

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

September 28, 2022

BUFFALO SEWER AUTHORITY

September 28, 2022

REGULAR MEETING **9:00 A.M.** **VIA TELECONFERENCE**
+ 1 929-229-5044 United States, New York City
Phone Conference ID: #276 221 496

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CALL OF THE ROLL

Present:	Herbert L. Bellamy, Jr	Chairman
	Christopher Roosevelt	Vice Chairman of the Board
	Eleanor Petrucci	Secretary
	Oluwole A. McFoy, P.E.	General Manager
	Alexander Emmerson	Treatment Plant Superintendent
	Charles Riley	Executive Secretary
	Rosaleen B. Nogle, P.E.	Principal Sanitary Engineer
	LaToya Cunningham	Special Assistant
	Lori Scaletta	Acting Director of Employee Relations
	Paul Harris	Superintendent of Mechanical Maintenance
	Roberta L. Gaiek, P.E.	Treatment Plant Administration
	Lauren A. Howard, Esq.	General Counsel
	Angelica Gonzalez	Typist
	Laura Surdej	Industrial Wastewater Specialist, Erie County
Absent:		

The meeting was called to order at 9:06 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 20, 2022

MOTION TO ADOPT
 MADE BY MRS. PETRUCCI
 2ND BY MR. ROOSEVELT
 AYES 3 NOES 0

ITEM NO. 2

INFORMATIVE: TEMPORARY INVESTMENTS (CERTIFICATES OF DEPOSIT AND TREASURY BILLS)
MARKET VALUEAs of August 31th, 2022

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
MONEY MARKET						
31-Jul-12			\$2,425,421.66	Key	0.01%	Public NOW
11-May-22	7-Sep-22	119	\$9,495,529.78	Key Banc Capital	1.45%	\$44,534.03
24-Jun-22	5-Oct-22	103	\$2,005,270.91	Key Banc Capital	2.16%	\$12,421.80
14-Jun-22	13-Oct-22	121	\$1,001,710.87	Key Banc Capital	2.00%	\$6,755.83
31-May-22	26-Oct-22	148	\$6,117,812.98	Key Banc Capital	1.76%	\$44,455.25
7-Jul-22	4-Nov-22	120	\$6,966,190.80	JP Morgan	2.60%	\$60,666.67
1-Jul-22	1-Dec-22	153	\$10,909,482.32	Key Banc Capital	2.68%	\$121,550.00
19-Jul-22	22-Dec-22	156	\$3,907,083.37	Key Banc Capital	2.62%	\$44,777.55
2-Aug-22	30-Dec-22	150	\$3,800,071.61	Key Banc Capital	2.91%	\$46,608.50
			\$46,628,574.48			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	Money Market		\$81,613.17	Key	0.01%	Public NOW
19-Jul-22	20-Oct-22		\$919,889.49	Key Banc Capital	2.40%	\$5,722.60
			\$1,001,502.66			
OPERATING FUND						
31-Jul-12	Super NOW		\$6,268,626.31	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$5,652.61	Key	0.01%	Public NOW
SURPLUS FUND						
13-Jun-22	30-Nov-22	170	\$713.32	Wilmington US Treasury	0.90%	
			\$10,004,048.09	Key Banc Capital	2.24%	\$106,951.91
			\$50,331.24	Accrued Income		
			\$10,055,092.65			
NET REVENUE FUND						
			\$-	Wilmington US Treasury		
27-Jun-22	29-Aug-22	63	\$3,092,954.04	Key Banc Capital	1.85%	\$ 10,045.96
29-Jun-22	25-Oct-22	118	\$3,000,202.22	M&T Securities	2.00%	\$ 19,797.78
26-Jul-22	28-Sep-22	64	\$4,978,577.78	Key Banc Capital	2.40%	\$21,422.22
			\$42,225.72	Accrued Income		
			\$11,113,959.76			

