

MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
May 4, 2005

50383.....50400

BUFFALO SEWER AUTHORITY

May 4, 2005

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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ITEM NO. 2

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

April 25, 2005

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
15-Apr-02	Money Market		\$500,000.00	Chase	2.75%	High Yield
CONSTRUCTION FUND						
08-Apr-02	Money Market		\$10,414,755.88	Chase	2.75%	High Yield
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$1,150,782.12	Chase	2.75%	High Yield
OPERATING FUND						
08-Apr-02	Money Market		\$3,222,195.76	Chase	2.75%	High Yield
TRUST & AGENCY FUND						
06-May-02	Money Market		\$21,560.68	Chase	2.75%	High Yield
SURPLUS FUND						
03-Feb-05	30-Jun-05	147	\$4,187,195.41	M&T Securities	2.65%	\$45,804.59
NET REVENUE FUND						
			\$460.99	MTB Funds		
27-Sep-04	25-May-05	240	\$2,502,835.06	M&T Securities	2.02%	\$34,164.93
31-Dec-04	30-Jun-05	181	\$797,262.20	M&T Securities	2.40%	\$9,737.80
25-Jan-05	30-Jun-05	156	\$1,000,598.13	M&T Securities	2.60%	\$11,404.87
25-Feb-05	30-Jun-05	125	\$4,327,969.10	M&T Securities	2.77%	\$42,030.90
29-Mar-05	30-Jun-05	93	\$1,399,582.45	M&T Securities	2.86%	\$10,417.55
25-Apr-05	30-Jun-05	66	\$2,400,606.45	M&T	2.88%	\$12,675.20
			\$12,429,314.38			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
DEBT RESERVE FUND						
30-Jun-04	31-May-06	700	\$1,156,364.75	Series F U.S. Treasury Notes	2.50%	
23-Sep-03	15-Aug-08	1788	\$7,350,000.00	Series I M&T Securities	3.25%	\$119,437.50
13-Mar-03	15-Apr-32		\$2,825,593.00	Series H SLG	4.35%	(8/15/05)
04-Mar-04	15-Nov-33		\$774,061.00	Series J SLG	3.82%	
22-Jul-04	15-Feb-33		\$498,654.00	Series K SLG	5.26%	
CONSTRUCTION FUND SERIES H						
21-Apr-05	28-Apr-05	7	\$401.32 \$1,767,078.68 \$1,767,480.00	MTB Funds M&T Securities	2.68%	\$921.32
CONSTRUCTION FUND SERIES J						
21-Apr-05	28-Apr-05	7	\$34,960.23	M&T	2.63%	\$17.88
CONSTRUCTION FUND SERIES K						
21-Apr-05	28-Apr-05	7	\$898.26 \$1,352,294.94 \$1,353,193.20	MTB Funds M&T Securities	2.68%	\$705.06

RECEIVE & FILE

Board Meeting of May 4, 2005

ITEM NO. 3

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: On February 8, 2005, James Aller, of 5270 East River Road, Grand Island, New York, filed a Claim with the Buffalo Sewer Authority for plumbing costs associated with rental property he owns at 63 Riverside Avenue, Buffalo, New York. He hired a private plumber when he began having sewer problems and upon excavation, the plumber found that the wye on the main sewer needed to be replaced. The total cost for the private plumber was \$900.00; and

WHEREAS: The Claim was forwarded to the City of Buffalo Law Department. The Law Department determined that there was some liability on the part of the Buffalo Sewer Authority. The General Manager recommended a total settlement of \$900.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to James Aller, 5270 East River Road, Grand Island, New York, in the amount of \$900.00. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. NAPLES

AYES 5 NOES 0

Board Meeting of May 4, 2005

ITEM NO. 4

CONTRACT APPROVAL - PROPERTY INSURANCE

WHEREAS: The Buffalo Sewer Authority has received the following three (3) bids for property insurance coverage:

CNA	\$195,593.00
One Beacon Insurance	\$198,447.00
Liberty Mutual	\$216,844.00
; and	

