

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
January 4, 2023**

58412.....58425

BUFFALO SEWER AUTHORITY

REGULAR MEETING

January 4, 2023

9:00 A.M.

**Bird Island Treatment Facility, 90 West Ferry St.
Teleconference +1 917- 933-2166, ID #849 173 558**

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Attachment A: Annual Investment Report

Attachment B: Annual Comprehensive Financial Report

CALL OF THE ROLL

Present:	Herbert Bellamy, Jr.	Chairman of the Board
	Christopher Roosevelt	Vice Chairman of the Board
	Eleanor Petrucci	Secretary of the Board
	Oluwole McFoy	General Manager
	Lori Scaletta	Acting Director of Employee Relations
	Adam Sassone	Secretary to General Manger
	LaToya Cunningham	Special Assistant
	Charles Riley	Executive Secretary
	Alexander Emmerson	Treatment Plant Superintendent
	Joel Renzoni	Director of Sewer Maintenance
	Roberta Gaiek, P.E.	Treatment Plant Administration
	Rosaleen Nogle, P.E.	Principal Sanitary Engineer
	Lauren Howard, Esq.	General Counsel
	Delano D. Dowell, Sr.	Deputy Comptroller
Absent:	NONE	

The meeting was called to order at 9:05 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of December 14, 2022

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

ITEM NO. 2

INFORMATIVE: TEMPORARY INVESTMENTS (CERTIFICATES OF DEPOSIT AND TREASURY BILLS)
MARKET VALUEAs of December 15th, 2022

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$1,417,475.59	Key	0.01%	Public NOW
19-Jul-22	22-Dec-22	156	\$3,899,222.45	Key Banc Capital	2.62%	\$44,777.55
2-Aug-22	30-Dec-22	150	\$3,797,391.50	Key Banc Capital	2.91%	\$46,608.50
5-Oct-22	13-Jan-23	100	\$1,996,693.69	Key Banc Capital	3.52%	\$23,306.31
26-Oct-22	13-Jan-23	79	\$6,099,036.23	Key Banc Capital	4.07%	\$54,963.77
18-Oct-22	14-Feb-23	119	\$998,133.62	Key Banc Capital	3.85%	\$12,866.38
7-Sep-22	23-Feb-23	169	\$9,454,183.31	Key Banc Capital	3.17%	\$142,816.69
4-Nov-22	3-Mar-23	119	\$6,936,712.48	JP Morgan	4.65%	\$108,287.52
1-Dec-22	23-Mar-23	112	\$9,078,007.47	Key Banc Capital	4.40%	\$125,992.53
			\$43,676,856.34			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$73,629.36	Key	0.01%	Public NOW
20-Oct-22	19-Jan-23	91	\$922,976.95	Key Banc Capital	3.92%	\$9,023.50
			\$996,606.31			
OPERATING FUND						
31-Jul-12	Super NOW		\$3,293,003.84	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$6,099.51	Key	0.01%	Public NOW
SURPLUS FUND						
30-Nov-22	1-Jun-23	183	\$1,506.76	Wilmington US Treasury	3.19%	
			\$10,003,260.81	Key Banc Capital	2.24%	\$258,739.19
			\$10,004,767.57			
NET REVENUE FUND						
28-Sep-22	29-Dec-22	92	\$-	Wilmington US Treasury		
			\$8,977,859.09	Key Banc Capital	3.21%	\$74,140.91
25-Oct-22	25-Jan-23	92	\$4,999,753.73	Key Banc Capital	4.20%	\$54,246.27
			\$13,977,612.82			

BSA 2021 EIB FUND

			\$559.55	Cash	0.00%	
2-Aug-22	30-Dec-22	150	\$3,996,942.25	Key Banc Capital	2.91%	\$49,057.75
26-Aug-22	23-Feb-23	181	\$32,925,645.64	M&T Securities	3.03%	\$509,354.36
23-Sep-22	23-Mar-23	181	\$2,266,795.30	Key Banc Capital	3.72%	\$43,204.70
26-Oct-22	27-Feb-23	124	\$9,988,737.00	Key Banc Capital	4.50%	\$157,263.00
30-Nov-22	23-Mar-23	113	\$1,844,852.88	Key Banc Capital	4.62%	\$27,147.12
1-Dec-22	23-Mar-23	112	\$1,996,293.69	Key Banc Capital	4.40%	\$27,706.31
			\$53,019,826.31			

DEBT RESERVE FUND

				Series J		
02-Jul-14	13-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%	
				Series K		
02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%	
				Series L		
12-Nov-15	1-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%	
				Series M		
27-Jun-14	1-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%	
				Series N		
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%	
				EFC 2021		
			\$1,489.82	Wilmington U.S. Treasury	.90%	
7-Sep-22	3-Jan-23	118	\$317,811.94	Key Bank Capital	3.08%	\$3,188.06
			\$319,301.76			
			\$0.01	DSF PRIN &INT		
				Wilmington Fund		

