

**MINUTES OF THE REGULAR MEETING**  
**OF THE**  
**BUFFALO SEWER AUTHORITY**  
**April 4, 2012**

53827.....53882



# BUFFALO SEWER AUTHORITY

April 4, 2012

**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, P.E.</u>	<u>Secretary to the General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Scott Steinwald</u>	<u>Intergovernmental Coordinator</u>
	<u>James Keller</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Thomas Caulfield</u>	<u>Administrator of Capital Improvements &amp; Development</u>
	<u>Yusef Myrick</u>	<u>Supt. Mechanical Maintenance</u>
	<u>Darryl McPherson</u>	<u>City Auditor</u>
	<u>Laura Surdej</u>	<u>Erie Co. Dept. of Sewerage</u>
	<u>Aaron Besecker</u>	<u>Buffalo News</u>
Absent:	<u>none</u>	<u></u>
	<u></u>	<u></u>

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

## ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of March 7, 2012

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

Board Meeting of April 4, 2012

## ITEM NO. 2

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

**March 23, 2012**

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	0.30%	High Yield
<b>CONSTRUCTION FUND</b>						
08-Apr-02	Money Market		\$37,757,875.87	Chase	0.30%	High Yield
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
22-Apr-02	Money Market		\$1,000,504.21	Chase	0.30%	High Yield
<b>OPERATING FUND</b>						
08-Apr-02	Money Market		\$3,506,396.13	Chase	0.30%	High Yield
<b>TRUST &amp; AGENCY FUND</b>						
06-May-02	Money Market		\$34,856.23	Chase	0.30%	High Yield
<b>SURPLUS FUND</b>						
			\$529.67	MTB Funds		
30-Dec-11	29-Mar-12	90	\$6,049,308.15	M&T Securities	0.31%	\$4,691.85
			<u>\$6,049,837.82</u>			
<b>NET REVENUE FUND</b>						
			\$435.69	MTB Funds		
30-Dec-11	29-Mar-12	90	\$1,599,759.23	M&T Securities	0.31%	\$1,240.77
26-Jan-12	26-Apr-12	91	\$4,199,706.48	M&T Securities	0.31%	\$3,293.52
28-Feb-12	31-May-12	93	\$6,599,564.31	M&T Securities	0.26%	\$4,435.69
			<u>\$12,399,465.71</u>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>DEBT RESERVE FUND</b>						
<b>Series F</b>						
03-Jun-11	03-May-12	335	\$245,000.00	FDIC Brokered CD	0.45%	
01-Jun-11	01-June-12	366	\$245,000.00	FDIC Brokered CD	0.60%	
03-Jun-11	01-Jun-12	364	\$245,000.00	FDIC Brokered CD	0.45%	
13-Jun-11	13-Jun-12	366	\$245,000.00	FDIC Brokered CD	0.35%	
15-Jun-11	13-Jun-12	364	\$245,000.00	FDIC Brokered CD	0.30%	
15-Jun-11	15-Jun-12	366	\$132,000.00	FDIC Brokered CD	0.30%	
			<b>\$1,357,000.00</b>			
<b>Series I</b>						
01-Aug-08	06-Sep-13	1862	<b>\$8,240,877.50</b>	FHLB	4.00%	
<b>Series H</b>						
13-Mar-03	15-Apr-32		<b>\$2,825,593.00</b>	SLG	4.35%	
<b>Series J</b>						
04-Mar-04	15-Nov-33		<b>\$774,061.00</b>	SLG	3.82%	
<b>Series K</b>						
22-Jul-04	15-Feb-33		<b>\$498,654.00</b>	SLG	4.63%	
<b>Series L</b>						
27-Jul-06	01-Oct-35		<b>\$952,666.00</b>	SLG	4.52%	

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Board Meeting of April 4, 2012

## 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**

2/28/2012	00270106 Gas Services	-\$130.00	00230106 Grit Services	\$130.00
2/29/2012	00520106 Maintenance Services	-\$1,000.00	00200106 Plant Services	\$1,000.00
3/5/2012	00230105 Grit Supplies	-\$1,352.65	00520105 Maintenance Supplies	\$1,352.65
3/5/2012	00220105 Screen Supplies	-\$1,110.29	00520105 Maintenance Supplies	\$1,110.29
3/5/2012	00520105 Maintenance Supplies	-\$483.75	00200105 Plant Supplies	\$483.75
3/5/2012	00200106 Plant Services	-\$4,072.28	00690106 Auto Services	\$4,072.28
3/5/2012	00220105 Screen Supplies	-\$484.00	00520105 Maintenance Supplies	\$484.00
3/6/2012	00380105 Incineration Supplies	-\$1,021.25	00520105 Maintenance Supplies	\$1,021.25
3/7/2012	00220105 Screen Supplies	-\$247.00	00520105 Maintenance Supplies	\$247.00
3/9/2012	00380105 Incineration Supplies	-\$328.00	00520105 Maintenance Supplies	\$328.00
3/12/2012	00230105 Grit Supplies	-\$1,750.00	00520105 Maintenance Supplies	\$1,750.00
3/12/2012	00380105 Incineration Supplies	-\$210.00	00520105 Maintenance Supplies	\$210.00
3/12/2012	00520106 Maintenance Services	-\$100.00	00340106 Thickener Services	\$100.00
3/14/2012	00520106 Maintenance Services	-225.00	00200106 Plant Services	\$225.00
3/15/2012	00380105 Incineration Supplies	-\$9,050.00	00220105 Screen Supplies	\$9,050.00
3/15/2012	00500105 Walden Supplies	-\$2,203.00	00520105 Maintenance Supplies	\$2,203.00
3/16/2012	00440105 KellyS Supplies	-\$175.00	00520105 Maintenance Supplies	\$175.00
3/16/2012	00500105 Walden Supplies	-\$2,570.00	00290105 Aeration Supplies	\$2,570.00
3/16/2012	00260105 Primary Supplies	-\$6,305.00	00210105 RWWP Supplies	\$6,305.00
3/16/2012	00230105 Grit Supplies	-\$1,362.00	00520105 Maintenance Supplies	\$1,362.00
3/20/2012	00220105 Screen Supplies	-\$330.00	00520105 Maintenance Supplies	\$330.00
3/20/2012	00220105 Screen Supplies	-\$360.00	00220105 Screen Supplies	\$360.00

