

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
November 3, 2010**

53307.....53325



# BUFFALO SEWER AUTHORITY

November 3, 2010

**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>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor C. Wilson-Divincenzo</u>	<u>Secretary</u>
	<u>John E. Kennedy, Jr.</u>	<u>Assistant Secretary</u>
	<u>David Comerford</u>	<u>General Manager</u>
	<u>Oluwole McFoy</u>	<u>Secretary to the General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>James Eagan, P.E.</u>	<u>Sr. Sanitary Engineering Supervisor</u>
	<u>James Keller</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Thomas Caulfield</u>	<u>Admin. of Capital Improvements &amp; Development</u>
	<u>Laura Surdej</u>	<u>Erie Co. Division of Sewerage Management</u>
	<u></u>	<u></u>
Absent:	<u>none</u>	<u></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 October 13, 2010

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MS. WILSON-DIVINCENZO</u>
2 <sup>ND</sup> BY	<u>MR. KENNEDY, JR.</u>
AYES	<u>5</u>
NOES	<u>0</u>

Board Meeting of November 3, 2010

## ITEM NO. 2

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

October 26, 2010

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CAPITAL IMPROVEMENT FUND</b>						
15-Apr-02	Money Market		\$500,000.00	Chase	0.50%	High Yield
<b>CONSTRUCTION FUND</b>						
08-Apr-02	Money Market		\$40,621,926.04	Chase	0.50%	High Yield
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
22-Apr-02	Money Market		\$1,009,176.07	Chase	0.50%	High Yield
<b>OPERATING FUND</b>						
08-Apr-02	Money Market		\$3,445,687.28	Chase	0.50%	High Yield
<b>TRUST &amp; AGENCY FUND</b>						
06-May-02	Money Market		\$33,607.20	Chase	0.50%	High Yield
<b>SURPLUS FUND</b>						
			\$229.95	MTB Funds		
28-Sep-10	30-Dec-10	93	\$4,394,955.40	M&T Securities	0.18%	\$2,044.60
			<u>\$4,395,185.35</u>			
<b>NET REVENUE FUND</b>						
			\$737.87	MTB Funds		
25-Aug-10	24-Nov-10	91	\$7,249,415.88	M&T Securities	0.25%	\$4,584.12
27-Sep-10	30-Dec-10	94	\$3,699,260.53	M&T Securities	0.18%	\$1,739.47
25-Oct-10	25-Jan-11	92	\$6,299,262.13	M&T Securities	0.17%	\$2,737.87
			<u>\$17,248,676.41</u>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>DEBT RESERVE FUND</b>						
30-Apr-10	03-Jun-11	399	\$1,007,669.72	Series F FHLB	0.42%	
30-Apr-10	10-Jun-11	406	\$333,570.61	Series F FHLB	0.42%	
01-Aug-08	06-Sep-13	1862	\$8,240,877.50	Series I FHLB	4.00%	
13-Mar-03	15-Apr-32		\$2,825,593.00	Series H SLG	4.35%	
04-Mar-04	15-Nov-33		\$774,061.00	Series J SLG	3.82%	
22-Jul-04	15-Feb-33		\$498,654.00	Series K SLG	4.63%	
27-Jul-06	01-Oct-35		\$952,666.00	Series L SLG	4.52%	

**RECEIVE & FILE**

Board Meeting of November 3, 2010

## 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 Buffalo Sewer Authority's operating budget.

**Wastewater Treatment Plant**

10/08/2010	00520106 Maintenance Services	-\$192,665.00	00380106 Incinerator Services	\$192,665.00
10/25/2010	00510106 Laboratory Services	-\$58.00	00550106 IWS Services	\$58.00

**Engineering Division**

10/12/2010	00650106 Sewer Maintenance Services	-\$500.00	00600106 Engineering Services	\$500.00
10/19/2010	00800183 Financial Contingency	-\$5,401.92	00600105 Engineering Supplies	\$5,401.92

**Sewer Maintenance Division**

10/05/2010	00800183 Financial Contingency	-\$17,856.00	00690107 Auto Capital Outlay	\$17,856.00
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**RECEIVE & FILE**

Board Meeting of November 3, 2010



ITEM NO. 4

**SCHEDULE OF BOARD MEETINGS FOR CALENDAR YEAR 2011**

WHEREAS: It is suggested that the new schedule for the calendar year 2011 be approved as follows:

**2011**

January 5	July 1 (ANNUAL MEETING) and 27
February 16	September 7
March 2	October 5
April 6	November 2
May 11 and 25	December 7
June 15	

All meetings are scheduled for Wednesdays at 9:00 AM at 1038 City Hall except the Annual Meeting scheduled for Friday, July 1, 2011, at 9:00 AM at the Wastewater Treatment Plant, Administration Building.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above Schedule of Board Meetings for the calendar year 2011.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2<sup>ND</sup> BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of November 3, 2010

## ITEM NO. 5

**AUTHORIZATION FOR RENEWAL OF MEMORANDUM OF AGREEMENT WITH THE WESTERN NEW YORK STORMWATER COALITION**

WHEREAS: In 2003 the Buffalo Sewer Authority was issued a New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer System (MS4). The Authority is among 41 communities in Western New York that own or operate a MS4; and

WHEREAS: On March 15, 2006, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a Memorandum of Agreement created by the Western New York Stormwater Coalition (consisting of these 41 communities) for the period December 31, 2005 through December 31, 2010, to work collectively to meet the requirements of the United States Environmental Protection Agency's "Phase II" Stormwater Regulations (40 C.F.R. Sections 9, 122, 123 and 124) and the New York State Department of Environmental Conservation's SPDES General Permit for Stormwater Discharges from MS4s (GP-0-10-002); and any amendments thereto; and

WHEREAS: The General Manager, Executive Secretary, Industrial Waste Administrator, and staff recommend renewal of the Memorandum of Agreement for the period December 31, 2010 through December 31, 2015.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute the above described renewal of the Memorandum of Agreement for the period December 31, 2010 through December 31, 2015. The Board further authorizes payment of the annual membership fee of \$1,250.00. Membership fees will be charged to account no. 00550106-464000.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2<sup>ND</sup> BY MR. KENNEDY, SR.

AYES 5 NOES 0

Board Meeting of November 3, 2010

## ITEM NO. 6

**AUTHORIZATION TO ENTER INTO AGREEMENT WITH MALCOLM PIRNIE, INC., FOR ENGINEERING SERVICES - MERCURY MINIMIZATION PROGRAM**

WHEREAS: The Buffalo Sewer Authority's SPDES Permit was modified on January 1, 2010. The modified permit requires, in part, that the Authority develop and immediately implement and maintain a Mercury Minimization Program (MMP) with the submittal of annual status reports; and

WHEREAS: The required annual status reports, the first of which is due to the NYSDEC by January 1, 2011, will summarize the Authority's efforts conducted in support of the MMP; and

WHEREAS: The Buffalo Sewer Authority staff requests assistance in preparation of the MMP and the first annual status report; and

WHEREAS: Upon request, Malcolm Pirnie, Inc., provided a quote in the amount of \$10,750.00 to prepare the MMP and first annual status report in compliance with the NYSDEC's requirements; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Industrial Waste Administrator and staff have reviewed and recommend accepting the proposal from Malcolm Pirnie, Inc. for this service.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with Malcolm Pirnie, Inc., to prepare the Authority's first annual status report for the Mercury Minimization Program (MMP) as outlined in their proposal dated October 21, 2010, for a total cost not to exceed \$10,750.00. Funds are available in account no. 00550106-432004.

MOTION TO APPROVE  
MADE BY MS. WILSON-DIVINCENZO  
2<sup>ND</sup> BY MR. KENNEDY, JR.  
AYES 5 NOES 0

Board Meeting of November 3, 2010

## ITEM NO. 7

**CHANGE ORDER NO. 1 – CONTRACT NO. 84900001**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$529,432.00
Hohl Industrial Services, Inc.	THIS CHANGE ORDER	<u>30,000.00</u>
70 Riverview Boulevard	ADJUSTED CONTRACT COST	\$559,432.00
Tonawanda, New York 14150		

WORK: Bird Island Sewage Treatment Plant Large Pump and Motor Rehabilitation Project

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Provide additional electrical modifications that included reconditioning of select cable/conduit and replacement of unusable connection box.  
 Provide additional work to the pump that included machining to the radial bearing and machining, boring and packing of the casing head.  
 Provide additional motor repair that included drum modifications to the motor clutch.  
 Expedited impeller costs.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 These required repairs were not detectable at the time of bid and could only be discovered after removal and disassembly of the pump and motor.

