

**MINUTES OF THE REGULAR MEETING**

**OF THE**

**BUFFALO SEWER AUTHORITY**

**January 12, 2022**



# BUFFALO SEWER AUTHORITY

January 12 , 2022

**REGULAR MEETING**                      **9:00 A.M.**                      **VIA TELECONFERENCE**  
**+ 1 917-933-2166 United States, New York City**  
**Phone Conference ID:943 983 763#**

<b><u>ITEM NO.</u></b>	<b><u>CONTENTS</u></b>	<b><u>PAGE NO.</u></b>
	Roll Call	
1	Motion to Adopt the Minutes of December 15, 2021	57976
2	Informative: Temporary Investments	57977-78
3	Informative: Reallocation of Funds	57979
4	Claim Against Liability and Casualty Reserve Fund	57980
5	Authorization to Enter into An Agreement for Covid-19 Testing	57981
6	Travel Authorization - Detroit, Michigan	57982
7	Travel Authorization - Charleston, South Carolina	57983
8	Authorization for Purchase of Parts for The Venturi Scrubber System	57984
9	Authorization for Purchase Reheat Coils for Ahu 7-14a 2nd Floor Megastructure	57985
10	Report on Bids Received - Bird Island Campus Landscape and Site Improvement Project	57986
11	Authorization to Enter into An Agreement for Professional Services for Phase 2 Green Infrastructure Stewardship Service Program for Workforce Development	57987
12	Confirmation of Appointments	57988-89
13	Tuition Reimbursement	57990-91







**CALL OF THE ROLL**

Present:	<u>Herbert Bellamy, Jr.</u>	<u>Chairman of the Board</u>
	<u>Christopher Roosevelt</u>	<u>Vice Chairman of the Board</u>
	<u>Eleanor Petrucci</u>	<u>Secretary of the Board</u>
	<u>Oluwole McFoy</u>	<u>General Manager</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Lori Scaletta</u>	<u>Acting Director of Employee Relations</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Charles Riley</u>	<u>Supervising Accountant</u>
	<u>Alexander Emmerson</u>	<u>Treatment Plant Superintendent</u>
	<u>Paul Harris</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administration</u>
	<u>Rosaleen Nogle, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Lauren Howard, Esq.</u>	<u>General Counsel</u>
	<u>Laura Surdej</u>	<u>Erie County Department of Sewerage</u>
	<u>Barbara Miller-Williams</u>	<u>City of Buffalo Comptroller</u>
	<u>Malcom Ertha</u>	<u>Common Council of Chief Staff</u>
Absent:	<u>NONE</u>	<u></u>

The meeting was called to order at 9:03 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of December 15 , 2021

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

Board Meeting of January 12, 2022

## ITEM NO. 2

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

As of December 31, 2021

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$1,510,000.60	Key	0.01%	Public NOW
1-Nov-19	Money Market		\$103,086.98	Bank on Buffalo	0.10%	
19-Nov-21	20-Jan-22	62	\$9,991,611.41	Key Banc Capital	0.08%	\$1,376.68
5-Oct-21	1-Feb-22	119	\$3,799,763.53	Key Banc Capital	0.08%	\$1,004.89
17-Nov-21	15-Feb-22	90	\$6,998,470.50	J P Morgan Securities	0.20%	\$3,500.00
1-Sep-21	25-Feb-22	177	\$1,999,657.76	Key Banc Capital	0.10%	\$983.33
22-Nov-21	7-Mar-22	105	\$12,995,424.00	J P Morgan Securities	0.21%	\$7,205.75
22-Oct-21	20-Apr-22	180	\$4,997,097.20	Key Banc Capital	0.23%	\$5,750.00
15-Nov-21	11-May-22	177	\$9,991,994.40	Key Banc Capital	0.24%	\$11,800.00
17-Dec-21	14-June-22	179	\$998,670.83	Key Banc Capital	0.30%	\$1,491.67
			<u>\$53,385,777.21</u>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	Money Market		\$87,839.53	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$917,532.77	Bank on Buffalo	0.10%	
			<u>\$1,005,372.30</u>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<u>\$2,405,811.72</u>	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		<u>\$5,294.41</u>	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
			\$308.58	Wilmington US Treasury		
13-Dec-21	13-Jun-22	182	\$10,004,296.43	Key Banc Capital	0.31%	\$15,703.57
			\$1,639.38	Accrued Income		
			<u>\$10,006,244.39</u>			
<b>NET REVENUE FUND</b>						
			-	Wilmington US Treasury		
22-Nov-21	26-Jan-22	65	\$9,198,671.11	Key Banc Capital	0.08%	\$1,328.29
2-Sep-21	28-Feb-22	179	\$1,499,254.17	Key Banc Capital	0.10%	\$745.83
			\$1,322.18	Accrued Income		
			<u>\$10,699,247.46</u>			



