

BUFFALO WATER BOARD MINUTES
September 16, 2015

MEMBERS PRESENT:

Oluwole A. McFoy
Gerald Kelly
Michael Finn
William Sunderlin

OTHERS PRESENT:

Peter Merlo
Jack McMahon
Jason Shell
Ken Maving
Charles Martorana
Stephen Waldvogel
Keavin Nelson
Damon Sykes
William Ferguson
Patrick Martin
Lisa Foti
Travis McVickers
Corey Auerbach
Tim Shea

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

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

Motion made by Mr. Sunderlin to approve the amended minutes from the August 11, 2015 meeting. Seconded by Mr. Kelly. Approved.

2. Staff Update: Mr. Shell provided a staffing update. Candidates have been nominated for appointment and are in process through Civil Service to fill several positions, in the Division of Water which should be filled shortly.
3. Travis McVickers of DHD Ventures and Corey Auerbach, attorney for developer DHD Ventures, on behalf of Buffalo State Ventures LLC, purchaser, presented information pertaining to a development project at 100 Forest Avenue. Counsel reported that land records indicate the City of Buffalo and Buffalo Sewer Authority had reserved easement rights for water and sewer facilities in the former Dewitt Street and adjoining property. Mr. Auerbach delivered a proposed Easement Modification Agreement that would modify the Buffalo Water Board's existing easements. Upon the recommendation of legal counsel, motion by Mr. Finn, seconded by Mr. Kelly, the Buffalo Water Board approved the proposed form of Easement Modification Agreement submitted by Buffalo State Ventures LLC, subject to such terms and conditions as the City Engineer and the Corporation Counsel of the City of Buffalo may require for the preservation and protection of the rights and interests of the Buffalo Water Board and the City of Buffalo, including but not limited to, rights of ingress and egress upon such premises affected by the Easement Modification Agreement, and for the repair, maintenance, reconstruction and replacement of the water facilities of the Buffalo Water Board, and that no structures shall be erected or maintained upon such premises where the Buffalo

Water Board and City of Buffalo have reserved rights for their water facilities, without the prior written approval of the Buffalo Water Board; and the Chair or any other officer of the Buffalo Water Board is authorized to execute and deliver the Easement Modification Agreement, and any other related documents, approved as to form by and upon the advice of Corporation Counsel, and to take such other action as may be appropriate or necessary. Approved.

4. The Principal Engineer of the Division of Water, reported discovery of damaged electrical wires and other parts of the electrical system located at the Valve House of Col. Ward Treatment Facility continue to short out and fail to operate properly and must be repaired/replaced on an emergency basis. Upon his recommendation, Mr. Sunderlin made a motion to authorize Veolia Water to bid and contract, on an emergency basis, with a qualified repair contractor, as soon as GHD Consulting Services, Inc. has finished with the emergency design of electrical repairs to be made to the Valve House. The authorization for these repairs is in an amount not-to-exceed \$250,000 inclusive of Veolia Water's 10% administrative fee. Seconded by Mr. Kelly. Approved.
5. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Kelly to authorize the City of Buffalo Division of Water to contract with a roofing contractor for repairs to the roof of the Massachusetts Avenue Pumping Plant. The authorization is in an amount not-to-exceed \$35,000. Seconded by Mr. Finn. Approved.
6. Motion made by Mr. Finn to table consideration of roof repairs to the Beard Avenue Barracks until the October 2015 Buffalo Water Board meeting. Seconded by Mr. Sunderlin. Approved.
7. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Kelly to authorize Veolia Water to contract with Visone Construction for spoils removal at the Buffalo Water Pipe Yard in an amount not-to-exceed \$88,000 inclusive of Veolia Water's 10% administrative fee. Seconded by Mr. Sunderlin. Approved.
8. Motion made by Mr. Sunderlin to table consideration of the next phase of Nussbaumer and Clarke, Inc.'s existing professional services contract for the new High Service Area Pressure Zone project until the October 2015 Buffalo Water Board meeting. The Buffalo Water Board also asked the Principal Engineer of the Division of Water to consult further with Nussbaumer and Clarke, Inc. and provide a project update to the Buffalo Water Board. Seconded by Mr. Finn. Approved.
9. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Finn to authorize Veolia Water to provide a three-month contract extension to Coverall for janitorial services at the Col. Ward Water Treatment Facility in an amount not-to-exceed \$5,547.30 inclusive of Veolia Water's 10% administrative fee. Seconded by Mr. Kelly. Approved.
10. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Sunderlin to accept a grant from New York State Department of Health

for up to \$160,000 to reimburse the City of Buffalo for equipment purchased for the Buffalo Water Board's Fluoride Project at the Col. Ward Water Treatment Facility. Seconded by Mr. Finn. Approved.

11. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Kelly to authorize the City of Buffalo Division of Water to purchase and install two chlorine evaporators, pending an advisory report from the Principal Engineer, in an amount not-to-exceed \$35,000. Seconded by Mr. Finn. Approved.
12. Veolia Invoices: GHD Consulting Services, Inc., the Buffalo Water Board's Consulting Engineer reported that it reviewed invoices submitted by Veolia Water, as summarized in the attached spread sheet, and recommended payment to Veolia Water as follows:
 - a) Motion by Mr. Finn to approve payment of \$23,498.75 inclusive of Veolia Water's 10% administrative fee for services by Kimil Construction. Seconded by Mr. Sunderlin. Approved.
 - b) Motion by Mr. Finn to approve payment of \$21,481.06 inclusive of Veolia Water's 10% administrative fee for services by Pinto Construction Services. Seconded by Mr. Sunderlin. Approved.
 - c) Motion by Mr. Sunderlin to approve payment of \$9,188.62 inclusive of Veolia Water's 10% administrative fee for services by Visone Construction. Seconded by Mr. Finn. Approved.
13. Mr. Waldvogel of GHD Consulting Services, Inc. delivered a brief report of GHD's on-going services to assist the Buffalo Water Board on a number of projects including the emergency electrical work at the Col Ward Valve House, staffing with Jason Shell, a New York State Department of Health report, and the drain from the Grover Cleveland water tank overflow.
14. Monthly report from Veolia Water presented by Damon Sykes included the introduction of Mr. Tim Shea, Vice President of Operations for the Veolia Water mid-Atlantic Region and Mr. Keavin Nelson, Senior Vice President for Veolia Water.

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

Next meeting, October 14, 2015 at 8:00 a.m. in the Room 502 City Hall.

Note: Due to the Veterans Day Holiday on November 11, 2015, the November Buffalo Water Board meeting date is moved to Thursday, November 12, 2015.