

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
May 29, 2024**

**58920**

**58952**



# **BUFFALO SEWER AUTHORITY**

## **REGULAR MEETING**

**May 29, 2024**

**9:00 A.M.**

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**Bird Island Treatment Facility, 90 West Ferry St.  
Teleconference +1 917- 933-2166, ID #306 600 1#**

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	C. Contract Approval – Legal Services	
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	J. Travel Authorization - New Orleans, LA	
	K. Tuition Assistance	
	L. Request For Leave of Absence	
	M. Confirmation of Appointments	



3	Adoption Of Amended "Final Schedule of Sewer Rents and Other Charges For 2024-2025"	58939
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ATTACHMENT A: Final Schedule of Sewer Rents and Other Charges for 2024 -2025



**CALL OF THE ROLL**

Present:	Herbert Bellamy, Jr.	Chairman of Board
	Christopher Roosevelt	Vice Chairman of the Board
	Eleanor Petrucci	Secretary of the Board
	Oluwole McFoy, P.E.	General Manager
	Gelea Y. James	Director of Employee Relations
	LaToya Cunningham	Special Assistant
	Charles Riley	Executive Secretary
	Cheryl Colston	General Counsel
	Alexander Emmerson	Treatment Plant Superintendent
	Paul Harris	Superintendent of Mechanical Maintenance
	Adam Sassone	Secretary to General Manager
	Rosaleen Nogle, P.E.	Principal Sanitary Engineer
	Tim Blake	Senior Instrument Technician
	Joel Renzoni	Director of Sewer Maintenance
	Ryan Christopher	Greely Hansen
	Kevin Laurendi	John W. Danforth
	Laura Surdej	Erie County Department of Sewerage
	Jordan Astyk	John W. Danforth

The meeting was called to order at 9:33A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 1, 2024

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

ITEM NO. 2

**APPROVAL OF CONSENT AGENDA**

**CONTENTS**

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Contract Approval – Legal Services
- D. Contract Approval – Legal Services
- E. Contract Approval – Legal Services
- F. Contract Approval – Legal Services
- G. Contract Approval – Audit and Accounting Services
- H. Travel Authorization - Pittsburgh, PA
- I. Travel Authorization - Los Angeles, CA.
- J. Travel Authorization - New Orleans, LA
- K. Tuition Assistance
- L. Request For Leave of Absence
- M. Confirmation of Appointments

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of May 29, 2024



2-A

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

As of April 30<sup>th</sup>, 2024

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	<b>MONEY MARKET</b>		\$3,947,231.33	Key	0.01%	Public NOW
28-Mar-24	9-May-24	42	\$4,250,803.38	Key Banc Capital	5.25%	\$26,196.62
4-Apr-24	23-May-24	49	\$5,334,824.84	Key Banc Capital	5.22%	\$38,175.16
4-Apr-24	7-Jun-24	64	\$5,335,156.16	Key Banc Capital	5.31%	\$50,843.84
11-Apr-24	20-Jun-24	70	\$999,777.96	M&T Securities	5.21%	\$10,222.04
4-Apr-24	2-Jul-24	63	\$3,999,980.71	Key Banc Capital	5.24%	\$37,019.29
			<b>\$23,867,774.38</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	<b>MONEY MARKET</b>		\$103,948.89	Key	0.01%	Public NOW
18-Apr-24	18-Jul-24	91	\$751,964.67	Key Banc Capital	5.21%	\$10,035.33
			<b>\$855,913.56</b>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<b>\$3,648,165.41</b>	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		<b>\$16,921.58</b>	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
30-Nov-23	30-May-24	182	\$567.02	Wilmington U.S. Treasury	4.79%	
			\$10,004,297.41	Key Banc Capital	5.15%	\$267,702.59
			<b>\$10,004,864.43</b>			
<b>NET REVENUE FUND</b>						
30-Jan-24	28-May-24	119	\$220,241.17	Wilmington U.S. Treasury		
			\$5,999,104.90	Key Banc Capital	5.15%	\$103,895.10
25-Apr-24	27-Jun-24	63	\$3,499,796.99	M&T Securities	5.21%	\$32,203.01
			<b>\$9,719,143.06</b>			

