

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
May 26, 2004**

50050.....50079

BUFFALO SEWER AUTHORITY

May 26, 2004

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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ITEM NO. 2						
INFORMATIVE: TEMPORARY INVESTMENTS (CERTIFICATES OF DEPOSIT AND TREASURY BIL						
May 13, 2004						
ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
#####	MONEY MARKET		\$ 378,125.00	CHASE	1.21%	Co.High Y
CONSTRUCTION FUND						
#####	MONEY MARKET		\$ 12,855,205.46	CHASE	1.21%	Co.High Y
LIABILITY AND CASUALTY RESERVE FUND						
#####	MONEY MARKET		\$ 1,137,966.48	CHASE	1.21%	Co.High Y
OPERATING FUND						
#####	MONEY MARKET		\$ 2,811,840.39	CHASE	1.21%	Co.High Y
TRUST & AGENCY FUND						
#####	MONEY MARKET		\$ 17,826.63	CHASE	1.21%	Co.High Y
SURPLUS FUND						
#####	02-Jun-04	117	\$ 3,719,871.00	4&T Securities	1.00%	\$ 12,129
			\$ 3,719,871.00			
NET REVENUE FUND						
#####	25-May-04	61	\$ 1,002,383.84	4&T Securities	0.95%	\$ 1,616
#####	23-Jun-04	119	\$ 2,649,477.42	4&T Securities	0.97%	\$ 8,522
#####	30-Jun-04	65	\$ 529,269.24	4&T Securities	0.95%	\$ 916
#####	01-Jul-04	210	\$ 7,620,435.32	4&T Securities	1.13%	\$ 50,564
			\$ 11,801,565.82			
DEBT RESERVE FUND						
#####	30-Jun-04	366	\$ 1,179,697.42	SERIES F U.S.TREAS.NOTE	0.90%	\$ 16,631
			(1,157,000.00 par)			(6)
#####	15-Aug-08	###	\$ 7,350,000.00	SERIES I 4&T Securities	3.25%	\$ 119,437
#####	15-Apr-32		\$ 2,825,593.00	SERIES H SLG	4.35%	
#####	15-Nov-33		\$ 774,061.00	SERIES J SLG	3.85%	
			\$ 12,129,351.42			
CONSTRUCTION FUND						
#####	20-May-04	35	\$ 1,258,824.00	SERIES H MTB Funds	0.96%	\$ 1,176
#####	27-May-04	35	\$ 1,315,770.80	4&T Securities	0.96%	\$ 1,229
#####	03-Jun-04	35	\$ 808,244.93	4&T Securities	0.96%	\$ 755
#####	03-Jun-04	21	\$ 1,400,215.44	4&T Securities	0.96%	\$ 784
#####	10-Jun-04	35	\$ 1,932,176.13	4&T Securities	0.97%	\$ 1,823
			\$ 6,715,340.64			
CONSTRUCTION FUND						
#####	20-May-04	14	\$ 225,916.51	SERIES J MTB Funds	0.95%	\$ 83
			\$ 226,520.57			
RECEIVE &						

ITEM NO. 3

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: On May 7, 2004, Linda Provenzano of 28 Wellington Avenue, Town of Tonawanda, New York, filed a Claim with the Buffalo Sewer Authority for damages to her automobile. On April 30, 2004, her nephew Donald J. Kelley, Jr., was driving her car and was standing at a red light at the corner of Colvin and Hertel when a Buffalo Sewer Authority vehicle backed into the front end of her automobile. The total cost of damages is \$2,388.95; and

WHEREAS: The General Manager reviewed the claim and recommends payment in the amount of \$2,388.95.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Linda Provenzano, 28 Wellington Avenue, Town of Tonawanda, New York, in the amount of \$2,388.95. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 4

