

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
June 17, 2009**

52777.....52816



# **BUFFALO SEWER AUTHORITY**

**June 17, 2009**

**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>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor Wilson-DiVincenzo</u>	<u>Secretary</u>
	<u>John E. Kennedy, Jr.</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>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Jason Shell</u>	<u>Intergovernmental Coordinator</u>
	<u>Franklin DiMascio, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>James Keller</u>	<u>Treatment Plant Superintendent</u>
	<u>Edward Hennessy</u>	<u>Director of Sewer Maintenance</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>James Eagan, P.E.</u>	<u>Senior Sanitary Engineering Supervisor</u>
	<u>James Barrett</u>	<u>Principal Accountant, City of Buffalo</u>
Absent:	<u>none</u>	<u></u>

The meeting was called to order at 9:10 A.M. A quorum was present.

## ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 20, 2009

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MR. KENNEDY, SR.</u>
<sup>ND</sup> BY	<u>MR. KENNEDY, JR.</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of June 17, 2009

## ITEM NO. 2

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

**June 5, 2009**

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	0.55%	High Yield
<b>CONSTRUCTION FUND</b>						
08-Apr-02	Money Market		\$16,473,547.56	Chase	0.55%	High Yield
03-Apr-09	30-Jun-09	88	\$15,000,000.00	Citizens	0.85%	\$31,166.67
			\$31,473,547.56			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
22-Apr-02	Money Market		\$1,054,162.04	Chase	0.55%	High Yield
<b>OPERATING FUND</b>						
08-Apr-02	Money Market		\$3,252,624.34	Chase	0.55%	High Yield
<b>TRUST &amp; AGENCY FUND</b>						
06-May-02	Money Market		\$35,397.52	Chase	0.55%	High Yield
<b>SURPLUS FUND</b>						
02-Feb-09	30-Jun-09	148	\$6,310,184.15	Citizens	1.36%	\$35,280.94
<b>NET REVENUE FUND</b>						
			\$723.16	MTB Funds		
25-Mar-09	30-Jun-09	97	\$10,847,867.41	M&T Securities	0.96%	\$28,132.59
27-Apr-09	30-Jun-09	64	\$1,799,597.33	M&T Securities	0.75%	\$2,402.67
26-May-09	30-Jun-09	35	\$4,000,027.53	M&T Securities	0.25%	\$972.47
			\$16,648,215.43			



ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>DEBT RESERVE FUND</b>						
30-Apr-09	30-Apr-10	365	\$1,345,463.43	Series F FHLB	0.40%	
01-Aug-08	06-Sep-13	1862	\$8,240,877.50	Series I FHLB	4.00%	
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%	

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Board Meeting of June 17, 2009

## ITEM NO. 3

## INFORMATIVE: REALLOCATION OF FUNDS

The following budgetary transfers have been made to cover unforeseen shortages. These transfers do not change the total amount of Buffalo Sewer Authority's operating budget.

**Wastewater Treatment Plant**

<u>Date</u>	<u>From Account</u>	<u>Amount</u>	<u>To Account</u>	<u>Amount</u>
5/11/2009	00260105 Primary Control Supplies	-2,216.73	00240105 Primary Sedimentation Supplies	2,216.73
5/11/2009	00240105 Gas Supplies	-1,518.48	00240105 Primary Sedimentation Supplies	1,518.48
5/11/2009	00280105 Settled Wastewater Pumps Supplies	-4,100.59	00240105 Primary Sedimentation Supplies	4,100.59
5/11/2009	00320105 Chemical Supplies	-4,259.80	00240105 Primary Sedimentation Supplies	4,259.80
5/11/2009	00350105 Filter Supplies	-6,577.31	00340105 Thickener Supplies	6,577.31
5/11/2009	00400105 South Supplies	-855.63	00380105 Incinerator Supplies	855.63
5/13/2009	00200105 Plant Supplies	-1,000.00	00520105 Maintenance Supplies	1,000.00
5/13/2009	00200105 Plant Supplies	-306.00	00330105 Final Effluent Supplies	306.00
5/13/2009	00200105 Plant Supplies	-57.06	00470105 Water Supplies	57.06
5/13/2009	00200105 Plant Supplies	-12.01	00270105 Gas Supplies	12.01
5/14/2009	00380103 Incinerator Utilities	-800.00	00490103 Niagara Utilities	800.00
5/14/2009	00380103 Incinerator Utilities	-100.00	00500103 Walden Utilities	100.00
5/14/2009	00300103 Blower Utilities	-20,000.00	00400103 South Utilities	20,000.00
5/14/2009	00300103 Blower Utilities	-3,000.00	00420103 Amherst Utilities	3,000.00
5/14/2009	00300103 Blower Utilities	-1,100.00	00430103 Babcock Utilities	1,100.00
5/14/2009	00300103 Blower Utilities	-300.00	00470103 Water Utilities	300.00
5/14/2009	00300103 Blower Utilities	-200.00	00480103 Tift Utilities	200.00
5/14/2009	00300103 Blower Utilities	-50.00	00490103 Niagara Utilities	50.00
5/14/2009	00300103 Blower Utilities	-150.00	00500103 Walden Utilities	150.00
5/14/2009	00300103 Blower Utilities	-2,500.00	00410103 Hamburg Utilities	2,500.00
5/14/2009	00300103 Blower Utilities	-1,000.00	00440103 Kelly S Utilities	1,000.00
5/14/2009	00300103 Blower Utilities	-500.00	00460103 Kelly X Utilities	500.00
5/14/2009	00410106 Hamburg Services	-10,000.00	00380106 Incinerator Service	10,000.00