WHEREAS: The Insurance Consultants for the Buffalo Sewer Authority, Aldrich & Cox, have carefully reviewed these proposals. They have prepared an analysis comparing the various components of the coverage to be provided and the cost of the premium. They have recommended acceptance of the proposal from Lawley Services Inc., to provide insurance coverage through One Beacon Insurance; and

WHEREAS: The proposed policy from Lawley Services Inc., includes coverage comparable to the Buffalo Sewer Authority's previous property insurance; and

WHEREAS: The cost of the policy from Lawley Services Inc., is \$198,447.00, which is \$54,601.00 less than the cost of property insurance coverage for the previous year; and

WHEREAS: This matter has previously been brought to the attention of the Board. The Board was polled and verbally authorized the approval of this contract; 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 property insurance coverage with One Beacon Insurance through Lawley Services Inc., effective April 15, 2005, for a one-year period, at a cost not to exceed \$198,447.00, and that this cost be charged to the following accounts on a pro-rata basis: 00110108-452000, 00200108-452000, 00650108-452000.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVENCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of May 4, 2005

ITEM NO. 5

TRAVEL AUTHORIZATION - ALBANY, NEW YORK

WHEREAS: The Buffalo Sewer Authority must be up to date on current regulatory issues; and

WHEREAS: The New York Water Environment Association is holding a legislative-regulatory forum in Albany, New York, on May 10, 2005, covering various regulatory issues; and

WHEREAS: The Treatment Plant Superintendent recommends that Roberta Gaiek, Treatment Plant Administrator, and Jane Ork, Associate Chemist, be authorized to attend this legislative-regulatory forum; and

WHEREAS: Due to the necessity to make travel arrangements, the Board was polled and verbally authorized this expenditure on April 13, 2005.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby formally authorizes Roberta Gaiek, Treatment Plant Administrator, and Jane Ork, Associate Chemist, to travel to Albany, New York, from May 9-11, 2005, to attend the New York Water Environment Association's legislative-regulatory forum in Albany, New York, at a cost not to exceed \$1,600.00. Funds are available in account nos. 00200104-458010 and 00200104-458012.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of May 4, 2005

ITEM NO. 6

AMEND ITEM NO. 11, REPORT ON BIDS RECEIVED - PURCHASE OF FERROUS CHLORIDE, APRIL 13, 2005

WHEREAS: On April 13, 2005, the Buffalo Sewer Authority Board approved Item No. 11, Report on Bids Received – Purchase of Ferrous Chloride; and

WHEREAS: The item incorrectly stated “for a two-year period beginning July 1, 2005 to June 30, 2007, at a cost of \$0.25 per gallon, up to a maximum amount of \$80,000.00”; and

WHEREAS: The item should state “for a two-year period beginning July 1, 2005 to June 30, 2007, at a cost of \$0.25 per gallon up to a maximum amount of \$80,000.00 for each respective fiscal year.”

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby accept this amendment to the April 13, 2005, Board Item No. 11, Report on Bids Received – Purchase of Ferrous Chloride, and authorize this item to be corrected.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of May 4, 2005

ITEM NO. 7

AMEND ITEM NO. 12, REPORT ON BIDS RECEIVED - PURCHASE OF SODIUM HYPOCHLORITE, APRIL 13, 2005

WHEREAS: On April 13, 2005, the Buffalo Sewer Authority Board approved Item No. 12, Report on Bids Received – Purchase of Sodium Hypochlorite; and

WHEREAS: The item incorrectly stated “for a two-year period beginning July 1, 2005 to June 30, 2007, at a cost of \$0.444 per gallon, up to a maximum amount of \$499,500.00”; and

WHEREAS: The item should state “for a two-year period beginning July 1, 2005 to June 30, 2007, at a cost of \$0.444 per gallon up to a maximum amount of \$499,500.00 for each respective fiscal year.”

