

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
MAY 9, 2018**

56354.....56397

BUFFALO SEWER AUTHORITY

May 9, 2018

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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CALL OF THE ROLL

Present:	<u>Herbert L. Bellamy, Jr.</u>	<u>Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor Petrucci</u>	<u>Secretary</u>
	<u>Oluwole A. McFoy, P.E.</u>	<u>General Manager</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Julie Barrett O'Neill, Esq.</u>	<u>General Counsel (BSA)</u>
	<u>Gelea James</u>	<u>Director of Employee Relations</u>
	<u>Catherine Knab, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Frank Rafferty</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaeik, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Paul Harris</u>	<u>Superintendent of Mechanical Maintenance</u>
Absent:	<u>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>

The meeting was called to order at 9:05 AM. A quorum was present.

ITEM NO. 1**Motion to Adopt the Minutes of the Meeting of April 4, 2018**

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MS. PETRUCCI</u>
2 ND BY	<u>MR. ROOSEVELT</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of May 9, 2018

ITEM NO. 2

INFORMATIVE: TEMPORARY INVESTMENTS (CERTIFICATES OF DEPOSIT AND TREASURY BILLS)
MARKET VALUE

As of March 31, 2018

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$ 2,810,070.51	Key	0.15%	Public NOW
16-Oct-17	17-Apr-18	183	\$5,994,110.04	Key Banc Capital	1.62%	\$49,410.00
14-Nov-17	15-May-18	182	\$12,068,247.66	Key Banc Capital	1.75%	\$107,051.39
07-Feb-18	29-Jun-18	142	\$2,236,367.00	JP Morgan Securities	1.88%	\$16,685.00
08-Dec-17	08-Aug-18	243	\$8,425,449.00	JP Morgan Securities	1.82%	\$103,275.00
05-Jan-18	05-Jul-18	181	\$9,948,688.75	M&T Securities	1.80%	\$90,590.00
			\$41,482,932.96			
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		\$152,990.91	Key	0.15%	Public NOW
14-Mar-18	11-Apr-18	28	\$851,427.74	M&T Securities	1.71%	\$1,133.16
			\$1,004,418.65			
OPERATING FUND						
31-Jul-12	Super NOW		\$4,079,421.21	Key	0.15%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Money Market		\$3,427.85	Key	0.02%	Public Savings
SURPLUS FUND						
			\$65,022.57	Wilmington Fund		
08-Mar-18	29-Jun-18	113	\$9,950,400.00	JP Morgan Securities	2.09%	\$65,288.89
			\$10,015,422.57			
NET REVENUE FUND						
			\$183.00	Wilmington Fund		
18-Dec-17	26-Apr-18	129	\$7,990,400.00	JP Morgan Securities	1.73%	\$49,306.07
12-Jan-18	26-Apr-18	104	\$7,955,442.00	Key Banc Capital	1.70%	\$24,403.33
28-Feb-18	26-Apr-18	57	\$3,092,284.80	M&T Securities	1.74%	\$8,529.48
29-Nov-17	29-May-18	181	\$7,068,588.20	Key Banc Capital	1.71%	\$60,956.27
			\$26,106,898.00			

DEBT RESERVE FUND**SERIES J**

02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
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Series K

02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%
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Series L

12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
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Series M

27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt	2.70%
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Series N

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
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RECEIVE & FILE

Board Meeting of May 9, 2018

ITEM NO. 3

INFORMATIVE: REALLOCATION OF FUNDS

The following budgetary transfers have been made to cover unforeseen shortages. These transfers do not change the total amount of the Buffalo Sewer Authority's operating budget.

Wastewater Treatment Plant

03/20/2018	00340105 THIC Equip. Maintenance	-\$1,281.50	00240105 PSED Equip. Maintenance	\$1,281.50
03/21/2018	00290107 AER Machinery and Equipment	-\$68,000.00	00290105 AER Equip. Maintenance	\$68,000.00
03/21/2018	00380105 INCI Equip. Maintenance	-\$7,310.00	00520105 MAIN Gasoline and Lubricants	\$7,310.00
03/29/2018	00520106 MAIN Maintenance Contract	-\$13,000.00	00820102 Education License and Training	\$13,000.00
04/05/2018	00210105 RWWP Equip. Maintenance	-\$3,350.00	00520105 MAIN Building Materials	\$3,350.00
04/05/2018	00210105 RWWP Equip. Maintenance	-\$3,350.00	00240105 PSED Equip. Maintenance	\$3,350.00
04/05/2018	00210105 RWWP Equip. Maintenance	-\$1,375.00	00600107 ENG Operating Maintenance	\$1,375.00
04/05/2018	00210105 RWWP Equip. Maintenance	-\$1,110.00	00520105 MAIN Building Materials	\$1,110.00
04/05/2018	00210105 RWWP Equip. Maintenance	-\$965.00	00200105 PLAN Clothing Safety	\$965.00
04/06/2018	00210105 RWWP Equip. Maintenance	-\$1,420.00	00530105 YARD Janitorial and Operating	\$1,420.00
04/18/2018	00340105 THIC Equip. Maintenance	-\$5,040.00	00200107 PLAN office Equipment	\$5,040.00

Engineering Division

04/09/2018	00600105 Eng Miscellaneous	-\$139.00	00600104 Eng Registration Fees and Dues	\$139.00
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General Financial Charges

03/29/2018	00800183 Financial Contingency	-\$277.78	00110105 Admin Postage	\$277.78
04/02/2018	00800183 Financial Contingency	-\$39,000.00	00650106 SWRM Lease Equip & Vehicles	\$39,000.00
04/06/2018	00800183 Financial Contingency	-\$340.00	00820102 Education License and Training	\$340.00
04/13/2018	00800183 Financial Contingency	-\$1,000.00	00820102 Education License and Training	\$1,000.00

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Board Meeting of May 9, 2018

ITEM NO. 4

INFORMATIVE: PUBLIC NOTICE - MS4 ANNUAL REPORT (MARCH 2017 - MARCH 2018) AND STORMWATER MANAGEMENT PLAN (SWMP)

New York State's Municipal Separate Storm Sewer System (MS4) SPDES Permit, Section 2e: Public Involvement/Participation requires that the Buffalo Sewer Authority present the Draft Annual Report and the Stormwater Management Program (SWMP) Plan at a meeting that is open to the public, where the public attendees are able to ask questions about and make comments on the report(s).

The Buffalo Sewer Authority (BSA) will have the MS4 Annual Report and the SWMP at their City Hall Office, Room 1038, Buffalo, New York, from 9:00 a.m. to 12:00 p.m. on Wednesday, May 16, 2017.

The MS4 Annual Report for March 10, 2017 – March 9, 2018 will be completed and submitted to the NYS Department of Environmental Conservation (NYSDEC) after the public review and comment period. The MS4 Annual report and the SWMP will also be available on the BSA's website: www.buffalosewer.org/about/transparency.

This item is presented to the Board for their information to be acknowledged and received and filed.

