

**MINUTES OF THE ANNUAL MEETING
OF THE
BUFFALO SEWER AUTHORITY**

July 30, 2025

BUFFALO SEWER AUTHORITY

ANNUAL MEETING

July 30, 2025

9:00 A.M.

**Bird Island Treatment Facility, 90 West Ferry St.
Teleconference +1 917- 933-2166, ID #281 902 460#**

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CALL OF THE ROLL

Present:	<u>Christopher Roosevelt</u>	<u>Vice Chairman of the Board</u>
	<u>Thomas E. Caulfield, PhD.</u>	<u>Board Member</u>
	<u>Patrick Sole</u>	<u>Board Member</u>
	<u>Hope Young Watkins</u>	<u>Board Member</u>
	<u>Charles Riley</u>	<u>Executive Secretary</u>
	<u>Cheryl Colston, Esq.</u>	<u>General Counsel</u>
	<u>Alexander Emmerson</u>	<u>Treatment Plant Superintendent</u>
	<u>Rosaleen Nogle, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Timothy Blake</u>	<u>Senior Instrument Technician</u>
	<u>Gelea James</u>	<u>Director of Human Resources</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Joel Renzoni</u>	<u>Director of Sewer Maintenance</u>
	<u>Desiree Briggs</u>	<u>Preventative Maintenance</u>
	<u>Regina Harris</u>	<u>Coordinator</u>
	<u>Jamie Johnson, P.E.</u>	<u>Senior Engineer</u>
	<u>Kathryn Rozwod</u>	<u>AECOM</u>
	<u>Walt Walker, P.E.</u>	<u>Tylin</u>
	<u>Laura Surdej</u>	<u>Tylin</u>
		<u>Erie County Department of Sewerage</u>

The meeting was called to order at 9:02 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 10, 2025

MOTION TO ADOPT
 MADE BY DR. CAULFIELD
 2ND BY MS. YOUNG -WATKINS
 AYES 4 NOES 0

ITEM NO. 2

APPROVAL OF CONSENT AGENDA

CONTENTS

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Request for Leave of Absence
- D. Amendment to the Schedule of Job Classification Plan
- E. Confirmation of Appointments
- F. Tuition Reimbursement

MOTION TO APPROVE
MADE BY MR. SOLE
2ND BY MS. YOUNG -WATKINS
AYES 4 NOES 0

Board Meeting of July 30, 2025

2-A

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

As of June 30th, 2025

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$2,648,179.08	Key	0.01%	Public NOW
5-Jun-25	3-Jul-25	28	\$5,999,501.78	Key Banc Capital	4.17%	\$19,498.22
20-Jun-25	17-Jul-25	27	\$8,999,228.43	Key Banc Capital	4.10%	\$27,771.57
			\$17,646,909.29			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$220,509.24	Key	0.01%	Public NOW
17-Apr-25	17-Jul-25	91	\$787,609.50	Key Banc Capital	4.17%	\$8,390.50
			\$1,008,118.74			
OPERATING FUND						
31-Jul-12	SUPER NOW		\$5,567,974.14	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	SUPER NOW		\$25,578.36	Key	0.01%	Public NOW
SURPLUS FUND						
15-May-25	23-Oct-25	161	\$1,471.62	Wilmington U.S. Treasury	4.79%	
			\$10,003,428.46	M&T Securities	4.09%	\$186,571.54
			\$10,004,900.08			
NET REVENUE FUND						
26-Jun-25	31-Jul-25	35	\$723.85	Wilmington U.S. Treasury		
			\$6,042,757.28	Key Banc Capital	4.11%	\$24,242.72
			\$6,043,481.13			

BSA 2021 EIB FUND

			\$326,744.54	Cash	0.00%	
8-May-25	30-Oct-25	175	\$32,615,178.37	Key Banc Capital	4.06%	\$656,821.63
5-Jun-25	28-Nov-25	176	\$20,083,543.63	Key Banc Capital	4.13%	\$413,456.37
			\$53,025,466.54			

DEBT RESERVE FUND

Series J						
02-Jul-14	13-Nov-33	7076	\$279,204.53	UST State/Local Govt	2.70%	
Series K						
02-Jul-14	15-Feb-33	6803	\$194,569.75	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	\$585,105.91	UST State/Local Govt	2.70%	
Series N						
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%	
EFC 2021						
			\$3.14	Wilmington U.S. Treasury	4.79%	
13-Feb-25	7-Aug-25	175	\$358,563.08	M&T Securities	4.18%	\$7,436.92
			\$358,566.22			