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby accept this amendment to the April 13, 2005, Board Item No. 12, Report on Bids Received – Purchase of Sodium Hypochlorite, and authorize this item to be corrected.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of May 4, 2005

ITEM NO. 8

AUTHORIZATION FOR INCREASE TO PURCHASE ORDER NO. 20500096

WHEREAS: On July 24, 2002, the Board of the Buffalo Sewer Authority awarded a contract to Polydyne, Inc., for the purchase of dewatering polymer, thickening polymer, and related equipment for use at the Treatment Plant for a 33-month period beginning October 1, 2002 to June 30, 2005; and

WHEREAS: The Board of the Buffalo Sewer Authority authorized the purchase of thickening polymer (C-311) at a cost of \$0.088/lb., up to a maximum amount of \$213,000.00 for fiscal year 2004-2005. The Board further authorized the purchase of dewatering polymer (NE-409) at a cost of \$0.62/lb., up to a maximum amount of \$450,000.00 for fiscal year 2004-2005; and

WHEREAS: Additional dewatering polymer is needed in order to meet Treatment Plant operations through the end of June 30, 2005, necessitating an increase to this contract in the amount of \$100,000.00; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, and staff recommend authorization for this increase.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes an increase of \$100,000.00 to purchase order no. 20500096 for the purchase of dewatering polymer (NE-409) from \$450,000.00 to a total cost not to exceed \$550,000.00. Expenses for this increase will be charged to account no. 00360105-467044.

MOTION TO _____ APPROVE _____

MADE BY _____ MS. WILSON-DIVINCENZO _____

2ND BY _____ MR. KENNEDY _____

AYES _____ 5 _____ NOES _____ 0 _____

Board Meeting of May 4, 2005

ITEM NO. 9

REPORT ON BIDS RECEIVED - SEWER CLEANING AND INTERNAL TELEVISION INSPECTION

WHEREAS: Formal bids were advertised and solicited for Sewer Cleaning and Internal Television Inspection. The following bid was received and opened by the Buffalo Sewer Authority on April 18, 2005:

J.A. Brundage, The Drain Doctor, Inc. \$323,850.00

; and

WHEREAS: The bid was received, and the contract will be awarded on the basis of a combined unit and lump sum bid. The bids do not reflect the true amount of the contract, but rather are subject to some variance. These variances are due to the actual amount of the quantities used as they appear in the estimate column multiplied by the unit price as bid; and

WHEREAS: The bid submitted by J.A. Brundage, The Drain Doctor, Inc., is in the amount of \$323,850.00; and

WHEREAS: The Principal Sanitary Engineer and staff reviewed the bid and recommend accepting the bid and awarding the contract to J. A. Brundage, The Drain Doctor, 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 J. A. Brundage, The Drain Doctor, Inc., at cost not to exceed \$323,850.00. Expenses for this contract will be charged to account no. 02000226-490740.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of May 4, 2005

ITEM NO. 10

CHANGE ORDER NO. 1 – CONTRACT NO 84200014

CONTRACTOR:	ORIGINAL CONTRACT COST	\$239,535.00
J. A. Brundage/The Drain Doctor, Inc.	PREVIOUS CHANGE ORDER	00.00
1401 College Avenue	THIS CHANGE ORDER	\$ 39,610.78
Niagara Falls, New York 14305	FINAL CONTRACT COST	\$279,145.78

WORK: Sewer Cleaning and Internal Television Inspection

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Contract Item No. 1A – Increase unit quantity from 8,900 L. F. to 13,414.2 L.F.
- Item #2 Contract Item No. 1B – Increase unit quantity from 5,000 L. F. to 12,182.0 L. F.
- Item #3 Contract Item No. 1C – Decrease unit quantity from 6,800 L. F. to 5,966.9 L. F.
- Item #4 Contract Item No. 1D – Decrease unit quantity from 3,000 L. F. to 925.60 L. F.
- Item #5 Contract Item No. 2A – Increase unit quantity from 8,900 L. F. to 14,002.50 L. F.
- Item #6 Contract Item No. 2B – Increase unit quantity from 5,000 L. F. to 12,677.0 L. F.
- Item #7 Contract Item No. 2C – Increase unit quantity from 6,000 L. F. to 7,330.30 L. F.
- Item #8 Contract Item No. 2D – Decrease unit quantity from 3,000 L. F. to 2,582.10 L. F.
- Item #9 Contract Item No. 3B – Decrease unit quantity from 10 each to 9 each
- Item #10 Contract Item No. 3C – Decrease unit quantity from 6 each to 5 each
- Item #11 Contract Item No. 4A – Decrease unit quantity from 300 L. F. to 226 L. F.
- Item #12 Contract Item No. 4C – Decrease unit quantity from 100 L. F. to 98.66 L. F.
- Item #13 Repair to emergency condition on Delavan Avenue
- Item #14 Repair to emergency condition on Old Broadway

