

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
December 6, 2006**

50906.....50924

BUFFALO SEWER AUTHORITY

December 6, 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>Christopher Roosevelt</u>	<u>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>James Eagan, P.E.</u>	<u>Senior Supervising Sanitary Engineer</u>
	<u>James Keller</u>	<u>Treatment Plant Superintendent</u>
	<u>Edward Hennessy</u>	<u>Director of Sewer Maintenance</u>
	<u>Angel Rivera</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Darryl McPherson, Esq.</u>	<u>City Auditor</u>
	<u>Albert Renzoni</u>	<u>Principal Auditor</u>
	<u>Nicole Elliott</u>	<u>Erie County Environment & Planning</u>
	<u>Amy Zubek</u>	<u>New York State Auditor</u>
	<u>Nicole Tomsen</u>	<u>New York State Auditor</u>
Absent:	<u>John D. Kennedy, Sr.</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor C. Wilson-DiVincenzo</u>	<u>Assistant Secretary</u>

The meeting was called to order at 9:00 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of November 8, 2006

MOTION TO ADOPT
 MADE BY MR. NAPLES
 2ND BY MR. ROOSEVELT
 AYES 3 NOES 0

ITEM NO. 2

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

November 27, 2006

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
15-Apr-02	Money Market		\$500,000.00	Chase	4.85%	High Yield
CONSTRUCTION FUND						
08-Apr-02	Money Market		\$3,591,808.62	Chase	4.85%	High Yield
02-Nov-06	04-Dec-06	32	\$15,000,000.00	HSBC	5.22%	\$69,600.00
			<u>\$18,591,808.62</u>			
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$164,962.38	Chase	4.85%	High Yield
27-Nov-06	27-Dec-06	30	\$1,000,000.00	M&T	5.23%	\$4,358.33
			<u>\$1,164,962.38</u>			
OPERATING FUND						
08-Apr-02	Money Market		\$2,965,743.35	Chase	4.85%	High Yield
TRUST & AGENCY FUND						
06-May-02	Money Market		\$23,689.63	Chase	4.85%	High Yield
SURPLUS FUND						
27-Nov-06	27-Dec-06	30	\$4,794,695.58	Citizens	5.23%	\$20,896.88
NET REVENUE FUND						
25-Oct-06	29-Dec-06	65	\$17,280,799.81	HSBC	5.28%	\$164,743.62
27-Nov-06	25-Jan-07	59	\$4,303,018.13	Citizens	5.22%	\$36,812.32
			<u>\$21,583,817.94</u>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
DEBT RESERVE FUND						
15-May-06	15-May-07	365	\$1,192,697.00	Series F FHLB	3.50%	
23-Sep-03	15-Aug-08	1788	\$7,350,000.00	Series I 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	4.63%	
27-Jul-06	01-Oct-35		\$952,666.00	Series L SLG	4.52%	
CONSTRUCTION FUND SERIES H						
16-Nov-06	07-Dec-06	21	\$285,801.65	M&T	5.21%	\$868.60
CONSTRUCTION FUND SERIES K						
16-Nov-06	07-Dec-06	21	\$55,797.29	M&T	5.21%	\$169.58

RECEIVE & FILE

Board Meeting of December 6, 2006

ITEM NO. 3

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: On August 17, 2006, Mary Bishop, of 2210 Main Street, Buffalo, New York, filed a Claim with the Buffalo Sewer Authority for plumbing costs. Upon investigation of this matter, it was found that approximately 150 feet of hose had been left in the sewer in the vicinity of 2210 Main Street following cleaning by the Sewer Maintenance Department; and

WHEREAS: The City of Buffalo Law Department and General Manager reviewed this Claim and determined that the Buffalo Sewer Authority is liable; and

WHEREAS: The City of Buffalo Law Department recommends full settlement of this Claim in the amount of \$339.25.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Mary Bishop, 2210 Main Street, Buffalo, New York, in the amount of \$339.25 as full settlement. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO	APPROVE		
MADE BY	MR. NAPLES		
2 ND BY	MR. ROOSEVELT		
AYES	3	NOES	0

Board Meeting of December 6, 2006

ITEM NO. 4

PAYMENT FROM JUDGMENT AND CLAIMS

WHEREAS: Board approval is required for charges made against the Buffalo Sewer Authority's current budget for services and/or materials received during a prior fiscal year; and

WHEREAS: The following materials were received during a prior fiscal year and charged to the 2006-2007 budget account number 00800108-480214:

VENDOR	AMOUNT
Bison Laboratories	\$2,195.58
; and	

WHEREAS: The Treatment Plant Superintendent recommends the above payment from the Judgment and Claims account.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above payment from the Judgment and Claims account no. 00800108-480214.

