

**MINUTES OF THE REGULAR MEETING**

**OF THE**

**BUFFALO SEWER AUTHORITY**

**September 29, 2021**

**57859.....57890**



# **BUFFALO SEWER AUTHORITY**

**September 29, 2021**

**REGULAR MEETING      9:00 A.M. VIA TELECONFERENCE**

**+ 1 929-229-5044 United States, New York City  
Phone Conference ID: 307 744 327#**

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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>Secretary</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>Lori Scaletta</u>	<u>Acting Director of Employee Relations</u>
<u>LaToya Cunningham</u>	<u>Special Assistant</u>
<u>Roberta Gaiek, P. E</u>	<u>Treatment Plant Administrator</u>
<u>Alexander Emmerson</u>	<u>Treatment Plant Superintendent</u>
<u>Paul Harris</u>	<u>Superintendent of Mechanical Maintenance</u>
<u>Rosaleen Nogle, P. E</u>	<u>Principle Sanitary Engineer</u>
<u>Lauren Howard, Esq</u>	<u>General Counsel</u>
<u>Delano Dowell</u>	<u>Deputy Comptroller (COB)</u>
<u> </u>	<u> </u>
Absent: <u> </u>	<u> </u>

The meeting was called to order at 9:19 A.M. A quorum was present.

**ITEM NO. 1****Motion to Adopt the Minutes of the Meeting of July 28, 2021**

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

Board Meeting of September 29, 2021

## ITEM NO. 2

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

As of August 31, 2021

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$1,392,685.29	Key	0.01%	Public NOW
1-Nov-19	Money Market		\$5,098,311.10	Bank on Buffalo	0.10%	
20-May-21	1-Sep-21	105	\$2,499,993.75	Key Bank Capital	0.08%	\$577.78
14-Apr-21	5-Oct-21	174	\$4,102,528.16	M&T Securities	0.12%	\$2,379.74
3-May-21	19-Nov-21	200	\$9,998,222.20	Key Bank Capital	0.16%	\$8,888.89
26-May-21	22-Nov-21	180	\$13,006,000.64	Key Bank Capital	0.15%	\$9,756.75
1-Jun-21	1-Nov-21	92	\$1,199,834.66	Key Bank Capital	0.07%	\$357.00
2-Aug-21	17-Dec-21	137	\$1,999,340.00	Key Bank Capital	0.07%	\$761.11
			<b>\$39,296,915.80</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	Money Market		\$100,336.42	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$917,012.96	Bank on Buffalo	0.10%	
			<b>\$1,017,349.38</b>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<b>\$3,343,378.16</b>	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		<b>\$6,179.90</b>	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
15-Jun-21	13-Dec-21	181	\$637.31	Wilmington US Treasury		
			\$10,003,967.70	Key Bank Capital	0.10%	\$5,032.30
			\$2,168.62	Accrued Income		
			<b>\$10,006,773.63</b>			
<b>NET REVENUE FUND</b>						
			\$0.00	Wilmington US Treasury		
3-May-21	2-Sep-21	100	\$1,798,600.22	Key Bank Capital	0.08%	\$399.78
25-Aug-21	29-Oct-21	98	\$6,999,368.06	Key Bank Capital	0.05%	\$631.94
26-May-21	2-Nov-21	183	\$4,996,441.67	Key Bank Capital	0.14%	\$3,558.33
22-Jul-21	3-Nov-21	104	\$4,998,844.44	Key Bank Capital	0.08%	\$1,155.56
2-Aug-21	3-Nov-21	93	\$3,499,547.92	Key Bank Capital	0.05%	\$452.08
28-Jun-21	22-Nov-21	180	\$6,197,348.50	Key Bank Capital	0.15%	\$4,651.50
28-Jun-21	28-Dec-21	180	\$3,997,763.33	Key Bank Capital	0.11%	\$2,236.67
			\$6,744.94	Accrued Income		
			<b>\$32,494,659.08</b>			



**BSA 2021 EIB FUND**

\$53,178,684.62	Wilmington U.S. Treasury
\$451.67	Accrued Income
<b>\$53,179,136.29</b>	

