

BUFFALO WATER BOARD MINUTES
June 21, 2023

MEMBERS PRESENT:

Oluwole A. McFoy
Gerald E. Kelly
Denine N. Jackson
William L. Sunderlin

OTHERS PRESENT:

Porsha Parson
Jack McMahon
Doug Fultz
Charlie Martorana
Delano Dowell
Damon Sykes
Stephen Waldvogel
Lisa Foti
Dustin Steiner
Kelly Leeb
Ryan Stotz
John Davis
Fouad Arab
David Hill
Damond Rand
David Connors
William Ferguson
Brithney Malchan
Angelica Morrison

The regular monthly meeting of the Buffalo Water Board (BWB) was called to order at 9:00 a.m.

1. Motion by Mr. Sunderlin, seconded by Ms. Jackson to approve the agenda. Approved.
2. Motion by Mr. Sunderlin, seconded by Ms. Jackson to approve the minutes from the May 10, 2023, meeting. Approved.
3. Public Comment: After the Chair offered an opportunity for public comments, no comments were received.
4. Staff Update: Mr. Hill and Mr. Fultz, with Veolia Water provided a staffing update to the Buffalo Water Board.
5. Mr. Hill and Mr. Fultz, with Veolia Water, outlined a Workforce Development Plan to the Buffalo Water Board. The Chairman asked for a detailed plan to be developed before a motion to approve is brought to the BWB.
6. Upon the recommendation of the City of Buffalo Accountant and Buffalo Water Board Rate Consultant, motion made by Mr. Sunderlin to approve the Buffalo Water Board Fiscal Year 2023/2024 Budget, seconded by Ms. Jackson. Approved.
7. Upon the recommendation of the Associate Engineer of the Division of Water, motion made by Mr. Kelly, seconded by Mr. Sunderlin to increase the Buffalo Water Board's funding for a professional services contract by the Buffalo Water Board with Barclay Damon, LLP for the

Legal Services through June 30, 2023, with an increased amount not-to-exceed \$70,000.00. Approved.

8. Motion made by Mr. Kelly, seconded by Mr. Sunderlin to approve Barclay Damon, LLP professional services contract for the 2023-2024 fiscal year for Buffalo Water Board Legal Services to be funded in an amount not-to-exceed \$150,000.00. Approved.
9. Motion by Mr. Sunderlin, seconded by Ms. Jackson to consider the Wright Alley Waterline Replacement Project that had been previously postponed and tabled for a proposal verification by the City of Buffalo Water Department. Approved.
10. Upon the recommendation of the Associate Engineer of the Division of Water, motion made by Ms. Jackson, seconded by Mr. Sunderlin to authorize a contract with Erdman Anthony for Engineering Services for the Wright Alley Waterline Replacement Project. The project and contract will be administered by the City of Buffalo, Division of Water, and the contract is approved in an amount not-to-exceed \$179,180.00. Approved.
11. Upon the recommendation of the Associate Engineer of the Division of Water and the project engineering consultant GHD Consulting Services, Inc, motion made by Mr. Sunderlin, seconded by Ms. Jackson to authorize a no cost change order contract time extension with Frey Electric Construction Co. for the Colonel Ward Pumping Station Electrical Improvements Project (contract #93002903). The revised project completion date will be February 28, 2024. The project and contract will be administered by the City of Buffalo, Division of Water. Approved.
12. Upon the recommendation of the Associate Engineer of the Division of Water and the project engineering consultant Clough Harbour & Associates, motion made by Ms. Jackson, seconded by Mr. Sunderlin to authorize a cost increase for 4th Generation Construction Inc. for the Capital Improvement Project – Various Locations 2 (contract #93003125). The project and contract will continue to be administered by the City of Buffalo, Division of Water, and the contract, as amended, is approved with an increased amount not-to-exceed \$102,787.52. Approved.
13. Upon the recommendation of the Associate Engineer of the Division of Water, motion made by Mr. Sunderlin, seconded by Ms. Jackson to authorize a contract increase for the design of the Water Betterment portion of the Abbott Road Watermain Replacement Project. The project and contract will be administered by the City of Buffalo, Division of Engineering, and the contract, as amended, is approved with an increased amount not-to-exceed \$31,950.00. Approved.
14. Motion by Mr. Sunderlin, seconded by Ms. Jackson to approve GHD Consulting Services, Inc.'s professional services contract for the 2023-2024 fiscal year for Buffalo Water Board Consulting Engineer Services to be funded in an amount not-to-exceed \$400,000.00. Approved.
15. Motion made by Ms. Jackson, seconded by Mr. Sunderlin, to authorize and fund an increase for services as part of the Management Agreement dated as of July 1, 2020, with Veolia Water, specifically the Spoils Management Limit Account in an increased amount not-to-exceed \$100,000.00 to extend through June 30, 2023. These projects and services will continue to be administered by the City of Buffalo, Division of Water, as part of the Management Agreement with Veolia Water. Approved.

