

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
April 17, 2002**

BUFFALO SEWER AUTHORITY

April 17, 2002

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

<u>ITEM NO.</u>	<u>CONTENTS</u>	<u>PAGE NO.</u>
	Roll Call	
1	Motion to Adopt the Minutes of March 20, 2002	49215
2	Temporary Investments (Certificates of Deposits and Treasury Bills)	49216
3	Consideration of the Operating Fund Budget for FY 2002-2003	49217
4	Proposed Amended "Schedule of Sewer Rents and Other Charges"	49218-24
5	Authorization to Publish Notice of Proposed Amended "Schedule of Sewer Rents and Other Charges"	49225
6	Amend Item No. 6, Authorization for Increase to Contract No. 84100002, March 20, 2002	49226
7	Authorization to Enter Into Agreement for Software Management Services	49227
8	Extension of Contract for Analytical Services	49228
9	Extension of Contract for the Disposal of Miscellaneous Waste Materials	49229
10	Extension of Contract for Electrical Maintenance	49230
11	Extension of Contract for Guard Service	49231
12	Janitorial Services Contract Renewal	49232
13	Extension of Contract for Mechanical Maintenance	49233
14	Extension of Contract for Preventative Maintenance of Compressors	49234
15	Extension of Contract for Steam System Repairs	49235

16	Extension of Contract for Purchase of Boiler Feedwater Chemicals	49236
17	Extension of Contract for Purchase of Polymer	49237
18	Extension of Contract for Purchase of Sodium Hypochlorite	49238
19	Report on Bids Received – Purchase of Various Cast Iron Castings	49239
20	Report on Bids Received – Purchase of Various Steel Products	49240
21	Report on Bids Received – Bird Island Sewage Treatment Plant Multiple Hearth Incinerator Rehabilitation Incinerator No. 3	49241
22	Report on Bids Received – Sewer Cleaning and Internal Television Inspection	49242
23	Final Adjustment	49243
24	Certificate of Acceptance and Occupancy	49244
25	Designation of Sole Source for Service to Xerox 3030 Copy Machine	49245
26	Establishment of Temporary Position – Senior Clerk	49246
27	Establishment of Temporary Position – Wastewater Treatment Plant Operator I	49247
28	Amendment to Schedule of Job Classification Plan	49248
29	Confirmation of Appointments	49249-50
30	The Note Resolution, Series 2002 Bond Anticipation Notes	49251-82
31	Adjournment	49283

CALL OF THE ROLL

49215

Present: Herbert L. Bellamy, Jr.
Rev. Msgr. John R. Gabalski
James Naples
Rodney Richardson
John D. Kennedy
Pamela Dipalma
Sal LoTempio
Anthony Barone
Franklin DiMascio, P.E.
Margaret Burke
Joseph Baudo
Angelo Provenzano
Nicole Elliott
Jim McCloskey

Absent: _____

Chairman
Vice Chairman
Assistant Vice Chairman
Assistant Secretary
Secretary
Director of Employee Relations
Treatment Plant Superintendent
Director of Sewer Maintenance
Principal Sanitary Engineer
Executive Secretary
Engineering
Special Assistant
Erie Co. Environment & Planning
COB Audit

The meeting was called to order at 9:18 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of March 20, 2002

MOTION TO ADOPT
MADE BY MR. RICHARDSON
2ND BY MR. NAPLES
AYES 5 NOES 0

Board Meeting of April 17, 2002

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

April 10, 2002

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
01-Apr-02	15-Apr-02	14	\$208,752.00	M&T	1.74%	\$141.26
CONSTRUCTION FUND						
23-Sep-91	MONEY MARKET		\$53,182.84	M&T	1.48%	
08-Apr-02	MONEY MARKET		\$502,834.00	CHASE	2.20%	Erie Co.High Yield
25-Mar-02	15-Apr-02	21	\$1,871,854.00	M&T	1.72%	\$1,878.09
01-Apr-02	22-Apr-02	21	\$1,913,709.00	M&T	1.72%	\$1,920.09
			\$4,341,579.84			
SERIES 2001 BOND ANTICIPATION NOTES						
08-Apr-02	MONEY MARKET		\$5,239,396.56	CHASE	2.20%	Erie Co.High Yield
			\$9,580,976.40			
LIABILITY AND CASUALTY RESERVE FUND						
25-Mar-02	22-Apr-02	28	\$1,286,849.91	M&T	1.70%	\$1,701.50
OPERATING FUND						
08-Apr-02	MONEY MARKET		\$1,500,000.00	CHASE	2.20%	Erie Co.High Yield
01-Apr-02	15-Apr-02	14	\$1,500,000.00	M&T	1.74%	\$1,015.00
27-Mar-02	25-Apr-02	29	\$1,000,000.00	M&T	1.72%	\$1,385.56
			\$4,000,000.00			
SURPLUS FUND						
25-Mar-02	28-Jun-02	95	\$2,362,665.00	CHASE	1.80%	\$11,222.66
NET REVENUE FUND						
25-Mar-02	15-Apr-02	21	\$800,000.00	M&T	1.72%	\$802.67
08-Apr-02	22-Apr-02	14	\$1,000,000.00	M&T	1.71%	\$665.00
25-Mar-02	28-Jun-02	95	\$1,200,000.00	CHASE	1.80%	\$5,700.00
01-Apr-02	28-Jun-02	88	\$6,000,000.00	M&T	1.76%	\$25,813.33
			\$9,000,000.00			
DEBT RESERVE FUND						
SERIES F						
30-Jun-01	30-Jun-02	365	\$1,224,965.63	U.S.TREAS.NOTES	6.375%	
			(1,196,000 units)			
SERIES G						
14-Jul-93	13-Jul-03		\$7,622,950.00	CITIBANK	5.54%	
			\$8,847,915.63			

