

**MINUTES OF THE REGULAR MEETING**  
**OF THE**  
**BUFFALO SEWER AUTHORITY**  
**September 11, 2002**



# BUFFALO SEWER AUTHORITY

September 11, 2002

**REGULAR MEETING**

**9:00 A.M.**

**1038 CITY HALL**

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**CALL OF THE ROLL**

49363

Present:	<u>Herbert L. Bellamy, Jr.</u>	<u>Chairman</u>
	<u>James P. Naples</u>	<u>Asst. Vice Chairman</u>
	<u>John D. Kennedy</u>	<u>Secretary</u>
	<u>Rodney Richardson</u>	<u>Asst. Secretary</u>
	<u>Anthony A. Hazzan</u>	<u>General Manager</u>
	<u>Pamela DiPalma</u>	<u>Director of Employee Relations</u>
	<u>Salvatore LoTempio</u>	<u>Treatment Plant Superintendent</u>
	<u>Margaret Burke</u>	<u>Executive Secretary</u>
	<u>Angelo Provenzano</u>	<u>Special Assistant</u>
	<u>Franklin DiMascio, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Joseph Baudo</u>	<u>Engineering Dept.</u>
	<u>Anthony Barone</u>	<u>Director of Sewer Maintenance</u>
	<u>Frank Belliotti</u>	<u>City Auditor</u>
	<u>Nicole Elliott</u>	<u>Erie Co. Environment &amp; Planning</u>
	<u></u>	<u></u>
	<u></u>	<u></u>
	<u></u>	<u></u>
Absent:	<u>Msgr. John R. Gabalski</u>	<u>Vice Chairman</u>
	<u></u>	<u></u>

The meeting was called to order at 9:00 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 24, 2002

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MR. RICHARDSON</u>
2 <sup>ND</sup> BY	<u>MR. KENEDY</u>
AYES	<u>4</u> NOES <u>0</u>

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

August 29, 2002

<b>ISSUE DATE</b>	<b>MATURITY DATE</b>	<b>TOTAL DAYS</b>	<b>AMOUNT</b>	<b>BANK</b>	<b>RATE</b>	<b>INTEREST AMOUNT</b>
<b>CAPITAL IMPROVEMENT FUND</b>						
15-Apr-02	MONEY MARKET		\$513,952.00	CHASE	2.12%	Erie Co.High Yield
<b>CONSTRUCTION FUND</b>						
08-Apr-02	MONEY MARKET		\$4,330,067.68	CHASE	2.12%	Erie Co.High Yield
<b>SERIES 2001 BOND ANTICIPATION NOTES</b>						
08-Apr-02	MONEY MARKET		\$636,879.11	CHASE	2.12%	Erie Co.High Yield
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
22-Apr-02	MONEY MARKET		\$1,278,446.60	CHASE	2.12%	Erie Co.High Yield
<b>OPERATING FUND</b>						
08-Apr-02	MONEY MARKET		\$4,000,000.00	CHASE	2.12%	Erie Co.High Yield
<b>SURPLUS FUND</b>						
28-Jun-02	31-Dec-02	186	\$2,362,665.00	CHASE	1.80%	\$21,972.78
<b>NET REVENUE FUND</b>						
26-Aug-02	26-Sep-02	31	\$500,000.00	M&T	1.67%	\$719.03
25-Jun-02	31-Dec-02	189	\$2,900,000.00	M&T	1.76%	\$26,796.00
28-Jun-02	31-Dec-02	186	\$1,881,275.00	CHASE	1.80%	\$17,495.86
25-Jul-02	31-Dec-02	159	\$5,965,000.00	CHASE	1.80%	\$47,421.75
26-Aug-02	31-Dec-02	127	\$3,100,000.00	CHASE	1.80%	\$19,685.00
			\$14,346,275.00			
<b>DEBT RESERVE FUND</b>						
<b>SERIES F</b>						
01-Jul-02	31-Dec-02	183	\$1,221,434.14	U.S.TREAS.NOTES	5.125%	
			(1,201,000.00 units)			
14-Jul-93	13-Jul-03		\$7,622,950.00	CITIBANK	5.54%	
			\$8,844,384.14			

RECEIVE &amp; FILE



ITEM NO. 3

**CLAIM AGAINST LIABILITY CASUALTY RESERVE FUND**

WHEREAS: On July 10, 2002, Clifford Washington of 41 Waverly Street, Buffalo, New York, filed a Claim with the Buffalo Sewer Authority for damage sustained to his vehicle when a Buffalo Sewer Authority truck backed into the parked vehicle. The total amount of the estimate to repair damages is \$1,849.90; and

WHEREAS: The Claim was forwarded to the City of Buffalo Law Department. The Law Department determined that there was liability on the part of the Buffalo Sewer Authority. The General Manager recommended a total settlement of \$1,849.90.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Clifford Washington, 41 Waverly Street, Buffalo, New York, in the amount of \$1,849.90 as a final settlement to the Claim filed July 10, 2002. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO   APPROVE  

MADE BY   MR. KENNEDY  

2<sup>ND</sup> BY   MR. NAPLES  

AYES           4           NOES           0          

Board Meeting of September 11, 2002

## ITEM NO. 4

**ADJUSTMENT OF SEWER RENT**

WHEREAS: On July 1, 2001, the City of Buffalo Department of Assessment billed the Buffalo Municipal Housing Authority sewer rent based upon total assessed valuation; and

WHEREAS: In accordance with a Consolidated Loan and Subsidy Contract among the Buffalo Municipal Housing Authority, the City of Buffalo, Buffalo Sewer Authority, and the State of New York, sewer rent billing based on the assessed valuation of Talbert Mall and Kensington Heights is calculated on a total assessed valuation of \$5,530,300.00, and for Ferry Grider and Marine Drive properties, the sewer rent is calculated on only one-third of the exempt value; and

WHEREAS: Sewer rent bills were issued totaling \$38,757.24 for the above named properties, and the contractual obligation is actually \$18,851.94.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the cancellation of sewer rent totaling \$19,905.30 for Talbert Mall, Kensington Heights, Ferry Grider, and Marine Drive properties and that this cancellation be paid out of Sewer Rent Account No. 00800108-480090.