DSF PRIN &INT

\$0.01

Wilmington Fund

DSF 2021 EIB

\$116,667.35

Wilmington Fund

4.79%

RECEIVE & FILE

Board Meeting of July 30, 2025

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

06/09/2025	00400103 SOUTH GAS	-\$559.00	00300103 BLOW Elec, Light & Power	\$559.00
06/09/2025	00400103 SOUTH Electric Light & Power	-\$2,569.00	00300103 BLOW Elec, Light & Power	\$2,569.00
06/09/2025	00400103 SOUTH Water	-\$3,830.00	00300103 BLOW Elec, Light & Power	\$3,830.00
06/09/2025	00400103 HAM Electric Light & Power	-\$121.00	00300103 BLOW Elec, Light & Power	\$121.00
06/09/2025	00400103 HAM Water	-\$525.00	00300103 BLOW Elec, Light & Power	\$525.00
06/12/2025	00430103 BAB Electric Light & Power	-\$2,346.00	00300103 BLOW Elec, Light & Power	\$2,346.00
06/12/2025	00430103 BAB Water	-\$177.00	00300103 BLOW Elec, Light & Power	\$177.00
06/12/2025	00430103 NIAG Electric Light & Power	-\$159.00	00300103 BLOW Elec, Light & Power	\$159.00
06/12/2025	00530105 YARD Equipment Maintenance	-\$4,885.69	00370105 CENT Equipment Maint.	\$4,885.69
06/12/2025	00520105 MAIN Building Materials	-\$8,895.97	00530105 YARD Small Tools	\$8,895.97
06/12/2025	00290106 AREA Refuse Disposal	-\$5,000.00	00360103 DEWA Water	\$5,000.00
06/12/2025	00290106 AREA Refuse Disposal	-\$281.00	00490103 NIAG Natural Gas	\$281.00
06/17/2025	00300105 BLOW Equipment Maintenance	-\$36,665.00	00300106 BLOW Repairs to Equipment	\$36,665.00
06/17/2025	00490105 NIAG Equipment Maintenance	-\$136.52	00230105 GRIT Equipment Maint.	\$136.52
06/17/2025	00420105 AMHE Equipment Maintenance	-\$1,549.85	00520106 MAIN Repairs to Equipment	\$1,549.85
06/17/2025	00200106 PLAN Repairs to Equipment	-\$2,039.00	00200107 PLAN Office Equipment	\$2,039.00
06/23/2025	00360103 DEWA Water	-\$260.00	00480103 TIFF Electric Light & Power	\$260.00
06/24/2025	00200107 PLAN Operating Equipment	-\$230.00	00510107 LAB Operating Equipment	\$230.00
06/27/2025	00360105 DEWA Chemicals & Gas	-\$230.00	00510107 LAB Operating Equipment	\$230.00
06/30/2025	00360105 DEWA Chemicals & Gas	-\$204,010.00	00300103 BLOW Elec, Light & Power	\$204,010.00

06/30/2025	00380103 INCIN Gas	-\$10,400.00	00300103 BLOW Elec, Light & Power	\$10,400.00
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Industrial Waste

06/12/2025	00550106 IWS Legal Services	-\$170,000.00	00300103 BLOW Elec, Light & Power	\$170,000.00
06/23/2025	00550106 IWS ED, LIC & TRAIN	-\$1,000.00	00550105 IWS Laboratory Supplies	\$1,000.00
06/23/2025	00550106 IWS Repairs to Equipment	-\$1,000.00	00550105 IWS Laboratory Supplies	\$1,000.00
06/23/2025	00550106 IWS ENG & TECH	-\$7,980.00	00550107 IWS Operating Equipment	\$7,980.00
06/23/2025	00550106 IWS ENG & TECH	-\$8,371.00	00550105 IWS Spill Hazard Supplies	\$8,371.00
06/30/2025	00550106 IWS Legal Services	-\$2,846.00	00550105 IWS Spill Hazard Supplies	\$2,846.00

Engineering Division

06/17/2025	00600106 ENG Engineering & Tech	-\$101,000.00	00680105 EQUIP Maintenance & Repair	\$101,000.00
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Sewer Maintenance Division

06/18/2025	00700106 EDU, LIC, TRAIN	-\$1,314.76	00700105 EQUIP Maintenance & Repair	\$1,314.76
06/18/2025	00650106 SWRM ED, LIC & TRAIN	-\$57,373.38	00660105 SWRR ROAD & HIGHWAY	\$57,373.38
06/23/2025	00650106 SWRM ED, LIC & TRAIN	-\$350.00	00660105 SWRR ROAD & HIGHWAY	\$350.00
06/25/2025	00650106 SWRM Repairs to Equipment	-\$1,500.00	00650105 SWRM Office Supplies	\$1,500.00

