

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
May 24, 2006**

**50735.....50768**



## BUFFALO SEWER AUTHORITY

May 24, 2006

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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**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 Wilson-DiVincenzo</u>	<u>Assistant Secretary</u>
<u>David P. Comerford</u>	<u>General Manager</u>
<u>Margaret Burke</u>	<u>Executive Secretary</u>
<u>Oluwole McFoy</u>	<u>Secretary to the General Manager</u>
<u>Burt Mirti</u>	<u>Intergovernmental Coordinator</u>
<u>Franklin DiMascio, P.E.</u>	<u>Principal Engineer</u>
<u>James Eagan, P.E.</u>	<u>Senior Sanitary Engineering Supervisor</u>
<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
<u>Angel Rivera</u>	<u>Superintendent of Mechanical Maintenance</u>
<u>Edward Hennessy</u>	<u>Director of Sewer Maintenance</u>
<u>Frank Belliotti</u>	<u>City Auditor</u>
<u>Nicole Elliott</u>	<u>Erie County Environment &amp; Planning</u>
<u>Brian Meyer</u>	<u>Buffalo News</u>

The meeting was called to order at 9:04 A.M. A quorum was present.

## ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 3, 2006

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

Board Meeting of May 24, 2006

## ITEM NO. 2

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

**May 12, 2006**

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CAPITAL IMPROVEMENT FUND</b>						
15-Apr-02	Money Market		\$500,000.00	Chase	4.40%	High Yield
<b>CONSTRUCTION FUND</b>						
08-Apr-02	Money Market		\$13,945,015.40	Chase	4.40%	High Yield
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
22-Apr-02	Money Market		\$1,153,359.45	Chase	4.40%	High Yield
<b>OPERATING FUND</b>						
08-Apr-02	Money Market		\$2,209,942.39	Chase	4.40%	High Yield
<b>TRUST &amp; AGENCY FUND</b>						
06-May-02	Money Market		\$30,727.26	Chase	4.40%	High Yield
<b>SURPLUS FUND</b>						
04-May-06	30-Jun-06	57	\$562.81	MTB Funds		
			\$4,794,129.20	M&T Securities	4.95%	\$37,870.80
			\$4,794,692.01			
<b>NET REVENUE FUND</b>						
27-Feb-06	30-May-06	92	\$1,800,000.00	Citizens	4.72%	\$21,712.00
27-Mar-06	30-Jun-06	95	\$5,499,230.62	HSBC	4.87%	\$70,672.75
25-Apr-06	30-Jun-06	66	\$8,899,554.20	M&T	4.92%	\$80,273.98
			\$16,198,784.82			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>DEBT RESERVE FUND</b>						
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%	
13-Mar-03	15-Apr-32		\$2,825,593.00	Series H SLG	4.35%	
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%	
<b>CONSTRUCTION FUND SERIES H</b>						
11-May-06	25-May-06	14	\$435,169.18	M&T Securities	4.90%	\$830.82
<b>CONSTRUCTION FUND SERIES K</b>						
11-May-06	25-May-06	14	\$54,300.10	Citizens	4.88%	\$103.05

**RECEIVE & FILE**

Board Meeting of May 24, 2006



**FINAL SCHEDULE OF SEWER RENTS**  
**AND OTHER CHARGES**  
**FOR 2006-2007**

TO PROVIDE FUNDS FOR THE FIXED CHARGES AND FOR THE OPERATION AND MAINTENANCE OF THE ENTIRE SEWER SYSTEM IN THE CITY OF BUFFALO AND ALL OF THE BUFFALO SEWER AUTHORITY FACILITIES FOR THE CONVEYANCE, TREATMENT AND DISPOSAL OF SEWAGE AND STORM WATER OPERATED BY THE BUFFALO SEWER AUTHORITY.

I. **SEWER RENTS FOR PREMISES SITUATED WITHIN THE LIMITS OF THE CITY OF BUFFALO**

(a) \$12,050,000 shall be collected from all real property in the City of Buffalo (the "City") by apportioning the said amount upon such property within the City as the same is set down on the last completed annual assessment roll of the City, except that no ad valorem sewer rent shall be assessed against real property exempt from real property taxes pursuant to subdivision one of section four hundred, sections four hundred four, four hundred six, four hundred twelve, four hundred eighteen, subdivision one section four hundred twenty, section four hundred forty-six, four hundred fifty-two, four hundred sixty-two and four hundred seventy-seven of the New York Real Property Tax Law.