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Board Meeting of May 9, 2018

ITEM NO. 5

ADOPTION OF AMENDED "FINAL SCHEDULE OF SEWER RENTS AND OTHER CHARGES FOR 2018-2019"

- WHEREAS: The Buffalo Sewer Authority, in the meeting of April 4, 2018, adopted a proposed "Schedule of Sewer Rents and Other Charges for 2018-2019" and authorized the publication of this notice, commencing April 6, 2018, once a week for three (3) consecutive weeks, in the City Record and Buffalo News; and
- WHEREAS: The thirty-day period for inspection of the Schedule, and the filing of, has now expired; and
- WHEREAS: No protests were filed; and
- WHEREAS: It is now in order to adopt the "Final Schedule of Sewer Rents and Other Charges for 2018-2019"; and
- WHEREAS: The proposed "Schedule of Sewer Rents and Other Charges for 2018-2019" includes no increases to sewer rents based on the assessed value of property. The levy of sewer rents based on assessed value remains unchanged from the previous year at \$12,050,000; and
- WHEREAS: The proposed "Schedule of Sewer Rents and Other Charges for 2018-2019" also includes no increases to sewer rents based on the use of water. Metered accounts will continue to be charged \$11.09 per thousand cubic feet of water used, and there will be no increases to the charges on flat rate accounts.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby adopts the "Final Schedule of Sewer Rents and Other Charges for 2018-2019".

MOTION TO	APPROVE
MADE BY	MS. PETRUCCI
2 ND BY	MR. ROOSEVELT
AYES	3 NOES 0

Board Meeting of May 9, 2018

FINAL SCHEDULE OF SEWER RENTS
AND OTHER CHARGES
FOR 2018-2019

TO PROVIDE FUNDS FOR THE FIXED CHARGES AND FOR THE OPERATION AND MAINTENANCE OF THE ENTIRE SEWER SYSTEM IN THE CITY OF BUFFALO AND ALL OF THE BUFFALO SEWER AUTHORITY FACILITIES FOR THE CONVEYANCE, TREATMENT AND DISPOSAL OF SEWAGE AND STORM WATER OPERATED BY THE BUFFALO SEWER AUTHORITY.

I. SEWER RENTS FOR PREMISES SITUATED WITHIN THE LIMITS OF THE CITY OF BUFFALO

(a) \$12,050,000 shall be collected from all real property in the City of Buffalo (the "City") by apportioning the said amount upon such property within the City as the same is set down on the last completed annual assessment roll of the City, except that no *ad valorem* sewer rent shall be assessed against real property exempt from real property taxes pursuant to subdivision one of section four hundred, sections four hundred four, four hundred six, four hundred twelve, four hundred eighteen, subdivision one section four hundred twenty, section four hundred forty-six, four hundred fifty-two, four hundred sixty-two and four hundred seventy-seven of the New York Real Property Tax Law.

(b) In the event a person, lot, parcel of land, building or premises, other than a City department, situated within the limits of the City, discharging sewage, water or other liquids into the Buffalo Sewer Authority (the "Authority") sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board or from any other source, and the quantity of water used is measured by a water meter acceptable to the Authority, then in each such case, the quantity of water used, as measured by said meter, shall be used to determine the sewer charge or rental, and the charge for such use shall be as follows:

1. \$48.30 for 0 to 4,000 cubic feet of water used per quarter year, if the meter is read quarterly, and any water used in excess thereof shall bear a sewer charge or rental of \$11.09 per thousand cubic feet (\$.0111 per cubic foot).
2. \$16.10 for 0 to 1,333 cubic feet of water used per month, if the meter is read monthly, and any water used in excess thereof shall bear a sewer charge or rental of \$11.09 per thousand cubic feet (\$.0111 per cubic foot).

II. SEWER RENTS FOR PREMISES SITUATED OUTSIDE THE LIMITS OF THE CITY OF BUFFALO

(a) An annual service charge for the privilege of connecting with the facilities of the Authority shall be due for any premises situated outside the limits of the City for each \$1,000 of assessed valuation as determined on the last completed annual assessment, the same rate of \$2.71239 per \$1,000 of assessed valuation for 2018-2019.

(b) In the event a person, lot, parcel of land, building or premises, other than a City department, situated outside the limits of the City, discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board or from any other source, and the quantity of water used is measured by a water meter acceptable to the Authority, then in each such case, the quantity of water used, as measured by said meter, shall be used to determine the sewer charge or rental, and the charge for such use shall be as follows:

1. \$48.30 for 0 to 4,000 cubic feet of water used per quarter year, if the meter is read quarterly, and any water used in excess thereof shall bear a sewer charge or rental of \$11.09 per thousand cubic feet (\$.0111 per cubic foot).
2. \$16.10 for 0 to 1,333 cubic feet of water used per month, if the meter is read monthly, and any water used in excess thereof shall bear a sewer charge or rental of \$11.09 per thousand cubic feet (\$.0111 per cubic foot).

III. GENERAL PROVISIONS

(a) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board, and the quantity of water used is not measured by a water meter acceptable to the Authority, then the sewer charge or rental for all such accounts shall be in the respective amounts (expressed in dollars) set forth in Exhibit A, attached hereto and made a part hereof, as the Authority determines applicable to such person, lot, parcel of land, building or premises.

(b) In addition to all other rentals and charges provided herein, a monthly drainage connection service charge shall be due for any and all persons, lots, parcels of land, building or premises, other than a City department, that discharge sewage, water or other liquids into the Authority sewer system, either directly or indirectly, as follows:

1. A monthly charge of \$6.00 shall be due for all lots, parcels, land, buildings or premises where the quantity of water used is not measured by a meter acceptable to the Authority.
2. A monthly charge in the amounts set forth below shall be due for all lots, parcels, land, building or premises where the quantity of water used is measured by a meter acceptable to the Authority in accordance with the following meter size:

Residential Users		Non-Residential Users	
<u>Meter Size</u>	<u>Charge (\$)</u>	<u>Meter Size</u>	<u>Charge (\$)</u>
5/8 inch	6.00	5/8 inch	6.00
3/4 inch	6.00	3/4 inch	6.00
1 inch	6.00	1 inch	6.00
1 1/2 inch	6.00	1 1/2 inch	55.00
2 inch	6.00	2 inch	55.00
3 inch	55.00	3 inch	55.00
4 inch or larger	55.00	4 inch or larger	55.00

(c) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, which directly or indirectly, uses water obtained from a source other than the Buffalo Water Board, and the water so obtained is not measured by a water meter acceptable to the Authority, then, in each such case, the owner, user or other interested party shall, at his own expense, furnish, install, and maintain a water meter or other water or sewage measuring device acceptable to the Authority and the quantity of water used, as measured by said meter, or as otherwise determined, shall be used to determine the sewer charge or rental and there shall be charged an amount determined as set forth in paragraphs II(a), III(a) and III(b) as the case may be.

