

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

September 2, 2026

BUFFALO SEWER AUTHORITY

REGULAR MEETING

September 2, 2026

9:00 A.M.

**Buffalo City Hall, 65 Niagara Square Room 1038
Teleconference +1 929 229 5044, ID #725 017 448**

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	C. Claim Against Liability and Casualty Reserve Fund	
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13	Adjournment Of Meeting	59919

ATTACHMENTS

Attachment A: BSA SEQR FEAF Part 1 Exchange Street SPP326-326A Modification

CALL OF THE ROLL

Present:	<u>Dr. Thomas Caulfield PhD</u>	<u>Chairman of the Board</u>
	<u>Benjamin Swanekamp</u>	<u>Vice Chairman of the Board</u>
	<u>Hope Young-Watkins</u>	<u>Secretary of the Board</u>
	<u>Patrick Sole</u>	<u>Assistant Secretary of the Board</u>
	<u>Cheryl Colston Esq</u>	<u>General Counsel</u>
	<u>Alex Emmerson</u>	<u>Treatment Plant Superintendent</u>
	<u>Timothy Blake</u>	<u>Senior Instrumentation & Control System Specialist</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>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Laura Surdej</u>	<u>Industrial Waste Specialist</u>
	<u>Elizabeth Scheeler</u>	<u>Industrial Waste Administrator</u>
	<u>Rory McClenhan</u>	<u>Special Assistant to the Mayor</u>
	<u>Sean Morrison</u>	<u>Shift Superintendent</u>
	<u>Daniel Casper</u>	<u>AECOM</u>
Absent:	<u>Charles Riley</u>	<u>Executive Secretary</u>

The meeting was called to order at 9:06AM A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 29, 2026

MOTION TO _____ ADOPT _____

MADE BY _____ MR. SOLE _____

2ND BY _____ MR. SWANEKAMP _____

AYES _____ 4 _____ NOES _____ 0 _____

Board Meeting of September 2, 2026

ITEM NO. 2

APPROVAL OF CONSENT AGENDA**CONTENTS**

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Claim Against Liability and Casualty Reserve Fund
- D. Payments from Judgments and Claims
- E. Confirmation of Appointments
- F. Tuition Assistance
- G. Amendment to Schedule of Job Classification Plan

MOTION TO APPROVE
MADE BY MR. SWANEKAMP
2ND BY MS. YOUNG-WATKINS
AYES 4 NOES 0

Board Meeting of September 2, 2026

ITEM NO. 2-A

INFORMATIVE: TEMPORARY INVESTMENTS**As of July 31, 2026**

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$6,875,004.05	Key	0.01%	Public NOW
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$200,612.85	Key	0.01%	Public NOW
16-Jul-26	15-Oct-26	91	\$824,294.20	M&T Securities	3.66%	\$7,465.79
			\$1,024,907.05			
OPERATING FUND						
31-Jul-12	SUPER NOW		\$4,591,943.98	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	SUPER NOW		\$965,643.58	Key	0.01%	Public NOW
SURPLUS FUND						
			\$772.58	Wilmington U.S. Treasury	4.79%	
16-Apr-26	8-Oct-26	175	\$10,004,168.76	M&T Securities	357.30%	\$176,831.24
			\$10,004,941.34			
NET REVENUE FUND						
			\$5,787.14	Wilmington U.S. Treasury		
30-Jul-26	29-Sep-26	61	\$16,299,724.42	Key Banc Capital	3.68%	\$61,779.16
25-Jun-26	27-Aug-26	63	\$3,999,501.63	Key Banc Capital	3.62%	\$25,498.37
			\$20,305,013.19			

BSA 2021 EIB FUND

			\$-	Cash	0.00%	
2-Jul-26	19-Oct-26	140	\$28,513,711.15	M&T Securities	3.74%	\$337,616.49
7-May-26	3-Sep-26	119	\$15,331,164.37	M&T Securities	3.54%	\$181,835.63
			\$43,845,547.88			

BSA SERIES 2025A COI

\$118,692.33 Wilmington U.S. Treasury

BSA SERIES 2025A CONS FUND

\$51,529,864.14 Wilmington U.S. Treasury

DEBT RESERVE FUND**Series J**

02-Jul-14 13-Nov-33 7076 **\$280,146.94** UST State/Local Govt 2.70%

Series K

02-Jul-14 15-Feb-33 6803 **\$194,937.95** 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 **\$585,381.58** 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

