

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
May 24, 2023**

58565.....58597

BUFFALO SEWER AUTHORITY

REGULAR MEETING

May 24, 2023

9:00 A.M.

**Bird Island Treatment Facility, 90 West Ferry St.
Teleconference +1 917- 933-2166, ID #349 004 984**

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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, P.E.	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
	Paul Harris	Superintendent of Mechanical Maintenance
	Rebecca Brooks	Executive Secretary to Comptroller
	Laura Surdej	Erie County Department of Sewage

The meeting was called to order at 9:10 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 3, 2023

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

Board Meeting of May 24, 2023

ITEM NO. 2

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

As of April 30th, 2023

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$2,050,845.69	Key	0.01%	Public NOW
14-Feb-23	4-May-23	79	\$998,012.82	Key Banc Capital	4.51%	\$9,987.18
23-Feb-23	18-May-23	85	\$8,853,881.65	Key Banc Capital	4.65%	\$97,118.35
6-Mar-23	1-Jun-23	87	\$3,935,974.89	M&T Securities	4.68%	\$45,025.11
16-Mar-23	13-Jun-23	89	\$1,898,484.33	Bank on Buffalo	4.95%	\$23,515.67
23-Mar-23	28-Jun-23	97	\$6,877,037.63	Key Banc Capital	4.95%	\$92,962.37
31-Mar-23	11-Jul-23	102	\$2,559,351.50	Key Banc Capital	4.58%	\$33,648.50
18-Apr-23	26-Jul-23	99	\$990,327.53	Bank on Buffalo	4.95%	\$13,672.47
4-Apr-23	1-Aug-23	119	\$6,096,745.60	M&T Securities	4.75%	\$63,063.00
			\$34,260,661.64			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$62,624.91	Key	0.01%	Public NOW
20-Apr-23	20-Jul-23	91	\$931,129.20	Key Banc Capital	4.98%	\$11,870.80
			\$993,754.11			
OPERATING FUND						
31-Jul-12	Super NOW		\$2,428,964.26	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$4,775.77	Key	0.01%	Public NOW
SURPLUS FUND						
30-Nov-22	1-Jun-23	183	\$1,525.65	Wilmington U.S. Treasury	4.26%	
			\$10,003,260.81	M&T Securities	4.96%	\$258,739.19
			\$10,004,786.46			
NET REVENUE FUND						
28-Feb-23	25-May-23	86	\$187,227.41	Wilmington U.S. Treasury		
			\$4,661,410.09	M&T Securities	4.67%	\$52,589.91
29-Mar-23	29-Jun-23	92	\$6,927,408.00	M&T Securities	4.50%	\$80,592.00
27-Apr-23	27-Jul-23	91	\$3,198,717.64	Key Banc Capital	4.92%	\$40,282.36
			\$14,974,763.14			

BSA 2021 EIB FUND

			\$8,458.17	Cash	0.00%	
23-Feb-23	25-May-23	91	\$32,925,532.47	Key Banc Capital	4.66%	\$392,467.53
28-Feb-23	27-Jun-23	119	\$9,987,969.20	M&T Securities	4.80%	\$161,030.80
23-Mar-23	27-Jul-23	126	\$10,103,934.10	Key Banc Capital	4.62%	\$166,065.90
			\$53,025,893.94			

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		
			\$3,608.48	Wilmington U.S. Treasury	4.32%	
3-Jan-23	11-May-23	128	\$318,919.68	M&T Securities	4.41%	\$5,080.32
			\$322,528.16			
			\$0.01	DSF PRIN &INT		
				Wilmington Fund		

DSF 2021 EIB

			\$1,497,572.68	Wilmington Fund	4.26%	
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RECEIVE & FILEBoard Meeting of May 24th, 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