(d) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, uses water in excess of 4,000 cubic feet per quarter year and it can be shown to the satisfaction of the Authority, that a portion of the water as measured by the water meter does not and cannot enter the Authority sewer system, then the Authority may determine in such manner as may be found practicable the percentage of metered water entering the Authority sewer system and the quantity of water used to determine the sewer charge or rental shall be that percentage, so determined, of the quantity of water measured by the water meter, or the Authority may require or permit the installation of additional meters or measuring devices in such a manner as to determine the quantity of water or sewage actually entering the Authority sewer system, in which case the quantity of water used to determine the sewer charge or rental shall be the quantity of water actually entering the Authority sewer system and so determined.

(e) In the event a person, lot, parcel of land, building or premises discharges sewage or other wastes into the Authority sewer system which, in the opinion of the Authority, contain unduly high concentrations or any substances which add to the operating costs of the Authority facilities, then the Authority may elect to establish and collect special rates of charge, based on the quantity of these substances, which rate of charge may be established and collected in such manner as the Authority may elect and such charge shall be paid to the Authority, or it may elect to exclude such sewage or other wastes from its facilities.

(f) As a condition of a Buffalo Discharge Elimination System Permit (BPDES), a user may be required to pay an industrial waste surcharge for discharging sewage or waste exhibiting a strength of sewage or waste greater than normal domestic sewage. The Industrial Waste Surcharge Formula reflecting the Treatment Plant unit costs for treatment of Biochemical Oxygen Demand (BOD₅) Total Suspended Solids (TSS) and Total Phosphate (TPO₄) is as follows:

$$\text{Surcharge} = 8.34 \text{ QMGY } (0.1709 (\text{BOD}_5\text{-250}) + 0.2195 (\text{TSS-250}) + 0.3176 (\text{TPO}_4\text{-15.35}))$$

\$0.1709 Cost/lb. for treatment of BOD₅

\$0.2195 Cost/lb. for treatment of TSS

\$0.3176 Cost/lb. for treatment of TPO₄

QMGY shall mean the annual total industrial and sanitary discharge - water retention.

BOD₅ shall mean the average concentration of BOD₅ in sewage or waste discharged to the Authority facilities.

TSS shall mean the average concentration of TSS in sewage or waste discharged to the Authority facilities.

TPO₄ shall mean the average concentration of TPO₄ in sewage or waste discharged to the Authority facilities.

Surchargeable concentrations are as follows:

BOD₅ - Over 250 mg/L; TSS - Over 250 mg/L; TPO₄ - Over 15.35 mg/L

This formula shall be applied in computing the Buffalo Industrial Waste Surcharge subsequent to July 1, 2017 and ending June 30, 2018 for all users that discharge sewage or waste exhibiting a strength of sewage or waste greater than normal domestic sewage. In addition, this formula with the above rates will be used to calculate all monthly, quarterly, semiannual, and annual accounts subsequent to July 1, 2018.

(g) Any person who violates the Sewer Regulations of the Authority or the conditions of the permits issued thereunder shall be subject to fines as specified in said regulations.

(h) Whenever sewage or other wastes result in conditions in the Authority sewer system as to cause blockage or a substantial reduction in the flow, charges for the work necessary to eliminate such blockage or reduction in flow may be made, based upon costs incurred by the Authority for labor, materials, equipment hire, insurances, and other overhead, against the owner of the property or premises that caused the discharge of such sewage or other wastes into the Authority sewer system.

(i) Where sewer facilities have been installed to serve improved and unimproved property and have been paid for in whole or in part by the Authority, a charge shall be made based on a proportionate share of the original cost, determined by the foot frontage of the parcel served, or by the area of such parcels, or by such other method the Authority determines to be equitable, as a condition to a permit for a connection to the Authority's facilities.

(j) An application and inspection fee for sewer connection permits shall be paid as follows at the time said application is filed with the Authority:

<u>Tap Size</u>	<u>Fee (\$)</u>
4 inch	100.00
6 inch	200.00
8 inch	300.00
10 inch	500.00
12 inch	800.00
15 inch	1,200.00
18 inch	1,800.00
21 inch or greater	2,500.00

(k) An application fee of \$50.00 per 2,500 square feet or part thereof of soil disturbance or impervious area being drained, whichever is greater, shall be paid at time of plans and/or calculations are submitted to the Authority for site stormwater management review.

(l) An application fee of \$150.00 plus \$25.00 for every 100 linear feet or part thereof of new sanitary sewer pipe proposed shall be paid at the time that plans and/or calculations are submitted to the Authority for any facility proposing to discharge 2,500 gallons per day or more of additional sanitary and/or industrial flow than existing conditions.

(m) All persons owning or operating a pump truck or other transport vehicle and desiring to discharge wastes, directly or indirectly, into the Authority's facilities shall first secure a valid Truckers Discharge Permit after paying an annual permit fee of \$120.00. In addition to said permit fee, a separate charge shall be billed based upon the verified quantity or truck capacity, and character of the waste discharged and, if applicable, the point of discharge.

The following surcharge rates are hereby charged for such wastehaulers who are located outside the City:

DISCHARGE LOCATION	TOTAL SUSPENDED SOLIDS	BOD ₅	TOTAL PHOSPHATE
Inlet/South Buffalo Pump	\$0.2820 /lb	\$0.2124 /lb.	\$0.0325 /lb.
Mixing Tank	\$0.2300/lb	\$0.1330 /lb.	\$0.0325 /lb.
Thickener/Digester	\$0.2553 /lb	\$0.1471 /lb.	\$0.0325 /lb.

The above surcharge rates, along with costs incurred by the Authority when handling, testing, conveying, and administering each wastehauler, will be used to determine the cost per gallon of each wastestream. The wastehauler user charges for various wastestreams are as follows:

1. Septage and portable toilet wastes - The rate of \$0.04 per gallon discharged will be assigned to all permitted septage and portable toilet wastehaulers.
2. Grease trap wastes - The rate of \$0.05 per gallon discharged will be assigned to all permitted grease trap wastehaulers.
3. Sludge wastes - This rate will vary dependent on strength and volume. Sludge rates will be calculated using the parameter costs for the mixing tank location.

4. Miscellaneous Wastes - This rate will vary dependent on strength of waste, volume and discharge location.

These rates will be used for all permits effective July 1, 2018.

(n) In the event a person, lot, parcel of land, building or premises threatens to discharge or discharges sewage or waste into or near the Authority's publicly owned treatment works, either directly or indirectly, which in the opinion of the Authority will or is likely to bypass, upset, harm or endanger the facilities of the Authority, then such person or the owner or operator of such lot, parcel of land, building or premises shall pay to the Authority charges for any and all clean up, removal and remediation costs actually incurred by the Authority, including but not limited to labor, materials, equipment, insurances or laboratory services for the (i) containment or attempted containment of such discharge or threatened discharge, (ii) sampling and analysis of such discharge or threatened discharge, (iii) removal or attempted removal of such discharge or threatened discharge, (iv) taking of reasonable measures to prevent or mitigate damage to property, public health, safety or welfare, or (v) remediation, treatment, storage or disposal of such discharge or threatened discharge and all soils, water or structures affected by such discharge.

