

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
January 11, 2006**

50593.....50618

BUFFALO SEWER AUTHORITY

January 11, 2006

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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| 17 | Tuition Assistance | 50617 |
| 18 | Adjournment | 50618 |

CALL OF THE ROLL

| | | |
|----------|-------------------------------------|--|
| Present: | <u>Herbert L. Bellamy, Jr.</u> | <u>Chairman</u> |
| | <u>James P. Naples</u> | <u>Vice Chairman</u> |
| | <u>John D. Kennedy, Sr.</u> | <u>Assistant Vice Chairman</u> |
| | <u>Christopher Roosevelt</u> | <u>Secretary</u> |
| | <u>Eleanor C. Wilson-DiVincenzo</u> | <u>Assistant Secretary</u> |
| | <u>Margaret T. Burke</u> | <u>Executive Secretary</u> |
| | <u>Franklin DiMascio</u> | <u>Principal Engineer</u> |
| | <u>James Keller, Jr.</u> | <u>Treatment Plant Superintendent</u> |
| | <u>Roberta Gaiek</u> | <u>Treatment Plant Administrator</u> |
| | <u>Pamela DiPalma</u> | <u>Director of Employee Relations</u> |
| | <u>Angel Rivera</u> | <u>Supt. of Mechanical Maintenance</u> |
| | <u>Angelo Provenzano</u> | <u>Special Assistant</u> |
| | <u>Thomas Cicatello</u> | <u>President, CSEA Local 815</u> |
| | <u>Frank Belliotti</u> | <u>City Auditor</u> |
| | <u>Nicole Elliott</u> | <u>Erie Co. Environment & Planning</u> |
| | <u>Brian Meyer</u> | <u>Buffalo News</u> |
| | <u>Anthony Parisi</u> | <u></u> |
| Absent: | <u></u> | <u></u> |

The meeting was called to order at 9:05 a.m. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of December 29, 2005

| | |
|--------------------|------------------------|
| MOTION TO | <u>ADOPT</u> |
| MADE BY | <u>MR. NAPLES</u> |
| 2 ND BY | <u>MR. KENNEDY</u> |
| AYES | <u>5</u> NOES <u>0</u> |

Board Meeting of January 11, 2006

ITEM NO. 2

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

December 29, 2005

| ISSUE DATE | MATURITY DATE | TOTAL DAYS | AMOUNT | BANK | RATE | INTEREST AMOUNT |
|--|---------------|------------|------------------------|----------------|-------|-----------------|
| CAPITAL IMPROVEMENT FUND | | | | | | |
| 15-Apr-02 | Money Market | | \$500,000.00 | Chase | 3.90% | High Yield |
| CONSTRUCTION FUND | | | | | | |
| 08-Apr-02 | Money Market | | \$15,054,083.91 | Chase | 3.90% | High Yield |
| LIABILITY AND CASUALTY RESERVE FUND | | | | | | |
| 22-Apr-02 | Money Market | | \$1,134,883.17 | Chase | 3.90% | High Yield |
| OPERATING FUND | | | | | | |
| 08-Apr-02 | Money Market | | \$1,738,884.46 | Chase | 3.90% | High Yield |
| TRUST & AGENCY FUND | | | | | | |
| 06-May-02 | Money Market | | \$32,506.66 | Chase | 3.90% | High Yield |
| SURPLUS FUND | | | | | | |
| 31-Oct-05 | 04-Jan-06 | 65 | \$4,187,536.67 | M&T Securities | 4.00% | \$30,463.33 |
| NET REVENUE FUND | | | | | | |
| | | | \$7.94 | MTB Funds | | |
| 25-Jul-05 | 30-Dec-05 | 158 | \$5,739,893.87 | M&T Securities | 3.56% | \$91,106.13 |
| 26-Oct-05 | 25-Jan-06 | 91 | \$7,599,377.00 | M&T Securities | 4.00% | \$77,623.00 |
| 29-Nov-05 | 27-Feb-06 | 90 | \$2,101,574.84 | M&T | 4.22% | \$28,274.61 |
| | | | <u>\$15,440,853.65</u> | | | |