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

Board Meeting of September 11, 2002

**Buffalo Municipal Housing Authority**  
Assessment Sewer Rent Adjustments  
**As Per Contract**  
**2002-2003**

	Billed by Department of Assessment	Billing as Per Contract		Adjustment
Talbert Mall (61A)	\$1,300.89			
Ellicott Mall (61B)	0.00			
Kensington Heights (61C)	8,291.55			
Sub-Total	\$9,592.44	\$9,592.44	(1)	0.00
Ferry Grider	\$5,099.50	\$1,492.13	(2)	\$3,607.37
Marine Drive	19,079.76	6,105.52	(2)	12,974.24
Marine Drive	4,985.54	1,661.85	(2)	3,323.69
Sub-Total	\$29,164.80	\$9,259.50		\$19,905.30
<b>GRAND TOTAL</b>	<b>\$38,757.24</b>	<b>\$18,851.94</b>		<b>\$19,905.30</b>

(1) As per contract, sewer rent billing based upon full assessed valuation of not to exceed \$8,000,000 total for 3 parcels.

(2) As per contract, sewer rent billings are based on 1/3 of the exempt value.

ITEM NO. ~~[Insert the ITEM NO.]~~ 5

**ADJUSTMENT OF SEWER RENT**

WHEREAS: In accordance with the Resolution adopted on December 15, 1982, requests for sewer rent cancellations, adjustments or refunds in excess of \$400.00 must be submitted to the Board for its consideration and action; and

WHEREAS: ~~Laurence E. Piselli, The Administrator of Waterfront Healthcare Center (Kaleida Health), Laurence E. Piselli, of the premises), for the premises~~ Intercontinental Branded Apparel, located at ~~2020 Elmwood Avenue, 180-200 Seventh Street,~~ Buffalo, NY, ~~has request~~ed an adjustment of sewer rent based on water use for the period ~~from of July 1999~~ November 2001 through ~~April~~ February 2002 ~~for in the amount of \$5,868.61~~ 37,533.00 in sewer arrears and ~~\$1,551.95~~ 2,160.09 in penalty; and

WHEREAS: Upon receiving a water bill in November 2001, that was approximately 500-600 percent higher than their average, Kaleida contacted Joseph Davis Mechanical to inspect these premises. Upon their inspection, it was determined that ~~their the main waterline had ruptured,~~ resulting in the excessively high water bill. From July 1999 until April 2002, the account for Intercontinental Branded Apparel had been estimated. In April 2002, an actual reading was obtained, ~~that result~~ed in an extremely high billing to ~~the customer~~ this company; and; and

WHEREAS: The company's average usage pattern cannot be determined due to the length of time the account received estimated readings. ; ~~Therefore,~~ settling the account in full is appropriate; and

WHEREAS: ~~A review of this account by~~ Buffalo Sewer Authority staff ~~has reviewed this account and~~ recommends the requested adjustment of sewer rent arrears and penalty.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes and directs the General Manager to reduce ~~the sewer-water rent based, on water use the water sewer rent billing by in the amount of \$5,868.61~~ 37,533.00 in sewer arrears and ~~\$1,551.95~~ 2,160.09 in penalty for ~~the premises located at 2020 Elmwood Avenue 180-200 Seventh Street~~ for the period ~~of July 1999~~ November 2001 through ~~April~~ February 2002.

MOTION TO APPROVE

MADE BY MR. RICHARDSON

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

AYES 4 NOES 0

Board Meeting of ~~September~~ June 11<sup>th</sup> May 29, 2002

ITEM NO. 6

**RESOLUTION AUTHORIZING CWSRF APPLICATION AND AGREEMENT FOR PROJECT FINANCING – NEW YORK CLEAN WATER STATE REVOLVING FUND**

WHEREAS: The following Resolution authorizes the execution and filing of an application and execution and delivery of an agreement setting forth the terms of the Project financing and other documents necessary for CWSRF assistance.

NOW THEREFORE  
BE IT RESOLVED: The Board of the Buffalo Sewer Authority hereby authorizes and directs the General Manager to execute and deliver an application for CWSRF assistance, to execute and deliver the Project financing agreement and any other documents necessary to receive financial assistance from the Fund for the Project, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Buffalo Sewer Authority as stated in the Resolution that follows.

MOTION TO                   APPROVE                    
MADE BY                   MR. KENNEDY                    
2<sup>ND</sup> BY                   MR. RICHARDSON                    
AYES           4           NOES           0          

Board Meeting of September 11, 2002



New York State Environmental Facilities Corporation  
 625 Broadway Albany, New York 12207-2997  
 (800) 882-9721 within New York State  
 (518) 402-6971 Fax (518) 402-6972

Legal Division

**RESOLUTION AUTHORIZING CWSRF APPLICATION  
 AND AGREEMENT FOR PROJECT FINANCING  
 NEW YORK CLEAN WATER STATE REVOLVING FUND**

Resolution authorizing the execution and filing of an application and execution and delivery of a agreement setting forth the terms of the Project financing and other documents necessary for CWSRF assistance.