			\$0.84	Wilmington U.S. Treasury	4.79%	
9-Jul-26	31-Dec-26	175	\$378,939.15	M&T Securities	3.76%	\$6,339.56
			\$378,939.99			

DSF PRIN &INT

\$0.01

Wilmington Fund

DSF 2021 EIB

\$380,396.11

Wilmington Fund

4.79%

RECEIVE & FILE

Board Meeting of September 2, 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

7/22/2026	00300103 Blow Electric Light & Power	-\$770.00	00680103 Electricity	\$770.00
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Financial Contingency

07/20/2026	00800183 FIN Contingency	-35,000.00	00650103 SWRM Telephone	\$35,000.00
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Board Meeting of September 2, 2026

ITEM NO. 2-C

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Roseanne Leone filed a Notice of Claim for property damage to automobile tires that occurred on May 4, 2026 at Rees and Bradley Streets as a result of a sunken receiver grate.

WHEREAS: The General Counsel has reviewed this matter and recommends the final settlement amount of \$867.31 is in the best interest of the Buffalo Sewer Authority.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the payment to Roseanne Leone in the final settlement amount of \$867.31 in full and complete settlement of this matter. This claim will be paid out of the Liability and Casualty Reserve Fund.

ITEM NO. 2-D

PAYMENTS FROM JUDGMENTS 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 prior fiscal year; and

WHEREAS: The following services were received during a prior fiscal year and charged to the 2026-2027 budget account no. 00800108 -480214:

VENDOR	INVOICE	AMOUNT
Bison Labs	47115	\$7,480.35
National Grid	1154080100	\$63,919.02
Fleischmann Service Corporation	243	\$ 450.00
Fleischmann Service Corporation	176	\$ 1,120.00
Lippes Mathias LLP	326082	\$5,094.50
Great Lakes Environmental and Safety	260318	\$3,443.75
New Wave Energy	6300	\$346,617.03

; and

WHEREAS: The Executive Secretary and staff recommend the above payments from the Judgments and Claims account.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above payments from the Judgments and Claims account.