| 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 | U.S. Treasury Notes | 2.50% | |
| 23-Sep-03 | 15-Aug-08 | 1788 | \$7,350,000.00 | M&T Securities | 3.25% | \$119,437.50 |
| 13-Mar-03 | 15-Apr-32 | | \$2,825,593.00 | Series H SLG | 4.35% | (2/15/06) |
| 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 | | | | | | |
| 29-Dec-05 | 12-Jan-06 | 14 | \$535,716.77 | Citizens | 4.39% | \$914.59 |
| CONSTRUCTION FUND SERIES K | | | | | | |
| 29-Dec-05 | 12-Jan-06 | 14 | \$53,374.07 | HSBC | 4.33% | \$89.88 |

RECEIVE & FILE

Board Meeting of January 11, 2006

ITEM NO. 3

AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 20600550 FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF CENTRIFUGE SLUDGE

WHEREAS: On October 12, 2005, the Board of the Buffalo Sewer Authority awarded a contract to Modern Disposal Services, Inc., for the collection, removal, and disposal of centrifuge sludge at the Treatment Plant at a cost of \$60.80 per ton, up to a maximum amount of \$80,000.00 for the period of September 28, 2005 through December 31, 2005, with an option to renew for additional two-month periods through June 30, 2006, during the start-up phase of the newly installed centrifuge. Blanket Order No. 20600550 was established to facilitate the payments of this Contract; and

WHEREAS: On December 7, 2005, the Board of the Buffalo Sewer Authority authorized the General Manager to renew this Contract for two (2) additional months through February 28, 2006, with no monetary increase; and

WHEREAS: In order to meet required design criteria specified in the Centrifuge Procurement Contract, additional centrifuge operation by the original equipment manufacturer is now needed necessitating a change order to Blanket Order No. 20600550 in the amount of \$30,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer and the Executive Secretary to approve a change order in the amount of \$30,000.00, increasing Blanket Order No. 20600550 with Modern Disposal Services, Inc., from \$80,000.00 to \$110,000.00 for the collection, removal, and disposal of centrifuge sludge at the Treatment Plant at a cost of \$60.80 per ton through February 28, 2006. Funds for this Change Order will be charged to account no. 00360106-442100.

MOTION TO APPROVE
MADE BY MR. KENNEDY
2ND BY MS. WILSON-DIVINCENZO
AYES 5 NOES 0

Board Meeting of January 11, 2006

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date June 1, 2006.
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. 5 to Contract No. 84100018 as written in the above Agenda Item, increasing the contract cost in the amount of \$0.00, making the adjusted contract cost \$19,878,226.20.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of January 11, 2006

ITEM NO. 5

CHANGE ORDER NO. 2 – CONTRACT NO. 84500011

| | | |
|-----------------------------------|------------------------|------------------|
| CONTRACTOR: | ORIGINAL CONTRACT COST | \$4,963,000.00 |
| Kranick Environmental Contractors | PREVIOUS CHANGE ORDER | 142,551.50 |
| 537 Lincoln Highway | THIS CHANGE ORDER | <u>22,850.00</u> |
| East McKeesport, Pa. 15035 | ADJUSTED CONTRACT COST | \$5,128,401.50 |