AUTHORIZATION TO INCREASE ORDER NO. 20400132

WHEREAS: On May 28, 2003, the Board of the Buffalo Sewer Authority authorized the General Manger to continue to retain Charles Mortorana, of Hiscock & Barclay, for legal services at the rate of \$165.00 per hour, on an as-needed basis for the 2003-2004 fiscal year, to a maximum amount of \$50,000.00; and

WHEREAS: Mr. Mortorana assists Buffalo Sewer Authority staff in dealing with many complex regulatory, enforcement, and environmental matters which require the skills of a specialized attorney; and

WHEREAS: Current legal issues requiring Mr. Mortorana's expertise necessitate an increase to order no. 20400132 from \$50,000.00 to \$65,000.00 for the remainder of the current fiscal year; and

WHEREAS: The General Manager and the members of his committee recommend authorization for this increase.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the increase to order no. 20400132 from \$50,000.00 to \$65,000.00 for the legal services of Charles Mortorana, of Hiscock & Barclay, on an as-needed basis for the remainder of the current fiscal year through June 30, 2004. Expenses for these legal services will be charged to account no. 00550106-432003.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 5

CONTRACT APPROVAL - LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex regulatory, enforcement, and environmental matters that require the skills of a specialized attorney; and

WHEREAS: Charles Mortorana, of Hiscock & Barclay, has extensive experience in these areas. Mr. Mortorana also represents the Buffalo Sewer Authority in litigation and arbitration matters as needed; and

WHEREAS: The Buffalo Sewer Authority wishes to continue to utilize his expertise and services; and

WHEREAS: The General Manager and the members of his committee recommend approval to continue to retain Charles Mortorana, of Hiscock & Barclay, for legal services on an as-needed basis for the fiscal year July 1, 2004 through June 30, 2005.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to continue to retain Charles Mortorana, of Hiscock & Barclay, for legal services on an as-needed basis for the fiscal year July 1, 2004 through June 30, 2005. Mr. Mortorana shall be compensated at the rate of \$175.00 per hour, to a maximum of \$32,000.00. Expenses for these legal services will be charged to account no. 00550106 – 432003.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 6

CONTRACT APPROVAL - LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex labor relations matters that require the skill of a special labor relations attorney; and

WHEREAS: James N. Schmit, of Damon & Morey, has extensive experience in these areas; and

WHEREAS: The Buffalo Sewer Authority wishes to continue to utilize his expertise and services; and

WHEREAS: The General Manager and the members of his committee recommend approval to continue to retain James N. Schmit, of Damon & Morey, for legal services on an as-needed basis for the fiscal year July 1, 2004 through June 30, 2005.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain, on an as-needed basis, the services of Mr. James N. Schmit, of Damon and Morey, to provide legal services as required. Mr. Schmit shall be compensated at a rate of \$150.00 per hour and associate attorneys shall be compensated at the rate of \$125.00 per hour, to a maximum of \$65,000.00. This agreement will be for the fiscal year July 1, 2004 through June 30, 2005. The cost of these services will be charged to account no. 00110106-432003.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 7

TRANSFER OF SEWER RENT EXEMPTION FOR THE BUFFALO ZOO TO THE COUNTY OF ERIE

WHEREAS: The City of Buffalo has agreed to transfer the titles of several Regional Assets, including the Buffalo Zoo, to the County of Erie; and

WHEREAS: The transfer of the ownership of the Zoo shall include the Science Magnet School located on the grounds of the Zoo. The County/Buffalo Zoological Society lease shall permit the Society to sublease the school building to the Buffalo Board of Education provided the Board of Education shall be fully responsible for all costs of operating the building; and

WHEREAS: As a condition of this transfer, the City and the County agree that costs associated with sewer service based on water usage provided to the Zoo and the Science Magnet School, located on the grounds of the Zoo, shall not be assumed by the County or the Zoological Society; and

WHEREAS: The County, the Zoo, and the Buffalo Water Board shall periodically review the actual water usage to negotiate a cap on the amount of water usage to be provided to the Zoo at no cost to the Zoo or the County. The exemption provided by the Buffalo Sewer Authority will be based on said cap; and

WHEREAS: While the costs of sewer service based on water usage up to the negotiated cap for the Zoo and the Science Magnet School shall not be assumed by the County or the Zoological Society, the cost of sewer service based on water usage for the Science Magnet School shall remain the responsibility of the Buffalo Board of Education.