(b) In the event a person, lot, parcel of land, building or premises, other than a City department, situated within the limits of the City, discharging sewage, water or other liquids into the Buffalo Sewer Authority (the "Authority") sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board or from any other source, and the quantity of water used is measured by a water meter acceptable to the Authority, then in each such case, the quantity of water used, as measured by said meter, shall be used to determine the sewer charge or rental, and the charge for such use shall be as follows: the first four thousand (4,000) cubic feet of water used per quarter year shall bear a sewer charge or rental of \$48.30, and any water used in excess thereof shall bear a sewer charge or rental of \$11.09 per thousand cubic feet (\$.0111 per cubic foot);

Provided that the minimum charge shall be \$16.10 per month if the meter is read monthly and \$48.30 per quarter year if the meter is read quarterly.

II. SEWER RENTS FOR PREMISES SITUATED OUTSIDE THE LIMITS OF THE CITY OF BUFFALO

(a) An annual service charge for the privilege of connecting with the facilities of the Authority shall be due for any premises situated outside the limits of the City for each \$1,000 of assessed valuation as determined on the last completed annual assessment, the same rate of \$2.71239 per \$1,000 of assessed valuation for 2006-2007.

(b) In the event a person, lot, parcel of land, building or premises, other than a City department, situated outside the limits of the City, discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board or from any other source, and the quantity of water used is measured by a water meter acceptable to the Authority, then in each such case, the quantity of water used, as measured by said meter, shall be used to determine the sewer charge or rental, and the charge for such use shall be as follows: the first four thousand (4,000) cubic feet of water used per quarter year shall bear a sewer charge or rental of \$48.30, and any water used in excess thereof shall bear a sewer charge or rental of \$11.09 per thousand cubic feet (\$.0111 per cubic foot);

Provided that the minimum charge shall be \$16.10 per month if the meter is read monthly and \$48.30 per quarter year if the meter is read quarterly.

III. GENERAL PROVISIONS

(a) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board, and the quantity of water used is not measured by a water meter acceptable to the Authority, then the sewer charge or rental for all such accounts shall be in the respective amounts (expressed in dollars) set forth in Exhibit A, attached hereto and made a part hereof, as the Authority determines applicable to such person, lot, parcel of land, building or premises.

(b) In addition to all other rentals and charges provided herein, a monthly drainage connection service charge shall be due for any and all persons, lots, parcels of land, building or premises, other than a City department, that discharge sewage, water or other liquids into the Authority sewer system, either directly or indirectly, as follows:

1. A monthly charge of \$6.00 shall be due for all lots, parcels, land, buildings or premises where the quantity of water used is not measured by a meter acceptable to the Authority.
2. A monthly charge in the amounts set forth below shall be due for all lots, parcels, land, building or premises where the quantity of water used is measured by a meter acceptable to the Authority in accordance with the following meter size:

<b>Residential Users</b>		<b>Non-Residential Users</b>	
<u>Meter Size</u>	<u>Charge (\$)</u>	<u>Meter Size</u>	<u>Charge (\$)</u>
5/8 inch	6.00	5/8 inch	6.00
3/4 inch	6.00	3/4 inch	6.00
1 inch	6.00	1 inch	6.00

<b>Residential Users</b>		<b>Non-Residential Users</b>	
<u>Meter Size</u>	<u>Charge (\$)</u>	<u>Meter Size</u>	<u>Charge (\$)</u>
1 1/2 inch	6.00	1 1/2 inch	55.00
2 inch	6.00	2 inch	55.00
3 inch	55.00	3 inch	55.00
4 inch or larger	55.00	4 inch or larger	55.00

(c) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, which directly or indirectly, uses water obtained from a source other than the Buffalo Water Board, and the water so obtained is not measured by a water meter acceptable to the Authority, then, in each such case, the owner, user or other interested party shall, at his own expense, furnish, install, and maintain a water meter or other water or sewage measuring device acceptable to the Authority and the quantity of water used, as measured by said meter, or as otherwise determined, shall be used to determine the sewer charge or rental and there shall be charged an amount determined as set forth in paragraphs II(a), III(a) and III(b) as the case may be.

(d) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, uses water in excess of 4,000 cubic feet per quarter year and it can be shown to the satisfaction of the Authority, that a portion of the water as measured by the water meter does not and cannot enter the Authority sewer system, then the Authority may determine in such manner as may be found practicable the percentage of metered water entering the Authority sewer system and the quantity of water used to determine the sewer charge or rental shall be that percentage, so determined, of the quantity of water measured by the water meter, or the Authority may require or permit the installation of additional meters or measuring devices in such a manner as to determine the quantity of water or sewage actually entering the Authority sewer system, in which case the quantity of water used to determine the sewer charge or rental shall be the quantity of water actually entering the Authority sewer system and so determined.