Financial Contingency

06/12/2025	00800183 FIN Contingency	-\$530,000.00	00300103 BLOW Elec, Light & Power	\$530,000.00
06/18/2025	00800183 FIN Contingency	-\$8,975.00	00200107 PLAN Office Equipment	\$8,975.00
06/27/2025	00800183 FIN Contingency	-\$117,625.17	00520106 MAIN Maintenance Contract	\$117,625.17

Administrative Division

06/12/2025	00110106 ADMIN Legal Services	-\$50,000.00	00300103 BLOW Elec, Light & Power	\$50,000.00
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RECEIVE & FILE

Board Meeting of July 30, 2025

2-C

REQUEST FOR LEAVE OF ABSENCE

WHEREAS: The Buffalo Sewer Authority has received a request from Richard Cotter, a permanent Labor Supervisor, for an unpaid personal leave of absence for the period July 7, 2025 through January 2, 2026, to pursue an employment opportunity with the City of Buffalo Department of Permits and Inspections.

WHEREAS: The Executive Secretary and Principal Sanitary Engineer have reviewed this request and recommend approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Richard Cotter a personal leave of absence without pay beginning July 7, 2025 through January 2, 2026

2-D

AMENDMENT TO THE SCHEDULE OF JOB CLASSIFICATION PLAN

WHEREAS: There is a need to modify the Job Classification Plan.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority approves the addition of the following positions to the Job Classification Plan:

Two (2) Sewer Construction Inspector 00600161 411001

2-E

CONFIRMATION OF APPOINTMENTS

LABORER II (PERMANENT)
 SEWAGE TREATMENT PLANT
 \$25.94 PER HOUR
 EFFECTIVE: JUNE 16, 2025

NICKLAUS BEVELOCK
 73 VANDERBILT ST.
 BUFFALO, NY 14206

LABORER I (PERMANENT)
 SEWAGE TREATMENT PLANT
 \$22.04 PER HOUR
 EFFECTIVE: JUNE 30, 2025

JAURNEY BOYLAND
 45 HARVARD PLACE
 BUFFALO, NY 14209

LABORER I (PERMANENT)
 SEWAGE TREATMENT PLANT
 \$22.71 PER HOUR
 EFFECTIVE: JULY 21, 2025

DAVID MALONEY JR.
 225 LOUISIANA ST. APT. 222
 BUFFALO, NY 14204

LABORER I (PERMANENT)
 SEWAGE TREATMENT PLANT
 \$22.71 PER HOUR
 EFFECTIVE: JULY 28, 2025

JODY STARR
 118 NORWOOD AVE. APT. 1
 BUFFALO, NY 14222

WHEREAS: The preceding appointments were made by the Executive Secretary and Principal Sanitary Engineer since the last Board Meeting; and

WHEREAS: The Executive Secretary and Principal Sanitary Engineer 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

2-F

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</u>
Brianna Larkin	Erie 1 BOCES	Welding Technology	100%	<u>TOTAL</u> \$5,075.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$5,075.00. These Reimbursements will be charged to account no. 00200106-421026.

ITEM NO. 3

ELECTION OF OFFICERS

	MOTION TO	<u>APPROVE</u>
CHAIRMAN	MADE BY	<u>MR. SOLE</u>
CHRISTOPHER ROOSEVELT	2 ND BY	<u>DR. CAULFIELD</u>
	AYES <u>4</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
VICE CHAIRMAN	MADE BY	<u>MR. SOLE</u>
DR. THOMAS CAULFIELD	2 ND BY	<u>MS. YOUNG -WATKINS</u>
	AYES <u>4</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
SECRETARY	MADE BY	<u>MS. YOUNG -WATKINS</u>
PATRICK SOLE, JR.	2 ND BY	<u>DR. CAULFIELD</u>
	AYES <u>4</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
ASSISTANT SECRETARY	MADE BY	<u>DR. CAULFIELD</u>
HOPE YOUNG - WATKINS	2 ND BY	<u>MR. SOLE</u>
	AYES <u>4</u>	NOES <u>0</u>

Board Meeting of July 30, 2025

ITEM NO. 4

ELECTION OF MEMBERS TO AUDIT COMMITTEE

	MOTION TO	<u>APPROVE</u>
CHAIRPERSON	MADE BY	<u>MR. SOLE</u>
DR. THOMAS CAULFIELD	2 ND BY	<u>MS. YOUNG -WATKINS</u>
	AYES <u>4</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
MEMBER	MADE BY	<u>MR. SOLE</u>
HOPE YOUNG - WATKINS	2 ND BY	<u>DR. CAULFIELD</u>
	AYES <u>4</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
MEMBER	MADE BY	<u>DR. CAULFIELD</u>
PATRICK SOLE, JR.	2 ND BY	<u>MS. YOUNG -WATKINS</u>
	AYES <u>4</u>	NOES <u>0</u>