ITEM NO. 2-E

CONFIRMATION OF APPOINTMENTS

MILLWRIGHT HELPER (PERMANENT)
TREATMENT PLANT MAINTENANCE DIVISION
\$27.41 PER HOUR
EFFECTIVE: JULY 27, 2026

MICAH LAMARTI
200 CABLE ST.
BUFFALO, NY 14206

MILLWRIGHT HELPET (PERMANENT)
TREATMENT PLANT MAINTENANCE DIVISION
\$28.26 PER HOUR
EFFECTIVE: JULY 27, 2026

JASON MARINARO
132 CARLYLE AVE.
BUFFALO, NY 14220

MILLWRIGHT HELPER (PERMANENT)
TREATMENT PLANT MAINTENANCE DIVISION
\$28.55 PER HOUR
EFFECTIVE: JULY 27, 2026

SCOTT CARROLL
308 COMMONWEALTH AVE.
BUFFALO, NY 14216

MILLWRIGHT (PERMANENT)
TREATMENT PLANT MAINTENANCE DIVISION
\$33.42 PER HOUR
EFFECTIVE: JULY 27, 2026

BRANDON MAES
317 BRECKENRIDGE ST.
BUFFALO, NY 14213

SEWER CONSTRUCTION WORKER (PERMANENT)
SEWER MAINTENANCE DIVISION
\$27.41 PER HOUR
EFFECTIVE: AUGUST 3, 2026

ALBA BAEZ
468 S. OGDEN ST.
BUFFALO, NY 14206

SEWER CONSTRUCTION WORKER (PERMANENT)
SEWER MAINTENANCE DIVISION
\$28.55 PER HOUR
EFFECTIVE: AUGUST 3, 2026

ANDEL ANDERSON
115 HUMBER AVE.
BUFFALO, NY 14215

LABOR SUPERVISOR I (TEMPORARY)
SEWER MAINTENANCE DIVISION
\$61,445 PER ANNUM
EFFECTIVE: AUGUST 3, 2026

MIA CASILLAS
660 CRESCENT AVE.
BUFFALO, NY 14216

LABOR SUPERVISOR I (PROVISIONAL)
TREATMENT PLANT MAINTENANCE DIVISION
\$70,294 PER ANNUM
EFFECTIVE: AUGUST 3, 2026

LUCAS FRANCE
26 COPELAND PLACE
BUFFALO, NY 14217

SANITARY CHEMIST (PERMANENT)
LABORATORY DIVISION
\$78,220 PER ANNUM
EFFECTIVE: AUGUST 3, 2026

CHRISTOPHER JONES
417 COLVIN AVE.
BUFFALO, NY 14216

MILLWRIGHT HELPER (PROVISIONAL)
TREATMENT PLANT MAINTENANCE DIVISION
\$24.84 PER HOUR
EFFECTIVE: AUGUST 10, 2026

NATAKA MORRIS
24 FARGO AVE.
BUFFALO, NY 14201

WASTEWATER OPERATOR II (PROVISIONAL)
TREATMENT PLANT WASTEWATER DIVISION
\$27.88 PER HOUR
EFFECTIVE: AUGUST 17, 2026

BRIANNA LARKIN
309 WEST AVE. APT 3
BUFFALO, NY 14213

ASSISTANT SANITARY ENGINEER (PROVISIONAL)
ENGINEERING DIVISION
\$66,119 PER ANNUM
EFFECTIVE: AUGUST 24, 2026

PRATHAMESH KARALE
4757 MILESTRIP RD.
BLASDELL, NY 14219

SENIOR SANITARY CHEMIST (PROVISIONAL)
LABORATORY DIVISION
\$74,600 PER ANNUM
EFFECTIVE: AUGUST 24, 2026

GRACE POLETO
263 WHITFIELD AVE
BUFFALO, NY 14220

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. 2-F

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>
Daniel O’Sullivan	University at Buffalo	Civil Engineering	\$6,000.00
Crystalee Lozada	SUNY Empire State University	Business Administration – BA	\$3,535.00
Edwin Geter	Buffalo State University	Public Administration – MBA	\$1,413.00
Alba Baez	Erie Community College	Information Technology	\$2,604.00

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

ITEM NO. 2-G

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) Wastewater Operator II	00230161	411001
One (1) Clerk	00200121	411001
One (1) Account Clerk Typist	00110121	411001
One (1) Head Electrician	00520171	411001
Two (2) Labor Supervisors	00670131	411001
Two (2) Laborer II	00700161	411001
Four (4) Laborer II	00660171	411001
Four (4) Laborer II	00530161	411001

ITEM NO. 3

AUTHORIZATION FOR CENTRIFUGE SERVICE, PARTS & PROCESS SUPPORT

- WHEREAS: Inspection, service and necessary repairs are required for Centrifuge #1 and #2 to assess existing mechanical condition and address identified maintenance needs; and
- WHEREAS: Major mechanical service and parts for rehabilitation are required for Centrifuge #3, including inspection, internal alignment and condition assessment, completion of necessary repairs and installation of major replacement components to return the unit to reliable operation; and
- WHEREAS: Process optimization support is required for Centrifuge #1, #2 and #3 to establish reliable and optimized operating performance, coordinate process adjustments following mechanical service, and support treatment plant capacity and availability; and
- WHEREAS: GEA Mechanical Equipment US, Inc is the Sole distributor and factory authorized repair, service and parts provider for Westfalia Separator Centrifuges and subcomponents manufactured by their parent company GEA Westfalia Separator GmbH and submitted a price quotation in the amount of \$155,663.01; and
- WHEREAS: The Sole Source status of GEA Mechanical Equipment US, Inc was confirmed by the Assistant Supervisor of Fixed Assets on July 15, 2026; and
- WHEREAS: The Superintendent of Mechanical Maintenance and staff have reviewed the price quotation and recommend the purchase of these services and parts from GEA Mechanical Equipment US, Inc, at a total cost of \$155,663.01.
- 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 Sanitary Engineer to purchase the above-mentioned services and parts from GEA Mechanical Equipment US, Inc., at a cost not to exceed \$155,663.01. Account no. 00370105-466107 will be charged for this purchase.

