

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
OCTOBER 28, 2020**

**57321..... 57348**

# BUFFALO SEWER AUTHORITY

October 28, 2020

**REGULAR MEETING**                      **9:00 A.M.**                      **VIA TELECONFERENCE**  
**+ 1 929-229-5044 United States, New York City (Toll)**  
**Conference ID: 303 533 143#**

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## ITEM NO. 2

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

As of September 30, 2020

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$344,680.53	Key	0.01%	Public NOW
01-Nov-19	Money Market		\$14,031,676.67	Bank on Buffalo	0.45%	
27-Jul-20	02-Nov-20	98	\$1,981,800.14	Key Banc Capital	0.15%	\$809.32
02-Jul-20	20-Nov-20	141	\$6,498,710.79	Key Banc Capital	0.25%	\$6,364.58
03-Aug-20	01-Dec-20	120	\$2,222,463.99	Key Banc Capital	0.15%	\$1,111.50
28-Sep-20	29-Mar-21	183	\$8,000,190.10	Key Banc Capital	0.38%	\$15,386.18
30-Sep-20	30-Mar-21	182	\$5,831,542.53	Key Banc Capital	0.31%	\$9,099.17
			<b>\$38,911,064.75</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	Money Market		\$104,451.94	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$916,159.06	Bank on Buffalo	0.45%	
			<b>\$1,020,611.00</b>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<b>\$3,897,741.97</b>	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		<b>\$7,082.21</b>	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
14-Sept-20	14-Dec-20	91	\$90,865.12	Wilmington US Treasury		
			\$9,913,734.66	Key Banc Capital	0.21%	\$5,265.34
			\$983.97	Accrued Income		
			<b>\$10,005,583.75</b>			
<b>NET REVENUE FUND</b>						
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 Bank Capital	0.22%	\$519.44
10-Aug-20	30-Nov-20	112	\$4,700,073.69	Key Bank Capital	0.20%	\$2,926.31
28-Aug-20	30-Dec-20	124	\$5,371,963.85	Key Bank Capital	0.11%	\$2,036.15
22-Sep-20	08-Dec-20	77	\$3,498,652.50	Key Bank Capital	0.18%	\$1,347.50
30-Sep-20	30-Mar-21	182	\$5,999,634.31	Key Bank Capital	0.31%	\$9,365.69
			\$8,796.19	Accrued Income		
			<b>\$38,372,362.70</b>			

**DEBT RESERVE FUND**

				<b>SERIES J</b>	
02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
			\$5,261.12	Accrued Income	
			<u>\$521,140.12</u>		
				<b>Series K</b>	
02-Jul-14	15-Feb-33	5803	\$361,415.00	UST State/Local Govt	2.70%
			\$1,246.29	Accrued Income	
			<u>\$362,661.29</u>		
				<b>Series L</b>	
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			\$8,412.47	Accrued Income	
			<u>\$697,959.47</u>		
				<b>Series M</b>	
27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt	2.70%
			\$6,686.08	Accrued Income	
			<u>\$602,299.08</u>		
				<b>Series N</b>	
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
			\$24,216.50	Accrued Income	
			<u>\$2,191,373.50</u>		
			<u>\$0.01</u>	<b>DSF PRIN &amp; INT</b>	
				Wilmington Fund	

**RECEIVE & FILE**

Board Meeting of October 28, 2020

## ITEM NO. 3

## INFORMATIVE: REALLOCATION OF FUNDS

The following budgetary transfer has been made to cover unforeseen shortages. This transfer does not change the total amount of the Buffalo Sewer Authority's operating budget.

***Wastewater Treatment Plant***

9/29/2020	00370105 Centrifuge Equipment Maintenance	\$2,500.00	00520105 MAIN Office Supplies	-\$2,500.00
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**RECEIVE & FILE**

Board Meeting of October 28, 2020



## ITEM NO. 5

**PAYMENT 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 and/or materials were received during a prior fiscal year and charged to the 2020-2021 budget account no. 00800108-480214:

VENDOR	INVOICE	AMOUNT
CPE	14673	\$ 2,312.50
Barclay Damon	5076870	\$ 2,088.00
Barclay Damon	5079707	\$ 4,350.00
Core Environmental Consultants	0520-01BSA	\$49,535.00

; and

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

NOW THEREFORE  
BE IT RESOLVED:

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

MOTION TO APPROVE

MADE BY MS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of October 28, 2020



## 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)(viii), 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 violator met the above criteria for the BSA's Industrial Pretreatment Program reporting year of May 1, 2019-April 30, 2020:

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

NOW THEREFORE  
BE IT RESOLVED:

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

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

Board Meeting of October 28, 2020

## ITEM NO. 8

**CHANGE ORDER NO. 2 – CONTRACT NO. 82000015**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,168,300.00
Hohl Industrial, Inc.	PREVIOUS CHANGE ORDER	\$584,637.00
770 Riverview Blvd.	THIS CHANGE ORDER	<u>(\$90,226.20)</u>
Tonawanda, New York 14150	ADJUSTED CONTRACT COST	\$1,662,710.80

PROJECT: Settled Wastewater Pump and Motor #2 Rehabilitation

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DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Unused Allowance.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 After all project requirements were met there was an unused allowance balance of \$90,226.20.

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$90,226.20)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$90,226.20)

The total DECREASE to the contract as a result of this Change Order is \$90,226.20

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 October 28, 2020.
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.

4. 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%).
5. 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. 2 to Contract No. 82000015 as written in the above Agenda Item, decreasing the contract cost in the amount of \$90,226.20, making the adjusted contract cost \$1,662,710.80.

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

Board Meeting of October 28, 2020

## ITEM NO. 9

CONTRACT NO. 82000015

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY**

PROJECT: Settled Wastewater Pump and Motor #2 Rehabilitation

BID: \$1,168,300.00

CONTRACTOR: Hohl Industrial, Inc.  
770 Riverview Blvd.  
Tonawanda, NY 14150

WHEREAS: The Treatment Plant Administrator and staff have certified that the contractor completed the work in accordance with the plans and specifications on October 28, 2020.

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 October 28, 2020;
- c. The maintenance period commences on October 28, 2020;
- d. Change Order No. 1 was approved by the Board of the Buffalo Sewer Authority on May 27, 2020 in the amount of \$584,637.00 making the adjusted contract amount \$1,752,937.00
- e. Change Order No. 2 was approved by the Board of the Buffalo Sewer Authority on October 28, 2020 in the amount of (\$90,226.20) making the adjusted contract amount \$1,662,710.80;
- f. Final payment be made to the Contractor in the amount of \$91,257.09, making the final cost of the contract \$1,662,710.80.

MOTION TO APPROVEMADE BY MR. ROOSEVELT2<sup>ND</sup> BY MS. PETRUCCIAYES 3 NOES 0

Board Meeting of October 28, 2020

## ITEM NO. 10

**CHANGE ORDER NO. 1 – CONTRACT NO. 82000004**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,699,413.00
Louis Del Prince & Sons	PREVIOUS CHANGE ORDER	N/A
580 Cayuga Road	THIS CHANGE ORDER	<u>(\$188,576.10)</u>
Cheektowaga, NY 14225	ADJUSTED CONTRACT COST	\$1,510,836.90

PROJECT: BSA Island Roadway Improvements Project

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Final adjustment to the contract amount.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Adjusting contract amount for actual quantities used.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 (\$188,576.10)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$188,576.10)

The Total DECREASE to the Contract as a result of this Change Order is \$188,576.10

**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.