

**MINUTES OF THE ANNUAL MEETING
OF THE
BUFFALO SEWER AUTHORITY
July 31, 2024**

59009

59053

BUFFALO SEWER AUTHORITY

REGULAR MEETING

July 31, 2024

9:00 A.M.

**Bird Island Treatment Facility, 90 West Ferry St.
Teleconference +1 917- 933-2166, ID #318 784 050#**

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23	Adjournment Of Meeting	59053

ATTACHMENTS

- A: Capital Asset Guide
- B: Purchasing Guidelines
- C: Fund Balance Policy
- D: Investment Guidelines
- E: Credit Card Policy
- F: Report On Bids Received – Formal Bid Opening for Security Guard Services

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
	_____ Adam Sassone	_____ Secretary to General Manager
	_____ Cheryl Colston	_____ General Counsel
	_____ Alexander Emmerson	_____ Treatment Plant Superintendent
	_____ Paul Harris	_____ Superintendent of Mechanical Maintenance
	_____ Rosaleen Nogle, P.E.	_____ Principal Sanitary Engineer
	_____ Desiree Briggs	_____ Account Clerk Typist
	_____	_____

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

ITEM NO. 1

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

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

Board Meeting of July 31, 2024

ITEM NO. 2

APPROVAL OF CONSENT AGENDA

CONTENTS

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Payment From Judgment and Claims
- D. Revision To Buffalo Sewer Authority Policies and Guidelines
- E. Travel Authorization - Aspen, CO
- F. Travel Authorization - Atlanta, GA
- G. Travel Authorization - Greenville, SC
- H. Travel Authorization – Cleveland, OH
- I. Travel Authorization - Greenville, SC
- J. Tuition Reimbursement
- K. Tuition Assistance
- L. Confirmation Of Appointments

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

Board Meeting of July 31, 2024

2-A

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

As of June 30th, 2024

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$2,165,296.21	Key	0.01%	Public NOW
30-Apr-24	2-Jul-24	63	\$3,999,980.71	Key Banc Capital	5.24%	\$37,019.29
9-May-24	18-Jul-24	70	\$3,251,650.86	Key Banc Capital	5.22%	\$33,349.14
23-May-24	1-Aug-24	70	\$3,334,804.65	Key Banc Capital	5.22%	\$34,195.35
7-Jun-24	15-Aug-24	69	\$4,999,377.96	Key Banc Capital	5.23%	\$50,622.04
			\$17,751,110.39			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$104,096.65	Key	0.01%	Public NOW
18-Apr-24	18-Jul-24	91	\$751,964.67	Key Banc Capital	5.21%	\$10,035.33
			\$856,061.32			
OPERATING FUND						
31-Jul-12	Super NOW		\$3,706,083.02	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$19,460.48	Key	0.01%	Public NOW
SURPLUS FUND						
30-May-24	21-Nov-24	175	\$750.02	Wilmington U.S. Treasury	4.79%	
			\$10,004,118.72	Key Banc Capital	5.15%	\$256,881.28
			\$10,004,868.74			
NET REVENUE FUND						
28-May-24	30-Jul-24	63	\$222,047.46	Wilmington U.S. Treasury		
			\$8,998,861.10	M&T Securities	5.23%	\$83,138.90
27-Jun-24	29-Aug-24	63	\$7,500,002.04	M&T Securities	5.21%	\$68,997.96
			\$16,720,910.60			

BSA 2021 EIB FUND

			\$320,864.87	Cash	0.00%	
31-Jan-24	5-Jul-24	156	\$10,102,633.92	M&T Securities	4.97%	\$222,366.08
23-May-24	14-Nov-24	175	\$32,616,488.40	Key Banc Capital	5.15%	\$837,511.60
20-Jun-24	12-Dec-24	175	\$9,984,839.11	Key Banc Capital	5.13%	\$255,160.89
			\$53,024,826.30			

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						
			\$9,275.82	Wilmington U.S. Treasury	4.79%	
29-Feb-24	22-Aug-24	175	\$332,562.62	Key Banc Capital	5.09%	\$8,437.38
			\$341,838.44			
DSF PRIN &INT						
			\$0.01	Wilmington Fund		

DSF 2021 EIB

			\$74,789.93	Wilmington Fund	4.79%	
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RECEIVE & FILE

Board Meeting of July 31st, 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

06/12/2024	00200106 EDU, Licenses & Train	-\$150.00	00200105 PLAN Office Supplies	\$150.00
06/18/2024	00230105 GRIT Equipment Maint.	-\$239.68	00680105 EQUIP Maint & Repair	\$239.68
06/20/2024	00520106 MAIN Building Repairs	-\$65,000.00	00200105 PLAN Clothing Safety	\$65,000.00
06/20/2024	00360105 DEWA Equipment Maint	-\$30,000.00	00550106 IWS Eng, & Tech	\$30,000.00
06/30/2024	00200105 PLAN Clothing Safety	-\$595.48	00200106 PLAN Equipment Maintenance	\$595.48
06/30/2024	00220105 SCRE Equipment Maint	-\$31,196.18	00520106 Main Maint. Contract	\$31,196.18
06/30/2024	00520106 EDU, Licenses & Train	-\$29,536.35	00200106 PLAN Non-Professional	\$29,536.35
06/30/2024	00360103 DEWA Water	-\$75,241.74	00300103 BLOW Electric Light & Power	\$75,241.74
06/30/2024	00440103 KELS Electric Light & Power	-\$68.11	00470103 WATE Electric Light & Power	\$68.11
06/30/2024	00380103 INCIN Gas	-\$60,000.00	00550106 IWS Eng and Tech	\$60,000.00
06/30/2024	00360103 DEWA Water	-\$25,000.00	00550106 IWS Eng and Tech	\$25,000.00
06/30/2024	00380105 INCIN Chemicals & Gas	-\$4,992.25	00550106 IWS Eng and Tech	\$4,992.25
06/30/2024	00380106 INCIN Refuse Disposal	-\$7,000.00	00550106 IWS Eng and Tech	\$7,000.00
07/05/2024	00330105 FINA Chemical & Gases	-\$380,000.00	00340105 THIC Chemical & Gases	\$380,000.00
07/05/2024	00330105 FINA Chemical & Gases	-\$70,000.00	00290106 AERATION Refuse & Disp.	\$70,000.00
07/15/2024	00520106 MAIN Maint. Contract	-\$14,000.00	00230106 REFUSE Disposal Services	\$14,000.00
07/15/2024	00400103 SOUT Electric Light & Power	-\$3,075.00	00380106 INCIN Refuse Disposal Serv	\$3,075.00
07/15/2024	00680103 ELECTRICITY	-\$10,900.00	00380106 INCIN Refuse Disposal Serv	\$10,900.00
07/15/2024	00300103 BLOW Electric Light & Power	-\$90,000.00	00230106 REFUSE Disposal Services	\$90,000.00
07/15/2024	00300103 BLOW Electric Light & Power	-\$161,250.00	00380106 INCIN Refuse Disposal Serv	\$161,250.00