**BSA 2021 EIB FUND**

			\$319,329.22	Cash	0.00%	
24-Nov-23	23-May-24	181	\$32,617,080.26	Key Banc Capital	5.19%	\$873,919.74
21-Dec-23	20-Jun-24	182	\$9,985,782.90	Key Banc Capital	5.08%	\$263,217.10
31-Jan-24	5-Jul-24	156	\$10,102,633.92	M&T Securities	4.97%	\$222,366.08
			<b>\$53,024,826.30</b>			

**DEBT RESERVE FUND**

				<b>Series J</b>		
02-Jul-14	13-Nov-33	7076	<b>\$515,879.00</b>	UST State/Local Govt	2.70%	
				<b>Series K</b>		
02-Jul-14	15-Feb-33	6803	<b>\$361,415.00</b>	UST State/Local Govt	2.70%	
				<b>Series L</b>		
12-Nov-15	1-Oct-35	7263	<b>\$689,547.00</b>	UST State/Local Govt	2.44%	
				<b>Series M</b>		
27-Jun-14	1-May-44	10901	<b>\$595,613.00</b>	UST State/Local Govt	2.70%	
				<b>Series N</b>		
15-Nov-12	15-Apr-32	7091	<b>\$2,167,157.00</b>	UST State/Local Govt	2.42%	
				<b>EFC 2021</b>		
			\$9,202.57	Wilmington U.S. Treasury	4.79%	
29-Feb-24	22-Aug-24	175	\$332,562.62	Key Banc Capital	5.09%	\$ 8,437.38
			<b>\$341,765.19</b>			
				<b>DSF PRIN &amp;INT</b>		
			<b>\$0.01</b>	Wilmington Fund		
				<b>DSF 2021 EIB</b>		
			<b>\$1,566,859.07</b>	Wilmington Fund	4.79%	

**RECEIVE & FILE**

Board Meeting of May 29, 2024

## 2-B

## 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***

04/12/2024	00330105 FINA Chemical & Gases	-\$63,000.00	00300103 BLOW Electric Light & Power	\$63,000.00
04/12/2024	00360105 DEWA Chemical & Gases	-\$121,226.00	00300103 BLOW Electric Light & Power	\$121,226.00
04/12/2024	00340105 THIC Chemical & Gases	-\$40,165.60	00300103 BLOW Electric Light & Power	\$40,165.60
04/12/2024	00360105 DEWA Chemical & Gases	-\$111,682.50	00300103 BLOW Electric Light & Power	\$111,682.50
04/15/2024	00330105 FINA Chemical & Gases	-\$20,000.00	00360103 DEWA Water	\$20,000.00
04/15/2024	00220105 SCRE Equipment Maint	-\$31,196.18	00520106 MAIN Maint. Contract	\$31,196.18
04/17/2024	00230105 GRIT Equipment Maint.	-\$2,000.00	00230106 GRIT Repairs to Equipment.	\$2,000.00
04/18/2024	00200104 PLAN Travel Expenses	-\$8,500.00	00360103 DEWA Water	\$8,500.00
04/19/2024	00340105 HAMB Equipment Maint.	-\$31,200.00	00360103 DEWA Water	\$31,200.00
04/19/2024	00200104 PLAN Reg Fees & Dues	-\$386.00	00380106 INCIN. Refuse Disposal Serv.	\$386.00
04/22/2024	00400105 SOUTH Equipment Maint.	-\$6,001.52	00370106 CENT. Repairs to Equip.	\$6,001.52
04/23/2024	00380103 INCIN Gas	-\$262,947.28	00300103 BLOW Electric Light & Power	\$262,947.28
04/23/2024	00290105 AER Equipment Maint.	-\$2,782.00	00280105 SWWP Equipment Maint.	\$2,782.00
04/25/2024	00380106 INCIN Edu, Lic, , Training	-\$640.00	00410103 HAMB Water	\$640.00
04/29/2024	00200103 PLANT Telephone	-\$7,000.00	00650103 SWRM Telephone	\$7,000.00
04/29/2024	00300105 BLOW Equipment Maint.	-\$4,030.00	00230106 GRIT Repairs to Equipment	\$4,030.00
04/29/2024	00300105 BLOW Equipment Maint.	-\$3,436.00	00520106 MAIN Building Repairs	\$3,436.00
04/29/2024	00290105 AER Equipment Maint.	-\$1,804.00	00280105 SWWP Equipment Maint	\$1,804.00
05/2/2024	00220105 SCRE Equipment Maint.	-\$31,425.00	00300106 BLOW Repairs to Equipment	\$31,425.00
05/6/2024	00330105 FINA Chemical & Gases	-\$300,000.00	00300103 BLOW Electric Light & Power	\$300,000.00