**COST OF CHANGE OR EXTRA WORK NOT TO EXCEED:**

Item #1 \$30,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$30,000.00

The total INCREASE to the contract as a result of this Change Order is \$30,000.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements remains 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. 84900001 as written in the above Agenda Item, increasing the contract cost in the amount not to exceed \$30,000.00, making the adjusted cost of the contract \$559,432.00.

MOTION TO                                  APPROVE                                 

MADE BY                                  MR. KENNEDY, SR.                                 

2<sup>ND</sup> BY                                  MR. KENNEDY, JR.                                 

AYES            5            NOES            0           

Board Meeting of November 3, 2010

## ITEM NO. 8

**CHANGE ORDER NO. 2 – CONTRACT NO. 84500014**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$150,800.00
CRA Infrastructure & Engineering, Inc.	PREVIOUS CHANGE ORDER	31,860.00
285 Delaware Avenue – Suite 500	THIS CHANGE ORDER	<u>172,800.00</u>
Buffalo, New York 14202	ADJUSTED CONTRACT COST	\$355,460.00

WORK:           Engineering Agreement with CRA Infrastructure & Engineering, Inc., for design and inspection of repairs to the South Buffalo Pump Station

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1   Install new adjustable speed drives.  
 Replacing pump discharge valves.  
 Replacing bar screen controls.  
 Replacement of incoming power automatic transfer switchgear.  
 Expanding the existing Radio Telemetry System.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1   This work is required in an effort to reduce premature wear on the newly rehabilitated pumps which would lead to reduced operating life and/or capacity.

**COST OF CHANGE OR EXTRA WORK (NOT TO EXCEED:**

Item #1       \$172,800.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK                   \$172,800.00

The total INCREASE to the contract as a result of this Change Order is       \$172,800.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1.   The contract completion date established in the original contract or as modified by previous contract supplements remains 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. 2 to Contract No. 84500014 as written in the above Agenda Item, increasing the contract cost in the amount not to exceed \$172,800.00, making the adjusted cost of the contract \$355,460.00.

MOTION TO APPROVE  
MADE BY MR. KENNEDY, JR.  
2<sup>ND</sup> BY MS. WILSON-DIVINCENZO  
AYES 5 NOES 0

Board Meeting of November 3, 2010

## ITEM NO. 9

**AUTHORIZATION FOR SERVICES FROM DRESSER ROOTS – UPGRADE TO AERATION BLOWER CONTROLS**

- WHEREAS: The Buffalo Sewer Authority utilizes four (4) large Dresser Roots blowers in providing aeration to the secondary treatment process at the Treatment Plant. Aeration provides dissolved oxygen (DO) to the secondary process which is necessary for full treatment and is essential for compliance with the Authority's SPDES permit; and
- WHEREAS: Aeration consumes approximately 30% of the facility's 64,000,000 kWh per year electric usage, which equates to an annual expenditure for supplying oxygen of \$1,728,000.00; and
- WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated Dresser Roots, the original equipment manufacturer, and/or their authorized local representative as a sole source for replacement parts and supplies for Dresser Roots brand equipment (blowers, exhausters, and compressors) at the Treatment Plant; and
- WHEREAS: The Treatment Plant Superintendent and staff have investigated aeration control systems to reduce these costs and recommend a proposed upgrade to our Dresser Roots system to reduce expected energy use by 3,800,000 kWh or \$342,000.00 per annum; and
- WHEREAS: Upgrades to the Aeration Blower Controls have been budgeted as part of the Buffalo Sewer Authority's Five-Year Capital Plan. The total project cost is estimated at \$800,000.00. This amount is eligible for a 50% rebate under the NYSERDA program for the energy savings with a potential return on investment of 1.2 years; and
- WHEREAS: Dresser Roots, the original equipment manufacturer, has submitted a proposal for the supply of the equipment in the amount of \$490,500.00; and
- WHEREAS: In an effort to reduce the overall cost of this project, the Authority will supply ancillary equipment and services through its established purchasing procedures and contracts.



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 with Dresser Roots for the Upgrades to the Aeration Blower Controls in the amount of \$490,500.00. Expenses for this purchase will be charged to account no. 02000279-490740.

MOTION TO                      APPROVE                     

MADE BY                      MR. KENNEDY, JR.                     