(o) All industrial users and wastehaulers shall pay to the Authority a charge for the actual costs of analysis incurred by the Authority for the annual or other monitoring of any and all discharges of such users.

(p) Any person who is granted a temporary permit to discharge into the facilities of the Authority shall pay a permit fee of \$500.00 to the Authority as a condition of the issuance of such permit.

(q) Except as otherwise defined herein, all terms and phrases used or contained in this schedule of sewer rents shall bear the same meaning and definition as set forth in the Authority's Sewer Use Regulations 21 N.Y.C.R.R. Part 10075 and New York Public Authorities Law Section 1175 *et seq.*

(r) Sewer rents and charges as herein provided shall be payable at the office of the Director of the Treasury for the City at Room 117, City Hall, Buffalo, New York 14202, or at such other location or address as may be set forth on the Authority's invoice, and shall become due and payable as follows:

1. So much of the sewer rents and charges as are based upon water use and the drainage connection service charge covering the respective premises, or such other charges as provided herein shall be due and payable, except as otherwise stated in this schedule or in such invoice, on the same day, one month following the month of the invoice billing date, and such invoice may be billed monthly, quarterly or as otherwise determined by the Authority; and
2. So much of the sewer rents and charges as are based upon the assessed valuation of chargeable real estate shall become due and payable from the first day of July 1938, and each year thereafter, and may be paid without interest on or before September 30th next succeeding.

(s) Such sewer rents and charges that remain unpaid after their respective due dates shall be charged interest, and such interest shall continue to be charged until such sewer rents and charges are paid in full, as follows:

1. Sewer rents based upon water use and drainage connection service charges shall be charged interest at the same rate as unpaid City taxes, to wit: four and one-half percent (4.5%) interest shall be added to amounts unpaid from the first through the thirtieth day after the due date, and thereafter one and one-half percent (1.5%) shall be added to all amounts that remain unpaid for each succeeding month;
2. Sewer rents based upon assessed valuation of chargeable real estate that remain unpaid on October 1 of each year shall be charged interest at the rate of two percent (2%), and such sewer rents that remain unpaid shall be charged two percent (2%) for each month thereafter until paid; and
3. All other sewer rents and charges of the Authority shall be charged interest at the rate of one and one-half percent (1.5%) per month if not paid by the due date stated on the invoice issued by the Authority.

(t) All persons and property served by the Authority shall be subject to paying reasonable costs and expenses, including attorney fees incurred in the collection of sewer rents and charges that remain unpaid, as may be determined by the Board of the Authority. In addition to any other remedy or provision hereof, the Authority reserves the right to engage in such collection activities, as it deems appropriate, for all accounts that remain unpaid after the due date. In consideration of such collection activities and to defray the cost thereof with respect to accounts based on water use and drainage connection service, the person or property served by the Authority may pay an additional charge of twenty-one percent (21%) of the amount of each such delinquent account, together with interest as provided herein, that remains unpaid for more than (i) one hundred twenty (120) days from the due date for metered accounts, and (ii) two hundred ten (210) days from the due date for non-metered flat rate accounts. Due date, as used herein, means the date that the Authority's sewer rent and other charges are due and payable pursuant to III (q) (1) and III (q) (2), herein, respectively.

(u) Invoice statements shall be mailed or delivered to the address of the owner or user, as the case may be, as such address appears on the Authority's records. Such mailing or delivery is a matter of convenience. Failure of an owner or user to receive an invoice statement shall not release such owner or user from the obligation to pay such invoice statement, together with any other charges and interest which may accrue on unpaid amounts.

(v) All invoices shall be paid in United States dollars and may be paid by cash, check or MasterCard and Visa at Room 117, City Hall, Buffalo, New York or such other location or address as may be provided on such invoice, by internet, or by telephone as set forth on the invoice. All persons who pay by credit or debit card made through the City of Buffalo Website shall pay the Authority a charge of the greater of two percent (2%) of the amount paid, or two dollars (\$2.00) for each credit card payment transaction as a handling charge. Also, all persons who pay by debit or check cards shall pay the Authority a two dollar (\$2.00) charge for each such transaction as a convenience fee. Multiple payments in the same transaction will be

charged the convenience fee only once. The convenience fee will be added automatically to each transaction.

IV. LIEN OF SEWER RENT

From and after the due date thereof, such sewer rents and charges, together with any interest and collection costs shall constitute a lien upon the real property served by the facilities. Such lien shall have the same priority and superiority as the lien of the general tax of the City.

V. EFFECTIVE DATE OF THIS SCHEDULE

This schedule of sewer rents and other charges shall become effective July 1, 2018; provided, however, that the sewer rents and other charges herein set forth, applicable to water use, shall become effective on all billings on and after August 1, 2018, excepting only monthly metered accounts for July 2018, and Section "W" of the quarterly metered accounts for the period May, June, and July 2018, which shall be billed according to the schedule of rents in effect prior to July 1, 2018.

Stories High:	1	1 ½	2	2 ½	3	4	5
Under 25 ft	21.65	24.38	29.76	35.17	37.84	40.57	45.97
From 25 ft to 30 ft	24.38	29.76	35.17	37.84	40.57	45.97	51.35
From 31 ft to 35 ft	29.76	35.17	37.84	40.57	45.97	51.35	56.74
From 36 ft to 40 ft	35.17	37.84	40.57	45.97	51.35	56.74	59.44
From 41 ft to 45 ft	37.84	40.57	45.97	51.35	56.74	59.44	62.12
From 46 ft to 50 ft	40.57	45.97	51.35	56.74	59.44	62.12	67.56

The Following Rates Apply To More Than One Family Homes or Housekeeping:

1 Family	21.65
2 Families	43.29
3 Families	64.94
4 Families	86.58
5 Families	108.03
6 Families	129.87

Bathtubs & Showers *Bathtubs with attached showers are charged for only bathtubs

1 Bathtub	5.45
2 Bathtubs	10.91
3 Bathtubs	16.36
4 Bathtubs	21.81
5 Bathtubs	27.27
6 Bathtubs	32.72
7 Bathtubs	38.17
8 Bathtubs	43.63
9 Bathtubs	49.08

Toilets:	1 Family	2 Family	3 Family	4 Family	5 Family	6 Family
1 Toilet	10.86					
2 Toilets	19.15	21.73				
3 Toilets	27.43	30.01	32.59			
4 Toilets	35.72	38.30	40.88	43.46		
5 Toilets	44.00	46.58	49.16	51.74	54.32	
6 Toilets	52.29	54.87	57.45	60.03	62.61	65.19
7 Toilets	60.57	63.15	65.73	68.31	70.89	73.47
8 Toilets	68.86	71.44	74.02	76.60	79.18	81.76
9 Toilets	77.14	79.72	82.30	84.88	87.46	90.04
Each Additional Toilet	8.28					