MOTION TO _____ APPROVE _____
MADE BY _____ MR. NAPLES _____
2ND BY _____ MR. ROOSEVELT _____
AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of December 6, 2006

ITEM NO. 6

AUTHORIZATION TO APPLY FOR GRANT FUNDING UNDER THE SHARED MUNICIPAL SERVICES INCENTIVE (SMSI) GRANT PROGRAM

WHEREAS: The Buffalo Sewer Authority has fostered the merger of wastewater services with Erie County Department of Environment and Planning, Division of Sewerage Management and the City of Lackawanna; and

WHEREAS: The General Manager and his staff believe it to be in the best interest of the rate payers to conduct a feasibility study of a merger between the Erie County Department of Environment and Planning, Division of Sewerage Management and the City of Lackawanna; and

WHEREAS: The effects and feasibility of this merger must be evaluated by retaining a consultant. Costs will be incurred to complete this study; and

WHEREAS: The New York State Department of State has recognized the benefit of merging such services and has established the Shared Municipal Services Incentive (SMSI) Grant Program to fund up to 90% of the costs associated with merger studies; and

WHEREAS: The Buffalo Sewer Authority must apply for joint grant funding with the Erie County Department of Environment and Planning, Division of Sewerage Management and the City of Lackawanna. A contract must be executed through these parties with the Department of State to secure SMSI grant funding.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to apply for grant funding under the Shared Municipal Services Incentive (SMSI) Grant Program on behalf of the Buffalo Sewer Authority, subject to approval as to form by the City of Buffalo Corporation Counsel. Upon notification of any award, the Board of the Buffalo Sewer Authority further authorizes the General Manager to execute a contract through Erie County Department of Environment and Planning, Division of Sewerage Management, the City of Lackawanna, and the Department of State, and to cooperate with these municipalities in order to conduct the feasibility study of this proposed merger.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. NAPLES

AYES 3 NOES 0

ITEM NO. 7

**AUTHORIZATION FOR PURCHASE OF GEOGRAPHIC INFORMATION SYSTEM UNDER
NEW YORK STATE CONTRACT**

WHEREAS: The Buffalo Sewer Authority is in the process of developing a comprehensive Geographic Information System (GIS). A GIS is a computerized information management system that uses spatial locations and attribute data to catalog, manipulate, analyze, and display data of interest for the purpose of researching, planning, solving, and managing problems of interest; and

WHEREAS: In order to acquire data needed for the development of this system it is necessary to purchase two (2) new handheld GeoXT global positioning system units with related software, including GPS Pathfinder, ArcPad, and GPSCorrect from Trimble Mapping and GIS under New York State Contract No. PC54349 for a total cost of \$14,000.25; and

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

WHEREAS: The General Manger, Secretary to the General Manager, and Senior Sanitary Engineering Supervisor recommend the purchase of two (2) handheld GeoXT global positioning system units and necessary components from Trimble Mapping and GIS under New York State Contract for a total cost of \$14,000.25.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase two (2) new handheld GeoXT global positioning system units with related software, including GPS Pathfinder, ArcPad, and GPSCorrect from Trimble Mapping and GIS under New York State Contract No. PC 54349 for a total cost of \$14,000.25. This purchase will be charged to account no. 00600107-474100.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MR. NAPLES</u>	
2 ND BY	<u>MR. ROOSEVELT</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of December 6, 2006

ITEM NO. 8

AUTHORIZATION TO PURCHASE REPLACEMENT PARTS FOR ASH SYSTEM

WHEREAS: On July 19, 2006, the Board of the Buffalo Sewer Authority designated Diamond Power International, Inc., the original equipment manufacturer and proprietary owner, as a sole source for replacement parts, supplies, and service for the ash handling systems located at the Treatment Plant; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined that replacement parts for the ash handling system is needed; and

WHEREAS: Diamond Power International, Inc., has submitted a quote in the amount of \$11,441.00, plus estimated freight charges of \$495.00, for these necessary replacement parts; and

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

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the purchase of these necessary replacement parts from Diamond Power International, Inc., at a cost of \$11,441.00, plus freight.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the necessary replacement parts for the ash handling systems from Diamond Power International, Inc., at a cost of \$11,441.00, plus any incurred freight charges. This purchase will be charged to account no. 00380105-466107.

MOTION TO APPROVE
MADE BY MR. ROOSEVELT
2ND BY MR. NAPLES
AYES 3 NOES 0

Board Meeting of December 6, 2006

ITEM NO. 9

AUTHORIZATION FOR PURCHASE OF REPLACEMENT PARTS FOR ITT FLYGT PUMPS

WHEREAS: On July 19, 2006, the Board of the Buffalo Sewer Authority designated ITT Flygt, the original equipment manufacturer, as a sole source for replacement parts, supplies, and service for the ITT Flygt brand pumps located at the Treatment Plant; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined that replacement parts for the ITT Flygt brand pumps is needed; and

WHEREAS: ITT Flygt has submitted a quote in the amount of \$6,952.60 for these necessary replacement parts; and

WHEREAS: The purchase of these parts will bring the total monies payable to ITT Flygt for fiscal year 2006-2007 to over \$10,000.00; and

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

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the purchase of these necessary replacement parts from ITT Flygt at a cost of \$6,952.60.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the necessary replacement parts for the ITT brand pumps from ITT Flygt at a cost of \$6,952.60. This purchase will be charged to account no. 00290105-466107.