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

Board Meeting of September 2, 2026

ITEM NO. 4

AUTHORIZATION OF THE CONTRACT FOR ELEVATOR MAINTENANCE

WHEREAS: The Buffalo Sewer Authority requires elevator inspection, preventive maintenance, repair and related services for its facilities; and

WHEREAS: The New York State Office of General Services (“OGS”) has established centralized contracts for elevator maintenance and related services, which are available for use by eligible government entities; and

WHEREAS: The Buffalo Sewer Authority has determined that utilizing the applicable OGS contract provides an appropriate and efficient method for obtaining the required elevator services in accordance with applicable procurement requirements; and

WHEREAS: DCB Elevator Co. Inc. is an awarded contractor under OGS Contract No. PS70070 and is authorized to provide the required elevator services; and

WHEREAS: The proposed agreement with DCB Elevator Co. Inc. will provide elevator services at the Buffalo Sewer Authority for the period of July 1, 2026, through June 30, 2027, at a cost not to exceed \$170,000.00; and

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and the Principal Sanitary Engineer to enter into and execute a contract with DCB Elevator Co. Inc., for elevator maintenance at the Bird Island Treatment Facility at a total cost not to exceed \$170,000.00. Expenses for this contract will be charged to account nos. 00380106-443421, 00380105-466107, 00520106-443421, 00520105-466107, 00650106-443421, 00440106-443301 and 00460106-443301.

MOTION TO APPROVE

MADE BY MS. YOUNG-WATKINS

2ND BY MR. SOLE

AYES 4 NOES 0

Board Meeting of September 2, 2026

ITEM NO. 5

AUTHORIZATION FOR THE PURCHASE OF REPLACEMENT TRASH RACK PARTS

WHEREAS: Replacement trash rack parts are needed to support the continued reliable operation of the South Buffalo Pumping Station; and

WHEREAS: WSG & Solutions Inc. is the original equipment manufacturer and sole supplier for the 4-Rope Bar Screens and submitted a price quotation in the amount of \$70,573.00; and

WHEREAS: The Sole Source status of WSG & Solutions Inc. was confirmed by the Assistant Supervisor of Fixed Assets on August 20, 2026; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff have reviewed the price quotation and recommend this purchase from WSG & Solutions Inc. at a total cost of \$70,573.00.

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 Sanitary Engineer to purchase replacement trash rack parts, at a cost not to exceed \$70,573.00. Account no. 00400105-466107 will be charged for this purchase.

MOTION TO APPROVEMADE BY MR. SWANEKAMP2ND BY MR. SOLEAYES 4 NOES 0

Board Meeting of September 2, 2026

ITEM NO. 6

CHANGE ORDER NO. 1 - CONTRACT NO. 82000078

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,151,680.00
Nichols Long & Moore	PREVIOUS CHANGE ORDERS	\$0.00
770 Riverview Blvd.	THIS CHANGE ORDER	<u>(\$59,023.00)</u>
Tonawanda, New York 14250	ADJUSTED CONTRACT COST	\$1,092,657.00
VENDOR NO. 8594	ACCOUNT NO.	02000584-490740
WORK:	Bird Island Seepage and Subsidence Repairs	

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Deduction for unused Contingency Allowance and various credits

REASON FOR CHANGE OR EXTRA WORK:

Item #1 The original project had a contingency allowance in the amount of \$70,000.00 of which only \$27,491.00 was used. Other credits for unused concrete quantities etc., resulted in a cost reduction of \$31,082.00

Total reduction in cost was \$59,023.00

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$59,023.00)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$59,023.00)

The Total DECREASE to the Contract as a result of this Change Order is \$59,023.00

WHEREAS: On March 13, 2024, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Nichols Long & Moore Construction Inc. for Bird Island Seepage and Subsidence Repairs project as the responsible low bidder at a cost not to exceed \$1,151,680.00; and

WHEREAS: On May 15, 2024, Notice to Proceed was issued for Contract No. 82000078 in accordance with the above Board approval; and

WHEREAS: The Senior Instrumentation and Control System Specialist and our consultants, Jacobs Engineering, have reviewed Change Order No.1 to Contract No. 82000078 in the amount of (\$59,023.00) as detailed above and recommend approval.