**BSA 2021 EIB FUND**

			\$268,465.38	Wilmington U.S. Treasury		
1-Dec-21	1-Feb-22	62	\$1,999,586.67	Key Banc Capital	.12%	\$413.33
1-Dec-21	1-Mar-22	90	\$1,999,300.00	Key Banc Capital	.14%	\$700.00
1-Dec-21	31-Mar-22	120	\$3,997,866.67	Key Banc Capital	.16%	\$2,133.33
1-Dec-21	31-May-22	181	\$9,989,944.44	Key Banc Capital	.20%	\$10,055.66
31-Dec-21	29-Jun-22	180	\$1,998,999.00	Key Banc Capital	.20%	\$2,001.00
1-Dec-21	26-Aug-22	268	\$32,926,300.00	Key Banc Capital	.30%	\$73,700.00
			\$11,259.96	Accrued Income		
			<b>\$53,191,722.12</b>			

**DEBT RESERVE FUND**

				<b>Series J</b>		
02-Jul-14	13-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%	
			\$1,808.43	Accrued Income		
			<b>\$517,687.43</b>			
				<b>Series K</b>		
02-Jul-14	15-Feb-33	5803	\$361,415.00	UST State/Local Govt	2.70%	
			\$3,685.84	Accrued Income		
			<b>\$365,100.84</b>			
				<b>Series L</b>		
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%	
			\$4,252.46	Accrued Income		
			<b>\$693,799.46</b>			
				<b>Series M</b>		
27-Jun-14	01-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%	
			\$2,709.87	Accrued Income		
			<b>\$598,322.87</b>			
				<b>Series N</b>		
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%	
			\$11,238.26	Accrued Income		
			<b>\$2,178,395.26</b>			
				<b>EFC 2021</b>		
			\$695.73	Wilmington U.S. Treasury		
9-Nov-12	7-Feb-22	90	\$316,944.53	Key Bank Capital	0.07%	\$55.47
			\$32.67	Accrued Income		
			<b>\$317,672.93</b>			

**DSF PRIN & INT**

**\$0.01** Wilmington Fund

**DSF 2021 EIB**

			\$574,720.02	Wilmington Fund	0.01%	
			\$8.44	Accrued Income		
			<b>\$574,728.46</b>			

**RECEIVE & FILE**

Board Meeting of January 12th, 2022

## 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***

12/23/2021	00240105 PSED Equip. Maintenance	-\$7,610.00	005200105 Main Equip. Maintenance	\$7,610.00
12/23/2021	00240105 PSED Equip. Maintenance	-\$4,849.00	00210105 AER Equip. Maintenance	\$4,849.00

***Engineering Division***

12/20/2021	00600106 ENG Advertising	-\$10,000.00	00600105 ENG Travel Expenses	\$10,000.00
12/20/2021	00600106 ENG Advertising	-\$1,000.00	00600105 ENG Reg & Fees	\$1,000.00
12/20/2021	00600106 ENG Office Equip.	-\$3,566.39	00600107 ENG Office Equip.	\$3,566.39