07/15/2024	00300103 BLOW Electric Light & Power	-\$79,775.00	00380106 INCIN Refuse Disposal Serv	\$79,775.00
07/15/2024	00300103 BLOW Electric Light & Power	-\$200,000.00	00360105 DEWA Chemicals & Gases	\$200,000.00

Sewer Maintenance

06/26/2024	00700105 Building Materials	-\$2,101.00	00700107 EQUIPMENT	\$2,101.00
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Financial Contingency

06/27/2024	00800183 Financial Contingency	-\$10,000.00	00820102 FR Health & Welfare Plan	\$10,000.00
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RECEIVE & FILE

Board Meeting of July 31, 2024

2-C

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 charge to the 2023-2024 budget account no. 00330105-467044:

VENDOR	INVOICE	AMOUNT
Jones Chemicals Inc.	944029	\$9,246.54
Jones Chemicals Inc.	942912	\$10,844.79
Basil Ford	777960	\$2,716.54
Basil Ford	778332	\$1,982.98
Barclay Damon	5288724	\$5,890.00

; 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 payments from the Judgment and Claims account.

REVISION TO BUFFALO SEWER AUTHORITY POLICIES AND GUIDELINES

WHEREAS: The Buffalo Sewer Authority has developed the following policies and guidelines:
Capital Asset Guide (Attachment A)
Purchasing Guidelines (Attachment B)
Fund Balance Policy (Attachment C)
Investment Guidelines (Attachment D)
Credit Card Policy (Attachment E); and

WHEREAS: These policies and guidelines shall be annually reviewed and approved by the Board.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby adopts the policies and guidelines listed above.

2-E

TRAVEL AUTHORIZATION - ASPEN, CO

- WHEREAS: The Aspen-Nicholas Water Forum is a partnership with The Aspen Institute Energy and Environment Program, and Nicholas Institute at Duke University; and
- WHEREAS: The 2024 Aspen-Nicholas Water Forum, will be held September 8 – September 11, 2024 in Aspen, Colorado; and
- WHEREAS: The Aspen-Nicholas Water Forum serves as a platform for identifying domestic water challenges in the 21st century through collaborative convening to develop forward-thinking pathways to address the state of the US water system; and
- WHEREAS: The General Manager has been invited to participate and bring expertise in the areas of building resilient water systems, from green infrastructure to alternative financing, and enabling trust in communities; and
- WHEREAS: The Chairman of the board recommends the General Manager’s attendance to the Aspen-Nicholas Water Forum.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Aspen, Colorado from September 7 – September 12, 2024, to attend the Aspen-Nicholas Water Forum Meeting at a total cost not to exceed \$3000.00. Account nos. 00110104-458010 and 00110104-458012 will be utilized for this travel.

2-F

TRAVEL AUTHORIZATION - ATLANTA, GA

WHEREAS: The APWA; American Public Works Association is offering a National Equipment Rodeo in Atlanta, GA from September 7, 2024 through September 11, 2024; and

WHEREAS: The APWA New York State Chapter has selected Patrick O'Connor, a Sewer Maintenance Supervisor to compete in the National Equipment Rodeo. The APWA has guaranteed to reimburse the Buffalo Sewer Authority for the cost to attend and participate in the Competition; and

WHEREAS: The Director of Sewer Maintenance and staff recommend sending Patrick O'Connor to represent the Buffalo Sewer Authority and the American Public Works Association New York State Chapter and participate in the National Equipment Rodeo; and

WHEREAS: The Buffalo Sewer Authority will pay for the cost of the registration and travel expenses; which will be reimbursed by the APWA New York Chapter; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Patrick O'Connor, Sewer Maintenance Supervisor to travel to Atlanta, GA from September 7, 2024 through September 11, 2024, to participate in the National Equipment Rodeo, at a total cost not to exceed \$2,500.00; and will be charged to account nos. 00650106-421026 and 00650104-458010, which will be reimbursed to the Buffalo Sewer Authority by the APWA New York State Chapter.

