

FILE COPY

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

April 10, 2019

BUFFALO SEWER AUTHORITY

April 10, 2019

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

<u>ITEM NO.</u>	<u>CONTENTS</u>	<u>PAGE NO.</u>
	Roll Call	
1	Motion to Adopt the Minutes of March 6, 2019	56681
2	Informative: Temporary Investments	56682-83
3	Informative: Reallocation of Funds	56684-85
4	Consideration of the Operating Fund Budget for Fiscal Year 2019-20	56686
5	Authorization for Issuance of Credit Cards	56687
6	Contract Approval – Property and Crime Insurance	56688
7	Claim Against Liability and Casualty Reserve Fund	56689
8	Notice of Violation and Administrative Order	56690
9	Travel Authorization - Fort Lauderdale, FL	56691
10	Travel Authorization - Nashville, TN	56692
11	Travel Authorization - Austin, TX	56693
12	Amendment to Sole Source Listing for Selected Instrumentation, Maintenance, Laboratory and Office Equipment for Fiscal Year 2018-19	56694
13	Amendment to Sole Source Listing for Selected Instrumentation, Maintenance, Laboratory and Office Equipment for Fiscal Year 2018-19	56695-96
14	Report on Bids Received - Formal Bid Opening for Induced Draft (ID) Fan Inspection, Preventative Maintenance & Repair Services	56697-98
15	Report on Bids Received - Formal Bid Opening – Purchase of Sodium Hypochlorite	56699
16	Extension of the Contract for Uniforms/Coveralls	56700
17	Extension of the Contract for Overhead Door Preventive Maintenance and Repair Services	56701

18	Extension of the Contract for Emissions Testing	56702
19	Authorization for Purchase of Effluent Valves for Bird Island Treatment Facility Aeration Tanks	56703-04
20	Authorization for Purchase of Meraki Aggregation Switch 16 Port Fiber	56705
21	Authorization for Purchase of GEA Westfalia Parts for the rebuild of Centrifuges 1, 2, and 3	56706
22	Authorization for Purchase of Smith and Loveless Parts for the Grit Building	56707
23	Change Order No. 4 – Contract No. 81700009	56708-09
24	Certificate of Acceptance and Occupancy – Contract No. 81700009	56710
25	Reports on Bids Received - Purchase of Various Gray Cast Iron Castings	56711
26	Reports on Bids Received – Purchase of Various New and Unused Steel Products	56712
27	Authorization for Betterment as Part of the Niagara Street Gateway Project Phase 4A	56713
28	Authorization to Purchase a Vehicle under the Onondaga Bid 2019 7974	56714-15
29	Authorization to Purchase a Backhoe under State Contract	56716
30	Utility Work Agreement (HC-140) – New York State Department of Transportation PIN 5EST.01	56717-18
31	Travel Authorization - Madison, WI	56719
32	Confirmation of Appointments	56720
33	Adjournment of Meeting	56721

ATTACHMENT A – Credit Card Policy

CALL OF THE ROLL

Present:	<u>Herbert L. Bellamy, Jr.</u>	<u>Chairman</u>
	<u>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor Petrucci</u>	<u>Secretary</u>
	<u>Oluwole A. 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>Allison Lack</u>	<u>General Council</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</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>Laura Surdej</u>	<u>Erie Co. Dept. of Sewerage</u>
Absent:	<u>none</u>	