***General Financial Charges***

12/10/2021	00800183 Financial Contingency	-\$85,000.00	00110106 Admin Eng and Tech	\$85,000.00
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**RECEIVE & FILE**

Board Meeting of January 12, 2022

ITEM NO. 4

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: Juli Frank of 44 Covington Road filed a Claim with the City of Buffalo for damage to her property on July 17, 2021; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$123.50 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 Juli Frank of 44 Covington Road, Buffalo, NY 14216 in the final settlement amount of \$123.50 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 January 12, 2022

ITEM NO. 5

**AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR COVID-19 TESTING**

WHEREAS: As part of the Authority continued commitment to protecting the workplace during the COVID-19 pandemic the Authority will be facilitating a weekly and occasional COVID-19 Testing Program; and

WHEREAS: The purpose of implementing the COVID-19 Testing Program is to support the continuance of the Authority’s mission of providing essential services while taking steps to keep our employees safe within the workplace; and

WHEREAS: To implement the Authority’s COVID-19 Testing Program, quotes were solicited from accredited testing laboratories with KSL Diagnostics Inc. (“KSL) submitting a quote in the amount of \$190,000.00 to conduct COVID-19 Testing on-site at the Bird Island Treatment Facility and off-site at various KSL testing sites; and

WHEREAS: Due to the exigent circumstances of the COVID-19 pandemic, the General Manager and his staff recommend accepting the quote from KSL Diagnostics Inc. to provide COVID-19 testing, at a total cost not to exceed \$190,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with KSL Diagnostics Inc. for COVID-19 testing, at a total cost not to exceed \$190,000.00. Expenses for this agreement will be charged to account no. 00110106-434000.

MOTION TO APPROVE

MADE BY MS.PETRUCCI

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

AYES 3 NOES 0

Board Meeting of January 12, 2022

ITEM NO. 6

**TRAVEL AUTHORIZATION - DETROIT, MICHIGAN**

WHEREAS: The Water Environment Federation (WEF) is hosting a Collection Systems Conference in Detroit, Michigan from April 19, 2022 to April 22, 2022; and

WHEREAS: The WEF Collection Systems Conference will highlight innovative collection systems infrastructure and management projects, processes, and technologies being implemented across North America; and

WHEREAS: The Principal Sanitary Engineer has been invited to present progress on, lessons learned, new innovative strategies, and updates to the Buffalo Sewer Authority’s Combined Sewer Overflow Long-Term Control Plan; and

WHEREAS: The General Manager recommends attendance to the WEF Collection Systems Conference for himself and the Principal Sanitary Engineer.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager and Principal Sanitary Engineer to travel to Detroit, Michigan from April 18, 2022, to April 23, 2022, to attend the WEF Collection Systems Conference at a total cost not to exceed \$5,500.00. Account nos. 00110104-458010, 00110104-458012, 00600104-458010 and 00600104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MS.PETRUCCI

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

AYES 3 NOES 0

Board Meeting of January 12, 2022

ITEM NO.7

**TRAVEL AUTHORIZATION - CHARLESTON, SOUTH CAROLINA**

WHEREAS: The Buffalo Sewer Authority continues an effective utility management approach as 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 an annual program meeting in Charleston, South Carolina from May 11, 2022, to May 13, 2022, where participants will exchange ideas and best practices; and

WHEREAS: The Principal Sanitary Engineer 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 that the Principal Sanitary Engineer attend the WEFMAX Conference.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer to travel to Charleston, South Carolina from May 10, 2022 to May 14, 2022, to attend the WEFMAX Conference at a total cost not to exceed \$1,500.00. Account nos. 00600104-458010 and 00600104-458012 will be utilized for this travel.