NOW
THEREFORE BE
IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000078 as written in the above Agenda Item, decreasing the contract cost in the amount of \$59,023.00, making the adjusted contract cost \$1,092,657.00

MOTION TO APPROVE

MADE BY MS. YOUNG-WATKINS

2ND BY MR. SOLE

AYES 4 NOES 0

Board Meeting of September 2, 2026

ITEM NO. 7

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Bird Island Seepage and Subsidence Repairs
 BID: \$1,151,680.00
 NET CHANGE: (\$59,023.00)
 FINAL CONTRACT AMOUNT: \$1,092,657.00

CONTRACTOR:

Nichols Long & Moore Construction, Inc
 770 Riverview Blvd.
 Tonawanda, NY 14250

WHEREAS: The Senior Instrumentation and Control System Specialist and Principal Sanitary Engineer have certified that the Contractor completed the work in accordance with the plans and specifications on August 7, 2026; and

WHEREAS In Item 7 of the board agenda for September 2, 2026, the contract value was decreased by \$59,023.00

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 January 6, 2026;
- c. The maintenance period commenced on August 7, 2026;
- d. The final cost of the contract is \$1,092,657.00

MOTION TO	APPROVE
MADE BY	MS. YOUNG-WATKINS
2 ND BY	MR. SWANEKAMP
AYES	4 NOES 0

Board Meeting of September 2, 2026

ITEM NO. 8

CHANGE ORDER NO. CR-B-03 - CONTRACT NO. 82000050

CONTRACTOR:	ORIGINAL CONTRACT COST	\$10,220,036.38
J.A. Brundage the Drain Doctor, Inc.	PREVIOUS CHANGE ORDERS	\$5,401,339.16
1400 College Ave	THIS CHANGE ORDER	<u>(\$4,500,377.24)</u>
Niagara Falls, New York 14305	ADJUSTED CONTRACT COST	\$11,120,998.30

VENDOR NO. 1944 ACCOUNT NO. 02000532-490740

WORK: Contract B – Cleaning: This contract includes the cleaning and removal of grit and debris which have accumulated in the secondary system over time, reducing the plant flow and isolation capabilities.

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Deduction for unused grit removal quantities and unused collection system emergency sewer cleaning efforts
- Item #2 South Buffalo Pumping Station Emergency Work

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 Original estimates for grit removal on Aeration batteries A&B were far greater than what was actually removed. The original estimates were based on previous similar grit removal efforts. Once each battery was dewatered, grit accumulation was far less than previous projects, thereby resulting in a drastic cost reduction of \$4,691,377.24.

Change Order #2 was approved on February 19, 2025, to accommodate emergency sewer cleaning in the amount of \$15,000.00. Only \$3,500.00 of that effort was utilized resulting in a cost reduction of \$11,500.00

Total Deduction for this item is (\$4,702,877.24)

- Item #2 In January 2026, operational conditions at the South Buffalo Pump Station required emergency contractor assistance to restore and maintain station functionality. Emergency response activities included vacuum truck operations, high-pressure jetting, confined space entry, debris removal, crane support, and related cleaning activities necessary to address conditions within the wet well. Total cost of this effort is \$202,500.00

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$4,702,877.24)

Item #2 \$202,500.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$4,500,377.24)

The Total DECREASE to the Contract as a result of this Change Order is \$4,500,377.24

- WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with J.A. Brundage the Drain Doctor Inc. for Bird Island Treatment Facility Secondary System Rehabilitation and System Upgrades project as the responsible low bidder at a cost not to exceed \$10,220,036.38; and
- WHEREAS: On September 27, 2022, Notice to Proceed was issued for Contract No. 82000050 in accordance with the above Board approval; and
- WHEREAS: On July 26, 2023, the Board of the Buffalo Sewer Authority authorized Change Order No. CR-B-01 to Contract No. 82000050 in the amount of \$5,386,339.16 for escalated bid pricing; and
- WHEREAS: On February 19, 2025, the Board of the Buffalo Sewer Authority authorized Change Order No. CR-B-02 to Contract No. 82000050 in the amount of \$15,000 for emergency sewer cleaning and televising assistance in the collection system; and
- WHEREAS: The Senior Instrumentation and Control System Specialist and Principal Sanitary Engineer reviewed Change Order No. CR-B-03 to Contract No. 82000050 in the amount of (\$4,500,377.24) as detailed above and recommend approval.
- NOW
THEREFORE BE
IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. CR-B-03 to Contract No. 82000050 as written in the above Agenda Item, decreasing the contract cost in the amount of \$4,500,377.24, making the adjusted contract cost \$11,117,498.30