BSA 2021 EIB FUND

			\$2,995.81	Cash	0.00%	
1-Apr-21	2-Aug-22	123	\$3,997,881.10	Key Banc Capital	0.66%	\$ 14,118.80
1-Dec-21	26-Aug-22	268	\$32,926,300.00	Key Banc Capital	1.03%	\$ 73,700.00
26-Apr-22	23-Sep-22	150	\$2,267,737.50	Key Banc Capital	0.30%	\$ 14,262.50
31-May-22	26-Oct-22	148	\$9,989,195.84	Key Banc Capital	1.50%	\$ 72,804.16
29-Jul-22	30-Nov-22	124	\$1,845,701.73	Key Banc Capital	1.76%	\$ 18,298.27
29-Jun-22	1-Dec-22	155	\$1,996,607.53	Key Banc Capital	2.12%	\$ 18,392.47
			\$97,227.03	Accrued Income		
			\$53,123,646.54			

DEBT RESERVE FUND

				Series J		
02-Jul-14	13-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	6803	\$361,415.00	UST State/Local Govt	2.70%	
			\$450.79	Accrued Income		
			\$361,865.79			
				Series L		
12-Nov-15	1-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%	
			\$7,033.38	Accrued Income		
			\$696,580.38			
				Series M		
27-Jun-14	1-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			
				EFC 2021		
17-May-22	7-Sep-22	113	\$292.51	Wilmington U.S. Treasury		
			\$317,578.15	Key Bank Capital	1.42%	\$1,421.85
			\$1,346.66	Accrued Income		
			\$319,217.32			
				DSF PRIN & INT		
			\$0.01	Wilmington Fund		

DSF 2021 EIB

			\$223,118.39	Wilmington Fund	0.48%	
			\$556.20	Accrued Income		
			\$223,674.59			

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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

8/10/2022	00300103 Blow Electrical Light & Power	-\$340,000.00	00380106 INCIN Maintenance Contract	\$340,000.00
6/30/2022	00300103 Blow Electrical Light & Power	-\$62,879.00	00330105 FINA Chemicals & Gases	\$62,879.00
6/30/2022	00300103 Blow Electrical Light & Power	-\$94,663.00	00360105 DEWA Chemicals & Gases	\$94,663.00
6/30/2022	00300103 Blow Electrical Light & Power	-\$69,454.00	00340105 THIC Chemicals & Gases	\$69,454.00
6/30/2022	00300103 Blow Electrical Light & Power	-\$4,463.44	00510105 LAB Laboratory Supplies	\$4,463.44
6/30/2022	00300103 Blow Electrical Light & Power	-\$11,024.00	00510107 LAB Operating Equipment	\$11,024.00
6/30/2022	00300103 Blow Electrical Light & Power	-\$7,302.00	00510105 LAB Chemicals & Gases	\$7,302.00

Sewer Maintenance Division

6/30/2022	00690105 AUTO Automotive Repairs	-\$500.00	00660107 SWRM Office Supplies	\$500.00
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Board Meeting of September 28, 2022

ITEM NO. 4

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 were received during a prior fiscal year and charged to the 2021-2022 budget account no. 00800108-480214:

VENDOR	INVOICE	AMOUNT
Bison Laboratories	428961 – 429326	\$42,383.30
Buffalo Water	4204800	\$7,498.59
Daikin Applied	91801364	\$461.63
Education Works	22BSA-9	\$3,927.33
Education Works	22BSA-10	\$39,722.55
Enterprise Fund-Water	3525700	\$177.96
Fisher Scientific	2693293	\$79.63
Fisher Scientific	6384719	\$201.57
Geiter Done	86971 – 92832	\$30,539.49
Hanes Supply Inc	1507821-00	\$79.96
Labconco	735747	\$104.79
Liberty Electric Products	979286	\$121.88
Mettler-Toledo, LLC	654761205	\$1,115.06
Mettler-Toledo, LLC	655016988	\$1,075.17
National Grid	56525-15104	\$6,086.26
Sicoli	169-05	\$14,903.78
Unifirst	1140075934	\$141.80
Unifirst	1140075935	\$16,840.32

; 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

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 28, 2022.

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.

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

WHEREAS: The General Manager recommends the following designation of fund balance for the fiscal year ending June 30, 2022.

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, 2022.