4/26/2023	00420103 AMHE Electric Light & Power	-\$180.00	00470103 WATE Electric Light & Power	\$180.00
4/26/2023	00420103 AMHE Electric Light & Power	-\$3,000.00	00440103 WATER	\$3,000.00
5/2/2023	00300103 BLOW Electric Light & Power	-\$158,738.00	00380103 INCIN Gas	\$158,738.00
5/2/2023	00210105 RWWP Equipment Maint	-\$4,000.00	00200105 PLAN Clothing & Safety	\$4,000.00
5/2/2023	00470105 WATE Equipment Maint	-\$7,000.00	00340105 THIC Equipment Maint	\$7,000.00
5/2/2023	00490105 NIAG Equipment Maint	-\$2,400.00	00340105 THIC Equipment Maint	\$2,400.00
5/2/2023	00500105 WALD Equipment Maint	-\$850.00	00340105 THIC Equipment Maint	\$850.00
5/2/2023	00480105 TIFF Equipment Maint	-\$800.00	00340105 THIC Equipment Maint	\$800.00
5/2/2023	00440105 KELS Equipment Maint	-\$2,950.00	00340105 THIC Equipment Maint	\$2,950.00
5/4/2023	00520107 MAIN Cars & Other Vehicle	-\$6,000.00	00200105 PLAN Clothing & Safety	\$6,000.00
5/4/2023	00520107 MAIN Cars & Other Vehicle	-\$35,496.00	00520106 MAIN Maint Contract	\$35,496.00
5/4/2023	00280105 SWWP Equipment Maint	-\$6,000.00	00200105 PLAN Equipment Maint	\$6,000.00

Engineering Division

4/27/2023	00600106 ENG Engineering & Tech	-\$3,620.00	00600104 ENG Reg & Dues	\$3,620.00
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General Financial Charges

4/27/2023	00800183 FIN Contingency	-\$6,600.00	00200108 PLAN Office Equipment	\$6,600.00
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RECEIVE & FILE
Board Meeting of May 24, 2023

ITEM NO. 4

ADOPTION OF AMENDED "FINAL SCHEDULE OF SEWER RENTS AND OTHER CHARGES FOR 2023-2024"

- WHEREAS: The Buffalo Sewer Authority, in the meeting of April 5, 2023, adopted a proposed "Schedule of Sewer Rents and Other Charges for 2023-2024" and authorized the publication of this notice, commencing April 14, 2023, once a week for three (3) consecutive weeks, in the City Record and Buffalo News; and
- WHEREAS: The thirty-day period for inspection of the Schedule, and the filing of, has now expired, and no protest were filed; and
- WHEREAS: It is now in order to adopt the "Final Schedule of Sewer Rents and Other Charges for 2023-2024"; and
- WHEREAS: With the goal of providing the citizens of the City of Buffalo with equitable and affordable water resources, the "Schedule of Sewer Rents and Other Charges" has been restructured to include low-income and senior discount programs, an increase in the levy of sewer rents based on assessed value, no increases to sewer rents based on water use, and provisions to consider annual adjustments to rates based on changes in the Consumer Price Index; and
- WHEREAS: The proposed "Schedule of Sewer Rents and Other Charges for 2023-2024" increases to the levy of sewer rents based on the assessed value of property to \$19,800,000; and
- WHEREAS: The proposed "Schedule of Sewer Rents and Other Charges for 2023-2024" includes no increases to sewer rents based on the use of water. Metered accounts will continue to be charged \$11.09 per thousand cubic feet of water used, and there will be no increases to the charges on flat rate accounts; and
- WHEREAS: Low-income users are entitled to receive a credit not to exceed \$15.00 per quarter, and very low income users are entitled to receive a credit not to exceed \$22.50 per quarter. Income limits are based on Housing Urban Development (HUD) income limits; and
- WHEREAS: Seniors who are eligible for the real estate property tax exemption pursuant to Section 467 of the Real Property Tax Law, are entitled to receive a credit not to exceed \$26.50 per quarter; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby adopts the “Final Schedule of Sewer Rents and Other Charges for 2023-2024”.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 5

CONSTRUCTION FUND AMENDMENT

WHEREAS: The Buffalo Sewer Authority desires to fund the Five Year Capital Plan in order to continue its program of improving the sewer system; and

WHEREAS: There is \$5,285,619 available from the 2021-2022 Fund Balance designated for Capital Projects; and

WHEREAS: The General Manager recommends approval of these transfers.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the transfer of funds from the Fund Balance Designated for Capital Projects to the Construction Fund Budget Amendment for 2021-2022 and the Construction Fund Budget Amendment for 2022-2023 for the funding of the listed projects as designated by the Amendments.

