

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
DECEMBER 5, 2018**

56587 56604

BUFFALO SEWER AUTHORITY

December 5, 2018

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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CALL OF THE ROLL

Present:	<u>Herbert L. Bellamy, Jr.</u>	<u>Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor Petrucci</u>	<u>Secretary</u>
	<u>Oluwole McFoy, P.E.</u>	<u>General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Gelea James</u>	<u>Director of Employee Relations</u>
	<u>Catherine Knab, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Frank Rafferty</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Paul Harris</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Tracy King</u>	<u>Press Information Officer</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
Absent:	<u>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>

The meeting was called to order at 9:08 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of November 7, 2018

MOTION TO	<u>ADOPT</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 December 5, 2018

ITEM NO. 2

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

As of October 31, 2018

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$853,819.60	Key	0.15%	Public NOW
15-May-18	16-Nov-18	185	\$1,498,520.01	Key Banc Capital	2.36%	\$18,191.67
28-Sep-18	21-Nov-18	54	\$1,984,426.84	Key Banc Capital	2.31%	\$6,884.95
15-May-18	12-Dec-18	211	\$1,495,765.02	Key Banc Capital	2.40%	\$21,100.00
04-May-18	22-Jan-19	263	\$7,953,520.08	Key Banc Capital	2.66%	\$155,462.22
04-May-18	28-Jan-19	269	\$5,962,620.00	Key Banc Capital	2.50%	\$112,083.33
09-Jul-18	31-Jan-19	206	\$5,934,786.72	Key Banc Capital	2.72%	\$117,866.67
23-Aug-18	20-Feb-19	181	\$2,236,689.40	Key Banc Capital	2.61%	\$29,591.24
08-Aug-18	05-Mar-19	209	\$2,395,154.48	JP Morgan Securities	2.47%	\$34,845.52
15-May-18	26-Mar-19	315	\$6,953,310.07	Key Banc Capital	2.70%	\$137,025.00
08-Aug-18	24-Apr-19	259	\$5,918,916.66	Key Banc Capital	2.70%	\$116,550.00
15-Oct-18	02-Jul-19	260	\$5,099,553.42	Key Banc Capital	2.90%	\$108,911.11
			<u>\$48,287,082.30</u>			
LIABILITY AND CASUALTY RESERVE FUND						
			\$100,693.44	Key	0.15%	Public NOW
10-Oct-18	09-Nov-18	30	\$901,499.39	Key Banc Capital	2.17%	\$1,631.12
			<u>\$1,002,192.83</u>			
OPERATING FUND						
31-Jul-12	Super NOW		<u>\$2,501,370.38</u>	Key	0.15%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Money Market		<u>\$6,067.04</u>	Key	0.02%	Public Savings
SURPLUS FUND						
			\$195,923.16	Wilmington Fund	1.35%	
02-Jul-18	29-Mar-19	270	\$9,806,500.00	JP Morgan Securities	2.58%	\$193,500.00
			<u>\$10,002,423.16</u>			
NET REVENUE FUND						
			\$0.00	Wilmington Fund		
29-May-18	26-Nov-18	181	\$5,618,350.52	Key Bank Capital	2.47%	\$70,649.48
31-Oct-18	29-Jan-19	90	\$5,067,997.50	Key Bank Capital	2.51%	\$32,002.50
11-Jul-18	29-Mar-19	260	\$9,195,735.11	Key Bank Capital	2.72%	\$184,264.89
03-Oct-18	01-Apr-19	180	\$7,399,875.00	Key Banc Capital	2.67%	\$100,681.25
			<u>\$27,281,958.13</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%

RECEIVE & FILE

Board Meeting of December 5, 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.

Engineering Division

11/15/2018	00600104 Eng Registration Fees & Dues	-\$165.00	00110106 Eng Advertisement	\$165.00
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General Financial Charges

10/25/2018	00800183 Financial Contingency	-\$3,799.00	00110106 Admin Membership Dues	\$3,799.00
11/16/2018	00800183 Financial Contingency	-\$370.00	00110104 Board Registration & Dues	\$370.00
11/19/2018	00800183 Financial Contingency	-\$3,898.57	00110107 Admin Office Equipment	\$3,898.57

RECEIVE & FILE

Board Meeting of December 5, 2018

ITEM NO. 4

AUTHORIZATION TO AMEND BOARD RESOLUTION NO. 3 OF THE BOARD MEETING OF OCTOBER 4, 2017 - FUND BALANCE DESIGNATION

WHEREAS: On October 4, 2017, the Board of the Buffalo Sewer Authority approved an amendment to Board Resolution No. 5 of the Board Meeting of September 20, 2017 – Fund Balance Designation; and

WHEREAS: It is now necessary to amend the verbiage in the second paragraph in the amended item to read as follows:

“Due to an audit related oversight, the dollar amounts for the Encumbrances and Capital Projects were incorrect.”