**WHEREAS, The Buffalo Sewer Authority**

(Legal Name of Applicant)

herein called the "Applicant", after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the project generally described as:

- (1) Primary Digester Cleaning Inspection and Repair
- (2) Scum Collection Modification and Transfer Station Project

(Description of Project)

and identified as CWSRF Project Number(s) C9-6602-06-00  
 C9-6602-07-00

herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

**WHEREAS**, the United States, pursuant to the Federal Water Quality Act of 1987 (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

**WHEREAS**, the State of New York has, pursuant to the State Water Pollution Control Revolving Fund Act, Chapter 565 of the Laws of New York 1989, as amended (the "CWSRF Act") established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

**WHEREAS**, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, being Chapter 744 of the Laws of 1970, as amended, and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

**WHEREAS**, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

**WHEREAS**, the CWSRF Act authorizes the establishment of a program for financial assistance for planning, design and construction of eligible projects;

**NOW, THEREFORE, BE IT RESOLVED BY**

Buffalo Sewer Authority Board as follows;  
(Governing Body of Applicant)

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person is directed and authorized as the official representative of the Applicant to execute and deliver an application for CWSRF assistance, to execute and deliver the Project financing agreement and any other documents necessary to receive financial assistance from the Fund for the Project, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Applicant as may be required:

Anthony A. Hazzan  
(print name)

General Manager  
(print title)

3. The official designated above is authorized to make application for financial assistance under the CWSRF Program for either short-term or long-term financing or both.
4. One (1) certified copy of this Resolution shall be prepared and sent to the **New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997.**
5. This Resolution shall take effect immediately.

**CERTIFICATE OF RECORDING OFFICER**

The attached Resolution is a true and correct copy of Resolution No. \_\_\_\_\_

authorizing the execution and filing of an application and the execution and delivery of a Project financing agreement and other documents necessary for CWSRF assistance, as regularly adopted at a legally convened meeting of the **Buffalo Sewer Authority Board**  
(Name of Governing Body of the Applicant)

duly held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_; and further that such Resolution has  
(month) (year)

been fully recorded in the \_\_\_\_\_ in my office. In witness whereof, I  
(Title of Record Book)

have hereunto set my hand at this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(month) (year)

If the Applicant has an Official Seal, impress here.

\_\_\_\_\_  
(Signature of Recording Officer)

\_\_\_\_\_  
(Title of Recording Officer)

ITEM NO. 7

**AUTHORIZATION FOR INTERFUND LOAN**

WHEREAS: The Buffalo Sewer Authority anticipates project financing from the New York Clean Water State Revolving Fund (CWSRF) to finance the cost of various construction projects; and

WHEREAS: The financing will not be complete until July 2003. Therefore, it has become necessary to provide an interfund loan from the Buffalo Sewer Authority General Fund to the Buffalo Sewer Authority Construction Fund to implement financing of the Capital Improvement Budget. This interfund loan will be repaid when the Bond Anticipation Notes or Bonds are issued to finance this project; and

WHEREAS: The current request in the amount of \$1,960,000 is for the Primary Digester Cleaning, Inspection and Repair Project. The General Manager has reviewed this request and recommends that the Buffalo Sewer Authority Board approve this interfund loan.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to affect an interfund cash loan from the Buffalo Sewer Authority General Fund to the Buffalo Sewer Authority Construction Fund in the amount of \$1,960,000 for the Primary Digester Cleaning, Inspection and Repair Project. The loan will be repaid when Bond Anticipation Notes or Bonds are issued.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. RICHARDSON	_____
2 <sup>ND</sup> BY	_____	MR. NAPLES	_____
AYES	_____	4	NOES _____ 0

Board Meeting of September 11, 2002



## ITEM NO. 8

**RATIFICATION OF MEMORANDUM OF UNDERSTANDING FOR THE ERIE CANAL HARBOR PROJECT**

- WHEREAS: A Memorandum of Understanding (MOU) has been agreed to among the New York State Urban Development Corporation, d.b.a. the Empire State Development Corporation (ESDC), the County of Erie (County), the City of Buffalo (City), and the Buffalo Sewer Authority (BSA), to pursue the development of the Erie Canal Harbor Project; and
- WHEREAS: The MOU serves as a binding agreement by the parties to fund additional design work for the Erie Canal Harbor Project; and
- WHEREAS: The MOU required the BSA to remit \$200,000.00 to the ESDC for additional design work; and
- WHEREAS: Due to the necessity to expedite the MOU, the Board was polled on August 7, 2002, and verbally authorized the execution of the MOU by the General Manager and the expenditure of \$200,000.00 to the ESDC; and
- WHEREAS: It is now necessary to formally ratify that authorization.
- NOW THEREFORE  
BE IT RESOLVED: That of Board of the Buffalo Sewer Authority hereby ratifies the execution of the MOU by the General Manager and the commitment of \$200,000.00 to the ESDC for additional design work for the Erie Canal Harbor Project.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. RICHARDSON	_____
2 <sup>ND</sup> BY	_____	MR. KENNEDY	_____
AYES	_____	4	NOES _____ 0

Board Meeting of September 11, 2002

ITEM NO. 9

**CONTRACT APPROVAL - LEGAL SERVICES**

WHEREAS: The Buffalo Sewer Authority continues to require the services of an attorney specializing in contract litigation to handle the lawsuits Gwendolyn Wilson and Virginia Anderson v. City of Buffalo and Buffalo Sewer Authority, and Dieffenbach v. Buffalo Sewer Authority; and

WHEREAS: The Buffalo Sewer Authority has utilized the services of Connors and Vilardo, who have expertise in this area, to defend the interests of the Authority in these matters, and the Authority wishes to continue to utilize these services by continuing their contract through June 30, 2003; and

WHEREAS: The General Manager and members of his committee recommend the approval of this contract.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain, for the purposes of Gwendolyn Wilson and Virginia Anderson v. City of Buffalo and Buffalo Sewer Authority, and Dieffenbach v. Buffalo Sewer Authority, the legal services of Connors & Vilardo. Of the firm, Terrence Connors shall be compensated at a rate of one hundred seventy-five dollars (\$175.00) per hour, Vincent Doyle III shall be compensated at a rate of one hundred fifty dollars (\$150.00) per hour, and paralegal time shall be compensated at a rate of seventy-five dollars (\$75.00) per hour. The cost of these services shall not exceed \$40,000.00 and will be charged to account no. 00110106-432003.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. NAPLES</u>		
2 <sup>ND</sup> BY	<u>MR. KENNEDY</u>		
AYES	<u>4</u>	NOES	<u>0</u>