NOW THEREFORE
BE IT RESOLVED: That the exemption of sewer service based on water usage will be provided to the Buffalo Zoo and the County of Erie up to the cap negotiated on the amount of water usage, and the cost of sewer service based on water usage for the Science Magnet School shall remain the responsibility of the Buffalo Board of Education. Further, the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to waive sewer rent based on water usage for the Buffalo Zoo up to the cap amount to be determined by the County, the Zoo, and the Buffalo Water Board.

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

ITEM NO. 8

AUTHORIZATION TO ENTER INTO A CONTRACT FOR ENERGY CONSULTING SERVICES

WHEREAS: United Energy is a professional consulting organization specializing in energy commodities procurement geared to minimize financial risk and maximize savings; and

WHEREAS: The Buffalo Sewer Authority's current contracts for natural gas and electrical power will be expiring June 2004 and February 2005, respectively; and

WHEREAS: United Energy has submitted a proposal for energy consulting services to provide services including identifying eligible energy commodity suppliers, commodity market analyses, budgetary forecasting, and auditing of supplies, invoices, and utility bills for the period May 10, 2004 through May 9, 2005, at a cost of \$40,000.00, with an option to renew for two (2) one-year periods through May 9, 2007; and

WHEREAS: The General Manager and his committee desire to utilize the services of United Energy for the period May 10, 2004 through May 9, 2005, for energy consulting services and recommend authorization to enter into a contract with United Energy at a cost not to exceed \$40,000.00; and

WHEREAS: Due to time constraints, the Board was polled and verbally authorized this contract on May 5, 2004; 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 United Energy for energy consulting services for the period May 10, 2004 through May 9, 2005, with an option to renew for two (2) one-year periods through May 9, 2007. Expenses for this contract will be charged to account no. 00380106-432004 (\$6,666.66 for remainder of current fiscal year through June 30, 2004) and (\$33,333.34 for fiscal year July 1, 2004 through May 9, 2005).

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 9

TRAVEL AUTHORIZATION - ALBANY, NEW YORK

WHEREAS: The Buffalo Sewer Authority must be up to date on current approved laboratory methods; and

WHEREAS: The New York Association of Approved Environmental Laboratories (NYAAEL) is sponsoring a workshop in Albany, New York, on June 14, 2004, covering an overview of approved methods for the atomic spectroscopy equipment used by our laboratory; and

WHEREAS: The Treatment Plant Superintendent and Laboratory Director recommend that Robert Carroll, Assistant Sanitary Chemist, be authorized to attend this workshop.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes Robert Carroll, Assistant Sanitary Chemist, to travel to Albany, New York, from June 13-14, 2004, to attend the New York Association of Approved Environmental Laboratories (NYAAEL) workshop at a cost not to exceed \$300.00. Funds are available in account nos. 00510104-458010 and 00510104-458012.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 10

EXTENSION OF CONTRACT FOR THE RENTAL OF COVERALLS

WHEREAS: On June 19, 2002, the Board of the Buffalo Sewer Authority awarded a contract to Coyne Textile for the rental and service of coverall garments and lab coats for use at the Treatment Plant through June 30, 2003, with an option to renew for three (3) one-year periods through June 30, 2006; and

WHEREAS: The Board authorized renewal of this contract on May 7, 2003, for fiscal year 2003-2004; and

WHEREAS: Coyne Textile has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2004-2005; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension, up to a maximum amount of \$20,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manger to renew the contract with Coyne Textile for the rental and service of coverall garments and lab coats for use at the Treatment Plant for a one-year period beginning July 1, 2004, up to a maximum amount of \$20,000.00. Expenses for this contract will be charged to account nos. 00200106-442330 (\$7,000.00), 00520106-442330 (\$7,500.00), and 00650106-442330 (\$5,500.00).

