO. 13

AUTHORIZATION FOR FINANCIAL ASSISTANCE FOR BIRD ISLAND TREATMENT FACILITY SECONDARY SYSTEM REHABILITATION AND UPGRADES PHASE IIIA

WHEREAS: The New York State Department of Environmental Conservation (DEC), New York State Environmental Facilities Corporation (EFC), New York State Energy Research & Development Authority (NYSERDA), Federal Emergency Management Agency (FEMA), and the United States Environmental Protection Agency (USEPA) provide funding for projects that improve water quality, reduce energy consumption, increase resiliency, utilize green infrastructure, and mitigate the impacts of climate change through various grant and loan programs; and

WHEREAS: The EFC provides low interest financing for wastewater treatment facility and collection system projects through the Clean Water State Revolving Fund (CWSRF); and

WHEREAS: EFC has listed this project on the 2025/2026 Multi-Year CWSRF Intended Use Plan; and

WHEREAS: The Buffalo Sewer Authority will be listing this project on the 2026/2027 Annual CWSRF Intended use Plan; and

WHEREAS: Loan and grant providing entities require that a designee be appointed to execute and deliver applications and agreements; and

WHEREAS: The Board of the Buffalo Sewer Authority recommends authorization to execute and deliver grant and loan applications and agreements for this project; and

NOW THEREFORE

WHEREAS: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary, Principal Sanitary Engineer and/or General Manager to apply for, execute, and deliver CWSRF loan agreements and grant agreements to defer the cost of this project, and to provide such additional information as may be required to make such agreements on behalf of the Buffalo Sewer Authority.

MOTION TO APPROVE

MADE BY MR. SOLE

2ND BY MR. SWANEKAMP

AYES 4 NOES 0

Board Meeting of April 15, 2026

CERTIFICATE

I, Patrick Sole Jr., Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on April 15, 2026, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted on April 15, 2026, and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same related to the subject matters referred to in said extract, 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 and affixed the corporate seal of said Authority this 15th day of April, 2026.

(SEAL)

Patrick Sole, Jr.
Secretary, Buffalo Sewer Authority Board

ITEM NO. 14

**SEQRA TYPE II DETERMINATION REGARDING BIRD ISLAND TREATMENT FACILITY
SECONDARY SYSTEM REHABILITATION AND UPGRADES PHASE IIIA**

- WHEREAS: On March 18, 2014, the United State Environmental Protection Agency, with concurrence by the New York State Department of Environmental Conservation, issued an Amended Administrative Order which approved the Buffalo Sewer Authority's Combined Sewer Overflow Long Term Control Plans (LTCP); and
- WHEREAS: As part of the Authority's LTCP efforts, design for the expansion of the secondary system including the addition of two new final settling tanks and an additional chlorine contact tank, as well as miscellaneous rehabilitations are underway, "Secondary System Rehabilitation and Upgrades Phase IIIA"; and
- WHEREAS: The Buffalo Sewer Authority, as lead agency pursuant to the New York State Environmental Quality Review Act (SEQRA), undertook a coordinated review of the LTCP, and on July 18, 2012, issued a Negative Declaration with respect to the LTCP; and
- WHEREAS: On September 19, 2025 the Buffalo Sewer Authority entered into a Consent Judgement with New York State to implement an amended LTCP; and
- WHEREAS: This work has been identified as a required action under the 2025 Consent Judgement; and
- WHEREAS: SEQRA, with reference to 6 NYCRR § 617.5, provides that certain actions noted as Type II, or classes of action, have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under New York Environmental Conservation Law. Specifically, 6 NYCRR 617.5 (c)(29) excludes "a course of action specifically required to be undertaken pursuant to a judgement or order"; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby constitutes the Bird Island Treatment Facility Secondary System Rehabilitation and Upgrades Phase III project as a Type II Action in accordance with 6 NYCRR 617.5(c)(29). Accordingly, no further review under SEQRA is required.

MOTION TO APPROVE

MADE BY MS. YOUNG-WATKINS

2ND BY MR. SOLE

AYES 4 NOES 0

Board Meeting of April 15, 2026

CERTIFICATE

I, Patrick Sole Jr., Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on April 15, 2026, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted on April 15, 2026, and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same related to the subject matters referred to in said extract, 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 and affixed the corporate seal of said Authority this 15th day of April, 2026.

(SEAL)

Patrick Sole, Jr.
Secretary, Buffalo Sewer Authority Board

ITEM NO. 15

ADJOURNMENT OF MEETING

MOTION TO _____ ADJOURN _____

MADE BY _____ MS. YOUNG-WATKINS _____

2ND BY _____ MR. SOLE _____

AYES _____ 4 _____ NOES _____ 0 _____

Board Meeting of April 15, 2026