

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
May 30, 2012**



# BUFFALO SEWER AUTHORITY

May 30, 2012

**REGULAR MEETING**

**9:00 A.M.**

**1038 CITY HALL**

---

<u>ITEM NO.</u>	<u>CONTENTS</u>	<u>PAGE NO.</u>
	Roll Call	
1	Motion to Adopt the Minutes of May 9, 2012	53928
2	Temporary Investments (Certificates of Deposit and Treasury Bills)	53929-30
3	Reallocation of Funds	53931-32
4	Claim Against Liability and Casualty Reserve Fund	53933
5	Payment from Judgment and Claims	53934
6	Authorization for Change Order to Blanket Order No. 21200083 for Legal Services	53935
7	Authorization for Purchase Under New York State Contract Award No. 21132	53936-37
8	Authorization for Purchase of Bell and Gossett HVAC Parts	53938
9	Authorization for Service from JWC Environmental	53939
10	Certificate of Acceptance and Occupancy – Contract No. 85100014	53940
11	Certificate of Acceptance and Occupancy – Contract No. 84900016	53941
12	Amendment to Job Classification Plan	53942
13	Confirmation of Appointments	53943
14	Tuition Reimbursement	53944
15	Tuition Assistance	53945
16	Adjournment of Meeting	53946



**CALL OF THE ROLL**

Present:	<u>Herbert 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-DiVincentis</u>	<u>Secretary</u>
	<u>David Comerford</u>	<u>General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Oluwole McFoy, P.E.</u>	<u>Secretary to the General Manager</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</u>
	<u>Laura Surdej</u>	<u>Improvements &amp; Development</u>
	<u>Darryl McPherson</u>	<u>Erie County Dept. of Environment</u>
		<u>&amp; Planning</u>
		<u>City Auditor</u>
Absent:	<u>John E. Kennedy, Jr.</u>	<u>Assistant Secretary</u>

The meeting was called to order at 9:01 AM. A quorum was present.

## ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 9, 2012

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 <sup>ND</sup> BY	<u>MS. WILSON-DIVINCENZO</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of May 30, 2012

## ITEM NO. 2

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

**May 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	0.25%	High Yield
<b>CONSTRUCTION FUND</b>						
08-Apr-02	Money Market		\$36,945,016.97	Chase	0.25%	High Yield
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
22-Apr-02	Money Market		\$1,000,963.91	Chase	0.25%	High Yield
<b>OPERATING FUND</b>						
08-Apr-02	Money Market		\$5,773,829.42	Chase	0.25%	High Yield
<b>TRUST &amp; AGENCY FUND</b>						
06-May-02	Money Market		\$33,384.94	Chase	0.25%	High Yield
<b>SURPLUS FUND</b>						
			\$310.82	MTB Funds		
29-Mar-12	29-Jun-12	92	\$6,143,915.00	M&T Securities	0.31%	\$4,085.00
			<u>\$6,144,225.82</u>			
<b>NET REVENUE FUND</b>						
			\$13.60	MTB Funds		
28-Feb-12	31-May-12	93	\$6,599,564.31	M&T Securities	0.26%	\$4,435.69
29-Mar-12	29-Jun-12	92	\$1,599,936.23	M&T Securities	0.26%	\$1,063.77
26-Apr-12	29-Jun-12	64	\$3,799,986.40	M&T Securities	0.15%	\$1,013.60
			<u>\$11,999,500.54</u>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>DEBT RESERVE FUND</b>						
<b>Series F</b>						
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%	
09-May-12	09-May-13	365	\$245,000.00	FDIC Brokered CD	0.35%	
			<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%	