(e) In the event a person, lot, parcel of land, building or premises discharges sewage or other wastes into the Authority sewer system which, in the opinion of the Authority, contain unduly high concentrations or any substances which add to the operating costs of the Authority facilities, then the Authority may elect to establish and collect special rates of charge, based on the quantity of these substances, which rate of charge may be established and collected in such manner as the Authority may elect and such charge shall be paid to the Authority, or it may elect to exclude such sewage or other wastes from its facilities.

(f) As a condition of a Buffalo Discharge Elimination System Permit (BPDES), a user may be required to pay an industrial waste surcharge for discharging sewage or waste exhibiting a strength of sewage or waste greater than normal domestic sewage. The Industrial Waste Surcharge Formula reflecting the Treatment Plant unit costs for treatment of Biochemical Oxygen Demand (BOD<sub>5</sub>) Total Suspended Solids (TSS) and Total Phosphate (TPO<sub>4</sub>) is as follows:

Surcharge = 8.34 QMGY (0.106 (BOD<sub>5</sub>-250) + 0.141 (TSS-250) + 0.011 (TPO<sub>4</sub>-15.35))

\$0.106 Cost/lb. for treatment of BOD<sub>5</sub>

\$0.141 Cost/lb. for treatment of TSS

\$0.011 Cost/lb. for treatment of TPO<sub>4</sub>

QMGY shall mean the annual total industrial and sanitary discharge - water retention.

BOD<sub>5</sub> shall mean the average concentration of BOD<sub>5</sub> in sewage or waste discharged to the Authority facilities.

TSS shall mean the average concentration of TSS in sewage or waste discharged to the Authority facilities.

TPO<sub>4</sub> shall mean the average concentration of TPO<sub>4</sub> in sewage or waste discharged to the Authority facilities.

Surchargeable concentrations are as follows:

BOD<sub>5</sub> - Over 250 mg/L; TSS - Over 250 mg/L; TPO<sub>4</sub> - Over 15.35 mg/L

This formula shall be applied in computing the Buffalo Industrial Waste Surcharge subsequent to July 1, 2005 and ending June 30, 2006 for all users that discharge sewage or waste exhibiting a strength of sewage or waste greater than normal domestic sewage. In addition, this formula with the above rates will be used to calculate all monthly, quarterly, semiannual, and annual accounts subsequent to July 1, 2006.

(g) Any user who violates the Sewer Regulations of the Authority or the conditions of the permits issued thereunder shall be subject to fines as specified in said regulations.

(h) Whenever sewage or other wastes result in conditions in the Authority sewer system as to cause blockage or a substantial reduction in the flow, charges for the work necessary to eliminate such blockage or reduction in flow may be made, based upon costs incurred by the Authority for labor, materials, equipment hire, insurances, and other overhead, against the owner of the property or premises that caused the discharge of such sewage or other wastes into the Authority sewer system.

(i) Where sewer facilities have been installed to serve improved and unimproved property and have been paid for in whole or in part by the Authority, a charge shall be made based on a proportionate share of the original cost, determined by the foot frontage of the parcel served, or by the area of such parcels, or by such other method the Authority determines to be equitable, as a condition to a permit for a connection to the Authority's facilities.

(j) An application and inspection fee of \$100.00 for a residential sewer permit, a \$200.00 fee for a commercial sewer permit, and a \$500.00 fee for an industrial sewer permit shall be paid at the time said application is filed with the Authority.

(k) All persons owning or operating a pump truck or other transport vehicle and desiring to discharge wastes, directly or indirectly, into the Authority's facilities shall first secure a valid Truckers Discharge Permit after paying an annual permit fee of \$100.00. In addition to said permit fee, a separate charge shall be billed based upon the quantity and character of the waste discharged and, if applicable, the point of discharge.

The following surcharge rates are hereby charged for such wastehaulers who are located outside the City:

DISCHARGE LOCATION	TOTAL SUSPENDED SOLIDS	BOD <sub>5</sub>	TOTAL PHOSPHATE
Inlet/South Buffalo Pump	\$0.3125/lb	\$0.2093/lb.	\$0.0239/lb.
Mixing Tank	\$0.2917/lb	\$0.1386/lb.	\$0.0239/lb.
Thickener/Digester	\$0.3042/lb	\$0.1444/lb.	\$0.0239/lb.

The above surcharge rates, along with costs incurred by the Authority when handling, testing, conveying, and administrating each wastehauler, will be used to determine the cost per gallon of each wastestream. The wastehauler user charges for various wastestreams are as follows:

1. Septage and portable toilet wastes - The rate of \$0.04 per gallon discharged will be assigned to all permitted septage and portable toilet wastehaulers.
2. Grease trap wastes - The rate of \$0.10 per gallon discharged will be assigned to all permitted grease trap wastehaulers.
3. Sludge wastes - This rate will vary dependent on strength and volume. Sludge rates will be calculated using the parameter costs for the mixing tank location.
4. Miscellaneous Wastes - This rate will vary dependent on strength of waste, volume and discharge location.