Boarder or Roomer

1	4.13
2	8.26
3	12.38
4	16.51

Office with Water: 21.65

Office without Water: 10.86

Hot Water Heating Billed in November & February:

1	10.84
2	21.67
3	32.51
4	43.35
5	54.18
6	65.02
7	75.86
8	86.69

Car in Garage:

	Garage w/out Water	Garage w/Water
1 Car	10.84	21.66
2 Cars	21.67	43.32
3 Cars	32.51	64.98
4 Cars	43.35	86.69
5 Cars	54.18	108.30
6 Cars	65.02	129.96
7 Cars	75.86	151.62
8 Cars	86.69	173.28

ITEM NO. 6

CONSTRUCTION FUND AMENDMENT

WHEREAS: The Buffalo Sewer Authority desires to fund the Five Year Capital Plan in order to continue its program of improving the sewer system; and

WHEREAS: There is funding available from the 2016-2017 Fund Balance designated for Capital Projects; and

WHEREAS: The General Manager recommends approval of this transfer.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the transfer of funds from the Fund Balance Designated for Capital Projects to the Construction Fund Budget Amendment for 2017-2018 for the funding of the listed projects as designated by the Amendment.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 9, 2018

BUFFALO SEWER AUTHORITY
CONSTRUCTION FUND BUDGET AMENDMENT #1
2017-2018 FISCAL YEAR

This Amendment to the Construction Fund utilizes funds from prior years to provide improvements to the infrastructure of the Buffalo Sewer Authority as designated by the Five Year Capital Plan.

The funds will be added to the various appropriation accounts as listed below:

REVENUES & RESOURCES

FUND BALANCE DESIGNATED FOR CAPITAL PROJECTS	<u>\$18,888,901</u>
TOTAL REVENUE & RESOURCES	<u>\$18,888,901</u>

APPROPRIATIONS

TREATMENT PLANT:

Harbor Gates/Inlet Gates Rehabilitation	\$1,750,000
Locker Room Improvements Throughout Plant	850,000
Term Plant Contracts (In-Plant Service) Electrical	500,000
Term Plant Contracts (In-Plant Service) Mechanical	500,000
Term Plant Contracts (In-Plant Service) Steam	500,000
Thickeners Rehabilitation	300,000

COLLECTION SYSTEM:

Sewer Cleaning, Inspection, and Analysis-Preventative	\$ 1,500,000
Sewer Cleaning, Inspection, and Analysis-Corrective	3,000,000
Unanticipated Sewer Replacement	297,901
Sewer Repair and Rehabilitation	3,250,000
Niagara Street Phase 3	4,000,000
Scajaquada District RTC	2,441,000

TOTAL APPROPRIATIONS	<u>\$18,888,901</u>
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ITEM NO. 7

TRAVEL AUTHORIZATION - ALBANY, NEW YORK

WHEREAS: The New York Energy Resource and Development Agency is hosting government representatives at its 2018 New York State: Leadership in Advancing Clean Energy Solutions for Low-Income Residents and Communities Conference, on May 22-23, 2018 in Albany, New York; and

WHEREAS: It is imperative the Buffalo Sewer Authority remain current on energy policies and initiatives in order to ensure additional funding for critical efficiency projects; and

WHEREAS: The General Manager requests authorization for the General Counsel (BSA) to represent the Authority and attend the New York State: Leadership in Advancing Clean Energy Solutions for Low-Income Residents and Communities Conference in Albany, New York.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo of Buffalo Sewer Authority hereby authorizes the General Counsel (BSA) to travel to Albany, New York from May 22-23, 2018, to attend this conference for a cost not to exceed \$500.00. Account no. 00600104-458010 will be utilized for this travel.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. ROOSEVELT</u>		
2 ND BY	<u>MS. PETRUCCI</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of May 9, 2018

ITEM NO. 8

TRAVEL AUTHORIZATION - BOLTON LANDING, NEW YORK

WHEREAS: The New York Water Environment Association (NYWEA) is holding its Spring Technical Conference and Exhibit in Bolton Landing, New York from June 10-13, 2018; and

WHEREAS: As a Utility Member of NYWEA, several Authority staff members serve on the organization board, committee and task forces that hold their semi-annual meetings at this conference. In addition, this conference provides an important opportunity for ongoing training and peer-learning with other water professionals across New York State; and

WHEREAS: The General Manager recommends attendance at this conference for himself, the Treatment Plant Superintendent, Treatment Plant Administrator, Assistant Principal Engineer and Shift Superintendents; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager, the Treatment Plant Superintendent, Treatment Plant Administrator, Assistant Principal Engineer, and Shift Superintendents to travel to Bolton Landing, New York, to attend the NYWEA Spring Technical Conference and Exhibit from June 9-13, 2018, for a total cost not to exceed \$12,000.00. Account nos. 00110104-458010, 00110104-458012, 00200104-458010, 00200104-458012, 00600104-458010 and 00600104-458012 will be utilized for this travel.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MS. PETRUCCI</u>		
2 ND BY	<u>MR. ROOSEVELT</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of May 9, 2018

ITEM NO. 9

TRAVEL AUTHORIZATION - MONTREAL, QUEBEC

WHEREAS: The International Council for Local Environmental Initiatives (ICLEI) – Local Governments for Sustainability World Congress will be held in Montreal, Quebec focusing on the impact that cities and regions have in the areas of green infrastructure, resource efficiency, and, sustainable and collaborative development; and

WHEREAS: Best practices for green infrastructure, resource efficiency and sustainability are of special interest to the Buffalo Sewer Authority in support of the Authority's operations and Long Term Control Plan to eliminate the effects of combined sewer overflows; and

WHEREAS: The International Council for Local Environmental Initiatives – Local Governments for Sustainability has invited the General Manager to present in Montreal, Quebec on the Buffalo's urban green infrastructure transition, June 19-22, 2018, as part of its support of City collaboration on sustainability principles.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Montreal, Quebec from June 19- 22 to present and attend the ICLEI World Congress. Travel and accommodation will be supplemented by ICLEI – Local Governments for Sustainability as conference sponsors. Expenses for expected ancillary costs not exceeding \$900.00 will be charged to account no. 00110104-458010.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. ROOSEVELT</u>		
2 ND BY	<u>MS. PETRUCCI</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of May 9, 2018

ITEM NO. 10

CONTRACT APPROVAL - PROPERTY AND CRIME INSURANCE

WHEREAS: The Buffalo Sewer Authority currently receives property insurance coverage through Affiliated FM Insurance Company, and crime insurance coverage through Fidelity & Deposit Co. of MD (Zurich Insurance Group); and

WHEREAS: Affiliated FM Insurance Company has proposed a renewal extension to the Buffalo Sewer Authority for property insurance coverage for the period April 15, 2018 through April 15, 2019, at a cost of \$165,057.91; and