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

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of March 6, 2019

MOTION TO ADOPT
MADE BY MS. PETRUCCI
2ND BY MR. ROOSEVELT
AYES 4 NOES 0

Board Meeting of April 10, 2019

ITEM NO. 2

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

As of 2-28-2019

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$1,981,431.10	Key	0.15%	Public NOW
08-Aug-18	05-Mar-19	209	\$2,418,318.75	Key Banc Capital	2.47%	\$34,845.52
09-Jul-18	26-Mar-19	260	\$5,989,426.68	Key Banc Capital	2.72%	\$117,866.67
08-Aug-18	24-Apr-19	259	\$5,976,808.44	Key Banc Capital	2.70%	\$116,550.00
20-Feb-19	29-Apr-19	68	\$2,225,575.78	Key Banc Capital	2.46%	\$10,385.30
22-Feb-19	29-Apr-19	66	\$1,991,566.71	Key Banc Capital	2.46%	\$9,020.00
22-Jan-19	22-May-19	120	\$7,868,466.45	Key Banc Capital	2.71%	71,498.83
31-Jan-19	31-May-19	120	\$4,569,670.73	Key Banc Capital	2.56%	\$39,253.33
15-Oct-18	02-Jul-19	260	\$5,153,789.37	Key Banc Capital	2.90%	\$108,911.11
28-Jan-19	29-Jul-19	182	\$5,904,643.48	Key Banc Capital	2.74%	\$82,697.77
			\$44,079,697.49			
LIABILITY AND CASUALTY RESERVE FUND						
			\$109,943.42	Key	0.15%	Public NOW
12-Feb-19	11-Mar-19	27	\$899,329.01	Key Banc Capital	2.34%	\$1,579.50
			\$1,009,272.43			
OPERATING FUND						
31-Jul-12	Super NOW		\$3,595,806.97	Key	0.15%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Money Market		\$4,732.95	Key	0.20%	Public Savings
SURPLUS FUND						
			\$ 197,040.00	Wilmington Fund	1.77%	
02-Jul-18	29-Mar-19	270	\$ 9,806,500.00	JP Morgan Securities	2.58%	\$193,500.00
			\$173,710.10	Accrued Income		
			\$10,177,250.10			
NET REVENUE FUND						
			\$97.81	Wilmington Fund		
11-Jul-18	28-Mar-19	260	\$9,195,735.11	Key Banc Capital	2.72%	\$184,264.89
03Oct-18	01-Apr-19	180	\$7,399,875.00	Key Banc Capital	2.67%	\$100,681.25
19-Feb-19	29-Apr-19	69	\$1,791,478.50	Key Banc Capital	2.47%	\$8,521.50
20-Feb-19	29-Apr-19	68	\$1,409,420.32	Key Banc Capital	2.46%	\$6,579.68
29-Jan-19	29-Jul-19	181	\$5,917,343.34	Key Banc Capital	2.74%	\$82,656.66
			\$264,344.54	Accrued Income		
			\$25,978,294.62			

DEBT RESERVE FUND

			Series J		
02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
			<u>\$4,078.58</u>	Accrued Income	
			\$519,957.58		
			Series K		
02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%
			<u>\$377.39</u>		
			\$361,792.39		
			Series L		
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			<u>\$6,979.58</u>	Accrued Income	
			\$696,526.58		
			Series M		
27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt	2.70%
			<u>\$5,330.90</u>	Accrued Income	
			\$600,943.90		
			Series N		
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
			<u>\$19,738.99</u>	Accrued Income	
			\$2,186,895.99		
			\$0.01	DSF PRN & INT Wilmington Fund	

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Board Meeting of April 10, 2019

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

2/26/2019	00520106 Main Maintenance Contract	- \$305.00	00290105 Chemicals and Gases	\$305.00
2/28/2019	00510107 Lab Operating Equipment	- \$7,160.00	00510105 Lab Laboratory Supplies	\$7,160.00
3/5/2019	00520106 Main Maintenance Contract	- \$4,000.00	00520105 Main Building Materials	\$4,000.00
3/13/2019	00300103 Blow Electric Light & Power	- \$100,000.00	00360103 DEWA Water	\$100,000.00
3/13/2019	00520106 Main Maintenance Power	\$3,000.00	00230105 GRIT Equipment Maintenance	\$3,000.00
3/13/2019	00520106 Main Maintenance Power	-\$15,000.00	00440105 KELS Equipment Maintenance	\$15,000.00
3/21/2019	00300103 Blow Electric Light & Power	-\$286,000.00	00200107 PLAN Office Equipment	\$286,000.00
3/22/2019	00370106 Centrifuge Repairs to Equipment	-\$50,000.00	00370105 Centrifuge Equipment Maintenance	\$50,000.00

Sewer Maintenance Division

3/12/2019	00690107 Auto Cars	-\$38,985.00	00650106 SWRR Lease Equip & Vehicles	\$38,985.00
3/14/2019	00650103 SWRM Gas	-\$1,500.00	00650104 SWRM Registration Fees & Dues	\$1,500.00

Engineering Division

3/13/2019	00600106 ENG Engineering and Tech	-\$1,647.28	00600107 ENG Cars and Vehicle	\$1,647.28
3/14/2019	00600106 ENG Engineering and Tech	-\$2,250.00	00110107 Admin Office Equipment	\$2,250.00

General Financial Charges

2/15/2019	00800183 Fin Contingency	-\$750.00	00110104 Admin Travel Expenses	\$750.00
2/25/2019	00800183 Fin Contingency	-\$3,750.00	00110107 Admin Office Equipment	\$3,750.00
03/14/2019	00800183 Fin Contingency	-\$575.98	00200107 PLAN Office Equipment	\$575.98

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Board Meeting of April 10, 2019

ITEM NO. 4

CONSIDERATION OF THE OPERATING FUND BUDGET FOR FISCAL YEAR 2019-20

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, 2019.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. PETRUCCI

AYES 4 NOES 0

Board Meeting of April 10, 2019

ITEM NO. 5

AUTHORIZATION FOR ISSUANCE OF CREDIT CARDS

WHEREAS: The Buffalo Sewer Authority has a Credit Card Policy that governs the issuance and proper use of BSA credit cards; and

WHEREAS: The Credit Card Policy requires the Board to designate individuals to be issued BSA credit cards; and

WHEREAS: Each credit card will be issued by KeyBank, and have an authorized credit limit of \$10,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes BSA credit cards to be issued to Judith Eagan, Paulette Lee, and LaToya Cunningham.