**Sewer Maintenance Division**

3/7/2012	00660105 Sewer Repair Supplies	-\$3,000.00	00690105 Auto Supplies	\$3,000.00
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**General Financial Charges**

2/28/2012	00800183 Financial Contingency	-\$59,000.00	00200106 Plant Services	\$59,000.00
2/28/2012	00800183 Financial Contingency	-\$1,400.00	00110107 Administration Capital Outlay	\$1,400.00

**RECEIVE & FILE**

Board Meeting of April 4, 2012

## ITEM NO. 4

**CONSIDERATION OF THE OPERATING FUND BUDGET FOR FISCAL YEAR 2012-2013**

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached Operating Fund Budget and Five-Year Capital Plan for the fiscal year commencing July 1, 2012.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 5

**PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"**

WHEREAS: The Buffalo Sewer Authority has hereto adopted a "Schedule of Sewer Rents and Other Charges" pursuant to Section 1180 of Title 8, Article 5 of Chapter 870 of the Laws of 1939 of the State of New York; and

WHEREAS: Such "Schedule of Sewer Rents and Other Charges" now requires adjustments to provide the required revenue to finance our Operating Fund Budget for the fiscal year July 1, 2012 to June 30, 2013.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached proposed amended "Schedule of Sewer Rents and Other Charges".

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

**PROPOSED SCHEDULE OF SEWER RENTS**  
**AND OTHER CHARGES**  
**FOR 2012 - 2013**

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 2012-2013.

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

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

## III. GENERAL PROVISIONS

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

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

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

<b>Residential Users</b>		<b>Non-Residential Users</b>	
<u>Meter Size</u>	<u>Charge (\$)</u>	<u>Meter Size</u>	<u>Charge (\$)</u>
5/8 inch	6.00	5/8 inch	6.00
3/4 inch	6.00	3/4 inch	6.00
1 inch	6.00	1 inch	6.00
1 1/2 inch	6.00	1 1/2 inch	55.00
2 inch	6.00	2 inch	55.00
3 inch	55.00	3 inch	55.00
4 inch or larger	55.00	4 inch or larger	55.00

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

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

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

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

$$\text{Surcharge} = 8.34 \text{ QMGY} (0.1226 (\text{BOD}_5\text{-250}) + 0.1666 (\text{TSS-250}) + 0.0203 (\text{TPO}_4\text{-15.35}))$$

\$0.1226 Cost/lb. for treatment of BOD<sub>5</sub>

\$0.1666 Cost/lb. for treatment of TSS

\$0.0203 Cost/lb. for treatment of TPO<sub>4</sub>

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

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

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

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

Surchargeable concentrations are as follows:

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

This formula shall be applied in computing the Buffalo Industrial Waste Surcharge subsequent to July 1, 2011 and ending June 30, 2012 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, 2012.

(g) Any person 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) An application fee of \$800.00 for review of stormwater pollution prevention plan and erosion and sediment control plans shall be paid at the time said application is filed with the Authority.

(l) 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 \$120.00. In addition to said permit fee, a separate charge shall be billed based upon the quantity and character of the waste discharged and, if applicable, the point of discharge.

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

DISCHARGE LOCATION	TOTAL SUSPENDED SOLIDS	BOD <sub>5</sub>	TOTAL PHOSPHATE
Inlet/South Buffalo Pump	\$0.1672/lb	\$0.1232/lb.	\$0.0203/lb.
Mixing Tank	\$0.1429/lb	\$0.0694/lb.	\$0.0203/lb.
Thickener/Digester	\$0.1567/lb	\$0.0759/lb.	\$0.0203/lb.

The above surcharge rates, along with costs incurred by the Authority when handling, testing, conveying, and administering 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 \$0.052 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, 2012.

(m) 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.

(n) 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 and all discharges of such industrial users.

(o) 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.

(p) 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.*

(q) 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 and payable 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.

(r) 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, as follows:

1. Sewer rents based upon water use and drainage connection service charges shall be charged interest 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 thereafter one and one-half percent (1.5%) shall be added to all amounts that remain unpaid for each succeeding month;
2. Sewer rents based upon assessed valuation of chargeable real estate that remain unpaid on October 1 of each year shall be charged interest at the rate of two percent (2%), and such sewer rents that remain unpaid shall be charged two percent (2%) for each month thereafter until paid; and
3. All other sewer rents and charges of the Authority shall be charged interest at the rate of one and one-half percent (1.5%) per month if not paid by the due date stated on the invoice issued by the Authority.

(s) All persons and property served by the Authority 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 with respect to accounts based on water use and drainage connection service, the person or property served by the Authority may 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 (q) (1) and III (q) (2), herein, respectively.

(t) 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.

(u) 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, by internet, or by telephone as set forth on the invoice. All persons who pay by credit or debit card made through the City of Buffalo Website shall pay the Authority a charge of the greater of two percent (2%) of the amount paid, or two dollars (\$2.00) for each credit card payment transaction as a handling charge. Also, all persons who pay by debit or check cards shall pay the Authority a two dollar (\$2.00) charge for each such transaction as a convenience fee. Multiple payments in the same transaction will be

charged the convenience fee only once. The convenience fee will be added automatically to each transaction.