**DEBT RESERVE FUND**

				<b>Series J</b>		
02-Jul-14	13-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%	
			\$4,125.63	Accrued Income		
			<b>\$520,004.63</b>			
				<b>Series K</b>		
02-Jul-14	15-Feb-33	5803	\$361,415.00	UST State/Local Govt	2.70%	
			\$450.79	Accrued Income		
			<b>\$361,865.79</b>			
				<b>Series L</b>		
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%	
			\$7,033.38	Accrued Income		
			<b>\$696,580.38</b>			
				<b>Series M</b>		
27-Jun-14	01-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%	
			\$5,375.08	Accrued Income		
			<b>\$600,988.08</b>			
				<b>Series N</b>		
27-Jun-14	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%	
			\$19,917.71	Accrued Income		
			<b>\$2,187,074.71</b>			
				<b>EFC 2021</b>		
			\$639.72	Wilmington U.S. Treasury		
15-Nov-12	3-Nov-22	104	\$316,926.74	Key Banc Capital	0.08%	\$73.26
			\$28.88	Accrued Income		
			<b>\$317,595.34</b>			
22-Jul-21			<b>\$0.01</b>	<b>DSF PRIN &amp;INT</b> Wilmington Fund		

**RECEIVE & FILE**

Board Meeting of September 29th, 2021

## 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.

***Sewer Maintenance***

9/2/2021	00660105 SWRR Small Tools	\$50.00	00600105 Eng. Small Tools	-\$50.00
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***Administration Division***

6/30/2021	00110121 ADMIN Acting Time -Clerical	\$3,182.16	00110111 ADMIN Salaries Executive	-\$3,182.16
6/30/2021	00110121 ADMIN Acting Time -Clerical	\$185.00	00110111 ADMIN Salaries Executive	-\$185.00

***General Financial Charges***

8/3/2021	00800183 FIN Contingency	\$90,000	00550106 IWS Legal Services	-\$90,000.00
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**RECEIVE & FILE**

Board Meeting of September 29, 2021

## ITEM NO. 4

**AUTHORIZATION FOR BANKING TRANSACTIONS**

WHEREAS: The Buffalo Sewer Authority currently maintains banking relationships with Key Bank, M&T Bank, JP Morgan Chase Bank, M&T Securities, JP Morgan Securities, Bank on Buffalo, and Key Bank Capital Markets; and

WHEREAS: Regulations require corporate resolutions to designate individuals to complete banking transactions.

WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager, Oluwole A. McFoy, P.E., in addition to Ronald Brown, Executive Secretary; Thomas J. Peltz, Supervising Accountant; Charles Riley, Supervising Accountant; Carlos Costner, Associate Accountant; Jeffrey DiPalma, Senior Accountant as authorized persons in connection with all accounts hereafter maintained by the aforementioned banking institutions.

WHEREAS: BSA is adding Peter Grunzweig Jr., Junior Accountant as an authorized person in connection with all accounts hereafter maintained by the aforementioned banking institutions.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager, Oluwole A. McFoy, P.E., to execute banking agreements. In addition to Mr. McFoy, the Board of the Buffalo Sewer Authority designates: Ronald Brown, Executive Secretary; Thomas J. Peltz, Supervising Accountant; Charles Riley, Supervising Accountant; Carlos Costner, Associate Accountant; Jeffrey DiPalma, Senior Accountant; and Peter Grunzweig Jr., Junior Accountant as authorized persons in connection with all accounts hereafter maintained by the aforementioned banking institutions.

MOTION TO \_\_\_\_\_ APPROVE \_\_\_\_\_

MADE BY \_\_\_\_\_ MRS. PETRUCCI \_\_\_\_\_

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

AYES \_\_\_\_\_ 3 \_\_\_\_\_ NOES \_\_\_\_\_ 0 \_\_\_\_\_

Board Meeting of September 29, 2021

## 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, 2021.

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, 2021.