RECEIVE & FILE

ITEM NO. 3

CONSIDERATION OF THE OPERATING FUND BUDGET FOR FY 2002-2003

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached Operating Fund Budget and Five-Year Capital Plan for the fiscal year commencing July 1, 2002.

MOTION TO APPROVE
MADE BY MR. KENNEDY
2ND BY MR. RICHARDSON
AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 4

PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"

WHEREAS: The Buffalo Sewer Authority has hereto adopted a "Schedule of Sewer Rents and Other Charges" pursuant to Section 1180 of Title 8, Article 5 of Chapter 870 of the Laws of 1939 of the State of New York; and

WHEREAS: Such "Schedule of Sewer Rents and Other Charges" now requires adjustments to provide the required revenue to finance our Operating Fund Budget for the fiscal year July 1, 2002 to June 30, 2003.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached proposed amended "Schedule of Sewer Rents and Other Charges."

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. RICHARDSON</u>		
2 ND BY	<u>MSGR. GABALSKI</u>		
AYES	<u>5</u>	NOES	<u>0</u>

Board Meeting of April 17, 2002

PROPOSED SCHEDULE OF SEWER RENTS

AND OTHER CHARGES

FOR 2002 - 2003

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) \$10,050,000 shall be collected from all real property in the City of Buffalo by apportioning the said amount upon such property within the City of Buffalo as the same is set down on the last completed annual assessment rolls 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 real property tax law.

(b) In the event a lot, parcel of land, building or premises, other than the a city department discharging sewage, water or other liquids into the 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 Buffalo Sewer 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: the first four thousand (4,000) cubic feet of water used per quarter year shall bear a sewer charge or rental of \$48.30, 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);

Provided that the minimum charge shall be \$16.10 per month if the meter is read monthly and \$48.30 per quarter year if the meter is read quarterly.

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

(c) An annual service charge for the privilege of connecting with the facilities of the Authority, using for each \$1,000 of assessed valuation as determined on the last completed annual assessment, the same rate of \$2.32428 per \$1,000 of assessed valuation for 2002-2003.

(d) In the event a lot, parcel of land, building or premises, other than the a city department discharging sewage, water or other liquids into the 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 Buffalo Sewer 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: the first four thousand (4,000) cubic feet of water used per quarter year shall bear a sewer charge or rental of \$48.30, 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);

Provided that the minimum charge shall be \$16.10 per month if the meter is read monthly and \$48.30 per quarter year if the meter is read quarterly.

III. GENERAL PROVISIONS

(e) In the event a lot, parcel of land, building or premises discharging sewage, water or other liquids into the sewage 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 Buffalo Sewer Authority, then in each such case, the sewer charge or rental shall be 122.87 percent of the water bill for regular accounts and shall be 191.57 percent of the water bill for qualified senior citizen accounts except that no part of the sewage charge or rental shall be based on the charges for water used for lawn sprinkling and automatic sprinkling system, rock gardens and other uses of water in substantial quantities not returned to the sewage system of Buffalo Sewer Authority.

(f) In the event a lot, parcel of land, building or premises discharging sewage, water or other liquids into the sewerage system, with 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 Buffalo Sewer Authority, then, in each such case, the owner 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 Buffalo Sewer 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 (c) and (e) as the case may be.

(g) In the event a lot, parcel of land, building or premises discharging sewage, water or other liquids into the sewerage 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 Buffalo Sewer Authority, that a portion of the water as measured by the water meter does not and cannot enter the sewerage system, then the Buffalo Sewer Authority may determine in such manner as may be found practicable the percentage of metered water entering the sewerage 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 Buffalo Sewer 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 sewerage 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 sewerage system and so determined.