WORK: Digester Numbers 1 and 2 Upgrade

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 A credit was issued for field clarification memo number 2 (FCM-2) for the Digester Numbers 1 and 2 Project.
- Item #2 Repair of an existing leaking sludge pipe in the basement of the NDCB.
- Item #3 Provide and install a pressure sensor with an isolation diaphragm into an existing tap on the sludge feed line in the SDCB; including SCADA interconnection and SCADA programming. The area where the pressure sensor and wiring will be installed in the SDCB is rated as Class 1, Division 1.
- Item #4 Pipe support bracing for piping in Digesters 1, 2, 3, and 4 was added to prevent movement of the existing digester piping.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 The credit reflects a reduction in project scope associated with changes made as a result of FCM-2.
- Item #2 The leaking pipe was discovered during construction. The condition was not apparent during the design phase.
- Item #3 To prevent over-pressurization of the sludge feed line in the event that the proposed automated digester feed system malfunctions, a pressure monitor was recommended to be installed in the sludge feed line.
- Item #4 During construction it was determined that the existing pipe support in each of the four (4) digesters that support the 10-inch pipe at elevation +7 allowed deflection of the pipe. With the installation of the pumped mixing system, the Engineer was concerned that vibration of this pipe may result in weakening of the remaining pipe supports. Therefore, it was determined that bracing of this pipe support was necessary in each tank.

COST OF CHANGE OR EXTRA WORK:

| | |
|---------|-------------|
| Item #1 | (\$ 771.00) |
| Item #2 | \$ 1,857.00 |
| Item #3 | \$12,007.00 |
| Item #4 | \$ 9,757.00 |

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$ 22,850.00

The total INCREASE to the contract as a result of this Change Order is \$ 22,850.00

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements remains unchanged.
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.

ITEM NO. 6

CHANGE ORDER NO. 1 – CONTRACT NO. 8460008

| | | |
|-------------------------|------------------------|------------------|
| CONTRACTOR: | ORIGINAL CONTRACT COST | \$101,095.00 |
| Sterling Refractory | PREVIOUS CHANGE ORDER | 0.00 |
| 120 Michigan Avenue | THIS CHANGE ORDER | <u>27,650.00</u> |
| Buffalo, New York 14203 | ADJUSTED CONTRACT COST | \$128,745.00 |

WORK: Bird Island Sewage Treatment Plant Multiple Hearth Sludge Incinerator Rehabilitation
Incinerator No. 3

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Remove unburned sludge from the first seven (7) hearths of Incinerator No. 3.
- Item #2 Extension of time.
- Item #3 Replace eight (8) skewers on Hearth No. 5.
- Item #4 Replace brickwork in afterburner duct to Hearth No. 1.
- Item #5 Replace brickwork in the lower section of the afterburner at floor level.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 In order to perform work on the Hearths and proceed with the contract.
- Item #2 Extend the contract by 56 calendar days to complete the additional work required.
- Item #3 Upon complete inspection after the incinerator was shut down, additional damage was found and required repair.
- Item #4 Upon complete inspection after the incinerator was shut down, it was determined that brickwork in the afterburner duct was damaged and needs to be replaced.
- Item #5 Upon complete inspection after the incinerator was shut down, it was determined that brickwork in the afterburner at the floor level was damaged and needs to be replaced.

ITEM NO. 8

CONFIRMATION OF APPOINTMENTS

MILLWRIGHT HELPER (TEMPORARY)
SEWAGE TREATMENT PLANT
\$16.28 PER HOUR
EFFECTIVE: NOVEMBER 21, 2005

MARK GRONOWSKI
12120 TOWNSEND RD.
SPRINGVILLE, NY

**SENIOR SANITARY ENGINEERING SUPERVISOR
(PROVISIONAL)**
ENGINEERING DEPARTMENT
\$59,836 PER ANNUM
EFFECTIVE: JANUARY 9, 2006

JAMES EAGAN
32 EISMAN
KENMORE, NY

SUPERVISOR OF GROUNDS I (PERMANENT)
SEWAGE TREATMENT PLANT
\$52,616 PER ANNUM
EFFECTIVE: DECEMBER 12, 2005

CHARLES ORLANDO
91 HARTWELL RD.
BUFFALO, NY

LABORER I (PERMANENT)
SEWER MAINTENANCE DEPARTMENT
\$13.10 PER HOUR
EFFECTIVE: DECEMBER 12, 2005

ANTHONY PARISI
26 DELWOOD AVE.
KENMORE, NY

WHEREAS: The preceding appointments were made by the General Manager since the last Board Meeting; and

WHEREAS: The General Manager requests confirmation of each appointment.