These rates will be used for all permits effective July 1, 2006.

(l) In the event a person, lot, parcel of land, building or premises threatens to discharge or discharges sewage or waste into or near the Authority's publicly owned treatment works, either directly or indirectly, which in the opinion of the Authority will or is likely to bypass, upset, harm or endanger the facilities of the Authority, then such person or the owner or operator of such lot, parcel of land, building or premises shall pay to the Authority charges for any and all clean up, removal and remediation costs actually incurred by the Authority, including but not limited to labor, materials, equipment, insurances or laboratory services for the (i) containment or attempted containment of such discharge or threatened discharge, (ii) sampling and analysis of such discharge or threatened discharge, (iii) removal or attempted removal of such discharge or threatened discharge, (iv) taking of reasonable measures to prevent or mitigate damage to property, public health, safety or welfare, or (v) remediation, treatment, storage or disposal of such discharge or threatened discharge and all soils, water or structures affected by such discharge.

(m) All industrial users shall pay to the Authority a charge for the actual costs of analysis incurred by the Authority for the annual or other monitoring of any an all discharges of such industrial users.

(n) Any person who is granted a temporary permit to discharge into the facilities of the Authority shall pay a permit fee of \$500.00 to the Authority as a condition of the issuance of such permit.

(o) Except as otherwise defined herein, all terms and phrases used or contained in this schedule of sewer rents shall bear the same meaning and definition as set forth in the Authority's

Sewer Use Regulations 21 N.Y.C.R.R. Part 10075 and New York Public Authorities Law Section 1175 et seq.

(p) Sewer rents and charges as herein provided shall be payable at the office of the Director of the Treasury for the City at Room 117, City Hall, Buffalo, New York 14202, or at such other location or address as may be set forth on the Authority's invoice, and shall become due as follows:

1. So much of the sewer rents and charges as are based upon water use and the drainage connection service charge covering the respective premises, or such other charges as provided herein shall be due and payable, except as otherwise stated in this schedule or in such invoice, on the same day, one month following the month of the invoice billing date, and such invoice may be billed monthly, quarterly or as otherwise determined by the Authority; and
2. So much of the sewer rents and charges as are based upon the assessed valuation of chargeable real estate shall become due and payable from the first day of July 1938, and each year thereafter, and may be paid without interest on or before September 30th next succeeding.
3. Such sewer rents and charges that remain unpaid after their respective due dates, shall be charged interest and such interest shall continue to be charged until such sewer rents and charges are paid in full, at the same rate as unpaid City taxes, to wit: four and one-half percent (4.5%) interest shall be added to amounts unpaid from the first through the thirtieth day after the due date, and one and one-half percent (1.5%) shall be added to all amounts that remain unpaid for each succeeding month thereafter.

(q) All users shall be subject to paying reasonable costs and expenses, including attorney fees incurred in the collection of sewer rents and charges that remain unpaid, as may be determined by the Board of the Authority. In addition to any other remedy or provision hereof, the Authority reserves the right to engage in such collection activities, as it deems appropriate, for all accounts that remain unpaid after the due date. In consideration of such collection activities and to defray the cost thereof, the user shall pay an additional charge of twenty-one percent (21%) of the amount of each such delinquent account, together with interest as provided herein, that remains unpaid for more than (i) one hundred twenty (120) days from the due date for metered accounts, and (ii) two hundred ten (210) days from the due date for non-metered flat rate accounts. Due date, as used herein, means the date that the Authority's sewer rent and other charges are due and payable pursuant to III (p) (1) and III (p) (2), herein, respectively.

(r) Invoice statements shall be mailed or delivered to the address of the owner or user, as the case may be, as such address appears on the Authority's records. Such mailing or delivery is a matter of convenience. Failure of an owner or user to receive an invoice statement shall not release such owner or user from the obligation to pay such invoice statement, together with any other charges and interest which may accrue on unpaid amounts.

(s) All invoices shall be paid in United States dollars and may be paid by cash, check or MasterCard and Visa at Room 117, City Hall, Buffalo, New York or such other location or address as may be provided on such invoice, or by telephone as set forth on the invoice. All persons who pay by such charge cards shall pay the Authority a two-dollar (\$2.00) charge for each credit card payment transaction as a handling fee.

IV. LIEN OF SEWER RENT

From and after the due date thereof, such sewer rents and charges, together with any interest and collection costs shall constitute a lien upon the real property served by the facilities. Such lien shall have the same priority and superiority as the lien of the general tax of the City.