5/15/2009	00210106 Screen Services	-356.04	00210106 Raw Wastewater Pumps Services	356.04
5/19/2009	00200105 Plant Supplies	-1,160.00	00240105 Primary Sedimentation Supplies	1,160.00
5/19/2009	00200105 Plant Supplies	-500.00	00380105 Incinerator Supplies	500.00
5/20/2009	00510104 Lab Travel	-30.00	00200104 Plant Travel	30.00
5/20/2009	00200105 Plant Supplies	-7.50	00210105 Screen Supplies	7.50
5/26/2009	00800183 Financial Contingency	-940.13	00650108 Sewer Maintenance Insurance	940.13
5/26/2009	00800183 Financial Contingency	-68,963.13	00520106 Maintenance Services	68,963.13
5/26/2009	00200105 Plant Supplies	-145.20	00290105 Aeration Supplies	145.20
5/26/2009	00800183 Financial Contingency	-15,000.00	00550106 IWS Services	15,000.00
5/27/2009	00200106 Plant Services	-15,065.00	00550106 IWS Services	15,065.00
5/28/2009	00230106 Grit Services	-4,000.00	00270106 Gas Services	4,000.00
5/28/2009	00520105 Maintenance Supplies	-3,021.00	00270105 Gas Supplies	3,021.00
5/28/2009	00520105 Maintenance Supplies	-777.66	00380105 Incinerator Supplies	777.66
5/28/2009	00210105 Raw Wastewater Pumps Supplies	-317.56	00380105 Incinerator Supplies	317.56
5/28/2009	00320105 Chemical Supplies	-75.80	00520105 Maintenance Supplies	75.80
5/28/2009	00450105 Kelly F Supplies	-250.00	00520105 Maintenance Supplies	250.00
5/28/2009	00520105 Maintenance Supplies	-1,063.00	00530105 Yard Supplies	1,063.00
5/29/2009	00200105 Plant Supplies	-75.00	00530105 Yard Supplies	75.00
6/2/2009	00200105 Plant Supplies	-25.83	00340105 Thickener Supplies	25.83
6/3/2009	00200105 Plant Supplies	-2,123.46	00320105 Chemical Supplies	2,123.46
6/3/2009	00410105 Hamburg Supplies	-4,200.00	00320105 Chemical Supplies	4,200.00
6/4/2009	00800183 Financial Contingency	-415.49	00650108 Sewer Maintenance Insurance	415.49
6/8/2009	00200105 Plant Supplies	-275.00	00320105 Chemical Supplies	275.00

### Sewer Maintenance Division

<u>Date</u>	<u>From Account</u>	<u>Amount</u>	<u>To Account</u>	<u>Amount</u>
5/12/2009	00690107 Automotive Capital Outlay	-1,000.00	00670107 Sewer Cleaning Capital Outlay	1,000.00
6/1/2009	00690106 Automotive Services	-1,500.00	00670106 Sewer Cleaning Services	1,500.00

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Board Meeting of June 17, 2009

ITEM NO. 4

**RESOLUTION TO AUTHORIZE SETTLEMENT AGREEMENT WITH KEYSTONE CORPORATION AND THE BUFFALO WATER BOARD**

WHEREAS: The Buffalo Sewer Authority and the Buffalo Water Board provide water and sewer services to property and facilities located at 2929 Main Street, Buffalo, New York, 14214 which are owned and/or operated by Keystone Corporation; and

WHEREAS: The Buffalo Sewer Authority and the Buffalo Water Board have issued invoices to Keystone Corporation for provision of water and sewer service to this property; and

WHEREAS: Keystone Corporation has paid some invoices but has notified the Buffalo Sewer Authority and the Buffalo Water Board of objections to various charges for water and sewer service for the period from December 1, 2000 to and including December 31, 2008 and to all interest and all collection charges for the period from December 1, 2000 to and including the current date which remain unpaid as stated in such invoices; and

WHEREAS: Keystone Corporation, The Buffalo Sewer Authority, and the Buffalo Water Board are willing to settle all disputes in connection with the Charges, upon the terms and conditions set forth in a proposed Settlement Agreement; and

WHEREAS: The Buffalo Sewer Authority, the Buffalo Water Board, and Keystone Corporation believe it is in their best interest, respectively, to avoid the nuisance and expense of possible litigation and are willing to forebear any litigation and enforcement proceedings in connection with the charges, release each other and waive any defenses and claims each has against the other with respect to the Charges.

NOW THEREFORE  
BE IT RESOLVED: That in full settlement of the Charges, the Buffalo Sewer Authority and the Buffalo Water Board agree to accept, and based on Keystone Corporation's agreement to pay the sum of Eighty Thousand Dollars (\$80,000) which shall be payable to the Treasurer of the City of Buffalo, as agent for the Buffalo Sewer Authority and the Buffalo Water Board upon Keystone's execution of the Settlement Agreement.



STATE OF NEW YORK     )  
  ) SS.:  
COUNTY OF ERIE         )

I, the undersigned Secretary of the Buffalo Sewer Authority (the "Authority"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Authority, including the resolution contained therein, held the 17<sup>th</sup> day of June, 2009, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Authority and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Authority Board had due notice of said meeting, said meeting was duly held, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Article 7, and there was a quorum of the members of the Authority Board present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of June 2009.

