

**BUFFALO WATER BOARD MINUTES**  
**June 18, 2024**

**MEMBERS PRESENT:**

**Oluwole A. McFoy**  
**William Sunderlin**  
**Gerald Kelly**  
**Denine N. Jackson**  
**Raymour P. Nosworthy**

**OTHERS PRESENT:**

**Peter Merlo**  
**Jack McMahon**  
**David Hill**  
**Doug Fultz**  
**Charlie Martorana**  
**Stephen Waldvogel**  
**Damond Rand**  
**Kelly Leeb**  
**Ryan Stotz**  
**Lisa Foti**  
**Bill Ferguson**  
**Nathan Marton**  
**Damon Sykes**  
**Dustin Steiner**  
**Michael Wolasz**  
**Matthew Adam**  
**Beth Scheeler**  
**Marta Aracelis Torres**  
**Mr. Rohany**  
**2 Residents of 408 Norfolk**

The regular monthly meeting of the Buffalo Water Board (BWB) was called to order at 10:00 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 of the April 17, 2024, meeting. Approved.
3. Public Comment: After the Chair offered an opportunity for public comments, Marta Aracelis Torres, Special Project Coordinator for Assemblyman Jon D. Rivera introduced Mr. Rohany to the Buffalo Water Board. Mr. Rohany requested the Buffalo Water Board to authorize replacement of lead services lines for his property commonly known as 868 Main Street in Buffalo under the Replacement of Old Lead Lines Program. Mr. Rohany explained that when he purchased the property it was zoned for commercial use, but he has since converted the property to residential-two family dwelling. The Buffalo Water Board will review his request and follow up with him. In addition, two residents of 408 Norfolk Avenue made a presentation to the Buffalo Water Board. The Buffalo Water Board will review their request and follow up with the residents.
4. Staff Update: Mr. Fultz, with Veolia Water provided a staffing update to the Buffalo Water Board.
5. The Judgment and Claims discussion was postponed until the next Buffalo Water Board meeting.

6. Upon the recommendation of the City of Buffalo Accountant and Buffalo Water Board Rate Consultant, motion made by Ms. Jackson to approve the Buffalo Water Board Fiscal Year 2024/2025 Budget, seconded by Mr. Sunderlin. Approved.
7. Upon the recommendation of the Principal Engineer of the Division of Water, and the City of Buffalo Accountant, motion made by Ms. Jackson to approve the Buffalo Water Amendment (see attached), seconded by Mr. Sunderlin. Approved.
8. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Sunderlin, seconded by Ms. Jackson to authorize a contract increase of \$140,000 with Arcadis for Engineering Services for the Colonel Ward Water Treatment Plant Residual Systems Improvements Project (contract #93002589). The project and contract will continue to be administered by the City of Buffalo, Division of Water, and the contract increase is approved in an amount not-to-exceed \$140,000.00. Approved
9. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Ms. Jackson, seconded by Mr. Sunderlin to authorize a no cost change order contract time extension with The State University of New York at Buffalo, for the Colonel Ward Laboratory Pipe Loop Corrosion Control Study (contract #93002927). The revised project completion date will be December 31, 2025. The project and contract will continue to be administered by the City of Buffalo, Division of Water. Approved
10. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Sunderlin, seconded by Ms. Jackson, to authorize an increase in funding in an amount not-to-exceed \$150,000.00, for the contract with Wendel for the structural retainer contract (contract # 93002452). The project and contract will continue to be administered by the City of Buffalo, Division of Water. Approved.
11. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Ms. Jackson, seconded by Mr. Kelly, to authorize an increase in funding in an amount not-to-exceed \$60,000.00, for the contract with Hazen and Sawyer for the Finished Water Improvements Project (contract # 93002561). The project and contract will continue to be administered by the City of Buffalo, Division of Water. Approved.
12. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Ms. Jackson, seconded by Mr. Sunderlin, to authorize an increase in funding in an amount not-to-exceed \$49,360.00, for the contract with Nussbaumer & Clarke, Inc., for the Massachusetts Avenue Pump Station Electrical Upgrades Project (contract # 93002522). The project and contract will continue to be administered by the City of Buffalo, Division of Water. Approved.
13. Upon the recommendation of the Principal Engineer of the Division of Water and the project engineering consultant Nussbaumer & Clarke, Inc., motion made by Ms. Jackson, seconded by Mr. Sunderlin to authorize a no cost change order contract time extension with O'Connell Electric Company, Inc., for the Massachusetts Avenue Pump Station Electrical Upgrades Project (contract #93003254). The revised project completion date will be August 31, 2026. The project and contract will continue to be administered by the City of Buffalo, Division of Water. Approved.
14. Upon the recommendation of the Principal Engineer of the Division of Water and the project engineering consultant GHD Consulting Services, Inc., motion made by Ms. Jackson, seconded by Mr. Sunderlin to authorize a no cost change order contract time extension with Frey Electric Construction Co., for the Colonel Ward Pumping Station Electrical Improvement

