

MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
May 2, 2007

51081.....51095

BUFFALO SEWER AUTHORITY

May 2, 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 April 11, 2007	51081
2	Temporary Investments (Certificates of Deposits and Treasury Bills)	51082-83
3	Public Notice – WNY Stormwater Management Plan (Draft)	51084
4	Claim Against Liability and Casualty Reserve Fund	51085
5	Contract Approval – Property and Crime Insurance	51086
6	Travel Authorization – Montreal, Quebec, Canada	51087
7	Authorization to Amend Board Item No. 10 of the Board Meeting of April 11, 2007, for the Purchase of Vehicles Under State Contract	51088
8	Report on Bids Received – Lead Paint Abatement at the Bird Island Sewage Treatment Plant	51089
9	Authorization for Change Order to Blanket Order No. 20700156	51090
10	Authorization to Enter into an Agreement with CSX Transportation (CSXT) for the Hamburg Drain Floatable Control Facility	51091
11	Report on Bids Received – Grit Washing and Dewatering Equipment	51092
12	Confirmation of Appointment	51093
13	Tuition Reimbursement	51094
14	Adjournment of Meeting	51095

CALL OF THE ROLL

Present:	<u>Herbert Bellamy, Jr.</u>	<u>Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Secretary</u>
	<u>Eleanor Wilson-DiVincenzo</u>	<u>Assistant Secretary</u>
	<u>David Comerford</u>	<u>General Manager</u>
	<u>Oluwole McFoy</u>	<u>Secretary to the General Manager</u>
	<u>Franklin DiMascio, P.E.</u>	<u>Principal Engineer</u>
	<u>James Eagan, P.E.</u>	<u>Senior Sanitary Engineering Supervisor</u>
	<u>James Keller</u>	<u>Treatment Plant Superintendent</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>Nicole Elliott</u>	<u>Erie Co. Environment & Planning</u>
	<u>Darryl McPherson, Esq.</u>	<u>City of Buffalo Auditor</u>
	<u>Ronald Brown</u>	<u></u>
	<u></u>	<u></u>
Absent:	<u>John Kennedy</u>	<u>Assistant Vice Chairman</u>

The meeting was called to order at 9:03 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of April 11, 2007

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MS. WILSON-DIVINCENZO</u>
2 ND BY	<u>MR. ROOSEVELT</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of May 2, 2007

ITEM NO. 2

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

April 20, 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		\$2,403,450.87	Chase	4.85%	High Yield
04-Apr-07	04-May-07	30	\$15,000,000.00	HSBC	5.20%	\$65,000.00
			<u>\$17,403,450.87</u>			
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$175,241.78	Chase	4.85%	High Yield
28-Mar-07	27-Apr-07	30	\$913,303.56	M&T	5.17%	\$3,943.82
			<u>\$1,088,545.34</u>			
OPERATING FUND						
08-Apr-02	Money Market		\$2,188,939.30	Chase	4.85%	High Yield
TRUST & AGENCY FUND						
06-May-02	Money Market		\$27,276.64	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						
12-Apr-07	26-Apr-07	14	\$291,938.12	\$0.01 MTB Funds Citizens	5.14%	\$583.55
			\$291,938.13			
CONSTRUCTION FUND SERIES K						
12-Apr-07	26-Apr-07	14	\$56,994.58	Citizens	5.14%	\$113.93

RECEIVE & FILE

Board Meeting of May 2, 2007

ITEM NO. 3

**INFORMATIVE: PUBLIC NOTICE – WNY STORMWATER MANAGEMENT PLAN
(DRAFT)**

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

The Buffalo Sewer Authority will have available for public review and comment the draft Stormwater Management Plan 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 Management Plan 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 May 2, 2007

ITEM NO. 4

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: On April 2, 2007, the Buffalo Sewer Authority received a Notice of Claim from US Security Associates, Inc., 625 Delaware Avenue, Suite 200, Buffalo, NY. The amount of this Claim was \$40,000.00; and

WHEREAS: The Claim was forwarded to the City of Buffalo Law Department. The Law Department determined that there is liability on the part of the Buffalo Sewer Authority; and