Fund Balances:	
Non-Spendable	\$197,423
Committed:	
Encumbrances	\$13,733,257
Loss Contingencies	\$2,000,000
Capital Projects	\$10,808,810
Unassigned	<u>\$10,000,000</u>
Total Fund Balances	\$36,779,490

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of September 29, 2021

## ITEM NO. 6

**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 2020-2021 budget account no. 00800108-480214:

<b>VENDOR</b>	<b>INVOICE</b>	<b>AMOUNT</b>
NYSID	866488	\$6,500.57
NYSID	868885	\$6,500.57
NYSID	903652	\$7,075.53
KeyBank	6719	\$598.50
Key Bank	6719	\$176.92
IRR Supply	8821908-00	\$576.01
Geiter Done	81281	\$849.65
Geiter Done	86914	\$362.68
Geiter Done	86281	\$983.49
Geiter Done	86720	\$ 976.91
Geiter Done	86919	\$1,263.71
Geiter Done	79544	\$8,771.52
Geiter Done	86701	\$1,088.05
On the Mark	5319	\$3,098.70
On the Mark	5383	\$4,909.86
Enterprise Water Fund	05334044	\$42.72
Enterprise Water Fund	05334044	\$62.92
National Grid	77575-53108	\$300.57
National Grid	77575-53108	\$303.41
National Grid	77575-53108	\$248.04
National Grid	79663-25107	\$56.54
National Grid	17112-93105	\$3,037.62
National Grid	77575-53108	\$301.35
National Grid	17512-93107	\$900.99
National Grid	17412-93105	\$2,739.91
National Grid	17512-93107	\$1,079.73
National Grid	56525-15104	\$1,314.81
National Grid	07451-39100	\$761.26
National Grid	79663-25107	\$56.77
Verizon	212X009596975	\$429.00
Verizon	212X009596975	\$680.39
Verizon	212X009596975	\$426.05
Verizon	9849065513	\$648.70
Verizon	9851164441	\$648.86
Verizon	9853232837	\$648.56
<b>SUBTOTAL</b>		<b>\$58,420.87</b>

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

Board Meeting of September 29, 2021

ITEM NO. 7

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: Laura L. Glab of 86 Rutland Street, Buffalo, N.Y. 14220 filed a Claim with the City of Buffalo for bodily injury related to Grace A. Knox on December 29, 2017; and

WHEREAS: The City of Buffalo Corporation Counsel and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$12,500.00 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 Laura L. Glab of 86 Rutland Street, Buffalo, N.Y. 14220 in the final settlement amount of \$12,500.00 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

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

AYES 3 NOES 0

Board Meeting of September 29, 2021

## ITEM NO. 8

**TRAVEL AUTHORIZATION - ALBANY, NY**

WHEREAS: The New York Water Environment Association (NYWEA) will be hosting the Women of Water Summit in Albany, NY on October 27, 2021; and

WHEREAS: The Buffalo Sewer Authority has taken on a prominent position regarding Diversity, Equity, and Inclusion within the water sector; and

WHEREAS: The Women of Water Summit is aimed to engage and empower a diverse group of participants to help move themselves and the industry forward in terms of gender diversity, equity, and inclusion; and

WHEREAS: The Principal Sanitary Engineer is a NYWEA delegate to the Water Environment Federation's Board of Delegates, a member of the NYWEA Board of Directors, and a member of the NYWEA Western Chapter Board of Directors; and

WHEREAS: The General Manager recommends attendance at the NYWEA Women of Water Summit by the Principal Sanitary Engineer and Assistant Sanitary Engineer.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes travel from October 26-28, 2021, for the Principal Sanitary Engineer and Assistant Sanitary Engineer, to attend the New York Water Environment Association's Women of Water Summit, at a total cost not to exceed \$750.00. Funds are available in account nos., 00600104-458010 and 00600104-458012.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of September 29, 2021



## ITEM NO. 9

**TRAVEL AUTHORIZATION - CHARLESTON, SOUTH CAROLINA**

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 meeting and Board of Directors meeting will be held in Charleston, SC from November 15 – November 16, 2021, covering national concerns relating to the water sector practices and issues; and

WHEREAS: In July 2021 the General Manager was elected to serve as NACWA Board Treasurer representing Environmental Protection Agency Region 2; 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 Charleston, SC from November 14 - 17, 2021, to attend the NACWA Fall Strategic Leadership and Board of Directors Meeting at a total cost not to exceed \$1,100.00. Account no. 00110104-458010 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of September 29, 2021