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

Board Meeting of January 12, 2022

ITEM NO. 8

**AUTHORIZATION FOR PURCHASE OF PARTS FOR THE VENTURI SCRUBBER SYSTEM**

WHEREAS: On January 12, 2022, the Board of the Buffalo Sewer Authority designated EnviroCare International the original manufacturer, and/or their authorized local service representative, as a sole source for replacement parts, supplies and services for Venturi Scrubber System units installed at the Bird Island Treatment Facility; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for purchase of parts for the Venturi Scrubber System; and

WHEREAS: Upon request, EnviroCare International submitted a quote in the amount of \$78,640.00 for the parts; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff reviewed the quote received and recommend this purchase; and

WHEREAS: Board approval is required on purchase over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed parts for the Venturi Scrubber System in the amount of \$78,640.00. This purchase will be charged to account no. 00380105-466107.

MOTION TO APPROVE

MADE BY MS.PETRUCCI

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

AYES 3 NOES 0

Board Meeting of January 12, 2022

ITEM NO. 9

**AUTHORIZATION FOR PURCHASE REHEAT COILS FOR AHU 7-14A 2nd FLOOR  
MEGASTRUCTURE**

WHEREAS: Bids were solicited and received for the purchase of Reheat Coils for Air Handling Unit (AHU) 7-14A, located on the 2<sup>nd</sup> floor of the megastructure. Bids are as follows:

WHEREAS:

<b>VENDOR</b>	<b>BID</b>
Nationwide Coils	\$51,534.00
Modular Comfort Systems	\$85,000.00
Filtration Unlimited	NO BID

; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer reviewed the quotes received and recommend this purchase be awarded to the low bidder, Nationwide Coils, at a total cost not to exceed \$51,534.00; and

WHEREAS: Board approval is required on purchases over \$20,000.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase Reheat Coils for AHU 7-14A from Nationwide Coils, at a total cost not to exceed \$51,534.00. This purchase will be charged to account no. 00380105-466107.

MOTION TO TABLED

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of January 12, 2022



## ITEM NO. 10

**REPORT ON BIDS RECEIVED - BIRD ISLAND CAMPUS LANDSCAPE AND SITE IMPROVEMENT PROJECT**

WHEREAS: Formal bids were advertised, solicited, and received for the Bird Island Campus Landscape and Site Improvement Project by the Buffalo Sewer Authority on Wednesday, December 29<sup>th</sup>, 2021 at 11:00AM:

<b>Contractor</b>	<b>Base Bid</b>	<b>Alternate Bid</b>	<b>Total Bid</b>
A-1 Land Care Inc.	\$495,900.00	\$694,200.00	\$1,190,100.00
Scott Lawn Yard	\$598,400.00	\$793,800.00	\$1,392,200.00
Mark Cerrone Inc.	\$637,800.00	\$778,100.00	\$1,415,900.00
Pinto Construction Serv.	\$763,500.00	\$1,000,000.00	\$1,763,500.00

; and

WHEREAS: As the bids do not reflect the true amount of the costs, the proposals were received and the contract will be awarded on the basis of unit bid and lump sum prices; and

WHEREAS: The Authority's consulting engineer, Clough Harbor and Associates (CHA) have reviewed the submittals and recommend awarding this contract to the low bidder, A-1 Land Care Inc; and

WHEREAS: The Treatment Plant Administrator and staff have reviewed the submittals and concur with the recommendation of the consulting engineer to award this contract to the low bidder, A-1 Land Care Inc.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract with A-1 Land Care, Inc. for the Bird Island Campus Landscape and Site Improvement Project at a cost not to exceed \$1,190,100.00. Expenses for this contract shall be charged to account no. 0200544-490740.