WHEREAS: The General Manager recommends full settlement of this Claim in the amount of \$40,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to US Security Associates, Inc., LLC, 625 Delaware Avenue, Suite 200, Buffalo, NY, in the amount of \$40,000.00 as full settlement. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. WILSON-DIVINCENZO

AYES 3 NOES 0

Board Meeting of May 2, 2007

ITEM NO. 5

CONTRACT APPROVAL - PROPERTY AND CRIME INSURANCE

WHEREAS: The Buffalo Sewer Authority currently receives property insurance coverage through One Beacon Insurance, and crime insurance coverage through Travelers Insurance; and

WHEREAS: One Beacon Insurance and Travelers Insurance have proposed contract extensions; and

WHEREAS: One Beacon has proposed a one-year extension of the Buffalo Sewer Authority's property insurance coverage at a cost not to exceed \$211,607.00. The proposal includes a 3% increase over last year's premium, which reflects inflationary adjustments to property values; and

WHEREAS: Traveler's has proposed a one-year extension of the Buffalo Sewer Authority's crime insurance coverage with no increase to the premium rates, at a cost not to exceed \$4,779.00; and

WHEREAS: The Insurance Consultants for the Buffalo Sewer Authority, Aldrich & Cox, Inc., have carefully reviewed the policies and recommend acceptance of these proposals; and

WHEREAS: Due to time constraints, the Board was polled on April 13, 2007, and verbally authorized these contract extensions; and

WHEREAS: It is now necessary to formally ratify these authorizations.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves property insurance coverage with One Beacon Insurance at a cost not to exceed \$211,607.00, and crime insurance coverage with Travelers Insurance at a cost not to exceed \$4,799.00 effective April 15, 2007, for a one-year period, at a total cost not to exceed \$216,406.00, and that this cost be charged to the following accounts on a pro-rata basis: 00200108-452000 and 00650108-452000.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

ITEM NO. 6

TRAVEL AUTHORIZATION - MONTREAL, QUEBEC, CANADA

WHEREAS: The Buffalo Sewer Authority, in order to comply with both EPA policy and the conditions of the SPDES operation permit, developed a Combined Sewer Overflow (CSO) Long-Term Abatement Plan to help develop future improvement projects to reduce the volume of combined sewer overflows occurring during wet weather; and

WHEREAS: The General Manager and his committee have met with Gehring Pumps, a local representative for Degremont Technologies, Inc., manufacturers of the DensaDeg High-Rate Clarifier and Thickener product line, and are interested in this equipment for potential CSO application. This technology has been in use at the Montreal Treatment Plant for the past eight years for a similar application; and

WHEREAS: The General Manager and his committee are interested in making a site visit to Montreal, Quebec, to view the direct application of this equipment and its potential for the Buffalo Sewer Authority CSO application.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager, Secretary to the General Manager, Treatment Plant Superintendent, Treatment Plant Administrator, and Superintendent of Mechanical Maintenance to travel to Montreal, Quebec, from May 17 – 18, 2007, at a total cost not to exceed \$1,000.00. Expenses will be charged to account nos. 00110104-458010, 00200104-458010, and 00520104-458010.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. WILSON-DIVINCENZO

AYES 3 NOES 0

Board Meeting of May 2, 2007

ITEM NO. 7

AUTHORIZATION TO AMEND BOARD ITEM NO. 10 OF THE BOARD MEETING OF APRIL 11, 2007, FOR THE PURCHASE OF VEHICLES UNDER STATE CONTRACT

WHEREAS: On April 11, 2007, the Board of the Buffalo Sewer Authority authorized the General Manager to purchase nine (9) vehicles at a cost of \$112,379.14, plus accessories at a cost not to exceed \$6,677.00, for a total cost not to exceed \$119,056.14; and

WHEREAS: Subsequent to the April 11, 2007 Board Meeting, the Treatment Plant Superintendent indicated that a math error in the amount of \$2,000.00 was discovered for the purchase of the two (2) 2008 Ford Escapes. The purchase price, under State Contract, for these vehicles is \$13,628.00, plus delivery charges of \$160.00, a total of \$13,788.00 each. The Board item incorrectly stated a total of \$25,576.00 for the purchase of two (2) of these vehicles. The correct price for the purchase of two (2) of these vehicles should read \$27,576.00.

