

BUFFALO WATER BOARD MINUTES
May 13, 2015

MEMBERS PRESENT:

Oluwole A. McFoy
Gerald Kelly
Michael Finn
William Sunderlin

OTHERS PRESENT:

Peter Merlo
Jack McMahon
Michael Wolasz
Patrick Martin
Charles Martorana
Lisa Foti
Jason Shell
Stephen Waldvogel
Bryan Smith
Tim Cupo
Damon Sykes
Daniel Gorka
Bill Breezer
Stewart Levy

The meeting was called to order at 8:00 a.m.

1. Motion by Mr. Sunderlin to approve the agenda. Seconded by Mr. Finn. Approved.

Motion by Mr. Finn to approve the amended, minutes from the April 8, 2015 meeting. Seconded by Mr. Sunderlin. Approved.

2. Staff Update: Mr. Shell reported that the City is currently interviewing for Pumping Plant Operator (PPO) and Assistant Filtration Plant Operator (AFPO) positions. Two chemist positions will be posted, and numerous other activities are on-going to fill Water Division staff positions.
2. A Property at 1112 Niagara Street: Mr. Breezer discussed his plan to purchase an empty commercial property at 1112 Niagara St, and plans to invest to make the property reusable. He requested consideration to adjust the outstanding account receivable for water/sewer. Upon due consideration, the Water Board agreed to establish a payment plan with Mr. Breezer and referred development of the payment plan to Veolia Water. Motion made by Mr. Kelly to approve waiving interest and commission fees, and allowing the balance of water/sewer charges to be paid in installments over a twenty four month period. Veolia Water will work with Mr. Breezer to set up payment plan for the account balance to be paid. Seconded by Mr. Finn. Approved
2. B Legacy LaSalle Property Development Update: Legacy LaSalle LLC has requested an easement agreement with the Buffalo Water Board and the City of Buffalo to facilitate water service to its property development in the Main Street

and LaSalle Avenue area. Legacy LaSalle LLC will construct a water line in accordance with City of Buffalo and Buffalo Water Board specifications and grant the Buffalo Water Board and the City of Buffalo a permanent easement over, under and through its land. Motion by Mr. Finn to authorize the Chair, or any other officer of the Buffalo Water Board to enter into the Easement Agreement with Legacy LaSalle, LLC, subject to (1) provision of a Maintenance Bond by Legacy LaSalle, LLC, (2) approval as to engineering/technical matters by the City Engineer and Commissioner of Public Works, and (3) approval by the City Law Department and Counsel for the Buffalo Water Board. Seconded by Mr. Kelly. Approved

3. Motion by Mr. Finn to designate the Division of Water Principal Engineer to administer waivers of the hydrant fee to support City property improvements by Community Block Clubs and Grassroots Gardens of Buffalo at various locations. All other hydrant permit requirements will be followed. Seconded by Mr. Kelly. Approved.
3. A Lisa Foti, the Buffalo Water Board Rate Consultant presented the Financial Update to the Buffalo Water Board, including discussion of the Preliminary Official Statement (POS), which was mailed Monday May 11, 2015, for the Buffalo Municipal Water Finance Authority (BMWFA) Water System Revenue Refunding Bonds, 2015 Series. She further advised that Standard & Poor's rating stayed at an "A" level and the Buffalo Water System is financially healthy.
4. Motion by Mr. Sunderlin, to supplement the resolution of the Buffalo Water Board of April 9, 2014, to approve waiving tap-in fees for all properties located within the 500 block of Main Street re-development project area. Prior to the motion, the Water Division Principal Engineer advised the Buffalo Water Board that the reconstruction of Main Street in this project area presents a unique opportunity to install new taps in the water mains as an integral part of this major public works project, with the goal to prevent or minimize future excavations along this section of Main Street that is currently being reconstructed. Seconded by Mr. Finn. Approved
5. Motion made by Mr. Sunderlin to approve increasing Biel's existing contract to digitize various City Water System maps and records and to authorize an expenditure of an amount not-to-exceed \$30,000. Seconded by Mr. Finn. Approved.
6. Motion made by Mr. Sunderlin to authorize Veolia to enter into a contract for Professional Laboratory Services to perform water tests and to authorize an expenditure of an amount not-to-exceed \$150,000, including Veolia management fee from April 2015 through April 2016. The Water Division Principal Engineer advised that this is a temporary measure pending the recruitment and employment of two chemists in compliance with City Civil Service requirements. Seconded by Mr. Finn. Approved.

7. Motion made by Mr. Sunderlin to authorize the City of Buffalo to contract with Nussbaumer & Clarke, Inc. for records update in Infonet and authorize an expenditure of an amount not-to-exceed \$150,000. Seconded by Mr. Finn. Approved.
8. Motion made by Mr. Finn to authorize the City of Buffalo contract with Wendel for study, design and construction administration services for Structural Improvements at the Colonel Ward complex and remote sites including emergency evaluations and to authorize the expenditure of an amount not-to-exceed \$400,000. Seconded by Mr. Kelly. Approved.
9. Veolia Invoices: CRA reported that it reviewed invoices submitted by Veolia, as summarized in the attached spread sheet, and recommended payment to Veolia as follows:
 - a) Motion by Mr. Sunderlin to approve payment of \$63,340.76 inclusive of Veolia's 10% administrative fee for services by Kimil Construction for emergency repair services. Seconded by Mr. Finn. Approved.
 - b) Motion by Mr. Kelly to approve payment of \$1,820.19 inclusive of Veolia's 10% administrative fee for laboratory services by Biotrax. Seconded by Mr. Finn. Approved.
 - c) Motion by Mr. Sunderlin to approve payment of \$69,516.05 inclusive of Veolia's 10% administrative fee for services by Pinto Construction for emergency repair services. Seconded by Mr. Finn. Approved.
10. Motion by Mr. Sunderlin to approve transfer of \$985,000 from the Buffalo Water Board reserves into account number 52023516 432004, Engineering and Technical. Seconded by Mr. Finn. Approved.
11. Motion by Mr. Sunderlin to approve transfer of \$400,000 from the Buffalo Water Board reserves into account number 52023517 473020, Structural Improvements. Seconded by Mr. Finn. Approved.
12. Monthly report from CRA Infrastructure & Engineering, Inc.
 - Energy Performance Contract Phase 2 – reviewing drawings
 - Working to finalize residential metering project
 - Working on Staffing Project
 - Working on BMWFA Water System Revenue Refunding Bonds, 2015 Series
13. Monthly report from Veolia Water presented by Tim Cupo:
 - Identified Operations Manager, currently working on hiring process – will be introduced in June, 2015 meeting;

- Reviewing various hydrant markers to install for easier identification during snow events; and
- Customer Service & Billing will have three staffers going on long term leave through the Fall of 2015. With summer vacation schedules approaching, Veolia is working to ensure satisfactory customer service, and is working with Mr. Shell to hire seasonal clerks.
- The training program for phone representatives has proven to be very successful.

Motion made by Mr. Sunderlin to adjourn. Seconded by Mr. Kelly. Approved.

Next meeting, June 17, 2015 at 8:00 a.m. in 502 City Hall.