2<sup>ND</sup> BY                      MR. ROOSEVELT                     

AYES            5            NOES            0           

Board Meeting of November 3, 2010

## ITEM NO. 10

**AUTHORIZATION FOR COMPRESSOR SERVICE FROM INGERSOLL-RAND FOR FISCAL YEAR 2010-2011**

WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated Ingersoll-Rand, the parent company for the original equipment manufacturer, Dresser Rand, as a sole source for equipment repairs and supplies for the digester gas compressors and for compressors in the Grit Building located at the Treatment Plant; and

WHEREAS: The compressors are a vital part in the process of the Treatment Plant facility; and

WHEREAS: To date one quarterly maintenance inspection has been completed in addition to repairs for a total expended to date amount of \$4,664.54; and

WHEREAS: The Principal Chief Stationary Engineer requires additional work needed for the remainder of the fiscal year as follows:

Services needed	Costs
3 additional quarterly inspections on 2 ESH digester compressors @ \$1,750.00/quarter	\$5,250.00
3 additional quarterly inspections on Grit Bldg. compressors @ \$1,189.32/quarter	\$3,567.96
Replace motor on No. 10 compressor	\$15,725.00
ESH digester compressors No. 9 and No. 10 valve rebuild	<i>Estimated cost</i> \$50,000.00
Grand total	\$74,542.96

; and

WHEREAS: Board approval is required on services over \$20,000.00; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff recommend authorization for a total amount not to exceed \$80,000.00 for services needed from Ingersoll-Rand for fiscal year 2010-2011; and



ITEM NO. 11

**AUTHORIZATION TO PURCHASE RESTOCK OF ITT PUMP PARTS**

WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated Allis Chalmers/ITT, the original equipment manufacturer, and/or their authorized local representative, as a sole source for Allis Chalmers brand wastewater, process water, and sump pumps located at the Treatment Plant; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for restock replacement parts for the Allis Chalmers/ITT brand pumps. Upon request, Fluid Kinetics, Inc., the authorized local representative, submitted a quote in the amount of \$19,754.00 for the needed replacement parts; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff reviewed the quote received and recommend this purchase; and

WHEREAS: Board approval is required on purchases over \$10,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed restock replacement parts for the Allis Chalmers/ITT brand pumps from Fluid Kinetics at a cost of \$19,754.00. Expenses for this purchase will be charged to account no. 00380105-466107.

MOTION TO APPROVE  
MADE BY MR. KENNEDY, SR.  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 5 NOES 0

Board Meeting of November 3, 2010

## ITEM NO. 12

**REPORT ON BIDS RECEIVED-SOUTH RYAN STREET GATE**

WHEREAS: Formal bids were advertised and solicited for the South Ryan Street Gates. The following bids were received and opened by the Buffalo Sewer Authority on September 24, 2010:

Scott Lawn and Yard, Inc.	\$ 67,200.00
Nichols, Long and Moore	\$ 98,850.00
Milherst Construction	\$107,600.00
American Paving & Excavation	\$172,970.00
; and	

WHEREAS: These bids were received and exceeded the Consulting Engineer's estimate; and

WHEREAS: The staff of the Buffalo Sewer Authority has reviewed the bids and recommends rejecting all bids.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby rejects the bids received for the South Ryan Street Gate.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2<sup>ND</sup> BY MR. KENNEDY, SR.

AYES 5 NOES 0

Board Meeting of November 3, 2010

## ITEM NO. 13

**CONFIRMATION OF APPOINTMENT**

**LABORER I (SEASONAL)**  
**SEWAGE TREATMENT PLANT**  
**\$95.00 PER DAY**  
**EFFECTIVE: NOVEMBER 1, 2010**

MICHAEL CRAPO  
 273 BARAGA ST.  
 BUFFALO, NY

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WHEREAS: The preceding appointment was made by the General Manager since the last Board Meeting; and

WHEREAS: The General Manager requests confirmation of each appointment.

NOW THEREFORE  
 BE IT RESOLVED: That the preceding appointment is hereby confirmed by the Board of the Buffalo Sewer Authority.

MOTION TO APPROVE  
 MADE BY MR. ROOSEVELT  
 2<sup>ND</sup> BY MR. KENNEDY, JR.  
 AYES 5 NOES 0

Board Meeting of November 3, 2010

ITEM NO. 14

**ADJOURNMENT OF MEETING**

MOTION TO                     APPROVE                    

MADE BY           MS. WILSON-DIVINCENZO          

2<sup>ND</sup> BY                     MR. KENNEDY, JR.                    

AYES           5           NOES           0          

Board Meeting of November 3, 2010