2-G

TRAVEL AUTHORIZATION - GREENVILLE, SC

WHEREAS: The Buffalo Sewer Authority has several professional engineering titles that have gone unfilled for years due to the lack of qualified candidates; and

WHEREAS: The National Council of Examiners for Engineering and Surveying (NCEES) develops and administers the professional engineering licensure and pre-licensing exams throughout the United States and Internationally; and

WHEREAS: The Principal Sanitary Engineer has been selected by NCEES to serve on the Professional Engineering Environmental Exam (PE Environmental) Committee; and

WHEREAS: The PE Environmental Committee will hold an in-person meeting to discuss the future format and content of these exams and college educational programs on September 20-21, 2024, and April 25-26, 2025, in Greenville, SC; 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 \$370.00 stipends to cover incidentals and ground transport for all participants for each meeting; and

WHEREAS: The General Manager recommends that the Principal Sanitary Engineer attend the Committee on Examinations for Professional Engineers 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 September 19-22, 2024, and April 24-27, 2025, to participate in the Committee on Examinations for Professional Engineers meeting and to accept the stipends from NCEES for incidentals and ground transportation costs. No expenses will be charged to the Buffalo Sewer Authority for this travel.

2-H

TRAVEL AUTHORIZATION - CLEVELAND, OH

WHEREAS: The Buffalo Sewer Authority has recently constituted a Community Outreach and Engagement Team to better inform and educate our constituents regarding our vital water treatment and management efforts; and

WHEREAS: In order to effectively engage in outreach and public education, it is important for our staff to understand and witness the best practices of our peers in water treatment; and

WHEREAS: The Northeast Ohio Regional Sewer District (NEORS) is widely viewed as a leader in public engagement amongst all utilities having won the prestigious North American Clean Water Agencies (NACWA) award for Public Service 3 times; and

WHEREAS: NEORS has also received the NACWA award for Public Information and Education 8 times, among many other accolades; and

WHEREAS: NEORS is hosting its signature public outreach event: Clean Water Fest on Saturday September 21st, and

WHEREAS: There will be opportunities for the BSA Community Outreach Team to learn from and engage with our peers at this marquee event, so the we can improve and expand our public outreach efforts; and

WHEREAS: The General Manager recommends that the Treatment Plant Superintendent and the Community Outreach Team attend Clean Water Fest 2024.

BE IT RESOLVED

NOW THEREFORE: That the Board of the Buffalo Sewer Authority hereby authorizes the Treatment Plant Superintendent, Intergovernmental Coordinator, Press Information Officer and (2) Preventative Maintenance Coordinator, to travel to Cleveland, Ohio on September 20-22, 2024, to participate in Clean Water Fest at a cost not to exceed \$4,500.00. Funds are available in account nos. 00110104-458010, 00200104-458010, 00650104-458010, and 00700104-458010.

TRAVEL AUTHORIZATION - GREENVILLE, SC

WHEREAS: The Buffalo Sewer Authority has several professional engineering titles that have gone unfilled for years due to the lack of qualified candidates; and

WHEREAS: The National Council of Examiners for Engineering and Surveying (NCEES) develops and administers the professional engineering licensure and pre-licensing exams throughout the United States and Internationally; and

WHEREAS: The Principal Sanitary Engineer has been selected by NCEES to serve as New York State's representative to and chairperson on the Committee on Examinations for Professional Engineers; and

WHEREAS: The Committee on Examinations for Professional Engineers will hold an in-person meeting to discuss the future format and content of these exams on February 7-8, 2025, in Greenville, SC; 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 \$370.00 stipend to cover incidentals and ground transport for all participants; and

WHEREAS: The General Manager recommends that the Principal Sanitary Engineer attend the Committee on Examinations for Professional Engineers 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 February 6, 2025-February 9, 2025, to participate in the Committee on Examinations for Professional Engineers meeting and to accept the \$370.00 stipend from NCEES for incidentals and ground transportation costs. No expenses will be charged to the Buffalo Sewer Authority for this travel.

2-J

TUITION REIMBURSEMENT

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employees have applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Daniel O'Sullivan	University at Buffalo	Communication in Organization	75%	\$706.75
Daniel O'Sullivan	University at Buffalo	Statics	75%	\$712.70

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$1,419.45. These Reimbursements will be charged to account no. 00200106-421026.

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 employees have applied for Tuition Assistance:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION</u>
Crystalee Lozada	Suny Empire State University	Business Management & Economics Associates	\$2,360.00

WHEREAS: No Funds will be expended at this time.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Assistance.

2-L

CONFIRMATION OF APPOINTMENTS

WASTEWATER OPERATOR II (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$28.84 PER HOUR
EFFECTIVE: JULY 22, 2024

ZACHARY ISCH
317 WOODSIDE AVE
BUFFALO, NY

WASTEWATER OPERATOR II (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$29.13 PER HOUR
EFFECTIVE: JULY 22, 2024

CRAIG SKINNER
50 SUSAN LANE
BUFFALO, NY

SENIOR FIRST CLASS STATIONARY ENGINEER (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$31.04 PER HOUR
EFFECTIVE: JULY 22, 2024

JASON KUSMIERSKI
797 AMHERST ST.
BUFFALO, NY

SENIOR FIRST CLASS STATIONARY ENGINEER (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$27.70 PER HOUR
EFFECTIVE: JULY 29, 2024

CHRISTOPHER ANTONELLI
103 GREENWOOD PLACE
BUFFALO, NY

LABORER I (SEASONAL)
SEWER MAINTENANCE DIVISION
\$140 PER DAY
EFFECTIVE: JULY 29, 2024

JAURNEY BOYLAND
45 HARVARD PLACE
BUFFALO, NY

WASTEWATER OPERATOR II (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$29.13 PER HOUR
EFFECTIVE: JULY 22, 2024

ROBERT HART
112 WHITFIELD AVE.
BUFFALO, NY

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

AUTHORIZATION TO CREATE A NOT-FOR-PROFIT CORPORATION FOR THE CHARITABLE PURPOSE OF AIDING PERSONS LIVING IN BUFFALO, NEW YORK WHO ARE IN NEED OF ASSISTANCE WITH WATER AND SEWER NEEDS

WHEREAS: The Buffalo Sewer Authority is a public benefit corporation created pursuant to the laws of New York. The State has delegated to the Buffalo Sewer Authority the responsibility, among other tasks, for providing an effective means of relieving the Niagara River and other tributary streams from pollution by sewage and waste. The Buffalo Sewer Authority has accepted its responsibility and continues to fulfill that responsibility in numerous ways to the benefit and betterment of the residents it serves.

