

**MINUTES OF THE REGULAR MEETING**

**OF THE**

**BUFFALO SEWER AUTHORITY**

**SEPTEMBER 30, 2020**

# BUFFALO SEWER AUTHORITY

September 30, 2020

**REGULAR MEETING**                      **9:00 A.M.**                      **VIA TELECONFERENCE**  
**+ 1 929-229-5044 United States, New York City (Toll)**  
**Conference ID: 851 042 801#**

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**CALL OF THE ROLL**

Present:	<u>Herbert L. Bellamy, Jr.</u>	<u>Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Vice Chairman</u>
	<u>Eleanor Petrucci</u>	<u>Assistant Vice Chairman</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>Special Counsel (BSA)</u>
	<u>Tracy King</u>	<u>Press Information Officer</u>
	<u>Kevin Meindl</u>	<u>Landscape Architect</u>
	<u>David Rossney</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>Barbara Miller-Williams</u>	<u>COB Comptroller</u>
	<u>Delano Dowell</u>	<u>Special Assistant to the Comptroller</u>
	<u>Dana Harris</u>	<u>Comptroller's Office</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
	<u>Josh Benson</u>	<u>Trace Environmental</u>
	<u>Megan Fenstemaker</u>	<u>Duperon Corporation</u>
Absent:	<u>None</u>	

The meeting was called to order at 9:30 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 29, 2020

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

## ITEM NO. 2

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

As of August 31, 2020

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$553,639.97	Key	0.01%	Public NOW
01-Nov-19	Money Market		\$14,613,355.50	Bank on Buffalo	0.45%	
29-May-20	28-Sept-20	122	\$7,994,253.75	Key Banc Capital	0.20%	\$5,418.83
29-Jun-20	30-Sept-20	93	\$5,829,417.00	Key Banc Capital	0.40%	\$6,024.33
27-July-20	02- Nov-20	98	\$1,981,514.41	Key Banc Capital	0.15%	\$809.32
02-Jul-20	20-Nov-20	141	\$6,497,806.25	Key Banc Capital	0.25%	\$6,364.58
03-Aug-20	01-Dec-20	120	\$2,222,034.22	Key Banc Capital	0.15%	\$1,111.50
			<b>\$39,692,021.10</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	Money Market		\$104,062.68	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$916,203.68	Bank on Buffalo	0.45%	
			<b>\$1,020,266.36</b>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<b>\$2,950,295.39</b>	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		<b>\$5,745.65</b>	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
16-Jun-20	14-Sep-20	90	\$14,599.78	Wilmington US Treasury		
			\$9,990,000.00	J.P. Morgan Securities	0.40%	\$10,000.00
			\$8,555.56	Accrued Income		
			<b>\$10,013,155.34</b>			
<b>NET REVENUE FUND</b>						
			\$0.00	Wilmington US Treasury		
22-Jun-20	22-Sept-20	92	\$2,298,824.44	Key Banc Capital	0.20%	\$1,175.56
30-Jun-20	30-Sept-20	92	\$1,099,578.33	Key Banc Capital	0.15%	\$421.67
22-Jul-20	22-Oct-20	98	\$2,399,956.90	M&T Securities	0.17%	\$1,043.10
30-Jul-20	28-Oct-20	90	\$7,994,600.00	Key Banc Capital	0.27%	\$5,400.00
10-Aug-20	28-Oct-20	79	\$1,901,582.62	Key Banc Capital	0.10%	\$417.38
28-Aug-20	28-Oct-20	61	\$1,499,822.08	Key Banc Capital	0.07%	\$177.92
05-Aug-20	03-Nov-20	90	\$3,997,800.00	Key Banc Capital	0.22%	\$2,200.00
10-Aug-20	03-Nov-20	85	\$999,480.56	Key Banc Capital	0.22%	\$519.44
10-Aug-20	30-Nov-20	79	\$4,700,073.69	Key Banc Capital	0.20%	\$2,926.31
28-Aug-20	30-Dec-20	124	\$5,371,963.85	Key Banc Capital	0.11%	\$2,036.15
			\$5,203.67	Accrued Income		

\$32,268,886.14**DEBT RESERVE FUND****Series J**

02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
			\$4,125.63	Accrued Income	

\$520,004.63**Series K**

02-Jul-14	15-Feb-33	5803	\$361,415.00	UST State/Local Govt	2.70%
			\$450.79	Accrued Income	

\$361,865.79**Series L**

12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			\$7,033.88	Accrued Income	

\$696,580.88**Series M**

27-Jun-14	01-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%
			\$5,375.08	Accrued Income	

\$600,988.08**Series N**

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
			\$19,917.71	Accrued Income	