## ITEM NO. 10

**AMEND ITEM NO. 9, EXTENSION OF CONTRACT FOR THE DISPOSAL OF MISCELLANEOUS WASTE MATERIALS, APRIL 17, 2002**

WHEREAS: On April 17, 2002, the Buffalo Sewer Authority Board approved Item No. 9, Extension of Contract for the Disposal of Miscellaneous Waste Materials; and

WHEREAS: It is necessary to amend this Item in order to charge the correct account numbers; and

WHEREAS: The Resolution is to be amended as follows:

“Expenses for this contract will be charged to account nos. 00230106-480000 (\$33,000.00) and 00690106-442100 (\$12,000.00) for screen and grit; and account no. 00380106-480000 (\$13,000.00) for trash disposal.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby accepts this amendment to the April 17, 2002, Board Item No. 9, Extension of Contract for the Disposal of Miscellaneous Waste Materials, and authorizes this Item to be corrected.

MOTION TO APPROVE  
MADE BY MR. KENNEDY  
2<sup>ND</sup> BY MR. RICHARDSON  
AYES 4 NOES 0

Board Meeting of September 11, 2002

ITEM NO. 11

**AUTHORIZATION FOR INCREASE TO ORDER FOR PURCHASE OF REPAIR PARTS FOR GRIT COLLECTORS**

WHEREAS: On May 8, 2002, the Buffalo Sewer Authority Board approved Item No. 4, Authorization to Purchase Repair Parts for Grit Collectors from U. S. Filter, the original equipment manufacturer for this equipment, in the amount of \$17,792.60; and

WHEREAS: Upon delivery of these parts, it was discovered that U. S. Filter quoted 112 feet of chain at \$20.00/ft., for a cost of \$2,240.00, when in fact the Buffalo Sewer Authority required 112 each of 10-foot lengths, or a total of 1,120 feet of chain, at a cost of \$18.50/ft., making the total for this line item \$20,720.00, a difference of \$18,480.00; and

WHEREAS: Due to the necessity to expedite this order, the Board was polled and verbally authorized this change order on July 26, 2002; 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 approve an increase the order with U. S. Filter in the amount of \$18,480.00 for the purchase of repair parts for the grit collectors, making the total purchase \$36,272.60. Funds are available in account no. 00220105-466107.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. NAPLES	_____
2 <sup>ND</sup> BY	_____	MR. RICHARDSON	_____
AYES	_____	4	NOES _____ 0

Board Meeting of September 11, 2002

## ITEM NO. 12

**AUTHORIZATION TO PURCHASE REPAIR PARTS FOR GRIT COLLECTORS**

- WHEREAS: Board approval is required on purchases made over \$10,000.00; and
- WHEREAS: U. S. Filter, the original equipment manufacturer for the chain and bucket grit collectors and thickeners, submitted a quote upon request in the amount of \$36,272.60 for 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 \$36,272.60.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase repair parts necessary to repair the grit collectors from U. S. Filter at a total cost of \$36,272.60. Funds are available in account no. 00230105-466107.

MOTION TO                     APPROVE                      
MADE BY                     MR. NAPLES                      
2<sup>ND</sup> BY                     MR. RICHARDSON                      
AYES           4           NOES           0          

Board Meeting of September 11, 2002

ITEM NO. 13

**AUTHORIZATION TO PURCHASE VARIOUS COMMODITIES UTILIZING CITY CONTRACT PRICING**

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

WHEREAS: The Treatment Plant purchases commodities available through the following City Contract:

<u>City Contract No.</u>	<u>Vendor</u>
7122	Buffalo Crushed Stone
; and	

WHEREAS: The Treatment Plant Superintendent recommends the utilization of City Contract pricing for purchases made through Buffalo Crushed Stone.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the General Manager to utilize City Contract pricing to purchase commodities made through Buffalo Crushed Stone at a cost not to exceed \$25,000.00 and to charge items to account no. 00660105-466269.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of September 11, 2002

ITEM NO. 14

**DESIGNATION OF SOLE SOURCE FOR SELECTED INSTRUMENTATION,  
MAINTENANCE, LABORATORY AND OFFICE EQUIPMENT**

WHEREAS: A Sole Source procurement, in accordance with New York State Procurement Guidelines, is one in which an item is only available from one source due to patents, exclusive franchises, etc., and there is no possibility of competition for the item; and

WHEREAS: The Buffalo Sewer Authority has a need to classify some vendors as Sole Source and has supporting documentation for these designations; and

WHEREAS: The Treatment Plant Superintendent has reviewed all documentation and recommends the attached list of vendors as sole sources for the specifically listed commodities, technology, and/or services only.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority declares the attached list of vendors as sole sources for the specifically listed commodities, technology, and/or services only, for the fiscal year ending June 30, 2003.

