

MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
April 11, 2007

51043.....51080

BUFFALO SEWER AUTHORITY

April 11, 2007

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

<u>ITEM NO.</u>	<u>CONTENTS</u>	<u>PAGE NO.</u>
	Roll Call	
1	Motion to Adopt the Minutes of the Meeting of March 14, 2007	51043
2	Temporary Investments (Certificates of Deposits and Treasury Bills)	51044-45
3	Public Notice – Stormwater Annual Report (April 2006 – March 2007)	51046
4	Approval of the Annual Report Covering Fiscal Year Ended June 30, 2006	51047
5	Consideration of the Operating Fund Budget for Fiscal Year 2007-2008	51048
6	Proposed Amended “Schedule of Sewer Rents and Other Charges”	51049-58
7	Authorization to Publish Notice of Proposed Amended “Schedule of Sewer Rents and Other Charges”	51059
8	Contract Approval – Financial Services	51060
9	Agreement for Energy Consulting Services	51061-62
10	Amendment to Sole Source Listing of July 19, 2006	51063
11	Authorization for Purchase of Vehicles Under State Contract	51064-65
12	Extension of the Contract for the Rental and Service of Coverall Garments and Lab Coats	51066
13	Extension of the Contract for the Purchase of Ferrous Chloride	51067
14	Extension of the Contract for the Collection, Removal, and Disposal of Incinerator Ash and Incinerator Ash Clinkers	51068

15	Extension of the Contract for the Purchase of Polymer	51069
16	Extension of the Contract for the Purchase of Sodium Hypochlorite	51070
17	Extension of the Contract for the Purchase of Boiler Feedwater Chemicals	51071
18	Authorization for Purchase of Replacement Parts for Moyno Progressive Cavity Pumps	51072
19	Authorization for Service from ABB Automation, Inc.	51073
20	Report on Bids Received – Large Pump and Motor Rehabilitation at the Bird Island Sewage Treatment Plant	51074
21	Extension of the Contract for the Removal and Disposal of Miscellaneous Construction Debris	51075
22	Confirmation of Appointments	51076-77
23	Tuition Reimbursement	51078
24	Tuition Assistance	51079
25	Adjournment of Meeting	51080

ITEM NO. 2

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

March 29, 2007

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		\$2,427,280.10	Chase	4.85%	High Yield
05-Mar-07	04-Apr-07	30	\$15,000,000.00	Citizens	5.22%	\$65,250.00
			<u>\$17,427,280.10</u>			
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$271,138.16	Chase	4.85%	High Yield
28-Mar-07	27-Apr-07	30	\$913,303.56	M&T	5.17%	\$3,943.82
			<u>\$1,184,441.72</u>			
OPERATING FUND						
08-Apr-02	Money Market		\$3,383,709.84	Chase	4.85%	High Yield
TRUST & AGENCY FUND						
06-May-02	Money Market		\$26,666.83	Chase	4.85%	High Yield
SURPLUS FUND						
26-Jan-07	26-Apr-07	90	\$5,308,728.58	HSBC	5.27%	\$69,942.50
NET REVENUE FUND						
26-Feb-07	25-Apr-07	58	\$16,424,854.36	M&T	5.26%	\$139,191.52
26-Mar-07	25-May-07	60	\$5,200,001.20	M&T	5.22%	\$45,240.01
			<u>\$21,624,855.56</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						
29-Mar-07	12-Apr-07	14	\$291,351.18	M&T	5.18%	\$586.94
CONSTRUCTION FUND SERIES K						
29-Mar-07	12-Apr-07	14	\$56,880.00	M&T	5.18%	\$114.58

RECEIVE & FILE

Board Meeting of April 11, 2007

ITEM NO. 3

INFORMATIVE: PUBLIC NOTICE - STORMWATER ANNUAL REPORT (APRIL 2006 - MARCH 2007)

New York State's MS4 SPDES Permit, Section 2e: Public Involvement/Participation requires that the Buffalo Sewer Authority (BSA) present the draft annual report at a meeting that is open to the public, where the public attendees are able to ask questions about and make comments on the report.

The Buffalo Sewer Authority will have available for public review and comment the Annual Stormwater Report at their City Hall Office, Room 1038, Buffalo, New York, from 9:00 a.m. to 12:00 p.m. on Friday, May 4, 2007.

The Stormwater Annual Report for April 2006 – March 2007 will be completed and submitted after the public review and comment period.

This item is presented to the Board for their information to be acknowledged and received and filed.

RECEIVE & FILE

Board Meeting of April 11, 2007

PROPOSED SCHEDULE OF SEWER RENTS
AND OTHER CHARGES
FOR 2007-2008

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 2007-2008.