DSF 2021 EIB

			\$596,764.91	Wilmington Fund	1.71%	
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RECEIVE & FILEBoard Meeting of January 4th, 2023

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

12/12/2022	00300103 Blow Electric Light & Power	-\$30,000.00	00200105 PLAN Misc.	\$30,000.00
12/15/2022	00300103 Blow Electric Light & Power	-\$5,044.53	00200103 PLAN Telephone	\$5,044.53

General Financial Charges

12/06/2022	00800183 Financial Contingency	-\$5,000.00	00100104 Board Travel Expenses	\$5,000.00
12/13/2022	00800183 Financial Contingency	-\$2,000.00	00110105 ADMIN Postage	\$2,000.00
12/15/2022	00800183 Financial Contingency	-\$10,000.00	00800108 Financial Judgements & Claims	\$10,000.00

RECEIVE & FILE

Board Meeting of January 4th, 2023

ITEM NO. 4

APPROVAL OF THE ANNUAL COMPREHENSIVE FINANCIAL REPORT AND THE ANNUAL INVESTMENT REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2022

WHEREAS: New York State Public Authorities Law requires the Annual Comprehensive Financial Report and the Annual Investment Report of the Buffalo Sewer Authority to be approved by the Board; and

WHEREAS: The Annual Comprehensive Financial Report (Attachment A) and the Annual Investment Report (Attachment B) of the Buffalo Sewer Authority have been made available to your Honorable Body; and

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves and adopts the Annual Comprehensive Financial Report and the Annual Investment Report for the fiscal year ended June 30, 2022.

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

Board Meeting of January 4, 2023

ITEM NO. 5

PAYMENT FROM JUDGMENT AND CLAIMS

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

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

WHEREAS:

VENDOR	INVOICE	AMOUNT
The Buffalo News	146984	\$705.70
The Buffalo News	147522	\$1,218.90

; 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

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of January 4, 2023

ITEM NO. 6

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Rachael Bouquard of 889 South Park Ave., filed a Claim with the Buffalo Sewer Authority for property damage from October of 2019 through November of 2020; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$2,409.80 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 Rachael Bouquard of 889 South Park Ave., Buffalo, NY 14210 in the final settlement amount of \$2,409.80 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 January 4, 2023

ITEM NO. 7

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Lindsey Lauren Visser of 369 Norwood Ave., filed a Claim with the Buffalo Sewer Authority for property damage on June 22, 2022; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$5,258.93 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 Lindsey Lauren Visser of 369 Norwood Ave., Buffalo, NY 14222 in the final settlement amount of \$5,258.93 in full and complete settlement of this matter. This Claim will be paid out of the Liability and Casualty Reserve Fund.

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

Board Meeting of January 4, 2023

ITEM NO. 8

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ARCADIS, INC., FOR
CONSULTANT ENGINEERING SERVICES FOR WASTE HEAT BOILER
REHABILITATION**

WHEREAS: The Buffalo Sewer Authority (BSA) posted a request for proposals (RFP) on September 2, 2022 on buffalosewer.org for design engineering services and Construction Administration/Construction Inspection, (CA/CI), services for the Waste Heat Boiler Rehabilitation Project; and

WHEREAS: The Buffalo Sewer Authority (BSA) advertised the Request For Proposals in the Buffalo News on September 6, 2022, and September 12, 2022 for design engineering services and Construction Administration/Construction Inspection, (CA/CI), services

WHEREAS: BSA reached out to multiple firms including Arcadis, AECOM USA, Inc., Greeley and Hansen, Jacobs and GHD with regard to submitting a proposal; and

WHEREAS: Arcadis, and Greeley and Hansen, Arcadis, responded to the RFP by the specified deadline of 3:00 PM October 21, 2022; and

WHEREAS: A consultant selection committee appointed by the Treatment Plant Administrator reviewed and ranked the proposals received; and

WHEREAS: Based upon the proposal review and interviews, the consultant selection committee recommends retaining Arcadis, Inc., for the professional services outlined in the RFP at an agreed upon cost for design engineering not to exceed \$286,000.00 and CA/CI services not to exceed \$112,000.00 for a total of \$398,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with Arcadis, Inc., for the professional services outlined in the RFP at an agreed upon cost for design engineering not to exceed \$286,000.00 and CA/CI services not to exceed \$112,000.00 for a total of \$398,000.00. The cost of this contract will be funded from account no. 02000562-432004.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of January 4, 2023

ITEM NO. 9

REPORT ON BIDS RECEIVED - BUFFALO SEWER AUTHORITY WASTEWATER TREATMENT PLANT LANDSCAPE & WAYFINDING IMPROVEMENT PROJECT-REBID