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 May 24, 2023

**BUFFALO SEWER AUTHORITY
CONSTRUCTION FUND BUDGET AMENDMENT #1
2021-2022 FISCAL YEAR**

This Amendment to the Construction Fund utilizes funds from prior years to provide improvements to the infrastructure of the Buffalo Sewer Authority as designated by the Five Year Capital Plan.

The funds will be added to the various appropriation accounts as listed below:

REVENUES & RESOURCES

FUND BALANCE DESIGNATED FOR CAPITAL PROJECTS FOR 2021-2022	\$5,285,619
TOTAL REVENUE & RESOURCES	<u>\$5,285,619</u>

APPROPRIATIONS

TREATMENT FACILITY:	
RWW Pump and Controls/ Motor Rehabilitation (Incl. Discharge Valve)	\$1,000,000
	1,000,000
SWW Pump and Controls/ Motor Rehabilitation	
COLLECTION SYSTEM:	
Sewer Repairs and Replacements (Fruit Belt)	3,035,619
Hydraulic LTCP Modeling	250,000
TOTAL APPROPRIATIONS	<u>\$5,285,619</u>

ITEM NO. 6

CONTRACT APPROVAL - AUDIT AND ACCOUNTING SERVICES

WHEREAS: The use of independent Certified Public Accountants is necessary in order that the Buffalo Sewer Authority submits financial statements in accordance with generally accepted auditing standards, prepares an Annual Comprehensive Financial Report for submission to the New York State Comptroller, to meet requirements of the Amended & Restated Bond Resolution, and develops accurate cost allocation schedules of operation at the Bird Island Treatment Facility; and

WHEREAS: Drescher & Malecki LLP, Certified Public Accountants, has proposed to extend their service contract with the Buffalo Sewer Authority for accounting and auditing services for a one-year period, beginning July 1, 2023, for a fee not to exceed \$46,500.00, to prepare an accountant’s certificate for a fee not to exceed \$1,050, and to prepare a cost allocation schedule for a fee not to exceed \$5,200.00. The cost for these services remains the same as last fiscal year’s contract; and

WHEREAS: The Audit Committee of the Board of Directors of the Buffalo Sewer Authority recommends renewing this contract for the fiscal year beginning July 1, 2023.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Audit Committee to enter into an agreement with Drescher & Malecki LLP, Certified Public Accountants, to perform the required auditing of the Buffalo Sewer Authority’s affairs for a cost not to exceed \$46,500.00, to develop an accountant’s certificate for a cost not to exceed \$1,050.00, and to develop the cost allocation schedule for a cost not to exceed \$5,200.00, for the period July 1, 2023 through June 30, 2024. Account no. 00110106-432001 will be charged for the financial audit and accountant’s certificate. Account no. 00550106-432001 will be charged for the cost allocation schedule.

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

Board Meeting of May 24, 2023

ITEM NO. 7

CONTRACT APPROVAL - LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex regulatory, enforcement, and environmental matters that require the skills of a specialized attorney; and

WHEREAS: Charles C. Martorana, of Barclay Damon, LLP, has extensive expertise in these areas; and

WHEREAS: Barclay Damon, LLP, has historically represented the Buffalo Sewer Authority in these areas as well as litigation and arbitration matters as needed; and

WHEREAS: Upon request, Barclay Damon, LLP, has submitted a proposed retainer agreement to continue to provide legal services for the Buffalo Sewer Authority. The billing rates are as follows:

Partners & Counsel	\$310.00 per hour
Paralegal Services	\$190.00 per hour

; and

WHEREAS: The General Manager, Executive Secretary and staff recommend approval to retain Barclay Damon, LLP, for legal services on an as-needed basis for the 2023-2024 fiscal year.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Barclay Damon, LLP, for legal services on an as-needed basis in an amount not to exceed \$150,000.00 for the period July 1, 2023 through June 30, 2024. Expenses for these services will be charged to account no. 00550106-432003.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 8

TRAVEL AUTHORIZATION - GREENVILLE, SC

WHEREAS: The National Council of Examiners for Engineering and Surveying (NCEES) develops and administers the Professional Engineering (PE) licensure and pre-licensing exams; and