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. ROOSEVELT	_____
2 ND BY	_____	MR. KENNEDY	_____
AYES	_____	4	NOES _____ 0

Board Meeting of May 26, 2004

ITEM NO. 11

EXTENSION OF CONTRACT FOR THE PURCHASE OF SODIUM HYPOCHLORITE

WHEREAS: On May 7, 2003, the Board of the Buffalo Sewer Authority awarded a contract to JCI Jones Chemicals, Inc., to provide sodium hypochlorite for use at the Treatment Plant at a cost of \$0.36 per gallon through June 30, 2004, with an option to renew for three (3) one-year periods through June 30, 2007; and

WHEREAS: JCI Jones Chemicals, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2004-2005; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension, up to a maximum amount of \$400,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with JCI Jones Chemicals, Inc., to provide sodium hypochlorite for use at the Treatment Plant at a cost of \$0.36 per gallon for a one-year period beginning July 1, 2004, up to a maximum amount of \$400,000.00. Expenses for this contract will be charged to account no. 00330105-467044.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 12

EXTENSION OF CONTRACT FOR STEAM SYSTEM REPAIRS

WHEREAS: On May 28, 2003, 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, 2004. This contract provides for two (2) one-year renewals; 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, 2004, up to a maximum amount of \$30,000.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. ROOSEVELT	_____
2 ND BY	_____	MR. KENNEDY	_____
AYES	_____	4	NOES _____ 0

Board Meeting of May 26, 2004

ITEM NO. 13

EXTENSION OF CONTRACT FOR THE PURCHASE OF FERROUS CHLORIDE

WHEREAS: On June 19, 2002, the Board of the Buffalo Sewer Authority awarded a contract to Eaglebrook, Inc., for the purchase of ferrous chloride at a cost of \$0.179 per gallon for use at the Treatment Plant through June 30, 2003, with an option to renew for two (2) one-year periods through June 30, 2005; and

WHEREAS: The Board authorized the renewal of this contract on May 7, 2003, for fiscal year 2003-2004; and

WHEREAS: Eaglebrook, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2004-2005; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension, up to a maximum amount of \$57,600.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Eaglebrook, Inc., for the purchase of ferrous chloride at a cost of \$0.179 per gallon for use at the Treatment Plant for a one-year period beginning July 1, 2004, up to a maximum amount of \$57,600.00. Expenses for this contract will be charged to account no. 00360105-467044.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 14

REPORT ON BIDS RECEIVED - SECURITY GUARD SERVICE

WHEREAS: Formal bids were advertised and solicited to provide security guard service at the Treatment Plant. The following bids were received and opened by the Buffalo Sewer Authority on May 6, 2004:

U. S. Security Associates, Inc.	\$8.73/hour
Securitas Services	\$15.15/hour
; and	

WHEREAS: U. S. Security Associates, Inc., currently provides this service with reliability; and

WHEREAS: The Treatment Plant Superintendent and staff reviewed the bids and recommend awarding a contract to the low bidder, U. S. Security 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 U. S. Security Associates, Inc., to provide security guard service at the Treatment Plant for the period July 1, 2004 through June 30, 2005, at a cost of \$8.73 per hour, up to a maximum amount of \$155,000.00. This contract has an option to renew for three (3) one-year periods if agreeable to both the Buffalo Sewer Authority and U. S. Security Associates, Inc. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 15

REPORT ON BIDS RECEIVED – PURCHASE OF MICROWAVE MOISTURE/SOLIDS ANALYZER

WHEREAS: An accurate indication of the feed solids concentration is critical to the efficient operation of the incinerators. In 1996, the Buffalo Sewer Authority purchased a Mettler moisture balance for this purpose. This equipment has recently broken down beyond repair and is in need of replacement; and

