

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
February 5, 2003**

BUFFALO SEWER AUTHORITY

February 5, 2003

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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

January 24, 2003

<i>ISSUE DATE</i>	<i>MATURITY DATE</i>	<i>TOTAL DAYS</i>	<i>AMOUNT</i>	<i>BANK</i>	<i>RATE</i>	<i>INTEREST AMOUNT</i>
CAPITAL IMPROVEMENT FUND						
15-Apr-02	MONEY MARKET		\$ 515,354.00	CHASE	1.75%	Erie Co.High Yield
CONSTRUCTION FUND						
08-Apr-02	MONEY MARKET		\$ 9,110,283.83	CHASE	1.75%	Erie Co.High Yield
SERIES 2001 BOND ANTICIPATION NOTES						
08-Apr-02	MONEY MARKET		\$ 789,528.98	CHASE	1.75%	Erie Co.High Yield
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	MONEY MARKET		\$ 1,237,281.88	CHASE	1.75%	Erie Co.High Yield
OPERATING FUND						
08-Apr-02	MONEY MARKET		\$ 2,800,000.00	CHASE	1.75%	Erie Co.High Yield
SURPLUS FUND						
13-Jan-03	30-Jun-03	168	\$2,845,386.00	CHASE	1.25%	\$16,598.09
NET REVENUE FUND						
31-Dec-02	27-Jan-03	27	\$500,000.00	CHASE	1.35%	\$506.25
31-Dec-02	30-Jun-03	181	\$10,112,500.00	CHASE	1.25%	\$63,554.25
			\$10,612,500.00			
DEBT RESERVE FUND						
SERIES F						
01-Jan-03	30-Jun-03	180	\$1,203,823.48	U.S.TREAS.NOTES	5.375%	
			(1,179,000.00 units)			
SERIES G						
14-Jul-93	13-Jul-03		\$7,622,950.00	CITIBANK	5.54%	
			\$8,826,773.48			

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**INFORMATIVE: REPORT ON THE CONDITION OF THE
CAPITAL IMPROVEMENT FUND**

Balance July 1, 2002		\$ 515,355.10	
(Temporary Investments & Cash)			
Interest on Investments		788.84	
Transfers from Operating Fund		-	
Transfers to Operating Fund		(788.84)	
			\$ 515,355.10
Less: Expenditures		-	
Encumbrances		-	-
Unallocated Funds as of December 31, 2002			515,355.10

**Note: As of December 31, 2002, there have been no expenditures of
Capital Improvement Funds for the current fiscal year.**

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ITEM NO. 4

INFORMATIVE: REPORT ON THE CONDITION OF THE LIABILITY AND CASUALTY RESERVE FUND

The resolution that created the Liability and Casual Reserve Fund provides that:

“The General Manager shall regularly and not less than semi-annually render to the Board a detailed report of the operation and condition of the Liability and Casualty Reserve Fund.”

Fund Balance as of June 30, 2002	\$1,293,852.84
Interest Earnings	\$13,148.55
Transfer From Operating Fund	-
Less: Claims Paid	\$68,640.55
Fund Balance as of December 31, 2002	\$1,238,360.84

During the period of July 1, 2002 – December 31, 2002, the B.S.A. settled 5 claims. 1 claim was denied. 4 claims resulted in cash payments from the B.S.A. totaling \$68,640.55.

Total Active Claims Pending

Bodily Injury	24
Property Damage	38
Auto B.I. & P.D	9
Other Liability	<u>3</u>
	74

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ITEM NO. 6

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: On November 21, 2002, Steve Szpakowski of 900 Amherst Street, Apartment No. 10, Buffalo, New York, filed a Claim with the Buffalo Sewer Authority for damage sustained to his vehicle when a Buffalo Sewer Authority truck struck his parked vehicle. The total amount of the estimate to repair damages is \$1,078.01; 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 \$1,078.01; and

WHEREAS: The Board was polled on January 8, 2003, and verbally authorized and approved this item for payment in advance.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Steve Szpakowski, 900 Amherst Street, Apartment No. 10, Buffalo, New York, in the amount of \$1,078.01 as a final settlement to his Claim filed November 21, 2002. This Claim was paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. RICHARDSON

AYES 5 NOES 0

Board Meeting of February 5, 2003

ITEM NO. 8

AUTHORIZATION FOR PAYMENT TO O'CONNELL ELECTRIC FOR REPAIR OF TWO MAIN TRANSFORMER LOAD TAP CHANGERS

WHEREAS: On May 30, 2001, the Board of the Buffalo Sewer Authority awarded a contract to O'Connell Electric Company through a formal bid process to provide in-plant electrical maintenance services at the Treatment Plant for the period beginning July 1, 2001 through June 30, 2002, with an option to renew for two (2) one-year periods. On April 17, 2002, the Board of the Buffalo Sewer Authority extended this contract for the period beginning July 1, 2002 through June 30, 2003; and

WHEREAS: On December 21, 2002, the electrical power to approximately half of the Treatment Plant was lost. The result of this power failure was a damaged load tap changer on the north main transformer at the Treatment Plant, which disabled the associated transformer. In order to provide back-up electrical service to the plant, immediate action was necessary; and

WHEREAS: Due to the emergency nature of these repairs, the Treatment Plant Superintendent and Superintendent of Mechanical Maintenance authorized O'Connell Electric to perform these repairs utilizing the rates that were established in their current electrical maintenance contract with the Buffalo Sewer Authority. This action was necessary to insure reliable electrical service and prevent further damage to the Treatment Plant transformers; and

WHEREAS: The repairs to the North transformer have been completed and the South transformer is currently under repair and should be completed in mid-February. The estimate for this work is \$130,000.00; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend approval of payment to O'Connell Electric upon completion of this work for a total amount not to exceed \$130,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve payment to O'Connell Electric upon completion of this work for a total amount not to exceed \$130,000.00. Funds are available in account no. 04092107-400000.