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

(i) As a condition of a Buffalo Discharge Elimination System Permit (BPDES), as defined in the Sewer Regulations of the Buffalo Sewer Authority, a user may be required to pay an industrial waste surcharge for discharging a waste stream exhibiting a strength of 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:

$$\text{Surcharge} = 8.34 \text{ QMGY} (0.138 (\text{BOD}_5\text{-250}) + 0.168 (\text{TSS-250}) + 0.011(\text{TPO}_4\text{-15.35}))$$

\$0.138 Cost/lb. for treatment of BOD₅

\$0.168 Cost/lb. for treatment of TSS

\$0.011 Cost/lb. for treatment of TPO₄

QMGY - Annual total industrial and sanitary discharge - water retention

BOD₅ - Average concentration of BOD₅ in waste stream discharged to the Buffalo Sewer Authority

TSS - Average concentration of TSS in waste stream discharged to the Buffalo Sewer Authority

TPO₄ - Average concentration of TPO₄ in waste stream discharged to the Buffalo Sewer Authority

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, 2001 and ending June 30, 2002 for all users that discharge a waste stream exhibiting a strength of 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, 2002.

(j) Any user who violates the Sewer Regulations of the Buffalo Sewer Authority or the conditions of the permits issued there under shall be subject to fines as specified in said regulations.

(k) Whenever sewage or other wastes result in conditions in the sewerage 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 of labor, materials, equipment hire, insurances, and other overhead, against the property or premises that caused the discharge of such sewage or other wastes into the sewerage system.

(l) Where sewer facilities have been installed to serve improved and unimproved property and have been paid for in whole or in part by the Buffalo Sewer 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 more equitable, as a condition to a permit for a connection to said sewer facilities.

(m) An application and inspection fee of \$100.00 for a residential sewer permit, a \$200.00 fee for a commercial sewer permit, and a \$300.00 fee for an industrial sewer permit shall be paid at the time said application is filed.

(n) All persons owning or operating a pump truck or other transport vehicle and desiring to discharge wastes, directly or indirectly, into sewerage facilities of the Authority shall first secure a valid Truckers Discharge Permit after paying an annual permit fee of \$100.00. In addition to said permit fee, a separate charge shall be billed based upon the quantity and character of the waste discharged and, if applicable, the point of discharge.

The following Surcharge Rates are for such wastehaulers who are located outside the City of Buffalo:

DISCHARGE LOCATION	TOTAL SUSPENDED SOLIDS	BOD ₅	TOTAL PHOSPHATE
Inlet/South Buffalo Pump	\$.2235/lb	\$.1378/lb.	\$.0159/lb.
Mixing Tank	\$.2055/lb	\$.1209/lb.	\$.0159/lb.
Thickener/Digester	\$.2118/lb	\$.1245/lb.	\$.0159/lb.

The above surcharge rates, along with costs incurred when handling, testing, conveying, and administrating 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 \$0.040 per gallon discharged will be assigned to all permitted septage and portable toilet wastehaulers.
2. Grease trap wastes - The rate of \$0.114 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, 2002.

(o) In the event a lot, parcel of land, building, structure, premises or person threatens to discharge or discharges sewage or waste into or near the Buffalo Sewer Authority's publicly owned treatment works, either directly or indirectly, which in the opinion of the Buffalo Sewer Authority will or is likely to bypass, upset, harm or endanger the facilities of the Buffalo Sewer Authority, then such person or the owner or operator of such lot, parcel of land, building, structure or premises shall pay to the Buffalo Sewer Authority charges for any and all clean up and removal costs actually incurred by the Buffalo Sewer 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) treatment, storage or disposal of such discharge or threatened discharge.

(p) All industrial users shall pay to the Buffalo Sewer Authority a charge for the actual costs of analysis incurred by the Buffalo Sewer Authority for the annual monitoring of any an all discharges of such industrial users.

(q) Any person who is granted a temporary permit to discharge into the facilities of the Buffalo Sewer Authority shall pay a permit fee of \$300.00 to the Buffalo Sewer Authority as a condition of the issuance of such permit.

(r) 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 Buffalo Sewer Authority's Sewer Use Regulations 21 N.Y.C.R.R. Part 10075.

(s) Sewer rents as herein provided shall be payable at the office of the Director of the Treasury for the City of Buffalo and shall become due as follows:

1. So much of the Sewer rents as are based upon water use shall become payable from the first day of July 1938, and shall be billed and shall become payable at the same time that water bills covering the respective premises become due and payable.
2. So much of the charge as is based upon the assessed valuation of chargeable real estate shall become 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.

Interest will continue to be charged at the rate of 18 percent per annum upon all Buffalo Sewer Authority billings which remain unpaid 45 days after billing date. All users shall be subject to paying reasonable costs and expenses, including attorney fees incurred in the collection of sewer rents that remain unpaid, as may be determined by the Board of the Buffalo Sewer Authority.

IV. LIEN OF SEWER RENT

From and after the due date thereof, such sewer rents 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 AMENDED SCHEDULE

This amended schedule of sewer rents shall become effective July 1, 2002.

Provided, however, that the sewer rents herein set forth, applicable to water use, shall become effective on all billings on and after August 1, 2002, excepting only monthly metered accounts for July 2002, and Section "W" of the quarterly metered accounts for the period May, June, and July 2002, which shall be billed at the rents in effect prior to July 1, 2002.