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, 2012; 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, 2012, excepting only monthly metered accounts for July 2012, and Section "W" of the quarterly metered accounts for the period May, June, and July 2012, which shall be billed according to the schedule of rents in effect prior to July 1, 2012.

## Exhibit A

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

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

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

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

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

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



## Border or Roomer

1	4.13
2	8.26
3	12.38
4	16.51

Office with Water: 21.65

Office without Water: 10.86

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

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

## Car in Garage:

## 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. 6

**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 Monday, April 9, April 16, and April 23, 2012. 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 MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 7

**CONTRACT APPROVAL - PROPERTY AND CRIME INSURANCE**

WHEREAS: The Buffalo Sewer Authority has received the following proposals for property and crime insurance coverage:

<b><u>PROPERTY</u></b>		<b><u>CRIME</u></b>	
Affiliated FM	\$178,396.00	Fidelity & Deposit (Zurich)	\$2,564.00
Liberty Mutual	\$196,059.00	Great American	\$5,442.00
Liberty Mutual	\$196,059.00	Travelers	\$8,374.00

; and

WHEREAS: Agents for the representative companies' bidding were Lawley and USI Insurance respectively. The insurance consultants for the Buffalo Sewer Authority, Aldrich & Cox, have carefully reviewed these proposals. They have prepared an analysis comparing the various components of the coverage to be provided and the associated cost of the premiums. They have recommended acceptance of the proposal from Affiliated FM to provide property insurance coverage, and Fidelity & Deposit (Zurich) to provide crime insurance coverage; and

WHEREAS: The Executive Secretary and staff concur with the recommendation; and

WHEREAS: The proposed policies from Affiliated FM and Fidelity & Deposit (Zurich) include coverages comparable to the Buffalo Sewer Authority's previous year; and

WHEREAS: The combined cost of the policies from Affiliated FM and Fidelity & Deposit (Zurich) is \$180,960.00, which represents a savings of \$11,731.00 from the previous year.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves property insurance coverage with Affiliated FM at a cost not to exceed \$178,396.00 and crime insurance coverage with Fidelity & Deposit (Zurich) at a cost not to exceed \$2,564.00, effective April 15, 2012, and that these costs be charged to the following accounts on a pro-rata basis: 00200108-452000 and 00650108-452000.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 8

**AUTHORIZATION FOR RENEWAL OF CONTRACT 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 April 7, 2010, the Board authorized the General Manager to enter into and execute a Professional Services Agreement with United Energy for Energy Procurement for the period July 1, 2010 through June 30, 2011, at an annual base fee of \$36,000.00, plus a cost of 20% of savings realized (for a cumulative total equal to or less than \$150,000.00) and a cost of 25% of savings realized (for a cumulative total greater than \$150,000.00), with an option to renew for two (2) one-year periods; and

WHEREAS: On May 11, 2011, the Board authorized the extension of this contract for the period July 1, 2011 to June 30, 2012; and

WHEREAS: United Energy has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The General Manager and his committee recommend approval of this extension for fiscal year 2012-2013.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with United Energy for Energy Procurement for the period July 1, 2012 through June 30, 2013 at an annual base fee of \$36,000.00, plus a cost of 20% of savings realized (for a cumulative total equal to or less than \$150,000.00) and a cost of 25% of savings realized (for a cumulative total greater than \$150,000.00). Expenses for the cost will be charged to account nos. 00380103-441001 and 00380106-432004.

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 April 4, 2012

## ITEM NO. 9

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

WHEREAS: Informal bids were solicited by United Energy, the Buffalo Sewer Authority's energy consultant, to supply natural gas to the Treatment Plant and outlying stations for various terms beginning October 1, 2012. The following bids were received and opened at the Treatment Plant facility on March 28, 2012:

Bidder	Location	One-Year Basis Contract Cost	Two-Year Basis Contract Cost
Energy Mark, LLC	Treatment Plant	\$0.15/Dth + NYMEX	\$0.14/Dth + NYMEX
	Outlying Stations	\$1.10/Dth + NYMEX	\$1.10/Dth + NYMEX
National Fuel Resources	Treatment Plant	\$0.193/Dth + NYMEX	\$0.176/Dth + NYMEX
	Outlying Stations	\$1.17/Dth + NYMEX	\$1.17/Dth + NYMEX

; and

WHEREAS: Upon review of the bids received United Energy recommends that the Buffalo Sewer Authority enter into an agreement with Energy Mark, LLC, for a two-year period, October 1, 2012 through September 30, 2014; and

WHEREAS: The General Manager, Treatment Plant Superintendent, and Treatment Plant Administrator concur with United Energy and recommend awarding a two-year contract to Energy Mark, LLC, for natural gas supply for the Treatment Plant and outlying stations.



## ITEM NO. 10

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH URS CORPORATION FOR ENGINEERING SERVICES - EVALUATION AND RECOMMENDATION OF INCINERATOR ASH HANDLING SYSTEM UPGRADES**

- WHEREAS: The Buffalo Sewer Authority operates multiple hearth incinerators to process waste sludge generated during wastewater treatment. Ash generated during incineration is conveyed to ash silos and subsequently off loaded to dump trucks for disposal off site; and
- WHEREAS: The Ash Handling System is 30 years old and is in need of refurbishment/replacement of some components; and operational changes in the sludge digestion and dewatering processes have changed the nature of the ash to a finer material that has rendered the dust control system less effective during the out load of ash; and
- WHEREAS: The Authority is currently looking to evaluate the existing ash handling system and generating recommendations for implementing a project to upgrade this system to improve reliability and eliminate fugitive emissions; and
- WHEREAS: URS Corporation has proposed a project scope of work that includes a thorough evaluation of the existing ash handling system equipment, review of existing data, development of options for rehabilitation/replacement and recommendations for implementation of a project to upgrade, and a project report at a total cost not to exceed \$44,982.00; and
- WHEREAS: The General Manager, Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer, and staff have reviewed the scope of work received and recommend accepting the proposal from URS Corporation for this service.