WHEREAS: The Principal Sanitary Engineer has been selected by NCEES to participate in the PE Civil Professional Activities and Knowledge Study (PAKS) Standard Setting Meeting held June 9-10th in Greenville, SC to develop cut scores for the revised civil engineering discipline professional engineering exam which will be utilized across the United States, including in New York State; and

WHEREAS: The Principal Sanitary Engineer’s participation in this process will ensure that the experience and knowledge that Buffalo Sewer Authority provides and requires of professional engineers are reflected in the licensing exam; and

WHEREAS: NCEES will provide air travel, lodging, board, and a \$320.00 stipend to cover incidentals and ground transport for all participants; and

WHEREAS: The General Manager recommends that the Principal Sanitary Engineer attend the PE Civil PAKS Standard Setting Meeting.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer to travel to Greenville, SC on June 8, 2023-June 11, 2023, 2 to participate in the PE Civil PAKS Standard Setting Meeting and to accept the \$320.00 stipend from NCEES for incidentals and ground transportation costs. No expenses will be charged to the Buffalo Sewer Authority for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 9

TRAVEL AUTHORIZATION - UTICA, NY

WHEREAS: The New York Water Environmental Association (NYWEA) is holding its Board of Directors meeting on July 12, 2023, in Utica, New York; and

WHEREAS: NYWEA serves as the leading technical association for water quality professionals dedicated to preserving and enhancing our water resources; and

WHEREAS: The Principal Sanitary Engineer serves on the Board of Directors for NYWEA representing the Buffalo Sewer Authority and as WEF Delegate and the Shift Superintendent serves on the Board of Directors for NYWEA representing the Buffalo Sewer Authority and Technical Committees and are expected to attend appropriate governance meetings.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer and Shift Superintendent to travel to Utica, New York, from July 11, 2023 – July 12, 2023, to attend NYWEA’s Board of Directors meeting in Utica, NY, for a total cost not to exceed \$ 800.00. Account nos. 00600104-458010 and 00200104-458010 will be charged for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting May 24, 2023

ITEM NO. 10

TRAVEL AUTHORIZATION - WASHINGTON D.C

WHEREAS: The Center for Water Security and Cooperation has developed the Water Utility Leadership Fellowship (WULF) for emerging utility leaders to address water access and equity in their communities;

WHEREAS: The Senior Engineer and GIS Specialist II have been selected as two of nine program fellows for the 2023 WULF Cohort; and

WHEREAS: The WULF program involves one in person cohort meeting in Washington, D.C on July 13, 2023 – July 14, 2023; and

WHEREAS: Funders of the WULF program have provided full scholarships to all Program Fellows to cover all program costs including tuition for the year-long program, and travel and lodging costs amounting to approximately \$30,800.00; and

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes travel from July 13, 2023 – July 14, 2023, for the above mentioned to attend the WULF in-person cohort meeting. Tuition, travel, and lodging will be provided through WULF scholarship funding. Expenses for expected ancillary costs not exceeding \$300 will be charged to account no. 00600104-458010.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 11

AUTHORIZATION FOR CHANGE ORDER TO PURCHASE ORDER NO. 22300265

WHEREAS: On September 7, 2022, Comairco Equipment Incorporated was awarded the lowest bid at \$16,238.00; and

WHEREAS: On September 23, 2022, due to a major malfunction upon start-up of Compressor #3, additional tasks were added at the cost of \$4,046.00; and

WHEREAS: On December 19, 2022, additional necessary work to reinstall high stage rotor on #3 compressor cost of \$36,473.00; and

WHEREAS: On March 1, 2023, the Board approved increasing to purchase order from \$20,284.00 to \$56,757.00; and

WHEREAS: On May 8, 2023, additional necessary work to get the #3 compressor inlet valve and lubrication system operating properly cost of \$16,296.18; and

WHEREAS: It is now necessary to increase the Purchase Order no. 22300265 in the amount of \$16,296.18 from \$56,757.00 to \$73,053.18 through June 30, 2023; and

WHEREAS: The Treatment Plant Superintendent and Acting Principal Chief Stationary Engineer recommend this increase at a total cost not to exceed \$73,053.18.