WHEREAS: During the recent incinerator improvement study, Mr. Gene Waltz, of Incinerator Rx, recommended the purchase of the CEM Smart System 5 Microwave Moisture/Solids Analyzer. This innovative equipment is currently in use at the Treatment Plant in Erie, PA, and has received high accuracy ratings; and

WHEREAS: Upon investigation of this equipment, the Process Department concurs with Mr. Waltz’s recommendation and desires to purchase this analyzer. This product comes with a 30-day money-back guarantee and a full one year warranty; and

WHEREAS: Due to the urgent need for this equipment and limited availability nationwide, informal bids were solicited for the purchase of one (1) new and unused CEM Smart System 5 Microwave Moisture/Solids Analyzer. The following bids were received by the Buffalo Sewer Authority:

CEM Corporation – (manufacturer located in Matthews, NC)	\$10,095.00
Quality Discount Supply- (distributor located in Tacoma, WA)	\$13,244.00
All Business Machines, Inc. – (distributor located in Sacramento, CA)	No quote

; and

WHEREAS: The Treatment Plant Superintendent and staff reviewed the bids and recommend the purchase of the CEM Smart System 5 Microwave Moisture/Solids Analyzer from the low bidder, CEM Corporation, at a total cost of \$10,095.00.

ITEM NO. 16

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH KOESTER ASSOCIATES, INC.

WHEREAS: The Buffalo Sewer Authority installed a fine bubble diffusion system on 16 aeration tanks at the Treatment Plant in 1995. Sanitaire, the original equipment manufacturer of the diffusers and the holder of the patent on the gas cleaning procedure, recommends annual gas cleaning of the diffuser elements. Lack of cleaning results in severe bio-fouling and loss of oxygen-transfer efficiency; and

WHEREAS: Since 1996 seven of the sixteen aeration tanks have been cleaned. Plant staff recommends cleaning of the remaining nine aeration tanks; and

WHEREAS: Koester Associates, Inc., has submitted a quote not to exceed \$262,000.00 to implement an aeration diffuser maintenance program which includes gas cleaning, followed by manual cleaning of the most severely fouled diffusers, and replacement of diffusers that do not respond to cleaning. This cost also includes the cost of installation of gas cleaning equipment, gaseous chlorine, and labor for hardware installation and gas cleaning, as well as manual cleaning of the diffusers as required with up to 400 man-hours, and the supply and installation of 4,000 new replacement diffusers; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, and staff recommend accepting the quote not to exceed \$262,000.00 from Koester Associates, Inc., and implementing the aeration diffuser maintenance program for the remaining nine aeration tanks.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with Koester Associates, Inc., to implement the aeration diffuser maintenance program for nine aeration tanks at a total cost not to exceed \$262,000.00. Expenses for this agreement will be charged to account no. 02000204-490740.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

ITEM NO. 18

EXTENSION OF CONTRACT FOR MECHANICAL MAINTENANCE

WHEREAS: On May 28, 2003, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush Company, Inc., for mechanical maintenance at the Treatment Plant through June 30, 2004. This contract provides for two (2) one-year renewals; and

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

WHEREAS: The Treatment Plant Superintendent and Superintendent of Mechanical Maintenance recommend this extension, up to a maximum amount of \$100,000.00.