WHEREAS: Fidelity & Deposit (Zurich Insurance Group) has proposed a renewal extension to the Buffalo Sewer Authority for crime insurance coverage for the period April 15, 2018 through April 15, 2019, at a cost not to exceed \$1,659.00; and

WHEREAS: The Executive Secretary of the Buffalo Sewer Authority has carefully reviewed the policies and recommends acceptance of these proposals; and

WHEREAS: Due to time constraints, the Board of the Buffalo Sewer Authority was polled on April 11, 2018, and verbally authorized renewal of these policies; and

WHEREAS: It is now necessary to formally ratify this authorization.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby formally approves property insurance coverage through Affiliated FM Insurance Company at a cost not to exceed \$165,057.91, and crime insurance coverage through Fidelity & Deposit (Zurich Insurance Group) at a cost not to exceed \$1,659.00, effective April 15, 2018, for a one-year period, at a total cost not to exceed \$166,716.91. These costs shall be charged to account nos. 00200108-452000 and 00650108-452000 on a pro rata basis.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MS. PETRUCCI</u>		
2 ND BY	<u>MR. ROOSEVELT</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of May 9, 2018

ITEM NO. 11

AUTHORIZATION FOR RENEWAL OF ANNUAL CUSTOMER SUPPORT PLAN

WHEREAS: The Buffalo Sewer Authority utilizes Maximo Maintenance System software for its asset management, work order tracking, purchasing and inventory control program; and

WHEREAS: An annual customer support plan is beneficial in order to keep current, receive the latest releases of this program and receive unlimited off-site support; and

WHEREAS: The Treatment Plant Superintendent, System Administrator and staff recommend renewal of the annual customer support plan with International Business Machines Corporation for the period July 1, 2018 through June 30, 2019 for a cost of \$87,476.00; and

WHEREAS: Board approval is required on services over \$35,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the annual customer support plan with International Business Machines Corporation for a one-year period, July 1, 2018 through June 30, 2019, at a cost not to exceed \$87,476.00. Account no. 00200106-443420 will be charged for this service.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 12

JANITORIAL SERVICES CONTRACT RENEWAL - NYS PREFERRED SOURCE

- WHEREAS: New York State Industries for the Disabled (NYSID) is a not-for-profit corporation appointed by the New York State Department of Education to secure and administer contracts on behalf of community rehabilitation agencies. NYSID is a New York State preferred source under Section 162 of the State Finance Law. This preferred source status authorizes state and local governments to utilize and purchase NYSID products and services without competitive bidding; and
- WHEREAS: On May 10, 2017, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with the preferred source vendor, NYSID through its member agency, Heritage Centers, also known by Allentown Industries, to perform janitorial services at the Buffalo Sewer Authority facilities for a one-year period from July 1, 2017 to June 30, 2018, at a total cost not to exceed \$66,924.44; and
- WHEREAS: The NYS Department of Labor's prevailing wage and supplemental benefit rate increased on July 1, 2017, from \$13.15 to \$15.88 per hour, resulting in a total contract increase of \$11,082.42; and
- WHEREAS: On September 20, 2017, the Board of the Buffalo Sewer Authority authorized the General Manager to increase the previously authorized amount from \$66,924.44 to a total not to exceed \$78,006.86 for fiscal year 2017-2018; and
- WHEREAS: The General Manager, Treatment Plant Superintendent and staff recommend renewal of this contract for janitorial services for fiscal year 2018-2019.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract renewal with NYSID, as a preferred source, through its member agency, Heritage Centers, also known by Allentown Industries, to perform janitorial services at the Buffalo Sewer Authority facilities for a one-year period from July 1, 2018 to June 30, 2019, at a total cost not to exceed \$78,006.86. Expenses for this contract will be charged to account nos. 00110106-434000, 00200106-434000 and 00650106-434000.

MOTION TO	APPROVE		
MADE BY	MS. PETRUCCI		
2 ND BY	MR. ROOSEVELT		
AYES	3	NOES	0

Board Meeting of May 9, 2018

ITEM NO. 13

AUTHORIZATION FOR CHANGE ORDER TO BLANKET PURCHASE ORDER NO. 21800147

- WHEREAS: On April 2, 2014, the Board of the Buffalo Sewer Authority awarded a contract to Bison Laboratories, for the purchase of sodium hypochlorite for the Bird Island Facility at a cost of \$0.54/per gallon for a one year period July 1, 2014 to June 30, 2015, with an option to renew for four (4) one-year periods at total cost not to exceed \$545,000.00; and
- WHEREAS: On March 1, 2017, the Board authorized the extension of this contract for the period July 1, 2017 to June 30, 2018; and
- WHEREAS: Due to disinfection requirements at the Bird Island Facility, an increase was required in accordance with the operational needs; and
- WHEREAS: It is now necessary to increase Blanket Purchase Order No. 21800147 in the amount of \$155,000.00 from \$545,000.00 to \$700,000.00 for expected usage through June 30, 2018; and
- WHEREAS: The Treatment Plant Superintendent and staff recommend this increase of \$155,000.00 fiscal year totals to a not to exceed amount of \$700,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve a change order in the amount of \$155,000.00, increasing Blanket Purchase Order No. 21800147 with Bison Laboratories from \$545,000.00 to \$700,000.00 through June 30, 2018. Funds for this change order will be charged to account no. 00330105-467044.

MOTION TO	APPROVE
MADE BY	MR. ROOSEVELT
2 ND BY	MS. PETRUCCI
AYES	3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 14

CHANGE ORDER NO. 1 – CONTRACT NO. 81700018

CONTRACTOR:	ORIGINAL CONTRACT COST	\$445,197.00
Mollenberg Betz, Inc.	PREVIOUS CHANGE ORDER	N/A
300 Scott Street	THIS CHANGE ORDER (DEDUCT)	<u>(\$4,257.00)</u>
Buffalo, New York 14204	ADJUSTED CONTRACT COST	\$440,940.00

PROJECT: Auxiliary Boiler #3 Burner Rehabilitation

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Unused Contingency Allowance

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Unused Contingency Allowance

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$4,257.00)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$4,257.00)

The total DECREASE to the contract as a result of this Change Order is \$4,257.00

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE

BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81700018 as written in the above Agenda Item, decreasing the contract cost in the amount of \$4,257.00 making the adjusted contract cost \$440,940.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 15

CONTRACT NO. 81700018

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Auxiliary Boiler #3 Burner Rehabilitation

BID: \$445,197.00

CONTRACTOR: Mollenberg Betz, Inc.
300 Scott Street.
Buffalo, NY 14204

WHEREAS: The Treatment Plant Administrator and Principal Chief Stationary Engineer have certified that the Contractor completed the work in accordance with the plans and specifications on April 30, 2018; and

WHEREAS: The Board of the Buffalo Sewer Authority approved Change Order No. 1 on May 9, 2018, in the amount of (\$4,257.00), thereby bringing the final adjusted contract amount to \$440,940.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of April 30, 2018;
- c. The maintenance period commence on April 30, 2018;
- d. Final payment be made to the Contractor in the amount of \$22,047.00, making the final cost of the contract \$440,940.00.