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MS. YOUNG-WATKINS</u>		
2 ND BY	<u>MR. SOLE</u>		
AYES	<u>4</u>	NOES	<u>0</u>

Board Meeting of September 2, 2026

ITEM NO. 9

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Phase I Secondary System Rehabilitation and Upgrades – Contract B
 BID: \$10,220,036.38
 NET CHANGE: \$900,961.92
 FINAL CONTRACT AMOUNT: \$11,120,998.30

CONTRACTOR:

J.A. Brundage, The Drain Doctor, Inc
 1400 College Ave
 Niagara Falls, NY 14305

WHEREAS: The Senior Instrumentation and Control System Specialist and Principal Sanitary Engineer have certified that the Contractor completed the work in accordance with the plans and specifications on January 6, 2026; and

WHEREAS In Item 9 the of the board agenda for September 2, 2026, the contract value was decreased by \$4,500,377.24

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 January 6, 2026;
- c. The maintenance period commenced on January 6, 2026;
- d. The final cost of the contract is \$11,120,998.30

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. SWANEKAMP	_____
2 ND BY	_____	MS. YOUNG-WATKINS	_____
AYES	_____	4	NOES _____ 0

Board Meeting of September 2, 2026

ITEM NO. 10

AUTHORIZATION TO PROVIDE REQUIRED MINIMUM LOCAL MATCH FUNDING FOR THE ENVIRONMENTAL FACILITIES CORPORATION 2025 GREEN RESILIENCY GRANT AWARD

- WHEREAS: The Buffalo Sewer Authority (BSA) has negotiated with the United States Environmental Protection Agency, the United States Department of Justice and the New York State Department of Environmental Conservation to address sewer system improvements to comply with the Federal Clean Water Act through the Combined Sewer Overflow Long-Term Control Plan (LTCP) which was approved by the agencies on March 18, 2014; and
- WHEREAS: The Rain Check 2.0 Program was created to achieve the goals of the LTCP by expanding green infrastructure in Buffalo, reducing stormwater runoff, protecting public health, incorporating equity considerations in decision-making, and maximizing the economic, social, and environmental benefits that come with implementing green infrastructure; and
- WHEREAS: An application for funding under the Green Resiliency Grant (GRG) program was submitted in August 2025, to support the construction of planned green infrastructure under the Rain Check 2.0 Program, and was awarded by the Environmental Facilities Corporation (EFC) on November 10, 2025, with a total funding amount of \$10,000,000.00; and
- WHEREAS: The Grant requires a minimum local matching share equal to a minimum of 10 percent of the total eligible project costs, as cash, administrative and/or technical force account, materials and equipment, or volunteer labor by qualified individuals, which was identified as being provided by the Buffalo Sewer Authority at the time that the application was submitted; and
- WHEREAS: The Grant requires a resolution authorizing a representative, by title, to execute the Grant Agreement and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the obligations under the Grant Agreement; and
- WHEREAS: The Principal Sanitary Engineer, and staff of the Buffalo Sewer Authority recommends that the Executive Secretary and Principal Sanitary Engineer be authorized to execute the GRG Grant Agreement and provide the minimum local match of \$1,000,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to provide the required minimum local match for the Environmental Facilities Corporation Green Resiliency Grant, at a total cost not to exceed \$1,000,000.00. Expenses for this Grant Match will utilize the Environmental Impact Bond.

BE IT FURTHER
RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer to act as a representative of the Buffalo Sewer Authority, to execute the Grant Agreement, and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the obligations under the Grant Agreement.