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, 2004, up to a maximum amount of \$100,000.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. WILSON-DIVINCENZO

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 19

EXTENSION OF CONTRACT FOR THE DISPOSAL OF INCINERATOR ASH

WHEREAS: On May 28, 2003, the Board of the Buffalo Sewer Authority awarded a contract to Modern Disposal Services, Inc., for the disposal of incinerator ash at the Treatment Plant at a cost of \$25.32 per ton through June 30, 2004, with an option to renew for three (3) one-year periods through June 30, 2007; and

WHEREAS: Modern Disposal Services, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2004-2005; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend this extension, up to a maximum amount of \$178,140.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Modern Disposal Services, Inc., for the disposal of incinerator ash at the Treatment Plant at a cost of \$25.32 per ton for a one-year period beginning July 1, 2004, up to a maximum amount of \$178,140.00. Expenses for this contract will be charged to account no. 00380106-442100.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 20

AUTHORIZATION TO PURCHASE PARTS FOR INCINERATORS

WHEREAS: On July 23, 2003, the Board of the Buffalo Sewer Authority designated BSP Thermal Systems, Inc., the original equipment manufacturer, as a sole source for sludge incinerator parts, supplies, and service; and

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

WHEREAS: BSP Thermal Systems, Inc., has submitted a quote in the amount of \$14,818.20 for parts needed for the incinerators; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the purchase of these repair parts from BSP Thermal Systems, Inc., at a total cost of \$14,818.20, plus any incurred freight charges.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the repair parts needed for the incinerators from BSP Thermal Systems, Inc., at a total cost of \$14,818.20, plus any incurred freight charges. Funds are available in account no. 00380105-466107.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 21

REPORT ON BIDS RECEIVED - PURCHASE OF BOILER FEEDWATER CHEMICALS

WHEREAS: Formal bids were advertised and solicited for the purchase of boiler feedwater chemicals for use at the Treatment Plant. The following bids were received and opened by the Buffalo Sewer Authority on May 6, 2004:

Description:	Vendors:	
	Bflo. Ind. Chemicals, Inc.	MIS of America
Primary boiler water scale inhibitor (sodium tripolyphosphate)	\$0.91 per pound	\$1.98 per pound
Pre-boiler and boiler system oxygen scavenger	\$0.71 per pound	\$1.65 per pound
Primary boiler water dispersant for calcium phosphate sludge and iron oxide deposits	\$8.12 per gallon	\$9.00 per gallon
Condensate neutralizing amine	\$11.70 per gallon	\$14.20 per gallon

; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff reviewed the bids and recommend awarding a contract to the low bidder, Buffalo Industrial Chemicals, 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 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, 2004, at the quoted costs, up to a maximum amount of \$20,000.00. This contract has an option to renew for three (3) one-year periods if agreeable to both the Buffalo Sewer Authority and Buffalo Industrial Chemicals, Inc. Expenses for this contract will be charged to account no. 00380105-467044.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

ITEM NO. 22

WAIVER OF PERFORMANCE BOND

WHEREAS: On this date, May 26, 2004, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Buffalo Industrial Chemicals, Inc., the low bidder, for the purchase of boiler feedwater chemicals for use at the Treatment Plant for a one-year period beginning July 1, 2004, at the quoted costs, up to a maximum amount of \$20,000.00. This contract has an option to renew for three (3) one-year periods if agreeable to both the Buffalo Sewer Authority and Buffalo Industrial Chemicals, Inc.; and

WHEREAS: Buffalo Industrial Chemicals, Inc., has requested that the requirement of a Performance Bond be waived; and

WHEREAS: Based upon past performance of this company and their long history of doing business, the General Manager recommends that the requirement of a Performance Bond be waived.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby waives the requirement of a Performance Bond for the contract with Buffalo Industrial Chemicals, Inc., for the purchase of boiler feedwater chemicals.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 23

REPORT ON BIDS RECEIVED-ANAEROBIC DIGESTER NUMBER 3 & 4 UPGRADE PROJECT

WHEREAS: Formal bids were advertised and solicited for Anaerobic Digester Number 3 & 4 Upgrade Project. The following bids were received and opened by the Buffalo Sewer Authority on May 20, 2004:

John W. Danforth Company	\$3,993,000.00
C.O. Falter Construction	\$5,801,101.00
; and	