WHEREAS: Formal bids were advertised and solicited for the Landscape and Wayfinding Improvement Project-Rebid at the Bird Island Treatment Facility. The following bids were received and opened by the Buffalo Sewer Authority on October 26th, 2022:

BIDDER	TOTAL AMOUNT BASE BID ITEMS
A1 Landcare	\$625,584.50
Wayside Nursery	\$760,236.50
Millennium Construction	\$914,365.00
Scott Lawn Yard	\$929,323.50

WHEREAS: On February 15, 2022 Buffalo Sewer Authority had approved the original bid to A1-Landcare at a cost of \$495,886.08. However, A1 Landcare asked to withdraw their bid due to unprecedented inflation rates and sharply rising material costs, thereby necessitating the rebid of the project; and

WHEREAS: The Buffalo Sewer Authority’s Consulting Engineer, Clough Harbor Associates (CHA), has reviewed the rebid quotes as well as conducted an interview with A1 Landcare regarding their understanding of the scope of the project and their ability to perform the work at the price they quoted. CHA is comfortable with the bid results as well as the interview responses and they recommend awarding the contract to the lowest responsible bidder, A1 Landcare, at a cost not to exceed \$625,584.50, The Treatment Plant Administrator and staff concur with the recommendation of the consulting engineer; and

WHEREAS: The bids were received, and the contract will be awarded on the basis of lump sum prices. The bids reflect the true amount of the contract; and

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 for the Landscape & Wayfinding Improvements Project-Rebid with A1 Landcare in the amount of \$625,584.50. This purchase will be charged to account no. 02000544-490740.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

ITEM NO. 10

AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR COVID-19 TESTING

WHEREAS: As part of the Authority’s continued commitment to protecting the workplace during the COVID-19 pandemic the Authority will continue to require all employees to be vaccinated or provide a negative COVID-19 test each week as part of the Authority’s Mandatory COVID-19 Testing Program; and

WHEREAS: The purpose of implementing the Mandatory 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 continue the Authority’s Mandatory COVID-19 Testing Program, quotes were solicited from accredited testing laboratories. KSL Diagnostics Inc. (“KSL) has submitted a quote in the amount of \$60.00 per RT-PCR test to conduct COVID Testing weekly at the Buffalo Sewer Authority Treatment Plant, and off-site at 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 comply with Mandatory COVID-19 testing, at a total cost not to exceed \$50,000 for the period January 1, 2023 – December 31, 2023.

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 Mandatory COVID-19 testing, at a total cost not to exceed \$50,000 for the period January 1, 2023 – December 31, 2023. Expenses for this agreement will be charged to account no. 00110106-434000.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of January 4, 2023

ITEM NO. 11

CONFIRMATION OF APPOINTMENTS

WASTEWATER TREATMENT PLANT OPERATOR I
(PROVISIONAL)
TREATMENT PLANT OPERATIONS
\$20.59 HOURLY
EFFECTIVE: DECEMBER 19, 2022

NICOLO ALAGNA
88 TENNYSON
BUFFALO, NY 14216

LABORER I (PERMANENT)
YARDS & GROUNDS DIVISION
\$19.98 HOURLY
EFFECTIVE: DECEMBER 5, 2022

ANTWAN SCUGGS
19 ORCHARD APT.2
BUFFALO, NY 14214

LABORER I (PERMANENT)
YARDS & GROUNDS DIVISION
\$19.98 HOURLY
EFFECTIVE: DECEMBER 5, 2022

SERGE MUHARARENI
90 MASSACHUSETTS
BUFFALO, NY 14213

FIELD TECHNICIAN (WPC) (PROVISIONAL)
INDUSTRIAL WASTE DIVISION
\$53,698 PER ANNUM
EFFECTIVE: DECEMBER 6, 2022

EDWIN GETER
174 BLAINE
BUFFALO, NY 14208

FIELD TECHNICIAN (WPC) (PROVISIONAL)
INDUSTRIAL WASTE DIVISION
\$51,709 PER ANNUM
EFFECTIVE: DECEMBER 12, 2022

JALEEL HARRIS
56 DEERFIELD
BUFFALO, NY 14215

LABORER I (PERMANENT)
YARDS & GROUNDS DIVISION
\$19.98 HOURLY
EFFECTIVE: DECEMBER 12, 2022

JUSTIN BLACK
220 KAY
BUFFALO, NY 14215

LABORER I (PERMANENT)
YARDS & GROUNDS DIVISION
\$19.98 HOURLY
EFFECTIVE: DECEMBER 12, 2022

KEYSHAWN GAULT
151 N. OGDEN
BUFFALO, NY 14206

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

ITEM NO. 12

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of January 4, 2023