

BUFFALO WATER BOARD MINUTES
March 30, 2017

MEMBERS PRESENT:

Oluwole A. McFoy
Gerald Kelly
Michael Finn
William Sunderlin

OTHERS PRESENT:

Peter Merlo
Jack McMahon
Ken Maving
Stephen Waldvogel
Charles Martorana
David Hill
Tim Cupo
Damon Sykes
Michael Wolasz
Patrick Martin
Lisa Foti
Tim Shea
Derek Nichols
Melissa Fratello
Don Rodgers
Farzin Kian

The regular monthly meeting of the Buffalo Water Board was called to order at 8:00 a.m.

1. Motion by Mr. Sunderlin to approve the agenda. Seconded by Mr. Finn. Approved.
2. Motion by Mr. Finn to approve the minutes from the February 23, 2017 meeting. Seconded by Mr. Sunderlin. Approved.
3. Staff Update: Mr. Hill provided a staffing update to the Buffalo Water Board.
4. Motion by Mr. Sunderlin to receive the Report of Bids for the Water Distribution: Various Locations in the City of Buffalo designated as project number three, to be contracted by and administered by the City of Buffalo. Seconded by Mr. Finn. Approved.
5. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Sunderlin to authorize Veolia Water to increase their contract with Test America for the Lead and Copper Testing Program where Veolia will pay for the first \$5,000 of testing and the Buffalo Water Board will reimburse Veolia in an amount not-to-exceed \$20,000 for testing costs in excess of \$5,000 from July 1, 2016 through June 30, 2017, exclusive of Veolia Water's 10% administrative fee. Seconded by Mr. Finn. Approved.
6. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Finn to authorize a water meter purchase contract with Neptune Technology Group, Inc. for meters to be purchased by the City of Buffalo Purchase Department in an amount not-to-exceed \$650,000.00. This authorization is based on the Water Board's prior resolution that standardized all future water meter and valve acquisitions through Neptune Technology Group, Inc. Seconded by Mr. Sunderlin. Approved.
7. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Finn to authorize a purchase contract for 3 Truck Mounted Vacuum Units to be purchased by the City of Buffalo Purchase Department in an amount not-to-exceed \$75,000.00. Seconded by Mr. Kelly. Approved.
8. Motion made by Mr. Finn to table a proposal to contract for the Repair/Replacement of Poly Aluminum Chloride (PAC) Tanks at the Colonel Ward Water Treatment Facility, to allow more time to review the

scope of services and associated fees with tank repair versus replacement options. Seconded by Mr. Sunderlin. Approved.

9. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Finn to authorize Veolia Water to contract with Savarino Companies, LLC for the operation of the centrifuge at the Colonel Ward Water Treatment Facility, in an amount not-to-exceed \$150,000.00, inclusive of Veolia Water's 10% administrative fee, through June 30 2018. Seconded by Mr. Sunderlin. Approved.
10. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Sunderlin to approve an increase in funding of the Department of Public Works Engineering Division contract with The LiRo Group for watermain replacement design services on Mortimer Street, engaged by the City of Buffalo, in an amount not-to-exceed \$30,000.00. Seconded by Mr. Finn. Approved.
11. Motion by Mr. Sunderlin to authorize a resolution (copy attached) for permanent easement rights in and about Carroll Street and Hydraulic Street in the City of Buffalo, New York, in response to the City of Buffalo's decision to close and abandon its right of way in such streets. . Seconded by Mr. Finn. Approved.
12. Mr. Merlo discussed the proposed Highland Park Development project with the Buffalo Water Board.
13. Mr. Maving of GHD Consulting Services, Inc. presented a summary of the invoices to be paid to Veolia Water and recommended payment to Veolia Water for services rendered as follows:
 - a) Motion by Mr. Sunderlin to approve payment of \$3,289.00 inclusive of Veolia's 10% administrative fee for services by Kimil Construction Inc. for emergency service repair. Seconded by Mr. Finn. Approved.
14. Motion by Mr. Finn to approve a fund transfer of \$ 2,644,604.85 from Buffalo Water Board Reserve Account to Structural Improvements Account (# 53023517-473020). Seconded by Mr. Sunderlin. Approved.
15. Motion by Mr. Sunderlin to approve a fund transfer of \$ 69,162.73 from Buffalo Water Board Reserve Account to Engineering & Technical Account (# 53023516-432004). Seconded by Mr. Finn. Approved.
16. Mr. Waldvogel of GHD Consulting Services, Inc. (GHD) delivered a report of GHD's on-going services to assist the Buffalo Water Board on a number of projects, including the asbestos abatement at Colonel Ward Treatment Plant, back-up battery system at Colonel Ward Treatment Plant, the Traveling Screen project has been postponed due to weather issues and actions to address a defective pump at Colonel Ward Treatment Plant.
17. Mr. David Hill from Veolia Water presented and reviewed Veolia Water's monthly report with the Buffalo Water Board. He discussed various projects, including the backwash system, and sieve analyses for the Colonel Ward Filters, the Porter Avenue network server is being replaced this month, Invoice Cloud (a new software system) to be activated April 1, 2017, a Neptune meter replacement program is underway, and the Water Quality Report is being finalized for distribution.
18. Motion by Mr. Sunderlin to enter Executive Session. Seconded by Mr. Finn. Approved.
19. Motion by Mr. Sunderlin to exit Executive Session. Seconded by Mr. Finn. Approved.
20. Motion by Mr. Finn to adjourn. Seconded by Mr. Sunderlin. Approved.
Next meeting, Wednesday, April 12, 2017 at 8:00 a.m. in Room 502 at City Hall.