ITEM NO. 5

**AUTHORIZATION TO PUBLISH NOTICE OF PROPOSED AMENDED
"SCHEDULE OF SEWER RENTS AND OTHER CHARGES"**

WHEREAS: The Buffalo Sewer Authority requires an amendment to the "Schedule of Sewer Rents and Other Charges."

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes and directs that the proposed amended "Schedule of Sewer Rents and Other Charges" be published as a notice once a week for three (3) successive weeks, in *The Buffalo News* and the City Record on Friday, April 26, May 3, and May 10, 2002. This notice shall state that the proposed amended "Schedule of Sewer Rents and Other Charges" will remain open for inspection in the office of the Authority for thirty (30) days from the date of said notice, and that objections thereto may be filed during said period with said Authority by any person conceiving himself or herself aggrieved thereby, and that the Authority shall hear and examine such complaints and may modify the proposed Schedule and shall adopt the final amended "Schedule of Sewer Rents and Other Charges" within sixty (60) days of such notice.

MOTION TO APPROVE
MADE BY MR. KENNEDY
2ND BY MR. RICHARDSON
AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 6

AMEND ITEM NO. 6, AUTHORIZATION FOR INCREASE TO CONTRACT NO. 84100002, MARCH 20, 2002

WHEREAS: On March 20, 2002, the Buffalo Sewer Authority Board approved Item No. 6, Authorization for Increase to Contract No. 84100002; and

WHEREAS: The item was incorrectly dated "March 20, 2001"; and

WHEREAS: The item should be dated "March 20, 2002."

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby accept this amendment to the March 20, 2002, Board Item No. 6, Authorization for Increase to Contract No. 84100002, and authorize this item to be corrected and dated March 20, 2002.

MOTION TO APPROVE

MADE BY MR. RICHARDSON

2ND BY MR. NAPLES

AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 8

EXTENSION OF CONTRACT FOR ANALYTICAL SERVICES

WHEREAS: On May 9, 2001, the Board of the Buffalo Sewer Authority awarded a contract to Philip Analytical Services, Inc., to provide analytical services for the period beginning July 1, 2001 through June 30, 2002; and

WHEREAS: The contract provides for renewal of two one-year periods if agreeable to both Philip Analytical Services, Inc., and the Buffalo Sewer Authority. Philip Analytical Services, Inc., has agreed to extend the contract for one (1) additional year under the same terms and conditions; and

WHEREAS: The Treatment Plant Superintendent, Industrial Waste Administrator, and Associate Chemist recommend this extension, up to a maximum amount of \$105,656.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with Philip Analytical Services, Inc., to provide analytical services for a one-year period beginning July 1, 2002, up to a maximum amount of \$105,656.00. Expenses for this contract will be charged to account no. 00550106-432004.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MR. KENNEDY</u>	
2 ND BY	<u>MR. RICHARDSON</u>	
AYES	<u>5</u>	NOES <u>0</u>

Board Meeting of April 17, 2002

ITEM NO. 9

EXTENSION OF CONTRACT FOR THE DISPOSAL OF MISCELLANEOUS WASTE MATERIALS

WHEREAS: On May 31, 2000, the Board of the Buffalo Sewer Authority awarded a contract to BFI Waste Systems of North America, Inc., for the disposal of miscellaneous waste (trash, grit, and screenings) at the Treatment Plant through June 30, 2001. This contract provides for three one-year renewals. On May 9, 2001, the Board authorized a one-year renewal through June 30, 2002; and

WHEREAS: BFI Waste Systems of North America, Inc., has agreed to extend the contract for one (1) additional year under the same terms and conditions; and

WHEREAS: The Treatment Plant Superintendent recommends this extension, up to a maximum amount of \$58,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with BFI Waste Systems of North America, Inc., for the disposal of miscellaneous waste (trash, grit, and screenings) at the Treatment Plant for a one-year period beginning July 1, 2002, up to a maximum amount of \$58,000.00. Expenses for this contract will be charged to account nos. 00230106-480000 (\$45,000.00) and 00380106-480000 (\$13,000.00).

MOTION TO APPROVE

MADE BY MSGR. GABALSKI

2ND BY MR. RICHARDSON

AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 10

EXTENSION OF CONTRACT FOR ELECTRICAL MAINTENANCE

WHEREAS: On May 30, 2001, the Board of the Buffalo Sewer Authority awarded a contract to O’Connell Electric Company to provide in-plant electrical maintenance services at the Treatment Plant for the period beginning July 1, 2001 through June 30, 2002; and

WHEREAS: The contract provides for renewal of two one-year periods if agreeable to both O’Connell Electric Company and the Buffalo Sewer Authority. O’Connell Electric Company has agreed to extend the contract for one (1) additional year under the same terms and conditions; and

