

The meeting was called to order at 9:00 AM. A quorum was present.

ITEM NO. 1

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

MOTION TO ADOPT

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of December 5, 2019

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

November 6, 2019

BUFFALO SEWER AUTHORITY

November 6, 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>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>Ron Brown</u>	<u>Executive Secretary</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Gelea Y. James</u>	<u>Director of Employee Relations</u>
	<u>Frank Rafferty</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek</u>	<u>Treatment Plant Administrator</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Allison Lack</u>	<u>General Counsel (BSA)</u>
	<u>Paul Harris</u>	<u>Supt. of Mechanical Maintenance</u>
	<u>Tracy King</u>	<u>Press Information Officer</u>
	<u>Catherine Knab</u>	<u>Principal Sanitary Engineer</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
	<u>Delano Dowell</u>	<u>Special Assistant for COB</u>
Absent:	<u>John D. Kennedy Sr.</u>	<u>Comptroller</u>
		<u>Vice Chairman</u>

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 October 23, 2019

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 November 6, 2019

ITEM NO. 2
BUFFALO SEWER AUTHORITY
TEMPORARY INVESTMENTS

Market Value
As of 10/31/19

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/ CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$ 1,063,358.68	Key	0.15%	Public NOW
02-Aug-19	01-Nov-19	91	\$ 5,049,771.39	Key Banc Capital	2.31%	\$29,487.81
31-May-19	27-Nov-19	180	\$ 4,615,350.83	Key Banc Capital	2.60%	\$60,073.00
19-Sep-19	27-Nov-19	69	\$ 1,394,293.39	Key Banc Capital	1.94%	\$5,190.79
17-Jun-19	16-Dec-19	182	\$ 3,009,255.92	Key Banc Capital	2.23%	\$34,002.05
02-Jul-19	16-Dec-19	167	\$ 5,138,484.09	Key Banc Capital	2.49%	\$59,486.79
29-Jul-19	29-Jan-20	184	\$ 5,930,491.35	Key Banc Capital	2.31%	\$70,332.31
02-Aug-19	03-Feb-20	185	\$ 5,075,640.46	Key Banc Capital	2.32%	\$60,803.32
22-Aug-19	28-Feb-20	190	\$ 5,864,403.35	Key Banc Capital	2.25%	\$70,062.50
10-Sep-19	20-Mar-20	192	\$ 7,873,161.80	Key Banc Capital	2.21%	\$93,468.27
02-Oct-19	02-Apr-20	183	\$ 4,067,728.49	Key Banc Capital	1.95%	\$40,641.25
25-Oct-19	30-Apr-20	188	\$ 2,224,116.52	Key Banc Capital	1.83%	\$21,454.72
			\$ 51,306,056.27			
LIABILITY AND CASUALTY RESERVE FUND						
			\$ 98,605.31	Key	0.15%	Public NOW
27-Sep-19	04-Nov-19	38	\$ 911,834.83	Key Banc Capital	2.00%	\$1,925.33
			\$ 1,010,440.14			
OPERATING FUND						
31-Jul-12	SUPER NOW		\$ 3,086,728.32	Key	0.15%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	MONEY MARKET		\$ 5,357.77	Key	0.20%	Public Savings