NOW THEREFORE  
BE IT RESOLVED:

The Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with URS Corporation for engineering services for Evaluation and Recommendation of Incinerator Ash Handling System Upgrades as proposed for a total cost not to exceed \$44,982.00. This service will be charged to account no. 02000334-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 11

**EXTENSION OF THE CONTRACT FOR SECURITY GUARD SERVICES - SECURITAS SECURITY SERVICES USA, INC.**

WHEREAS: On July 27, 2011, the Board of the Buffalo Sewer Authority awarded a contract to Securitas Security Services USA, Inc., for security guard services at the Treatment Plant for the period commencing upon the signing of the contract through June 30, 2012, with an option to renew for three (3) one-year periods, at a total cost not to exceed \$257,755.68; and

WHEREAS: Securitas Security Services USA, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent, Safety Officer, and staff recommend this extension at a total cost not to exceed \$257,755.68.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Securitas Security Services USA, Inc., for security guard services for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$257,755.68. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 12

**EXTENSION OF THE CONTRACT FOR ANALYTICAL SERVICES**

WHEREAS: On April 15, 2009, the Board of the Buffalo Sewer Authority awarded a contract to IsleChem, LLC, to provide analytical services for the period July 1, 2009 to June 30, 2010, with an option to renew for three (3) one-year periods, at an estimated annual cost not to exceed \$46,452.00; and

WHEREAS: On April 7, 2010, the Board authorized the extension of this contract for the period July 1, 2010 to June 30, 2011; and

WHEREAS: On April 6, 2011, the Board authorized the extension of this contract for the period July 1, 2011 to June 30, 2012; and

WHEREAS: IsleChem, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent, Industrial Waste Administrator, Director of Laboratory, and staff recommend this extension at a total cost not to exceed \$46,452.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with IsleChem, LLC, to provide analytical services for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$46,452.00. Expenses for this contract will be charged to account no. 00550106-432004.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 13

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

WHEREAS: On February 10, 2010, 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 \$10,585.74, and an actual cost not to exceed \$15,000.00, for the period July 1, 2010 to June 30, 2011, with an option to renew for three (3) one-year periods; and

WHEREAS: On April 6, 2011, the Board authorized the extension of this contract for the period July 1, 2011 to June 30, 2012; 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 2012-2013; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$15,000.00.

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 at the Treatment Plant for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$15,000.00. Expenses for this contract will be charged to account nos. 00200106-442330, 00520106-442330, and 00650106-442330.

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

Board Meeting of April 4, 2012



## ITEM NO. 15

**EXTENSION OF THE CONTRACT FOR THE REMOVAL AND DISPOSAL OF AERATION SYSTEM GRIT**

WHEREAS: On May 11, 2011, the Board of the Buffalo Sewer Authority awarded a contract to Geiter Done of WNY, Inc., for the removal and disposal of aeration system grit at the Treatment Plant for the period July 1, 2011 to June 30, 2012, with an option to renew for three (3) one-year periods, at an estimated annual cost not to exceed \$14,082.00; and

WHEREAS: Geiter Done of WNY, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$14,082.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Geiter Done of WNY, Inc., to provide the removal and disposal of aeration system grit for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$14,082.00. Expenses for this contract will be charged to account no. 02000270-474080.

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

Board Meeting of April 4, 2012

## ITEM NO. 16

**EXTENSION OF THE CONTRACT FOR REMOVAL AND DISPOSAL OF SEWAGE GRIT**

WHEREAS: On May 11, 2011, the Board of the Buffalo Sewer Authority awarded a contract to Modern Disposal Services, Inc., for the removal and disposal of sewage grit at the Treatment Plant for the period July 1, 2011 to June 30, 2012, with an option to renew for three (3) one-year periods, at an estimated annual cost not to exceed \$17,271.00; and

WHEREAS: Modern Disposal Services, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$17,271.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to renew the contract with Modern Disposal Services, Inc., for the removal and disposal of sewage grit for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$17,271.00. Expenses for this contract will be charged to account no. 00230106-442100.

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

Board Meeting of April 4, 2012

## ITEM NO. 17

**EXTENSION OF THE CONTRACT FOR THE REMOVAL AND DISPOSAL OF SEWAGE SCREENINGS**

WHEREAS: On May 11, 2011, the Board of the Buffalo Sewer Authority awarded a contract to Geiter Done of WNY, Inc., for the removal and disposal of sewage screenings at the Treatment Plant for the period July 1, 2011 to June 30, 2012, with an option to renew for three (3) one-year periods, at an estimated annual cost not to exceed \$25,696.00; and

WHEREAS: Geiter Done of WNY, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$25,696.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Geiter Done of WNY, Inc., for the removal and disposal of sewage screenings for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$25,696.00. Expenses for this contract will be charged to account nos. 00230106-442100 and 00690106-442100.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

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

AYES 5 NOES 0

Board Meeting of April 4, 2012



## ITEM NO. 18

**EXTENSION OF THE CONTRACT FOR THE REMOVAL AND DISPOSAL OF  
INCINERATOR ASH**

WHEREAS: On May 11, 2011, the Board of the Buffalo Sewer Authority awarded a contract to Allied Waste Niagara Falls Landfill, LLC, for the removal and disposal of incinerator ash at the Treatment Plant for the period July 1, 2011 to June 30, 2012, with an option to renew for three (3) one-year periods, at an estimated annual cost not to exceed \$297,430.00; and

WHEREAS: Allied Waste Niagara Falls Landfill, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend this extension at a total cost not to exceed \$297,430.00.