Board Meeting of July 30, 2025

ITEM NO. 5

ELECTION OF MEMBERS TO GOVERNANCE COMMITTEE

	MOTION TO	<u>APPROVE</u>
CHAIRPERSON	MADE BY	<u>MR. SOLE</u>
HOPE YOUNG - WATKINS	2 ND BY	<u>DR. CAULFIELD</u>
	AYES <u>4</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
MEMBER	MADE BY	<u>DR. CAULFIELD</u>
PATRICK SOLE, JR.	2 ND BY	<u>MS. YOUNG - WATKINS</u>
	AYES <u>4</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
MEMBER	MADE BY	<u>MR. SOLE</u>
DR. THOMAS CAULFIELD	2 ND BY	<u>MS. YOUNG - WATKINS</u>
	AYES <u>4</u>	NOES <u>0</u>

Board Meeting of July 30, 2025

ITEM NO. 6

DECLARATION OF LEAD AGENCY FOR STATE ENVIRONMENTAL QUALITY REVIEW FOR THE RAINCHECK 2.0 GREEN INFRASTRUCTURE PROGRAM

- WHEREAS: On March 7, 2012, the Board of the Buffalo Sewer Authority (BSA) determined it would serve as the Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA) and engage in a coordinated review process pursuant to the proposed adoption and implementation of a Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP), dated April, 2012, designed to address and abate combined sewer overflows to area waterways which occur during wet weather, typically rain and/or snow melt events; and
- WHEREAS: The LTCP – CSO Abatement Project outlines the BSA’s goal to manage up to 20% of publicly owned impervious surfaces across BSA’s combined sewer system; and
- WHEREAS: The LTCP outlined a phased implementation of green infrastructure, which began with a pilot program in a limited area of the combined sewer watershed, which was intended to inform the broader, future green infrastructure implementation; and
- WHEREAS: On July 18, 2012, the Board of the BSA, approved the adoption of the Negative Declaration of the SEQRA for the LTCP – CSO Abatement Project, which indicated that review of the LTCP – CSO Abatement Project under SEQRA was limited to the elements which were finalized at that time; and
- WHEREAS: Potential future aspects of the LTCP – CSO Abatement Project were not considered part of the scope of original Action, and, therefore, were not part of that SEQR review; and
- WHEREAS: The segmentation of future aspects of the LTCP – CSO Abatement Project from the SEQR review was necessary as the details of future projects were too preliminary in nature to allow for the preparation of an FEAF or to allow for an adequate evaluation of impacts; and
- WHEREAS: On March 18, 2014, the LTCP received acceptance and approval from the New York State Department of Environmental Protection and the United States Environmental Protection Agency (USEPA); and
- WHEREAS: On June 3, 2021, the Board of the BSA approved the pricing and other details of the Sewer System Environmental Impact Revenue Bonds, Series 2021 (2021 Bonds), to fund the Raincheck 2.0 Green Infrastructure Program; and
- WHEREAS: The 2021 Bonds require the management of over 200 acres of impervious area to be managed with green infrastructure practices; and

WHEREAS: On December 31st, 2024, BSA’s Consultant, Stantec Consulting Inc. (Stantec) completed the planning phase for Raincheck 2.0. program; and

WHEREAS: Sufficient detail is now available to begin the SEQR process for the Raincheck 2.0 program; and

WHEREAS: The proposed projects identified will span across the six priority CSO basins identified in the Raincheck 2.0 Opportunity Report; 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 Stantec, have determined that the above project will be treated as a Type 1 Action; and

WHEREAS: Part 1 of the SEQR Long Environmental Assessment Form (EAF) has been completed, see Attachment A; and

WHEREAS: A supplement to the SEQR Long EAF has been completed, see Attachment B; which summarizes the due diligence efforts related to the proposed Action,

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

NOW THEREFORE
BE IT RESOLVED:

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

MOTION TO APPROVE

MADE BY DR. CAULFIELD

2ND BY MR.SOLE

AYES 4 NOES 0

Board Meeting of July 30, 2025

ITEM NO. 7

REPORT ON BIDS RECEIVED – FRUIT BELT NEIGHBORHOOD SEWER IMPROVEMENTS

WHEREAS: Formal bids were advertised and solicited for the Fruit Belt Neighborhood Sewer Improvements. The following bids were received and opened by the Buffalo Sewer Authority on July 9, 2025:

Bidder	Total Bid
National Water Main Cleaning Co.	\$8,794,125.00
Kandey Co., Inc.	\$10,980,290.00
Michels Trenchless, Inc.	\$13,162,655.00

; and

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

WHEREAS: The Engineer’s Estimate for this project was \$7,512,075.00; and

WHEREAS: The Engineer’s Estimate was provided prior to recent inflation in the construction sector due to inflation and federal policy driven workforce reductions; and

WHEREAS: The Buffalo Sewer Authority’s Consulting Engineer, Erdman Anthony, has reviewed the bids and recommend awarding the contract to the low responsive and responsible bidder, National Water Main Cleaning, Co., at a cost not to exceed \$8,794,125.00; and

WHEREAS: The Buffalo Sewer Authority Principal Sanitary Engineer and staff concur with the recommendation of the Consulting Engineer.