\_\_\_\_\_  
Eleanor C. Wilson DiVincenzo  
Secretary, of the Board

## ITEM NO. 5

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: On April 21, 2009, Karen P. Smith, 34 Viola Park, Buffalo, New York, filed a Claim with the Buffalo Sewer Authority in the amount of \$165.18 for damages to her vehicle when she struck a manhole cover on Humboldt Parkway on February 11, 2009; and

WHEREAS: The General Manager reviewed this Claim and negotiated a settlement in the amount of \$165.18.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Karen P. Smith, 34 Viola Park, Buffalo, New York, in the amount of \$165.18 as full settlement. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

ITEM NO. 6

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: On May 4, 2009, Charles Bethea, 104 Edna Place, Buffalo, New York, filed a Claim with the Buffalo Sewer Authority in the amount of \$485.00, plus incidentals, for damages to his vehicle when he struck a sink hole on Edna Place on March 6, 2009; and

WHEREAS: The General Manager reviewed this Claim and negotiated a settlement in the amount of \$318.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Charles Bethea, 104 Edna Place, Buffalo, New York, in the amount of \$318.00 as full settlement. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009



## ITEM NO. 7

**AUTHORIZATION TO APPLY FOR THE GREEN INNOVATION GRANT PROGRAM**

WHEREAS: The Buffalo Sewer Authority proposes to apply for the New York State Environmental Facilities Corporation Green Innovation Grant Program to complete the design and construction of an innovative stormwater treatment solution consistent with the Cazenovia Park Master Plan prepared by the Olmsted Parks Conservancy; and

WHEREAS: The New York State Environmental Facilities Corporation has recognized the benefits of green infrastructure stormwater management projects; and

WHEREAS: The Buffalo Sewer Authority wishes to apply for the New York State Environmental Facilities Corporation Green Innovation Grant Program for funding toward an innovative stormwater treatment system; and

WHEREAS: The funding requested for this proposed project will be \$4,960,000, of which the Green Innovation Grant Program provides 90% of the associated costs **up to a maximum of \$4,464,000.**

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 New York State Environmental Facilities Corporation Green Innovation Grant Program on behalf of the Buffalo Sewer Authority up to a maximum amount of \$4,464,000. Upon notification of any award, the Board of the Buffalo Sewer Authority further authorizes the General Manager to execute a contract with the New York State Environmental Facilities Corporation in order to design and construct an innovative stormwater treatment system within Cazenovia Park.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY, SR.</u>
2 <sup>ND</sup> BY	<u>MR. KENNEDY, JR.</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of June 17, 2009

ITEM NO. 8

**CONTRACT APPROVAL - AUDIT AND ACCOUNTING SERVICES**

WHEREAS: The use of independent Certified Public Accountants is necessary in order that the Buffalo Sewer Authority submit financial statements in accordance with generally accepted auditing standards, prepares a Comprehensive Annual Financial Report for submission to the New York State Comptroller, and develops accurate cost allocation schedules of operation at the Wastewater Treatment Plant; and

WHEREAS: Drescher & Malecki, LLP, has proposed a service contract with the Buffalo Sewer Authority for the fiscal year ending June 30, 2009, for a fee not to exceed \$45,500.00 for accounting and auditing services, and a fee not to exceed \$4,500.00 to compile the cost allocation schedule; and

WHEREAS: The Audit Committee of the Board of Directors of the Buffalo Sewer Authority recommends accepting this proposal for the fiscal year ending June 30, 2009.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves and authorizes the Chairman of the Audit Committee to enter into an agreement with Drescher & Malecki, LLP, Certified Public Accountants, to perform the required auditing services of the Authority's affairs and to compile the cost allocation schedule for the fiscal year ending June 30, 2009. Expenses for performing the required financial audit, up to a maximum of \$45,000.00, will be charged to account no. 00110106-432001. Expenses for the cost allocation schedule, up to a maximum of \$4,500.00 will be charged to account no. 00550106-432001.

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

Board Meeting of June 17, 2009

## ITEM NO. 9

**CONTRACT APPROVAL – FINANCIAL ADVISORY SERVICES**

WHEREAS: The Buffalo Sewer Authority requires financial advisory services in connection with obtaining funding from the New York State Environmental Facilities Corporation (“EFC”) through the American Recovery & Reinvestment Act (“ARRA”) for the Hamburg Drain Floatables Control Facility; and

WHEREAS: J. Chester Johnson, of Government Finance Associates, Inc., has extensive experience in this area; and

WHEREAS: At the request of the Buffalo Sewer Authority, Mr. Johnson has proposed to provide financial advisory services to the Buffalo Sewer Authority for this project, for a fee not to exceed \$10,000.00 for the proposed short-term note transaction with the EFC, and a fee not to exceed \$15,000.00 for the proposed bond issue with EFC; and

WHEREAS: The Buffalo Sewer Authority wishes to utilize his expertise and services for this project; and

WHEREAS: The General Manager and members of his committee recommend approval to retain J. Chester Johnson, of Government Finance Associates, Inc.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain J. Chester Johnson, of Government Finance Associates, Inc., for financial advisory services in connection with obtaining funding from the EFC through the ARRA for the Hamburg Drain Floatables Control Facility. Expenses for the proposed short-term note transaction with EFC, up to a maximum of \$10,000.00, and expenses for the proposed bond issue with EFC, up to a maximum of \$15,000.00, for a total not to exceed \$25,000.00, will be charged to account no. 02000207-431001.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 <sup>ND</sup> BY	<u>MR. KENNEDY, SR.</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of June 17, 2009