WHEREAS: Due to the necessity to expedite this order, the Board was polled on April 11, 2007, and verbally authorized this correction; and

WHEREAS: It is now necessary to formally ratify this authorization.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby formally authorizes the General Manager to purchase nine (9) vehicles at a cost of \$114,379.14, plus accessories at a cost not to exceed \$6,677.00, for a total cost not to exceed \$121,056.14.

MOTION TO APPROVE
MADE BY MS. WILSON-DIVINCENZO
2ND BY MR. ROOSEVELT
AYES 3 NOES 0

Board Meeting of May 2, 2007

ITEM NO. 8

REPORT ON BIDS RECEIVED - LEAD PAINT ABATEMENT AT THE BIRD ISLAND SEWAGE TREATMENT PLANT

WHEREAS: Formal bids were advertised and solicited for lead paint abatement at the Bird Island Sewage Treatment Plant. The following bids were received and opened by the Buffalo Sewer Authority on March 26, 2007:

M.C.S. Remedial Services, Inc.	\$ 46,800.00
Erie Paint and Maintenance, Inc.	\$ 54,000.00
Beacon Construction Management	\$120,000.00
Q*Air Corp.	\$121,666.02
Op-Tech Environmental Services	\$130,212.00
; 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 Treatment Plant Superintendent and staff reviewed the bids and recommend awarding the contract to the lowest bidder, M.C.S. Remedial Services, Inc., at a cost not to exceed \$46,800.00.

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 M.C.S. Remedial Services, Inc., at a cost not to exceed \$46,800.00. Expenses for this contract will be charged to account no. 02000281-490740.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 ND BY	<u>MS. WILSON-DIVINCENZO</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of May 2, 2007

ITEM NO. 9

AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 20700156

WHEREAS: On June 14, 2006, the Board of the Buffalo Sewer Authority authorized the General Manager to utilize the City of Buffalo contract pricing for the purchase of stone and slag from Buffalo Crushed Stone under Informal Price Agreement No. 7234 in an amount not to exceed \$25,000.00 for fiscal year 2006-2007 from account no. 00660105-466269; and

WHEREAS: Due to the increased number of large scale projects completed in-house by the Sewer Maintenance Crews, the quantity of stone and slag has exceeded estimated amounts. It is now necessary to increase Blanket Order No. 20700156 by \$15,000.00, from \$25,000.00 to \$40,000.00, for the remainder of this fiscal year through June 30, 2007; and

WHEREAS: The Director of Sewer Maintenance and staff have reviewed expected quantities of stone and slag for project completions through June 30, 2007, and 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 \$15,000.00, increasing Blanket Order No. 20700156 with Buffalo Crushed Stone, from \$25,000.00 to \$40,000.00 through June 30, 2007, for the purchase of stone and slag utilized by the Sewer Maintenance Crews under the City of Buffalo's Informal Price Agreement No. 7234. Expenses for this increase will be charged to account no. 00660105-466269.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. WILSON-DIVINCENZO

AYES 3 NOES 0

Board Meeting of May 2, 2007

ITEM NO. 11

REPORT ON BIDS RECEIVED - GRIT WASHING AND DEWATERING EQUIPMENT

WHEREAS: Formal bids were advertised and solicited for grit washing and dewatering equipment. The following bid was received and opened by the Buffalo Sewer Authority on April 23, 2007:

Eutek Systems, Inc. \$205,500.00
; and

WHEREAS: The proposal was received and the contract will be awarded on the basis of unit bid and lump sum prices. The bid reflects the true amount of the contract; and

WHEREAS: The Principal Sanitary Engineer and staff reviewed the bid and recommend awarding the contract to Eutek Systems, Inc., at a cost not to exceed \$205,500.00.

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 Eutek Systems, Inc., at a cost not to exceed \$205,500.00. Expenses for this contract will be charged to account no. 02000270-474080.

MOTION TO APPROVE
MADE BY MS. WILSON-DIVINCENZO
2ND BY MR. ROOSEVELT
AYES 3 NOES 0

Board Meeting of May 2, 2007

ITEM NO. 14

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MS. WILSON-DIVINCENZO 2ND BY MR. ROOSEVELT AYES 3 NOES 0

Board Meeting of May 2, 2007