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

Board Meeting of April 10, 2019

ITEM NO. 6

CONTRACT APPROVAL - PROPERTY AND CRIME INSURANCE

WHEREAS: The Buffalo Sewer Authority currently receives property insurance coverage through Affiliated FM Insurance Company, and crime insurance coverage through Fidelity & Deposit Co. of MD (Zurich Insurance Group); and

WHEREAS: Affiliated FM Insurance Company has proposed a renewal extension to the Buffalo Sewer Authority for property insurance coverage for the period April 15, 2019 through April 15, 2020, at a cost of \$180,771.00; and

WHEREAS: Fidelity & Deposit (Zurich Insurance Group) has proposed a renewal extension to the Buffalo Sewer Authority for crime insurance coverage for the period April 15, 2019 through April 15, 2020, at a cost not to exceed \$3,215.00; and

WHEREAS: The Executive Secretary of the Buffalo Sewer Authority has carefully reviewed the policies and recommends acceptance of these proposals; and

WHEREAS: Combined Coverage represents a \$17,269.00 (5%) increase over the aggregate prior year coverage of \$166,717.00. We consider this increase to be acceptable considering industry average increases of 10%.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves property insurance coverage through Affiliated FM Insurance Company at a cost not to exceed \$180,771.00, and crime insurance coverage through Fidelity & Deposit (Zurich Insurance Group) at a cost not to exceed \$3,215.00, effective April 15, 2019, for a one-year period. These costs shall be charged to account nos. 00200108-452000 and 00650108-452000 on a pro rata basis.

MOTION TO	APPROVE	
MADE BY	MS. PETRUCCI	
2 ND BY	MR. KENNEDY	
AYES	4	NOES 0

Board Meeting of April 10, 2019

ITEM NO. 7

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Diane Cornman of 122 Brinton Street, Buffalo, N.Y. 14214 filed a Claim with the City of Buffalo for damage to her property on February 8, 2018; and

WHEREAS: The City of Buffalo Law Department, General Counsel (BSA), and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$690.84 in full and complete settlement of this matter.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Diane Cornman, of 122 Brinton Street, Buffalo, N.Y. 14214 in the final settlement amount of \$690.84 in full and complete settlement of this matter. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MS. PETRUCCI</u>	
2 ND BY	<u>MR. ROOSEVELT</u>	
AYES	<u>4</u>	NOES <u>0</u>

Board Meeting of April 10, 2019

ITEM NO. 8

NOTICE OF VIOLATION AND ADMINISTRATIVE ORDER

- WHEREAS: Aurubis Buffalo, Inc., located at 70 Sayre St., is a significant industrial user of Buffalo Sewer Authority facilities, discharging wastewater containing pollutants to the sewerage system of the Authority; and
- WHEREAS: Pursuant to Buffalo Sewer Authority Sewer Use and Regulations and Discharge Permit No. 18-05-BU263, issued to Aurubis effective May 1, 2018, data is routinely collected and submitted on the compliance status of the company; and
- WHEREAS: On May 9 and 10, 2018, there were findings of multiple discharge violations based on sampled results. An investigation was done to determine the cause of these violations and corrective actions were instituted; and
- WHEREAS: Re-sampling was conducted on July 12 and 13, 2018, and again on September 12, 2018, which showed continuing violations including water gauge PH; and
- WHEREAS: Due to the seriousness of the violations, the Authority issued a Notice of Violation and Administrative Order against Aurubis, Buffalo Inc., with a penalty of twenty-three thousand dollars (\$23,000.00), as well as an Order to have the existing pretreatment system evaluated by a professional engineer, developing a compliance schedule that incorporates any necessary corrective measures to the pretreatment system, and update Aurubis' Slug Control Plan by February 22, 2019; and
- WHEREAS: Aurubis Buffalo, Inc., has paid the penalty of twenty-three thousand dollars (\$23,000.00) and all requirements of the Order have been fulfilled, with all corrective measures to be completed by July 1, 2019.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby acknowledges the penalty assessed against Aurubis Buffalo, Inc., for twenty-three thousand dollars (\$23,000.00), as well as the Order for the implementation and completion of corrective measures.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY	_____
2 ND BY	_____	MR. ROOSEVELT	_____
AYES	_____	4	NOES _____ 0