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 Additional work needed to be performed
- Item #2 Additional work needed to be performed
- Item #3 Quantities not used during the contract
- Item #4 Quantities not used during the contract
- Item #5 Additional work needed to be performed
- Item #6 Additional work needed to be performed
- Item #7 Additional work needed to be performed
- Item #8 Quantities not used during the contract
- Item #9 Quantities not used during the contract
- Item #10 Quantities not used during the contract
- Item #11 Quantities not used during the contract
- Item #12 Quantities not used during the contract
- Item #13 Emergency repair work that was required due to water main break
- Item #14 Emergency repair work that was required due to cave in at CSX facilities

COST OF CHANGE OR EXTRA WORK:

Item #1	\$ 4,514.20
Item #2	\$10,773.00
Item #3	(\$ 2,499.30)
Item #4	(\$12,446.38)
Item #5	\$ 1,275.63
Item #6	\$ 1,919.25
Item #7	\$ 132.58
Item #8	(\$ 104.48)
Item #9	(\$ 3,700.00)
Item #10	(\$ 4,500.00)
Item #11	(\$ 7,400.00)
Item #12	(\$ 200.00)
Item #13	\$ 9,080.00
Item #14	\$42,766.28

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$39,610.78

The total INCREASE to the contract as a result of this Change Order is \$39,610.78

; and

WHEREAS: The Buffalo Sewer Authority Principal Sanitary Engineer and staff reviewed the cost and recommend the increase to the contract.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 84200014 as written in the above Agenda Item, increasing the contract cost in the amount of \$39,610.78, making the final contract cost \$279,145.78.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of May 4, 2005

ITEM NO. 11

CONTRACT NO. 84200014

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Sewer Cleaning and Internal Television Inspection

BID: \$239,535.00

CONTRACTOR: J. A. Brundage/The Drain Doctor, Inc.
1401 College Avenue
Niagara Falls, New York 14305

WHEREAS: The Principal Sanitary Engineer and staff have certified that the Contractor completed the work in accordance with the plans and specifications on April 13, 2005.

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 complete and is accepted;
- b. The date of entrance and occupancy be fixed as of April 13, 2005;
- c. The maintenance period commence on April 13, 2005;
- d. Final payment be made to the Contractor in the amount of \$66,190.05, an increase of \$39,610.78 by Change Order, making the final cost of the contract \$279,145.78.

MOTION TO APPROVEMADE BY MS. WILSON-DIVINCENZO2ND BY MR. NAPLESAYES 5 NOES 0

Board Meeting of May 4, 2005

ITEM NO. 13

CONFIRMATION OF APPOINTMENTS

**WASTEWATER TREATMENT PLANT OPERATOR II
(PROVISIONAL)
SEWAGE TREATMENT PLANT
\$17.14 PER HOUR
EFFECTIVE: APRIL 16, 2005**

MICHAEL DECECCO
87 LEHAVRE
CHEEKTOWAGA, NY

**WASTEWATER TREATMENT PLANT OPERATOR II
(PROVISIONAL)
SEWAGE TREATMENT PLANT
\$17.14 PER HOUR
EFFECTIVE: APRIL 16, 2005**

ROBERT BUDNY
32 SABLE PALM
DEPEW, NY

**WASTEWATER TREATMENT PLANT OPERATOR II
(PROVISIONAL)
SEWAGE TREATMENT PLANT
\$17.14 PER HOUR
EFFECTIVE: APRIL 16, 2005**

VICTOR ORLANDO
91 HARTWELL RD.
BUFFALO, NY

ITEM NO. 14

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>
William C. Bortel	California State University, Sacramento	Operation of Wastewater Treatment Plants	100%	\$85.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$85.00. This Reimbursement will be charged to account no. 00800108-480214.

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

Board Meeting of May 4, 2005

ITEM NO. 15

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of May 4, 2005