(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:

Residential Users		Non-Residential Users	
<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

Residential Users		Non-Residential Users	
<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 (BOD₅) Total Suspended Solids (TSS) and Total Phosphate (TPO₄) is as follows:

Surcharge = 8.34 QMGY (0.125 (BOD₅-250) + 0.169 (TSS-250) + 0.018 (TPO₄-15.35))

\$0.125 Cost/lb. for treatment of BOD₅

\$0.169 Cost/lb. for treatment of TSS

\$0.018 Cost/lb. for treatment of TPO₄

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

BOD₅ shall mean the average concentration of BOD₅ 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.

TPO₄ shall mean the average concentration of TPO₄ in sewage or waste discharged to the Authority facilities.

Surchargeable concentrations are as follows:

BOD₅ - Over 250 mg/L; TSS - Over 250 mg/L; TPO₄ - Over 15.35 mg/L

This formula shall be applied in computing the Buffalo Industrial Waste Surcharge subsequent to July 1, 2006 and ending June 30, 2007 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, 2007.

(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 ₅	TOTAL PHOSPHATE
Inlet/South Buffalo Pump	\$0.1978/lb	\$0.1442/lb.	\$0.0250/lb.
Mixing Tank	\$0.1841/lb	\$0.9120/lb.	\$0.0250/lb.
Thickener/Digester	\$0.1934/lb	\$0.0957/lb.	\$0.0250/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 \$0.045 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, 2007.

(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, 2007; 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, 2007, excepting only monthly metered accounts for July 2007, and Section "W" of the quarterly metered accounts for the period May, June, and July 2007, which shall be billed at the rents in effect prior to July 1, 2007.

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					

51058

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 & 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:

Garage w/out Water

Garage w/Water

1 Car	10.84	21.66
2 Cars	21.67	43.32
3 Cars	32.51	64.98
4 Cars	43.35	86.69
5 Cars	54.18	108.30
6 Cars	65.02	129.96
7 Cars	75.86	151.62
8 Cars	86.69	173.28

ITEM NO. 7

AUTHORIZATION TO PUBLISH NOTICE OF PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"

WHEREAS: The Buffalo Sewer Authority requires an amendment to the "Schedule of Sewer Rents and Other Charges."

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes and directs that the proposed amended "Schedule of Sewer Rents and Other Charges" be published as a notice once a week for three (3) successive weeks, in *The Buffalo News* and the City Record on Friday, April 20, April 27, and May 4, 2007. This notice shall state that the proposed amended "Schedule of Sewer Rents and Other Charges" will remain open for inspection in the office of the Authority for thirty (30) days from the date of said notice, and that objections thereto may be filed during said period with said Authority by any person conceiving himself or herself aggrieved thereby, and that the Authority shall hear and examine such complaints and may modify the proposed Schedule and shall adopt the final amended "Schedule of Sewer Rents and Other Charges" within sixty (60) days of such notice.

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

Board Meeting of April 11, 2007

ITEM NO. 9

AGREEMENT FOR ENERGY CONSULTING SERVICES

- WHEREAS: United Energy is a professional consulting organization specializing in energy commodities procurement geared to minimize financial risk and maximize savings; and
- WHEREAS: On May 26, 2004, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute an agreement with United Energy for energy consulting services for the period May 10, 2004 through May 9, 2005, with an option to renew for two (2) one-year periods through May 9, 2007; and
- WHEREAS: The Board authorized renewal of this agreement on April 13, 2005, and on March 15, 2006, for the remaining terms of the agreement; and
- WHEREAS: The Buffalo Sewer Authority's current contracts for electrical power and natural gas will be expiring May 2007 and June 2007, respectively. The Authority desires to continue to utilize the services of United Energy for the procurement of these commodities; and
- WHEREAS: United Energy has submitted a proposal for a new contract wherein all terms and conditions of the current agreement apply with the exception of a new flat rate base fee of \$41,129.00 for the initial period of May 10, 2007 through June 30, 2008, a total decrease of \$4,000.00 from the previous contract (based upon a 12-month contract). The initial term of this new contract was changed in order to bring this contract in line to coincide with the Authority's fiscal year which begins every July 1st; and
- WHEREAS: United Energy will provide additional services for repositioning natural gas purchases based on NYMEX futures pricing in order to realize further cost savings for the Authority. United Energy submitted a proposal for these additional services at a cost of 20% of savings realized (for a cumulative total equal to or less than \$150,000.00) and at a cost of 25% of savings realized (for a cumulative total greater than \$150,000.00); and
- WHEREAS: The General Manager and his committee recommend authorization to accept and execute a contract with United Energy for the initial period of May 10, 2007 through June 30, 2008, at a base fee of \$41,129.00, plus the percentage indicated for cumulative savings realized due to repositioning natural gas purchases. This contract will have an option to renew for two (2) one-year periods (at a base annual fee of \$36,000.00) through June 30, 2010.

