

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
MARCH 7, 2018**

BUFFALO SEWER AUTHORITY

March 7, 2018

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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CALL OF THE ROLL

Present: Herbert L. Bellamy, Jr.
Christopher Roosevelt
Eleanor Petrucci
Oluwole A. McFoy, P.E.
Thomas Smith
Ronald Brown
Gelea James
Julie Barrett-O’Neill, Esq.
Catherine Knab, P.E.
Michael Letina
Roberta Gaiek, P.E.
Paul Harris
Laura Surdej

Chairman
Assistant Vice Chairman
Secretary
General Manager
Secretary to the General Manager
Executive Secretary
Director of Human Resources
General Counsel
Principal Sanitary Engineer
Treatment Plant Superintendent
Treatment Plant Administrator
Superintendent of Mechanical Maintenance
Erie County Department of Sewerage

Absent: John D. Kennedy, Sr.

Vice Chairman

The meeting was called to order at 9:05 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of February 14, 2018

MOTION TO ADOPT
MADE BY MS. PETRUCCI
2ND BY MR. ROOSEVELT
AYES 3 NOES 0

Board Meeting of March 7, 2018

ITEM NO. 2

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

As of January 31, 2018

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$2,187,167.06	Key	0.15%	Public NOW
08-Aug-17	08-Feb-18	184	\$2,309,209.47	Key Banc Capital	1.51%	\$17,828.07
10-Jul-17	27-Mar-18	260	2,992,437.51	Key Banc Capital	1.75%	\$37,916.67
16-Oct-17	17-Apr-18	183	\$5,979,099.96	Key Banc Capital	1.62%	\$49,410.00
14-Nov-17	15-May-18	182	\$12,037,080.12	Key Banc Capital	1.75%	\$107,051.39
08-Dec-17	08-Aug-18	243	8,412,491.00	JP Morgan Securities	1.82%	\$103,275.00
05-Jan-18	05-Jul-18	181	9,925,957.74	M&T Securities	1.80%	\$90,590.00
			<u>\$43,843,442.86</u>			
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		\$152,756.93	Key	0.15%	Public NOW
11-Jan-18	12-Feb-18	32	\$849,563.67	Key Banc Capital	1.47%	\$1,110.67
			<u>\$1,002,320.60</u>			
OPERATING FUND						
31-Jul-12	Super NOW		<u>\$2,649,691.07</u>	Key	0.15%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Money Market		<u>\$3,625.25</u>	Key	0.02%	Public Savings
SURPLUS FUND						
			\$28,200.35	Wilmington Fund		
02-Jan-18	05-Mar-18	62	\$9,987,000.00	Key Banc Capital	1.68%	\$28,466.67
			<u>\$10,015,200.35</u>			
NET REVENUE FUND						
			\$2,138.29	Wilmington Fund		
27-Oct-17	28-Feb-18	124	\$3,096,714.00	Key Banc Capital	1.36%	\$14,521.78
06-Nov-17	07-Mar-18	121	\$5,971,747.60	JP Morgan Securities	1.47%	\$29,546.18
18-Dec-17	26-Apr-18	129	\$7,969,760.00	JP Morgan Securities	1.73%	\$49,306.07
12-Jan-18	26-Apr-18	104	\$1,992,440.00	Key Banc Capital	1.70%	\$9,822.22
29-Nov-17	29-May-18	181	\$7,050,579.60	Key Banc Capital	1.71%	\$60,956.27
			<u>\$26,083,379.49</u>			

DEBT RESERVE FUND

				SERIES J	
02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
				Series K	
02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%
				Series L	
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
				Series M	
27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt	2.70%
				Series N	
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%

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Board Meeting of March 7, 2018

ITEM NO. 3

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

1/31/2018	00390105 HAMBURG Drain Float Bldg	-\$5,000.00	00520105 MAIN Building Materials	\$5,000.00
2/05/2018	00380105 INCIN Equipment Maintenance	-\$7,000.00	00520105 MAIN Building Materials	\$7,000.00
2/06/2018	00380105 INCIN Equipment Maintenance	-\$1,000.00	00520107 MAIN Office Equipment	\$1,000.00
2/08/2018	00380105 INCIN Equipment Maintenance	-\$3,000.00	00520107 MAIN Office Equipment	\$3,000.00
2/12/2018	00380105 INCIN Equipment Maintenance	-\$8,000.00	00370105 Centrifuge Equipment Maintenance	\$8,000.00
2/12/2018	00280105 SWWP Equipment Maintenance	-\$42,000.00	00290105 AER Equipment Maintenance	\$42,000.00
2/12/2018	00380106 INCIN Maintenance Contract	-\$850.00	00520105 MAIN Equipment Maintenance	\$850.00
2/12/2018	00380105 INCIN Equipment Maintenance	-\$25,000.00	00200106 PLAN Equipment Maintenance	\$25,000.00
2/14/2018	00280105 SWWP Equipment Maintenance	-\$6,400.00	00520105 MAIN Equipment Maintenance	\$6,400.00