MOTION TO                     APPROVE                    

MADE BY                     MR. RICHARDSON                    

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

AYES           4           NOES           0          

Board Meeting of September 11, 2002

<b>VENDOR</b>	<b>PRODUCT/SERVICE</b>
ABB, Inc. (OEM – proprietary system)	ABB Distributed Control System (DCS) hardware and software for the BSA's Supervisory Controls and Data Acquisition (SCADA) system
ABB, Inc. (OEM)	ABB Instrumentation parts, supplies, and service
ASI Robicon Industrial Power Control (OEM)	Purchase and repair of all ASI Robicon brand products
American Air Filter International (OEM)	Purchase of American Air Filter International brand products (BioCel I filter)
Ametek/Thermox/Ametek Process and Analytical Instruments Division (OEM)	Purchase of all Ametek/Thermox brand products (oxygen analyzers and pressure gauges)
Auma Actuators, Inc. (OEM)	Parts and service for all Auma brand control products (valve positioners)
BDP Industries f/k/a Belt Dewatering Press (OEM)	BDP manufactured parts and factory trained service for the 2.0M BDP Model E Belt Presses
BOC Edwards (OEM – owner of proprietary drawings)	Replacement parts, supplies, and service for all BOC Edwards Stokes Vacuum brand vacuum pumps
BSP Thermal Systems, Inc. (OEM)	Sludge Incinerator parts, supplies, and service
Beaumont Birch Industrial Division of Allen-Sherman Hoff (OEM – owner of proprietary drawings)	Incinerator Ash Handling System parts, supplies, and service
Coastal Environmental Systems, Inc. (OEM - owner of proprietary drawings))	Parts, supplies, and service for Weatherpak and Zeno brand products
Drager Safety, Inc.	Purchase and repair of all Drager brand fixed and portable gas detection instruments and system products
Dresser Roots (OEM – owner of proprietary drawings)	Parts, supplies, and service for Dresser Roots brand equipment (blowers, exhausters, and compressors)
EIM Controls (OEM – owner of proprietary drawings)	Replacement parts, supplies, and service for all EIM Controls valve actuators
Fairbanks Morse	Parts, service, and repair of all Fairbanks Morse brand pumps and components
Fireye (OEM)	Parts, supplies, and service of all Fireye brand products (combustion control systems)
Fisher Controls International, Inc., Division of Emerson Process Management, (OEM – owner of proprietary drawings)	Replacement parts, supplies, and service for all Fisher Controls valves and actuators
Hauck Manufacturing (OEM)	Purchase of Hauck Manufacturing brand products (Incinerator burners and afterburners)
Hays Cleveland Controls (OEM)	Parts, supplies, and service of all Hays Cleveland Controls brand products (boiler controls)
ITT Industries, Industrial Pump Group (IPG)	Parts, supplies, and service of Goulds and A-C brand pumps



ITT Industries (ITT Flygt is a subsidiary) (OEM)	Replacement parts and service for ITT Flygt brand pumps, located throughout the Treatment Plant, as well as the remote pump stations
Ideal Electric Company (OEM – owner of proprietary drawings))	Replacement components, parts, and service for all motors in the Raw Wastewater and Settled Wastewater Stations at the Treatment Plant
JWC Environmental/Disposable Waste Systems (OEM)	Parts, supplies, and service of all Muffin Monster brand grinder products
Krohne, Inc. (OEM)	Parts, supplies, and service for all Krohne brand Ultrasonic Flowmeters
Limitorque (OEM)	Replacement parts, supplies, and service of all Limitorque brand valve actuators
Milltronics, Inc. (OEM)	Parts, supplies, and service of all Milltronics brand instrumentation equipment
Moyno, Inc. (OEM)	Parts, supplies, and service for Moyno brand progressive cavity pumps located throughout the Treatment Plant
R. P. Adams Company (OEM)	Replacement parts, supplies, and service for R. P. Adams brand automatic self-flushing strainers installed throughout the BSA Treatment Plant
Rockwell Automation (OEM)	Parts, software, and service for Allen-Bradley Programmable Logic Controllers (PLCs)
Roediger Pittsburgh (OEM)	Parts and service for all Roediger brand Sludge Dewatering Presses and components
Royce Technologies (OEM) (division of ITT Industries)	Sales, service, and repair of all Royce Technologies brand products
Siemens Building Technologies, Inc. (OEM)	Parts, supplies, service, and repair of pneumatic control systems at the Treatment Plant
Thermo Brandt Instruments	STD 5000 and STD 6000 Series current to pressure transducers replacement parts, supplies, and service
Thermo Environmental Instruments (OEM)	Components and parts for the continuous emissions monitoring system (CEMS) at Incinerator Control
Trane, Inc. (OEM – owner of proprietary drawings)	Parts, supplies, and service for Trane brand Air Handling Units (AHU) throughout the Treatment Plant
Tyco Scott Technologies (OEM)	Purchase of all EIT, Scott/Bacharach , Scott Instrument, and Bacharach brand products
US Filter/Envirex (OEM)	Replacement parts, supplies, and service for the grit collectors, sludge thickeners, and final clarifier sludge withdrawal equipment. These systems include US Filter/Envirex products, as well as Link-Belt and FMC Corporation products.
YSI Environmental (OEM)	Replacement parts and service for YSI Dissolved Oxygen probes

ITEM NO. 15

**ADDITION OF DESIGNATED SINGLE SOURCE VENDORS**

WHEREAS: On July 24, 2002, the Buffalo Sewer Authority Board approved Item No. 9, Designation of Single Source for Selected Instrumentation, Maintenance, Laboratory, and Office Equipment; and

WHEREAS: A Single Source procurement, in accordance with New York State Procurement Guidelines, is one in which two or more vendors can supply the commodity, technology, and/or perform the services required by an agency, but the agency selects one vendor over the others for reasons such as expertise or previous experience with similar contracts; and

WHEREAS: The Buffalo Sewer Authority has a need to classify some vendors as Single Source and has supporting documentation for these designations; and

WHEREAS: The Treatment Plant Superintendent has reviewed all documentation and recommends the addition of the attached list of vendors as single sources for the specifically listed commodities, technology, and/or services only.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority declares the attached list of additional vendors as single sources for the specifically listed commodities, technology, and/or services only, for the fiscal year ending June 30, 2003.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of September 11, 2002