05/6/2024	00380106 INCIN Refuse Disp. Services	-\$63,500.00	00300103 BLOW Electric Light & Power	\$63,500.00
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***Industrial Waste***

04/29/2024	00550105 IWS Lab Supplies	-\$2,248.00	00550106 PLAN IWS Eng & Tech	\$2,248.00
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***Sewer Maintenance***

04/29/2024	00650106 SWRM ED, LIC & TRAIN	-\$40,000.00	00660105 SWRR Road & HIGH MAIN	\$40,000.00
05/8/2024	00700106 EDU, Licenses & Train. Tools	-\$2,050.00	00700105 TOOLS	\$2,050.00
05/8/2024	00700106 EDU, Licenses & Train. Tools	-\$4,000.00	00700105 GI, Agi & Botanical Mulch	\$4,000.00

***General Financial Charges***

04/25/2024	00800183 FIN Contingency	-\$308,000.00	00200108 PLAN Insurance	\$308,000.00
04/25/2024	00800183 FIN Contingency	-\$7,200.00	00650108 SWRM Insurance	\$7,200.00
05/02/2024	00800183 FIN Contingency	-\$2,500.00	00100104 BOARD Reg Dues	\$2,500.00

**RECEIVE & FILE**

Board Meeting of May 29, 2024

2-C

**CONTRACT APPROVAL – LEGAL SERVICES**

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

WHEREAS: Lippes Mathias LLP has a national team of attorneys who have significant experience in such areas for example as municipal law, human resources training and counseling and corporate governance; and

WHEREAS: Upon request, Lippes Mathias LLP, has submitted a proposed retainer agreement to provide legal services for the Buffalo Sewer Authority; and

WHEREAS: The General Manager and General Counsel recommend approval to retain Lippes Mathias LLP for legal services on an as-needed basis for the 2024-2025 fiscal year.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Lippes Mathias LLP for legal services on an as-needed basis in an amount not to exceed \$90,000.00 for the period June 1, 2024 through June 30, 2025. Expenses for these services will be charged to account no. 00550106-432003.

2-D

**CONTRACT APPROVAL - LEGAL SERVICES**

WHEREAS: The Buffalo Sewer Authority has many complex general labor and employment matters as well as contract negotiations that require the skill of specialized labor relations attorneys; and

WHEREAS: The law firm Phillips Lytle LLP has extensive experience in these areas; and

WHEREAS: Phillips Lytle LLP has been satisfactorily representing the Authority with these matters; and

WHEREAS: Upon request, Phillips Lytle LLP has submitted a proposal to represent the Buffalo Sewer Authority for the period July 1, 2024 - June 30, 2025; and

WHEREAS: The General Manager recommends approval to retain Phillips Lytle LLP for general labor and employment matters as well as contract negotiations in an amount not to exceed \$125,000.00 for the current fiscal year.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Phillips Lytle LLP to provide legal services to the Buffalo Sewer Authority in connection with general labor and employment matters for the period July 1, 2024 – June 30, 2025 in an amount not to exceed \$125,000.00. Account no. 00110106-432003 shall be utilized for these services.

2-E

**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: 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; and

WHEREAS: The General Manager, General Counsel, Executive Secretary and staff recommend approval to retain Barclay Damon, LLP, for legal services on an as-needed basis for the 2024-2025 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, 2024 through June 30, 2025. Expenses for these services will be charged to account no. 00550106-432003.

**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: Barnes & Thornburg LLP has a national team of attorneys who have significant experience in such areas for example as combined sewer overflow, sanitary sewer overflow, Municipal Separate Storm Sewer System (MS4) strategy and in negotiating agreements with state and federal agencies.