Sewer Maintenance Division

2/15/2018	00660105 SWRR Road and Highway Maintenance	-\$2,000.00	00690105 Auto Automotive Repairs	\$2,000.00
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Board Meeting of March 7, 2018

ITEM NO. 4

**PRELIMINARY OUTLINE OF OPERATING BUDGET FOR THE FISCAL YEAR
COMMENCING JULY 1, 2018**

A proposed Operating Budget, with full details, for the fiscal year beginning July 1, 2018, will be presented for formal consideration by your Honorable Body at the next scheduled meeting on April 4, 2018. This proposed budget will be in an amount not to exceed \$55,750,000 which is an \$800,000 (1.46%) increase from the current budget of \$54,950,000.

At this time, an outline of the proposed budget is submitted for your tentative approval. Once approved, we will proceed in the preparation of a formal budget document complete with comparison charts and exhibits. Attached to this outline are the following exhibits:

A Revenue Estimate and comparison for the years 2015-16 to 2018-19 Proposed;

A comparison of Appropriation by Division for the years 2015-16 to 2018-19 Proposed;

Capital Budget Projects for 2018-2019.

Sewer rents based on assessed valuation will not be increased to fund this proposed budget. The final rate for sewer rent will be dependent upon the final City assessed valuation. Sewer rents based upon water usage will not be increased. The estimate of sewer rents based on water use and the final budget appropriation estimates will be detailed at the scheduled meeting of April 4, 2018.

WHEREAS: The preliminary budget presented herein reflects a balanced plan to fund the necessary operations of the Buffalo Sewer Authority for the fiscal year beginning July 1, 2018.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to proceed in preparing a detailed budget not to exceed \$55,750,000 to be submitted to this Body at the meeting of April 4, 2018.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MS. PETRUCCI</u>	
2 ND BY	<u>MR. ROOSEVELT</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of March 7, 2018

**BUFFALO SEWER AUTHORITY
REVENUE ESTIMATE
2017-2018 PRELIMINARY BUDGET**

<u>Revenue</u>	<u>2015-2016 Actual</u>	<u>2016-2017 Actual</u>	<u>2017-2018 Budget</u>	<u>2018-2019 Budget</u>
Assessment Sewer Rents	\$12,247,660	\$12,108,674	\$12,082,600	\$12,082,600
Water Use Sewer Rents	27,177,999	26,993,253	26,100,000	25,400,000
Outside City-Sewer Connection	11,049,188	15,708,267	12,000,000	13,250,000
Industrial Waste	2,425,996	1,944,290	2,021,000	1,822,000
Interest Income	1,499,243	1,829,294	1,765,000	2,249,000
Miscellaneous	1,347,984	1,668,217	981,400	946,400
Total Revenues	<u>\$55,748,070</u>	<u>\$60,251,995</u>	<u>\$54,950,000</u>	<u>\$55,750,000</u>

**BUFFALO SEWER AUTHORITY
APPROPRIATIONS BY DIVISION
2018-2019 PRELIMINARY BUDGET**

<u>Division</u>	<u>2015-2016 Actual</u>	<u>2016-2017 Actual</u>	<u>2017-2018 Budget</u>	<u>2018-2019 Budget</u>
General Offices	\$1,246,161	\$1,420,367	\$1,885,371	\$1,544,826
Wastewater Treatment Facility	16,698,109	16,607,884	22,470,534	24,101,841
Industrial Waste	426,198	529,169	600,490	667,499
Engineering	1,145,216	874,016	1,480,162	1,424,989
Sewer Maintenance	3,124,741	3,103,108	4,874,955	5,512,390
Miscellaneous Financial Chgs	4,138,690	4,990,868	6,849,690	6,224,690
Fringe Benefits	8,564,882	9,128,640	10,940,315	11,139,619
Debt Service & Reserve	4,244,553	3,507,989	5,848,483	5,134,146
Total Appropriations	<u>\$39,588,550</u>	<u>\$40,162,041</u>	<u>\$54,950,000</u>	<u>\$55,750,000</u>