**RECEIVE & FILE**

Board Meeting of May 30, 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**

4/30/2012	00230105 Grit Supplies	-\$670.00	00240105 PSED Supplies	\$670.00
5/1/2012	00280105 SWWP Supplies	-\$8,900.00	00290105 Aeration Supplies	\$8,900.00
5/1/2012	00280105 SWWP Supplies	-\$2,115.40	00520105 Maintenance Supplies	\$2,115.40
5/1/2012	00230105 Grit Supplies	-\$4,413.00	00210105 RWWP Supplies	\$4,413.00
5/1/2012	00270105 Gas Supplies	-\$663.00	00520105 Maintenance Supplies	\$663.00
5/1/2012	00510105 Laboratory Supplies	-\$1,000.00	00200105 Plant Supplies	\$1,000.00
5/2/2012	00230105 Grit Supplies	-\$2,877.00	00520105 Maintenance Supplies	\$2,877.00
5/2/2012	00220106 Screen Services	-\$1,500.00	00690106 Auto Services	\$1,500.00
5/3/2012	00340105 Thickener Supplies	-\$350.00	00520105 Maintenance Supplies	\$350.00
5/3/2012	00340105 Thickener Supplies	-\$70.00	00290105 Aeration Supplies	\$70.00
5/3/2012	00340105 Thickener Supplies	-\$467.00	00520105 Maintenance Supplies	\$467.00
5/4/2012	00520105 Maintenance Supplies	-\$1,282.00	00320105 Chemical Supplies	\$1,282.00
5/8/2012	00220106 Screen Services	-\$997.60	00200106 Plant Services	\$997.60
5/9/2012	00360105 Dewatering Supplies	-\$30,000.00	00330105 Final Supplies	\$30,000.00
5/11/2012	00380106 Incinerator Services	-\$10,000.00	00200106 Plant Services	\$10,000.00
5/14/2012	00300106 Blower Services	-\$4,100.12	00200106 Plant Services	\$4,100.12
5/14/2012	00300106 Blower Services	-\$670.00	00200106 Plant Services	\$670.00
5/14/2012	00330105 Final Supplies	-\$1,1883.00	00200105 Plant Supplies	\$1,1883.00
5/14/2012	00520106 Maintenance Services	-\$40,000.00	00200106 Plant Services	\$40,000.00
5/15/2012	00300105 Blower Supplies	-\$9,910.00	00230105 Grit Supplies	\$9,910.00
5/16/2012	00380105 Incinerator Supplies	-\$1,373.21	00200105 Plant Supplies	\$1,373.21
5/18/2012	00520106 Maintenance Services	-\$6,000.00	00240106 PSED Services	\$6,000.00



**Sewer Maintenance Division**

5/10/2012	00660105 Sewer Repair Supplies	-\$4,000.00	00670105 Sewer Cleaning Supplies	-\$4,000.00
5/14/2012	00660105 Sewer Repair Supplies	-\$2,000.00	00670105 Sewer Cleaning Supplies	-\$2,000.00

**RECEIVE & FILE**

Board Meeting of May 30, 2012

## ITEM NO. 4

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: On May 3, 2012, Michael F. Gulczynski, 127 Indian Church Road, Buffalo, New York filed a Claim with the Buffalo Sewer Authority for damages that occurred on April 2, 2012, to his vehicle when a vehicle owned by the Buffalo Sewer Authority struck the front bumper and fender of Mr. Gulczynski's vehicle while parked on Indian Church Road; and

WHEREAS: The General Manager reviewed this Claim and determined that the Buffalo Sewer Authority is liable in this matter.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Michael F. Gulczynski, 127 Indian Church Road, Buffalo, New York, in the amount of \$557.89 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 4 NOES 0

Board Meeting of May 30, 2011



## ITEM NO. 6

**AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 21200083 FOR LEGAL SERVICES**

WHEREAS: On June 15, 2011, the Board of the Buffalo Sewer Authority authorized the General Manager to retain Charles C. Martorana of Hiscock & Barclay, LLP, for professional legal services with respect to regulatory, enforcement, and environmental matters on an as-needed basis for the fiscal year July 1, 2011 - June 30, 2012, for a maximum amount not to exceed \$80,000.00; and

WHEREAS: Blanket Order No. 21200083 was established for these legal services; and

WHEREAS: Due to the increase of complex regulatory, enforcement, and environmental issues, it is necessary to increase the maximum amount for these specialized legal services for the remainder of the fiscal year 2011-2012; and

WHEREAS: The Secretary to the General Manager and staff recommend approval to increase the maximum amount for these services by \$50,000.00, for a total cost not to exceed \$130,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve a change order in the amount of \$50,000.00, thereby increasing Blanket Order No. 21200083 for legal services provided by Hiscock & Barclay, LLP from \$80,000.00 to \$130,000.00 for fiscal year 2011-2012. Funds for this change order shall be charged to account no. 00550106-432003.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of May 30, 2012

## ITEM NO. 7

**AUTHORIZATION FOR PURCHASE UNDER NEW YORK STATE CONTRACT AWARD  
NO. 21132**

- WHEREAS: The Buffalo Sewer Authority's Laboratory is located at the Treatment Plant facility. This Laboratory is accredited by the New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program; and
- WHEREAS: The Laboratory is in need of replacement of original existing cabinetry, work surfaces, sinks, supports, and finishing materials which will be done in two phases. Phase I items are available from VWR International, LLC, under New York State Contract No. PC63923, Award No. 21132, Group No. 12000 at a total cost of \$15,773.83; and
- WHEREAS: The Treatment Plant Superintendent, Director of Laboratory, and staff recommend approval of this purchase; and
- WHEREAS: On May 11, 2011, the Board authorized the General Manager to utilize New York State Contract pricing, when applicable, under New York State Contract Award 21132 to purchase various supplies from VWR Scientific (d/b/a VWR International, LLC) for fiscal year 2011-2012 in an amount not to exceed \$35,000.00; and
- WHEREAS: Monies payable to date under State Contract Award 21132 for commodities for fiscal year 2011-2012 are \$28,497.52. This purchase will bring the total monies payable under this award to \$44,271.35; and
- WHEREAS: The Treatment Plant Superintendent, Director of Laboratory, and staff recommend authorization to increase the total expenditures under this New York State Contract Award from \$35,000.00 to \$45,000.00 for fiscal year 2011-2012; and
- WHEREAS: Due to time constraints, the Board was polled on May 14, 2012, and verbally authorized the General Manager to purchase the replacement cabinetry, work surfaces, and sinks from VWR International, LLC, under New York State Contract No. PC63923, Award No. 21132, Group No. 12000 at a total cost of \$15,773.83; and
- WHEREAS: It is now necessary to formally ratify that authorization.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby formally authorizes the General Manager to purchase replacement cabinetry, work surfaces, and sinks for the Buffalo Sewer Authority Laboratory under New York State Contract for a total of \$15,773.83 and further authorizes an increase from \$35,000.00 to \$45,000.00 for fiscal year commodity purchases under this award. This purchase shall be charged to account no. 00510107-474300.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 4 NOES 0