ITEM NO. 11

AUTHORIZATION FOR PURCHASE OF VEHICLES UNDER STATE CONTRACT

WHEREAS: The Buffalo Sewer Authority's current fleet has several aging vehicles which are in need of constant repair and are currently a safety concern; and

WHEREAS: The Treatment Plant Superintendent requests replacement for these vehicles available under State Contract as follows:

State Contract	Vendor	Vehicle	Cost
PC628818 Group 40540 Award No. 20338	Bison Truck Center	2007 Ford Econoline Cargo Van E-250	\$13,737.14
		Delivery charge	<u>160.00</u>
		Total	\$13,897.14
		Quantity to purchase (1)	
		Total cost	\$13,897.14
PC62962 Group No. 40550 Award No. 20598	Fairport Ford	2008 Ford Escape XLS, 4-cylinder, 4-door 4X2	\$13,628.00
		Delivery charge	<u>160.00</u>
		Total	\$13,788.00
		Quantity to purchase (2)	<u>X 2</u>
		Total cost	\$25,576.00
PC62882 Group No. 40560 Award No. 20339	Fairport Ford	2007 Ford F-150 XL Regular Cab 4X2 Pickup Truck	\$11,991.00
		Delivery charge	<u>160.00</u>
		Total	\$12,151.00
		Quantity to purchase (6)	<u>X 6</u>
		Total cost	\$72,906.00

ITEM NO. 12

EXTENSION OF THE CONTRACT FOR THE RENTAL AND SERVICE OF COVERALL GARMENTS AND LAB COATS

WHEREAS: On May 24, 2006, the Board of the Buffalo Sewer Authority awarded a contract to Coyne Textile Services for the rental and service of coverall garments and lab coats at the Treatment Plant at an estimated cost of \$17,847.88, and an actual cost not to exceed \$20,000.00 for the period July 1, 2006 to June 30, 2007, with an option to renew for three (3) one-year periods; and

WHEREAS: Coyne Textile Services has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2007-2008; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$20,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Coyne Textile Services for the rental and service of coverall garments and lab coats for a one-year period beginning July 1, 2007, up to a maximum amount of \$20,000.00. Expenses for this contract will be charged to account nos. 00200106-442330 (\$6,000.00), 00520106-442330 (\$7,500.00), and 00650106-442330 (\$6,500.00).

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

Board Meeting of April 11, 2007

ITEM NO. 14

EXTENSION OF THE CONTRACT FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF INCINERATOR ASH AND INCINERATOR ASH CLINKERS

WHEREAS: On May 3, 2006, the Board of the Buffalo Sewer Authority awarded a contract to Allied Waste Services of North America, LLC, for the collection, removal, and disposal of incinerator ash and incinerator ash clinkers at the Treatment Plant at a cost of \$41.00 per ton and \$42.95 per ton, respectively, with a total cost not to exceed \$291,295.00 for the period July 1, 2006 to June 30, 2007, with an option to renew for three (3) one-year periods; and

WHEREAS: Allied Waste Services of North America, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2007-2008; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$291,295.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Allied Waste Services of North America, LLC, for the collection, removal, and disposal of incinerator ash and incinerator ash clinkers at a cost of \$41.00 per ton and \$42.95 per ton, respectively, for a one-year period beginning July 1, 2007, up to a maximum amount of \$291,295.00. Expenses for this contract will be charged to account no. 00380106-442100.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of April 11, 2007

ITEM NO. 17

**EXTENSION OF THE CONTRACT FOR THE PURCHASE OF BOILER FEEDWATER
CHEMICALS**

WHEREAS: On May 26, 2004, the Board of the Buffalo Sewer Authority awarded a contract to Buffalo Industrial Chemicals, Inc., for the purchase of boiler feedwater chemicals for use at the Treatment Plant at costs ranging from \$0.071 per pound to \$11.70 per gallon, depending on the chemical needed, at a total cost not to exceed \$25,100.00 for the period July 1, 2004 through June 30, 2005, with an option to renew for three (3) one-year periods through June 30, 2008; and

WHEREAS: The Board authorized renewal of this contract on March 16, 2005, for fiscal year 2005-2006 and on April 12, 2006, for fiscal year 2006-2007; and

WHEREAS: Buffalo Industrial Chemicals, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2007-2008; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend this extension at a total cost not to exceed \$25,100.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Buffalo Industrial Chemicals, Inc., for the purchase of boiler feedwater chemicals at costs ranging from \$0.071 per pound to \$11.70 per gallon, depending on the chemical needed, for a one-year period beginning July 1, 2007, up to a maximum amount of \$25,100.00. Expenses for this contract will be charged to account no. 00380105-467044.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 4 NOES 0

Board Meeting of April 11, 2007

ITEM NO. 18

**AUTHORIZATION FOR PURCHASE OF 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 \$2,163.82, plus freight charges estimated at \$75.00, for the necessary replacement parts; and

WHEREAS: The total monies payable to Shrier Martin for fiscal year 2006-2007 is over \$10,000.00; and

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

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 \$2,163.82, plus any incurred freight charges. This purchase will be charged to account no. 00320105-466107.