**BUFFALO SEWER AUTHORITY
CAPITAL PROJECTS
2018 - 2019 PRELIMINARY BUDGET**

<u>PROJECT TITLE:</u>	ESTIMATED COST
<u>TREATMENT PLANT:</u>	
PRIMARY/SECONDARY TREATMENT REHABILITATION	\$2,500,000
HARBOR GATES/INLET GATES (3) REHABILITATION	1,750,000
DIGESTER CLEANING	350,000
LOCKER ROOM/CONTROL ROOM IMPROVEMENTS THROUGHOUT PLANT	1,000,000
TERM PLANT CONTRACTS (IN-PLANT SERVICE)	1,500,000
REPLACE AHU'S	1,000,000
TURBO COMPRESSOR OF PLANT AIR SYSTEM	750,000
SWW PUMP AND MOTOR REHABILITATION	750,000
THICKENER REHABILITATION, PUMPS, CONTROLS AND TOP/BOTTOM COLLECTORS/RETENTION TANKS/RECIRC SYSTEM PUMPS	300,000
SWW CONTROLS/FACILITY CONTROLS/FIBER OPTIC/SR IO/RWW IO	300,000
SOLAR ENERGY	<u>2,000,000</u>
TREATMENT PLANT TOTAL	\$12,200,000
<u>COLLECTION SYSTEM:</u>	
SEWER CLEANING AND TV INSPECTION – PREVENTATIVE	\$1,500,000
SEWER CLEANING AND TV INSPECTION - CORRECTIVE	3,000,000
SEWER REPAIR & REPLACEMENT	3,250,000
GI SYSTEM WIDE	1,500,000
NIAGARA PHASE 4	3,400,000
NORTH DISTRICT RTC	2,054,000
SCAJAQUADA DISTRICT RTC	2,441,000
SOUTH CENTRAL DISTRICT RTC	1,895,000
NORTH RELIEF INTERCEPTOR	5,400,000
CSO 013	500,000
ALLEN ST. SEWER REPLACEMENT – DELAWARE TO WADSWORTH	875,000
<u>PROJECT TITLE:</u>	ESTIMATED COST
EAST FERRY/SOUTH PARK GRIT REMOVAL	1,500,000

WINDSOR/SENECA/CENTRAL/CHELSEA/WEST DEVAVAN	2,250,000
BELL/DOAT/GENESEE	550,000
BIRD ISLAND ROAD PROJECT	2,000,000
COLLECTION SYSTEM TOTAL	\$32,115,000
<u>GRAND TOTAL</u>	<u>\$44,315,000</u>

ITEM NO. 5

TRAVEL AUTHORIZATION - CLEVELAND, OHIO

WHEREAS: Best practices for effective and equitable water utility management are of special interest to the Buffalo Sewer Authority in support of the Authority's Combined Sewer Overflow Long Term Control Plan; and

WHEREAS: The US Water Alliance has invited the City of Buffalo, as represented by the Buffalo Sewer Authority, Buffalo Water Board, Community Foundation of Greater Buffalo, Buffalo Niagara Waterkeeper, People United for Sustainable Housing, and WNY Environmental Alliance to participate in a two-year water utility equity peer learning exchange that will include similar teams from Atlanta, GA; Camden, NJ; Cleveland, OH; Louisville, KY; and Milwaukee, WI; and

WHEREAS: To facilitate peer learning, the US Water Alliance Water Equity Task Force will host three (3) meetings of the delegates from the six (6) cities, with the first meeting scheduled for Cleveland, Ohio from March 27-29, 2018; and

WHEREAS: The Alliance has invited the Authority's General Manager and General Counsel to participate in these meetings as part of the peer learning project; and

WHEREAS: The General Manager recommends that he and the General Counsel attend the Cleveland meeting.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes BSA General Manager and General Counsel to travel to Cleveland, Ohio from March 27 through March 29, 2018 to participate in the US Water Alliance Water and Equity Task Force meeting at a cost not to exceed \$1,500.00. Expenses for this travel shall be charged to accounts 00110104-458010 and 00600104-458010.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MS. PETRUCCI</u>	
2 ND BY	<u>MR. ROOSEVELT</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of March 7, 2018

ITEM NO. 6

CONTRACT APPROVAL - LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex labor relations matters that require the skill of specialized labor relations attorneys; and

WHEREAS: The law firm Phillips Lytle LLP has extensive experience in these areas; and

WHEREAS: Upon request, Phillips Lytle LLP has submitted a proposal to represent the Buffalo Sewer Authority in connection with 2018 Contract Negotiations relating to Civil Service Employees Association, Local 1000 AFSME, AFL-CIO and Communications Workers of America, AFL-CIO; and