BUFFALO WATER BOARD AUTHORIZATION FOR PERMANENT EASEMENT RIGHTS IN AND ABOUT CARROLL STREET AND HYDRAULIC STREET, BUFFALO, NEW YORK

WHEREAS: The Buffalo Water Board, owns and operates underground waterlines, underground passageways, basins, pipes, conduits, valves, pumps, manholes, hand holes, fittings, braces, foundations, meters, fixtures, hydrants, other property and equipment and appurtenances for the purpose of retaining, receiving, accumulating, transmitting and/or distributing water throughout the City of Buffalo (collectively referred to as "Water Facilities"); and

WHEREAS: The City of Buffalo Office of Strategic Planning has coordinated the abandonment and sale of portions of Carroll Street and Hydraulic Streets, as depicted on the survey attached hereto by Lawrence J. Zygaj, PLS, P.C., dated April 6, 2011, Job Number 03014 (the "Property") to LCO, Building LLC, or another corporation, partnership, limited liability company or other legal entity designated by LCO Building, LLC, and approved by the City of Buffalo Office of Strategic Planning, to enable LCO Building, LLC, or such other entity or person to occupy, use, and/or develop the property within such portions of Carroll Street and Hydraulic Street (the "Project"); and

WHEREAS: The City of Buffalo Common Council by resolution has authorized the Mayor, and other City of Buffalo personnel to negotiate the terms of the sale of the Property, subject to conditions, including but not limited to, the grant, establishment, preservation and reservation of all rights, title and interest in any conveyance by the City of Buffalo that enable the Buffalo Water Board to continue to use, operate, inspect, repair, maintain, replace, reconstruct or construct Water Facilities, as now or in the future may be located in and near the Property, upon the approval by the Buffalo Water Board, the City of Buffalo Corporation Counsel and the City of Buffalo Commissioner of Public Works, Parks and Streets; and

WHEREAS: The New York State Public Authorities Law Section 1048-g authorizes the Buffalo Water Board to acquire and possess lands, or any right, title, interest, or easement therein in the name of the Buffalo Water Board with the approval of the City of Buffalo.

NOW, THEREFORE,
BE IT RESOLVED:

That the Buffalo Water Board hereby authorizes the Buffalo Water Board Chairman, and any other representative or agent of the Buffalo Water Board, including the City of Buffalo Commissioner of Public Works, Parks and Streets and the City of Buffalo Corporation Counsel, to negotiate, upon such terms and conditions acceptable to the Buffalo Water Board Chairman, and to execute and deliver any agreement, memorandum of understanding, conveyance, documents and instruments with the City of Buffalo, LCO Building, LLC or any other entity or person, to grant, establish, preserve and/or reserve the Buffalo Water Board's rights, title and interests to use, operate, inspect, maintain, repair, replace, reconstruct or construct Water Facilities in and near the Property, in connection with the City of Buffalo's abandonment and sale of the Property, all as may be necessary or appropriate to implement and effectuate the Project or to better assure, transfer and confirm the rights, title and interests of the City of Buffalo and the Buffalo Water Board to the Water Facilities, consistent with the substance and intent of this resolution.

BE IT FURTHER
RESOLVED:

That the Buffalo Water Board Chairman, and any other representative or agent of the Buffalo Water Board, including the City of Buffalo Commissioner of Public Works, Parks and Streets and the City of Buffalo Corporation Counsel, is hereby authorized to take any other action necessary or appropriate to implement this resolution, including but not limited to, the payment of reasonable consultant fees, costs, transactional closing costs, recording and filing fees, title abstract fees, title insurance premiums, permit fees and other transaction fees and costs.

MOTION TO APPROVE

MADE BY Mr. Sunderlin

2ND BY Mr. Finn

AYES 4 NOES 0

Board Meeting of March 30, 2017


STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

I, the undersigned Secretary of the Buffalo Water Board (the "Water Board"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Water Board, including the resolution contained therein, held the 30th day of March, 2017, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Water Board and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters referred to therein.

I FURTHER CERTIFY that all members of said Water Board had due notice of said meeting, said meeting was duly held, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Article 7, and there was a quorum of the members of the Water Board present throughout said meeting.