Fund Balances:	
Non-Spendable	\$210,285
Committed:	
Encumbrances	15,145,459
Loss Contingencies	2,000,000
Capital Projects	5,285,619
Unassigned	<u>10,000,000</u>
Total Fund Balances	\$32,641,363

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 6

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Pearl Minko of 118 Herkimer St., filed a Claim with the Buffalo Sewer Authority for damage to her motor vehicle on July 1, 2022; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$1,623.64 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 Pearl Minko of 118 Herkimer St., Buffalo, NY 14213 in the final settlement amount of \$1,623.64 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 MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 7

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Buffalo Urban League, Inc. of 15 Genesee St., filed a Claim with the Buffalo Sewer Authority for property damage on September 19, 2022; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$6,450.00 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 Buffalo Urban League, Inc. of 15 Genesee St., Buffalo, NY 14203 in the final settlement amount of \$6,450.00 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 MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 8

AUTHORIZATION FOR EXECUTION AND DELIVERY OF NYSDEC ORDER

WHEREAS: Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) grants the New York State Department of Environmental Conservation (“DEC”) jurisdiction over the state’s environmental policy and programs, including the abatement and control of air pollution in the State; and

WHEREAS: The Buffalo Sewer Authority has been engaged in negotiations with the DEC for several years regarding two multiple hearth incinerators (“MCIs”) at the Bird Island Sewage Treatment Plant; and

WHEREAS: Following the aforementioned negotiations, the General Manager now seeks authorization to execute and deliver the related Order on Consent from the DEC, which includes a payment of Thirty Thousand Dollars (\$30,000) to be made by BSA to the DEC.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to the DEC in the amount of \$30,000 in fulfilment of the Consent Order.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 9

AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 22300152

WHEREAS: On May 27, 2020, the Board of the Buffalo Sewer Authority awarded a contract to Don’s Security Services, for security guard services at the Bird Island Treatment Facility at a total cost not to exceed \$382,812.00 for the period July 1, 2020 to June 30, 2021, with an option to renew for four (4) one-year periods; and

WHEREAS: On July 1, 2020, the NYS Department of Labor’s prevailing wage rate increased by \$1.73/hr. and .07% for supplemental benefits, resulting in the billable rate increasing from \$21.85/hr. to \$23.65/hr.; and

WHEREAS: On September 30, 2020, the Board authorized a change order in the amount of \$31,536.00 to the blanket purchase order in order to increase the previously authorized amount from \$382,812.00 to a total not to exceed \$414,348.00 for fiscal year 2020-2021; and

WHEREAS: On July 1, 2022, the prevailing wage rate increased by \$1.69/hr. and \$0.14 for supplemental benefits, resulting in the billable rate increasing from \$25.48/hr. to \$27.31/hr.; and

WHEREAS: It is now necessary to increase the Blanket Order No. 22300152 in the amount of \$32,061.60 from \$446,409.60 to \$478,471.20 through June 30, 2023; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost of not to exceed \$478,471.20.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve a change order in the amount of \$32,061.60, increasing Blanket Order No. 22300152 with Don’s Security Services, Inc. for the security guard services, from \$446,409.60 to \$478,471.20 through June 30, 2023. Funds for this change order will be charged to account no. 00200106-434000.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

ITEM NO.10

AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 22300153

WHEREAS: On June 23, 2021, the Board authorized to renew the contract with New York State Industries for the Disabled (NYSID) as a preferred source, through its member Heritage Centers, also known as Allentown Industries, to perform janitorial services at the Buffalo Sewer Authority facilities for the period July 1, 2021 to June 30, 2022, at a total cost not to exceed \$100,262.13; and

WHEREAS: On January 1, 2022, the prevailing wage increased by \$0.70 which resulted in our cost increasing by \$927.87 from \$100,262.13 to \$101,190.00 through June 30, 2022; and

WHEREAS: On July 1, 2022, the prevailing wage increased by \$0.70 which resulted in our cost increasing by \$1,855.67; and

WHEREAS: It is now necessary to increase the Blanket Order No 22300153 in the amount of \$1,855.67 from \$100,262.13 to \$102,117.80 through June 30, 2023; and