V. EFFECTIVE DATE OF THIS SCHEDULE

This schedule of sewer rents and other charges shall become effective July 1, 2006; provided, however, that the sewer rents and other charges herein set forth, applicable to water use, shall become effective on all billings on and after August 1, 2006, excepting only monthly metered accounts for July 2006, and Section "W" of the quarterly metered accounts for the period May, June, and July 2006, which shall be billed at the rents in effect prior to July 1, 2006.

## Exhibit A

Stories High:	1	1 ½	2	2 ½	3	4	5
Under 25 ft	21.65	24.38	29.76	35.17	37.84	40.57	45.97
From 25 ft to 30 ft	24.38	29.76	35.17	37.84	40.57	45.97	51.35
From 31 ft to 35 ft	29.76	35.17	37.84	40.57	45.97	51.35	56.74
From 36 ft to 40 ft	35.17	37.84	40.57	45.97	51.35	56.74	59.44
From 41 ft to 45 ft	37.84	40.57	45.97	51.35	56.74	59.44	62.12
From 46 ft to 50 ft	40.57	45.97	51.35	56.74	59.44	62.12	67.56

The Following Rates Apply To More Than One Family Homes or Housekeeping:

1 Family	21.65
2 Families	43.29
3 Families	64.94
4 Families	86.58
5 Families	108.03
6 Families	129.87

Bathtubs & Showers \*Bathtubs with attached showers are charged for only bathtubs

1 Bathtub	5.45
2 Bathtubs	10.91
3 Bathtubs	16.36
4 Bathtubs	21.81
5 Bathtubs	27.27
6 Bathtubs	32.72
7 Bathtubs	38.17
8 Bathtubs	43.63
9 Bathtubs	49.08

Toilets:	1 Family	2 Family	3 Family	4 Family	5 Family	6 Family
1 Toilet	10.86					
2 Toilets	19.15	21.73				
3 Toilets	27.43	30.01	32.59			
4 Toilets	35.72	38.30	40.88	43.46		
5 Toilets	44.00	46.58	49.16	51.74	54.32	
6 Toilets	52.29	54.87	57.45	60.03	62.61	65.19
7 Toilets	60.57	63.15	65.73	68.31	70.89	73.47
8 Toilets	68.86	71.44	74.02	76.60	79.18	81.76
9 Toilets	77.14	79.72	82.30	84.88	87.46	90.04
Each Additional Toilet	8.28					

## Border or Roomer

1	4.13
2	8.26
3	12.38
4	16.51

Office with Water: 21.65

Office without Water: 10.86

## Hot Water Heating Billed in November &amp; February:

1	10.84
2	21.67
3	32.51
4	43.35
5	54.18
6	65.02
7	75.86
8	86.69

## Car in Garage:

1 Car  
2 Cars  
3 Cars  
4 Cars  
5 Cars  
6 Cars  
7 Cars  
8 Cars

## Garage w/out Water

10.84  
21.67  
32.51  
43.35  
54.18  
65.02  
75.86  
86.69

## Garage w/Water

21.66  
43.32  
64.98  
86.69  
108.30  
129.96  
151.62  
173.28

ITEM NO. 4

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: On February 23, 2006, John T. Rieman, of 44 Lorraine Avenue, Buffalo, New York, filed a Claim with the Buffalo Sewer Authority for plumbing costs totaling \$206.63; and

WHEREAS: The Claim was reviewed by the City of Buffalo Law Department and it was determined that there was some liability on the part of the Buffalo Sewer Authority; and

WHEREAS: The General Manager reviewed the Claim and recommends a total settlement in the amount of \$206.63.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to John T. Rieman, 44 Lorraine Avenue, Buffalo, New York, in the amount of \$206.63. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. NAPLES

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

AYES 5 NOES 0

Board Meeting of May 24, 2006

## ITEM NO. 5

**REPORT ON BIDS RECEIVED - NATURAL GAS SUPPLY**

WHEREAS: Informal bids were solicited to supply natural gas to the Treatment Plant and outlying stations for various terms beginning July 1, 2006. The following bids were received and opened on May 3, 2006:

<b>Treatment Plant</b>		
<b>Term – One Year</b>	<b>Bidder</b>	<b>Base Contract Cost</b>
	National Fuel Resources	\$0.40/Dth
	NOCO Energy	\$0.475/Dth
	Crown Energy Services	\$0.468/Dth
<b>Term – Two Years</b>	National Fuel Resources	\$0.42/Dth
	NOCO Energy	\$0.465/Dth
	Crown Energy Services	\$0.588/Dth