MOTION TO APPROVE

MADE BY MR. SWANEKAMP

2ND BY MR. SOLE

AYES 4 NOES 0

Board Meeting of September 2, 2026

ITEM NO. 11

CHANGE ORDER NO. 3 – CONTRACT NO 82000082

CONTRACTOR:	ORIGINAL CONTRACT COST	\$289,000.00
Wendel WD Architecture Engineering	PREVIOUS CHANGE ORDERS	\$114,650.00
375 Essjay Road Suite 200	THIS CHANGE ORDER	<u>\$120,000.00</u>
Williamsville, NY 14221	ADJUSTED CONTRACT COST	\$523,650.00

PROJECT: Hennepin Park Green Infrastructure

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional Construction Administration and Construction Phase Services are required to support the implementation of the Hennepin Park Green Infrastructure Project, including coordination with the Contractor, Buffalo Sewer Authority staff, funding agencies, utility owners, City departments, and other project stakeholders throughout construction. The complexity of the project site, located within an active urban park and requiring coordination among multiple stakeholders, is anticipated to require a greater level of construction phase effort, as well as a longer duration, than originally budgeted.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 The duration for support has been increased from approximately 6 months to 15 months.

COST OF CHANGE OR EXTRA WORK:

Item #1	\$120,000.00
THE TOTAL COST OF THE CHANGE OR EXTRA WORK:	\$120,000.00

WHEREAS: In Item No. 31, on June 26, 2024, the Board approved the Authorization to Enter Into An Agreement with Wendel Companies, Inc., For Professional Engineering Services; and

WHEREAS: On May 11, 2025, the Board approved a request for Change Order No. 1 to Contract No. 82000082 in the amount of \$64,500 for the additional design effort to incorporate the replacement of the basketball court located in the park and drainage systems for the playground and basketball court, including additional coordination, meetings and reviews with the Department of Public Works Parks Department; and

WHEREAS: On March 18, 2026, the Board approved a request for Change Order No. 2 to Contract No. 82000082 in the amount of \$50,000 for the additional effort to incorporate additional GI practices into the design as required for the Green Resiliency Grant Program funding; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for Change Order No. 3 to Contract No. 82000082 in the amount of \$120,000.00 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. 3 to Contract No. 82000082 as written in the above Agenda Item, increasing the contract cost in the amount of \$120,000.00, making the adjusted contract cost \$523,650.00. Expenses from this contract will be funded from Account No. 02000587-432004.

MOTION TO APPROVE

MADE BY MS. YOUNG-WATKINS

2ND BY MR. SOLE

AYES 4 NOES 0

Board Meeting of September 2, 2026

ITEM NO. 12

RESOLUTION FOR NOTICE OF INTENT THAT A SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (EIS) IS REQUIRED FOR THE DELAVAN TRUNK SEWER IMPROVEMENTS PROJECT (SPP 333 CSO-053 11)

- 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 area is located in the City of Buffalo Masten District; 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, on June 25, 2025, the Board determined that the Project is classified as an Unlisted Action; and
- WHEREAS: The Authority, serving as Lead Agency, published a Draft Environmental Impact Statement (DEIS) for the Project on July 9, 2025 in accordance with SEQRA and 6 NYCRR Part 617.9. A public comment period was held from July 9, 2025 to August 22, 2025, during which interested agencies and members of the public were provided an opportunity to review and comment on the DEIS; and
- WHEREAS: The Lead Agency has determined that a Supplemental Environmental Impact Statement (SEIS) is required in accordance with SEQRA and 6 NYCRR Part 617 because the proposed action has been modified since completion of the DEIS and supplemental environmental review will be required; and
- WHEREAS: The Principal Sanitary Engineer and staff have reviewed this request and as detailed above recommends its approval.

NOW THEREFORE
BE IT RESOLVED:

The Board of the Buffalo Sewer Authority hereby issues a Notice of Intent for the preparation of a Supplemental Environmental Impact Statement (SEIS) pursuant to SEQRA and 6 NYCRR Part 617 for the proposed Delavan Trunk Sewer Improvements Project (SPP 333 CSO-053_11).

MOTION TO _____ APPROVE _____

MADE BY _____ MR. SOLE _____

2ND BY _____ MS. YOUNG-WATKINS _____

AYES _____ 4 _____ NOES _____ 0 _____

Board Meeting of September 2, 2026

ITEM NO. 13

ADJOURNMENT OF MEETINGMOTION TO ADJOURNMADE BY MR. SWANEKAMP2ND BY MR. SOLEAYES 4 NOES 0

Board Meeting of September 2, 2026