WHEREAS The Treatment Plant Superintendent and staff recommend this increase at a total cost not to exceed \$102,117.80.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve a change order in the amount of \$1,855.67, increasing Blanket Order No. 22300153 with New York State Industries for the Disabled (NYSID) as a preferred source, through its member Heritage Centers, also known as Allentown Industries, to perform janitorial services at the Buffalo Sewer Authority facilities, from \$100,262.13 to \$102,117.80 through June 30, 2023. Funds for this change order will be charged to account nos. 00110106-434000, 00200106-434000 and 00650106-434000.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 11

TRAVEL AUTHORIZATION - SANDUSKY, OH

WHEREAS: Midwest Regional Chapter Fall Conference of the Vibration Institute is occurring in Sandusky, Ohio from October 19, 2022 through October 21, 2022, focused in predictive maintenance and vibration characteristics of rotating equipment; and

WHEREAS: Richard Bonner, Senior Instrument Technician, is a member of the Vibration Institute and has served as the Authority’s lead in this form of asset management; and

WHEREAS: The Superintendent of Mechanical Maintenance recommends Richard Bonner, Senior Instrument Technician, attend the conference along with concurrence from the General Manager.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Senior Instrument Technician to travel to Sandusky, Ohio from October 19, 2022 through October 21, 2022, to attend the Midwest Regional Chapter Fall Conference, at a total cost not to exceed \$775.00 and will be charged to account nos. 00520106-421026 and 00200104-458010.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 12

TRAVEL AUTHORIZATION - ASPEN, COLORADO.

WHEREAS: The Aspen-Nicholas Water Forum is a partnership with The Aspen Institute Energy and Environment Program, and Nicholas Institute at Duke University; and

WHEREAS: The 2022 Aspen-Nicholas Water Forum, will be held October 25 – October 28, 2022 in Aspen, Colorado; and

WHEREAS: The Aspen-Nicholas Water Forum serves as a platform for identifying domestic water challenges in the 21st century through collaborative convening to develop forward-thinking pathways to address the state of the US water system; and

WHEREAS: The General Manager has been invited to participate and bring expertise in the areas of building resilient water systems, from green infrastructure to alternative financing, and enabling trust in communities; and

WHEREAS: The General Manager recommends attendance to the Aspen-Nicholas Water Forum.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Aspen, Colorado from October 25 – October 29, 2022, to attend the Aspen-Nicholas Water Forum Meeting at a total cost not to exceed \$2000.00. Account nos. 00110104-458010 and 00110104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 13

TRAVEL AUTHORIZATION - MISSISSAUGA, ON

WHEREAS: The Water Environment Association of Ontario’s 2022 Collection Systems Seminar is being held in Mississauga, ON on October 19, 2022; and

WHEREAS: The Senior Engineer serves as the Stormwater Management Officer for the Buffalo Sewer Authority and needs to remain current on state-of-the-art practices and technologies, especially those available regionally; and

WHEREAS: The General Manager recommends that the Senior Engineer attend the WEA of Ontario’s 2022 Collection Systems Seminar.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Senior Engineer to travel to Mississauga, ON on October 19, 2022, to attend the 2022 WEA of Ontario Collection Systems Seminar at a total cost not to exceed \$400.00. Account nos. 00600104-458010 and 00600104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 14

TRAVEL AUTHORIZATION - MISSISSAUGA, ON

WHEREAS: The Water Environment Association of Ontario's 2022 Stormwater Seminar is being held in Mississauga, ON on November 3, 2022; and

WHEREAS: The Senior Engineer serves as the Stormwater Management Officer for the Buffalo Sewer Authority and needs to remain current on state-of-the-art practices and technologies, especially those available regionally; and

WHEREAS: The General Manager recommends that the Senior Engineer attend the WEA of Ontario's 2022 Stormwater Seminar.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Senior Engineer to travel to Mississauga, ON on November 3, 2022, to attend the 2022 WEA of Ontario Stormwater Seminar at a total cost not to exceed \$400.00. Account nos. 00600104-458010 and 00600104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 15

TRAVEL AUTHORIZATION - ST. PETE BEACH, FLORIDA

WHEREAS: The Buffalo Sewer Authority serves as a member agency for the National Association of Clean Water Agencies (NACWA), an organization dedicated to engagement and advocacy in the water sector on behalf of municipal organizations; and