<b>Outlying Stations</b>		
<b>Term – One Year</b>	<b>Bidder</b>	<b>Base Contract Cost</b>
	National Fuel Resources	\$1.46/Dth + NYMEX
	NOCO Energy	\$1.15/Dth + NYMEX
	Crown Energy Services	\$1.04/Dth + NYMEX
<b>Term – Two Years</b>	National Fuel Resources	\$1.46/Dth + NYMEX
	NOCO Energy	\$1.10/Dth + NYMEX
	Crown Energy Services	\$1.24/Dth + NYMEX

; and

WHEREAS: The following additional vendors were solicited but did not submit a quote:

- Empire Natural Gas Corporation
- Mid American Natural Resources
- NYSEG Solutions, Inc.
- Select Energy NY, Inc.
- UGI Energy Services, Inc., d/b/a Gasmark

; and

WHEREAS: The General Manager, Treatment Plant Superintendent, Treatment Plant Administrator, and Buffalo Sewer Authority Energy Consultants, United Energy, reviewed the bids, and based upon the low bid for the supply of natural gas for the Treatment Plant, recommend awarding a one-year contract to National Fuel Resources for natural gas supply for the Treatment Plant at a cost of \$0.40/Dth and for the outlying stations at a cost of \$1.46/Dth, plus the monthly closing price on the New York Mercantile Exchange (NYMEX) for delivery to the National Fuel Gas Distribution Company City Gate.



## ITEM NO. 6

**REPORT ON BIDS RECEIVED - RENTAL AND SERVICE OF COVERALL GARMENTS AND LAB COATS**

WHEREAS: Formal bids were advertised and solicited for the rental and service of coverall garments and lab coats for use at the Treatment Plant; and

WHEREAS: The Authority currently rents required garments in bulk quantities and has dealt with instances of missing garments and the costs associated with this issue. In order to better manage and provide accountability for the issuance of these garments, an alternate proposal was requested to include the costs associated with bar coding garments to assign to individual employees and rental of lockers for each employee. The following bids, based upon estimated quantities needed, were received and opened by the Buffalo Sewer Authority on May 3, 2006:

Proposal 1 – rental and service of garments in bulk quantities (housed in BSA Stock Room)	
Coyne Textile Services	\$16,194.88
Cintas Corporation	\$23,134.80

Proposal 2 – rental and service of individual bar coded garments and lockers		
Coyne Textile Services	Rental and servicing of garments	\$16,194.88
	Bar coding set-up fee	1,653.00
	Rental of lockers	<u>-0-</u>
	Total annual cost	\$17,847.88
Cintas Corporation	Rental and servicing of garments	\$23,134.80
	Bar coding set-up fee	-0-
	Rental of lockers	<u>988.00</u>
	Total annual cost	\$24,122.80

; and

WHEREAS: The Treatment Plant Superintendent and staff reviewed the bids. The cost difference of \$1,653.00 between Proposal 1 and Proposal 2 from the low bidder represents a one-time charge for bar coding the estimated quantity of garments needed. The Treatment Plant Superintendent and staff recommend accepting the bid for Proposal 2 and awarding a contract to Coyne Textile Services.



## ITEM NO. 7

**AUTHORIZATION FOR SERVICES - ROOF EVALUATION**

WHEREAS: The Buffalo Sewer Authority Treatment Plant and outlying pumping stations are comprised of 35 buildings, most of which have the original roofs that exceed 25 years of age. Many of these roofs are showing varying degrees of vegetation and noticeable leaks affecting the brickwork and integrity of the buildings; and

WHEREAS: The Treatment Plant Superintendent requested and received a quote in the amount of \$19,530.00 for a complete roofing survey from Tremco, a local roofing specialist in business for over 75 years. Tremco offers comprehensive roofing and weatherproofing solutions for roofing maintenance, replacement solutions, restoration, and repair services. Tremco's Certified Contractor Program ensures that only highly trained, experienced, professional roofing contractors meeting National Roofing Contractors Association requirements handle their roofing applications; and

WHEREAS: The Treatment Plant Superintendent and staff recommend accepting the roofing survey proposal from Tremco.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the General Manager to obtain the services of Tremco, Inc., for a roofing survey as outlined in their proposal for a total cost of \$19,530.00. The cost of this service will be charged to account no. 02000254-432004.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 5 NOES 0

Board Meeting of May 24, 2006

ITEM NO. 8

**AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 20600119**

WHEREAS: On April 13, 2005, the Board of the Buffalo Sewer Authority awarded a contract to Kemiron to provide ferrous chloride for use at the Treatment Plant at a cost of \$0.25 per gallon, up to a maximum amount of \$80,000.00 for the period July 1, 2005 to June 30, 2007, with an option to renew for three (3) one-year periods. On May 4, 2005, the Board of the Buffalo Sewer Authority amended this item to read, “up to a maximum amount of \$80,000.00 for each respective year”; and

