

MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
May 8, 2002

BUFFALO SEWER AUTHORITY

May 8, 2002

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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CALL OF THE ROLL

49284

Present: Herbert L. Bellamy, Jr.
Rev. Msgr. John R. Gabalski
John D. Kennedy
Rodney Richardson
Anthony A. Hazzan
Pamela DiPalma
Salvatore LoTempio
Anthony Barone
Franklin DiMascio, P.E.
Margaret Burke
Joseph Baudo
Angelo Provenzano
Angel Rivera
Roberta Gaiek
William Craver
Nicole Elliott
Jim McCloskey
Mark Marinaccio
Frank Belliotti

Absent: James Naples

Chairman
Vice Chairman
Secretary
Assistant Secretary
General Manager
Director of Employee Relations
Treatment Plant Superintendent
Director of Sewer Maintenance
Principal Sanitary Engineer
Executive Secretary
Engineering
Special Assistant
Supt. of Mechanical Maintenance
Treatment Plant Administrator
BSA Staff
Erie Co. Environment & Planning
COB Audit
BSA Staff
City Auditor
Asst. Vice Chairman

The meeting was called to order at 9:03 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of April 17, 2002

MOTION TO ADOPT
MADE BY MR. KENNEDY
2ND BY MR. RICHARDSON
AYES 4 NOES 0

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

April 30, 2002

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
15-Apr-02	MONEY MARKET		\$208,752.00	CHASE	2.20%	Erie Co.High Yield
CONSTRUCTION FUND						
08-Apr-02	MONEY MARKET		\$4,252,527.75	CHASE	2.20%	Erie Co.High Yield
SERIES 2001 BOND ANTICIPATION NOTES						
08-Apr-02	MONEY MARKET		\$5,239,396.56	CHASE	2.20%	Erie Co.High Yield
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	MONEY MARKET		\$1,288,551.41	CHASE	2.20%	Erie Co.High Yield
OPERATING FUND						
08-Apr-02	MONEY MARKET		\$3,000,000.00	CHASE	2.20%	Erie Co.High Yield
SURPLUS FUND						
25-Mar-02	28-Jun-02	95	\$2,362,665.00	CHASE	1.80%	\$11,222.66
NET REVENUE FUND						
22-Apr-02	06-May-02	14	\$1,000,000.00	CHASE	1.73%	\$672.78
25-Apr-02	13-May-02	18	\$2,900,000.00	CHASE	1.73%	\$2,508.50
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
			\$11,100,000.00			
DEBT RESERVE FUND						
SERIES F						
30-Jun-01	30-Jun-02	365	\$1,224,965.63	J.S.TREAS.NOTES	6.375%	
			(1,196,000 units)			
14-Jul-93	13-Jul-03		\$7,622,950.00	CITIBANK	5.54%	
			\$8,847,915.63			

RECEIVE & FILE

ITEM NO. 3

PAYMENT FROM JUDGMENT & CLAIMS

WHEREAS: Board approval is required for charges made against the Buffalo Sewer Authority's current budget for services and/or materials received during a prior fiscal year; and

WHEREAS: The following services were provided during the 1997-98 through 2000-01 fiscal years and charged to the 2001-02 budget account number 00800108-480214:

<u>VENDOR</u>	<u>AMOUNT</u>
Seneca Copy Center	\$ 262.35
Roach, Brown, McCarthy & Gruber	\$58,229.90
; and	

WHEREAS: The General Manager and his committee recommend the above payments from the Judgment and Claims account.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above payments from the Judgment and Claims account no. 00800108-480214.