WHEREAS: The NACWA Fall Strategic Leadership, Board of Directors Meeting, and National Clean Water Law & Enforcement Seminar will be held in St. Pete Beach, Florida from November 14 – 18, 2022, covering major national concerns relating to the water sector practices and issues; and

WHEREAS: The General Manager serves on the Board of Directors as Vice President; and

WHEREAS: The General Manager recommends attendance for the NACWA Fall Strategic Leadership and Board of Directors Meeting.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Austin, Texas from November 13 - 19, 2022, to attend the NACWA Fall Strategic Leadership and Board of Directors Meeting and National Clean Water Law & Enforcement Seminar at a total cost not to exceed \$3,500.00. Account no.'s 00110104-458010 and 00110104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 17

EXTENSION OF THE CONTRACT FOR ENERGY CONSULTING SERVICES

- WHEREAS: United Energy is a professional consulting organization specializing in energy commodities procurement geared to minimize financial risk and maximize savings; and
- WHEREAS: On July 31, 2019, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute an agreement with United Energy for energy consulting services for the period July 1, 2019 through June 30, 2020, with an option to renew for four (4) one-year periods through June 30, 2024; and
- WHEREAS: On June 24, 2020, the Board of the Buffalo Sewer Authority authorized an extension of six (6) months under the current terms, conditions, and pricing indicated in the contract document for the period July 1, 2020 through December 31, 2020; and
- WHEREAS: On October 28, 2020, the Board of the Buffalo Sewer Authority authorized an extension of six (6) months under the current terms, conditions, and pricing indicated in the contract document for the period January 1, 2021 through June 30, 2021 followed by a not to exceed one (1) year under the current terms, conditions, and pricing indicated in the contract document for the period July 1, 2021 through June 30, 2022; and
- WHEREAS: The proposal submitted for Professional Services of Energy Procurement is for \$30,000.00 annually, plus a cost of 15% of savings realized (for a cumulative total equal to or less than \$150,000.00) and a cost of 22% of savings realized (for a cumulative total greater than \$150,000.00); and
- WHEREAS: The Treatment Plant Administrator recommends the extension of the contract with United Energy for the period of July 1, 2022 through June 30, 2023, at an annual base fee of \$30,000.00, plus the percentage indicated for cumulative savings realized.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with United Energy Management for Energy Consulting Services for one (1) year through June 30, 2023 under the current terms, conditions, and pricing indicated in the contract document until the new award for these services is prepared. Expenses for this extension will be charged to account nos. 00380106-432004 and 00380103-441001.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28th, 2022

ITEM NO. 18

AUTHORIZATION TO DISPOSE OF VARIOUS OBSOLETE VEHICLES AND EQUIPMENT

WHEREAS: The Buffalo Sewer Authority's current inventory of fixed assets contains equipment and vehicles that are obsolete; and

WHEREAS: The Head Motor Equipment Mechanic, Director of Sewer Maintenance, and Treatment Plant Superintendent recommend disposing of the following vehicles and equipment:

BSA#	Description	VIN#
Vehicles		
250-S	2000 Ingersoll-Rand Bobcat Model 863	514442888
278-D	2008 Ford F150 4x4 Regular Cab	1FTRF14W18KC46677
292-D	2009 Ford F10 4x2 w/ Tommy Gate	1FTVX12V79KB12103
306-A	2011 Ford Escape AWD 4x4	1FMCU9D8BKA99439
305-S	2007 Ford F450 4x4 Crew Cab Dump	1FDOW4HT3BEA91657
289-D	2009 Ford F150 4x2 Regular Cab	1FTRF12W69KB05477
304-D	2010 F150 4x2 Regular Cab	1FTNF1CV1AKE77964
290-D	2009 F150 4x4 Regular Cab	1FTRF14W19KB05478
302-E	2010 Escape AWD XLT 4x4	1FMCU9DG5AKD28027
280-D	2008 F150 XL Regular Cab 4x2	1FTRF12248KC46673
310-A	2012 Ford Escape AWD XLT 4x4	1FMCU9DG6CKB33721
267-D	2008 Ford Escape	1FMCU02ZX8KA80061
303-A	2010 Ford Escape XLT 4x4	1FMU9DG1AKD33855
268-D	2008 Ford Escape 4x2	1FMCU02Z88KA80060
262-D	Aluminum Trailer 7'x12"	4PVAT12166E020830
253-D	Utility Trailer 4'x8"	LCAUS0811DT113040
Equipment		
	John Deere lawn Tractor x304 42" Deck	
	2 Post Rotary Lift 9,000 LB	SP09-204
	Ingersol Rand Compressor 185	P185WIR/2004/A
	Duct Rodder Fiberglass	08083250
	Godwin 6" Trash Pump 104239 D 222291	
	Teledyne Hob Knocker TB Series 425x	
	Teledyne Tamper TC905	
	New Holland Back Hoe Forks Model 10047-0733 10,000 LB	
	Four New Holland 12" Hoe Buckets	
	Three Bobcat 6' Solid Buckets	
	Bobcat 6' Clam Bucket	
	Skid Steer Sweeper 6' (Sweepster)	
	Columbia Par Car 53020-92 w/ Dump Body	
	Toro Workman Cart B.S.A. Tag # 04888 w/ Dump Body	
	Fence Frame 3' 8" x 7' 10" wo/ Chain Link	
	Fence Frame 7' 10" x 7' 10" wo/ Chain Link	
	Fence Frame 7' 4" x 10" w/ Chain Link	
	One Front Bucket Piston for 1990's John Deere Back Hoe	
	Two 265/75 R 22.5 Good Year G622 RSD Load Range G New with Tire and Dayton Rims	

ITEM NO. 19

AUTHORIZATION FOR PURCHASE OF THE YEARLY SUBSCRIPTION FOR EZMAXMOBILE

WHEREAS: On February 17, 2021, the Board of the Buffalo Sewer Authority designated Interpro, the owner and distributor of EZMAXMOBILE software, as a sole source for the purchase of software and technical support and professional services for EZMAXMOBILE; and

WHEREAS: The Buffalo Sewer Authority Sewer Maintenance Division currently uses EZMAXMOBILE for work order tracking for repairs and service performed throughout the City of Buffalo and plan on expanding the services for the Green Infrastructure Program; and

WHEREAS: Interpro Solutions submitted a quote for \$47,642.00 for the yearly renewal subscription fee to include EZMaxMobile Users, Enhanced Mapping, Cloud Services (Push Notifications); and

WHEREAS: Board approval is required on purchases over \$20,000.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the yearly subscription from Interpro Solutions at a cost not to exceed \$47,642.00. Account no. 00200107-474300 will be charged for this purchase.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 20

AUTHORIZATION FOR PURCHASE OF MOYNO PARTS

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Moyno, Inc., the original equipment manufacturer, and/or their authorized local service representative, as a sole source provider for the replacement parts, supplies and service for the Moyno pumps that are used throughout the Treatment Plant Facility; and

WHEREAS: Upon request, Nov Process & Flow Technologies US Inc., the authorized representative, submitted a quote in the amount of \$15,120.66 for the parts and service; and

WHEREAS: Monies payable for parts for Moyno Pumps in the current aggregate year are \$48,590.70. This purchase will bring the total monies payable for purchases to \$63,711.36; 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 the needed parts for the Moyno Pumps from Nov Process & Flow Technologies US Inc at a cost not to exceed \$15,120.66. This purchase will be charged to account number 00340105-466107.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 22

REPORTS ON BIDS RECEIVED - PURCHASE OF FLUKE ROTALIGN TOUCH LASER ALIGNMENT TOOL

WHEREAS: Formal bids were advertised and solicited for the purchase of the following: One (1) new and unused Fluke Rotalign Touch Alignment Tool (Or equivalent) and One (1) new and unused Ludeca Easy-Laser Pulley Alignment System (Or Equivalent):

- 1.) A. Rotalign Touch Device (or equivalent)
 - B. Sensalign 7 Sensor (or equivalent)
 - C. Sensalign 7 Laser (or equivalent)
 - D. Compact Magnetic Bracket Set, Standard
 - E. Ludeca Easy-Laser Pulley Alignment System (or equivalent)
- ; and

WHEREAS: The following bid was received and opened by the Buffalo Sewer Authority Purchase Department on August 16, 2022:

Vendor	Total Cost:
Fluke Electronics Corporation	\$31,119.00 <u> \$100.00</u> – shipping charges \$31,219.00
Advanced Test Equipment	No Bid
Eddy Tech Systems	No Bid
Star-Tech	No Bid
Graybar	No Bid
Hamer Laser & Grainger	No Bid

; and

WHEREAS: The laser alignment equipment will directly translate to reducing equipment energy consumption, reduction in incidence of equipment repairs and longer machine life, thereby improving overall equipment reliability and availability and lower overall maintenance costs; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff reviewed the quotes received and recommend awarding the entire purchase to the only bidder, Fluke Electronics Corporation, at a total cost of \$31,119.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the above listed various new and unused products from the only bidder, Fluke Electronics Corporation at a total cost of \$31,219.00. This purchase will be charged to account no. 00520105-466107.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 23

**AUTHORIZATION FOR PURCHASE OF PARTS AND OVERHAUL SERVICES FOR
DIGESTER COMPRESSOR No. 9**

- WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Ingersoll Rand, (Parent Company for Dresser Rand) the original equipment manufacturer, and/or their authorized local service representative, as a sole source provider for the replacement parts, supplies and services for the digester gas compressors and parts for the compressors in the Grit Building at the Buffalo Sewer Authority Treatment Plant Facility; and
- WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for parts and overhaul service on the digester compressor No. 9 for valve rebuild as well as an internal preventative maintenance to improve equipment reliability and availability; and
- WHEREAS: Upon request, Ingersoll Rand submitted a quote in the amount of \$121,204.00 for the parts and service; and
- WHEREAS: Monies payable to Ingersoll Rand in the current fiscal year are \$24,352.00. This purchase will bring the total monies payable for purchase/service to \$145,556.00; and
- WHEREAS: The Board of the Buffalo Sewer Authority approved and authorized the sole source amount for \$130,000.00 to be utilized for fiscal year 2022-2023 on June 22, 2022; and
- WHEREAS: This service exceeds the prior Board Approval and Board approval is required on services over \$35,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed parts and authorize the service repairs to the Digester Compressor No. 9 for Ingersoll Rand at a total cost not to exceed \$121,204.00. This purchase will be charged to account numbers 00270106-443301 and 00270105-466107.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 24

CHANGE ORDER NO. 3 – CONTRACT NO. 82000017

CONTRACTOR:	ORIGINAL CONTRACT COST	\$2,262,000.00
NOVA Site Companies	PREVIOUS CHANGE ORDER	\$235,406.63
6 Lena Court	THIS CHANGE ORDER	<u>\$0.00</u>
West Seneca, New York 14224	ADJUSTED CONTRACT COST	\$2,497,406.63

WORK: SMITH AT EAGLE RTC

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Reduction in retainage percentage from 5% to 1% of total contract cost.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Work under the original contract is substantially complete, however change order work has been delayed due to global supply chain concerns.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$0.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$0.00

The Total INCREASE to the Contract as a result of this Change Order is \$0.00

WHEREAS: In Item No. 20, on April 1, 2020 the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Nova Site Company, LLC for the Smith St. at Eagle St. Real Time Control Project at a cost not to exceed \$2,262,000.00; and

WHEREAS: Change Order No. 1 to Contract No. 82000017 was approved by the Board on October 20, 2021 with no increase in cost but an increase in the construction schedule of 233 days; and

WHEREAS: Change Order No. 2 to Contract No. 82000017 was approved by the Board on June 22, 2022 in the amount of \$235,406.63 for additional work and materials; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 3 to Contract No. 82000017 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 3 to Contract No. 82000017 as written in the above Agenda Item, increasing the contract cost in the amount of \$0.00. making the adjusted contract cost \$2,497,406.63.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 25

AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN

WHEREAS: There is a need to modify the Job Classification Plan

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority approves the addition of the following position to Job Classification Plan:

One (1) Labor Supervisor 00700131 411001
Three (3) Laborer I 00530161 411001

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 26

CONFIRMATION OF APPOINTMENTS

ACCOUNT CLERK-TYPIST (PERMANENT)
TREATMENT PLANT ADMINISTRATION
\$47,218 PER ANNUM
EFFECTIVE: JULY 18, 2022

MICHELE KEMPER
821 COLUMBUS PKWY
BUFFALO, NY 14213

SEWER CONSTRUCTION WORKER (PROVISIONAL)
SEWER MAINTENANCE DIVISION
\$23.39 PER HOUR
EFFECTIVE: JULY 18, 2022

MICHAEL PETTIGREW
40 WARWICK AVE.
BUFFALO, NY 14215

TYPIST (PERMANENT)
TREATMENT PLANT ADMINISTRATION
\$40,981 PER ANNUM
EFFECTIVE: JULY 25, 2022

ANGELICA GONZALEZ
2235 SENECA
BUFFALO, NY 14210

CLERK (PROVISIONAL)
CITY HALL ADMINISTRATION
\$40,981 PER ANNUM
EFFECTIVE: AUGUST 23, 2022

CRYSTALEE LOZADA
301 GERMANIA
BUFFALO, NY 14220

SENIOR FIRST CLASS STATIONARY ENGINEER (PROVISIONAL)
TREATMENT PLANT OPERATIONS
\$25.11 PER HOUR
EFFECTIVE: AUGUST 22, 2022

JEREMY WASIELEWSKI
358 DOWNING
BUFFALO, NY 14220

FORESTER (SEWER AUTHORITY) (PROVISIONAL)
TREATMENT PLANT MAINTENANCE
\$58,181 PER ANNUM
EFFECTIVE: AUGUST 29, 2022

JORDAN ROOSE
46 PARK
BUFFALO, NY 14201

GIS SPECIALIST II (PROVISIONAL)
ENGINEERING DIVISION
\$63,632 PER ANNUM
EFFECTIVE: AUGUST 22, 2022

STEPHANIE HANSON
86 STERLING APT.2
BUFFALO, NY 14216

LABORER I (SEASONAL)
TREATMENT PLANT YARDS & GROUNDS
\$140.00 PER DAY
EFFECTIVE: SEPTEMBER 12, 2022

ADAM BEYER
57 COLUMBUS AVE.
BUFFALO, NY 14220

SEWER CONSTRUCTION WORKER (PROVISIONAL)
SEWER MAINTENANCE DIVISION
\$24.12 PER HOUR
EFFECTIVE: SEPTEMBER 12, 2022

COREY ALEXANDER
74 HAMLIN RD.
BUFFALO, NY 14208

GIS SPECIALIST I (PROVISIONAL)
ENGINEERING DIVISION
\$48,524 PER ANNUM
EFFECTIVE: SEPTEMBER 19, 2022

KAITLIN WALSH
437 POTOMAC AVE.
BUFFALO, NY 14213

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 MRS. PETRUCCI
2ND BY MR. ROOSEVELT
AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 27

REQUEST FOR LEAVE OF ABSENCE

WHEREAS: Clayton Maynard, a permanent Laborer I has requested an unpaid personal leave of absence beginning September 19, 2022, for a period of six (6) months to pursue an employment opportunity with the Erie County Sheriff's Department; and

WHEREAS: The General Manager has reviewed this request and recommends approving this leave of absence request for a period of six (6) months.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Clayton Maynard a six (6) month unpaid personal leave of absence without pay beginning September 19, 2022 and extending until March 19, 2023.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 28, 2022

ITEM NO. 28

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:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Casey Wiles	Medaille College	Account Analysis and Decision Making	100%	\$3,059.99
Casey Wiles	Medaille College	Concepts in Economics	100%	\$3,043.49

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$6,103.48. These Reimbursements will be charged to account no. 00200106-421026.

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

Board Meeting of September 28, 2022.

ITEM NO. 29

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 employees have applied for Tuition Assistance:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION</u>
Perry Pope	Erie Community College	Civil Engineering Technology	\$20,000.00
Edwin Geter	Buffalo State College	Bachelor of Science	\$15,000.00

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 applications for Tuition Assistance.

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

Board Meeting of September 28, 2022.

ITEM NO. 30

ADJOURNMENT OF MEETING

MOTION TO _____ ADJOURN _____

MADE BY _____ MRS. PETRUCCI _____

2ND BY _____ MR. ROOSEVELT _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of September 28, 2022