WHEREAS: Upon request, Barnes & Thornburg LLP, has submitted a proposed retainer agreement to provide legal services for the Buffalo Sewer Authority; and

WHEREAS: The General Manager and General Counsel recommend approval to retain Barnes & Thornburg LLP for legal services on an as-needed basis for the 2024-2025 fiscal year.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Barnes & Thornburg LLP for legal services on an as-needed basis in an amount not to exceed \$150,000.00 for the period July 1, 2024 through June 30, 2025. Expenses for these services will be charged to account no. 00550106-432003.



2-G

**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, 2024, 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, 2024.

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, 2024 through June 30, 2025. 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.

2-H

**TRAVEL AUTHORIZATION - PITTSBURGH, PA**

WHEREAS: The Buffalo Sewer Authority is in the process of upgrading its Emerson Ovation Distributed Control System used for operations and control of the treatment plant process; and

WHEREAS: Emerson conducts an annual User Group conference where users can attend breakout sessions on best practices, cybersecurity, innovative technologies, technical enhancements and troubleshooting, etc.; and

WHEREAS: The Buffalo Sewer Authority's Senior Instrument Technician serves on the Ovation Users Group Board of Directors, Wastewater Committee and Communications Committee; and

WHEREAS: The General Manager, and Treatment Plant Superintendent recommend that the Senior Instrument Technician, Treatment Plant Superintendent and Shift Superintendent attend the Ovation User Group 2024 Annual Conference.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Buffalo Sewer Authority Senior Instrument Technician, Treatment Plant Superintendent and Shift Superintendent to travel to Pittsburgh, PA from July 28- August 1, 2024 to attend the Emerson Ovation Users Group 2023 annual conference at a cost not to exceed \$6,500.00. Expenses for this travel shall be charged to account no. 00200104-458010.

**TRAVEL AUTHORIZATION - LOS ANGELES, CA**

WHEREAS: The Water and Wastewater Forum is an invite-only gathering of high-caliber Chief Executive Officers (CEOs) in the water and wastewater industry; and

WHEREAS: The Water and Wastewater CEO Forum will be held August 5 – August 7, 2024 in Los Angeles, California; and

WHEREAS: The Water and Wastewater CEO Forum serves as a platform for CEO's in the water and wastewater sector where they can leverage their peer network to process key challenges and focus on important issues impacting utilities in a closed session within a trusted network; and

WHEREAS: The General Manager has been invited to participate and connect with other sector leaders to further enhance their leadership journey with other executives in the water utility industry; and

WHEREAS: The Chairman of the Board recommends attendance for the General Manager to the Water and Wastewater CEO Forum.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Los Angeles, California from August 4 – August 8, 2024, to attend the Water and Wastewater CEO Forum at a total cost not to exceed \$3,000.00. Account nos. 00110104-458010 and 00110104-458012 will be utilized for this travel.

2-J

**TRAVEL AUTHORIZATION - NEW ORLEANS, LA**

WHEREAS: The Water Environment Federation's Annual Technical Exhibition and Conference (WEFTEC) will be held October 5 – October 9, 2024, in New Orleans, LA; and

WHEREAS: The Buffalo Sewer Authority staff annually participates in this international event to keep abreast of the latest technologies, innovations and research in the wastewater field through peer-to-peer interactions; and

WHEREAS: The Board Chairman and General Manager recommends attendance to the Water Environment Federation's Annual Technical Exhibition and Conference (WEFTEC) for the members of the board, General Manager, Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, Treatment Plant Administrator, Principal Sanitary Engineer, Senior Instrument Tech, Industrial Waste Administrator and two Shift Supervisors; and

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes travel from October 4 – October 10, 2024 for the members of the board, General Manager, Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, Treatment Plant Administrator, Principal Sanitary Engineer, Senior Instrument Tech, Industrial Waste Administrator and two Shift Supervisors to attend the Water Environment Federation's Annual Technical Exhibition and Conference (WEFTEC) in New Orleans, LA, at a total cost not to exceed \$27,500.00. Funds are available in account nos., 00110104-458010, 00110104-458012, 00100104-458010, 00100104-458012, 00520104-458010, 00520101-458012, 00200104-458010, 00200104-458012, 00600104-458010 and 00600104-458012.

2-K

**TUITION ASSISTANCE**

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employee has applied for Tuition Assistance.