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 Niagara Falls Landfill, LLC, for the removal and disposal of incinerator ash for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$297,430.00. Expenses for this contract will be charged to account no. 00380106-442100.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 19

**EXTENSION OF THE CONTRACT FOR THE REMOVAL AND DISPOSAL OF TRASH**

WHEREAS: On May 11, 2011, the Board of the Buffalo Sewer Authority awarded a contract to Allied Waste Niagara Falls Landfill, LLC, for the removal and disposal of trash at the Treatment Plant for the period July 1, 2011 to June 30, 2012, with an option to renew for three (3) one-year periods, at an estimated cost not to exceed \$12,340.00; and

WHEREAS: Allied Waste Niagara Falls Landfill, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$12,340.00.

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 Niagara Falls Landfill, LLC, for the removal and disposal of trash for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$12,340.00. Expenses for this contract will be charged to account no. 00380106-442100.

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

Board Meeting of April 4, 2012

## ITEM NO. 20

**EXTENSION OF THE CONTRACT FOR THE PURCHASE OF FERROUS CHLORIDE(FeCl<sub>2</sub>)**

WHEREAS: On May 6, 2009, the Board of the Buffalo Sewer Authority awarded a contract to Kemira Water Solutions, Inc., for the purchase of ferrous chloride for use at the Treatment Plant at a cost of \$0.845 per gallon, up to a maximum amount of \$270,400.00, for the period July 1, 2009 to June 30, 2010, with an option to renew for three (3) one-year periods; and

WHEREAS: On April 7, 2010, the Board authorized the extension of this contract for the period July 1, 2010 to June 30, 2011; and

WHEREAS: On April 6, 2011, the Board authorized the extension of this contract for the period July 1, 2011 to June 30, 2012; and

WHEREAS: Kemira Water Solutions, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, and staff recommend this extension at a total cost not to exceed \$270,400.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Kemira Water Solutions, Inc., for the purchase of ferrous chloride for use at the Treatment Plant for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$270,400.00. Expenses for this contract will be charged to account no. 00360105-467044.

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 April 4, 2012

## ITEM NO. 21

**EXTENSION OF THE CONTRACT FOR THE PURCHASE OF SODIUM HYPOCHLORITE**

WHEREAS: On March 3, 2010, the Board of the Buffalo Sewer Authority awarded a contract to Bison Laboratories for the purchase of sodium hypochlorite for use at the Treatment Plant at a cost of \$0.53 per gallon with a total cost not to exceed \$530,000.00 for the period July 1, 2010 to June 30, 2011, with an option to renew for three (3) one-year periods; and

WHEREAS: On April 6, 2011, the Board authorized the extension of this contract for the period July 1, 2011 to June 30, 2012; and

WHEREAS: Bison Laboratories has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, and staff recommend this extension at a total cost not to exceed \$530,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Bison Laboratories for the purchase of sodium hypochlorite for the period, July 1, 2012 to June 30, 2013, at a total cost not to exceed \$530,000.00. Expenses for this contract will be charged to account no. 00330105-467044.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 22

**REPORT ON BIDS RECEIVED-BIRD ISLAND SEWAGE TREATMENT PLANT MULTIPLE HEARTH FURNACE EQUIPMENT AND EMISSION CONTROL PROJECT – EQUIPMENT INSTALLATION AND GENERAL CONSTRUCTION CONTRACT 16C**

WHEREAS: Formal bids were advertised and solicited for the Bird Island Sewage Treatment Plant Multiple Hearth Furnace Equipment and Emission Control Project – Equipment Installation and General Construction Contract 16C. The following bids were received and opened by the Buffalo Sewer Authority on March 15, 2012:

Nicholson & Hall Corp., Inc.	\$1,498,000.00
Hohl Industrial Services, Inc.	\$1,997,000.00

; and

WHEREAS: The bids were received, and the contract will be awarded on the basis of combined unit bid and lump sum prices. The bids do not reflect the true amount of the contract, but rather are subject to some variance. These variances are due to the actual amount of the quantities used as they appear in the estimate column multiplied by the unit price; and

WHEREAS: Our Consulting Engineering team of CH2M Hill and GHD, Inc., and staff from the Buffalo Sewer Authority recommend accepting the low bid and awarding the contract to Nicholson & Hall Corp., Inc.

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 Nicholson & Hall Corp., Inc., for the Bird Island Sewage Treatment Plant Multiple Hearth Furnace Equipment and Emission Control Project – Equipment Installation and General Construction Contract 16C at a cost not to exceed \$1,498,000.00. Expenses for this contract will be charged to account no. 02000271-490740.

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

Board Meeting of April 4, 2012

## ITEM NO. 23

**REPORT ON BIDS RECEIVED - BIRD ISLAND SEWAGE TREATMENT PLANT MULTIPLE HEARTH FURNACE EQUIPMENT AND EMISSION CONTROL PROJECT – COMBUSTION SYSTEM MODIFICATIONS CONTRACT 16D**

WHEREAS: Formal bids were advertised and solicited for the Bird Island Sewage Treatment Plant Multiple Hearth Furnace Equipment and Emission Control Project – Combustion System Modifications Contract 16D. The following bids were received and opened by the Buffalo Sewer Authority on March 15, 2012:

Hohl Industrial Services, Inc.	\$1,781,000.00
Nicholson & Hall Corp., Inc.	\$1,990,000.00

; and

WHEREAS: The bids were received, and the contract will be awarded on the basis of combined unit bid and lump sum prices. The bids do not reflect the true amount of the contract, but rather are subject to some variance. These variances are due to the actual amount of the quantities used as they appear in the estimate column multiplied by the unit price; and

WHEREAS: Our Consulting Engineering team of CH2M Hill and GHD, Inc., and staff from the Buffalo Sewer Authority recommend accepting the low bid and awarding the contract to Hohl Industrial Services, Inc.