ITEM NO. 10

**CONTRACT APPROVAL - LEGAL SERVICES**

WHEREAS: The Buffalo Sewer Authority requires the services of a attorney who is experienced with bond issues and can assist with obtaining funding from the New York State Environmental Facilities Corporation (“EFC”) through the American Recovery & Reinvestment Act (“ARRA”) for the Hamburg Drain Floatables Control Facility; and

WHEREAS: Timothy C. Cashmore, of Damon & Morey, LLP, has extensive experience in this area; and

WHEREAS: The Buffalo Sewer Authority wishes to utilize his expertise and services for this project; and

WHEREAS: The General Manager and members of his committee recommend approval to retain Timothy C. Cashmore, of Damon & Morey, LLP.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Timothy C. Cashmore, of Damon and Morey, LLP, as bond counsel, with respect to obtaining funds from EFC through ARRA for the Hamburg Drain Floatables Control Facility. Expenses for the proposed short-term note transaction with EFC, up to a maximum of \$10,000.00, and for the proposed bond issue with EFC, up to a maximum of \$15,000.00, for a total not to exceed \$25,000.00, will be charged to account no. 02000207-432003.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

## ITEM NO. 11

**CONTRACT APPROVAL - LEGAL SERVICES**

WHEREAS: The Buffalo Sewer Authority (the "Authority") has an ongoing complex labor relations matter that requires the skill of a special labor relations attorney; and

WHEREAS: Randolph C. Oppenheimer, of Damon & Morey, LLP, has extensive experience in this area and has been the Authority's legal counsel for this matter; and

WHEREAS: The Buffalo Sewer Authority wishes to utilize his expertise and services for this matter; and

WHEREAS: The General Manager and members of his committee recommend approval to retain Randolph C. Oppenheimer, of Damon & Morey, LLP, for legal services on an as-needed basis for the fiscal year July 1, 2009 through June 30, 2010.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain, on an as-needed basis, the services of Randolph C. Oppenheimer, of Damon & Morey, LLP, to provide legal services as required. Mr. Oppenheimer shall be compensated at a rate of \$150.00 per hour and associate attorneys shall be compensated at a rate of \$125.00 per hour, up to a maximum of \$50,000.00. This agreement will be for the fiscal year July 1, 2009 through June 30, 2010. Expenses for these legal services will be charged to account no. 00110106-432003.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. KENNEDY, SR.</u>		
2 <sup>ND</sup> BY	<u>MR. KENNEDY, JR.</u>		
AYES	<u>5</u>	NOES	<u>0</u>

Board Meeting of June 17, 2009

ITEM NO. 12

**CONTRACT APPROVAL - LEGAL SERVICES**

WHEREAS: The Buffalo Sewer Authority has many complex regulatory, enforcement, and environmental matters that require the skills of a specialized attorney; and

WHEREAS: Charles C. Martorana, of Hiscock & Barclay, LLP, has extensive expertise in these areas. Mr. Martorana also represents the Buffalo Sewer Authority in litigation and arbitration matters as needed; and

WHEREAS: The Buffalo Sewer Authority wishes to utilize his expertise and services; and

WHEREAS: The General Manager and the members of his committee recommend approval to retain Charles C. Martorana, of Hiscock & Barclay, LLP, for legal services on an as-needed basis for the fiscal year July 1, 2009 through June 30, 2010.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Charles C. Martorana, of Hiscock & Barclay, LLP, for legal services on an as-needed basis for the fiscal year July 1, 2009 through June 30, 2010. Mr. Martorana shall be compensated at the rate of \$200.00 per hour, to a maximum of \$80,000.00. Expenses for these legal services will be charged to account no. 00550106-432003.

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

Board Meeting of June 17, 2009

## ITEM NO. 13

**NYS PREFERRED SOURCE - JANITORIAL SERVICES CONTRACT RENEWAL**

WHEREAS: New York State Industries for the Disabled (NYSID) is a not-for-profit corporation appointed by the New York State Department of Education to secure and administer contracts on behalf of community rehabilitation agencies. NYSID is a New York State preferred source under Section 162 of the State Finance Law. This preferred source status authorizes state and local governments to utilize and purchase NYSID products and services without competitive bidding; and

WHEREAS: The Buffalo Sewer Authority utilized a contract with NYSID through their member agency, Phoenix Frontier, Inc., during the period July 1, 2008 to June 30, 2009, to perform janitorial services at the Buffalo Sewer Authority facilities; and

WHEREAS: Phoenix Frontier, Inc., has performed these services in a satisfactory manner; and

WHEREAS: The General Manager, Treatment Plant Superintendent, and staff recommend renewal of this contract for janitorial services for fiscal year 2009-2010.