NOW THEREFORE
BE IT RESOLVED: The Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer and Executive Secretary to enter into and execute a contract with National Water Main Cleaning Co. in an amount not to exceed \$8,794,125.00. Expenses for this contract will be charged to account no. 02000598-490740.

MOTION TO APPROVE

MADE BY DR. CAULFIELD

2ND BY MS. YOUNG -WATKINS

AYES 4 NOES 0

Board Meeting of July 30, 2025

ITEM NO. 8

CHANGE ORDER NO. 3 – CONTRACT NO. 82000021 ERDMAN ANTHONY TERM AGREEMENT

CONSULTANT:	ORIGINAL CONTRACT COST	\$250,000.00
Erdman Anthony and Associates, Inc.	PREVIOUS CHANGE ORDERS	\$261,000.00
145 Culver Road, Suite 200	THIS CHANGE ORDER	\$74,429.46
Rochester, NY 14620	ADJUSTED CONTRACT COST	\$585,429.46

VENDOR NO. 10444	ACCOUNT NO.	02000510-432004
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WORK: Three (3) Year Professional Engineering Services Term Agreement

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Addition of more complex bidding services for the Fruit Belt Sewer project.
- Item #2 Addition of construction administration services for the Fruit Belt Sewer project.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 During bidding, there were significantly more questions, particularly due to interested out of state bidders and potential bidders that increased the efforts by the consultant necessary to ensure a transparent, responsive, and fair bidding process.
- Item #2 While inspection services for this work can be provided by Buffalo Sewer Authority personnel, shop drawing and submittal review, schedule and payment reviews and change order review requires a consulting engineer, by continuing to work with the design engineer, the development of record drawings will be simplified.

COST OF CHANGE OR EXTRA WORK:

- Item #1 \$12,327.84
- Item #2 \$62,101.62

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$74,429.46

WHEREAS: In Item No. 10, on April 1, 2020, the Board of the Buffalo Sewer Authority awarded six (6) term engineering contracts for work on an as needed and as directed basis for capital improvement projects for up to three (3) years for \$250,000.00 each; and

WHEREAS: On August 4, 2020, Erdman Anthony and Associates, Inc. entered into a contract with the Buffalo Sewer Authority in accordance with the previously stated conditions; and

WHEREAS: On March 1, 2023, the Board of the Buffalo Sewer Authority approved Change Order No. 1 to this contract to provide design, outreach, and bidding services for the Fruit Belt sewer rehabilitation project in the amount of \$235,000.00; and

WHEREAS: On September 25, 2024, the Board of the Buffalo Sewer Authority approved Change Order No. 2 to this contract to provide additional design services for the Fruit Belt sewer rehabilitation project in the amount of \$26,000.00; and

WHEREAS: The Principal Sanitary Engineer have reviewed the proposed “Buffalo Sewer Authority Term Agreement Contract No. 82000021 Fruit Belt Sewers – Request for Supplemental Agreement Number 2” 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. 82000021 as written in the above Agenda Item, increasing the contract cost in the amount of \$74,429.46, making the adjusted contract cost \$585,429.46. Expenses from this contract will be funded from account no. 02000510-432004.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>DR. CAULFIELD</u>		
2 ND BY	<u>MS. YOUNG -WATKINS</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of July 30, 2025

ITEM NO. 9

CHANGE ORDER NO. 4 – CONTRACT NO 82000030

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,700,000.00
Greeley and Hansen LLC	PREVIOUS CHANGE ORDER	\$1,422,375.00
100 South Wacker Dr.	THIS CHANGE ORDER	\$ 317,611.00
Chicago, IL 60606-4004	ADJUSTED CONTRACT COST	\$3,439,986.00

VENDOR NO. 16154 ACCOUNT NO. 02000433-432004

WORK: Primary Treatment Rehabilitation

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Additional design services to complete the design for Contract B (High-rate Disinfection Facility) and to coordinate accordingly with Contract A (Rehabilitation of Existing System and Installation of Odor Control System) design items and ongoing CA/CI activities.
- Item #2 As the Engineer-of-Record, provide as-needed engineering during construction for the Primary Treatment Renovation Project in support of Arcadis, the Construction Administration/Inspection (CA/CI) Consultant.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 Additional design services are required to coordinate items between Contract A and B due to decoupling of schedules and to incorporate new stop log system for Gate 17 replacement work.
- Item #2 Throughout construction questions have and are anticipated to continue to arise from both the CA/CI Consultant regarding interpretation of design specifications and plans. Support will be provided as needed and invoiced via time and materials basis; monthly invoice will include a summary of hours and will track the various tasks performed.