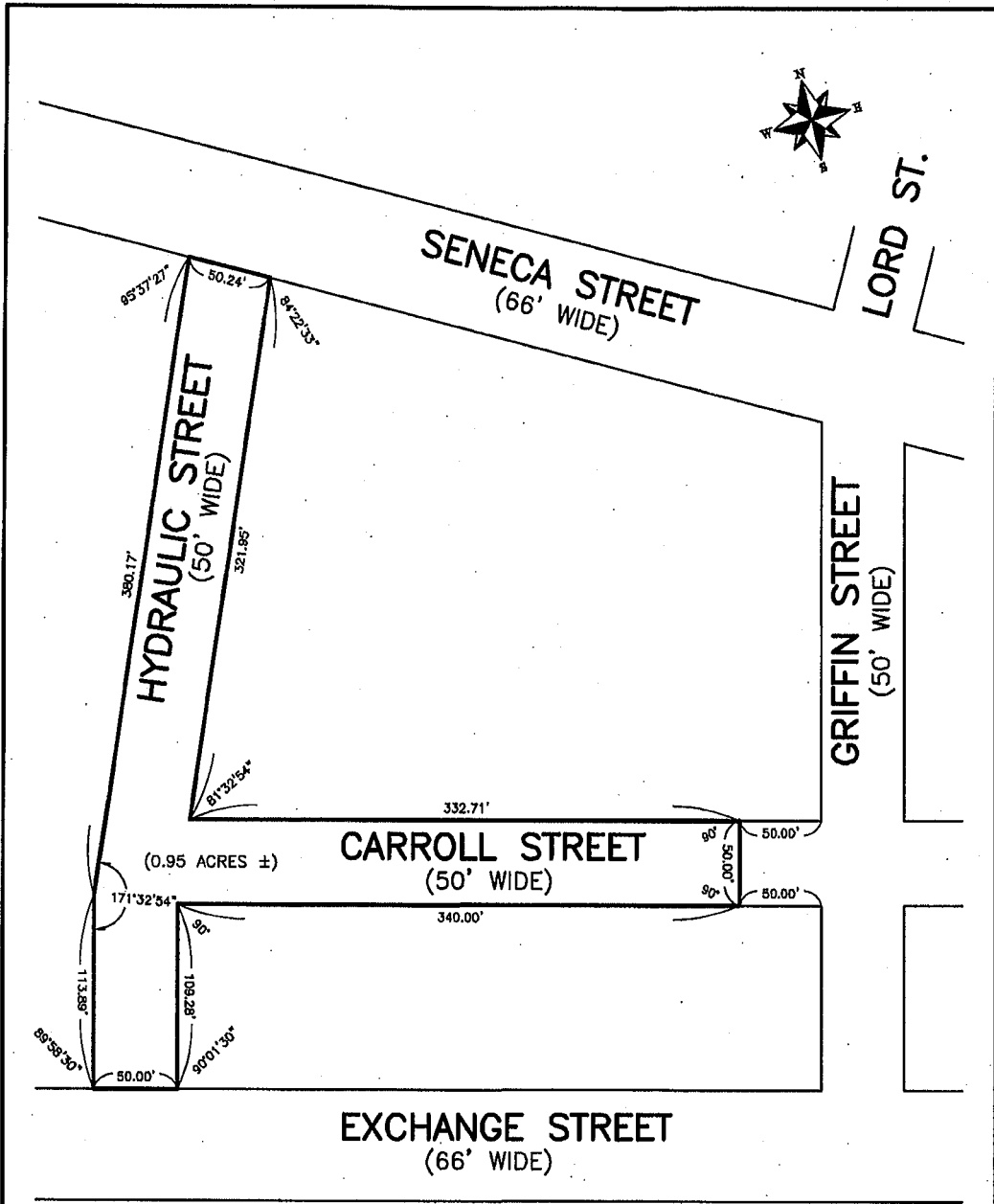
I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of March, 2017.



Peter J. Merlo, P.E.
Secretary of the Buffalo Water Board

Exhibit A
Copy of Survey of the Property



This survey was prepared without the benefit of an abstract of title and is subject to any statement of facts that may be revealed by an examination of such.

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law.

Copies from the original of this survey map, not marked with the original of the Land Surveyor's seal, shall not be considered a valid true copy, and should be assumed to be an unauthorized copy.

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Lawrence J. Zyga, PLS, PC.
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Survey Date	Revision Date	Comment	Map of Survey Part of Lot 15 Township 11 Range 8 H.L.C. City of Buffalo County of Erie State of New York		
			LAWRENCE J. ZYGAJ, PLS, PC NYS Land Surveyor - License No. 049714-1 222 Bear Road Cowlesville, New York 14037 Office: (585) 652-8483 Fax: (585) 652-1137		
			Date: 4/6/2011	Scale: 1" = 80'	Drawn by: LJZ
			Job No.: 03014	Drawing: 03014HydCarV2	Checked by: LJZ