MOTION TO APPROVE _____

MADE BY MR. KENNEDY _____

2ND BY MR. ROOSEVELT _____

AYES 4 NOES 0

Board Meeting of April 11, 2007

ITEM NO. 19

AUTHORIZATION FOR SERVICE FROM ABB AUTOMATION, INC.

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 ABB Automation, Inc., instrumentation, analytical parts, supplies, software, and service; and

WHEREAS: The Superintendent of Mechanical Maintenance has identified a need for evaluation and repair of ABB Automation, Inc., equipment; and

WHEREAS: ABB Automation, Inc., has submitted a quote in the amount of \$4,819.18 for the evaluation and repair service; and

WHEREAS: Total monies payable to ABB Automation, Inc., for fiscal year 2006-2007 is over \$20,000.00; and

WHEREAS: Board approval is required for services over \$20,000.00; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the evaluation and repair service from ABB Automation, Inc., at a cost of \$4,819.18, plus any incurred freight charges.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve the evaluation and repair service from ABB Automation, Inc., at a cost of \$4,819.18, plus any incurred freight charges. Account no. 00240106-443301 will be charged for this service.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of April 11, 2007

ITEM NO. 20

REPORT ON BIDS RECEIVED - LARGE PUMP AND MOTOR REHABILITATION AT THE BIRD ISLAND SEWAGE TREATMENT PLANT

WHEREAS: Formal bids were advertised and solicited for large pump and motor rehabilitation at the Bird Island Sewage Treatment Plant. The following bids were received and opened by the Buffalo Sewer Authority on January 23, 2007:

Kohl Construction	\$536,000.00
Quackenbush Company	\$634,000.00
ITT Ontario Pro Services	\$682,560.00
Hohl Industrial	\$726,239.50
John W. Danforth	\$743,000.00
; and	

WHEREAS: The proposals were received, and the contract will be awarded on the basis of unit bid and lump sum prices. The bids reflect the true amount of the contract; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff reviewed the bids and recommend awarding the contract to the lowest bidder, Kohl Construction, at a cost not to exceed \$536,000.00.

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 Kohl Construction at a cost not to exceed \$536,000.00. Expenses for this contract will be charged to account no. 02000272-490740.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of April 11, 2007

ITEM NO. 22

CONFIRMATION OF APPOINTMENTS

**WASTEWATER TREATMENT PLANT OPERATOR II
(PERMANENT)
CHANGE OF STATUS ONLY
SEWAGE TREATMENT PLANT
\$18.92 PER HOUR
EFFECTIVE: MARCH 29, 2007**

VICTOR ORLANDO
91 HARTWELL RD.
BUFFALO, NY

**FIELD TECHNICIAN (WPC) (PROVISIONAL)
INDUSTRIAL WASTE SECTION
\$31,432 PER ANNUM
EFFECTIVE: APRIL 2, 2007**

MICHAEL SZILAGYI
80 PONTIAC ST.
BUFFALO, NY

**WASTEWATER TREATMENT PLANT OPERATOR I
(PERMANENT)
SEWAGE TREATMENT PLANT
\$14.90 PER HOUR
EFFECTIVE: APRIL 16, 2007**

MICHAEL CURRAN
203 RIDGEWOOD RD.
BUFFALO, NY

PREVENTIVE MAINTENANCE COORDINATOR (PROVISIONAL)
 SEWAGE TREATMENT PLANT
 \$46,395 PER ANNUM
 EFFECTIVE: APRIL 9, 2007

DANIEL BONNER
 70 TUDOR BLVD.
 WEST SENECA, NY

SENIOR FIRST CLASS STATIONARY ENGINEER (PROVISIONAL)
 SEWAGE TREATMENT PLANT
 \$18.08 PER HOUR
 EFFECTIVE: APRIL 9, 2007

ANDREW HEIDINGER
 172 ALABAMA ST.
 BUFFALO, 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 APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 4 NOES 0

Board Meeting of April 11, 2007

ITEM NO. 23

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 Bortel	Niagara University	<i>Microsoft Office</i>	90%	\$ 198.00

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$198.00. This Reimbursement will be charged to account no. 00800108-480214.

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

Board Meeting of April 11, 2007

ITEM NO. 25

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. WILSON-DIVINCENZO

AYES 4 NOES 0

Board Meeting of April 11, 2007