Board Meeting of April 10, 2019

ITEM NO. 9

TRAVEL AUTHORIZATION - FORT LAUDERDALE, FL

WHEREAS: The Water Environment Federation (WEF) 2019 is holding its Stormwater and Green Infrastructure Symposium in Fort Lauderdale, FL from May 8-10, 2019; and

WHEREAS: The Authority, as a publicly owned treatment works, needs to remain current on technical knowledge of stormwater management and attend forums where leading issues in the sector will be discussed; and

WHEREAS: The Chairman recommends attendance at the Water Environment Federation (WEF) 2019 Stormwater and Green Infrastructure Symposium.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Board to travel to Fort Lauderdale, FL from May 8 - 10, 2019, to attend the Water Environment Federation 2019 Stormwater and Green Infrastructure Symposium at a total cost not to exceed \$2,500.00. Account nos. 00100104-458010 and 00100104-458012 will be utilized for this travel.

MOTION TO	<u>TABLE</u>	
MADE BY	<u>MS. PETRUCCI</u>	
2 ND BY	<u>MR. KENNEDY</u>	
AYES	<u>4</u>	NOES <u>0</u>

Board Meeting of April 10, 2019

ITEM NO. 10

TRAVEL AUTHORIZATION - NASHVILLE, TN

WHEREAS: The Buffalo Sewer Authority is continuing strategic efforts, focused on effective utility management approach endorsed by US Environmental Protection Agency, Water Environment Federation (WEF) and American Water Works Association (AWWA); and

WHEREAS: The Water Environment Federation Member Association Exchange (WEFMAX) will hold its annual program meeting in Nashville, TN from May 29 – May 31, 2019 where participants will exchange ideas and best practices; and

WHEREAS: The General Manager is a member of the WEF House of Delegates and needs to remain active on member association and utility best practices innovations; and

WHEREAS: The General Manager recommends attendance to the WEFMAX Conference.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Nashville, TN from May 29 – May 31, 2019, to attend the WEFMAX Meeting at a total cost not to exceed \$1,500.00. Account nos. 00110104-458010 and 00110104-458012 will be utilized for this travel.

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

Board Meeting of April 10, 2019

ITEM NO. 11

TRAVEL AUTHORIZATION - AUSTIN, TX

WHEREAS: The General Manager serves as a board member for the US Water Alliance, an organization dedicated to managing water in a sustainable and inclusive manner to build strong economies, vibrant communities and healthy environments; and

WHEREAS: The US Water Alliance is holding its One Water Summit 2019 in Austin, TX from September 18 – September 20, 2019; and

WHEREAS: The General Manager serves on the Board of Directors for US Water Alliance and needs to remain active on the latest innovations, inclusive approaches to managing water and the latest regulatory issues; and

WHEREAS: The General Manager recommends attendance for himself and LaToya Cunningham, Special Assistant, as Buffalo Learning Team Representatives to the US Water Alliance One Water Summit 2019.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager and the Special Assistant to travel to Austin, Texas from September 18 - 20, 2019, to attend the US Water Alliance One Water Summit 2019 at a total cost not to exceed \$5,000.00. Account nos. 00110104-458010 and 00110104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of April 10, 2019

ITEM NO. 12

AMENDMENT TO SOLE SOURCE LISTING FOR SELECTED INSTRUMENTATION, MAINTENANCE, LABORATORY AND OFFICE EQUIPMENT FOR FISCAL YEAR 2018-2019

WHEREAS: A Sole Source procurement, in accordance with New York State Procurement Guidelines, is one in which an item is only available from one source due to patents, exclusive franchises, etc. and there is no possibility of competition for the item; and

WHEREAS: The Board of the Buffalo Sewer Authority approves and designates a list of original equipment manufacturers as Sole Sources; and

WHEREAS: An amendment to the Sole Source Listing is requested to add the following manufacturer:

VENDOR	PRODUCT/SERVICE
Siewert Equipment, Inc.	Henry Pratt Valves

WHEREAS: Siewert Equipment, Inc. is the sole authorized distributor of Henry Pratt Valves in New York State; and

WHEREAS: The Treatment Plant Administrator, Purchasing Department and staff have reviewed all supporting documentation and recommend this amendment to the Sole Source Listing.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above amendment to the Sole Source Listing.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of April 10, 2019