<b><u>EMPLOYEE</u></b>	<b><u>SCHOOL</u></b>	<b><u>COURSE</u></b>	<b><u>TUITION</u></b>
Edwin R. Geter	Suny Buffalo State University	Master Of Science	\$571.00

WHEREAS: No Funds will be expended at this time.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Assistance

2-L

**REQUEST FOR LEAVE OF ABSENCE**

WHEREAS: Brianna Larkin, a permanent Wastewater Operator, has requested a non-medical leave of absence beginning April 22, 2024, and extending until July 1, 2024.

WHEREAS: The General Manager has reviewed this request and recommends approving this leave of absence request for a period of two (2) months.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Brianna Larkin a two (2) month unpaid non-medical leave of absence without pay beginning April 22, 2024, and extending until July 1, 2024.

2-M

**CONFIRMATION OF APPOINTMENTS**

ACCOUNT CLERK TYPIST  
CITY HALL ADMINISTRATION  
\$50,580 PER ANNUM  
EFFECTIVE: MAY 6, 2024

DESIREE BRIGGS  
45 ENGLEWOOD AVE  
BUFFALO, NY 14214

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ACCOUNT CLERK TYPIST  
TREATMENT PLANT ADMINISTRATION  
\$47,779 PER ANNUM  
EFFECTIVE: MAY 6, 2024

ANGELICA GONZALEZ  
2235 SENECA ST UPPER  
BUFFALO, NY 14210

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LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$21.40 PER HOUR  
EFFECTIVE: MAY 13, 2024

JAYLEN PICKENS  
191 LANGFIELDS  
BUFFALO, NY 14215

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LABORER I (SEASONAL)  
SEWER MAINTENANCE  
\$140 PER DAY  
EFFECTIVE: MAY 20, 2024

MIA CASILLAS  
660 CRESENT AVE  
BUFFALO, NY 14216

---

LABORER I (SEASONAL)  
SEWER MAINTENANCE  
\$140 PER DAY  
EFFECTIVE: MAY 20, 2024

DAMON TATE  
225 LISBON AVE  
BUFFALO, NY 14215

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LABORER I (SEASONAL)  
SEWER MAINTENANCE  
\$140 PER DAY  
EFFECTIVE: MAY 20, 2024

VINCENT RUSSO  
66 STERLING AVE  
BUFFALO, NY 14216

---

LABORER I (SEASONAL)  
SEWER MAINTENANCE  
\$140 PER DAY  
EFFECTIVE: MAY 20, 2024

AUSTIN CLANCY  
3 SUSAN LANE  
BUFFALO, NY 14220

---

LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$140 PER DAY  
EFFECTIVE: MAY 20, 2024

KEVIN MIMS  
96 FISHER ST.  
BUFFALO, NY 14215

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LABORER I (PERMANENT)  
SEWER MAINTENANCE  
\$21.40 PER HOUR  
EFFECTIVE: MAY 20, 2024

PHIL SCOTT  
271 WALNUT ST.  
BUFFALO, NY 14204

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LABORER I (PERMANENT)  
SEWER MAINTENANCE  
\$21.40 PER HOUR  
EFFECTIVE: MAY 6, 2024

JAMES KELLER  
41 EDEN ST.  
BUFFALO, NY 14220

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ASSISTANT SANITARY CHEMIST (PROVISIONAL)  
SEWAGE TREATMENT PLANT  
\$55,423 PER ANNUM  
EFFECTIVE: MAY 20, 2024

CHRISTOPHER JONES  
417 COLVIN AVE  
BUFFALO, NY 14216

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STOCK CLERK (CONTINGENT PERMANENT)  
SEWAGE TREATMENT PLANT  
\$22.71 PER HOUR  
EFFECTIVE: MAY 20, 2024

WILLIAM RESPRESS  
127 NEVADA AVE  
BUFFALO, NY 14211

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WHEREAS: The preceding appointments were made by the General Manger 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

ITEM NO. 3

**ADOPTION OF AMENDED "FINAL SCHEDULE OF SEWER RENTS AND OTHER CHARGES FOR 2024-2025"**

WHEREAS: The Buffalo Sewer Authority, in the meeting of April 3, 2024, adopted a proposed "Schedule of Sewer Rents and Other Charges for 2024-2025" and authorized the publication of this notice, commencing April 12, 2024, 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 2024-2025"; and

WHEREAS: The proposed "Schedule of Sewer Rents and Other Charges for 2024-2025" increases to the levy of sewer rents based on the assessed value of property to \$24,900,000; and

WHEREAS: The proposed "Schedule of Sewer Rents and Other Charges for 2024-2025" includes a three-percent adjustment based on Consumer Price Index to all sewer rents based on the use of water; and

WHEREAS: With the goal of providing the residents of the City of Buffalo with equitable and affordable water resources, the "Schedule of Sewer Rents and Other Charges" continues to include low-income, very low-incomes and senior assistance programs.