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 \$16,296.18, increasing Purchase Order No. 22300265 with Comairco Equipment, Inc., from \$56,757.00 to \$73,053.18 through June 30, 2023. Funds for this change order will be charged to account no. 00380106-443301.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 12

EXTENSION OF THE CONTRACT FOR THE PURCHASE OF FERROUS CHLORIDE

WHEREAS: On May 4, 2022 the Board of the Buffalo Sewer Authority awarded a contract to Kemira Water Solutions, Inc., for the purchase of Ferrous Chloride for the period July 1, 2022 to June 30, 2023 with an option to renew four (4) one-year periods, at an annual cost not to exceed \$282,560.00; and

WHEREAS: Kemira Water Solutions, Inc., has agreed to this contract for one (1) additional year with a negotiated price of \$0.920/gallon (4.19% increase) for fiscal year 2023-2024;

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension with the price increase at a total cost not to exceed \$294,400.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorize the General Manager to renew the contract with Kemira Water Solutions, Inc., price increase to \$0.920/gallon for the purchase of Ferrous Chloride of the period July 1, 2023 to June 30, 2024, at a total cost not to exceed \$294,400.00. Expenses for this contract will be charged to account no. 00360105-467044.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 13

REPORT ON BIDS RECEIVED-ANALYTICAL SERVICES

WHEREAS: Formal bids were advertised and solicited for purchase of Analytical Services at the Bird Island Treatment Facility. The following bids were received and opened by the Buffalo Sewer Authority on April 19, 2023:

VENDOR	DESCRIPTION	GRAND TOTAL COST
Eurofins Environment Testing Northeast, LLC	Analytical Services for wastewater and sludge samples for the Buffalo Sewer Authority	\$211,791.00
Alpha Analytical	Analytical Services for wastewater and sludge samples for the Buffalo Sewer Authority	\$237,282.00
ALS Global		NO BID
EMSL Analytical		NO BID

; and

WHEREAS: The Treatment Plant Superintendent and staff reviewed the quote received and recommend the purchase be awarded to the lower bidder, Eurofins Environment Testing Northeast, LLC; at a total cost not to exceed \$211,791.00; and

WHEREAS: Board approval is required on purchases over \$35,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase analytical services with Eurofins Environment Testing Northeast, LLC, in the amount of \$211,791.00. This purchase will be charged to account no. 00550106-432004.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 14

AUTHORIZATION TO PURCHASE COMMODITIES UTILIZING CITY OF BUFFALO CONTRACT PRICING FOR FISCAL YEAR 2023-2024

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

WHEREAS: The Sewer Maintenance Department purchases the following commodities available through City of Buffalo Contract:

Product	Vendor	City of Buffalo Contract	Amount	Account No.
Stone & Slag	New Enterprise Stone & Lime Co. DBA: Buffalo Crushed Stone	Informal #500 (through 6/30/23)	\$60,000.00	00660105-466269
Ready Mix Concrete	New Enterprise Stone & Lime Co. Inc. DBA: Buffalo Redi-Mix A Division of New Enterprise Stone and Lime Co. Inc.)	Formal #7862 (through 6/30/23)	\$70,000.00	00660105-466269

; and

WHEREAS: The Director of Sewer Maintenance and staff recommend the utilization of City of Buffalo Contract pricing for these purchases.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize City of Buffalo Contract pricing to purchase the above commodities for fiscal year 2023-2024 at a cost not to exceed the amounts listed and further authorizes any subsequent extension or changes to City of Buffalo contracts for the fiscal year through June 30, 2024.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24,2023

ITEM NO. 15

AUTHORIZATION TO PURCHASE VARIOUS COMMODITIES UTILIZING NEW YORK STATE CONTRACT PRICING FOR FISCAL YEAR 2023-2024

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

WHEREAS: The Sewer Maintenance Division purchases the following commodities available through New York State Contract pricing:

Product	NYS Contract	Current Vendor	Amount	Account No.
Gasoline	PC69521 Group: 05600	Goetz Energy Award: 23237 (through 12/14/23)	\$150,000.00	00520105-462600 (\$60,000.00) 00690105-462600 (\$90,000.00)
Diesel Fuel	PC69484 Group: 05602	NOCO Energy Corp. Award: 23236 (through 8/24/23)	\$150,000.00	00520105-462600 (\$50,000.00) 00690105-462600 (\$100,000.00)
Automotive Tires	PC68490 Group: 30600	Goodyear Tire & Rubber Company Award: PGB-23149 (through 3/31/24)	\$35,000.00	00690105-465001

;and

WHEREAS: The Director of Sewer Maintenance and staff recommend the utilization of New York State Contract pricing for these purchases.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize New York State Contract pricing to purchase the above commodities for the fiscal year 2023-2024 at a cost not to exceed the amounts listed and further authorizes any subsequent extensions of the above New York State Contract awards for new awards for the commodities listed for the fiscal year through June 30, 2024.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 16

REPORTS ON BIDS RECEIVED-PURCHASE OF VARIOUS NEW AND UNUSED STEEL PRODUCTS

WHEREAS: Formal bids were advertised and solicited for the purchase of the following various new and unused steel products:

- 1.) (50) Curb Box Dark Steel 5inch
- 2.) (50) Curb Box Dark Steel 6inch

;and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on April 28, 2023:

Vendor	Total Cost:
Melius Welding	\$13,500.00
EJ USA	\$33,279.00
Neenah Foundry	No Response

;and

WHEREAS: The Director of Sewer Maintenance and staff reviewed the quotes received and recommend awarding the entire purchase to the lowest bidder, Melius Welding, at a total cost of \$13,500.00.

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 steel products from the lowest bidder, Melius Welding at a total cost of \$13,500.00. This purchase will be charged to account no. 00660105-466269.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 17

REPORTS ON BIDS RECEIVED- PURCHASE OF VARIOUS GRAY CAST IRON CASTINGS

WHEREAS: Formal bids were advertised and solicited for the purchase of the following various gray cast iron castings:

- 1.) (60) Standard Manhole Frames and Covers (Sets)
 - 2.) (50) Dark 12" x 18 1/8" Cast Iron Receiver Grates
 - 3.) (50) Dark 13" x 18 1/8" Cast Iron Receiver Grates
 - 4.) (50) Dark 18 1/8" x 18 1/8" Cast Iron Receiver Grates
 - 5.) (50) McConnell 23" x 23" Cast Iron Grates
 - 6.) (50) Manhole Cover for 12" Frame
- ;and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on April 28, 2023:

Vendor	Total Cost:
EJ USA	\$ 31,249.80 Bid Line #1 ONLY
Neenah Foundry	\$ 73,230.00 Did not Bid Line#6
D&L Foundry	NO RESPONSE

;and

WHEREAS: The Director of Sewer Maintenance and staff reviewed the quotes received for each item needed and recommend the following awards, to the low bidder for each item:

Vendor	Items to award	Cost
EJ USA Inc.	#s: 1	\$31,249.80
Neenah Foundry	#s: 2,3,4 & 5	\$39,150.00

; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the above listed various gray cast iron castings from the low bidders for the items listed: EJ USA Inc. for item no.1 and Neenah Foundry for item nos. 2,3,4 & 5 at a total cost of \$70,399.80. These purchases will be charged to account no. 00660105-466269.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 18

AUTHORIZATION TO PURCHASE A VEHICLE UNDER THE HORNELLSVILLE AWARD RESOLUTION

WHEREAS: The Director of Sewer Maintenance and Head Motor Equipment Mechanic request approval to purchase the following vehicle, with additional options, available under Hornellsville Award Resolution dated 12/10/2018. The Buffalo Sewer Authority is qualified to utilize the award resolution as the resolution is approved for qualifying agencies or political subdivisions as set forth under New York State Municipal law section (103) “piggybacking”;

Award Resolution	Vendor	Vehicle	Cost
Award Resolution dated 12/10/18 – Agreement for Purchase of Truck Chassis	Fleet Maintenance	One (1) 2024 Freightliner 114SD Plus Truck Cab & Chassis and dump body with various options as specified and dated 5/12/23:	\$228,421.00

WHEREAS: The Director of Sewer Maintenance and Head Motor Equipment Mechanic recommend the purchase of the above vehicle at the total cost of \$228,421.00.