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above amended verbiage to the second paragraph of Board Resolution No. 3 of the Board Meeting of October 4, 2017 – Fund Balance Designation.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of December 5, 2018

ITEM NO. 5

AUTHORIZATION TO AMEND BOARD RESOLUTION NO. 9 OF THE BOARD MEETING OF NOVEMBER 7, 2018 – TRAVEL AUTHORIZATION – SAN DIEGO, CA

WHEREAS: At the November 7, 2018 Meeting, the Board of the Buffalo Sewer Authority authorized the Chairman of the Board to travel to San Diego, CA from November 13-17, 2018, to attend the National Association of Clean Water Agencies National Clean Water Law Seminar at a total cost not to exceed \$2,500.00; and

WHEREAS: Expenses for this trip, including seminar registration, lodging, meals and transportation costs totaled \$3,661.16; and

WHEREAS: It is now necessary to amend the resolution authorizing this travel.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes Board Resolution No. 9 of the Board Meeting of November 7, 2018 – Travel Authorization – San Diego, CA be amended as follows:

“That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Board to travel to San Diego, CA from November 13-17, 2018, to attend the National Association of Clean Water Agencies National Clean Water Law Seminar at a total cost not to exceed \$3,661.16. Account nos. 00100104-458010 and 00100104-458012 will be utilized for this travel.”

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of December 5, 2018

ITEM NO. 6

TRAVEL AUTHORIZATION - ATLANTA, GEORGIA

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, Groundworks Buffalo, 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 Buffalo Learning Team will be meeting in Atlanta, Georgia from November 28 - 30, 2018; and

WHEREAS: As part of the Buffalo Learning Team, the Authority's General Manager and Special Assistant (BSA) will participate in the peer exchange and panel discussions during the meeting to share priorities for future action; and

WHEREAS: Due to time constraints, the Board of the Buffalo Sewer Authority was polled on November 27, 2018, and verbally authorized this travel; and

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

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby formally authorizes the General Manager and Special Assistant (BSA) to travel to Atlanta, Georgia from November 28 – December 1, 2018, to participate in the US Water Alliance Water and Equity Task Force meeting at a cost not to exceed \$3,500.00. Expenses for this travel shall be charged to accounts 00110104-458010 and 00110104-458012.

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

Board Meeting of December 5, 2018

ITEM NO. 7

TRAVEL AUTHORIZATION - NEW YORK, NEW YORK

WHEREAS: The Buffalo Sewer Authority must be up-to-date on current environmental regulations in order to maintain compliance; and

WHEREAS: The 91st Annual Meeting of the New York Water Environment Association, Inc., (NYWEA) will be held in New York from February 3, 2019 – February 6, 2019, covering an overview of environmental requirements and aging infrastructures; and

WHEREAS: The Chairman of the Board, General Manager, Treatment Plant Superintendent, Treatment Plant Administrator, Assistant Principal Engineer, Senior Instrument Technician, Shift Superintendents, and Wastewater Operator II need to remain current with regulations affecting their respective areas of expertise; and

WHEREAS: The General Manager recommends attendance at the 91st Annual Meeting of NYWEA.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Board, General Manager, Treatment Plant Superintendent, Treatment Plant Administrator, Assistant Principal Engineer, Senior Instrument Technician, Shift Superintendents and Wastewater Operator II to travel to New York City from February 2 – 6, 2019, to attend the 91st Annual Meeting of the New York Water Environment Association, Inc., at a total cost not to exceed \$24,000.00. Account nos. 00110104-458010, 00110104-458012, 00100104-458010, 00100104-458012, 00200104-458010, 00200104-458012, 00600104-458010, 00600104-458012, 00650104-458010 and 00650104-458012 will be utilized for this travel.