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 2024-2025".

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of May 29, 2024

ITEM NO. 4

**AUTHORIZATION FOR PURCHASE OF REPLACEMENT PARTS FOR ID FAN**

WHEREAS: The Principal Chief Stationary Engineer has determined a need for replacement parts for the ID Fan located in the Megastructure Building at the Bird Island Treatment Facility; and

WHEREAS: Bids were solicited for the purchase of replacement parts for the ID Fan. The following bids were received and opened by the Buffalo Sewer Authority on April 26, 2024:

VENDOR	DESCRIPTION	TOTAL COST
Grainger	PM8 Full Coupling SSM60 (Qty. 2)	\$25,529.82
Power-Flo Technologies	PM8 Full Coupling SSM60 (Qty. 2)	\$29,390.00
Grainger	UVAmplifier; Dynamic Self Test (Qty. 3)	\$2,677.44
Power-Flo Technologies	UVAmplifier; Dynamic Self Test (Qty. 3)	\$2,253.00

; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff have reviewed the quotes received and recommend the purchase of PM8 Full Couplings from Grainger in the amount \$25,529.82, and UVAmplifiers, from Power-Flo Technologies in the amount of \$2,253.00; and

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

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase of the needed replacement parts for the ID Fan split between Grainger in the amount of \$25,529.82 and Power-Flo Technologies in the amount of \$2,253.00. The total amount of this purchase not to exceed \$27,920.57. This purchase will be charged to account no. 00380105-466107.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of May 29, 2024



ITEM NO. 6

**REPORT ON BIDS RECEIVED-FOR THE PURCHASE OF SODIUM HYPOCHLORITE**

WHEREAS: Formal bids were advised and solicited for purchase of Sodium Hypochlorite at the Bird Island Treatment Facility. The following bids were received and opened by the Buffalo Sewer Authority Purchase Office on May 14, 2024:

<b>VENDOR</b>	<b>COST PER GALLON</b>	<b>TOTAL ANNUAL COST</b> (based on estimated quantity of 1,100,000 gallons)
JCI Jones Chemicals, Inc.	\$1.720	\$1,892,000.00
Bison Laboratories, Inc.	\$1.775	\$1,952,500.00
Alexander Chemical, Corp.	\$2.199	\$2,418,900.00
PVS Chemicals		NO RESPONSE
Allied Solutions Enterprise		NO RESPONSE

; and

WHEREAS: The Treatment Plant Superintendent, Principal Stationary Engineer and staff reviewed the quotes received and recommend the purchases be awarded to the lowest bidder, JCI Jones Chemicals, Inc., at a total cost not to exceed \$1,892,000.00; and

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

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract with JCI Jones Chemicals, Inc. for the purchase of sodium hypochlorite in an amount not to exceed \$1,892,000.00. Expenses for this contract will be charged to account no. 00330105-467044.

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

Board Meeting of May 29, 2024

ITEM NO. 7

**AUTHORIZATION FOR RENEWAL OF ANNUAL CUSTOMER SUPPORT PLAN**

WHEREAS: The Buffalo Sewer Authority utilizes International Business Machines Maximo Maintenance System software for asset management, work order tracking, purchasing and inventory control program; and

WHEREAS: An annual customer support plan is beneficial to keep current, receive the latest releases, and receive unlimited off-site support; and

WHEREAS: The Treatment Plant Superintendent, Director of Information Technology and staff recommend renewal of the annual customer support plan with International Business Machines Corporation for the period August 1, 2024, through July 31, 2025 for a cost of \$116,823.96; 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 renew the annual customer support plan with International Business Machines Corporation for a one-year period, August 1, 2024 through July 31, 2025, at a cost not to exceed \$116,823.96. Account no. 00200106-443420 will be charged for this service.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of May 29, 2024