## ITEM NO. 10

**AMENDMENT TO SOLE SOURCE LISTING FOR SELECTED INSTRUMENTATION, MAINTENANCE, LABORATORY AND OFFICE EQUIPMENT**

WHEREAS: A Sole Source procurement, in accordance with New York State Procurement Guidelines, is one in which an item is only available from one source due to patents, exclusive franchises, etc. and there is no possibility of competition for the item; and

WHEREAS: The Board of the Buffalo Sewer Authority approves and designates a list of original equipment manufacturers as Sole Sources; and

WHEREAS: An amendment to the Sole Source Listing is requested to add the following manufacturer:

APG-Neuros Corporation	Parts or components utilized within the APGN Turbo Blower are customized or manufactured by APGN. APGN Factory trained and certified technicians are required to work on APGN High Efficiency Turbo Blowers.
------------------------	--

; and

WHEREAS: APG-Neuros Corporation is a service provider that utilizes service technicians that are factory trained and certified to diagnose and repair APGN Turbo Blowers as well as procure APGN parts, components and software;

WHEREAS: The Superintendent of Mechanical Maintenance and Purchasing Department have reviewed all supporting documentation and recommend this amendment to the Sole Source Listing.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above amendment to the Sole Source Listing.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board meeting of September 29, 2021

## ITEM NO. 11

**AUTHORIZATION TO ENTER INTO AGREEMENT WITH KOESTER ASSOCIATES, INC.**

WHEREAS: The Board of the Buffalo Sewer Authority authorized the installation of a fine bubble diffusion system on 16 aeration tanks at the Bird Island Treatment Facility in 1995. Sanitaire, the original equipment manufacturer of the diffuser and the holder of the patent on the gas cleaning procedure, recommends annual gas cleaning of the diffuser elements; and

WHEREAS: Performance reports have proven that the continued cleaning and maintenance of these diffusers lowers electrical usage and improves oxygen-transfer efficiency; and

WHEREAS: The annual cleaning was last performed in Summer 2021 and plant staff recommend that annual cleaning of the aeration tank diffusers be approved at this time; and

WHEREAS: Koester Associates, Inc., a representative of Sanitaire has submitted a quote in the amount of \$72,085.97 for the cleaning of 12 aeration tanks. The quote includes labor and chemicals; and

WHEREAS: The Treatment Plant Superintendent and staff recommend accepting the quote from Koester Associates, Inc., for the cleaning of 12 aeration tanks, including labor chemicals, at a total cost not to exceed \$72,085.97.

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 Koester Associates, Inc., for the annual cleaning of 12 aeration tank diffusers at a total cost not to exceed \$72,085.97. Expenses for this agreement will be charged to account no. 00290106-443301.

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

Board Meeting of September 29, 2021

ITEM NO. 12

**AMENDMENT TO BOARD RESOLUTION NO. 13 OF THE JUNE 23, 2021, BOARD MEETING - CHANGE ORDER NO.1- CONTRACT 82000012**

WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority authorized a deduction change order to Contract 82000012 Bird Island WWTP Boiler Deaerator System Improvements. This Change Order was in the amount of (\$19,220.40) for unused contingency allowance; and

WHEREAS: The original contract amount was \$873,000.00. The change order deduction of (\$19,220.40) adjusted the contract amount to \$853,779.60; and

WHEREAS: The actual amount of the deduction change order should have been (\$19,920.40) thereby making the adjusted contract amount decrease to \$853,079.60; and

NOW THEREFORE  
BE IT RESOLVED: That Resolution No. 13 of the Board Meeting of June 23, 2021, hereby be amended to read as follows:

**“That the Board of the Buffalo Sewer Authority approves Change order No.1 to Contract 82000012 as written in the above agenda item, decreasing the contract cost in the amount of (\$19,920.40), making the adjusted contract cost \$853,079.60.”**

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

Board Meeting of September 29, 2021

## ITEM NO. 13

**AMENDMENT TO BOARD RESOLUTION NO. 14 OF THE JUNE 23, 2021, BOARD MEETING - CERTIFICATE OF ACCEPTANCE AND OCCUPANCY- CONTRACT 82000012**

WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority authorized Certificate of Occupancy for Contract 82000012; and

WHEREAS: The original contract amount was \$873,000.00. The final change order deduction amount of (\$19,220.40) adjusted the final contract amount to \$853,779.60; and