BUFFALO SEWER AUTHORITY
INVESTMENTS HELD BY M&T AS TRUSTEE

Market Value

As of 10/31/2019

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	INTEREST AMOUNT
SURPLUS FUND					
			\$ 1,344.55	Wilmington U.S. Treasury	
			\$ 10,003,247.45	Money Market Fund	1.87%
25-Jun-19	20-Mar-20	269	\$ 92,436.79	Key Banc Capital	2.53%
			\$ 10,097,028.79	Accrued Income	\$92,436.79
NET REVENUE FUND					
			\$ -	Wilmington U.S. Treasury	
			\$ 408,957.79	Money Market Fund	
12-Aug-19	06-Nov-19	86	\$ 4,966,286.11	Key Banc Capital	2.08%
12-Aug-19	26-Nov-19	106	\$ 3,078,795.14	JPMorgan Securities	2.29%
28-Aug-19	31-Dec-19	125	\$ 6,899,209.82	Key Banc Capital	1.97%
26-Jul-19	29-Jan-20	187	\$ 5,946,966.67	Key Banc Capital	2.31%
30-Sep-19	25-Feb-20	148	\$ 5,599,241.73	Key Banc Capital	2.15%
25-Oct-19	24-Mar-20	151	\$ 96,397.28	JPMorgan Securities	2.10%
			\$ 26,995,854.54	Accrued Income	\$2,042.21
DEBT RESERVE FUND					
			\$515,879.00	SERIES J	
02-Jul-14	15-Nov-33	7076	\$ 6,434.47	UST STATE/LOCAL	
			\$522,313.47	GOVT	2.70%
				Accrued Income	
			\$361,415.00	SERIES K	
02-Jul-14	15-Feb-33	6803	\$ 2,068.32	UST STATE/LOCAL	
			\$363,483.32	GOVT	2.70%
				Accrued Income	
			\$689,547.00	SERIES L	
12-Nov-15	01-Oct-35	7263	\$ 1,425.06	US STATE/LOCAL GOVT	2.44%
			\$690,972.06	Accrued Income	
			\$595,613.00	SERIES M	
27-Jun-14	01-May-44	10901	\$ 8,040.78	US STATE/LOCAL GOVT	2.70%
			\$603,653.78	Accrued Income	
			\$2,167,157.00	SERIES N	
15-Nov-12	15-Apr-32	7091	\$ 2,435.98	UST STATE/LOCAL	
			\$2,169,592.98	GOVT	2.42%
				Accrued Income	
			\$0.01	DSF PRIN & INT	
				Wilmington Fund	

RECEIVE & FILE

Board Meeting of November 6, 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.

Industrial Waste

10/21/2019	00200107 Plan Office Equipment	\$1,205.60	00550107 IWS Office Equipment	-\$1,205.60
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Engineering Division

9/16/2019	00600106 ENG Engineering and Tech	\$21,850.00	00600103 Engineering Telephone	-\$21,850.00
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General Financial Charges

10/08/2019	00800183 Fin Contingency	\$1,725.00	00120104 HR Travel Expenses	-\$1,725.00
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RECEIVE & FILE

Board Meeting of November 6, 2019

ITEM NO. 4

TRAVEL AUTHORIZATION - CAMDEN, NEW JERSEY

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 and People United for Sustainable Housing 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; Milwaukee, WI, and Pittsburgh, PA; and

WHEREAS: To facilitate peer learning, the US Water Alliance Water Equity Task Force Buffalo Learning Team will be meeting in Camden, New Jersey from January 22 - 25, 2020; and

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

WHEREAS: The General Manager recommends attendance at the Learning Exchange for himself, Press Information Officer and Special Assistant (BSA), as the Buffalo Learning Team Representatives for the US Water Alliance.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby formally authorizes the General Manager, Press Information Officer and Special Assistant (BSA) to travel to Camden, New Jersey from January 22 -25, 2020, to participate in the US Water Alliance Water and Equity Task Force meeting at a cost not to exceed \$4,000.00. Expenses for this travel shall be charged to accounts 00110104-458010 and 00110104-458012.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of November 6, 2019

ITEM NO. 5

AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR INDUSTRIAL ELECTRICITY AND TROUBLESHOOTING - PHASE 2 TRAINING FOR THE BUFFALO SEWER AUTHORITY INSTRUMENT TECHNICIANS