\$2,187,074.71

**DSF PRIN & INT**  
Wilmington Fund

\$0.01**RECEIVE & FILE**

Board Meeting of September 30, 2020

## 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***

07/17/2020	00300103 Blow Electric Light & Power	\$136,332.16	00380105 INCIN Equipment Maintenance	-\$136,332.16
07/31/2020	00370105 Centrifuge Equipment Maintenance	\$8,240.00	00520105 MAIN Equipment Maintenance	-\$8,240.00
07/31/2020	00370105 Centrifuge Equipment Maintenance	\$14,960.00	00520106 MAIN Equipment Contract	-\$14,960.00
08/10/2020	00290105 AER Equipment Maintenance	\$5,000.00	00200105 South Equipment Maintenance	-\$5,000.00
08/19/2020	00370105 Centrifuge Equipment Maintenance	\$15,000.00	00220105 Plan Repairs to Equipment	-\$15,000.00
09/03/2020	00370106 Centrifuge Repairs to Equipment	\$12,000.00	00430105 South Equipment Maintenance	-\$12,000.00
09/03/2020	00370106 Centrifuge Repairs to Equipment	\$4,000.00	00460105 KELX Equipment Maintenance	-\$4,000.00
09/09/2020	00200105 PLAN Equipment Maintenance	\$158.00	00550105 IWS Equipment Maintenance	-\$158.00

***General Financial Charges***

07/06/2020	00800183 FIN Contingency	\$11,417.32	00200108 Plan Insurance	-\$11,417.32
08/21/2020	00800183 FIN Contingency	\$738.36	00110105 Admin Service and Equipment	-\$738.36

**RECEIVE & FILE**

Board Meeting of September 30, 2020

## 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, 2019	\$1,008,152.99
Interest Earnings	\$18,188.14
Claims Paid	\$6,941.65
Transfer from Operating Fund	\$0.00
Fund Balance as of June 30, 2020	\$1,019,399.48

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, 2019 – June 30, 2020 the B.S.A. settled seven (7) claims, resulting in a cash payment from the Buffalo Sewer Authority for \$6,941.65. Seven (7) claims were denied in this time period.

**Total Active Claims Pending as of June 30, 2020**

Bodily Injury	13
Property Damage	21
Auto B.I. & P.D	0
Other Liability	<u>0</u>
Total	34

**RECEIVE & FILE**

Board Meeting of September 30, 2020

ITEM NO. 5

**FUND BALANCE DESIGNATION**

WHEREAS: The Buffalo Sewer Authority has adopted a Fund Balance Policy in an effort to ensure financial security through the maintenance of a healthy reserve fund; and

WHEREAS: In accordance with this policy, each year the Buffalo Sewer Authority must designate the purpose of fund balance; and

WHEREAS: The General Manager recommends the following designation of fund balance for the fiscal year ending June 30, 2020.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the following designation of fund balance for the fiscal year ending June 30, 2020.

Fund Balances:	
Non-Spendable	\$ 179,925
Committed:	21,547,824
Encumbrances	10,227,970
Loss Contingencies	3,000,000
Capital Projects	8,319,854
Unassigned	<u>10,000,000</u>
Total Fund Balances	\$31,727,749

MOTION TO APPROVE

MADE BY MS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of September 30, 2020

## ITEM NO. 6

**PAYMENTS FROM JUDGMENT AND CLAIMS**

WHEREAS: Board approval is required for charges made against the Buffalo Sewer Authority's current budget for services and/or materials received during a prior fiscal year; and

WHEREAS: The following services were received during a prior fiscal year and charged to the 2020-2021 budget account no. 00800108-480214:

VENDOR	INVOICE	AMOUNT
Alps Elevator Inspection Services	39160	\$65.00
Corrosion Products & Equipment	14403	\$87.50
Corrosion Products & Equipment	14451	\$1,475.00
Corrosion Products & Equipment	15024	\$750.00
Dival Safety Equipment	2736143	\$2,048.65
FedEx	4592358201	\$901.07
KJ Electric	00076879	\$487.00
KJ Electric	00004076	\$52.59
Phillips Lytle LLP	1014204	\$130.50
Quermbach Electric	088343	\$1,233.00
Strate Welding Supply Co., Inc.	326986	\$5.86
Waste Management	0014915-4834-1	\$7,558.56

; and

WHEREAS: The Executive Secretary and staff recommend the above payments from the Judgment and Claims account.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above payments from the Judgment and Claims account.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2<sup>ND</sup> BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020





## ITEM NO. 9

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: Terri Cummings of 84 Alsace Ave., Buffalo, N.Y. 14220 filed a Claim with the City of Buffalo for damage to her property on June 4, 2020; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$726.40 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 Terri Cummings of 84 Alsace Ave., Buffalo, N.Y. 14220 in the final settlement amount of \$726.40 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 MS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 10

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: Lee Cadney of 59 Lang Ave., Buffalo, N.Y. 14215 filed a Claim with the City of Buffalo for damage to his property on July 29, 2020; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$1,593.11 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 Lee Cadney, of 59 Lang Ave., Buffalo, N.Y. 14215 in the final settlement amount of \$1,593.11 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. ROOSEVELT

2<sup>ND</sup> BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020