WHEREAS: The Treatment Plant Superintendent recommends this extension, up to a maximum amount of \$30,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with O’Connell Electric Company to provide in-plant electrical maintenance services at the Treatment Plant for a one-year period beginning July 1, 2002, up to a maximum amount of \$30,000.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MR. RICHARDSON

2ND BY MSGR. GABALSKI

AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 11

EXTENSION OF CONTRACT FOR GUARD SERVICE

WHEREAS: On May 30, 2001, the Board of the Buffalo Sewer Authority awarded a contract to U. S. Security Associates, Inc., to provide guard service at the Treatment Plant for the period beginning July 1, 2001 through June 30, 2002; and

WHEREAS: The contract provides for renewal of two one-year periods if agreeable to both U. S. Security Associates, Inc., and the Buffalo Sewer Authority. U. S. Security Associates, Inc., has agreed to extend the contract for one (1) additional year under the same terms and conditions; and

WHEREAS: The Treatment Plant Superintendent recommends this extension, up to a maximum amount of \$175,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with U. S. Security Associates, Inc., to provide guard service at the Treatment Plant for a one-year period beginning July 1, 2002, up to a maximum amount of \$175,000.00. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. RICHARDSON	_____
2 ND BY	_____	MSGR. GABALSKI	_____
AYES	_____	5	NOES _____ 0

Board Meeting of April 17, 2002

ITEM NO. 13

EXTENSION OF CONTRACT FOR MECHANICAL MAINTENANCE

WHEREAS: On May 31, 2000, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush Company, Inc., for mechanical maintenance at the Treatment Plant through June 30, 2001. This contract provides for two one-year renewals. On May 9, 2001, the Board authorized a one-year renewal through June 30, 2002; and

WHEREAS: Quackenbush Company, Inc., has agreed to extend the contract for one (1) additional year under the same terms and conditions; and

WHEREAS: The Treatment Plant Superintendent recommends this extension, up to a maximum amount of \$60,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with Quackenbush Company, Inc., for mechanical maintenance at the Treatment Plant for a one-year period beginning July 1, 2002, up to a maximum amount of \$60,000.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. RICHARDSON	_____
2 ND BY	_____	MSGR. GABALSKI	_____
AYES	_____	5	NOES _____ 0

Board Meeting of April 17, 2002

ITEM NO. 14

EXTENSION OF CONTRACT FOR PREVENTATIVE MAINTENANCE OF COMPRESSORS

WHEREAS: On May 30, 2001, the Board of the Buffalo Sewer Authority awarded a contract to Glauber Equipment Corporation, to provide annual preventative maintenance for the compressors at the Treatment Plant for the period beginning July 1, 2001 through June 30, 2002; and

WHEREAS: The contract provides for renewal of two one-year periods if agreeable to both Glauber Equipment Corporation and the Buffalo Sewer Authority. Glauber Equipment Corporation has agreed to extend the contract for one (1) additional year under the same terms and conditions. Any additional emergency services would be charged at the rate of \$75.00 per hour with a fifteen percent markup for material and equipment rental; and

WHEREAS: The Treatment Plant Superintendent and Superintendent of Mechanical Maintenance recommend this extension, up to a maximum amount of \$46,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with Glauber Equipment Corporation to provide annual preventative maintenance for the compressors at the Treatment Plant for a one-year period beginning July 1, 2002, up to a maximum amount of \$46,000.00. Any additional emergency services would be charged at the rate of \$75.00 per hour with a fifteen percent markup for material and equipment rental. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO APPROVE

MADE BY MSGR. GABALSKI

2ND BY MR. RICHARDSON

AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 15

EXTENSION OF CONTRACT FOR STEAM SYSTEM REPAIRS

WHEREAS: On May 31, 2000, the Board of the Buffalo Sewer Authority awarded a contract to Nicholson & Hall Corporation for steam system repairs at the Treatment Plant through June 30, 2001. This contract provides for two one-year renewals. On May 9, 2001, the Board authorized a one-year renewal through June 30, 2002; and

WHEREAS: Nicholson & Hall Corporation has agreed to extend the contract for one (1) additional year with a provision to allow for adjustments to labor rates due to their union contract; and

WHEREAS: The Treatment Plant Superintendent recommends this extension, up to a maximum amount of \$30,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with Nicholson & Hall Corporation for steam system repairs at the Treatment Plant for a one-year period beginning July 1, 2002, up to a maximum amount of \$30,000.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MSGR. GABALSKI</u>	
2 ND BY	<u>MR. RICHARDSON</u>	
AYES	<u>5</u>	NOES <u>0</u>

Board Meeting of April 17, 2002

ITEM NO. 16

EXTENSION OF CONTRACT FOR PURCHASE OF BOILER FEEDWATER CHEMICALS

WHEREAS: On May 9, 2001, the Board of the Buffalo Sewer Authority awarded a contract to Buffalo Industrial Chemicals, Inc., for the purchase of boiler feedwater chemicals for use at the Treatment Plant for the period beginning July 1, 2001 through June 30, 2002; and

WHEREAS: The contract provides for renewal for two one-year periods if agreeable to both Buffalo Industrial Chemicals, Inc., and the Buffalo Sewer Authority. Buffalo Industrial Chemicals, Inc., has agreed to extend the contract for one (1) additional year under the same terms and conditions; and

WHEREAS: The Treatment Plant Superintendent recommends this extension, up to a maximum amount of \$25,100.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with Buffalo Industrial Chemicals, Inc., for the purchase of boiler feedwater chemicals for use at the Treatment Plant for a one-year period beginning July 1, 2002, up to a maximum amount of \$25,100.00. Expenses for this contract will be charged to account no. 00380105-467044.