WHEREAS: On September 29, 2021, The Board of the Buffalo Sewer Authority has approved the amended Change Order No 1 for Contract No. 82000012 in the amount of (\$19,920.40) thereby making the final adjusted contract cost \$853,079.60; and

NOW THEREFORE  
BE IT RESOLVED:

That Resolution No. 14 of the Board Meeting of June 23, 2021, hereby be amended to read as follows:

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 June 23, 2021;
- c. The maintenance period commences on June 23, 2021;
- d. The final cost of the Contract is \$853,079.60.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of September 29, 2021

## ITEM NO. 14

**RESOLUTION AUTHORIZING LOCAL MATCH FOR STATE FINANCIAL ASSISTANCE THROUGH THE GREEN INNOVATION GRANT PROGRAM (GIGP)**

WHEREAS: The New York State Department of Environmental Conservation provides funding for projects that improve water quality in New York State through the Green Innovation Grant Program (GIGP); and

WHEREAS: The GIGP Statewide Grant Program provides funding through the New York State Environmental Facilities Corporation (EFC) for projects that demonstrate direct environmental benefits and improve water quality in New York State; and

WHEREAS: The Buffalo Sewer Authority has been awarded a \$1,100,000.00 grant for the Niagara Phase 4b Project; and

WHEREAS: A resolution of authorization of a minimum local match of 10% is required to accept this grant; and

WHEREAS: The current estimated cost for the Niagara Phase 4b Project is \$1,430,000.00 and expected local share would be \$330,000.00, exceeding the 10% local match required; and

WHEREAS: The Principal Sanitary Engineer has reviewed the grant requirements and engineer's estimate and recommends approval of authorization of a minimum local match of 10%.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes and appropriates a minimum of 10% local match as required by the Green Innovation Grant Program for the Niagara Phase 4b Project. Under the GIGP, this local match is expected to be at least 10% of the total actual project costs. The expected local share is \$330,000.00, which exceeds the required match of \$122,222.22. Funds are available in account no. 02000540-490740.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of September 29, 2021

## ITEM NO. 15

**AUTHORIZATION FOR GREEN INFRASTRUCTURE BETTERMENT AS PART OF THE CITY OF BUFFALO BAILEY AVENUE STREETScape PROJECT**

WHEREAS: In compliance with the requirements of its Long Term Control Plan (LTCP), the Buffalo Sewer Authority (“the Authority”) will be developing green infrastructure stormwater retention systems throughout the City of Buffalo; and

WHEREAS: The City of Buffalo Department of Public Works, Parks and Streets has entered into an agreement with Watts Architecture & Engineering pursuant to Agenda Item 21-917 of the City of Buffalo Common Council Proceedings of July 6, 2021, to provide professional engineering services for design and construction inspection for the Bailey Avenue Streetscape project extending from Winspear Avenue to Kensington Avenue; and

WHEREAS: Upon request, Watts Architecture & Engineering has submitted a professional services proposal for the preliminary design of the Green Infrastructure Betterment as Part of the Bailey Avenue Streetscape Project; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed this proposal and agree with the City of Buffalo retaining Watts Architecture & Engineering to perform the green infrastructure preliminary design services to investigate the potential feasibility of green infrastructure for this project as outlined in Watts Architecture & Engineering’s proposal for an amount not to exceed \$158,564.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the City of Buffalo’s agreement with Watts Architecture & Engineering to perform design services for the Green Infrastructure Betterment Project as Part of the City’s Bailey Avenue Streetscape Project in an amount not to exceed \$158,564.00. Account no. 02000541-0432004 will be utilized for these services.

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

Board Meeting of September 29<sup>th</sup>, 2021

ITEM NO. 16

**AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR AN AUTOMATED INVOICE PROCESSING SYSTEM**

WHEREAS: In an effort to improve the lines of communication between vendors and the Authority, and reduce the time spent processing and locating invoices and related documents, the Authority issued a request for proposals for a paperless invoicing process solution incorporating its MUNIS and Microsoft Outlook software applications; and

WHEREAS: The RFP was issued to multiple vendors including, Accelerated Information Systems, J.P. Morgan Commercial Banking, MCCi, Automated Business Solutions, Momentum ECM, And General Code (ICC-CDS); and