MOTION TO APPROVE
MADE BY MR. RICHARDSON
2ND BY MSGR. GABALSKI
AYES 4 NOES 0

Board Meeting of May 8, 2002

ITEM NO. 4

AUTHORIZATION TO PURCHASE REPAIR PARTS FOR GRIT COLLECTORS

WHEREAS: On June 20, 2001, the Board of the Buffalo Sewer Authority designated U. S. Filter as the sole source for the purchase of parts for the grit collection buckets; and

WHEREAS: Board approval is required on purchases made over \$10,000.00; and

WHEREAS: U. S. Filter submitted a quote upon request in the amount of \$17,792.60 for the parts necessary to repair the grit collectors; and

WHEREAS: The Treatment Plant Superintendent and Superintendent of Mechanical Maintenance recommend the purchase of these repair parts from U. S. Filter at a total cost of \$17,792.60.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the repair parts from U. S. Filter at a total cost of \$17,792.60. Funds are available in account no. 00220105-466107.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. RICHARDSON

AYES 4 NOES 0

Board Meeting of May 8, 2002

ITEM NO. 5

REPORT ON BIDS RECEIVED - ELECTRIC POWER SUPPLY

WHEREAS: Formal bids were advertised and solicited for electrical power to be supplied for a 13-month contract period commencing with the first meter read after May 1, 2002. These bids were received and opened on April 15, 2002:

<u>Bidder</u>	<u>Blended Price per Kilowatt Hour</u>
NYSEG Solutions	\$0.04168 per kWh
Select Energy	\$0.04540 per kWh
Dynegy	\$0.04550 per kWh
; and	

WHEREAS: The bid price includes energy only. There are additional charges for transmission and distribution as regulated by the NYS Public Service Commission. These charges are currently estimated at \$.028 per kilowatt hour; and

WHEREAS: The General Manager and Sewer Authority consultants Malcolm Pirnie reviewed the bids and recommend awarding a contract to the low bidder, NYSEG Solutions; and

WHEREAS: Due to time constraints, the Board was polled on March 20, 2002, and verbally authorized the General Manager to enter into a contract with the lowest responsible bidder; and

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

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby formally authorizes the General Manager to enter into and execute a contract for a 13-month period with NYSEG Solutions to supply electrical power at the Treatment Plant for a blended price per kWh of \$0.04168.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MSGR. GABALSKI</u>
2 ND BY	<u>MR. RICHARDSON</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of May 8, 2002

ITEM NO. 6

CONTRACT APPROVAL - NATURAL GAS SUPPLY

WHEREAS: Informal bids were solicited to supply natural gas to the Treatment Plant for a 11-month contract term beginning August 1, 2002 through June 30, 2003. The following bids were received:

National Fuel Resources	\$0.458/Dth + NYMEX
Select Energy	\$0.600/Dth + NYMEX
; and	

WHEREAS: National Fuel Resources has submitted the lowest responsible bid for natural gas supply for the contract term on a variable price basis, at a cost of \$0.458 per dekatherm, plus monthly closing price on the New York Mercantile Exchange (NYMEX), for delivery to the National Fuel Gas Distribution Company City Gate; and

WHEREAS: Buffalo Sewer Authority has the option to switch the contract to a fixed price at any time with notification to National Fuel Resources; and

WHEREAS: The General Manager reviewed the bids and recommends awarding a contract to the low bidder, National Fuel Resources; and

WHEREAS: Due to time constraints, the Board was polled on March 20, 2002, and verbally authorized the General Manager to enter into a contract with the lowest responsible bidder; and

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

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby formally authorizes the General Manager to enter into and execute a contract with National Fuel Resources for natural gas supply on a variable price basis, at a cost of \$0.458 per dekatherm, plus monthly closing price on the New York Mercantile Exchange (NYMEX), and further authorizes the General Manager to switch the contract to a fixed price at any time expected to minimize future natural gas costs.

