

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

**July 31, 2019**

**56825.....56869**

# BUFFALO SEWER AUTHORITY

July 31, 2019

**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>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Gelea James</u>	<u>Director of Employee Relations</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Allison Lack</u>	<u>General Council</u>
	<u>Catherine Knab, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Tracy King</u>	<u>Press Information Officer</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>Supt. of Mechanical Maintenance</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
	<u>Gregg Szymanski</u>	<u>COB Comptroller's Office</u>
	<u>Delano D. Dowell, Sr.</u>	<u>COB Comptroller's Office</u>
	<u>Van Mollenberg</u>	<u>Mollenberg-Betz, Inc.</u>
	<u>Jim Cammaro</u>	<u>Mollenberg-Betz, Inc.</u>
Absent:	<u>Eleanor Petrucci</u>	<u>Secretary</u>

The meeting was called to order at 9:20 AM. A quorum was present.

## ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 1, 2019

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 <sup>ND</sup> BY	<u>MR. KENNEDY</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of July 31, 2019

## ITEM NO. 2

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

As of June 30, 2019

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$1,990,838.33	Key	0.15%	Public NOW
15-Oct-18	02-Jul-19	260	\$5,198,630.63	Key Banc Capital	2.90%	\$108,911.11
28-Jan-19	29-Jul-19	182	\$5,957,816.19	Key Banc Capital	2.74%	\$82,697.77
24-Apr-19	22-Aug-19	120	\$5,910,883.80	Key Banc Capital	2.50%	\$49,433.33
22-May-19	10-Sep-19	111	\$7,858,980.83	JPMorgan Securities	2.50%	\$60,895.83
27-Jun-19	19-Sept-19	84	\$1,392,672.96	Key Banc Capital	2.51%	\$8,199.33
29-Apr-19	25-Oct-19	179	\$2,236,541.23	Key Banc Capital	2.55%	\$28,566.16
31-May-19	27-Nov-19	180	\$4,580,027.12	Key Banc Capital	2.60%	\$60,073.00
17-Jun-19	16-Dec-19	182	\$2,985,915.40	Key Banc Capital	2.23%	\$34,002.05
			<b>\$38,112,306.49</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
			<b>\$1,010,702.99</b>	Key	0.15%	Public NOW
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<b>\$7,678,608.20</b>	Key	0.15%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Money Market		<b>\$4,457.79</b>	Key	0.20%	Public Savings
<b>SURPLUS FUND</b>						
			\$850.19	Wilmington Fund	1.87%	
25-Jun-19	20-Mar-20	269	\$10,003,247.45	Key Banc Capital	2.53%	\$192,752.55
			\$4,788.09	Accrued Income		
			<b>\$10,008,885.73</b>			
<b>NET REVENUE FUND</b>						
			\$.07	Wilmington Fund		
25-Jun-19	25-Jul-19	30	\$8,951,536.75	Key Banc Capital	2.47%	\$18,463.25
29-Jan-19	29-Jul-19	181	\$5,917,343.34	Key Banc Capital	2.74%	\$82,656.66
31-May-19	29-Jul-19	59	\$7,400,918.90	Key Banc Capital	2.47%	\$30,081.10
25-June-19	29-Jul-19	34	\$2,047,542.60	Key Banc Capital	2.30%	\$4,457.40
29-Apr-19	25-Oct-19	179	\$3,199,906.82	Key Banc Capital	2.55%	\$41,093.18
			\$104,618.24	Accrued Income		
			<b>\$27,621,866.72</b>			

**DEBT RESERVE FUND**

			<b>Series J</b>	
02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt 2.70%
			\$1,778.94	Accrued Income
			<u>\$517,657.94</u>	
			<b>Series K</b>	
02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt 2.70%
			\$3,666.07	Accrued Income
			<u>\$365,081.07</u>	
			<b>Series L</b>	
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt 2.44%
			\$4,183.25	Accrued Income
			<u>\$693,730.25</u>	
			<b>Series M</b>	
27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt 2.70%
			\$2,665.69	Accrued Income
			<u>\$598,278.69</u>	
			<b>Series N</b>	
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt 2.42%
			\$11,033.55	Accrued Income
			<u>\$2,178,190.55</u>	
			\$0.01	Wilmington Fund