WHEREAS: General Code (ICC-CDS) was the only vendor to respond to the RFP by the specified deadline of 11:00 AM September 23, 2021; and

WHEREAS: The Executive Secretary and the Supervisor of Fixed Assets Inventory reviewed and evaluated the proposal received; and

WHEREAS: Based upon the proposal review, the Executive Secretary recommends retaining General Code (ICC-CDS) to develop an automated invoice processing system, as outlined in the RFP, at an agreed upon cost not to exceed \$34,170.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with General Code (ICC-CDS), at a total not to exceed cost of \$34,170.00, to develop an automated invoice processing system as defined in the proposal dated September 23, 2021. These services will be charged to account no. 00200106-443420.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of September 29, 2021



ITEM NO. 17

**REPORT ON BIDS RECEIVED - PURCHASE OF MOTORS FOR MENSCH CRAWLER BAR SCREEN FOR AT THE HAMBURG DRAIN FLOATABLES CONTROL FACILITY**

WHEREAS: Bids were solicited for the purchase of two (2) motors for the repair and maintenance of Mensch Crawler Bar Screens at the Hamburg Drain Floatables Control Facility; and

WHEREAS: The following bids were received by the Purchasing Department:

<b>VENDOR</b>	<b>BID</b>
AAI Power Flo Technologies	\$58,326.00
Glauber	NO BID
MIDWAY	NO BID

; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff have reviewed the bids and recommend this purchase be awarded to AAI Power Flo Technologies at a cost of \$58,326.00, 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 the motors from AAI Power Flow Technologies at a total cost of \$58,326.00. This purchase will be charged to account number 00390105-466107.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of September 29, 2021

## ITEM NO. 18

**REPORT ON BIDS RECEIVED – MOYNO PUMP PARTS FOR THICKENERS**

WHEREAS: Bids were solicited and received for various Moyno Pump parts needed for the repair and preventative maintenance of the thickeners. Bids are as follows:

<b>VENDOR</b>	<b>BID</b>
Corrosion Products & Equipment, Inc.	\$51,422.00
Nov Process & Flow Technologies US Inc.	\$86,055.45
Shrier-Martin Process Equipment	\$4,818.11 (Partial Bid)
Grainger	\$166,940.19
Fastenal	\$212,116.67

; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff have reviewed and recommend this purchase to be awarded to Corrosion Products & Equipment, Inc. at a cost of \$51,422.00; and

WHEREAS: Monies payable to date for the purchase of Moyno pump parts in the 12-month aggregate period are \$69,608.35 and these purchases will bring the total monies payable for Moyno pump parts to \$121,030.35; 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 Moyno pump parts for the thickeners from Corrosion Products & Equipment, Inc., at a total cost of \$51,422.00. This purchase will be charged to account no. 00340105-466107.

MOTION TO                     APPROVE                    

MADE BY                     MRS. PETRUCCI                    

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

AYES           3           NOES           0          

Board Meeting of September 29, 2021

## ITEM NO. 19

**CHANGE ORDER NO. 1 – CONTRACT NO. 81900015**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$289,700.00
GHD	PREVIOUS CHANGE ORDERS	N/A
285 Delaware Avenue Suite 500	THIS CHANGE ORDER	<u>\$381,700.00</u>
Buffalo, New York 14202	ADJUSTED CONTRACT COST	\$671,400.00

WORK: Mill Race Real Time Control Project

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 Additional Design Services
- Item #2 Construction Administration
- Item #3 Resident Inspection

**REASON FOR CHANGE OR EXTRA WORK:**

- Item #1 The consultant has provided additional design services due to an unforeseen need for the diversion of Carroll and Roseville Street Sewers, Environmental Site Assessment work, Backwater Gate Inspection and Replacements, and requested changes to the structures and landscape to better accommodate workers and the community.
- Item #2 The consultant will perform construction administration services including providing assistance with administration of a New York State Department of Environmental Conservation Grant.
- Item #3 The consultant will provide full-time inspection of the construction of this project.