MOTION TO APPROVE
MADE BY MSGR. GABALSKI
2ND BY MR. RICHARDSON
AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 17

EXTENSION OF CONTRACT FOR PURCHASE OF POLYMER

WHEREAS: On October 23, 1996, the Board of the Buffalo Sewer Authority awarded a competitively bid contract to Polydyne, Inc., to provide polymer for use at the Treatment Plant at a cost of \$0.1386 per pound for polymer C-321, and \$0.9345 per pound for polymer C-6294. This contract provided for two 24-month period renewals which were authorized by the Board of the Buffalo Sewer Authority on May 20, 1998 through June 30, 2000, and on May 31, 2000 through June 30, 2002; and

WHEREAS: Polydyne, Inc., has agreed to extend this contract for an additional three (3) months beginning July 1, 2002 through September 30, 2002, under the same terms and conditions; and

WHEREAS: This additional extension is needed to allow ample time to evaluate existing and available polyblend equipment since replacement of four (4) polyblend units will need to be written into new specifications for this contract; and

WHEREAS: The Treatment Plant Superintendent recommends this extension, up to a maximum amount of \$90,000.00 for polymer C-321 and up to a maximum amount of \$172,000.00 for polymer C-6294.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with Polydyne, Inc., to provide polymer for use at the Treatment Plant for a period of three (3) months beginning July 1, 2002 through September 30, 2002, at the current rates, and that the expenses for this contract will be charged to account nos. 00340105-467044 (\$90,000.00) and 00360105-467044 (\$172,000.00).

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY</u>
2 ND BY	<u>MSGR. GABALSKI</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of April 17, 2002

ITEM NO. 18

EXTENSION OF CONTRACT FOR PURCHASE OF SODIUM HYPOCHLORITE

WHEREAS: On May 9, 2001, the Board of the Buffalo Sewer Authority awarded a contract to Bison Laboratories, Inc., for the purchase of sodium hypochlorite for use at the Treatment Plant for the period beginning July 1, 2001 through June 30, 2002; and

WHEREAS: The contract provides for renewal of three one-year periods if agreeable to both Bison Laboratories, Inc., and the Buffalo Sewer Authority. Bison Laboratories, Inc., has agreed to extend the contract for one (1) additional year under the same terms and conditions; and

WHEREAS: The Treatment Plant Superintendent recommends this extension, up to a maximum amount of \$401,200.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with Bison Laboratories, Inc., for the purchase of sodium hypochlorite for use at the Treatment Plant for a one-year period beginning July 1, 2002, up to a maximum amount of \$401,200.00. Expenses for this contract will be charged to account no. 00330105-467044.

MOTION TO APPROVE

MADE BY MSGR. GABALSKI

2ND BY MR. RICHARDSON

AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 19

REPORT ON BIDS RECEIVED - PURCHASE OF VARIOUS CAST IRON CASTINGS

WHEREAS: Formal bids were advertised and solicited for the purchase of the following various cast iron castings:

- 1) (250) standard manhole frames and covers
 - 2) (100) 11 1/2" x 23" cast iron grates
 - 3) (25) dark 12" x 18 1/8" cast iron grates
 - 4) (50) dark 13" x 18 1/8" cast iron grates
- ; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on April 8, 2002:

- | | |
|----------------------|--------------|
| 1) Neenah Foundry | \$ 48,800.00 |
| 2) Syracuse Castings | \$ 51,696.00 |
- ; and

WHEREAS: The Director of Sewer Maintenance recommends purchase of items 1 and 2 from Neenah Foundry at a total cost of \$44,750.00 and items 3 and 4 from Syracuse Castings at a total cost of \$3,999.50.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase items 1 and 2 from Neenah Foundry at a total cost of \$44,750.00 and to purchase items 3 and 4 from Syracuse Castings \$3,999.50. This purchase will be charged to the Sewer Construction Road and Highway account no. 00660105-466269.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MSGR. GABALSKI</u>
2 ND BY	<u>MR. RICHARDSON</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of April 17, 2002

ITEM NO. 20

REPORT ON BIDS RECEIVED - PURCHASE OF VARIOUS STEEL PRODUCTS

WHEREAS: Formal bids were advertised and solicited for the purchase of the following various steel products:

- 1) (50) McConnell 23" x 8" steel curb box 6" reveal
 - 2) (200) 23" x 9" steel curb box 7" reveal
 - 3) (50) McConnell 23" x 10" steel curb box 8" reveal
 - 4) (100) 2' x 2' steel frame
 - 5) (20) dark 4" steel curb boxes
 - 6) (20) dark 5" steel curb boxes
 - 7) (75) dark 6" steel curb boxes
 - 8) (75) dark 7" steel curb boxes
 - 9) (25) dark 6" steel receiver top sections
 - 10) (50) McConnell 15" catch basin hoods
- ; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on April 8, 2002:

- 1) Emcom Industries \$39,966.50
 - 2) Buffalo Metal Forming \$33,975.00
- ; and

WHEREAS: The Director of Sewer Maintenance recommends the purchase of item 2 from Emcom Industries at a total cost of \$8,990.00 and items 1, 3, 4, 5, 6, 7, 8, 9 and 10 from Buffalo Metal Forming at a total cost of \$24,875.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase item 2 from Emcom Industries at a total cost of \$8,990.00 and to purchase items 1, 3, 4, 5, 6, 7, 8, 9 and 10 from Buffalo Metal Forming at a total cost of \$24,875.00. This purchase will be charged to the Sewer Construction Road and Highway account no. 00660105-466269.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY	_____
2 ND BY	_____	MR. NAPLES	_____
AYES	_____	5	NOES _____ 0

ITEM NO. 21

REPORT ON BIDS RECEIVED - BIRD ISLAND SEWAGE TREATMENT PLANT MULTIPLE HEARTH SLUDGE INCINERATOR REHABILITATION INCINERATOR NO. 3

WHEREAS: Formal bids were advertised and solicited for the Rehabilitation of Incinerator No. 3. The following bid was received and opened by the Buffalo Sewer Authority on March 25, 2002:

Sterling Metal Fabricators, Inc., d.b.a.	
Sterling Refractory	\$99,770.00
; and	

WHEREAS: This proposal was received, and the contract will be awarded on the basis of a combined unit and lump sum bid; and

WHEREAS: The low bid by Sterling Metal Fabricators, Inc., d.b.a. Sterling Refractory, does not reflect the true amount of the contract, but rather is subject to some variance. These variances are due to the actual amount of the quantities used as they appear in the estimate column multiplied by the unit price as bid; and

WHEREAS: The Principal Sanitary Engineer reviewed the bid, recommends accepting the low bid and awarding the contract to Sterling Metal Fabricators, Inc., d.b.a. Sterling Refractory; and

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 Sterling Metal Fabricators, Inc., d.b.a. Sterling Refractory, at a cost not to exceed \$99,770.00. Expenses for this contract will be charged to account no. 02000166-490740.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. RICHARDSON</u>
2 ND BY	<u>MSGR. GABALSKI</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of April 17, 2002

ITEM NO. 22

REPORT ON BIDS RECEIVED - SEWER CLEANING AND INTERNAL TELEVISION INSPECTION

WHEREAS: Formal bids were advertised and solicited for Sewer Cleaning and Internal Television Inspection. The following were received and opened by the Buffalo Sewer Authority on April 2, 2002:

J.A. Brundage/The Drain Doctor	\$177,350.00
National Vaccum	\$307,470.00
John W. Danforth	\$449,502.00
; and	

WHEREAS: These proposals were received, and the contract will be awarded on the basis of a combined unit and lump sum bid; and

WHEREAS: The low bid by J.A. Brundage/The Drain Doctor, does not reflect the true amount of the contract, but rather is subject to some variance. These variances are due to the actual amount of the quantities used as they appear in the estimate column multiplied by the unit price as bid; and

WHEREAS: The Principal Sanitary Engineer reviewed the bids, recommends accepting the low bid and awarding the contract to J.A. Brundage/The Drain Doctor; and

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 J.A. Brundage/The Drain Doctor, at a cost not to exceed \$177,350.00. Expenses for this contract will be charged to account no. 02000190-490740.

MOTION TO APPROVE

MADE BY MR. NAPLES

2ND BY MR. KENNEDY

AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 23

CONTRACT NO. 84100007

FINAL ADJUSTMENT

CONTRACTOR: Sterling Metal Fabricators, Inc., d.b.a. Sterling Refractory 120 Michigan Avenue Buffalo, New York 14203	CONTRACT COST	\$113,347.05
	FINAL ADJUSTMENT	<u>(3,060.00)</u>
	FINAL CONTRACT COST	\$110,287.05

WORK: Incinerator No. 1 Rehabilitation Project**DESCRIPTION OF FINAL ADJUSTMENT**

Bids were received on a basis of estimated quantities at unit and lump sum prices and the contract was awarded on the basis to be paid for the work constructed.

In conformity with the stipulation in the contract documents, actual quantities for the items have been measured in the field, and on the basis of these measurements, the total adjusted price is DECREASED by \$3,060.00, making the final contract price \$110,287.05.