Project (contract #93002903). The revised project completion date will be November 27, 2024. The project and contract will continue to be administered by the City of Buffalo, Division of Water. Approved.

15. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Sunderlin, seconded by Ms. Jackson to authorize a contract with Watts Architects & Engineers, Inc. for Engineering Services for the Various Locations 1 Water Distribution Improvements 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 \$329,900.00. Approved.
16. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Ms. Jackson, seconded by Mr. Sunderlin to authorize a contract with DiDonato Engineering & Architectural Professionals for Engineering Services for the Various Locations 2 Water Distribution Improvements 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 \$321,277.00. Approved.
17. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Ms. Jackson, seconded by Mr. Sunderlin to authorize a contract with Nussbaumer & Clarke, Inc. for Engineering Services for the Various Locations 3 Water Distribution Improvements 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 \$300,400.00. Approved.
18. Motion by Ms. Jackson, seconded by Mr. Sunderlin to approve GHD Consulting Services, Inc.'s professional services contract for the 2024-2025 fiscal year for Buffalo Water Board Consulting Engineer Services to be funded in an amount not-to-exceed \$600,000.00. Approved.
19. Motion made by Mr. Kelly, seconded by Ms. Jackson to approve Barclay Damon, LLP professional services contract for the 2024-2025 fiscal year for Buffalo Water Board Legal Services to be funded in an amount not-to-exceed \$200,000.00. Approved.
20. Mr. Waldvogel, 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) Mr. Waldvogel reported that GHD assisted the Buffalo Water Board to submit a \$16.5 million Lead Service Line Replacement Grant application to New York State for use throughout the City of Buffalo; (b) GHD is completing a comprehensive rate review with Ms. Foti and will present findings to the Buffalo Water Board at a future meeting; (c) GHD and others will be meeting today with the Community Care Coalition regarding the two groups selected from the Request for Qualifications that concluded April 30, 2024; (d) GHD continues to update materials, utilize the interactive map and monitor activity of the Get Water Wise website; (e) GHD with Veolia Water and 120 Water have updated the Water Survey to make water quality data collection more user friendly and easy for the customer, rendering the data more usable for water assessment; (f) GHD is continuing to provide engineering and oversight services at Colonel Ward Treatment Facility, for among other matters, the electrical upgrades at the plant, construction of the Berm project to protect the Colonel Ward Treatment Facility . New fencing has been erected and a new footer and wall have been constructed, and weekly contractor meetings for work at the Ralph C. Wilson Centennial Park are continuing,
21. Mr. Fultz of Veolia Water presented Veolia Water's monthly management report. Mr. Hill reported that Veolia has received over \$5.5 million from the New York State Buffalo East Side Homeowner Assistance Fund through May 2024. These funds have assisted a total of 2,472

Buffalo Water Board customers. The Buffalo Water Board collected \$43,271 in the month of May 2024 through the Promise Pay program while the total amount collected throughout the fiscal year was approximately \$929,000. Revenues collected in May 2024 exceeded \$5.1 million which was slightly higher than the budget amount of \$5.0 million and slightly higher than the amount collected in May 2023 of \$4.67 million. Mr. Fultz indicated Veolia Water is working to renew service contracts that are expiring

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

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

Motion by Mr. Kelly, seconded by Mr. Nosworthy to adjourn at 11:40 A.M. Approved.

Next meeting is scheduled for Wednesday, July 10, 2024, at 9:00 A.M. This meeting is the Annual Meeting that 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.

## Budget Amendment

### Budget reallocation:

53300896 445100	(\$8,243,760.00)
53300906 445100	(\$4,471,117.00)
53300886 445100	\$4,367,355.45
53300916 445100	(\$170,970.00)
53300926 473020	\$8,518,491.55

### One-sided budget entry to remove remaining availability:

53023527 473020 10702 STRUC & EQUIP IMPROV ARPA CAP	(\$1,793,404.18)
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