COST OF CHANGE ORDER NO. 3:

Item #1	\$167,611.00
Item #2	\$150,000.00
THE TOTAL COST OF CHANGE ORDER NO 3:	\$317,611.00

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: In Item No. 8, on July 31, 2024, the Board approved Change Order No. 3 in the amount of \$386,875.00 for additional design and bidding work needed for the Primary Treatment Rehabilitation Project; and

WHEREAS: The Senior Instrument Technician, Principal Sanitary Engineer, and staff have reviewed a request for Change Order No. 4 to Contract No. 82000030 in the amount of \$317,611.00 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. 4 to Contract No. 82000030 as written in the above Agenda Item, increasing the contract cost in the amount of \$317,611.00, making the adjusted contract cost \$3,439,986.00 and releasing all retention. Expenses from this contract will be funded from account no. 02000433-432004.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>DR. CAULFIELD</u>		
2 ND BY	<u>MR. SOLE</u>		
AYES	<u>4</u>	NOES	<u>0</u>

Board Meeting of July 30, 2025

ITEM NO. 10

BLANKET ORDER APPROVAL FOR FIELD ENGINEERING SERVICES TO SUPPORT THE EMERSON OVATION DISTRIBUTED CONTROL SYSTEM

WHEREAS: The Buffalo Sewer Authority’s Distributed Control System, (DCS) is an Ovation System provided by Emerson Process Control; and

WHEREAS: Emerson was designated as a sole source for Ovation field service as well as ovation parts and components by the Board of the Buffalo Sewer Authority under Item #10 of the June 25, 2025 Board Meeting; and

WHEREAS: It is necessary to have Emerson Process Control perform field engineering services in place to assist in system troubleshooting, cybersecurity and general system maintenance and emergency onsite services as well as call-in assistance with Ovation issues; and

WHEREAS: Emerson submitted a proposal for these services for the 2025-2026 fiscal year at a cost not to exceed \$161,582.00; and

WHEREAS: The Senior Instrument Technician, Treatment Plant Superintendent and staff recommend approval to retain Emerson Blanket Order, for field engineering services on an as-needed basis for the 2025-2026 fiscal year in an amount not to exceed \$161,582.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to retain Emerson Process Control, for field engineering services on an as-needed basis in an amount not to exceed \$161,582.00 for the period August 1, 2025 through July 31, 2026. Expenses for these services will be charged to account no. 00200106-432004.

MOTION TO APPROVE

MADE BY MS. YOUNG -WATKINS

2ND BY DR. CAULFIELD

AYES 4 NOES 0

Board Meeting of July 30, 2025

ITEM NO. 11

AUTHORIZATION - TO ENTER INTO AN AGREEMENT WITH EMERSON POWER AND WATER SOLUTIONS FOR AN OVATION CONTROLLER UPGRADE

WHEREAS: The Buffalo Sewer Authority has installed an Emerson Ovation Distributed Control System used for operations and control of the treatment plant process. The project was completed in June of 2019; and

WHEREAS: The Board of the Buffalo Sewer Authority authorized a computer and software upgrade to the Ovation Distributed Control System in Item #21 of the March 10, 2021, Board Meeting; and

WHEREAS: Emerson was designated as a sole source for Ovation hardware and parts by the Board of the Buffalo Sewer Authority under Item #10 of the June 25, 2025 Board Meeting; and

WHEREAS: Emerson submitted a proposal for an Ovation Distributed Control System Controller and Power Supply upgrade to include an upgrade of all fifteen controller sets as well as replacement of Remote Node Controllers and Power Supplies, Engineering, Field Engineering, Programming, Training, Installation and recommended spare parts at a cost not to exceed \$1,140,524.00; and

WHEREAS: Board approval is required on purchases made over \$20,000.00 and services over \$35,000.00; and

WHEREAS: The Senior Instrument Technician recommends approval of this proposal.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes Executive Secretary and Principal Sanitary Engineer to enter into an agreement with Emerson Power and Water Solutions for a Distributed Control System Controller and Power supply upgrade at a cost not to exceed \$1,140,524.00.

