

**BUFFALO WATER BOARD MINUTES**  
**August 16, 2023**

**MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

**Peter Merlo**  
**Jack McMahon**  
**Doug Fultz**  
**Charlie Martorana**  
**Damond Rand**  
**Damon Sykes**  
**Stephen Waldvogel**  
**Lisa Foti**  
**Dustin Steiner**  
**Barbara Miller-Williams**  
**Ryan Stotz**  
**John Davis**  
**Fouad Arab**  
**David Hill**  
**Colleen Silver**  
**Michael Wolasz**  
**Beth Scheeler**  
**Angelica Morrison**  
**Delano Dowell**  
**Mya Ei Ya Paw**  
**Atika Mwalimu**  
**Tahmid Rahat**  
**Ziyheir Pickens**  
**Kyla General**  
**Shamiah Brown**  
**Zigabor Banuna**

The regular monthly meeting of the Buffalo Water Board (BWB) was called to order at 9:00 a.m. It also includes the Buffalo Water Board's Public Hearing to consider revision to the Buffalo Water Board Schedule of Rates, Fees, and Charges.

1. Motion by Mr. Sunderlin, seconded by Ms. Jackson to approve the agenda, as amended. Approved.
2. Motion by Mr. Sunderlin, seconded by Ms. Jackson to approve the minutes of the July 17, 2023, meeting, as amended. 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. The Chair of the Buffalo Water Board opened the Public Hearing regarding the proposed revision of the Buffalo Water Board's Schedule of Rates, Fees, and Charges. An opportunity for public comments was offered, no comments were received. The Public Hearing was closed.

6. Motion made by Ms. Jackson, seconded by Mr. Sunderlin to approve a Resolution of the Buffalo Water Board on Amendment and Adoption of Schedule of Rates, Fees, and Charges effective October 1, 2023. Approved. At the meeting of July 17, 2023, the Buffalo Water Board had designated itself as lead agency pursuant to the State Environmental Quality Review Act (SEQRA) and as part of its action at this meeting, the Buffalo Water Board determined that the proposed action with regard to the Adoption of Schedule of Rates, Fees, and Charges will not result in any significant adverse environmental impacts, and that a negative declaration may be issued pursuant to SEQRA. A copy of the Resolution is attached.
7. The Buffalo Water Board legal counsel reported that a draft Memorandum of Understanding (MOU) regarding Staffing Assistance has been delivered to Veolia Water and Veolia Water's attorneys are reviewing the proposal. Upon the recommendation of the Principal Engineer and GHD, motion made by Ms. Jackson, seconded by Mr. Sunderlin, to authorize and approve funding in an amount not to exceed \$600,000.00 for a Staffing Assistance program with Veolia Water, conditioned on a mutually acceptable MOU with Veolia Water as presented to Veolia Water and subject to such non-substantive modifications as approved by the Chairman of the Water Board, and upon advice by the Water Board legal counsel. Approved.
8. Upon the recommendation of the Principal Engineer of the Division of Water and GHD, motion made by Ms. Jackson, seconded by Mr. Sunderlin to authorize, and fund a contract with Pinto Construction Services, Inc. for the base bid plus the alternate for the Buffalo Water Treatment Plant Flood Resilience Improvement Project – Contract 1 - General. The project and contract will be administered by the City of Buffalo, Division of Water in an amount not-to-exceed \$4,631,240.00. Approved. The following Bids were received:

<u>Bidder</u>	<u>Bid</u>	<u>Alternate</u>	<u>Total</u>
Pinto Construction, Inc.	\$3,572,500.00	\$1,058,740.00	\$4,631,240.00
STC Construction, Inc.	\$3,679,000.00	\$ 992,300.00	\$4,671,300.00
Scott Lawn Yard, Inc.	\$3,959,250.00	\$1,057,000.00	\$5,016,250.00
9. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Sunderlin, seconded by Ms. Jackson to authorize a cost increase for GHD for the Colonel Ward Pumping Station Electrical Improvements Project (contract #93002484). The project and contract will continue to be administered by the City of Buffalo, Division of Water, and the contract, as amended, is approved in an amount not-to-exceed \$180,000.00. Approved.
10. Mr. Waldvogel, Mr. Stotz, Mr. Davis 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 prepared an engineering report for bond application; (b) GHD has worked with the Buffalo Water Board Legal Counsel regarding staffing matters; (c) the latest release of the Get Water Wise website includes materials pertaining to Lead Line replacement programs; (d) GHD reported that social media has been very active and that there was a recent meeting with Blue Conduit and a meeting scheduled for next week with Promise Pay; (e) Mr. Davis reported on the very positive response to the continuing Public Outreach Campaign and community engagement. A digital media kit is being developed, geofencing is being developed to focus on specific zip codes and out-reach efforts at the City and Johnny B. Wiley National Night out events were well received. The Get Water Wise tent will be at the August 19<sup>th</sup> Puerto Rican Day Parade as well; (f) GHD is continuing to provide engineering and oversight services at Colonel Ward Treatment Facility, for among other matters, commencement of electrical upgrades at the plant, bids for the Flood Mitigation Berm Project have been received and are being reviewed and contractor meetings for work at the Ralph C. Wilson Centennial Park have commenced.

11. Mr. Hill of Veolia Water presented Veolia Water's monthly management report. Mr. Hill reported that the Promise Pay Program had enrolled approximately 301 customers and collected over \$52,000 in July. The two New York State programs that are assisting customers with payments including the New York State Buffalo East Side Homeowner Assistance Fund (helping customers with payments, with receipt of approximately \$326,000 this month) and the New York State Low Income Household Water Assistance (LIHWA) Program (helping customers with payments, with receipt of approximately \$68,000 this month). Mr. Hill reported that the South Basin is currently being cleaned, repairs to the intake grating will soon be initiated and the customer service team continues to provide valuable services. He also noted that the High Priority Repairs and Lead Services Limit Account experienced very high invoices throughout June and July totaling approximately \$420,000. This was caused by unusual seasonal watermain breaks in high profile locations with curb to curb repairs making repairs costly. Veolia Water plans to submit a request to increase this limit account at next month's meeting.

Motion by Mr. Sunderlin, seconded by Ms. Jackson to adjourn at 9:45 A.M. Approved.

Next meeting, originally scheduled for Thursday, September 14, 2023, at 9:00 A.M, has been rescheduled for Friday, September 8, 2023, at 11:00 A.M. This 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.