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 renewal with NYSID through its member agency, Phoenix Frontier, Inc., to perform janitorial services at the Buffalo Sewer Authority facilities for a one-year period from July 1, 2009 to June 30, 2010, at a total cost not to exceed \$73,536.00. Expenses for this contract will be charged to account nos. 00110106-434000, 00200106-434000, and 00650106-434000

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY, JR.	_____
2 <sup>ND</sup> BY	_____	MR. ROOSEVELT	_____
AYES	_____	5	NOES _____ 0

Board Meeting of June 17, 2009

ITEM NO. 14

**AUTHORIZATION TO PURCHASE VARIOUS OFFICE SUPPLIES UNDER STATE CONTRACT FROM OFFICE MAX FOR FISCAL YEAR 2009-2010**

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

WHEREAS: The Buffalo Sewer Authority utilizes the New York State Contract for Miscellaneous Office Supplies, Group 23000, Award 21030-E, to purchase various office supplies from Office Max; and

WHEREAS: The Secretary to the General Manager, Treatment Plant Superintendent, Director of Sewer Maintenance, and staff recommend the utilization of the New York State Contract for office supplies from Office Max in an amount not to exceed \$12,400.00 for the fiscal year July 1, 2009 through July 30, 2010; and

WHEREAS: The following accounts will be utilized to purchase these office supplies:

Amount	Account
\$ 4,800.00	00110105-461001
\$ 7,200.00	00200105-461001
\$ 400.00	00650105-461001

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize the New York State Contract for office supplies from Office Max for the fiscal year July 1, 2009 through June 30, 2010, at a total cost not to exceed \$12,400.00. Expenses for these purchases will be charged to the appropriate accounts as listed above.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009



## ITEM NO. 15

**AUTHORIZATION FOR RENEWAL OF AGREEMENT FOR SOFTWARE MANAGEMENT SERVICES**

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 June 18, 2008, the Board of the Buffalo Sewer Authority designated ABB, Inc., the original equipment manufacturer of this proprietary system, as a sole source for support of the SCADA system; and

WHEREAS: On May 26, 2009, the Buffalo Sewer Authority received a renewal for the current software agreement, which expires on June 30, 2009. The software management service agreement provides the Buffalo Sewer Authority with the latest software versions to insure the continued viability of the SCADA system; and

WHEREAS: The Treatment Plant Superintendent, Computer Systems Coordinator, and staff recommend approval to renew this agreement for the period July 1, 2009 to June 30, 2010 with ABB, Inc., for software management services in the amount of \$32,500.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the agreement with ABB, Inc., for software management services for the period July 1, 2009 to June 30, 2010 in the amount of \$32,500.00. The costs associated with the renewal of this agreement will be charged to account no. 00200106-443420.

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

Board Meeting of June 17, 2009

ITEM NO. 16

**AUTHORIZATION FOR INCREASE TO BLANKET ORDER NO. 20900145 - LIFE SCIENCE LABORATORIES FOR FISCAL YEAR 2008-2009**

WHEREAS: On June 18, 2008, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Life Science Laboratories to provide analytical services for the period July 1, 2008 to June 30, 2009, at an estimated cost not to exceed \$49,703.00. Blanket Order No. 20900145 was established for this service; and

WHEREAS: Due to additional DEC sampling requirements for the SPDES permit and the Authority's Laboratory equipment undergoing repair, additional monies are needed for this service for the remainder of fiscal year 2008-2009; and

WHEREAS: The Treatment Plant Superintendent, Industrial Waste Administrator, Associate Chemist and staff recommend an increase of \$15,000.00, from \$49,703.00 to \$64,703.00 to Blanket Order No. 20900145.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to approve an increase of \$15,000.00, from \$49,703.00 to \$64,703.00 to Blanket Order No. 20900145 for analytical services for fiscal year 2008-2009. Funds are available in account no. 00550106-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

## ITEM NO. 17

**AUTHORIZATION TO PURCHASE VARIOUS SUPPLIES UNDER STATE CONTRACT  
FROM VWR SCIENTIFIC FOR FISCAL YEAR 2009-2010**

- WHEREAS: Board approval is required on purchases over \$10,000.00; and
- WHEREAS: The Buffalo Sewer Authority's Laboratory utilizes State Contract pricing to purchase various laboratory supplies from VWR Scientific. Other departments also utilize VWR Scientific for various State Contract purchases; and
- WHEREAS: Based upon historical purchases from VWR Scientific the Treatment Plant Superintendent and staff recommend approval for purchases anticipated for fiscal year 2009-2010 in an amount not to exceed \$30,000.00.
- NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize State Contract pricing, when applicable, to purchase various supplies from VWR Scientific for the period July 1, 2009 to June 30, 2010, at a total cost not to exceed \$30,000.00. Expenses for these purchases will be charged to the appropriate accounts.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

ITEM NO. 18

**APPROVAL FOR EMERGENCY REPAIR OF CONDENSATE STORAGE/KNOCKOUT TANK**

WHEREAS: On May 8, 2009, a gas leak was discovered in the Compressor Building at the Treatment Plant. Combustible gas was observed entering the building through an abandoned line. Isolation of the leak placed the Treatment Plant in noncompliance with the Clean Air Act, under Title V; and

WHEREAS: It was necessary to begin excavation in the vicinity immediately. Upon excavation it was also discovered that the supply piping and condensate storage/knockout tank required replacement; and

WHEREAS: Due to exigency, the In-Plant Mechanical Maintenance contract was utilized for the repairs to the supply line and piping only; and

WHEREAS: The following quotes were also obtained for a new condensate/knockout tank:

Vendor	Fabrication	Expedited Cost	Total Cost
Colgate Heating Corporation	\$12,800.00	\$3,500.00 (5-7 business days)	\$16,300.00
Quackenbush Co., Inc.	\$14,900.00	\$2,500.00 (2½ weeks)	\$17,400.00

; and

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

WHEREAS: The Treatment Plant Superintendent, Administrator of Capital Improvements & Development, and staff recommend approval for this confirming emergency purchase and payment to Colgate Heating Corporation in the amount of \$16,300.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority approves the emergency confirming purchase of the condensate/knockout tank from Colgate Heating Corporation and further approves payment for this purchase in the amount of \$16,300.00. Expenses for these repairs will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