MOTION TO	APPROVE
MADE BY	MS. PETRUCCI
2 ND BY	MR. ROOSEVELT
AYES	3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 16

CHANGE ORDER NO. 1 – CONTRACT NO. 81700016

CONTRACTOR:	ORIGINAL CONTRACT COST	\$795,500.00
Quackenbush Company, Inc.	PREVIOUS CHANGE ORDER	N/A
495 Kennedy Road	THIS CHANGE ORDER (DEDUCT)	<u>(\$16,758.60)</u>
Buffalo, New York 14227	ADJUSTED CONTRACT COST	\$778,741.40

PROJECT: Absorption Chiller #2 Replacement & Chiller #3 Removal

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Unused Electrical Allowance

Item #2 Unused Mechanical Allowance

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Unused Electrical Allowance

Item #2 Unused Mechanical Allowance

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$15,000.00)

Item #1 (\$1,758.60)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$16,758.60)

The total DECREASE to the contract as a result of this Change Order is \$16,758.60

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.

2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE

BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81700016 as written in the above Agenda Item, decreasing the contract cost in the amount of \$16,758.60 making the adjusted contract cost \$778,741.40.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 17

CONTRACT NO. 81700016

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Absorption Chiller #2 Replacement & Chiller #3 Removal

BID: \$795,500.00

CONTRACTOR: Quackenbush Company, Inc.
495 Kennedy Road.
Buffalo, NY 14227

WHEREAS: In concurrence with our consulting engineer, Watts Architecture & Engineering, the Treatment Plant Administrator has certified that the Contractor completed the work in accordance with the plans and specifications on March 6, 2018; and

WHEREAS: The Board of the Buffalo Sewer Authority approved Change Order No. 1 on May 9, 2018, in the amount of (\$16,758.60), thereby bringing the final adjusted contract amount to \$778,741.40.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of April 30, 2018;
- c. The maintenance period commence on April 30, 2018;
- d. Final payment be made to the Contractor in the amount of \$38,912.07, making the final cost of the contract \$778,741.40.

MOTION TO APPROVEMADE BY MS. PETRUCCI2ND BY MR. ROOSEVELTAYES 3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 18

AUTHORIZATION FOR PURCHASE OF TRASH RACK PARTS FOR HAMBURG STREET PUMPING STATION

- WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated WSG and Solutions, Inc., the original equipment manufacturer, and/or their authorized local service representative, as a sole source for replacement parts, supplies and services for WSG and Solutions brand parts including grit collectors and bar screen equipment installed at the Bird Island Facility; and
- WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for parts for the trash rack for Hamburg Street Pumping Station; and
- WHEREAS: Upon request WSG and Solutions, Inc., submitted a quote in the amount of \$5,744.00 for the needed parts for the trash rack; and
- WHEREAS: Monies payable to date to WSG and Solutions, Inc., for parts and supplies in fiscal year 2017-2018 are \$31,513.00. This purchase will bring the total monies payable for purchases to \$37,257.00; and
- WHEREAS: Board approval is required on purchases over \$20,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed parts for the trash rack in the Hamburg Street Pumping Station in the amount of \$5,744.00. This purchase will be charged to account no. 00410105-466107. The Board further authorizes total monies payable to WSG and Solutions, Inc., in the amount of \$37,257.00 for fiscal year 2017-2018.

MOTION TO	APPROVE
MADE BY	MR. ROOSEVELT
2 ND BY	MS. PETRUCCI
AYES	3
NOES	0

Board Meeting of May 9, 2018

ITEM NO. 19

AUTHORIZATION FOR PURCHASE OF PARTS AND REPAIR SERVICES FOR COMPRESSOR NO. 4

- WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Comairco Equipment, Inc., the original equipment manufacturer, and/or their authorized local service representative, as a sole source provider for replacement parts, supplies and services for the Cooper Turbo Air and Series 8 compressors installed at the Bird Island Facility; and
- WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for parts and repair services on compressor no. 4; and
- WHEREAS: Upon request, Comairco Equipment, Inc., submitted estimates totaling \$38,480.57 for parts, services and rental units needed to repair compressor no. 4; and
- WHEREAS: Monies payable to date to Comairco Equipment, Inc., for service and parts for the Cooper Turbo Air and Series 8 compressors in fiscal year 2017-2018 are \$67,582.82. This purchase will bring the total monies payable to Comairco Equipment, Inc., for purchases and services to \$107,582.82; and
- WHEREAS: Board approval is required on purchases over \$20,000.00 and services over \$35,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize the services of Comairco Equipment, Inc., for the needed repair services, parts and rental of units for compressor no. 4 in an amount not to exceed \$38,480.57, including freight. Account nos. 00380105-466107 and 00380106-443301 will be charged for these parts and repair services. The Board further authorizes total monies payable to Comairco Equipment, Inc., for an amount of \$107,582.82 for fiscal year 2017-2018.

MOTION TO	APPROVE
MADE BY	MS. PETRUCCI
2 ND BY	MR. ROOSEVELT
AYES	3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 20

AUTHORIZATION FOR PURCHASE OF PARTS AND REPAIR SERVICES FOR DIGESTER COMPRESSORS NO. 9 AND NO. 10

- WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Ingersoll Rand, (Parent Company for Dresser Rand) the original equipment manufacturer, and/or their authorized local service representative, as a sole source provider for replacement parts, supplies and services for the gas compressors and parts for compressors in the Grit Building at the Bird Island Facility; and
- WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for parts and repair services on the no. 9 and no.10 digester compressors; and
- WHEREAS: Upon request, Ingersoll Rand submitted estimates totaling \$117,647.00 for parts and services needed to repair digester compressors no. 9 and no.10; and
- WHEREAS: Monies payable to date to Ingersoll Rand for repairs and services in fiscal year 2017-2018 are \$11,354.36. This purchase will bring the total monies payable to Ingersoll Rand, for purchases and services to \$127,153.36; and
- WHEREAS: Board approval is required on purchases over \$20,000.00 and services over \$35,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize the services of Ingersoll Rand for the needed repair services and parts for the no. 9 and no. 10 digester compressors in the amount not to exceed \$117,647.00. Account nos. 00270105-466107 and 00270106-443301 will be charged for these parts and repair services. The Board further authorizes total monies payable to Ingersoll Rand in the amount of \$127,153.36 for fiscal year 2017-2018.

MOTION TO	APPROVE
MADE BY	MR. ROOSEVELT
2 ND BY	MS. PETRUCCI
AYES	3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 21

AUTHORIZATION FOR PURCHASE OF PARTS FOR CENTRIFUGE NOS. 1, 2 & 3

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated GEA Mechanical Equipment US, Inc./GEA Westfalia Separator Division, Inc., the original equipment manufacturer and/or their authorized local representative, as a sole source for all Westfalia brand centrifuge parts, supplies and service; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for tools and parts for the repair of Westfalia Centrifuge Nos. 1, 2 & 3. Upon request, GEA Westfalia Separator Division, Inc., submitted a quote in an estimated amount of \$28,000.00 for parts, tools and freight.