WHEREAS: The Buffalo Sewer Authority has jurisdiction, control, possession and supervision of the existing sewer system to exercise all the rights and privileges necessary for carrying such power into execution. Further, the State has determined that no enumeration of powers, whether general, special or local, shall operate to restrict the Buffalo Sewer Authority's grant of power or to exclude any other powers contemplated within the general grant of power.

WHEREAS: The Buffalo Sewer Authority shall do all things necessary or convenient to carry out the powers granted from the State. In doing so, the State has declared that the Buffalo Sewer Authority, in carrying out its powers, purposes and duties, are in all respects for the benefit of the people served by the facilities for the improvement of their health, welfare and prosperity. Said purposes are public purposes because the Buffalo Sewer Authority performs an essential governmental function.

WHEREAS: As it evolves, the Buffalo Sewer Authority constantly seeks and engages in projects and initiatives that improve the water quality of the residents it serves. Toward that end, the Buffalo Sewer Authority, working in tandem with Buffalo Water, requests authorization to create a not-for-profit corporation for the charitable purpose of aiding persons living in Buffalo, New York area who are in need of assistance with water and sewer needs. Such charitable purposes also include outreach opportunities to educate and support residents in ways that enhance the public benefit that the Buffalo Sewer Authority is charged with providing. No funding is required from the Buffalo Sewer Authority.

WHEREAS: No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, directors or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the Certificate of Incorporation.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager and staff to proceed with the process to create a not-for-profit corporation organized exclusively for charitable purposes.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 4

EXTENSION OF CONTRACT FOR ENERGY CONSULTING SERVICES

- WHEREAS: United Energy is a professional consulting organization specializing in energy commodities procurement geared to minimize financial risk and maximize savings; and
- WHEREAS: On July 31, 2019, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute an agreement with United Energy for energy consulting services for the period July 1, 2019 through June 30, 2020, with an option to renew for four (4) one-year periods through June 30, 2024; and
- WHEREAS: On June 24, 2020, the Board of the Buffalo Sewer Authority authorized an extension of six (6) months under the current terms, conditions, and pricing indicated in the contract document for the period July 1, 2020 through December 31, 2020; and
- WHEREAS: On October 28, 2020, the Board of the Buffalo Sewer Authority authorized an extension of six (6) months under the current terms, conditions, and pricing indicated in the contract document for the period January 1, 2021 through June 30, 2021 followed by a not to exceed one (1) year under the current terms, conditions, and pricing indicated in the contract document for the period July 1, 2021 through June 30, 2022; and
- WHEREAS: The proposal submitted for Professional Services of Energy Procurement is for \$30,000.00 annually, plus a cost of 15% of savings realized (for a cumulative total equal to or less than \$150,000.00) and a cost of 22% of savings realized (for a cumulative total greater than \$150,000.00); and
- WHEREAS: On September 28, 2023, the Board of the Buffalo Sewer Authority authorized the General Manager to extend the contract with United Energy Management for Energy Consulting Services for its fourth one (1) year renewal through June 30, 2024 under the terms, conditions, and pricing indicated in the contract document.
- WHEREAS: The Treatment Plant Superintendent recommends the extension of the current contract for one (1) additional year with United Energy for the period of July 1, 2024 through June 30, 2025, at an annual base fee of \$30,000.00, plus the percentage indicated for cumulative savings realized.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with United Energy Management for Energy Consulting Services for the period of July 1, 2024 to June 30, 2025, under the current terms, conditions, and pricing indicated in the contract document until the new award for these services is prepared. Expenses for this extension will be charged to account nos. 00380106-432004 and 00380103-441001.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 5

EXTENSION OF THE CONTRACT FOR IN -PLANT HIGH PRESSURE STEAM SYSTEM MAINTENANCE SERVICES

WHEREAS: On May 25, 2022, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush Company Inc., for In-Plant High Pressure Steam System 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 \$576,700.00; and

WHEREAS: On July 26, 2023, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with Quackenbush Company Inc., for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2023 to June 30, 2024, at a total cost not to exceed \$576,700.00; and

WHEREAS: On April 3, 2024, the Board of the Buffalo Sewer Authority approved Change Order No. 2 to Contract No. 82000045 increasing the contract cost in the amount of \$80,000.00 for additional work making the adjusted contract cost \$1,233,400.00; and

WHEREAS: Quackenbush Company Inc., 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 Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$576,700.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Quackenbush Company Inc, for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$576,700.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 6

CHANGE ORDER NO. 1 – CONTRACT NO 82000058

CONTRACTOR:	ORIGINAL CONTRACT COST	\$625,584.50
A1 Land-Care, Inc	PREVIOUS CHANGE ORDER	\$0.00
1527 Ridge Road	THIS CHANGE ORDER NO. 1	<u>(\$57,169.47)</u>
Lewiston, New York 14092	ADJUSTED CONTRACT COST	\$568,415.03

WORK: Bird Island Campus Landscape and Site Improvements Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 (\$57,169.49) Decrease in construction costs during construction.

REASON FOR CHANGE OR EXTRA WORK:

Item#1 Field changes and unused allowance during construction resulted in a cost decrease in construction costs in the amount of (\$57,169.47).