WHEREAS: Blanket Order No. 20600119 was established to facilitate payments of this contract for fiscal year 2005-2006; and

WHEREAS: On April 12, 2006, the Board of the Buffalo Sewer Authority authorized a change order in the amount of \$20,000.00, increasing Blanket Order No. 20600119 with Kemiron from \$80,000.00 to \$100,000.00 due to high concentrations of phosphorous in the sludge during the month of March; and

WHEREAS: The high concentrations of phosphorous have continued necessitating an additional increase of \$30,000.00 to Blanket Order No. 20600119 from \$100,000.00 to \$130,000.00; and

WHEREAS: The Treatment Plant Superintendent and staff recommend the above increase.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve a change order in the amount of \$30,000.00, increasing Blanket Order No. 20600119 with Kemiron from \$100,000.00 to \$130,000.00 for the purchase of ferrous chloride at the Treatment Plant at a cost of \$0.25 per gallon through June 30, 2006. Funds for this change order will be charged to account no. 00360105-467044.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY</u>
2 <sup>ND</sup> BY	<u>MS. WILSON-DIVINCENZO</u>
AYES	<u>5</u> NOES <u>0</u>



ITEM NO. 10

**AUTHORIZATION TO PURCHASE REPLACEMENT PARTS FOR VAUGHN PUMPS**

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

WHEREAS: On July 27, 2005, the Board of the Buffalo Sewer Authority designated Vaughn Company, Inc., the original equipment manufacturer, and/or their authorized local representative as a sole source for replacement parts, supplies, and service for the Vaughn brand pumps located at the Treatment Plant; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined that additional restock of miscellaneous replacement parts for these Vaughn brand pumps is needed. The total year-to-date expenditures to Pioneer Pumps Systems, Inc., is \$23,453.60; and

WHEREAS: Pioneer Pump Systems, Inc., the authorized local representative for Vaughn Company, Inc., has submitted a quote in the amount of \$1,157.20 for these necessary replacement parts; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend authorization for the purchase of additional restock parts from Pioneer Pump Systems, Inc., at a cost of \$1,157.20, 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 additional restock parts at a cost of \$1,157.20, plus any incurred freight charges, from Pioneer Pump Systems, Inc. This purchase will be charged to account no. 00520105-466107.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of May 24, 2006

## ITEM NO. 11

**REPORT ON BIDS RECEIVED - REMOVAL AND DISPOSAL OF MISCELLANEOUS CONSTRUCTION DEBRIS**

WHEREAS: Formal bids were advertised and solicited for the removal and disposal of miscellaneous construction debris. The following bids were received and opened by the Buffalo Sewer Authority on May 15, 2006:

Vendor	Price per ton	Estimated annual cost (based on 2,000 tons)
Allied Waste	\$28.00	\$56,000.00
Modern Landfill, Inc.	\$43.50	\$87,000.00
Waste Management	No bid	

; and

WHEREAS: The low bid from Allied Waste is not acceptable, as they do not meet the full requirements of the specification; and

WHEREAS: The requirement in the specification not met by Allied Waste is the disposal site location that must be within the City of Buffalo limits. Allied Waste's bid made exception to this requirement in that their disposal site is located in Niagara Falls; and

WHEREAS: The Director of Sewer Maintenance and staff have documentation that the costs associated with the transporting of debris by Authority personnel to sites outside the City of Buffalo limits is not cost effective; and

WHEREAS: The Director of Sewer Maintenance and staff recommend accepting the only bid submitted meeting all requirements and awarding the contract to Modern Landfill, Inc.





ITEM NO. 13

**REPORT OF BIDS RECEIVED - PURCHASE OF MAINLINE SEWER TV EQUIPMENT AND ASSOCIATED COMPONENTS**

WHEREAS: Formal bids were advertised and solicited for the purchase of mainline sewer TV equipment and associated components; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority on May 5, 2006, and do not include options:

Cues, Inc.	\$ 94,000.00
Cyncon Equipment, Inc.	\$112,625.00
STS Truck Equipment & Trailer Sales	\$114,237.00
Fosters Equipment, Inc.	\$115,250.00
Joe Johnson Equipment, Inc.	\$159,383.00
; and	

WHEREAS: The Director of Sewer Maintenance and staff reviewed the bids and recommend this purchase be subject to a demonstration that meets the needs of the Buffalo Sewer Authority; and

WHEREAS: Cues, Inc., the low bidder, has agreed to demonstrate said equipment on BSA main sewer lines in the City of Buffalo the first week of June. If the demonstration proves successful, it is recommended that the purchase be awarded to Cues, Inc., at a cost not to exceed \$94,000.00; and

WHEREAS: If the above demonstration proves unsuccessful, it is recommended that Cyncon Equipment, Inc., the second low bidder, be requested to demonstrate said equipment. If this demonstration proves successful, it is recommended that the purchase be awarded to Cyncon Equipment, Inc., at a cost not to exceed \$112,625.00.