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance and staff reviewed the quote received and recommend the purchase of parts and tools from GEA Mechanical Equipment US, Inc.; and

WHEREAS: Monies payable to date to GEA Mechanical Equipment US, Inc., for Westfalia brand products and services for fiscal year 2017-2018 are \$288,225.55. This purchase will bring the total monies payable for purchase to \$316,225.55; and

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the GEA Westfalia parts, tools and estimated freight for centrifuge gear repairs for Centrifuge Nos. 1, 2 and 3 at a cost not to exceed \$28,000.00. This purchase will be charged to account no. 00370105-466107. The Board further authorizes total monies payable to GEA Westfalia Separator Division, Inc., in the amount of \$316,225.55 for fiscal year 2017-2018.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MS. PETRUCCI	_____
2 ND BY	_____	MR. ROOSEVELT	_____
AYES	_____	3	NOES _____ 0

Board Meeting of May 9, 2018

ITEM NO. 22

REPORT ON BIDS RECEIVED - RESTOCK MOYNO PARTS FOR THICKENERS

WHEREAS: Bids were solicited and received for various Moyno parts needed for thickeners. Bids are as follows:

WHEREAS:

VENDOR	BID
Corrosion Products/CPE	\$28,561.02
Midway Industrial Supply	\$20,188.00 Offering Substitute
NOV Process and Control Technologies	\$41,295.69

; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff reviewed the quotes and deemed that the substitute parts are not acceptable as there was insufficient information provided within documentation to confirm changeability and conformance, creating unnecessary risk; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this purchase be awarded to Corrosion Parts/CPE, the apparent second low bidder meeting the specifications, at a total cost not to exceed \$28,561.02; and

WHEREAS: Monies payable to date to Corrosion Parts/CPE for Moyno Products in fiscal year 2017-2018 are \$39,499.73. This purchase will bring the total monies payable to Corrosion Parts/CPE for purchases to \$68,060.75. and;

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the Moyno parts for the thickeners from Corrosion Parts/CPE at a total cost of \$28,561.02. This purchase will be charged to account no. 00240105-466107. The Board further authorizes total monies payable to Corrosion Parts/CPE in the amount of \$68,060.75 for fiscal year 2017-2018.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 23

**REPORT ON BIDS RECEIVED - UNINTERRUPTIBLE POWER SYSTEM - POWERWARE
9155 MODEL 8 kVA/7 skW**

WHEREAS: Bids were solicited and received for the Uninterruptible Power System (UPS) Powerware 9155 Model 8 kVA/7 skW as follows:

WHEREAS:

VENDOR	BID
Eaton Corporation	\$25,322.11
Eaton Power	\$26,148.00
R.M. Stoof & Associates, Inc.	\$27,792.00
Digi-Key	NO BID

; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, System Administrator and staff reviewed the quotes received and recommend this purchase be awarded to the low bidder, Eaton Corporation, at a total cost not to exceed \$25,322.11; and

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the UPS System; Powerware 9155 Model 8 kVA/7.2kW from Eaton Corporation at a total cost of \$25,322.11. This purchase will be charged to account no. 00200107-474300.

MOTION TO	APPROVE
MADE BY	MR. ROOSEVELT
2 ND BY	MS. PETRUCCI
AYES	3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 24

CHANGE ORDER NO. 1 – CONTRACT NO. 81800011

CONSULTANT:	ORIGINAL CONTRACT COST	\$185,000.00
Wendel	PREVIOUS CHANGE ORDER	N/A
375 Essjay Road	THIS CHANGE ORDER	<u>\$69,500.00</u>
Williamsville, NY 14221	ADJUSTED CONTRACT COST	\$254,500.00

PROJECT: Hertel South Inline Storage Real Time Control Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional field survey, geotechnical investigations, CCTV pipe inspections, and structure and electrical design

REASON FOR CHANGE OR EXTRA WORK:

Item #1 During development of the Basis of Design Report, it was realized that the scope of the original project could be expanded to incorporate the Hertel North sewer as well as the Hertel South sewer. This will increase storage capacity of this site, contributing to the potential eliminating or reduction of the size of a future satellite storage tank.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$69,500.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$69,500.00

The total INCREASE to the contract as a result of this Change Order is \$69,500.00

NOW THEREFORE**BE IT RESOLVED:**

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81800011 as written in the above Agenda Item, increasing the contract cost in the amount of \$69,500.00, making the adjusted contract cost \$254,500.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 25

AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN

WHEREAS: There is a need to modify the Job Classification Plan.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority approves the addition of the following positions to Job the Classification Plan:

Ten (10) Interns

00110121 411001

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. ROOSEVELT</u>		
2 ND BY	<u>MS. PETRUCCI</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of May 9, 2018

ITEM NO. 26

APPROVAL TO GRANT INTERMITTENT UNION BUSINESS TIME OFF FOR BUFFALO SEWER AUTHORITY CSEA UNIT #6715 NEGOTIATING TEAM

- WHEREAS: The Current Contract Between the Buffalo Sewer Authority and the CSEA, Local 1000 AFSCME, AFL-CIO is for July 1, 2014 through June 30, 2018. The negotiating process is ready to commence for a future contract; and
- WHEREAS: In accordance with Section 5 of the contract, "upon prior formal written request and the Buffalo Sewer Authority Board approval, any member of the Union who is elected or designated to attend a function of the Union, international or other subordinate body, shall be permitted to attend such functions and shall be granted the necessary time off, without loss of either time or pay, provided that the said time off is a reasonable duration as determined by the Department Head."; and
- WHEREAS: The Buffalo Sewer Authority CSEA Unit #6715 has appointed a negotiating team consisting of the following duly elected officials: Julia Olszewski, President; Denis Deegan, Vice President; MaryBeth Wiles, Secretary; Richard Bonner, Treasurer; and the following union members: Lori Scaletta and Thomas Mancini.
- NOW THEREFORE
BE IT RESOLVED: That the Buffalo Sewer Authority Board hereby recognizes the above members of the collective bargain negotiating team and authorizes the General Manager to allow the Department Heads to approve reasonable intermittent Union Business time off during the negotiating process.

MOTION TO APPROVEMADE BY MS. PETRUCCI2ND BY MR. ROOSEVELTAYES 3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 27

TUITION ASSISTANCE

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employee has applied for Tuition Assistance:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>DEGREE</u>	<u>TUITION</u>
Daniel P. O'Sullivan	Erie Community College	Civil Engineering Technology	Associate in Applied Science	\$16,325.00

WHEREAS: No Funds will be expended at this time.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Assistance.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 9, 2018

ITEM NO. 28

ADJOURNMENT OF MEETINGMOTION TO APPROVEMADE BY MS. PETRUCCI2ND BY MR. ROOSEVELTAYES 3 NOES

Board Meeting of May 9, 2018