<b>VENDOR</b>	<b>PRODUCT/SERVICE</b>
AE Hatch (authorized ABB, Inc. local representative)	ABB, Inc. instrumentation, including temperature, pressure, level, analytical parts, supplies, software, and service
AE Hatch (authorized Robicon Industrial Power Control local representative)	ASI Robicon Industrial Power Control parts, supplies, and service
AFTEK (authorized U S Filter/Envirex local representative)	U S Filter/Envirex parts, supplies, and service
Act Associates (only company in WNY that provides on-site fan balancing)	Sludge Incinerator Induced Draft (ID) Fans parts, service, and repair
Applied Technical Services Corporation (authorized Buckpitt Co. local representative)	Service to all Buckpitt Co. supplied industrial combustion equipment (including Fireye and Hayes Cleveland Controls)
Buckpitt Co. (authorized Fireye local representative)	Fireye boiler and incinerator combustion controls parts, supplies, and service
Buckpitt Co. (authorized Hays Cleveland Controls local representative)	Hays Cleveland Controls boiler controls parts, supplies, and service
Burgh Schoenenberger Associates (authorized Royce Technologies local representative)	Royce Technologies parts, supplies, and service
Combustion Products and Services (authorized Hauck Manufacturing Company local representative)	Hauck Manufacturing Company parts, supplies, and service
Conway Process Equipment (authorized R.P. Adams Company local representative)	R.P. Adams Company automatic self-flushing strainer parts, supplies, and service
Cyclops Process Equipment (authorized group representative for Milltronics equipment in WNY)	Milltronics brand name equipment parts, supplies, and service
Fluid Kinetics (authorized ITT Industries, manufacturer of Goulds and A-C brand pump lines, local representative)	Goulds and A-C brand pump parts, supplies, and service
Fluid Kinetics (authorized Fairbanks Morse local representative)	Fairbanks Morse pump parts, supplies, and service
Gerster Trane (leading manufacturer of steam absorption chillers and currently hold the Erie County contract)	York brand Treatment Plant steam absorption chiller parts and service
ISCO c/o Burgh Schoenenberger (authorized ISCO local representative)	ISCO samplers, including replacement parts and service
Industrial Fabrics (manufacturer and supplier of Durotex brand dewatering belts)	Purchase of Durotex dewatering belts
Koester Associates, Inc. (authorized BDP Industry, Inc. local representative)	BDP Industry, Inc. parts, supplies, and service
Measurement and Controls-2000 (MaC-2000) (authorized Thermo Brandt local rep.)	Thermo Brandt Instruments parts, and service
NIBSCO Automation (EIM Gold Seal Service facility) (authorized EIM, Inc. local representative)	EIM, Inc. valve actuators, controls, parts, supplies, and service

North Coast Instruments (authorized Limitorque Corporation local representative)	Limitorque Corporation parts, supplies, and service
Northeast Controls, Inc. (authorized Fisher Controls local representative)	Fisher Controls parts, supplies, and service
R. C. Kolstad (only authorized local representative for Kisco water softening system)	Service and repair to Kisco water softening system in the Incineration Department
Rexel-Wehle Electric (authorized Allen-Bradley local representative)	Allen-Bradley PLC parts, supplies, software, and service
Shrier-Martin Process Equipment (authorized Moyno, Inc. local representative)	Moyno, Inc. parts, supplies, and service
Stritt & Priebe, Inc. (only local company certified by both the American Society of Mechanical Engineers and the National Board of Boiler Inspectors)	Parts, supplies, and service of safety valves, steam control valves, and actuators on all BSA Treatment Plant boilers and steam vessels
Systemation (authorized Ametek local rep.)	Ametek parts, supplies, and service
Systemation (authorized Scott Instruments, manufacturer of these products, local rep.)	EIT, Bacharach, Scott/Bacharach, and Scott Instruments parts, supplies, and service
Target Power Service, Inc. (authorized Beaumont Birch local representative)	Beaumont Birch Incinerator Ash Handling System service

## ITEM NO. 16

**AUTHORIZATION TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH ERDMAN ANTHONY AND ASSOCIATES, INC., FOR THE HERTEL AVENUE STORM SEWER PROJECT**

WHEREAS: Erdman Anthony and Associates, Inc., under a contract with the City of Buffalo, designed the Hertel Avenue Storm Sewer Project; and

WHEREAS: This Project will extend the storm sewer system in Hertel Avenue from Starin Avenue to Main Street; and

WHEREAS: Upon completion of this Project, the City of Buffalo intends to rebuild Main Street from Bailey Avenue to the Scajaquada Expressway, and convey roadway drainage to the Hertel Avenue sewer; and

WHEREAS: A proposal has been received from Erdman Anthony and Associates, Inc., to provide Engineering Services as follows: 1.) Construction Administration and Inspection Services; for a total cost not to exceed \$188,500.00; and

WHEREAS: Buffalo Sewer Authority staff reviewed the proposal and recommends entering into a contract with Erdman Anthony and Associates, Inc.

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 Erdman Anthony and Associates, Inc., to provide Engineering Services for the Hertel Avenue Storm Sewer Project at a cost not to exceed \$188,500.00. Funds for this contract shall be charged to account no. 02000193-432004.

MOTION TO APPROVE

MADE BY MR. NAPLES

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

AYES 4 NOES 0

Board Meeting of September 11, 2002

ITEM NO. 17

**AMENDMENT NO. 1 TO AGREEMENT WITH WATTS ENGINEERS - CONTRACT NO. 84100014**

WHEREAS: On January 9, 2002, the Board of the Buffalo Sewer Authority approved a contract with Watts Engineers for the Septage & Digested Sludge Disposal Transfer Station Improvements at the Bird Island Wastewater Treatment Plant; and

WHEREAS: Additional Engineering Services are required to support the New York State Environmental Facilities Corporation (EFC) application and administration of the rebidding process with cost for reprinting documents; and

WHEREAS: The services include three (3) additional tasks, in an amount not to exceed \$3,250.00, as follows:

- Task A – Engineering Services to support the EFC Loan Application - \$500.00
  - Task B – Administration of the rebidding phase - \$2,400.00
  - Task C – Printing and photocopying - \$350.00
- ; and

WHEREAS: Buffalo Sewer Authority staff has 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 Watts Engineers by \$3,250.00 to \$31,750.00 to cover the additional Engineering Services required for the Septage & Digested Sludge Disposal Transfer Station Improvements at the Bird Island Wastewater Transfer Plant. Funds for this contract will be charged to account no. 02000185-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