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$57,169.47)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$57,169.47)

The total DECREASE to the contract as a result of this Change Order is (\$57,169.47)

CHANGE ORDERS

WHEREAS: On February 15, 2022, the Board of the Buffalo Sewer Authority hereby approved the General Manager to enter into and execute a contract with A1 Land-Care, Inc. for the Bird Island Campus Landscape and Site Improvements Project t at a cost not to exceed \$625,584.50; and

WHEREAS: The consulting engineer, CHA, has reviewed the proposal for Change Order #1 from A1 Land-Care, Inc. in the amount of (\$57,169.47) and recommend approval. BSA Capital Improvements personnel have reviewed the proposal and concur with CHA.

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. 82000058 as written in the above Agenda Item, decreasing the contract cost in the amount of \$57,169.47 making the adjusted contract cost \$568,415.03.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 7

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY CONTRACT 82000058

PROJECT: Bird Island Campus Landscape and Site Improvements Project

BID: \$625,584.50

CONTRACTOR: A1 Land-care, Inc.
1527 Ridge Road
Lewiston, New York 14092

WHEREAS: In the February 15, 2022 Board meeting, the Board of the Buffalo Sewer Authority authorized The General Manager to execute a contract with A1 Land-care, Inc. for the Bird Island Campus Landscape and Site Improvements Project at a cost not to exceed \$625,584.50; and

WHEREAS: The Treatment Plant Administrator and staff have certified that the Contractor completed the work in accordance with the plans and specifications on July 31, 2024; and

WHEREAS: In the July 31st , 2024, Board Meeting the Board of the Buffalo Sewer Authority approved a deduct change order for field changes and unused contingency allowance in the amount of \$57,169.47. Therefore, the adjusted contract cost was \$568,415.03; and

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted.
- b. The date of entrance and occupancy be fixed as of July 31, 2024.
- c. The maintenance period commences on July 31, 2024.
- d. The final cost of the Contract is \$568,415.03.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

ITEM NO. 8

CHANGE ORDER NO. 3 – CONTRACT NO 82000030

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,700,000.00
Greeley and Hansen LLC	PREVIOUS CHANGE ORDER	\$1,035,500.00
100 South Wacker Dr.	THIS CHANGE ORDER	<u>\$386,875.00</u>
Chicago, IL 60606-4004	ADJUSTED CONTRACT COST	\$3,122,375.00

VENDOR NO. 16154	ACCOUNT NO.	02000433-432004
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WORK: Primary Treatment Rehabilitation

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Rebidding and design services for Primary Treatment Renovation Project.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Additional engineering services are necessary to accommodate additional needs for the Primary Treatment System Upgrades Project. Engineering design services including developing updated contract packages for the Gate WW-17 replacement and high-rate disinfection chlorine contact station, to evaluate how to reallocate work to maximize competitiveness, and provide subsequent bid phase services.

COST OF CHANGE ORDER NO. 3:

Item #1	\$386,875.00
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THE TOTAL COST OF CHANGE ORDER NO 3:	\$386,875.00
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WHEREAS: In Item No. 10, on October 20, 2021, the Board approved Change Order No. 1 in the amount of \$698,600.00 for additional design work needed for the Primary Treatment Rehabilitation Project; and

WHEREAS: In Item No. 20, on June 22, 2022, the Board approved Change Order No. 2 in the amount of \$336,900.00 for additional design and bidding work needed for the Primary Treatment Rehabilitation Project; and

WHEREAS: As part of their proposal for Change Order No. 3 Greely and Hansen LLC have requested the release of retention and elimination of retention from this contract as it is not standard practice for the Buffalo Sewer Authority to hold retention on a professional services contract; and

WHEREAS: The Acting Treatment Plant Administrator, Principal Sanitary Engineer, and staff have reviewed a request for Change Order No. 3 to Contract No. 82000030 in the amount of \$386,875.00 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 3 to Contract No. 82000030 as written in the above Agenda Item, increasing the contract cost in the amount of \$386,875.00, making the adjusted contract cost \$3,122,375.00 and releasing all retention. Expenses from this contract will be funded from Account No. 02000433-432004.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 9

RESCIND ITEM NO. 6 OF THE BUFFALO SEWER AUTHORITY BOARD MEETING OF JUNE 26, 2024

WHEREAS: The Board of the Buffalo Sewer Authority approved Item No. 6 (Attachment F) at the Board Meeting of June 26, 2024; and

WHEREAS: The action taken under this item authorized the General Manager to enter into a contract with Shield Protective Group Inc., for Security Guard Services for the period July 1, 2024 through June 30, 2025; and

WHEREAS: Shield Protective Group Inc. was unable to meet contract requirements, and subsequently withdrew their bid.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby rescinds the action taken under Item No. 6 at the Board Meeting of June 26, 2024.

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 July 31, 2024

ITEM NO. 10

REPORT ON BIDS RECEIVED – FORMAL BID OPENING FOR SECURITY GUARD SERVICES

WHEREAS: Formal bids were advertised and solicited for Security Guard Services for a one-year period, July 1, 2024 through June 30, 2025, with an option to renew for four (4) one-year periods; and

WHEREAS: The following bids were received and opened by the Purchasing Department on May 28, 2024:

VENDOR	COST PER HOUR	NUMBER OF GUARDS	TOTAL ANNUAL COST BASED ON 8,760 HOURS PER GUARD
Shield Protective Group Inc.	\$35.00	3	\$919,800.00
Don's Security Services Inc.	\$40.25	3	\$1,057,770.00
Allied Security Services LLC	\$42.82	3	\$1,125,309.60

; and

WHEREAS: Shield Protective Group Inc. was unable to meet contract requirements, and subsequently withdrew their bid; and

WHEREAS: It has been determined that Don's Security Services Inc. is a non-responsible bidder due to its failure to provide services when requested pursuant to a unilateral short-term extension and prior to award of a replacement contract; and