ITEM NO. 14

**AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 20600226**

WHEREAS: On July 27, 2005, the Board of the Buffalo Sewer Authority authorized the General Manager to utilize State Contract pricing for the purchase of gasoline from Kurk Fuel Oil Company, now known as T. F. Kurk, Inc., under PC60400 in an amount not to exceed \$48,200.00 (\$18,200.00 from account no. 00520105-462600 and \$30,000.00 from account no. 00690105-462600) for fiscal year 2005-2006; and

WHEREAS: The State has approved a new contract, PC61914, with T. F. Kurk, Inc., for this commodity through July 26, 2007; and

WHEREAS: Due to the current market conditions, the cost of this commodity has escalated necessitating an increase of \$14,000.00 to Blanket Order No. 20600226 from \$48,200.00 to \$62,200.00 through June 30, 2006; and

WHEREAS: The Treatment Plant Superintendent, Director of Sewer Maintenance, and staff recommend the above increase.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve a change order in the amount of \$14,000.00, increasing Blanket Order No. 20600226 with T. F. Kurk, Inc., from \$48,200.00 to \$62,200.00 through June 30, 2006, for the purchase of gasoline utilized by authorized vehicles at the Treatment Plant under State Contract PC61914. Funds for this change order will be charged to account nos. 00520105-462600 (\$5,200.00) and 00690105-462600 (\$8,800.00).

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. NAPLES</u>		
2 <sup>ND</sup> BY	<u>MS. WILSON-DIVINCENZO</u>		
AYES	<u>5</u>	NOES	<u>0</u>

Board Meeting of May 24, 2006

## ITEM NO. 15

**AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 20600229**

WHEREAS: On July 27, 2005, the Board of the Buffalo Sewer Authority authorized the General Manager to utilize State Contract pricing for the purchase of diesel fuel from NOCO Energy Corporation under PC60384 in an amount not to exceed \$28,000.00 (\$8,000.00 from account no. 00520105-462600 and \$20,000.00 from account no. 00690105-462600) for fiscal year 2005-2006; and

WHEREAS: The State has approved a new contract, PC61912, with NOCO Energy Corporation for this commodity through July 26, 2007; and

WHEREAS: Due to the current market conditions, the cost of this commodity has escalated necessitating an increase of \$10,000.00 to Blanket Order No. 20600229 from \$28,000.00 to \$38,000.00 through June 30, 2006; and

WHEREAS: The Treatment Plant Superintendent, Director of Sewer Maintenance, and staff recommend the above increase.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve a change order in the amount of \$10,000.00, increasing Blanket Order No. 20600229 with NOCO Energy Corporation, from \$28,000.00 to \$38,000.00 through June 30, 2006, for the purchase of diesel fuel utilized by authorized vehicles at the Treatment Plant under State Contract PC61912. Funds for this change order will be charged to account nos. 00520105-462600 (\$2,400.00) and 00690105-462600 (\$7,600.00).

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of May 24, 2006

ITEM NO. 16

**CONFIRMATION OF APPOINTMENTS**

**EQUIPMENT OPERATOR (BSA) (PROVISIONAL)**  
SEWER MAINTENANCE DEPARTMENT  
\$17.14 PER HOUR  
EFFECTIVE: MAY 8, 2006

SALVATORE LOTEMPIO, JR.  
1104 SHEREE DR.  
GRAND ISLAND, NY

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**EQUIPMENT OPERATOR (BSA) (PROVISIONAL)**  
SEWER MAINTENANCE DEPARTMENT  
\$17.14 PER HOUR  
EFFECTIVE: MAY 8, 2006

ANGELO GIANCARLO  
218 CARMEL RD.  
BUFFALO, NY

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**LABORER I (PERMANENT)**  
SEWER MAINTENANCE DEPARTMENT  
\$13.10 PER HOUR  
EFFECTIVE: MAY 30, 2006

MICHAEL SZILAGYI  
92 DELSAN CT.  
BUFFALO, 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.





## 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>
James Stephens	New York Rural Water Association	<i>Basic Microsoft Access</i>	50%	\$37.50

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$37.50. This Reimbursement will be charged to account no. 00800108-480214.

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

Board Meeting of May 24, 2006

ITEM NO. 19

**ADJOURNMENT OF MEETING**

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of May 24, 2006