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 December 5, 2018

ITEM NO. 9

**AUTHORIZATION FOR A CHANGE ORDER TO PURCHASE ORDER NO. 21900425 -
PURCHASE OF MICROSOFT OFFICE 365**

WHEREAS: At the September 26, 2018 Meeting, the Board of the Buffalo Sewer Authority approved the purchase of Microsoft Office 365 from Dell in the amount of \$32,115.60; and

WHEREAS: NYS Contract PM20820 pricing was utilized in the original quote from Dell. The order was not able to be processed before this quote's expiration date of September 30, 2018; and

WHEREAS: Purchase Order No. 21900425 was created for the purchase of Microsoft Office 365 from Dell in the amount of \$32,115.60; and

WHEREAS: Due to a NYS Contract price increase of \$2,158.20 beginning October 1, 2018, it is now necessary to increase the amount of this purchase order to \$34,273.80.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves a change order to increase Purchase Order No. 21900425 in the amount of \$2,158.20 for the purchase of Microsoft Office 365. The total cost of this purchase shall not exceed \$34,273.80 and will be charged to account no. 00200107-474300.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of December 5, 2018

ITEM NO. 10

CHANGE ORDER NO. 1 – CONTRACT NO. 81900005

CONTRACTOR:	ORIGINAL CONTRACT COST	\$188,700.00
K&E Fabricating, Inc.	PREVIOUS CHANGE ORDER	N/A
40 Stanley Street	THIS CHANGE ORDER (DEDUCT)	<u>(\$3,440.00)</u>
Buffalo, NY 14206	ADJUSTED CONTRACT COST	\$185,260.00

PROJECT: Oil System Pipe Removal

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Unused Allowance

REASON FOR CHANGE OR EXTRA WORK:

Item #1 The contractor did not use the entire contingency allowance during the project.

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$3,440.00)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$3,440.00)

The total DECREASE to the contract as a result of this Change Order is \$3,440.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81900005 as written in the above Agenda Item, decreasing the contract cost in the amount of \$3,440.00, making the adjusted contract cost \$185,260.00.

MOTION TO APPROVEMADE BY MR. ROOSEVELT2ND BY MS. PETRUCCIAYES 3 NOES 0

Board Meeting of December 5, 2018

ITEM NO. 11

CONTRACT NO. 81900005

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Oil System Pipe Removal

BID: \$188,700.00

CONTRACTOR: K&E Fabricating, Inc.
40 Stanley Street.
Buffalo, NY 14206

WHEREAS: The Treatment Plant Administrator of the Buffalo Sewer Authority and staff have certified that the Contractor completed the work in accordance with the plans and specifications on December 5, 2018; and

WHEREAS: The Board of the Buffalo Sewer Authority approved Change Order No. 1 on December 5, 2018 in the amount of (\$3,440.00), thereby bringing the final adjusted contract amount to \$185,260.00.

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 December 5, 2018;
- c. The maintenance period commence on December 5, 2018;
- d. Final payment be made to the Contractor in the amount of \$9,263.00, making the final cost of the contract \$185,260.00.

MOTION TO APPROVEMADE BY MS. PETRUCCI2ND BY MR. ROOSEVELTAYES 3 NOES 0

Board Meeting of December 5, 2018

ITEM NO. 12

CHANGE ORDER NO. 1 – CONTRACT NO. 81800007

CONTRACTOR:	ORIGINAL CONTRACT COST	\$50,000.00
JM Davidson Engineering, D.P.C.	PREVIOUS CHANGE ORDER	N/A
525 Wheatfield Street, Suite 20	THIS CHANGE ORDER	<u>\$50,000.00</u>
North Tonawanda, NY 14120	ADJUSTED CONTRACT COST	\$100,000.00

PROJECT: Development of Standard Operating Procedures for Sewer Maintenance Division

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Monthly SOP Committee Meetings and Job Descriptions and Core Competency Gap Analysis

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Additional work is related to additional phases of work. The original contract was specifically designed to limit the initial phase to allow for review of work and internal decision making as to continuing with development of SOPs.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$50,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$50,000.00

The Total INCREASE to the contract as a result of this Change Order is \$50,000.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81800007 as written in the above Agenda Item, increasing the contract cost in the amount of \$50,000.00, making the adjusted contract cost \$100,000.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of December 5, 2018

ITEM NO. 13

CHANGE ORDER NO. 1 – CONTRACT NO. 81800018

CONSULTANT:	ORIGINAL CONTRACT COST	\$160,000.00
On the Mark Utility Locating Services, LLC	PREVIOUS CHANGE ORDER	N/A
1280 Scottsville Rd, Suite 60	THIS CHANGE ORDER	<u>\$145,000.00</u>
Rochester, NY 14624	ADJUSTED CONTRACT COST	\$305,000.00

PROJECT: Utility Location Professional Services

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional monies to fund the contract through the end of the fiscal year.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 The consultant will continue to perform utility locating services.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$145,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$145,000.00

The total INCREASE to the contract as a result of this Change Order is \$145,000.00

WHEREAS: Due to time constraints the Board of the Buffalo Sewer Authority was polled on November 26, 2018, and verbally authorized this change order; and

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