WHEREAS: The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, Safety Officer and staff reviewed the bids received and recommend this service be awarded to Allied Security Services LLC, at a total cost of \$42.82 per hour for a total amount not to exceed \$1,125,309.60, for the period July 1, 2024 through June 30, 2025; 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 with Allied Security Services LLC, for Security Guard Services at a total cost not to exceed \$1,125,309.60 for the period July 1, 2024 through June 30, 2025, with four (4) one-year renewal option periods without seeking further authorization from the board to exercise said options. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 11

EXTENSION OF THE CONTRACT FOR PROFESSIONAL SERVICES FOR CONTINUATION OF WATER EQUITY AMBASSADOR STEWARDSHIP SERVICE PROGRAM

WHEREAS: On April 5, 2023, the Board of the Buffalo Sewer Authority awarded a contract to Buffalo Center for Health Equity for development of the Water Equity Ambassador Stewardship Service Program as defined in the proposal dated March 22, 2023, for a one-year period, with an option to renew four (4) one-year periods, at an annual cost not to exceed \$579,289.00; and

WHEREAS: Buffalo Center for Health Equity 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 \$579,289.00.

WHEREAS: Board approval is required for 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 contract with Buffalo Center for Health Equity for development of the Water Equity Ambassador Stewardship Service Program for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$579,289.00. Expenses for this contract will be charged to account no. 00700106-432004.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 12

AUTHORIZATION TO PURCHASE FOUR 2025 CUSHMAN HAULER 800X - ELITE GOLF CARTS UNDER OMNIA CONTRACT

WHEREAS: The Superintendent of Mechanical Maintenance and staff request approval to purchase four (4) new and unused 2025 Cushman Hauler 800X – Elite Golf Carts with additional options listed below, available under Omnia Contract #87705

Contract	Vendor	Equipment	Cost
Omnia #87705 Quote 11992	Golf Car City LLC	Four (4) 2025 Cushman Hauler 800X – Elite Golf Carts as per quote 11992 dated 7/8/24	\$13,173.50 X 4
			<hr/> \$52,694.00

; and

WHEREAS: The Superintendent of Mechanical Maintenance, Supervisor of Yards and Grounds, and staff recommend the purchase of the above 2025 Cushman Hauler 800X-Elite Golf carts at a total cost of \$52,694.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to purchase the above four 2025 Cushman Hauler 800X Elite Golf Carts with additional options indicated from Golf Car City LLC at a total cost of \$52,694.00. This purchase will be charged to account no.00520107-474300.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 13

AMEND BOARD RESOLUTION NO. 31 FROM JUNE 26, 2024 BOARD MEETING – AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WENDEL COMPANIES, Inc., FOR PROFESSIONAL ENGINEERING SERVICES

WHEREAS: At the June 26, 2024, Board Meeting, the Board of the Buffalo Sewer Authority under Item No. 31 authorized a contract in the amount of \$289,000.00 for professional engineering services; and

WHEREAS: In the resolution, Stantec Consulting Services, Inc. was named as the party with which this contract would be entered into:

“That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with Stantec Consulting Services, Inc. to provide professional engineering services at a cost not to exceed \$289,000.00. The cost of this contract will be funded from account no. 02000587-432004.” ; and

WHEREAS: The contract was intended to be with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture P.C.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby amends Board Resolution No. 31 from the June 26, 2024, Board Meeting to read as follows:

“That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture P.C. to provide professional engineering services at a cost not to exceed \$289,000.00. The cost of this contract will be funded from account no. 02000587-432004.”

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 15

EXTENSION OF THE CONTRACT FOR PRIVATE PROPERTY GREEN INFRASTRUCTURE GRANT PROGRAM ADMINISTRATION

WHEREAS: The Buffalo Sewer Authority issued a request for qualifications (RFQ) for the purposes of prequalifying various firms for delivery of green infrastructure capital improvement projects and approved these entities on September 30, 2020; and

WHEREAS: Greenprint Partners, as a prequalified firm, submitted a proposal for administration of a private property green infrastructure program; and

WHEREAS: Greenprint Partners has experience with Detroit’s Green Stormwater Infrastructure Capital Partnership Program and Northeast Ohio Regional Sewer District’s Green Infrastructure Grant Program standing up green infrastructure grant programs for private properties; and

WHEREAS: On May 3, 2023, the Board of the Buffalo Sewer Authority approved a contract with Greenprint Partners at a cost of \$500,000.00 per year at a goal of an average cost of \$250,000.00 per acre 0.9 inches of runoff managed with the intention to extend for at least two additional one-year periods and up to four additional one-year periods with unspent funds rolled over each year; and

WHEREAS: The original one-year contract took effect on August 1, 2023; and.

WHEREAS: The Principal Sanitary Engineer now recommends a one-year extension of this contract with an additional \$500,000.00 be provided.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with Greenprint Partners to provide private property green infrastructure grant program administration at a cost not to exceed a total of \$1,000,000.00 through August 1, 2025. Account no. 02000547-432004 will be utilized for these services.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 16

CHANGE ORDER NO. 1 – CONTRACT NO. 82000014 GIS ENVIRONMENT IMPLEMENTATION AND GIS & GPS SERVICES

CONSULTANT:	ORIGINAL CONTRACT COST	\$317,504.00
Bergmann Associates	PREVIOUS CHANGE ORDERS	\$0.00
280 East Broad Street Ste 200	THIS CHANGE ORDER	<u>\$30,000.00</u>
Rochester, NY 14604	ADJUSTED CONTRACT COST	\$347,504.00

VENDOR NO. 1961	ACCOUNT NO.	02000506-432004
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WORK: GIS Environment Implementation and GIS & GPS Services

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional GIS & GPS Professional Services through March 27, 2025

REASON FOR CHANGE OR EXTRA WORK:

Item #1 This contract was intended to last six years as three years under the original \$317,504.00 with additional change orders for each additional year, the original allotment has been stretched to over four years, however there is a desire to extend through the end of the fifth year, which this change will allow.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$30,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$30,000.00

WHEREAS: The Buffalo Sewer Authority (BSA) issued a request for proposals (RFP) for up to a three (3) year term agreement and optional three (3), one (1) year renewals thereafter for Geographic Information System (GIS) environment implementation and maintenance and Global Positioning System (GPS) surveying services on December 16, 2019; and

WHEREAS: In Item No. 26, on March 4, 2020, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Bergmann in the amount of \$317,504.00 to perform GIS & GPS professional services with expenses to be charged to Account # 02000506-432004; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 1 to Contract No. 82000014 for \$30,000.00 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000014 as written in the above Agenda Item, increasing the contract cost in the amount of \$30,000.00, making the adjusted contract cost \$347,504.00 and extending the contract through March 27, 2025. Expenses from this contract will be funded from Account No. 02000506-432004.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 17

UTILITY WORK AGREEMENT (HC-140) - NEW YORK STATE DEPARTMENT OF TRANSPORTATION - PIN 5512.57

WHEREAS: The New York State Department of Transportation (NYSDOT) proposes the capital project of PIN 5512.57: Kensington Expressway, Section 1, C 60-2, Best Street Bridge over NY Route 33 and New Electric Substation, City of Buffalo, Erie County; and

WHEREAS: The NYSDOT will include as part of the above mentioned project the separation of certain storm and sanitary sewers, relocation of existing combined sewers, installation of new drainage structures, and adjustment of existing manholes pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on contract plans relating to the project and meeting the requirements of the Buffalo Sewer Authority; and

WHEREAS: It is a recommendation of the NYSDOT that a Utility Work Agreement be executed by a duly authorized agent of the affected utility to allow the State of New York to perform said work within the Buffalo Sewer Authority; and

WHEREAS: This work will be done at no cost to the Buffalo Sewer Authority.

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, a Utility Work Agreement granting the State of New York authority to perform the adjustments for the Buffalo Sewer Authority under PIN 5512.57: Kensington Expressway, Section 1, C 60-2, Best Street Bridge over NY Route 33 and New Electric Substation, City of Buffalo, Erie County and agreeing to maintain facilities adjusted via State-let contract as stipulated in the project's maintenance jurisdiction table and related documentation that may become necessary as a result of the project as it relates to the Buffalo Sewer Authority.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

CERTIFICATE

I, Eleanor C. Petrucci, Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on July 31, 2024, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted on July 31, 2024, and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same related to the subject matters referred to in said extract, and that said resolution has not been amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Authority this 31st day of July, 2024.

(SEAL)

Eleanor Petrucci
Secretary, Buffalo Sewer Authority Board

ITEM NO. 18

DECLARATION OF LEAD AGENCY FOR STATE ENVIRONMENTAL QUALITY REVIEW FOR BRECKENRIDGE CSO CONTROL PROJECT

WHEREAS: The Buffalo Sewer Authority (“BSA”) proposes to upgrade BSA’s sewer collection system along Breckenridge Street and West Avenue to control combined sewer overflow (CSO) discharges to the Scajaquada Creek (“the Project”); and

WHEREAS: The Project area is located in the City of Buffalo’s Niagara District; and

WHEREAS: The Project will reduce both the number of CSO activation events and the total combined sewage discharge to the Black Rock Canal; and

WHEREAS: In accordance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act – “SEQRA”) of the Environmental Conservation Law, the Principal Sanitary Engineer and TY Lin/ Greeley and Hansen, as Consulting Engineer have determined that the above project will be treated as a Type I action; and;

WHEREAS: Part 1 of the SEQRA Long Environmental Assessment Form (EAF) has been completed (See Attachment G); and

WHEREAS: The Buffalo Sewer Authority has identified Involved Agencies for the Project;

NOW THEREFORE
BE IT RESOLVED: The Board of the Buffalo Sewer Authority hereby announces its intent that the BSA will serve as Lead Agency to conduct an environmental review of the Project in accordance with SEQR and will notify the Involved Agencies of BSA’s intention to act as Lead Agency.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 19

DECLARATION OF LEAD AGENCY FOR STATE ENVIRONMENTAL QUALITY REVIEW FOR CSO-053 SEWER PATROL POINT (SPP) MODIFICATION AT COLORADO AVENUE AT SCAJAQUADA STREET (CSO053_2.5 SPP 337 MODIFICATION) PROJECT

WHEREAS: The Buffalo Sewer Authority (“BSA”) proposes to modify BSA’s sewer collection system’s Sewer Patrol Point (CSO053_2.5 SPP337) at Colorado Avenue at Scajaquada Street to control combined sewer overflow (CSO) discharges to the Scajaquada Creek (“the Project”); and

WHEREAS: The Project area is located in the City of Buffalo’s Masten District; and

WHEREAS: The Project will reduce both the number of CSO activation events to Scajaquada Creek and the total combined sewage discharge to Scajaquada Creek, the Black Rock Canal and Niagara River; and

WHEREAS: In accordance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act – “SEQRA”) of the Environmental Conservation Law, the Principal Sanitary Engineer and TY Lin/ Greeley and Hansen, as Consulting Engineer have determined that the above project is classified as an Unlisted Action; and

WHEREAS: Part 1 of the SEQRA Long Environmental Assessment Form (EAF) has been completed (See Attachment H); and

WHEREAS: The Buffalo Sewer Authority has identified Involved Agencies for the Project;

NOW THEREFORE
BE IT RESOLVED: The Board of the Buffalo Sewer Authority hereby announces its intent that the BSA will serve as Lead Agency to conduct an environmental review of the Project in accordance with SEQRA and will notify the Involved Agencies of BSA’s intention to act as Lead Agency.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 20