MOTION TO APPROVE

MADE BY MSGR. GABALSKI

2ND BY MR. KENNEDY

AYES 5 NOES 0

ITEM NO. 11

CHANGE ORDER NO. 1 – CONTRACT NO. 84100020

CONTRACTOR:	ORIGINAL CONTRACT COST	\$177,350.00
J. A. Brundage/ The Drain Doctor, Inc.	THIS CHANGE ORDER	<u>32,518.75</u>
1401 College Avenue – Route 31	ADJUSTED CONTRACT COST	\$209,868.75
Niagara Falls, New York 14305		

WORK: Sewer Cleaning and Internal Television Inspection

DESCRIPTION OF CHANGE OR EXTRA WORK:

Change the Contract Items as listed below:

Item 1A	From 17,000 L.F. to 21,650 L.F.
Item 1B	From 11,000 L.F. to 14,304 L.F.
Item 1C	From 6,400 L.F. to 7,297 L.F.
Item 1D	From 800 L.F. to 1,314 L.F.
Item 2A	From 17,000 L.F. to 21,650 L.F.
Item 2B	From 11,000 L.F. to 14,081 L.F.
Item 2C	From 6,400 L.F. to 7,088 L.F.
Item 2D	From 800 L.F. to 1,864 L.F.
Item 3A	From 16 repairs to 24 repairs
Item 3B	From 10 repairs to 8 repairs
Item 3C	No change

REASON FOR CHANGE OR EXTRA WORK:

Additional work as directed to clean, inspect, and repair sewer in streets that the City of Buffalo will repave.

COST OF CHANGE OR EXTRA WORK:

Item 1A	\$	5,812.50
Item 1B	\$	4,956.00
Item 1C	\$	2,466.75
Item 1D	\$	1,542.00
Item 2A	\$	2,325.00
Item 2B	\$	1,540.50
Item 2C	\$	344.00
Item 2D	\$	532.00
Item 3A	\$	20,000.00
Item 3B	\$	(7,000.00)
Item 3C	\$	0.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK

\$32,518.75

The total INCREASE to the contract as a result of this Change Order is \$32,518.75

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed, making the final completion date January 31, 2003.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable Equipment Specifications, General Specifications and Project Specifications for the same type of work.
3. This contract supplement, unless otherwise provided herein, does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place, under coverage of his Performance and Payment Bonds and Contractor’s Insurance, all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his Performance and Payment Bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to contract no. 84100020 as written in the above Agenda Item, increasing the contract cost in the amount of \$32,518.75, making the adjusted contract cost \$209,868.75.

MOTION TO APPROVE

MADE BY MSGR. GABALSKI

2ND BY MR. NAPLES

AYES 5 NOES 0

Board Meeting of February 5, 2003

ITEM NO. 12

CONTRACT NO. 84200005

FINAL ADJUSTMENT

CONTRACTOR: Visone Construction, Inc. 66 Sheldon Avenue Depew, New York 14203	CONTRACT COST	\$ 58,700.00
	FINAL ADJUSTMENT	<u>(5,475.00)</u>
	FINAL CONTRACT COST	\$ 53,225.00

WORK: Combined Sewer Renovation in Commonwealth Avenue between Hertel Avenue and Tacoma Avenue

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 \$5,475.00, making the final contract price \$53,225.00.

WHEREAS: The Principal Sanitary Engineer reviewed the final adjustment and recommends its approval; and

WHEREAS: The Contractor completed the work on November 30, 2002, and the Buffalo Sewer Authority held the final inspection on November 30, 2002.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the final adjustment for the Combined Sewer Renovation in Commonwealth Avenue between Hertel Avenue and Tacoma Avenue, as written in the above Agenda Item, making the final contract cost \$53,225.00.

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

Board Meeting of February 5, 2003

ITEM NO. 15

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 positions from the Job Classification Plan:

One (1) Typist	00110121 411001
One (1) Senior Stenographer	00200121 411001
One (1) Account Clerk-Typist	00200121 411001
One (1) Assoc. Chief Stationary Engineer	00380131 411001
One (1) Instrument Technician	00520131 411001
One (1) Labor Supervisor I	00530131 411001

MOTION TO APPROVE

MADE BY MR. RICHARDSON

2ND BY MSGR. GABALSKI

AYES 5 NOES 0

Board Meeting of February 5, 2003

ITEM NO. 18

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 employee has applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
David W. Rossney	Buffalo State College	Grade 4 Management	100%	\$500.00
Alan M. Emke	Buffalo State College	Visual Basic Programming	90%	\$369.90
Paul Cieslak	Buffalo State College	Grade 4 Management	100%	\$500.00

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$1369.90. This Reimbursement will be charged to Account No. 00800108-480214.

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

Board Meeting of February 5, 2003

ITEM NO. 19

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MR. RICHARDSON 2ND BY MSGR. GABALSKI AYES 5 NOES 0

Board Meeting of February 5, 2003