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

AYES 5 NOES 0

## ITEM NO. 19

**AUTHORIZATION TO PURCHASE REPLACEMENT FILTRATION SYSTEM FROM AMERICAN AIR FILTER INTERNATIONAL ON THE DRESSER ROOTS BLOWERS**

- WHEREAS: On June 18, 2008, the Board of the Buffalo Sewer Authority designated American Air Filter International, original equipment manufacturer, as a sole source for equipment repairs and supplies for the filtration system in the Dresser Roots blowers and air handling units located at the Treatment Plant; and
- WHEREAS: The Principal Chief Stationary Engineer recommends replacement of the existing outdated collector cell assembly filtration system in these blowers; and
- WHEREAS: A quote was requested and received in the amount of \$47,947.36 (\$34,503.36 equipment and \$13,444.00 installation) from American Air Filter International to remove and convert the existing outdated collector cell assembly filtration system with VariCel® VXL filters along with replacement of HEPA filters in blowers 1, 3, and 4. The VariCel® VXL high efficiency filter is designed for service in HVAC installations with difficult operating conditions, such as variable air volume, turbulent airflow, repeated fan shutdown, or moderate to high humidity; and
- WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff reviewed the quote received and recommend the replacement of the existing filtration system with VariCel® VXL filters along with replacement of HEPA filters in blowers 1, 3 and 4 at a total cost not to exceed \$47,947.36 (\$34,503.36 equipment and \$13,444.00 installation); and
- WHEREAS: This purchase will bring the total monies payable to American Air Filter International for purchases fiscal year 2008-2009 to \$52,238.91; and
- WHEREAS: Board approval is required on purchases over \$10,000.00.



## ITEM NO. 20

**AUTHORIZATION FOR SERVICE FROM INGERSOLL-RAND ON THE DIGESTER GAS COMPRESSORS FOR FISCAL YEAR 2008-2009**

- WHEREAS: On June 18, 2008, the Board of the Buffalo Sewer Authority designated Ingersoll-Rand, the parent company for the original equipment manufacturer, Dresser Rand, as a sole source for equipment repairs and supplies for the digester gas compressors located at the Treatment Plant; and
- WHEREAS: On October 1, 2008, the Board authorized the General Manager to utilize the services of Ingersoll-Rand for major repairs needed on Digester Gas Compressor No. 9, along with the quarterly inspections for a total amount not to exceed \$117,113.11 for fiscal year 2008-2009; and
- WHEREAS: In May 2009, the outer head pocket valve; which controls the output on Compressor No. 9, failed. This valve was not a part of the original repairs. A quote was requested and received from Ingersoll-Rand for repair of this valve in the amount of \$3,750.00; and
- WHEREAS: The bases of the compressors (ESH 11x17) located in the gas compressor building are shifting; and
- WHEREAS: A quote was also requested and received from Ingersoll-Rand to aid in shoring up these bases. Upon inspection, Ingersoll-Rand submitted a quote in the amount of \$6,000.00 as a temporary repair until these bases can be replaced; and
- WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend these needed services in an amount not to exceed \$9,750.00. These services will bring the total monies payable to Ingersoll-Rand for fiscal year 2008-2009 to \$126,863.11; and
- WHEREAS: Board approval is required on services over \$20,000.00.





## ITEM NO. 21

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

WHEREAS: On June 18, 2008, the Board of the Buffalo Sewer Authority awarded a contract to Buffalo Industrial Chemicals for the purchase of boiler feedwater chemicals and service at the Treatment Plant for fiscal year 2008-2009 at a total cost not to exceed \$18,364.10, with an option to renew for three (3) one-year periods; and

WHEREAS: Buffalo Industrial Chemicals has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2009-2010; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend this extension.

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 for the purchase of boiler feedwater chemicals and service at the Treatment Plant, up to a maximum amount of \$18,364.10, for a one-year period, July 1, 2009 to June 30, 2010. Expenses for this contract will be charged to account no. 00380105-467044

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

ITEM NO. 22

**AUTHORIZATION TO PURCHASE COMMODITIES UTILIZING CITY CONTRACT PRICING FOR FISCAL YEAR 2009-2010**

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

WHEREAS: The Sewer Maintenance Department purchases the following commodities available through City Contract:

Product	Vendor	City Contract	Amount	Account No.
Stone & Slag	Buffalo Crushed Stone	Formal # 7234 (through 6/30/10)	\$ 50,000.00	00660105-466269
Ready Mix Concrete	LaFarge North America, Inc.	Formal # 7437 (through 6/30/10)	\$ 50,000.00	00660105-466269

; and

WHEREAS: The Treatment Plant Superintendent, Director of Sewer Maintenance, and staff recommend the utilization of City Contract pricing for these purchases.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize City Contract pricing to purchase the above commodities for fiscal year 2009-2010 at a cost not to exceed the account listed and further authorizes any subsequent extensions or changes to city contract for the fiscal year through June 30, 2010.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

## ITEM NO. 23

**AUTHORIZATION TO PURCHASE VARIOUS COMMODITIES UTILIZING STATE CONTRACT PRICING FOR FISCAL YEAR 2009-2010**

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

WHEREAS: The Sewer Maintenance Division purchases the following commodities available through State Contract pricing:

Product	NYS Contract	Current Vendor	Amount	Account No.
Automotive Replacement Parts	PC64001 Group: 30306	Capriotto Award: 21306-RM (through 7/31/13)	\$ 14,000.00	00690105-465001
Tires and Related Services	PC61334 Group: 30600	Goodyear Award: 18894 (through 7/31/09)	\$ 12,000.00	00690105-465001
Gasoline	PC63212 Group: 05600	Kurk Fuel Oil Award: 20835 (through 7/23/09)	\$ 89,000.00	00520105-462600 (\$34,000.00) 00690105-462600 (\$55,000.00)
Diesel Fuel	PC63236 Group: 05602	Kurk Fuel Oil Award: 20986 (through 8/13/09)	\$ 56,500.00	00520105-462600 (\$14,500.00) 00690105-462600 (\$42,000.00)

; and

WHEREAS: The Director of Sewer Maintenance and staff recommend the utilization of State Contract pricing for these purchases.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize State Contract pricing to purchase the above commodities for fiscal year 2009-2010 at a cost not to exceed the amounts listed and further authorizes any subsequent extensions of the above State Contract awards or new awards for the commodities listed for the fiscal year through June 30, 2010.

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

Board Meeting of June 17, 2009

ITEM NO. 24

**PURCHASE OF STEEL PRODUCTS FOR FISCAL YEAR 2008-2009**

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

WHEREAS: The Buffalo Sewer Authority’s Sewer Maintenance Department has purchased various steel products during the current fiscal year totaling \$82,780.00. The purchases during the current fiscal year had been authorized with formal bids and Board approval.

WHEREAS: In May 2009 bids were solicited and received for the purchase of forty (40) McConnell catch basin hoods needed in conjunction with the CSO project to stop floatables from entering the inner harbor area. The following bids were received:

- 1.) Buffalo Metal Forming \$1,720.00
- 2.) Syracuse Castings \$5,960.00
- 3.) Goergen-Mackwirth Co. \$7,254.00
- 4.) Neenah Foundry – No Bid
- 5.) WNY Manufacturing – No Response
- 6.) Emcom – Late Bid

; and

WHEREAS: The Principal Sanitary Engineer, Director of Sewer Maintenance and staff recommend this purchase from the low bidder, Buffalo Metal Forming at a cost not to exceed \$1,720.00; bringing the total monies payable for the purchase of various steel products for the current fiscal year to \$84,500.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase forty (40) McConnell catch basin hoods from Buffalo Metal Forming at a cost not to exceed \$1,720.00. Expenses for this purchase will be charged to account no. 00660105-466269.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

## ITEM NO. 25

**SUPPLEMENTAL AUTHORIZATION TO THREE-YEAR ENGINEERING SERVICES  
AGREEMENT WITH WENDEL DUCHSCHERER ARCHITECTS AND ENGINEERS**

WHEREAS: At the February 20, 2008 Board Meeting, the Board of the Buffalo Sewer Authority authorized retaining Wendel Duchscherer Architects and Engineers, for a three-year Engineering Services Agreement for small to medium-sized capital projects; and

WHEREAS: The original amount budgeted for authorized engineering services was \$100,000; and

WHEREAS: There is a need to increase this amount; and

WHEREAS: The Principal Sanitary Engineer and Administrator of Capital Improvements & Development recommend increasing the amount for this agreement from \$100,000 to \$250,000.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves an increase of \$150,000, making the total cost not to exceed \$250,000, for the three-year Engineering Services Agreement between the Buffalo Sewer Authority and Wendel Duchscherer Architects and Engineers. Account no. 02000290-432004 will be utilized for these services.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY, SR.	_____
2 <sup>ND</sup> BY	_____	MR. ROOSEVELT	_____
AYES	_____	5	NOES _____ 0

Board Meeting of June 17, 2009

ITEM NO. 26

**REPORT ON BIDS RECEIVED - BIRD ISLAND SEWAGE TREATMENT PLANT MULTIPLE HEARTH SLUDGE INCINERATOR REHABILITATION INCINERATOR NO. 3**

WHEREAS: Formal bids were advertised and solicited for the Bird Island Sewage Treatment Plant Multiple Hearth Sludge Incinerator Rehabilitation Incinerator No. 3. The following bid was received and opened by the Buffalo Sewer Authority on April 6, 2009:

Sterling Metal Fabricators \$187,705.00  
; and

WHEREAS: This 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, Chief Stationery Engineer, and staff reviewed the bid and recommends awarding the contract to Sterling Metal Fabricators at a cost not to exceed \$187,705.00.

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 Sterling Metal Fabricators at a cost not to exceed \$187,705.00. Expenses for this contract will be charged to account no. 00520106-443421

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

## ITEM NO. 27

**CHANGE ORDER NO. 1 TO ENGINEERING CONTRACT NO. 8460007 WITH CONESTROGA-ROVERS & ASSOCIATES INFRASTRUCTURE & ENGINEERING (CRA) IN CONJUNCTION WITH THE HAMBURG DRAIN FLOATABLES CONTROL FACILITY**