- WHEREAS: The Superintendent of Mechanical Maintenance, the General Manager and staff have identified the need to develop a comprehensive skill enhancement training program for our Instrument Technicians to enhance the Buffalo Sewer Authorities ability to adequately and cost effectively maintain the assets contained within the Treatment Plant and outlying stations; and
- WHEREAS: The Superintendent of Mechanical Maintenance solicited packages from numerous professional services providers that could execute a training course that would provide skilled educational training classes as well as hands on training that would be beneficial to the Buffalo Sewer Authority employees; and
- WHEREAS: Erie Community College has proposed a service contract with the Buffalo Sewer Authority for a two year comprehensive and customized training program for the Buffalo Sewer Authority Instrument Technicians that would give them advanced knowledge to perform corrective and preventative maintenance to the equipment at the facility with higher level of general instrument tech skills, an in-depth knowledge of industry best practices, and a greater sense of quality and innovation; and
- WHEREAS: Based upon proposal review, the Superintendent of Mechanical Maintenance and staff recommend retaining Erie Community College to perform the training for the Buffalo Sewer Authority Instrument Technicians.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into an Agreement for Professional Services with Erie Community College to provide training for the Buffalo Sewer Authority Instrument Technicians at a total cost not to exceed \$ 53,200.00 for the 2019-2020 fiscal year. These services will be charged to account no. 00520106-421026.

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

Board Meeting of November 6, 2019

ITEM NO. 6

REQUEST FOR WATER RETENTION CREDIT

- WHEREAS: Buffalo Sewer Authority will grant to any user a water retention credit on sewer rents based on metered water usage when information is provided that satisfactorily meets all Buffalo Sewer Authority requirements; and
- WHEREAS: Aurubis Buffalo, Inc., located at 70 Sayre Street, has requested a water retention credit due to the significant amount of water that is being evaporated through their Cooling Tower #361 and therefore not discharged into the sewer system; and
- WHEREAS: Aurubis Buffalo, Inc., hired engineering firm, Omara Engineering PC, to conduct a one year study on the evaporation rate that occurs at Cooling Tower #361; and
- WHEREAS: Buffalo Sewer Authority staff reviewed the study submitted by Omara Engineering, which found that the evaporative rate from Cooling Tower #361 was 4.3% of the total water usage at the facility; and
- WHEREAS: The General Manager and the Industrial Waste Administrator recommend that Aurubis Buffalo, Inc. be granted a water retention credit of 4.3% due to water evaporation and the credit be applied to the sewer portion of their water/sewer bill; and
- WHEREAS: Aurubis Buffalo, Inc. understands that the Industrial Waste Section may request periodic evaporation rate study updates as needed to continue the credit.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to grant a water retention credit of 4.3% to Aurubis Buffalo, Inc., due to water evaporation, to be applied to the sewer portion of their water/sewer consumption bill, effective December 1, 2019.

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

Board Meeting of November 6, 2019

ITEM NO. 7

AUTHORIZATION FOR PUBLICATION OF INDUSTRIAL USER VIOLATORS LIST

WHEREAS: In conformance with the Environmental Protection agency's General Pretreatment Regulations, 40 CFR Section 403.8(f)(2)(vii), the Buffalo Sewer Authority (BSA) publishes at least annually, in the largest daily newspaper in the City of Buffalo, a list of the users which, during the previous twelve (12) months, met with one (1) or more of the following criteria:

- User was in significant non-compliance with applicable pretreatment standards and requirements
- User received fines
- User had violations that were unique or warrant special attention ; and

WHEREAS: In accordance with this regulation, the following violators met the above criteria for the BSA's Industrial Pretreatment Program reporting year of May 1, 2018-April 30, 2019

Aurubis Buffalo, Inc.
P.O. Box 981
70 Sayre Street
Buffalo, NY 14207

Doritex Corporation
11980 Walden Avenue
Alden, NY 14004

Keystone Corporation
144 Milton Street
Buffalo, NY 14210

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to publish the aforementioned violators in The Buffalo News.