ITEM NO. 18

**AMENDMENT NO. 1 TO AGREEMENT WITH WATTS ENGINEERS - CONTRACT NO. 84100015**

WHEREAS: On January 9, 2002, the Board of the Buffalo Sewer Authority approved a contract with Watts Engineers for the Grease Disposal Transfer Station Improvements at the Bird Island Wastewater Treatment Plant; and

WHEREAS: Additional Engineering Services are required to support the New York State Environmental Facilities Corporation (EFC) application and administration of the rebidding process with cost for reprinting documents; and

WHEREAS: The services include three (3) additional tasks, in an amount not to exceed \$3,250.00, as follows:

- Task A – Engineering Services to support the EFC Loan Application - \$500.00
  - Task B – Administration of the rebidding phase - \$2,400.00
  - Task C – Printing and photocopying - \$350.00
- ; and

WHEREAS: Buffalo Sewer Authority staff has 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 Watts Engineers by \$3,250.00 to \$32,750.00 to cover the additional Engineering Services required for the Grease Disposal Transfer Station Improvements at the Bird Island Wastewater Transfer Plant. Funds for this contract will be charged to account no. 02000186-432004.

MOTION TO APPROVE

MADE BY MR. NAPLES

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

AYES 4 NOES 0

ITEM NO. 19

**AMENDMENT NO. 1 TO AGREEMENT WITH WATTS ENGINEERS - CONTRACT NO. 84100016**

WHEREAS: On January 9, 2002, the Board of the Buffalo Sewer Authority approved a contract with Watts Engineers for the Primary Clarifier Scum Collection Modifications; and

WHEREAS: Additional Engineering Services are required to support the New York State Environmental Facilities Corporation (EFC) application and administration of the rebidding process with cost for reprinting documents; and

WHEREAS: The services include three (3) additional tasks, in an amount not to exceed \$6,550.00, as follows:

- Task A – Engineering Services to support the EFC Loan Application - \$3,800.00
  - Task B – Administration of the rebidding phase - \$2,400.00
  - Task C – Printing and photocopying - \$350.00
- ; and

WHEREAS: Buffalo Sewer Authority staff has 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 Watts Engineers by \$6,550.00 to 26,050.00 to cover the additional Engineering Services required for the Primary Clarifier Scum Collection System Modification. Funds for this contract will be charged to account no. 02000184-432004.

MOTION TO APPROVE

MADE BY MR. RICHARDSON

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

AYES 4 NOES 0



## ITEM NO. 20

**REPORT ON BIDS RECEIVED-PRIMARY CLARIFIER SCUM COLLECTION  
MODIFICATIONS SEPTAGE & DIGESTED SLUDGE TRANSFER STATION  
IMPROVEMENTS AND GREASE TRANSFER STATION IMPROVEMENTS**

WHEREAS: Formal bids were advertised and solicited for Primary Clarifier Scum Collection Modifications Septage & Digested Sludge Transfer Station Improvements and Grease Transfer Station Improvements. The following bids were received and opened by the Buffalo Sewer Authority on July 11, 2002:

C.O. Falter Construction	\$689,101.00
John W. Danforth Company	\$977,000.00
; and	

WHEREAS: These proposals were received and exceeded the Engineer's estimate of \$500,000.00; and

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

WHEREAS: Due to the necessity to expedite the rejection of these bids, the Board was polled and verbally authorized this rejection on July 24, 2002; 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 rejects the bids received for the Primary Clarifier Scum Collection Modifications Septage & Digested Sludge Transfer Station Improvement and Grease Transfer Station Improvements.

MOTION TO APPROVE

MADE BY MR. NAPLES

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

AYES 4 NOES 0

Board Meeting of September 11, 2002

## ITEM NO. 21

**CHANGE ORDER NO. 2 – CONTRACT NO 84000018**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$729,400.00
Ferguson Electric Construction Company, Inc.	PREVIOUS CHANGE ORDER	32,785.20
321 Ellicott Street	THIS CHANGE ORDER	<u>0.00</u>
Buffalo, New York 14203	FINAL CONTRACT COST	\$762,185.20

WORK: Replacement of 5P1 Panel Transformers at the Wastewater Treatment Facility

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Extension of contract time of completion to September 10, 2002.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Contract time extension is required to facilitate restoration work slowed down by weather condition in the spring season.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$ 0.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$0.00

The total INCREASE/DECREASE to the contract as a result of this  
Change Order is \$0.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 102 calendar days, making the final completion date September 10, 2002.
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. 84000018 as written in the above Agenda Item, increasing the contract cost in the amount of \$0.00, making the final contract cost \$762,185.20.

MOTION TO                     APPROVE                      
 MADE BY                     MR. KENNEDY                      
 2<sup>ND</sup> BY                     MR. RICHARDSON                      
 AYES           4           NOES           0          

Board Meeting of September 11, 2002

ITEM NO. 22

CONTRACT NO. 84000018

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY**

WORK: Replacement of 5P1 Panel Transformers at Wastewater Treatment Facility

BID: \$729,400.00

CONTRACTOR: Ferguson Electric Construction Company, Inc.  
321 Ellicott Street  
Buffalo, New York 14203

WHEREAS: R. & D. Engineering, P.C., and staff of the Buffalo Sewer Authority have certified that the Contractor completed the work in accordance with the plans and specifications on September 10, 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 September 10, 2002;
- c. The maintenance period commence on September 10, 2002;
- d. Final payment be made to the Contractor in the amount of \$74,549.87, an increase of \$32,785.20 by Change Order No. 1, making the final cost of the contract \$762,185.20.