**COST OF CHANGE OR EXTRA WORK:**

- Item #1 \$60,700.00
- Item #2 \$109,700.00
- Item #3 \$211,300.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$381,700.00

WHEREAS: In Item No. 29, on March 6, 2019 the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with GHD in the amount of \$289,700.00 to perform design and bid services for the Mill Race Real Time Control Project; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 1 to Contract No. 81900015 (Design and Bid Phase Services for the Mill Race Real Time Control Project) in the amount of \$381,700.00 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. 1 to Contract No. 81900015 as written in the above Agenda Item, increasing the contract cost in the amount of \$381,700.00, making the adjusted contract cost \$671,400.00.

MOTION TO APPROVED

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of September 29, 2021

## ITEM NO. 20

**CHANGE ORDER NO. 3 – CONTRACT NO. 81600020**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$483,213.00
Watts Architecture and Engineering	PREVIOUS CHANGE ORDERS	\$884,667.00
95 Perry St., Suite 300	THIS CHANGE ORDER	<u>\$707,243.00</u>
Buffalo, New York 14203	ADJUSTED CONTRACT COST	\$2,075,123.00

WORK: Niagara St. Phases 3 and 4 Green Infrastructure Betterment

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 Construction Administration and Observation of Phase 4a
- Item #2 Construction Administration and Observation of Phase 4b

**REASON FOR CHANGE OR EXTRA WORK:**

- Item #1 The consultant will continue to perform construction administration, engineering services, and grant administration, as well as provide on-site construction observation during the course of the construction project. The original estimate for Phase 4a was based on the assumption that the construction schedules for Phase 3 and Phase 4a would overlap to allow staff to cover both phases concurrently. The two phases did not overlap as anticipated. Also, additional construction administration services were needed for re-design purposes due to the utility conflicts revealed during construction.
- Item #2 The consultant will perform construction administration, engineering services, and grant administration, as well as provide on-site construction observation during the course of the construction project.

**COST OF CHANGE OR EXTRA WORK:**

- Item #1 \$519,378.00
- Item #2 \$187,865.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$707,243.00

WHEREAS: In Item No. 17, on November 4, 2015 the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Watts Architecture and Engineering in the amount of \$483,213.00 to perform design services for the Niagara Street Phases 3 and 4 Green Infrastructure Betterment; and

WHEREAS: In Item No. 21, on July 18, 2018 the Board approved Change Order No. 1 in the amount of \$607,090.80 for additional design work, construction administration, and construction observation of Phase 3; and

WHEREAS: In Item No. 35, on September 25, 2019 the Board approved Change Order No. 2 in the amount of \$277,576.20 for construction administration and observation of Phase 4a; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 3 to Contract No. 81600020 in the amount of \$707,243.00 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. 81600020 as written in the above Agenda Item, increasing the contract cost in the amount of \$707,243.00, making the adjusted contract cost \$2,075,123.00.

MOTION TO TABLED

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of September 29, 2021

## ITEM NO. 21

**CHANGE ORDER NO. 2 – CONTRACT NO 82000002**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$455,777.00
Quackenbush Company Inc.	PREVIOUS CHANGE ORDER	\$346,961.00
495 Kennedy Road	CONTRACT RENEWAL 2020-2021	\$600,000.00
Buffalo, New York 14227	CONTRACT RENEWAL 2021-2022	\$600,000.00
	THIS CHANGE ORDER	<u>\$195,000.00</u>
	ADJUSTED CONTRACT COST	\$2,197,738.00

WORK: In-Plant Mechanical Services

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 \$195,000.00 – Additional planned mechanical work and repairs projected through balance of 2020-2021 contract term.

**REASON FOR CHANGE OR EXTRA WORK:**

Item#1 Further plant repair work needed to satisfy treatment plant operability, availability and safety concerns for the remaining 2020-2021 fiscal year.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$195,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$195,000.00

The total INCREASE to the contract as a result of this Change Order is \$195,000.00

**CHANGE ORDERS**

WHEREAS: On June 19, 2019, the Board of the Buffalo Sewer Authority hereby approved to enter into and execute a contract with Quackenbush Company, Inc., to provide In-Plant Mechanical Maintenance services for the period July 1, 2019 to June 30, 2020, with an option to renew for two (2) one-year periods, at an annual cost not to exceed \$445,777.00.

WHEREAS: On May 27, 2020, the Board of the Buffalo Sewer Authority hereby approved Change Order No. 1 to Contract No. 82000002, increasing the contract cost in the amount of \$346,961.00, making the adjusted contract cost \$802,738.00.