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

MOTION TO REMOVE FROM TABLE

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of January 11, 2006

NO ACTION TAKEN

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of January 11, 2006

ITEM NO. 9

AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN

WHEREAS: There is a need to modify the Job Classification Plan.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority approves the deletion of the following position from the Job Classification Plan effective December 12, 2005:

One (1) Labor Supervisor I

00670161-411001

MOTION TO REMOVE FROM TABLE

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of January 11, 2006

NO ACTION TAKEN

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of January 11, 2006

ITEM NO. 11

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) Intergovernmental Coordinator 00110111-411001

MOTION TO APPROVE
MADE BY MS. WILSON-DIVINCENZO
2ND BY MR. KENNEDY
AYES 5 NOES 0

Board Meeting of January 11, 2006

ITEM NO. 12

DOWNGRADE IN EXEMPT POSITION

WHEREAS: The Board of the Buffalo Sewer Authority is restructuring its Exempt Administrative Managerial staff; and

WHEREAS: The Board of the Buffalo Sewer Authority has reviewed and approved the duties and responsibilities of its Exempt Administrative Managerial staff; and

WHEREAS: The Board desires to downgrade the position of Director of Sewer Maintenance from job group XIVC (M23) to job group XIb (M37).

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above downgrade.

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

Board Meeting of January 11, 2006

ITEM NO. 13

UPGRADE IN EXEMPT POSITION

WHEREAS: The Board of the Buffalo Sewer Authority is restructuring its Exempt Administrative Managerial staff; and

WHEREAS: The Board of the Buffalo Sewer Authority has reviewed and approved the duties and responsibilities of its Exempt Administrative Managerial staff; and

WHEREAS: The Board desires to upgrade the position of Secretary to the General Manager from job group XIVC (M23) to job group XVB (M36).

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above upgrade.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of January 11, 2006

ITEM NO. 14

CONFIRMATION OF APPOINTMENTS

GENERAL MANAGER (EXEMPT)
ADMINISTRATIVE OFFICES
\$89,756 PER ANNUM
EFFECTIVE: JANUARY 11, 2006

DAVID P. COMERFORD
114 WHITEHALL AVE.
BUFFALO, NY

SECRETARY TO THE GENERAL MANAGER (EXEMPT)
ADMINISTRATIVE OFFICES
\$75,000 PER ANNUM
EFFECTIVE: JANUARY 11, 2006

OLUWOLE A. McFOY
56 CAMP STREET
BUFFALO, NY

DIRECTOR OF SEWER MAINTENANCE (EXEMPT)
SEWER MAINTENANCE DEPARTMENT
\$50,000 PER ANNUM
EFFECTIVE: JANUARY 25, 2006

EDWARD HENNESSY
155 STERLING AVE.
BUFFALO, NY

INTERGOVERNMENTAL COORDINATOR (EXEMPT)
ADMINISTRATIVE OFFICES
\$40,000 PER ANNUM
EFFECTIVE: JANUARY 11, 2006

BURT M. MIRTI
734 PARKSIDE AVE.
BUFFALO, NY

WHEREAS: The preceding appointments were made by the Board of the Buffalo Sewer Authority.

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. ROOSEVELT
2ND BY MS. WILSON-DIVINCENZO
AYES 5 NOES 0

Board Meeting of January 11, 2006

ITEM NO. 16

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:

| EMPLOYEE | SCHOOL | COURSE | <u>TUITION%</u> | <u>REIMBURSEMENT TOTAL</u> |
|-----------------|------------------|-------------------------|------------------------|---------------------------------------|
| Charles Riley | Canisius College | Organizational Behavior | 90% | \$1,789.43 |

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$1,789.43. This Reimbursement will be charged to account no. 00800108-480214.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY

AYES 5 NOES 0

Board Meeting of January 11, 2006

ITEM NO. 18

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of January 11, 2006