16. Motion made by Ms. Jackson, seconded by Mr. Sunderlin, to authorize and fund for services as part of the Management Agreement dated as of July 1, 2020, with Veolia Water, specifically the Structural Rehabilitation Limit Account in an amount not-to-exceed \$1,122,000.00 to extend through the 2023/2024 fiscal year. These projects and services will continue to be administered by the City of Buffalo, Division of Water, as part of the Management Agreement with Veolia Water. Approved.
17. Mr. Waldvogel, Mr. Davis, Ms. Parson, Mr. Stotz and Mr. Steiner of GHD Consulting Services, Inc. delivered a report of GHD's on-going professional services to assist the Buffalo Water Board on several projects, including: (a) GHD is preparing an engineering report for bond application; (b) Mr. Davis and Ms. Parson reported on the very positive response at the Get Water Wise tent at the recent Juneteenth Celebration at MLK Park; (c) GHD is preparing a cloud based environment for the Get Water Wise internet web site; (d) GHD continues to provide guidance to the City of Buffalo, Division of Water on the Replace Old Lead Lines (ROLL) Program and is collaborating with various agencies and vendors who will utilize the Get Water Wise web site to interact with customers through a customer portal; (e) GHD has engaged a public relations consultant and Facebook page to engage in public outreach relating to water service line protection initiatives; (f) GHD is working with Promise Network Inc. and reports that several hundreds of customers have agreed to participate in the new payment plan; (g) GHD is continuing to provide engineering and oversight services at Colonel Ward Treatment Facility, for among other matters, electrical upgrades at the plant have commenced, bids for the Flood Mitigation Berm Project will be bid later this month and is continuing work on the Pipe Loop Project.
18. Mr. Hill of Veolia Water presented Veolia Water's monthly management report. Mr. Hill reported that the South Basin has been emptied and is in the process of being chlorinated and prepared to be returned to service. The North Basin will be taken out of service soon. The two New York State programs that are assisting customers with payments including the New York State Homeowner Assistance Fund (helping customers with payments, with receipt of approximately \$2.17 million over the past 12 months) and the New York State Low Income Household Water Assistance (LIHWA) Program (helping customers with payments, with receipt of approximately \$3.25 million in the past 12 months). Veolia Water is developing a campaign to expand the notice to customers of the benefits of these programs, and will continue distributing notices of the availability of these programs, together with delivery of invoices to customers. Customer services have been improved with the addition of personnel recently hired in this department. Enhanced security measures have been installed at the Exchange Street offices to include a new camera monitoring system. As of June 1, 2023, the annual Lead and Copper sampling program has been renewed throughout the City of Buffalo.

Motion by Mr. Sunderlin to enter Executive Session to discuss a litigation matter. Seconded by Ms. Jackson. Approved.

Motion by Ms. Jackson to exit Executive Session. Seconded by Mr. Sunderlin. Approved.

Motion by Mr. Sunderlin, seconded by Mr. Kelly to adjourn at 10:49 A.M. Approved.

*** Next meeting, **MONDAY, JULY 17, 2023, at 9:30 A.M.** ***

PLEASE NOTE SPECIAL DAY AND TIME

This **ANNUAL** meeting will be held in the Colonel Ward Water Treatment Facility Administration Building Conference Room located at 2 Porter Avenue, Buffalo, NY 14201, for Board Members and by virtual conference call, as authorized by law.