WHEREAS: The Director of Employee Relations recommends approval to retain Phillips Lytle LLP for 2018 Contract Negotiations in an amount not to exceed \$50,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Phillips Lytle LLP to provide legal services to the Buffalo Sewer Authority in connection with 2018 Contract Negotiations relating to Civil Service Employees Association, Local 1000 AFSME, AFL-CIO and Communications Workers of America, AFL-CIO in an amount not to exceed \$50,000.00. Account no. 00110106-432003 shall be utilized for these services.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of March 7, 2018

ITEM NO. 7

CHANGE ORDER NO. 1 – CONTRACT NO. 81600012

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,097,000.00
Quackenbush Company, Inc.	PREVIOUS CHANGE ORDER	n/a
495 Kennedy Road	THIS CHANGE ORDER (DEDUCT)	<u>(\$26,904.24)</u>
Buffalo, New York 14227	ADJUSTED CONTRACT COST	\$1,070,095.76

PROJECT: Dissolved Air Flootation Separator Top & Bottom Skimmer Replacement

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Unused Contingency Allowance

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Unused Contingency Allowance

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$26,904.24)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$26,904.24)

The total DECREASE to the contract as a result of this Change Order is \$26,904.24

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.
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 guarantee 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.

NOW THEREFORE

BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81600012 as written in the above Agenda Item, decreasing the contract cost in the amount of \$26,904.24 making the adjusted contract cost \$1,070,095.76.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MS. PETRUCCI</u>	
2 ND BY	<u>MR. ROOSEVELT</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of March 7, 2018

ITEM NO. 8

CONTRACT NO. 81600012

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Dissolved Air Floatation Separator Top & Bottom Skimmer Replacement

BID: \$1,097,000.00

CONTRACTOR: Quackenbush Company, Inc.
495 Kennedy Road.
Buffalo, New York 14227

WHEREAS: The Treatment Plant Administrator of the Buffalo Sewer Authority and consulting engineer have certified that the Contractor completed the work in accordance with the plans and specifications on March 6, 2018; and

WHEREAS: The Board of the Buffalo Sewer Authority approved Change Order No. 1 on March 7, 2018, in the amount of (\$26,904.24), thereby bringing the final adjusted contract amount to \$1,070,095.76.

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 March 6, 2018;
- c. The maintenance period commence on March 6, 2018;
- d. Final payment be made to the Contractor in the amount of \$53,584.79, making the final cost of the contract \$1,070,095.76.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MR. ROOSEVELT</u>	
2 ND BY	<u>MS. PETRUCCI</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of March 7, 2018

ITEM NO. 9

EXTENSION OF THE CONTRACT FOR SECURITY GUARD SERVICES

- WHEREAS: On April 1, 2015, the Board of the Buffalo Sewer Authority awarded a contract to Securitas Security Services USA, Inc., for security guard services at the Bird Island Facility at a total cost not to exceed \$302,345.28 for the period July 1, 2015 to June 30, 2016, with an option to renew for four (4) one-year periods; and
- WHEREAS: The NYS Department of Labor's prevailing hourly wage rate on July 1, 2015, increased by a total of \$0.34 resulting in the allowable billable rate increasing from \$17.21/hr. to \$17.55/hr. for this service; and
- WHEREAS: On October 7, 2015, the Board authorized an increase from \$302,345.28 to a total not to exceed \$308,318.40 for fiscal year 2015-2016; and
- WHEREAS: On March 2, 2016, the Board authorized the extension of this contract for one (1) additional year under the same terms and conditions at a cost not to exceed \$307,476.00. This decrease amount was due to the previous year being a leap year which resulted in one (1) less day; and
- WHEREAS: The NYS Department of Labor's prevailing hourly wage rate on July 1, 2016, decreased by a total of \$0.14 resulting in the allowable billable rate decreasing from \$17.55/hr. to \$17.41/hr for a total cost of \$305,865.60 for this service; and
- WHEREAS: On April 5, 2017, the Board authorized the extension of this contract for the period July 1, 2017 to June 30, 2018; and
- WHEREAS: The NYS Department of Labor's prevailing hourly wage rate on July 1, 2017, increased by a total of \$0.09/hr. resulting in the billable rate increasing from \$17.41/hr to \$17.50/hr. for a total cost of \$307,442.40 for this service; and
- WHEREAS: Securitas Security Services USA, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2018-2019; and
- WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$307,442.40.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Securitas Security Services USA, Inc., for security guard services at the Bird Island Facility for the period July 1, 2018 to June 30, 2019, at a cost not to exceed \$307,442.40. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of March 7, 2018