Board Meeting of May 30, 2012

## ITEM NO. 8

**AUTHORIZATION FOR PURCHASE OF BELL AND GOSSETT HVAC PARTS**

WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated Bell and Gossett/ITT, the original equipment manufacturer, and/or their local representatives on record as a sole source for equipment repairs and supplies for Bell and Gossett brand heating and hot water pumps installed throughout the Treatment Plant; and

WHEREAS: Quotes were requested for Bell and Gossett parts. DMB Control Distributors, Inc., their local representative, submitted the low bid in the total amount of \$5,664.70; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff reviewed the quote received and recommend this purchase; and

WHEREAS: Monies payable for Bell and Gossett brand heating and hot water pumps to date for fiscal year 2011-2012 is \$18,406.50. This purchase will bring the total monies payable for this commodity to \$24,071.20; 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 Bell and Gossett parts from DMB Control Distributors, Inc., at a total cost of \$5,664.70, bringing the total monies for purchases for this commodity for fiscal year 2011-2012 to \$24,071.20. This purchase will be charged to account no. 00380105-466107.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY, SR.</u>
2 <sup>ND</sup> BY	<u>MR. ROOSEVELT</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of May 30, 2012

## ITEM NO. 9

**AUTHORIZATION FOR SERVICE FROM JWC ENVIRONMENTAL**

WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated JWC Environmental, the original equipment manufacturer, as a sole source for equipment repairs and supplies for the Muffin Monster brand grinders located at the Treatment Plant; and

WHEREAS: A quote was requested and received from JWC Environmental for the rebuilding of a Muffin Monster grinder at primary sedimentation in the total amount of \$7,670.00; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff reviewed the quote received and recommend this service; and

WHEREAS: This service will bring the total monies payable to JWC Environmental for services in fiscal year 2011-2012 to \$38,286.43; and

WHEREAS: Board approval is required on services over \$35,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize the services of JWC Environmental for the rebuilding of a Muffin Monster grinder at primary sedimentation at a total cost of \$7,670.00. This service will be charged to account no. 00240106-443301.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of May 30, 2012









## ITEM NO. 13

**CONFIRMATION OF APPOINTMENTS**

**LABORER I (PERMANENT)**  
 SEWER MAINTENANCE DEPARTMENT  
 \$16.39 PER HOUR  
 EFFECTIVE: MAY 7, 2012

CLAYTON MAYNARD  
 106 EAST MORRIS  
 BUFFALO, NY

---

**LABORER II (PERMANENT)**  
 SEWER MAINTENANCE DEPARTMENT  
 \$16.89 PER HOUR  
 EFFECTIVE: MAY 7, 2012

PERRY POPE  
 384 CAMBRIDGE  
 BUFFALO, NY

---

WHEREAS: The preceding appointments were made by the General Manager since the last Board Meeting; and

WHEREAS: The General Manager requests confirmation of each appointment.

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

MOTION TO                     APPROVE                    

MADE BY           MS. WILSON-DIVINCENZO          

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

AYES           4           NOES           0          

Board Meeting of May 30, 2012

## ITEM NO. 14

**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>
Ameer Lucas	Buffalo State	Activated Sludge	100%	\$521.00
Roger Wilson	California State	Pretreatment Facility Inspection	100%	\$ 99.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$620.00. These Reimbursements will be charged to account no. 00800108-480214.

MOTION TO APPROVE  
 MADE BY MR. KENNEDY, SR.  
 2<sup>ND</sup> BY MS. WILSON-DIVINCENZO  
 AYES 4 NOES 0

Board Meeting of May 30, 2012



ITEM NO. 16

**ADJOURNMENT OF MEETING**MOTION TO                     APPROVE                    MADE BY           MS. WILSON-DIVINCENZO          2<sup>ND</sup> BY                     MR. ROOSEVELT                    AYES           4           NOES           0          

Board Meeting of May 30 , 2012