WHEREAS: On May 6, 2020, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with Quackenbush Company, Inc., for In-Plant Mechanical

Services for the period July 1, 2020 through June 30, 2021, at a total cost not to exceed \$600,000.00.

WHEREAS: On May 26, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with Quackenbush Company, Inc., for In-Plant Mechanical Services for the period July 1, 2021 through June 30, 2022, at a total cost not to exceed \$600,000.00.

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract remains 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.
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. 82000002 as written in the above Agenda Item, increasing the contract cost in the amount of \$195,000.00, making the adjusted contract cost \$2,197,738.00.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of September 29,2021



ITEM NO. 22

**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) Inventory Control Clerk            00520131 411001

MOTION TO                                      APPROVE                  

MADE BY                                        MRS. PETRUCCI                  

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

AYES                                   3              NOES                              0          

Board Meeting of September 29, 2021

ITEM NO. 23

**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:

Five (5) Seasonal Laborer I                    00530161 411001

MOTION TO                                      APPROVE                  

MADE BY                                      MRS. PETRUCCI                  

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

AYES                              3              NOES                              0          

Board Meeting of September 29, 2021

## ITEM NO. 24

**CONFIRMATION OF APPOINTMENTS**

LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$140 PER DAY  
EFFECTIVE: AUGUST 9, 2021

COLIN SHANAHAN  
57 COLUMBUS AVE  
BUFFALO, NY

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LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$19.98 PER HOUR  
EFFECTIVE: AUGUST 9, 2021

JASON MARINARO  
132 CARLYLE AVE.  
BUFFALO, NY

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SANITARY CHEMIST (PROVISIONAL)  
LABORATORY  
\$62,332 PER ANNUM  
EFFECTIVE: AUGUST 9, 2021

LINDSAY BAPST  
301 SUMMER ST. APT. #7  
BUFFALO, NY

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SUPERINTENDENT OF MECHANICAL MAINTENANCE  
(PERMANENT)  
SEWAGE TREATMENT PLANT  
\$112,903 PER ANNUM  
EFFECTIVE: JULY 23, 2021

PAUL HARRIS  
798 FILMORE AVE (REAR)  
BUFFALO, NY

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SHIFT SUPERINTENDENT (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$86,067 PER ANNUM  
EFFECTIVE: JULY 2, 2021

MATTHEW WIATROWSKI  
260 MASSACHUSETTS AVE.  
BUFFALO, NY

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ASSISTANT SANITARY CHEMIST (PROVISIONAL)  
SEWAGE TREATMENT PLANT  
\$50,725 PER ANNUM  
EFFECTIVE: AUGUST 23, 2021

CRAIG RYBAK  
377 CUMBERLAND AVE.  
BUFFALO, NY

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LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$140 PER DAY  
EFFECTIVE: SEPTEMBER 7, 2021

COLIN HORAN  
386 DOWNING ST.  
BUFFALO, NY

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LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$19.98 PER HOUR  
EFFECTIVE: AUGUST 23, 2021

PETER BYRNE  
174 LOCKWOOD AVE.  
BUFFALO, NY

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GENERAL COUNSEL (EXEMPT)  
SEWAGE TREATMENT PLANT  
\$107,793 PER ANNUM  
EFFECTIVE: SEPTEMBER 7, 2021

LAUREN HOWARD  
434 STARIN AVE.  
BUFFALO, NY

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OILER (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$21.86 PER HOUR  
EFFECTIVE: SEPTEMBER 9, 2021

RICHARD COTTER  
375 DOWNING ST.  
BUFFALO, NY

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MILLWRIGHT HELPER (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$23.39 PER HOUR  
EFFECTIVE: SEPTEMBER 17, 2021

BRANDON MAES  
375 BRECKENRIDGE ST.  
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 MRS. PETRUCCI  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 3 NOES 0

Board Meeting of September 29, 2021

ITEM NO. 25

**ADJOURNMENT OF MEETING**MOTION TO                     APPROVE                    MADE BY                     MRS. PETRUCCI                    2<sup>ND</sup> BY                     MR. ROOSEVELT                    AYES           3           NOES           0          

Board Meeting of September 29, 2021