MOTION TO APPROVE

MADE BY MR. RICHARDSON

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

AYES 4 NOES 0

Board Meeting of September 11, 2002

## ITEM NO. 23

**CHANGE ORDER NO. 2 – CONTRACT NO 84100019**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$99,770.00
Sterling Refractory	PREVIOUS CHANGE ORDER	52,500.00
120 Michigan Avenue	THIS CHANGE ORDER	<u>76,100.00</u>
Buffalo, New York 14203	ADJUSTED CONTRACT COST	\$228,370.00

WORK: Incinerator #3 Rehabilitation

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 A third hearth needs to be replaced.
- Item #2 The afterburner chamber requires cleaning of ash in the bottom.
- Item #3 The north and south transition walls in the ductwork require rebuilding.
- Item #4 Three (3) afterburner jackets and the wall between them need to be replaced.
- Item #5 Steel doors on hearths #5, #6 and #8 need to be replaced or repaired.
- Item #6 The inlet and bypass dampers need to be replaced. Replace with four (4) 310 stainless damper blades.

**REASON FOR CHANGE OR EXTRA WORK:**

- Items #1 - #6 During the rehabilitation work on the incinerator, it was found that the areas described in Items #1 - #6 required additional work. This additional work was not apparent until closer inspection, after the contract was started.

**COST OF CHANGE OR EXTRA WORK:**

Item #1	\$ 14,800.00
Item #2	\$ 3,000.00
Item #3	\$ 15,000.00
Item #4	\$ 20,500.00
Item #5	\$ 6,900.00
Item #6	\$ 15,900.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$76,100.00

The total INCREASE to the contract as a result of this Change Order is \$76,100.00

CONTRACT SUPPLEMENT CONDITIONS:

- 6. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed for completion by September 30, 2002.
- 7. 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.
- 8. 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.
- 9. 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%).
- 10. 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.

WHEREAS: Due to the necessity to expedite this Change Order, the Board was polled and verbally authorized this Change Order on July 24, 2002; 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 approves Change Order No. 2 to contract no. 84100019 as written in the above Agenda Item, increasing the contract cost in the amount of \$76,100.00, making the adjusted contract cost \$228,370.00.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

## ITEM NO. 24

**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 position to the Job Classification Plan:

**One (1) Associate Chemist**

**00510151 411001**

MOTION TO                                                    APPROVE                                  
MADE BY                                                      MR. NAPLES                                  
2<sup>ND</sup> BY                                                            MR. RICHARDSON                                  
AYES                                      4                   NOES                                      0                  

Board Meeting of September 11, 2002

ITEM NO. 25

**CONFIRMATION OF APPOINTMENTS**

**ASSISTANT SHIFT SUPERINTENDENT (PROVISIONAL)**  
SEWAGE TREATMENT PLANT  
\$47,856 PER ANNUM  
EFFECTIVE: AUGUST 5, 2002

MICHAEL LETINA  
151 CHOATE  
BUFFALO, NY

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**PRINCIPAL CLERK (PERMANENT)**  
SEWER MAINTENANCE DEPARTMENT  
\$43,294 PER ANNUM  
EFFECTIVE: AUGUST 5, 2002

JULIE OLSZEWSKI  
39 LISA ANN LANE  
WEST SENECA, NY

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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                    
2<sup>ND</sup> BY   MR. KENNEDY                    
AYES                                   4           NOES                             0          

Board Meeting of September 11, 2002



## ITEM NO. 26

**REQUEST FOR LEAVE WHILE ON UNION BUSINESS**

WHEREAS: The General Manager has received the following communication from the President of CSEA Local 815:

“September 4, 2002

Mr. Anthony A. Hazzan  
General Manager  
Buffalo Sewer Authority  
1038 City Hall  
Buffalo, NY 14202

Dear Tony,

As President of the Sewer Unit of C.S.E.A., I am being sent to the Region VI meeting in Grand Island, NY, on Friday, October 4, and Saturday, October 5, 2002.

I will need Friday, October 4, 2002, to attend. I am asking for Board approval as per our union contract for Union Business.

Very truly yours,

Richard Stoddard, Sr. /s/  
President  
CSEA Buffalo Sewer Unit”

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. NAPLES	_____
2 <sup>ND</sup> BY	_____	MR. RICHARDSON	_____
AYES	_____	4	NOES _____ 0

Board Meeting of September 11, 2002

ITEM NO. 27

**TUITION ASSISTANCE**

WHEREAS: In accordance with the Agreement 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>SEMESTER</u>	<u>TUITION</u>
Alan Emke	Buffalo State College	Visual Basic Programming	Fall 2002	\$411.00

WHEREAS: No funds will be expended at this time.

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

MOTION TO APPROVE

MADE BY MR. NAPLES

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

AYES 4 NOES 0

Board Meeting of September 11, 2002

## ITEM NO. 28

TUITION REIMBURSEMENT

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 employees have applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT</u> <u>TOTAL</u>
George Giambrone	NYWEA	Treatment of Water Treatment Plant Wastewater	100%	\$15.00
Angelo Provenzano	New Covenant School of Ministry	The Book of James – A Study in Practical Christianity	90%	\$36.00
Alan Emke	Buffalo State College	Conservation	75%	\$379.28
Alan Emke	Buffalo State College	Workshop Crafts	75%	\$308.25

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$738.53. These Reimbursements will be charged to Account No. 00800108-480214.

MOTION TO APPROVE  
MADE BY MR. RICHARDSON  
2<sup>ND</sup> BY MR. KENNEDY  
AYES 4 NOES 0

Board Meeting of September 11, 2002

ITEM NO. 29

**ADJOURNMENT OF MEETING**

MOTION TO \_\_\_\_\_ APPROVE \_\_\_\_\_

MADE BY \_\_\_\_\_ MR. RICHARDSON \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_ MR. KENNEDY \_\_\_\_\_

AYES \_\_\_\_\_ 4 \_\_\_\_\_ NOES \_\_\_\_\_ 0 \_\_\_\_\_

Board Meeting of September 11, 2002