WHEREAS: These proposals were received and exceeded the Consulting Engineer's estimate of \$3,300,000.00; and

WHEREAS: The staff of the Buffalo Sewer Authority and URS Corporation, the Consulting Engineer, has reviewed the bids and recommend rejecting all bids; and

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby rejects the bids received for the Anaerobic Digester Number 3 & 4 Upgrade Project.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 24

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 wastewater and sludge samples through June 30, 2002, with an option to renew for two (2) one-year periods through June 30, 2004; and
- WHEREAS: The Board authorized the renewal of this contract on April 17, 2002, and May 7, 2003, for the consecutive fiscal years; and
- WHEREAS: The Buffalo Sewer Authority is currently in negotiations with the County of Erie to acquire its pretreatment program. Acquisition of the County's pretreatment program would affect the analytical services required by this contract; and
- WHEREAS: In order to meet existing needs and permit requirements while reviewing the County's proposal, the Buffalo Sewer Authority has requested an extension of this contract for the period July 1, 2004 through December 31, 2004, with an option for an additional extension for the period January 1, 2005 through June 30, 2005; and
- WHEREAS: PSC Analytical Services, Inc., (formerly Philip Analytical Services, Inc.,) has agreed to extend this contract for the period July 1, 2004 through December 31, 2004, with an option for an additional extension for the period January 1, 2005 through June 30, 2005; and
- WHEREAS: The Treatment Plant Superintendent, Industrial Waste Administrator, Associate Chemist, and staff recommend this extension for the period July 1, 2004 through December 31, 2004, up to a maximum amount of \$40,000.00, with an option for an additional extension for the period January 1, 2005 through June 30, 2005.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to extend the contract with PSC Analytical Services, Inc., to provide analytical services for wastewater and sludge samples for the period July 1, 2004 through December 31, 2004, up to a maximum amount of \$40,000.00, with an option for an additional extension for the period January 1, 2005 through June 30, 2005. Expenses for this contract will be charged to account no. 00550106-432004.

MOTION TO APPROVE
 MADE BY MR. KENNEDY
 2ND BY MS. WILSON-DIVINCENZO
 AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 25

CONFIRMATION OF APPOINTMENT

**SHIFT SUPERINTENDENT (SEWAGE TREATMENT)
(PERMANENT)
SEWAGE TREATMENT PLANT
\$59,836 PER ANNUM
EFFECTIVE: MAY 17, 2004**

JOSEPH CORDARO
79 WINSTON RD.
BUFFALO, NY

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

WHEREAS: The General Manager requests confirmation of each appointment.

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

MOTION TO APPROVE
MADE BY MR. ROOSEVELT
2ND BY MS. WILSON-DIVINCENZO
AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 26

TUITION ASSISTANCE

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 Assistance:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>SEMESTER</u>	<u>TUITION</u>
Charles Riley	Erie Community College	Principles of Management	Summer 2004	\$363.00

WHEREAS: No funds will be expended at this time.

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

MOTION TO APPROVE
MADE BY MR. KENNEDY
2ND BY MR. ROOSEVELT
AYES 4 0

Board Meeting of May 26, 2004

ITEM NO. 27

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>
James Eagan	SUNY at Buffalo	Soil Mechanics	75%	<u>TOTAL</u> \$474.56
George Giambrone		Greater Buffalo Environmental Conference	100%	\$140.00
Gerald Isch		Greater Buffalo Environmental Conference	100%	\$140.00

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$754.56. These Reimbursements will be charged to Account No. 00800108-480214.

MOTION TO APPROVE
 MADE BY MS. WILSON-DIVINCENZO
 2ND BY MR. ROOSEVELT
 AYES 4 NOES 0

Board Meeting of May 26, 2004

ITEM NO. 28

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MR. KENNEDY 2ND BY MR. ROOSEVELT AYES 4 NOES 0

Board Meeting of May 26, 2004