ITEM NO. 8

**REPORT ON BIDS RECEIVED – PRIMARY SYSTEM REHABILITATION AND UPGRADES  
-CONTRACT A-PRIMARY SETTLING TANKS AND SLUDGE PUMPING STATION  
REHABILITATION**

WHEREAS: Formal bids were advertised and solicited for the Primary System Rehabilitation and Upgrades-Contract A-Primary Settling Tanks and Sludge Pumping Station Rehabilitation Project at the Bird Island Wastewater Treatment Plant. The following bids were received and opened by the Buffalo Sewer Authority on April 16, 2024:

<b><u>Bidder</u></b>	<b><u>Total Bid</u></b>
J.W. Danforth, Inc	\$37,855,000.00
American Contracting Environmental Services	\$46,000,000.00

; 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

WHEREAS: The Buffalo Sewer Authority’s Consulting Engineer, Greeley & Hansen, Inc, has reviewed the bids and recommend awarding the contract to the lowest bidder, J.W. Danforth, Inc at a cost not to exceed \$37,855,000.00; and

WHEREAS: The Buffalo Sewer Authority Facility Capital Improvements staff concur with the recommendation of the Consulting Engineer.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract with J.W. Danforth, Inc., in an amount not to exceed \$37,855,000.00. Expenses for this contract will be charged to account no. 02000586-490740.

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

ITEM NO. 9

**AUTHORIZATION TO PURCHASE COMMODITIES UTILIZING CITY OF BUFFALO CONTRACT PRICING FOR FISCAL YEAR 2024-2025**

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 pricing:

<b>Product</b>	<b>Vendor</b>	<b>City of Buffalo Contract</b>	<b>Amount</b>	<b>Account No.</b>
Stone & Slag	New Enterprise Stone & Lime Co. DBA: Buffalo Crushed Stone	Informal #500 (through 6/30/24)	\$65,000.00	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 6/30/24)	\$75,000.00	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 2024-2025 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, 2025.

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

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

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

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

Board Meeting of May 29,2024



ITEM NO. 10

**AUTHORIZATION TO PURCHASE VARIOUS COMMODITIES UTILIZING NEW YORK STATE CONTRACT PRICING FOR FISCAL YEAR 2024-2025**

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	PC69517 Group: 05600	Goetz Energy Award: 23237 (through 12/13/24)	\$170,000.00	00520105-462600 (\$70,000.00) 00690105-462600 (\$100,000.00)
Diesel Fuel	PC69484 Group: 05602	NOCO Energy Corp. Award: 23236 (through 8/22/24)	\$200,000.00	00520105-462600 (\$100,000.00) 00690105-462600 (\$100,000.00)
Automotive Tires	PC68490 Group: 30600	Goodyear Tire & Rubber Company Award: PGB-23149 (through 6/30/24)	\$50,000.00	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 2024-2025 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, 2025.

MOTION TO                   APPROVE                  

MADE BY                   MRS. PETRUCCI                  

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

AYES           3           NOES           0          

Board Meeting of May 29, 2024

ITEM NO. 11

**EXTENSION OF THE CONTRACT FOR THE IN-PLANT EQUIPMENT MAINTENANCE SERVICES**

WHEREAS: On June 28, 2023, the Board of the Buffalo Sewer Authority awarded a contract to Hohl Industrial Services, for In-Plant Equipment Maintenance Services at a total cost not to exceed \$2,315,867.00 for the fiscal year 2023 – 2024, with an option to renew for four (4) one-year periods; and

WHEREAS: Hohl Industrial Services, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024 – 2025; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$2,315,867.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Hohl Industrial Services, for In-Plant Equipment Services for the period July 1, 2024 – June 30, 2025, at a total cost not to exceed \$2,315,867.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of May 29, 2024

## ITEM NO. 12

**CHANGE ORDER NO. 2 – CONTRACT NO 82000044**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,629,647.00
Quackenbush Company Inc.	PREVIOUS CHANGE ORDER NO. 1	\$165,000.00
495 Kennedy Road	CONTRACT RENEWAL 2023-2024	\$1,629,647.00
Buffalo, New York 14227	THIS CHANGE ORDER NO. 2	<u>\$192,762.00</u>
	ADJUSTED CONTRACT COST	\$3,617,656.00

WORK: In-Plant Mechanical Services

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 \$192,762.00 Additional funding due to major unplanned mechanical emergency work and projected remaining work through balance of 2023-2024 contract term.