MOTION TO APPROVE
MADE BY DR. CAULFIELD
2ND BY MR. SOLE
AYES 4 NOES 0

Board Meeting of July 30, 2025

ITEM NO. 12

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 cost not to exceed \$576,700.00; and
- WHEREAS: On April 3, 2024, the Board of the Buffalo Sewer Authority approved Change Order No. 1 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: On July 31, 2024, the Board authorized the extension of the contract for the period July 1, 2024 to June 30, 2025 at a cost not to exceed \$576,700.00 making the adjusted contract cost \$1,810,100.00; and
- WHEREAS: On February 19, 2025, the Board authorized Change Order No. 2 to Contract No. 82000045 increasing the contract cost in the amount of \$240,000.00 making the adjusted contract cost \$2,050,100.00; and
- WHEREAS: Quackenbush Company, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions with an increase in the prevailing wage adjustment the total cost not to exceed \$760,000.00 for fiscal year 2025-2026 making the adjusted contract cost \$2,810,100.00; and
- WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$760,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to renew the contract with Quackenbush Company, Inc., for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2025 to June 30, 2026; at a total cost not to exceed \$760,000.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO REMOVE FROM TABLE

MADE BY MR. SOLE

2ND BY DR. CAULFIELD

AYES NOES

Board Meeting of July 30, 2025

ITEM NO. 13

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 cost not to exceed \$576,700.00; and

WHEREAS: On July 31, 2024, the Board authorized the extension of the contract for the period July 1, 2024 to June 30, 2025; and

WHEREAS: Quackenbush Company, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for the period July 1, 2025 to June 30, 2026; and

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

WHEREAS: Due to time constraints, members of the Board were individually polled on July 1, 2025, and authorized acceptance of this proposal; and

WHEREAS: It is now necessary to formally ratify that authorization.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to renew the contract with Quackenbush Company, Inc., for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2025 to June 30, 2026; 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 MS. YOUNG -WATKINS

2ND BY DR. CAULFIELD

AYES 4 NOES 0

Board Meeting of July 30, 2025

ITEM NO. 14

RENEWAL OF PURCHASE ORDER FOR INDUCED DRAFT (ID) FAN INSPECTION, PREVENTIVE MAINTENANCE AND REPAIR SERVICES

WHEREAS: On May 29, 2024, the Board of the Buffalo Sewer Authority awarded a blanket purchase order to Mollenberg-Betz, Inc., for the Induced Draft (ID) Fan Inspection, Preventive Maintenance and Repair Services for the period July 1, 2024 to June 30, 2025 with an option to renew four (4) one-year periods, at an annual cost not to exceed \$115,366.00; and

WHEREAS: Mollenberg-Betz, Inc., has agreed to renew this contract for one (1) additional year under same terms and conditions for fiscal year 2025-2026; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this renewal at a total cost not to exceed \$115,366.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary and Principal Sanitary Engineer to renew the purchase order with Mollenberg-Betz, Inc. for the Induced Draft (ID) Fan Inspection, Preventive Maintenance and Repair Services for the period July 1, 2025 to June 30, 2026, at a total cost not to exceed \$115,366.00. These services will be charged to account no. 00380106-443421.

MOTION TO APPROVE

MADE BY MS. YOUNG -WATKINS

2ND BY DR. CAULFIELD

AYES 4 NOES 0

Board Meeting of July 30, 2025

ITEM NO. 15

CHANGE ORDER NO. 2 – CONTRACT NO 82000032

CONTRACTOR:	ORIGINAL CONTRACT APPROVAL	\$600,000.00
O’Connell Electric	PREVIOUS CHANGE ORDERS/RENEWALS	\$6,767,936.35
830 Phillips Road	THIS CHANGE ORDER	<u>\$1,428,389.99</u>
Victor, New York 14564	ADJUSTED CONTRACT COST	\$8,796,326.34

WORK: In-Plant Electrical Maintenance Services

The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, Acting Treatment Plant Administrator, and staff in conjunction with O’Connell Electric have identified electrical issues that pose critical risks to personnel safety, equipment safety and/or Treatment Plant process reliability.

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Over seventy electrical deficiencies have been identified throughout the Treatment Plant that present significant safety risks to personnel and jeopardize the reliability of critical treatment processes. These issues involve essential electrical equipment, process controls, device functionality, and area lighting—all vital to the safe and continuous operation of the facility. O’Connell has developed detailed remediation plans and cost estimates, which have been reviewed and endorsed by the Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, Acting Treatment Plant Administrator, and supporting staff. Given the scope and severity of these issues, prompt action is necessary to prevent potential safety incidents, equipment failures, and costly disruptions.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Addressing these electrical safety hazards and critical process reliability issues is essential to maintaining a safe working environment for Treatment Plant personnel and ensuring the continued safe and dependable operation of key treatment processes. These electrical deficiencies increase the risk of safety incidents, equipment failures, costly emergency repairs, and process interruptions.