MOTION TO TABLED

MADE BY MS.PETRUCCI

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

AYES 3 NOES 0

ITEM NO. 11

**AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR PHASE 2 GREEN INFRASTRUCTURE STEWARDSHIP SERVICE PROGRAM FOR WORKFORCE DEVELOPMENT**

WHEREAS: In order to meet the growing needs of Green Infrastructure asset management, the Buffalo Sewer Authority issued a Request for Proposals (RFP) in August 2020 for the development of an integrated green infrastructure stewardship program aimed at developing a local talent pipeline to support the Authority; and

WHEREAS: On December 2, 2020, the Board of the Buffalo Sewer Authority authorized the General Manager to execute an agreement with PowerCorp PHL/ Education Works (in conjunction with Heart of the City Neighborhoods) for Phase 1 development of the Green Infrastructure Stewardship Service program; and

WHEREAS: A selection committee appointed by the General Manger reviewed and evaluated the proposals received; and

WHEREAS: Based upon the proposal review and follow-up discussions, the selection committee recommends retaining PowerCorp PHL/ Education Works (in conjunction with Heart of the City Neighborhoods) to develop Phase 2 of the Green Infrastructure Stewardship Service Program as outlined in the RFP and further detailed in the proposal dated January 3, 2022 at an agreed upon not to exceed cost of \$529,722.60; and

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into a Professional Service Contract with PowerCorp PHL/ Education Works (in conjunction with Heart of the City Neighborhoods) to implement Phase 2 of the Green Infrastructure Stewardship Service Program, at a not to exceed cost of \$529,722.60 as outlined in the RFP and in conjunction with the proposal dated January 3, 2022. These services will be charged to account no. 00700106-432004

MOTION TO APPROVE

MADE BY MS.PETRUCCI

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

AYES 3 NOES 0

## ITEM NO. 12

**CONFIRMATION OF APPOINTMENTS**

LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$19.98 PER HOUR  
EFFECTIVE: DECEMBER 6, 2021

CHRISTOPHER ERNST  
84 DUNDEE ST.  
BUFFALO, NY

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LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$140.00 PER DAY  
EFFECTIVE: DECEMBER 13, 2021

KEYSHAWN GAULT  
151 NORTH OGDEN ST.  
BUFFALO, NY

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MILLWRIGHT (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$29.15 PER HOUR  
EFFECTIVE: DECEMBER 20, 2021

JOSEPH VULLO JR.  
34 FULLER  
BUFFALO, NY

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SENIOR ENGINEER (PERMANENT)  
ENGINEERING DIVISION  
\$80,472 PER ANNUM  
EFFECTIVE: DECEMBER 27, 2021

REGINA HARRIS  
48 BEVERLY RD.  
BUFFALO, NY

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CLERK (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$40, 981 PER ANNUM  
EFFECTIVE: JANUARY 3, 2022

DANIELLE SHARP  
418 HIGH STREET  
BUFFALO, NY

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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  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 3 NOES 0

Board Meeting of January 12, 2022

## ITEM NO. 13

**TUITION REIMBURSEMENT**

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 employees have applied for Tuition Reimbursement:

<b><u>EMPLOYEE</u></b>	<b><u>SCHOOL</u></b>	<b><u>COURSE</u></b>	<b><u>TUITION%</u></b>	<b><u>REIMBURSEMENT TOTAL</u></b>
Perry Pope	Buffalo State College	Principles in Creative Problem Solving	75%	\$1,059.75
Perry Pope	Buffalo State College	Integrated Industrial Systems	75%	\$1,059.75
Daniel O'Sullivan	Erie Community College	Hydraulics & Hydrology	90%	\$395.79
Daniel O'Sullivan	Erie Community College	Structural Steel Design	90%	\$359.98
Daniel O'Sullivan	Erie Community College	Fees		\$150.00
Conor Flannery	Buffalo State College	General Physics	100%	\$1,056.45
Conor Flannery	Buffalo State College	Statistical Quality Control	100%	\$1,072.50

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$5,154.22. These Reimbursements will be charged to account no. 00820102-421026.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of January 12, 2022

ITEM NO. 14

**ADJOURNMENT OF MEETING**

MOTION TO                     APPROVE                    

MADE BY                     MS.PETRUCCI                    

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

AYES           3           NOES           0          

Board Meeting of January 12, 2022