MOTION TO APPROVE

MADE BY MSGR. GABALSKI

2ND BY MR. KENNEDY

AYES 4 NOES 0

ITEM NO. 7

AMENDMENT NO. 1 TO AGREEMENT WITH MALCOLM PIRNIE, INC. - CONTRACT NO. 84100005

WHEREAS: On October 3, 2001, the Board of the Buffalo Sewer Authority approved a contract with Malcolm Pirnie, Inc., for the Grit Removal Facility Modification; and

WHEREAS: Additional engineering services are required for document preparation for Environmental Facilities Corporation (EFC) and for a bypass required by the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS: The services include three (3) additional tasks in an amount not to exceed \$349,200.00 as follows:

Task 1 - Preparing EFC funding packages and an alternate to disposal of soil at a lump sum cost of \$106,700.00.

Task 2 - Design services for a new bypass to increase capacity of the Wastewater Treatment Plant as required by the NYSDEC at a lump sum cost of \$136,500.00.

Task 3 - Construction Phase Services for the required bypass at a cost not to exceed \$106,000.00.

; and

WHEREAS: Buffalo Sewer Authority staff reviewed the costs and recommends the increase to the contract.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to increase the contract with Malcolm Pirnie, Inc., by \$349,200.00 to \$2,439,000.00 to cover the additional engineering services required for the Grit Removal Facilities Modifications. Funds for this contract will be charged to account no. 02000111-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. RICHARDSON

AYES 4 NOES 0

Board Meeting of May 8, 2002

ITEM NO. 8

CONTRACT NO. 84100013

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Replacement of Air Handling Unit #16

BID: \$64,960.00

CONTRACTOR: Quackenbush Co., Inc.
495 Kennedy Road
Buffalo, New York 14227

WHEREAS: The staff of the Buffalo Sewer Authority has certified that the Contractor completed the work in accordance with the plans and specifications on April 24, 2002.

NOW THEREFORE
BE IT RESOLVED:

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

- a. The work to be performed under the terms of the Contract has been completed and is accepted;
- b. The date of entrance and occupancy be fixed as of April 24, 2002;
- c. The maintenance period commence on April 24, 2002;
- d. Final payment be made to the Contractor in the amount of \$3,630.60, increased \$7,652.00 by change order no. 1, making the final cost of the contract \$72,612.00.

MOTION TO APPROVE

MADE BY MR. RICHARDSON

2ND BY MSGR. GABALSKI

AYES 4 NOES 0

Board Meeting of May 8, 2002

ITEM NO. 9

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 deletion of the following position from the Job Classification Plan:

One (1) Clerk

00110121 411001

MOTION TO APPROVE

MADE BY MSGR. GABALSKI

2ND BY MR. RICHARDSON

AYES 4 NOES 0

Board Meeting of May 8, 2002

ITEM NO. 10

CONFIRMATION OF APPOINTMENTS

**ELECTRICIAN (PERMANENT)
CHANGE OF STATUS ONLY
SEWAGE TREATMENT PLANT
\$16.46 PER HOUR
EFFECTIVE: APRIL 29, 2002**

MATTHEW CORWIN
333 DAVEY STREET
BUFFALO, NY

**ELECTRICIAN (PERMANENT)
CHANGE OF STATUS ONLY
SEWAGE TREATMENT PLANT
\$16.46 PER HOUR
EFFECTIVE: APRIL 29, 2002**

JAMES DABEK
228 GARLAND AVE.
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. KENNEDY
2ND BY MSGR. GABALSKI
AYES 4 NOES 0

Board Meeting of May 8, 2002

ITEM NO. 11

FELICITATION

WHEREAS: The Buffalo Sewer Authority wishes to acknowledge one of its own employees.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the Felicitation written in honor of William Craver to be presented at its Board Meeting of May 8, 2002.

MOTION TO APPROVE
MADE BY MSGR. GABALSKI
2ND BY MR. RICHARDSON
AYES 4 NOES 0

Board Meeting of May 8, 2002

ITEM NO. 12

ADJOURNMENT OF MEETING

MOTION TO _____ APPROVE _____

MADE BY _____ MR. RICHARDSON _____

2ND BY _____ MSGR. GABALSKI _____

AYES _____ 4 _____ NOES _____ 0 _____

Board Meeting of May 8, 2002