**RECEIVE & FILE**

Board Meeting of July 31, 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***

7/22/2019	00210105 RWWP Equipment Maintenance	-\$26,000.00	00690106 Auto Service and Equip Rental	\$26,000.00
7/23/2019	00210105 RWWP Equipment Maintenance	-\$7,850.00	00690106 Auto Service and Equip Rental	\$7,850.00

***General Financial Charges***

7/18/2019	00800183 Fin Contingency	-\$6,000.00	00820102 FR Unemployment Insurance	\$6,000.00
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**RECEIVE & FILE**

Board Meeting of July 31, 2019

## ITEM NO. 4

**INFORMATIVE: REPORT ON THE CONDITION OF THE LIABILITY AND CASUALTY RESERVE FUND**

The Resolution that created the Liability and Casualty Reserve Fund provides that:

“The General Manager shall regularly and not less than semi-annually render to the Board a detailed report of the operation and condition of the Liability and Casualty Reserve Fund.”

Fund Balance as of June 30, 2018	\$1,003,642.64
Interest Earnings	\$20,096.53
Claims Paid	\$15,586.18
Transfer from Operating Fund	\$0.00
Fund Balance as of June 30, 2019	<u>\$1,008,152.99</u>

The Resolution that created the Liability and Casualty Reserve Fund provides that:

“When the amount of the Liability and Casualty Reserve Fund reaches the sum of \$1,000,000.00, no further additions shall be made thereto until the Fund has been reduced below \$1,000,000.00”.

During the period of July 1, 2018 – June 30, 2019 the B.S.A. settled fourteen (14) claims, resulting in a cash payment from the Buffalo Sewer Authority for \$15,586.18. Twelve (12) claims were denied in this time period.

**Total Active Claims Pending as of June 30, 2019**

Bodily Injury	13
Property Damage	27
Auto B.I. & P.D	0
Other Liability	<u>0</u>
Total	40

**RECEIVE & FILE**

Board Meeting of July 31, 2019

ITEM NO. 5

**CONSTRUCTION FUND AMENDMENT**

WHEREAS: The Buffalo Sewer Authority desires to fund the Five Year Capital Plan in order to continue its program of improving the sewer system; and

WHEREAS: There is \$16,025,685 available from the 2017-2018 Fund Balance designated for Capital Projects; and

WHEREAS: There is also \$1,139,668 available from the 2016-2017 Fund Balance designated for Capital Projects that has not been allocated to the Construction Fund Budget; and

WHEREAS: The General Manager recommends approval of these transfers.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the transfer of funds from the Fund Balance Designated for Capital Projects to the Construction Fund Budget Amendment for 2018-2019 for the funding of the listed projects as designated by the Amendment.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2019

**BUFFALO SEWER AUTHORITY  
CONSTRUCTION FUND BUDGET AMENDMENT #1  
2018-2019 FISCAL YEAR**

This Amendment to the Construction Fund utilizes funds from prior years to provide improvements to the infrastructure of the Buffalo Sewer Authority as designated by the Five Year Capital Plan.

The funds will be added to the various appropriation accounts as listed below:

**REVENUES & RESOURCES**

FUND BALANCE DESIGNATED FOR CAPITAL PROJECTS FOR 2017-2018	\$16,025,685
FUND BALANCE DESIGNATED FOR CAPITAL PROJECTS FOR 2016-2017	<u>\$1,139,668</u>
<b>TOTAL REVENUE &amp; RESOURCES</b>	<b><u>\$17,165,353</u></b>

**APPROPRIATIONS**

**TREATMENT FACILITY:**

Main Feeders Electrical Upgrade/ 13.8kV	\$2,700,000
Digester 6 Rehabilitation	2,500,000
SWW Controls/Facility Controls/Fiber Optic	500,000