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 Hohl Industrial Services Inc., for the Bird Island Sewage Treatment Plant Multiple Hearth Furnace Equipment and Emission Control Project – Combustion System Modifications Contract 16D at a cost not to exceed \$1,781,000.00. Expenses for this contract will be charged to account no. 02000271-490740.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 24

**REPORT ON BIDS RECEIVED-BIRD ISLAND SEWAGE TREATMENT PLANT MULTIPLE HEARTH FURNACE EQUIPMENT AND EMISSION CONTROL PROJECT - FURNACE BODY AND INTERNALS CONTRACT 16E**

WHEREAS: Formal bids were advertised and solicited for the Bird Island Sewage Treatment Plant Multiple Hearth Furnace Equipment and Emission Control Project - Furnace Body and Internals Contract 16E. The following bids were received and opened by the Buffalo Sewer Authority on March 15, 2012:

Nicholson & Hall Corp., Inc.	\$1,595,000.00
Hohl Industrial Services, Inc.	\$1,674,900.00

; and

WHEREAS: The bids were received, and the contract will be awarded on the basis of combined unit bid and lump sum prices. The bids do not reflect the true amount of the contract, but rather are subject to some variance. These variances are due to the actual amount of the quantities used as they appear in the estimate column multiplied by the unit price; and

WHEREAS: Our Consulting Engineering team of CH2M Hill and GHD, Inc., and staff from the Buffalo Sewer Authority recommend accepting the low bid and awarding the contract to Nicholson & Hall Corp., Inc.

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 Nicholson & Hall Corp., Inc., for the Bird Island Sewage Treatment Plant Multiple Hearth Furnace Equipment and Emission Control Project - Furnace Body and Internals Contract 16E at a cost not to exceed \$1,595,000.00. Expenses for this contract will be charged to account no. 02000271-490740.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 25

**AUTHORIZATION FOR THE STANDARDIZATION OF DANFOSS, LLC, VARIABLE FREQUENCY DRIVE (VFD) FOR SIX (6) RETURN ACTIVATED SLUDGE (RAS) PUMPS**

- WHEREAS: In November 2011, the Buffalo Sewer Authority purchased a Danfoss Variable Frequency Drive (VFD) through the formal bid process at a cost of \$15,229.38 for RAS Pump No. 3A under Purchase Order No. 21200598; and
- WHEREAS: Reliable RAS pump operation is critical in maintaining regulatory compliance; and
- WHEREAS: The Authority has tried other manufacturers' VFD drives on equipment throughout the plant including ABB, Square D, AC-Tech, and Cutler-Hammer, and has not found them as reliable as the Danfoss drives. The Danfoss VFD has proven to be reliable and the specifications for this pump are consistent with the Authority's requirements; and
- WHEREAS: Danfoss, LLC, is the original equipment manufacturer for this VFD; and
- WHEREAS: General Municipal Law §103, permits standardization for a particular type or kind of equipment, material, or supply for reasons of efficiency or economy upon the adoption of a resolution by a vote of at least three-fifths of all the members of the governing body of a political subdivision; and
- WHEREAS: In addition, the Buffalo Sewer Authority's Purchasing Guidelines allow for standardization of materials under various circumstances; such as incurring additional expenses due to incompatibility with present equipment. The purchased VFD is being utilized in the secondary treatment process at the Treatment Plant. The function of these drives is critical to the operation of the Authority's treatment process; and
- WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend approval for this standardization to achieve uniformity for the various VFD's needed for the six (6) RAS pumps utilized for the Authority's wastewater treatment system.



NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby declares and approves the standardization of the Danfoss Variable Frequency Drive (VFD) available from Danfoss, LLC, and/or their authorized local representatives for the six (6) RAS pumps.

MOTION TO                                  APPROVE                                 

MADE BY                                  MR. KENNEDY, SR.                                 

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

AYES            5            NOES            0           

Board Meeting of April 4, 2012

## ITEM NO. 26

**AMENDMENT TO SOLE SOURCE LISTING FOR SELECTED INSTRUMENTATION, MAINTENANCE, LABORATORY, AND OFFICE EQUIPMENT**

WHEREAS: A Sole Source procurement, in accordance with New York State Procurement Guidelines, is one in which an item is only available from one source due to patents, exclusive franchises, etc., and there is no possibility of competition for the item; and

WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority approved and designated a list of original equipment manufacturers as sole sources. The sole source listing needs to be amended to add the following original equipment manufacturer:

Danfoss, LLC	Variable Frequency Drives (VFD) for RAS Pumps (standardized equipment)
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; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend this amendment to the sole source listing.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above amendment to the sole source listing of June 16, 2010.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 27

**AUTHORIZATION FOR PURCHASE OF DANFOSS, INC., VARIABLE FREQUENCY DRIVE (VFD) FOR RAS PUMP NO. 3B**

- WHEREAS: At this meeting the Board of the Buffalo Sewer Authority approved the standardization of the Danfoss Variable Frequency Drive (VFD) available from Danfoss, Inc., and/or their authorized local representatives for the six RAS pumps; and
- WHEREAS: In November 2011, the Buffalo Sewer Authority purchased a Danfoss VFD through the formal bid process at a total cost of \$15,229.38 for RAS Pump No. 3A under Purchase Order No. 21200598 from Ritec Enterprises, Inc. (local representative); and
- WHEREAS: Section X of the Authority's Purchasing General Terms and Conditions reads: *"In the case where the award is for a one time commodity purchase, the Authority wishes to purchase the quantity indicated in the Bid Document. If the need for additional quantities should arise within one year from the original award of purchase, the Authority, with the approval of the awarded vendor, shall be able to order additional quantities at the same original award pricing, terms and conditions."*; and
- WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance and staff have identified a need for a second VFD for RAS 3B for fiscal year 2011-2012; and
- WHEREAS: The Authority's Purchase Department contacted Ritec Enterprises, Inc., for the additional VFD needed this fiscal year. Ritec Enterprises, Inc., noted that upon installation and commissioning of the first drive that is currently in service, it was determined that a different option card was needed which was ordered separately and was installed; and
- WHEREAS: Ritec Enterprises, Inc. has agreed to provide the second VFD for RAS 3B under their previous formal bid price of \$15,229.38 plus an additional \$151.42 charge for the correct option card and remote keypad mount kit also needed; and
- WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the General Manager to purchase an additional VFD for RAS 3B from Ritec Enterprises, Inc., at a total cost of \$15,380.80. This purchase will be charged to account no. 00290105-466107.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 28