**REASON FOR CHANGE OR EXTRA WORK:**

Item#1 Additional unplanned major repair work to the Raw Waste Water Pump No.1 (RWWP No.1) discharge valve failure and positive isolation and flood emergency response to the South Buffalo pump station and projected work through balance of 2023-2024 contract term. Emergency work was needed to satisfy major treatment plant and outlying stations operability and availability concerns. This also accounts for offset costs for critical In-Plant Mechanical planned repair and maintenance support work for the remainder of the 2023-2024 fiscal year.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$192,762.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$192,762.00

The total INCREASE to the contract as a result of this Change Order is \$192,762.00

**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.

WHEREAS: On May 24, 2023, the Board of the Buffalo Sewer Authority hereby approved Change Order No. 1 to Quackenbush Company, Inc., increasing the contract cost in the amount of \$165,000.00, making the adjusted contract cost \$1,794,647.00.

WHEREAS: On June 28, 2023, the Board of the Buffalo Sewer Authority hereby approved the renewal to Quackenbush Company, Inc., for the period of July 1, 2023 to June 30, 2024 in the amount of \$1,629,647.00, making the adjusted contract cost \$3,424,894.00.

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 \$192,762.00, making the adjusted contract cost \$3,617,656.00.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of May 29, 2024

## ITEM NO.13

**AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR A MEDIUM AND LARGE MOTOR TURNKEY MAINTENANCE SERVICE PROGRAM FOR 40HP TO 5000HP MOTORS**

- WHEREAS: The Treatment Plant and outlying stations contain over 60 complex industrial induction and synchronous motors with various ancillary motor systems and components between 40HP and 5000HP. These medium to large motor systems require specialty trained and certified personnel to properly install, commission, service, repair, maintain and troubleshoot in a timely manner to ensure adequate reliability and availability of treatment facility operations; and
- WHEREAS: Due to the complexity of the motor systems, a full service maintenance program that provides comprehensive planning, proper coordination, adequate motor repair facilities, and qualified shop, field, and engineering service personnel, providing a full motor support services in order to maximize motor system life and reduce premature extensivemotor rehab and replacement; and
- WHEREAS: The Buffalo Sewer Authority sent out requests for proposals (RFP) for the development of a third party turnkey medium and large motor maintenance service program; and
- WHEREAS: The RFP was issued to multiple motor service specialists, including Integrated Power Services (IPS), Electric Machinery Company, Hannon Electric Company, K.J. Electric and Volland Electric; and
- WHEREAS: Integrated Power Services (IPS) and Hannon Electric Compnay responded to the RFP, however IPS is deemed a non-responsive vendor as they did not satisfactorily meet the requirements; and
- WHEREAS: A selection committee consisting of the Superintendent of Mechanical Maintenance, Treatment Plant Superintendent and Acting Treatment Plant Administrator reviewed and evaluated the proposals and conducted the required shop qualification audit; and
- WHEREAS: Based on the proposal review, follow-up discussions and shop qualification audit, the selection committee recommends retaining Hannon Electric Company for the turnkey medium and large motor maintenance service program as outlined in the RFP at the following agreed to rates, and at a total cost not to exceed \$300,000.00 for the fiscal year 2024-2025 with an option to renew for four (4) one-year periods.

Job Designation	Rates
Preventive Maintenance Technician	\$138.00
Predictive Maintenance Technician	\$138.00
Corrective & Emergency Repairs Winder/Mechanic - Shop	\$78.00
Corrective & Emergency Repairs Machine/Welder - Shop	\$82.00
Corrective & Emergency Repairs Technician - Field	\$120.00
General Engineering & Technical Consultation Support	\$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 Hannon Electric Company, at total cost not to exceed \$300,000.00 to develop a turnkey medium and large motor maintenance service program as defined in the RFP and the proposal dated October 20, 2023. These services will be charged to the account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of May 29, 2024

ITEM NO. 14

**ADJOURNMENT OF MEETING**

MOTION TO \_\_\_\_\_ ADJOURN \_\_\_\_\_

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

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

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

Board Meeting of May 29, 2024