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 November 6, 2019

ITEM NO. 8

**APPOINTMENT OF STORMWATER MANAGEMENT OFFICER FOR
BUFFALO SEWER AUTHORITY**

WHEREAS: The Buffalo Sewer Authority previously appointed Rosaleen B. Nogle, P.E., on May 7, 2014 to serve as Stormwater Management Officer; and

WHEREAS: New York State's MS4 SPDES Permit, Section 2d: Public Involvement/Participation requires that the Buffalo Sewer Authority (BSA) identify a local point of contact for public concerns regarding stormwater management and compliance with this permit; and

WHEREAS: The General Manager has deemed Regina L. Harris, Assistant Sanitary Engineer, qualified to hold this position and recommends Regina L. Harris to succeed Rosaleen B. Nogle, P.E., Assistant Principal Engineer as Stormwater Management Officer.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approve the appointment of Regina L. Harris, Assistant Sanitary Engineer, as the Stormwater Management Officer for the Buffalo Sewer Authority.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of November 6, 2019

ITEM NO. 9

CHANGE ORDER NO. 1 – CONTRACT NO. 81900002

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 735,500.00
National Water Main Cleaning Co.	PREVIOUS CHANGE ORDER	N/A
1806 Newark Turnpike	THIS CHANGE ORDER	\$ 367,000.00
Kearny, NJ 07032	ADJUSTED CONTRACT COST	\$1,102,500.00

PROJECT: Sewer Cleaning and Internal Television Inspection in conjunction with City of Buffalo
Street Resurfacing Program

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional monies to allow National Water Main Cleaning Co. to continue with the cleaning and televising of sewers.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 The continued assistance of this outside contractor is necessary in order to maintain our level of service with the cleaning and televising of sewers.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$367,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$367,000.00

The total INCREASE to the contract as a result of this Change Order is \$367,000.00

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.

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%).

4. 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. 81900002 as written in the above Agenda Item, increasing the contract cost in the amount of \$367,000.00, making the adjusted contract cost \$1,102,500.00.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of November 6, 2019

ITEM NO. 10

CONFIRMATION OF APPOINTMENTS

WASTEWATER TREATMENT PLANT OPERATOR II (PERMANENT)
SEWAGE TREATMENT PLANT
\$25.13 PER HOUR
EFFECTIVE: OCTOBER 14, 2019

JAMES CROCE
37 CARMEL ROAD APT. 2
BUFFALO, NY

WASTEWATER TREATMENT PLANT OPERATOR II (PERMANENT)
SEWAGE TREATMENT PLANT
\$23.58 PER HOUR
EFFECTIVE: OCTOBER 14, 2019

NICHOLAS MAES
1546 DELAWARE AVE.-LOWER
BUFFALO, NY

WASTEWATER TREATMENT PLANT OPERATOR II (PERMANENT)
SEWAGE TREATMENT PLANT
\$22.79 PER HOUR
EFFECTIVE: OCTOBER 14, 2019

CHARLES KRUG
28 MINNETONKA ROAD
BUFFALO, NY

SEWER CONSTRUCTION INSPECTOR (PERMANENT)
SEWAGE TREATMENT PLANT
\$62,128 PER ANNUM
EFFECTIVE: OCTOBER 15, 2019

JOEL RENZONI
20 PORTLAND STREET
BUFFALO, NEW YORK

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.21 PER HOUR
EFFECTIVE: OCTOBER 14, 2019

RICHARD COTTER
375 DOWNING STREET
BUFFALO, NEW YORK

WHEREAS: The preceding appointments were made by the General Manager since the last Board Meeting; and

WHEREAS: The General Manager 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.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of November 6, 2019

ITEM NO. 11

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>
Taylor A. Brown	University at Buffalo	Public Health Advanced Graduate Certificate	\$13,078
; and			

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

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

Board Meeting of November 6, 2019

ITEM NO. 12

ADJOURNMENT OF MEETINGMOTION TO APPROVEMADE BY MS. PETRUCCI2ND BY MR. ROOSEVELTAYES NOES

Board Meeting of November 6, 2019