**AUTHORIZATION FOR CHANGE ORDER TO PURCHASE ORDER NO. 21200999 AND AUTHORIZATION TO PURCHASE REPLACEMENT PARTS FOR REHABILITATION OF FLOWSERVE RAS PUMP NO. 1A**

- WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated Flowserve Pump Company, the original equipment manufacturer, and/or their authorized local representative, as a sole source for parts, supplies, and service for Flowserve (formerly Ingersoll-Dresser Pump Co.) brand waste activated sludge pumps at the Treatment Plant; and
- WHEREAS: On February 15, 2012, the Board authorized the General Manager to purchase replacement parts for the rehabilitation of six (6) raw wastewater pumps from G. P. Yager & Associates, Inc., the authorized local representative, in the amount of \$247,208.56. Purchase Order No. 21200999 was established for this purchase; and
- WHEREAS: An increase in the number of lock plate tap bolts needed necessitates a change order to Purchase Order No. 212000999 in the amount of \$189.35; and
- WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for replacement parts to rehabilitate RAS Pump No. 1A. A quote was requested and received from G. P. Yager & Associates, Inc., in the amount of \$9,041.49; and
- WHEREAS: The change order and purchase for RAS Pump No. 1A parts will bring total monies payable for this commodity from Flowserve Pump Company to \$256,439.40 for fiscal year 2011-2012; and
- WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to increase Purchase Order No. 21200999 in the amount of \$189.35 and further authorizes the General Manager to purchase the needed replacement parts for the rehabilitation of RAS Pump No. 1A from G. P. Yager & Associates, Inc., at a total cost of \$9,041.49.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 29

**AUTHORIZATION FOR PURCHASE OF ONE NEW AND UNUSED MECHANICAL EXHAUSTER**

- WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated Dresser Roots, the owner of proprietary drawings for Dresser Roots brand equipment (blowers, exhausters, and compressors), and/or their authorized local representative, as a sole source for the purchase of these commodities; and
- WHEREAS: The Buffalo Sewer Authority's existing Dresser Roots mechanical exhauster is approximately 20 years old and is in need of repair. This equipment is essential to plant operations for the removal of ash from the incinerator; and
- WHEREAS: A quote was requested and received from Dresser Roots for one (1) new and unused mechanical exhauster in the amount of \$63,900.00; and
- WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend this purchase.
- NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase one (1) new and unused mechanical exhauster from Dresser Roots at a cost of \$63,900.00. This purchase will be charged to account no. 00380107-474080.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 30

**AUTHORIZATION FOR PURCHASE OF REPLACEMENT PARTS FOR CENTRIFUGE NO. 3**

WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated GEA Westfalia Separator, Inc., the original equipment manufacturer, and/or their authorized local representative, as a sole source for the purchase of various replacement parts, supplies, and service on the Westfalia centrifuges located at the Treatment Plant; and

WHEREAS: On September 7, 2011, the Board authorized replacement parts for the centrifuge in the amount of \$20,566.95 and on February 15, 2012, for a differential gear in the amount of \$14,910.00; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for additional parts for Centrifuge No. 3 for the remainder of fiscal year 2011-2012; and

WHEREAS: GEA Mechanical Equipment US, Inc., a GEA Westfalia Separator Division, submitted a quote in the amount of \$3,004.66, plus freight estimated not to exceed \$100.00, for the needed replacement parts; and

WHEREAS: This purchase will bring the total monies payable for purchases to \$38,581.61; and

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed parts for Centrifuge No. 3 from GEA Mechanical Equipment US, Inc., at a cost of \$3,004.66, plus freight estimated not to exceed \$100.00. This purchase will be charged to account no. 00370105-466107.

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 April 4, 2012



## ITEM NO. 31

**REPORT ON BIDS RECEIVED - GAS BURNER SYSTEM INSPECTION, PREVENTIVE MAINTENANCE, AND CORRECTIVE REPAIR SERVICES**

WHEREAS: Formal bids were advertised and solicited for an annual contract for Gas Burner System Inspection, Preventive Maintenance, and Repair Services located in various Buffalo Sewer Authority buildings throughout the Treatment Plant and outlying pumping stations for the period July 1, 2012 through June 30, 2013, with an option to renew for three (3) one-year periods; and

WHEREAS: The following sole bid was received and opened by the Buffalo Sewer Authority Purchase Department on March 22, 2012:

Mollenberg-Betz, Inc.	\$38,035.00
Hohl Industrial Services	No bid

; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, Principal Chief Stationary Engineer, and staff reviewed the bid and recommend awarding the Gas Burner System Inspection, Preventive Maintenance, and Repair Services contract to the sole bidder, Mollenberg-Betz, Inc., at an estimated annual cost of \$38,035.00.

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 Mollenberg-Betz, Inc., for an annual contract for Gas Burner System Inspection, Preventive Maintenance, and Repair Services at a total cost not to exceed \$38,035.00 for the period July 1, 2012 through June 30, 2013, with an option to renew for three (3) one-year periods. Funding for this contract will be charged to account no. 00380106-443421.