NOW THEREFORE BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to purchase the above vehicle and additional options indicated from Fleet Maintenance, Inc. at a total cost of \$228,421.00. This purchase will be charged to account no.00690107-474200.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 19

CHANGE ORDER NO. 1 – CONTRACT NO 82000044

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,629,647.00
Quackenbush Company Inc.	THIS CHANGE ORDER NO. 1	<u>\$165,000.00</u>
495 Kennedy Road	ADJUSTED CONTRACT COST	\$1,794,647.00
Buffalo, New York 14227		

WORK: In-Plant Mechanical Services

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 \$165,000.00 Additional funding due to major unplanned mechanical & rotating equipment repair work support and projected work through balance of 2022-2023 contract term.

REASON FOR CHANGE OR EXTRA WORK:

Item#1 Additional unplanned sub-contracted specialty rotating equipment repair services were needed to satisfy major treatment plant operability and availability concerns. It is projected that additional specialty rotating equipment repair services will be required in addition to making up offset costs for In-Plant Mechanical work for the remaining 2022-2023 fiscal year.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$165,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$165,000.00

The total INCREASE to the contract as a result of this Change Order is \$165,000.00

CHANGE ORDERS

WHEREAS: On May 25, 2022, 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, 2022 to June 30, 2023, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$1,629,647.00.

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. 1 to Contract No. 82000044 as written in the above Agenda Item, increasing the contract cost in the amount of \$165,000.00, making the adjusted contract cost \$1,794,647.00

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

Board Meeting of May 24, 2023

ITEM NO. 20

REPORT ON BIDS RECEIVED - OVERHEAD DOOR PREVENTIVE MAINTENANCE & REPAIR SERVICES

WHEREAS: Formal bids were advertised and solicited for the overhead door preventive maintenance and repair services at the Bird Island Facility; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on March 29, 2023:

VENDOR:	Legacy Overhead Door	A24 Hour National, Inc.	Pro Dock and Door, LLC
Total annual P.M. cost	\$27,108.00	\$62,400.00	\$118,000.00
Total annual/repairs cost	\$ 11,280.00	\$19,200.00	\$27,600.00
Total annual parts/material cost	\$11,500.00	\$14,000.00	\$12,000.00
Grand Total Annual Cost	\$49,888.00	\$95,600.00	\$157,600.00

; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance and staff reviewed the quotes received and recommend this service be awarded to the low bidder, Legacy Overhead & Entry Door Co. LLC at a total cost not to exceed \$49,888.00; and

WHEREAS: 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 utilize the services of Legacy Overhead and Entry Door Co. LLC for overhead door preventive maintenance and repair services for the fiscal year 2023-2024 at a total cost of \$49,888.00. These services will be charged to account nos. 00520106-443421 and 00650106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 21

EXTENSION OF THE CONTRACT FOR UTILITY LOCATION SERVICES

WHEREAS: On September 30, 2020, the Board of the Buffalo Sewer Authority awarded a contract to On the Mark, LLC (OTM) for utility location services for the period from November 1, 2020 through June 30, 2021 at the total cost not to exceed \$68,772.00 with up to four (4) one-year renewals beginning July 1, 2021; and

WHEREAS: On April 7, 2021, the Board authorized a change order due to larger than expected number of tickets and linear feet of markings for the amount of \$50,000.00 to cover the costs through the end of the period on June 30, 2021; and

WHEREAS: OTM has agreed to extend this contract for one (1) year under the same terms and conditions for fiscal year 2023-2024; and

WHEREAS: Based on the ticket count and linear footage from the previous year (June 1, 2022 – May 30, 2023), the Principal Sanitary Engineer and staff recommend this extension at a total cost not to exceed \$225,000.00 for the 2023-2024 fiscal year.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with OTM for utility location services at a cost not-to-exceed \$225,000.00 for the period July 1, 2023 through June 30, 2024. Account no. 00600106-432004 will be utilized for these services.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 22