MOTION TO APPROVE

MADE BY MR. NAPLES

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of December 6, 2006

ITEM NO. 10

AUTHORIZATION TO PURCHASE REPLACEMENT PARTS FOR MOYNO PROGRESSIVE CAVITY PUMPS

WHEREAS: On July 19, 2006, the Board of the Buffalo Sewer Authority designated Moyno, Inc., the original equipment manufacturer, and/or their authorized local representative as a sole source for replacement parts, supplies, and service for the Moyno 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 Moyno brand pumps is needed; and

WHEREAS: Shrier Martin, the authorized local representative for Moyno, Inc., has submitted a quote in the amount of \$47,014.20, plus estimated freight charges of \$600.00, for these necessary replacement parts; and

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

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the purchase of these necessary replacement parts for the Moyno brand pumps from Shrier Martin at a cost of \$47,014.20, plus freight.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the necessary replacement parts for the Moyno brand pumps from Shrier Martin at a cost of \$47,014.20, plus any incurred freight charges. This purchase will be charged to account no. 00340105-466107.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. NAPLES</u>
2 ND BY	<u>MR. ROOSEVELT</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of December 6, 2006

ITEM NO. 11

AUTHORIZATION FOR PURCHASE OF RESTOCK PARTS FOR SCADA SYSTEM

WHEREAS: The Buffalo Sewer Authority installed a Supervisory Control and Data Acquisition (SCADA) System for its daily plant operations in 1999. This system monitors and controls plant processes; and

WHEREAS: On July 19, 2006, the Board of the Buffalo Sewer Authority designated ABB Automation, Inc., the original equipment manufacturer, as a sole source for replacement parts, supplies, and service for this Distributed Control System; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined that restock of miscellaneous replacement parts for the SCADA system is required; and

WHEREAS: ABB Automation, Inc., has submitted a quote in the amount of \$38,100.00 for these necessary replacement parts; and

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

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend authorization for the purchase of the additional restock at a cost of \$38,100.00 from ABB Automation, Inc.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the necessary replacement parts for the SCADA system from ABB Automation, Inc., at a cost of \$38,100.00. This purchase will be charged to account no. 00520105-466107.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. ROOSEVELT</u>		
2 ND BY	<u>MR. NAPLES</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of December 6, 2006

ITEM NO. 12

CHANGE ORDER NO. 1 – CONTRACT NO. 84600004

CONTRACTOR:	ORIGINAL CONTRACT COST	\$64,000.00
J. Fletcher Creamer & Son, Inc.	PREVIOUS CHANGE ORDER	0.00
101 East Broadway	THIS CHANGE ORDER	<u>15,375.00</u>
Hackensack, New Jersey 07601	FINAL CONTRACT COST	\$79,375.00

WORK: 96-Inch Settled Wastewater Forcemain – Internal Joint Repair Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Final justification of contract unit price items, Nos. 1A through 2D.
- Item #2 Provide all labor, materials, and equipment necessary to pressure test additional 96” joints with the West 96” conduit, including pressure testing of three (3) 10-inch scrubber lines at the point of interconnection with the West 96” conduit.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 Quantities reflect actual unit price work performed to complete project as shown, specified, and directed.
- Item #2 Additional field-testing of 96” joints within the West conduit was performed to determine the full extent of leaks within the project area. Work was performed on a verbal basis, as directed/approved in the field by the Owner and Engineer, and includes re-mobilization.

COST OF CHANGE OR EXTRA WORK:

- Item #1 (\$ 7,000.00)
- Item #2 \$22,375.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$15,375.00

The total INCREASE to the contract as a result of this Change Order is \$15,375.00

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 unchanged.

ITEM NO. 13

CONTRACT NO. 84600004

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: 96-Inch Settled Wastewater Forcemain – Internal Joint Repair Project

BID: \$64,000.00

CONTRACTOR: J. Fletcher Creamer & Son, Inc.
101 East Broadway
Hackensack, New Jersey 07601

WHEREAS: The Treatment Plant Administrator and staff have certified that the Contractor completed the work in accordance with the plans and specifications on May 5, 2006.

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 May 5, 2006;
- c. The maintenance period commence on May 5, 2006;
- d. Final payment be made to the Contractor in the amount of \$29,975.00, an increase of \$15,375.00 by Change Order, making the final cost of the contract \$79,375.00.

MOTION TO APPROVE _____

MADE BY MR. NAPLES _____

2ND BY MR. ROOSEVELT _____

AYES 3 NOES 0

Board Meeting of December 6, 2006

ITEM NO. 14

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) Senior Accountant

00110121 411001

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. NAPLES

AYES 3 NOES 0

Board Meeting of December 6, 2006

ITEM NO. 15

CONFIRMATION OF APPOINTMENT

SENIOR ACCOUNTANT (PERMANENT)
ADMINISTRATIVE OFFICES
\$47,689 PER ANNUM
EFFECTIVE: DECEMBER 4, 2006

CHARLES RILEY
240 LONGNECKER
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. NAPLES

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of December 6, 2006

ITEM NO. 17

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MR. NAPLES

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of December 6, 2006