MOTION TO                     APPROVE                    

MADE BY           MS. WILSON-DIVINCENZO          

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

AYES           5           NOES           0          

Board Meeting of April 4, 2012

## ITEM NO. 32

**EXTENSION OF THE CONTRACT FOR THE REMOVAL AND DISPOSAL OF MISCELLANEOUS CONSTRUCTION DEBRIS**

WHEREAS: On February 10, 2010, the Board of the Buffalo Sewer Authority awarded a contract to Modern Landfill, Inc., for the removal and disposal of miscellaneous construction debris at a cost of \$43.50 per ton with a total cost not to exceed \$87,000.00 for the period July 1, 2010 to June 30, 2011, with an option to renew for three (3) one-year periods; and

WHEREAS: On April 6, 2011, the Board authorized the extension of this contract for the period July 1, 2011 to June 30, 2012; and

WHEREAS: Modern Landfill, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2012-2013; and

WHEREAS: The Director of Sewer Maintenance and staff recommend this extension at a total cost not to exceed \$87,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Modern Landfill, Inc., for the removal and disposal of miscellaneous construction debris for a one-year period, July 1, 2012 to June 30, 2013, at a total cost not to exceed \$87,000.00. Expenses for this contract will be charged to account no. 00690106-442100.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 33

**AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR CONVERSION OF PAPER RECORDS TO ELECTRONIC DOCUMENTS**

WHEREAS: The Buffalo Sewer Authority has through its years of operation accrued critical paper information, engineering drawings, and photographs in need of a reliable electronic document management system to protect and preserve institutional knowledge contained in these records; and

WHEREAS A Committee consisting of the Treatment Plant Superintendent, Secretary to the General Manager, and Director of Employee Relations obtained and reviewed quotes for electronic conversion of approximately 300,000 documents, 4,000 drawings, and 1,500 photographs from the following three firms:

Biel's Document Management	\$37,175.00
Digiscribe International LLC	\$44,400.00
Seery Office Systems; and	\$46,200.00

WHEREAS: Based upon proposal reviews and meetings, the Authority's Committee recommends retaining Biel's Document Management for the required electronic scanning at an estimated total cost of \$37,175.00; and

WHEREAS: The Buffalo Sewer Authority applied and received a grant award in the amount of \$37,175.00, from the New York State Local Government Records Management Improvement Fund for this electronic scanning (Project No. 0580122244); and

WHEREAS: The Authority requires authorization for a Purchase Order to be established for this service from Biel's Document Service in the amount of the fully reimbursable grant award of \$37,175.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with Biel's Document Service and establish a Purchase Order for the electronic scanning services at a total cost not to exceed \$37,175.00. Account no. 02000333-480000 will be charged for this service with expected reimbursement from grant proceeds.

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

Board Meeting of April 4, 2012

## ITEM NO. 34

**PRELIMINARY UTILITY WORK AGREEMENT - NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

WHEREAS: The New York State Department of Transportation desires to perform work on Church Street between Main Street to the I-190 ramps, City of Buffalo PIN 5811.99; and

WHEREAS: It is a recommendation of the NYSDOT that a Utility Work Agreement be executed by a duly authorized agent of the affected utility to allow the State of New York to perform said work within the Authority's jurisdiction; and

WHEREAS: The plans and specifications for this work have been reviewed by the Engineering Division of the Buffalo Sewer Authority; and

WHEREAS: This work will be done at no cost to the Buffalo Sewer Authority.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes and directs the General Manager to execute, on behalf of the Buffalo Sewer Authority, the above-mentioned Agreement with the New York State Department of Transportation.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 35

**REQUEST FOR EXTENSION OF LEAVE OF ABSENCE**

WHEREAS: Ronald Rodolph, a permanent Laborer II, was granted an unpaid medical leave of absence for the period October 17, 2011 through April 16, 2012. Mr. Rodolph has requested an extension of his unpaid medical leave of absence, effective April 17, 2012; and

WHEREAS: The General Manager has reviewed this request and recommends approving an extension of Ronald Rodolph's unpaid medical leave of absence for a period of six (6) months.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Ronald Rodolph an extension of his medical leave of absence without pay beginning April 17, 2012, and extending until October 17, 2012.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 5 NOES 0

Board Meeting of April 4, 2012

## ITEM NO. 36

**CONFIRMATION OF APPOINTMENT**

**INVESTIGATOR (BSA) {PERMANENT}**  
**INDUSTRIAL WASTE SECTION**  
**\$49,427 PER ANNUM**  
**EFFECTIVE: MARCH 5, 2012**

DENNIS YOUNG  
 8879 BOWEN ROAD  
 EAST OTTO, NY

---

WHEREAS: The preceding appointment was made by the General Manager since the last Board Meeting; and

WHEREAS: The General Manager requests confirmation of each appointment.

NOW THEREFORE  
 BE IT RESOLVED: That the preceding appointment is hereby confirmed by the Board of the Buffalo Sewer Authority.

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

Board Meeting of April 4, 2012

## ITEM NO. 37

**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:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Anthony Croce	n/a	Certification Exam for Wastewater Treatment Plant Operator – Grade 3A License	100%	\$85.00
Thomas Caulfield	Walden University	RSCM 8300 Qualitative Analysis for Public Administration	90%	\$1,967.40
Michael Cosgrove	n/a	3A License Renewal for Wastewater Treatment Plant Operator	100%	\$160.00
Roger Vullo	n/a	PE Review Course	90%	\$720.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$ 2,932.40. These Reimbursements will be charged to account no. 00800108-480214.

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

Board Meeting of April 4, 2012

ITEM NO. 38

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

Board Meeting of April 4, 2012