CHANGE ORDER NO. 4 WEIR WALL MODIFICATIONS - CONTRACT NO. 82000017
SMITH AT EAGLE REAL TIME CONTROL

CONTRACTOR:	ORIGINAL CONTRACT COST	\$2,262,000.00
NOVA Companies	PREVIOUS CHANGE ORDERS	\$235,406.63
6 Lena Court	THIS CHANGE ORDER	<u>\$81,724.18</u>
West Seneca, NY 14226		\$2,579,130.81

VENDOR NO. 9596	ACCOUNT NO.	02000488-490740
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WORK:	Smith at Eagle Real Time Control
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DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Contractor must modify existing concrete weir wall(s) as required to install Tideflex Check valves in 6 manholes. They must saw cut and remove the existing concrete weir, install fiberglass-reinforced plate (FRP) to cover the opening that is created, add a neoprene gasket strip between the concrete and FRP, and anchor the FRP to the existing concrete weir wall with anchors and adhesive.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Modifications are needed to install check valves as the existing weir wall impedes access to the sewer main where the check valve is to be installed. This work was not covered under the original agreement.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$81,724.18

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$81,724.18

The Total INCREASE to the Contract as a result of this Change Order is \$81,724.18

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: On July 10, 2020, Notice to Proceed was issued for Contract No. 82000017 in accordance with the above Board approval; 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: Change Order No. 3 to Contract No. 82000017 was approved by the Board on September 28, 2022 in the amount of \$0.00 for retention reduction from 5% to 1%; and
- WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 4 to Contract No. 82000017 as detailed above and recommend its approval.

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days.
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. 4 to Contract No. 82000017 as written in the above Agenda Item, increasing the contract cost in the amount of \$81,724.18 making the adjusted contract cost \$2,579,130.81. Expenses from this contract will be paid from Account No. 02000488-490740.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 23

AGREEMENT BETWEEN BUFFALO SEWER AUTHORITY AND CIVIL SERVICE EMPLOYEES ASSOCIATION, AFSCME AND BSA UNIT LOCAL NO. 815

WHEREAS: Negotiations have concluded and an agreement has been reached for a four (4) year contract retroactive to July 1, 2022, and ending June 30, 2026; and

WHEREAS: Changes from the expired contract include the following increases in wages:

- Effective 7/1/22 - 4%
- Effective 7/1/23 - 3%
- Effective 7/1/24 - 3%
- Effective 7/1/25 - 3%; and

WHEREAS: In addition, the contribution to health insurance for employee hired after ratification of the contract will increase from 15% to 20%; and

WHEREAS: Other changes are detailed in a Tentative Agreement, including those related to an increase in longevity increments, job postings, automobile allowance, safety shoes, compensatory time, vacation time, and weather emergencies.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute, on behalf of the Buffalo Sewer Authority, this Agreement with the Civil Service Employees Association, AFSCME, BSA Local 815, for the four (4) year period ending June 30, 2026.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 24

COMPENSATION: CONFIDENTIAL AND MANAGERIAL EMPLOYEES

NOW THEREFORE
BE IT RESOLVED:

That the modifications and provisions contained in the Agreement between the Buffalo Sewer Authority and Civil Service Employees Association, AFSCME, BSA Local 815, for the period of July 1, 2022 to June 30, 2026, are hereby directed to also apply to those positions which are designated Managerial or Confidential.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023

ITEM NO. 25

COMPENSATION: EXEMPT EMPLOYEES

NOW THEREFORE
BE IT RESOLVED:

That the modifications and provisions contained in the Agreement between the Buffalo Sewer Authority and Civil Service Employees Association, AFSCME, BSA Local 815, for the period of July 1, 2022 to June 30, 2026, are hereby directed to also apply to those positions which are designated Exempt.

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

Board Meeting of May 24, 2023

ITEM NO.26

CONFIRMATION OF APPOINTMENTS

SANITARY CHEMIST (PROVISIONAL)
TREATMENT PLANT LABORATORY
\$65,581 ANNUAL
EFFECTIVE: MAY 1, 2023

CRAIG RYBAK
361 TAUNTON
BUFFALO, NY 14216

LABORER I (PERMANENT)
SEWER MAINTENANCE DIVISION
\$19.98 HOURLY
EFFECTIVE: MAY 8, 2023

ALBA BAEZ
468 SOUTH 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

Board Meeting of May 24, 2023

ITEM NO. 27

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 24, 2023