- WHEREAS: The Board of the Buffalo Sewer Authority, at their meeting on September 7, 2005, authorized the execution of a Contract with CRA Infrastructure & Engineering, Inc., for engineering and bid services for the Hamburg Drain Floatable Control Facility Project at a cost not to exceed \$576,500.00; and
- WHEREAS: The Hamburg Drain Floatable Control Facility is intended to prevent the discharge of undesirable floatable materials from the Authority's combined sewer system into the Erie Canal Inner Harbor Commercial Slip during wet weather events; and
- WHEREAS: During the initial coordination with the Erie Canal Harbor Development Corporation, the site of the Hamburg Drain Floatable Control Facility was first placed behind the Memorial Auditorium site, then moved to the General Donovan site and finally has been sited east of the Buffalo News, south of Exchange Street on New York State Thruway Authority property; and
- WHEREAS: It has been necessary to obtain a permanent easement from the New York State Thruway Authority to allow for construction of the Floatable Control Facility; and
- WHEREAS: The facility is estimated to cost approximately \$18 million dollars of which approximately \$8.8 million dollars will be grant funded; and
- WHEREAS: Due to the change in location and configuration of the facility, CRA was requested by the Buffalo Sewer Authority to submit a revised proposal for additional costs to perform detailed engineering design and include construction phase services in completing implementation of the Hamburg Drain Floatables Control Facility; and
- WHEREAS: CRA has submitted a proposal to address the tasks necessary to move the project to completion at a cost not to exceed \$1,281,000.00; and

52810

WHEREAS: The General Manager and staff have reviewed the proposal submitted by CRA and recommend acceptance.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 84600007 in the amount not to exceed \$1,281,000.00, making the adjusted Contract cost \$1,857,500.00.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009



## ITEM NO. 28

**CHANGE ORDER NO. 1 TO ENGINEERING CONTRACT NO. 84900011 WITH CONESTROGA-ROVERS & ASSOCIATES INFRASTRUCTURE & ENGINEERING (CRA) FOR EVALUATING "GREEN" TREATMENT FACILITIES FOR THE CAZENOVIA CREEK SEWER SEPARATION PROJECT**

WHEREAS: The Board of the Buffalo Sewer Authority retained CRA at their September 10, 2008 Board Meeting pursuant to their proposal to evaluate the feasibility of installing a "green" treatment solution within the Cazenovia Park area at a cost not to exceed \$20,800.00; and

WHEREAS: It has been determined that a "green" treatment solution is feasible and is consistent with the Cazenovia Park Master Plan prepared by the Olmsted Parks Conservancy; and

WHEREAS: So as to move this project to the engineering design phase, it is necessary to complete the State Environmental Quality Review (SEQR) and submit an application for the Green Innovative Grant Program (GIGP); and

WHEREAS: CRA has submitted a proposal to address the tasks necessary to move the project to the engineering design phase at a cost not to exceed \$23,000.00; and

WHEREAS: The General Manager and staff have reviewed the proposal submitted by CRA and recommend acceptance.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 84900011 in the amount not to exceed \$23,000.00 making the adjusted Contract cost \$43,800.00.

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

Board Meeting of June 17, 2009

ITEM NO. 29

**CONFIRMATION OF APPOINTMENTS**

**MAINTENANCE ASSISTANT (SEWER CLEANING)  
(PROVISIONAL)**  
SEWER MAINTENANCE DEPT.  
\$18.05 PER HOUR  
EFFECTIVE: JUNE 15, 2009

MICHAEL TRONOLONE  
343 KINSEY  
KENMORE, NY

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**LABORER I (SEASONAL)**  
SEWAGE TREATMENT PLANT  
\$90.00 PER DAY  
EFFECTIVE: JUNE 15, 2009

MARK BLAKE  
158 DUNDEE  
BUFFALO, NY

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**LABORER I (SEASONAL)**  
SEWAGE TREATMENT PLANT  
\$90.00 PER DAY  
EFFECTIVE: JUNE 15, 2009

DANIEL GILMOUR  
29 CARLYLE  
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.

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, JR.

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

## ITEM NO. 30

**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 employees have applied for Tuition Reimbursement:

<b><u>EMPLOYEE</u></b>	<b><u>SCHOOL</u></b>	<b><u>COURSE</u></b>	<b><u>TUITION%</u></b>	<b><u>REIMBURSEMENT TOTAL</u></b>
William Bortel	California State University, Sacramento	Treatment of Metal Wastestreams	100%	\$ 79.00
Paul Cieslak	New England Interstate Water Pollution Control Commission	Fats, Oil, and Grease – Strategies for Controlling System Impacts	100%	\$ 120.00
Michael Cosgrove	New England Interstate Water Pollution Control Commission	Fats, Oil, and Grease – Strategies for Controlling System Impacts	100%	\$ 120.00
Michael Cosgrove	New England Interstate Water Pollution Control Commission	ID of Filamentous Organisms in Activated Sludge	100%	\$ 250.00
Michael Cosgrove	NYS Department of Environmental Conservation	Solids Handling and Aerobic Digestion	100%	\$ 30.00
Louis Czech	California State University, Sacramento	Industrial Waste Treatment	100%	\$ 50.00
Douglas Ruisi	Buffalo State University	Grade 4 Management	100%	\$ 549.00

Jason Shell	SUNY Brockport	Intergovernmental Relations	90%	\$ 966.11
Jason Shell	SUNY Brockport	Organizational Behavior	90%	\$ 1,149.62
Carmen Trigilio	Buffalo State University	Grade 4 Management	100%	\$ 500.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursements totaling \$ 3,813.73. These Reimbursements will be charged to account no. 00800108-480214.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of June 17, 2009

ITEM NO. 31

**ADJOURNMENT OF MEETING**

MOTION TO                     APPROVE                    

MADE BY                     MR. KENENDY, SR.                    

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

AYES           5           NOES           0          

Board Meeting of June 17, 2009