**COLLECTION SYSTEM:**

Niagara Phase 4B Construction	\$ 1,715,353
Private Property GI Grant	500,000
Mill Race RTC Construction	3,250,000
Smith St. at Eagle RTC Construction	2,500,000
Broadway at Oak RTC Construction	2,500,000
Babcock Pump Station RTC Construction	1,000,000

<b>TOTAL APPROPRIATIONS</b>	<b><u>\$17,165,353</u></b>
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## ITEM NO. 6

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: John Mutton of 101 Bakos Blvd., Apt. 117, Buffalo, N.Y. 14211 filed a Claim with the Buffalo Sewer Authority for damage to his property in March, 2019; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$250.00 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 John Mutton, of 101 Bakos Blvd., Apt. 117, Buffalo, N.Y. 14211 in the final settlement amount of \$250.00 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>MR. ROOSEVELT</u>	
2 <sup>ND</sup> BY	<u>MR. KENNEDY</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of July 31, 2019

## ITEM NO. 7

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: John Occhino of 101 Bakos Blvd., Apt. 119, Buffalo, N.Y. 14211 filed a Claim with the Buffalo Sewer Authority for damage to his property in March, 2019; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$145.00 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 John Occhino, of 101 Bakos Blvd., Apt. 119, Buffalo, N.Y. 14211 in the final settlement amount of \$145.00 in full and complete settlement of this matter. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2019

## ITEM NO. 8

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: National Fuel, at 6363 Main Street, Williamsville, N.Y. 14221, filed a Claim with the Buffalo Sewer Authority for damage to its property on May 28, 2019; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$696.65 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 National Fuel at 6363 Main Street, Williamsville, N.Y. 14221 in the final settlement amount of \$696.65 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>MR. ROOSEVELT</u>	
2 <sup>ND</sup> BY	<u>MR. KENNEDY</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of July 31, 2019

## ITEM NO. 9

**AUTHORIZATION TO AMEND BOARD RESOLUTION NO. 11 OF THE BOARD  
MEETING OF APRIL 10, 2019 – TRAVEL AUTHORIZATION – AUSTIN, TX**

WHEREAS: At the April 10, 2019 Meeting, the Board of the Buffalo Sewer Authority authorized the General Manager and Special Assistant to travel to Austin, TX from September 18 – 20, 2019 to attend the US Water Alliance One Water Summit 2019; and

WHEREAS: The US Water Alliance is holding its One Water Summit 2019 and Learning Exchange in Austin, TX from September 15 – September 21, 2019; and

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

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

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes Board Resolution No. 11 of the Board Meeting of April 10, 2019 – Travel Authorization – Austin, TX be amended as follows:

**“That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager and the Special Assistant to travel to Austin, Texas from September 15 - 21, 2019, to attend the US Water Alliance One Water Summit 2019 and Learning Exchange 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	_____	MR. KENNEDY	_____
2 <sup>ND</sup> BY	_____	MR. ROOSEVELT	_____
AYES	_____	3	NOES _____ 0

Board Meeting of July 31, 2019

ITEM NO. 10

**TRAVEL AUTHORIZATION - PITTSBURGH, PA**

WHEREAS: The Buffalo Sewer Authority has installed an Emerson Ovation Distributed Control System used for operations and control of the treatment plant process. The project was completed in June of 2019; and

WHEREAS: Emerson conducts training classes specific to the Ovation system. Operators, Instrument Technicians and other related titles need training classes in order to operate and maintain the Ovation System. The OV100 Starting With Database Acquisition training course is the first in a series of one-week courses necessary to maintain the Ovation System; and

WHEREAS: The General Manager and the Superintendent of Mechanical Maintenance recommend that the Instrument Technician attend the OV100 Starting With Data Acquisition training class.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Buffalo Sewer Authority Instrument Technician to travel to Pittsburgh, PA from August 4 through August 9, 2019 to attend the Emerson Ovation OV100 Starting With Database Acquisition training class at a cost not to exceed \$5,500.00. Expenses for this travel shall be charged to account 00200104-458012.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2<sup>ND</sup> BY MR. KENNEDY

AYES 3 NOES 0

Board Meeting of July 31, 2019