WHEREAS: Buffalo Sewer Authority staff has reviewed the final adjustment and recommends its approval; and

WHEREAS: The Contractor completed the work on February 5, 2002, and the final inspection was held by the Buffalo Sewer Authority on February 5, 2002.

NOW THEREFORE

BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the final adjustment for the Incinerator No. 1 Rehabilitation Project as written in the above agenda Item, making the final contract cost \$110,287.05.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MSGR. GABALSKI</u>
2 ND BY	<u>MR. NAPLES</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of April 17, 2002

ITEM NO. 25

DESIGNATION OF SOLE SOURCE FOR SERVICE TO XEROX 3030 COPY MACHINE

WHEREAS: The Engineering Department uses a Xerox 3030 copy machine to produce 24" x 36" or larger black line prints; and

WHEREAS: This machine is no longer under a service warranty agreement; and

WHEREAS: When equipment repairs are required, the only authorized service representative, Charrette, Inc., provides service and repair to the copier; and

WHEREAS: The Principal Sanitary Engineer recommends that Charrette, Inc., be designated as sole source for the service on the copy machine.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby designates Charrette, Inc., as sole source for the service of the Xerox 3030 copier located in the Engineering Department.

MOTION TO APPROVE
MADE BY MR. NAPLES
2ND BY MR. KENNEDY
AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 26

ESTABLISHMENT OF TEMPORARY POSITION - SENIOR CLERK

WHEREAS: The Buffalo Sewer Authority’s “Schedule of Job Classification Plan” provides, when so authorized by the Board, temporary positions may be established for a definite period which will not, without further action of the Board, exceed six (6) months. Such positions will be recorded under this section and will state the termination date thereof.

NOW THEREFORE
BE IT RESOLVED: That one (1) temporary Senior Clerk is hereby established for a period of six (6) months effective April 29, 2002, with a termination date of October 29, 2002.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. RICHARDSON</u>		
2 ND BY	<u>MSGR. GABALSKI</u>		
AYES	<u>5</u>	NOES	<u>0</u>

Board Meeting of April 17, 2002

ITEM NO. 27

ESTABLISHMENT OF TEMPORARY POSITION - WASTEWATER TREATMENT PLANT OPERATOR I

WHEREAS: The Buffalo Sewer Authority's "Schedule of Job Classification Plan" provides, when so authorized by the Board, temporary positions may be established for a definite period which will not, without further action of the Board, exceed six (6) months. Such positions will be recorded under this section and will state the termination date thereof.

NOW THEREFORE
BE IT RESOLVED: That one (1) temporary Wastewater Treatment Plant Operator I is hereby established for a period of six (6) months effective April 1, 2002, with a termination date of October 1, 2002.

MOTION TO APPROVE
MADE BY MSGR. GABALSKI
2ND BY MR. RICHARDSON
AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 28

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 the Job Classification Plan:

One (1) Typist	00110121 411001
One (1) Typist	00200121 411001

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. RICHARDSON

AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 29

CONFIRMATION OF APPOINTMENTS

**WASTEWATER TREATMENT PLANT OPERATOR I (TEMP.)
CHANGE OF STATUS ONLY
SEWAGE TREATMENT PLANT
\$13.49 PER HOUR
EFFECTIVE: APRIL 1, 2002**

CHARLES MARTIN
60 WEYAND
BUFFALO, NY

**TYPIST (PERMANENT)
CHANGE OF STATUS ONLY
SEWAGE TREATMENT PLANT
\$27,119 PER ANNUM
EFFECTIVE: APRIL 22, 2002**

MICHELLE MORGAN
22 SUSSEX COURT
BUFFALO, NY

**TYPIST (PERMANENT)
ADMINISTRATIVE OFFICES
\$30,603 PER ANNUM
EFFECTIVE: APRIL 22, 2002**

JUDITH DOYLE
330 SANDERS RD.
BUFFALO, NY

49250

LABORER I (SEASONAL)
ADMINISTRATIVE OFFICES
\$50.00 PER DIEM
EFFECTIVE: APRIL 1, 2002

JOAN MUTKA
146 LEWIS ST.
BUFFALO, NY

SENIOR CLERK (TEMPORARY)
ADMINISTRATIVE OFFICES
\$30,441 PER ANNUM
EFFECTIVE: APRIL 29, 2002

CHARLES RILEY
240 LONGNECKER ST.
BUFFALO, NY

WHEREAS: The preceding appointments were 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 appointments are hereby confirmed by the Board of the Buffalo Sewer Authority.

MOTION TO APPROVE
MADE BY MR. RICHARDSON
2ND BY MSGR. GABALSKI
AYES 5 NOES 0

Board Meeting of April 17, 2002

ITEM NO. 31

ADJOURNMENT OF MEETING

MOTION TO _____ APPROVE _____

MADE BY _____ MR. RICHARDSON _____

2ND BY _____ MR. KENNEDY _____

AYES _____ 5 _____ NOES _____ 0 _____

Board Meeting of April 17, 2002