DECLARATION OF LEAD AGENCY FOR STATE ENVIRONMENTAL QUALITY REVIEW FOR CSO-053 SEWER PATROL POINT (SPP) MODIFICATION AT GENESEE STREET (CSO053_8 SPP 341A MODIFICATION) PROJECT

WHEREAS: The Buffalo Sewer Authority (“BSA”) proposes to modify BSA’s sewer collection system’s Sewer Patrol Point 341A (CSO053_8 SPP341A) at Genesee Street and Kems Avenue to control combined sewer overflow (CSO) discharges to the Scajaquada Creek (“the Project”); and

WHEREAS: The Project area is located in the City of Buffalo’s Lovejoy District; and

WHEREAS: The Project will reduce both the number of CSO activation events to Scajaquada Creek and the total combined sewage discharge to Scajaquada Creek, the Black Rock Canal and Niagara River; and

WHEREAS: In accordance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act – “SEQRA”) of the Environmental Conservation Law, the Principal Sanitary Engineer and TY Lin/ Greeley and Hansen, as Consulting Engineer have determined that the above project is classified as an Unlisted Action; and

WHEREAS: Part 1 of the SEQRA Long Environmental Assessment Form (EAF) has been completed (See Attachment I); and

WHEREAS: The Buffalo Sewer Authority has identified Involved Agencies for the Project;

NOW THEREFORE
BE IT RESOLVED: The Board of the Buffalo Sewer Authority hereby announces its intent that the BSA will serve as Lead Agency to conduct an environmental review of the Project in accordance with SEQRA and will notify the Involved Agencies of BSA’s intention to act as Lead Agency.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 21

DECLARATION OF LEAD AGENCY FOR STATE ENVIRONMENTAL QUALITY REVIEW FOR CSO-053 SEWER PATROL POINT (SPP) MODIFICATION AT SIDNEY STREET AND LARK STREET (CSO053 1.5 SPP 336B MODIFICATION) PROJECT

WHEREAS: The Buffalo Sewer Authority (“BSA”) proposes to modify BSA’s sewer collection system’s Sewer Patrol Point 336B (CSO053_1.5 SPP336B) at Humboldt Parkway and north of Sidney Street, to control combined sewer overflow (CSO) discharges to the Scajaquada Creek (“the Project”); and

WHEREAS: The Project area is located in the City of Buffalo’s Masten District; and

WHEREAS: The Project will reduce both the number of CSO activation events to Scajaquada Creek and the total combined sewage discharge to Scajaquada Creek, the Black Rock Canal and Niagara River; and

WHEREAS: In accordance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act – “SEQRA”) of the Environmental Conservation Law, the Principal Sanitary Engineer and TY Lin/ Greeley and Hansen, as Consulting Engineer have determined that the above project is classified as an Unlisted Action; and

WHEREAS: Part 1 of the SEQRA Long Environmental Assessment Form (EAF) has been completed (See Attachment J); and

WHEREAS: The Buffalo Sewer Authority has identified Involved Agencies for the Project.

NOW THEREFORE
BE IT RESOLVED: The Board of the Buffalo Sewer Authority hereby announces its intent that the BSA will serve as Lead Agency to conduct an environmental review of the Project in accordance with SEQRA and will notify the Involved Agencies of BSA’s intention to act as Lead Agency.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024

ITEM NO. 22

DECLARATION OF LEAD AGENCY FOR STATE ENVIRONMENTAL QUALITY REVIEW FOR CSO-053 SEWER PATROL POINT (SPP) MODIFICATIONS AT EAST DELAVAN AVENUE (CSO053_13 SPP 165B MODIFICATION), BAILEY AVENUE (CSO053_3.1 SPP 338 MODIFICATION), AND MICHIGAN AVENUE (CSO053_14 SPP 175 MODIFICATION) PROJECT

WHEREAS: The Buffalo Sewer Authority (“BSA”) proposes to modify BSA’s sewer collection system’s Sewer Patrol Point 165B (CSO053_13 SPP165B) at East Delavan and Humboldt, Sewer Patrol Point 338 (CSO053_3.1 SPP 338) at Kems and Bailey, and Sewer Patrol Points 175, 176 and 177 (CSO053_14 SPP 175) at various points along Michigan Avenue to control combined sewer overflow (CSO) discharges to the Scajaquada Creek (“the Project”); and

WHEREAS: The Project area is located in the City of Buffalo’s Ellicott, Masten, Lovejoy Districts; and

WHEREAS: The Project will reduce both the number of CSO activation events to Scajaquada Creek and the total combined sewage discharge to Scajaquada Creek, the Black Rock Canal and Niagara River; and

WHEREAS: In accordance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act – “SEQRA”) of the Environmental Conservation Law, the Principal Sanitary Engineer and TY Lin/ Greeley and Hansen, as Consulting Engineer have determined that the above project is classified as an Unlisted Action; and

WHEREAS: Part 1 of the SEQRA Long Environmental Assessment Form (EAF) has been completed (See Attachments K, L, and M); and

WHEREAS: The Buffalo Sewer Authority has identified Involved Agencies for the project

NOW THEREFORE
BE IT RESOLVED:

The Board of the Buffalo Sewer Authority hereby announces its intent that the BSA will serve as Lead Agency to conduct an environmental review of the Project in accordance with SEQRA and will notify the Involved Agencies of BSA’s intention to act as Lead Agency.

MOTION TO _____ APPROVE _____

MADE BY _____ MRS. PETRUCCI _____

2ND BY _____ MR. ROOSEVELT _____

AYES _____ 3 _____ NOES _____ 0 _____

ITEM NO. 23

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 31, 2024