COST OF CHANGE OR EXTRA WORK:

Item #1		
	Critical Safety & Process Coordination	\$377,920.26
	Equipment Safety Repairs	\$724,021.30
	General Safety Maintenance & Service	\$78,803.92
	Area Illumination	\$135,703.91
	De-energized Electrical Preventative Maintenance	\$111,940.60

The total INCREASE to the contract as a result of this Change Order is \$1,428,389.99

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.

WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority awarded a contract to O’Connell Electric Company, Inc., for In-Plant Electrical Maintenance Services for the period July 1, 2021 to June 30, 2022 at \$600,000.00, with an option to renew for four (4) one-year renewals periods;

WHEREAS: The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, Acting Treatment Plant Administrator, and staff requested a proposal for and have reviewed Change Order No. 2 to Contract No. 82000032 as detailed above and recommend approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 82000032 as written in the above Agenda Item, increasing the contract cost in the amount \$1,428,389.99 making the adjusted contract cost \$8,796,326.34.

MOTION TO	APPROVE
MADE BY	DR. CAULFIELD
2 ND BY	MR. SOLE
AYES	4 NOES 0

MOTION

TO Enter into Executive Session Pursuant to Open Meetings Law, Section 102 (3) (d)

MADE

BY MS. YOUNG -WATKINS

2ND BY

DR. CAULFIELD

AYES

4

NOES

0

Board Meeting of July 30, 2025

ITEM NO. 15-A

AUTHORIZATION FOR THE BUFFALO SEWER AUTHORITY TO ENTER INTO A CONSENT JUDGMENT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS: The Buffalo Sewer Authority is currently under a 2014 Administrative Order; and

WHEREAS: By entering into the Consent Judgment and amending the Buffalo Sewer Authority's the Long Term Control Plan, the amended Long Term Control Plan updates and supersedes the 2014 Long Term Control Plan and 2014 Administrative Order; and

WHEREAS: The Parties have negotiated this settlement which is culminated into the Consent Judgment that will require Court approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the Principal Sanitary Engineer and the Executive Secretary on behalf of the Buffalo Sewer Authority to enter into a Consent Judgment with Amanda Lefton, as Commissioner of the New York State Department of Environmental Conservation, and the New York State Department of Environmental Conservation.

MOTION TO APPROVE

MADE BY MS. YOUNG -WATKINS

2ND BY MR. SOLE

AYES 3 NOES 1

Board Meeting of July 30, 2025

ITEM NO. 15-B

AUTHORIZATION FOR THE BUFFALO SEWER AUTHORITY TO ENTER INTO THE AMENDMENT TO CONSOLIDATED CONTRACT FOR LOAN SUBSIDY WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL, THE CITY OF BUFFALO AND THE BUFFALO MUNICIPAL HOUSING AUTHORITY

WHEREAS: The Buffalo Municipal Housing Authority desires to develop 254 residential rental units on the Marine Drive Parking Lot; and

WHEREAS: The Amendment to Consolidated Contract for Loan Subsidy enables the Buffalo Municipal Housing Authority to ground lease the parking lot portion of Marine Drive for the redevelopment of affordable housing, in accordance with federal and state low-income housing requirements; and

WHEREAS: The City of Buffalo Common Council approved the ground lease of Marine Drive Phase I site at its April 29, 2025 meeting; and

WHEREAS: The City of Buffalo Common Council approved the Amendment to Consolidated Contract for Loan Subsidy at its July 22, 2025 meeting; and

WHEREAS: The Amendment to Consolidated Contract for Loan Subsidy places no financial burden on the Buffalo Sewer Authority.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the Principal Sanitary Engineer and the Executive Secretary on behalf of the Buffalo Sewer Authority to enter into the Amendment to Consolidated Contract for Loan Subsidy with the City of Buffalo, the Buffalo Municipal Housing Authority, and the State of New York approving the Buffalo Municipal Housing Authority’s ground lease the parking lot portion of Marine Drive for the redevelopment of affordable housing.

MOTION TO APPROVE

MADE BY MR. SOLE

2ND BY DR. CAULFIELD

AYES 3 NOES 0

RECUSAL MS. YOUNG -WATKINS

Board Meeting of July 30, 2025

ITEM NO. 16

ADJOURNMENT OF MEETING

MOTION TO ADJOURN

MADE BY MS. YOUNG -WATKINS

2ND BY MR. SOLE

AYES 4 NOES 0

Board Meeting of July 30, 2025