

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
July 18, 2012**

53989.....54027

BUFFALO SEWER AUTHORITY

July 18, 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>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>Oluwole McFoy, P.E.</u>	<u>Associate Engineer</u>
	<u>Yusef Myrick</u>	<u>Supt. of Mechanical Maintenance</u>
	<u>Thomas Caulfield</u>	<u>Admin. Of Capital Improvements</u>
	<u>Julie Barrett-O'Neill</u>	<u>Consultant</u>
	<u>Darryl McPherson, Esq.</u>	<u>City of Buffalo Auditor</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
	<u>Jill Terreri</u>	<u>Buffalo News</u>
Absent:	<u>none</u>	<u></u>

The meeting was called to order at 9:04 A.M.. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 2, 2012

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

Board Meeting of July 18, 2012

ITEM NO. 2

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

June 30, 2012						
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ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
15-Apr-02	Money Market		\$500,099.18	Chase	0.25%	High Yield
CONSTRUCTION FUND						
08-Apr-02	Money Market		\$33,920,241.63	Chase	0.25%	High Yield
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$1,000,816.82	Chase	0.25%	High Yield
OPERATING FUND						
08-Apr-02	Money Market		\$9,334,128.91	Chase	0.25%	High Yield
TRUST & AGENCY FUND						
06-May-02	Money Market		\$33,555.88	Chase	0.25%	High Yield
SURPLUS FUND						
29-Jun-12	27-Sep-12	90	\$991.52	MTB Funds		
			\$6,143,234.30	M&T Securities	0.18%	\$2,765.70
			\$6,144,225.82			
NET REVENUE FUND						
29-Jun-12	30-Jul-12	31	\$5,153,878.12	MTB Funds		
			\$9,246,044.51	M&T Securities	0.12%	\$955.49
			\$14,399,922.63			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
DEBT RESERVE FUND						
Series F						
09-May-12	09-May-13	365	\$245,000.00	FDIC Brokered CD	0.35%	
01-Jun-12	31-May-13	364	\$245,000.00	FDIC Brokered CD	0.45%	
01-Jun-12	05-Jun-13	369	\$245,000.00	FDIC Brokered CD	0.30%	
13-Jun-12	12-Jun-13	364	\$245,000.00	FDIC Brokered CD	0.45%	
14-Jun-12	14-Jun-13	365	\$245,000.00	FDIC Brokered CD	0.40%	
15-Jun-12	14-Jun-13	364	\$132,000.00	FDIC Brokered CD	0.35%	
			\$1,357,000.00			
Series I						
01-Aug-08	06-Sep-13	1862	\$8,240,877.50	FHLB	4.00%	
Series H						
13-Mar-03	15-Apr-32	10,626	\$2,825,593.00	SLG	4.35%	
Series J						
04-Mar-04	15-Nov-33	10,848	\$774,061.00	SLG	3.82%	
Series K						
22-Jul-04	15-Feb-33	10,435	\$498,654.00	SLG	4.63%	
Series L						
27-Jul-06	01-Oct-35	10,658	\$952,666.00	SLG	4.52%	

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Board Meeting of July 18, 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

6/5/2012	00270105 Gas Supplies	-\$307.00	00520105 Maintenance Supplies	\$307.00
6/5/2012	00410105 Hamburg Supplies	-\$33,641.00	00290105 Aeration Supplies	\$33,641.00
6/5/2012	00380106 Incinerator Services	-\$13,000.00	00280106 SWWP Services	\$13,000.00
6/5/2012	00330105 Final Supplies	-\$203.00	00240105 PSED Supplies	\$203.00
6/5/2012	00410105 Hamburg Supplies	-\$2,945.00	00520105 Maintenance Supplies	\$2,945.00
6/5/2012	00410105 Hamburg Supplies	-\$2,755.00	00380105 Incinerator Supplies	\$2,755.00
06/06/2012	00280105 SWWP Supplies	-\$331.00	00520105 Maintenance Supplies	\$331.00
6/7/2012	00380105 Incinerator Supplies	-\$42.63	00200105 Plant Supplies	\$42.63
6/7/2012	00380105 Incinerator Supplies	-\$97.90	00520105 Maintenance Supplies	\$97.90
6/8/2012	00330103 Blower Utilities	-\$700.00	00430103 Babcock Utilities	\$700.00
6/8/2012	00380103 Incinerator Utilities	-\$300.00	00490103 Niagara Utilities	\$300.00
6/8/2012	00380103 Incinerator Utilities	-\$300.00	00650103 Sewer Maintenance Utilities	\$300.00
6/11/2012	00290105 Aeration Supplies	-\$410.00	00520105 Maintenance Supplies	\$410.00
6/13/2012	00410105 Hamburg Supplies	-\$12,514.00	00370105 Centrifuge Supplies	\$12,514.00
6/13/2012	00400105 South Supplies	-\$2,074.00	00370105 Centrifuge Supplies	\$2,074.00

Sewer Maintenance Division

6/5/2012	00650106 Sewer Maintenance Services	-\$10,000.00	00690106 Auto Services	\$10,000.00
6/5/2012	00650106 Sewer Maintenance Services	-\$1,500.00	00660106 Sewer Repair Services	\$1,500.00
6/7/2012	00660105 Sewer Repair Supplies	-\$500.00	00670105 Sewer Cleaning Supplies	\$500.00
6/12/2012	00650106 Sewer Maintenance Services	-\$4,000.00	00690106 Auto Services	\$4,000.00

General Financial Charges

5/31/2012	00800183 Financial Contingency	-\$28,442.43	00200108 Plant Insurance	\$28,442.43
5/31/2012	00800183 Financial Contingency	-\$3,542.46	00650108 Sewer Maintenance Insurance	\$3,542.46
6/5/2012	00800183 Financial Contingency	-\$500.00	00110106 Administrative Services	\$500.00
6/7/2012	00800183 Financial Contingency	-\$500.00	00110105 Administrative Supplies	\$500.00

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Board Meeting of July 18, 2012

ITEM NO. 4

INFORMATIVE: REPORT ON THE CONDITION OF THE LIABILITY AND CASUALTY RESERVE FUND

The Resolution that created the Liability and Casual Reserve Fund provides that:

“The General Manager shall regularly and not less than semi-annually render to the Board a detailed report of the operation and condition of the Liability and Casualty Reserve Fund.”

Fund Balance as of June 30, 2011	\$1,005,608.08
Interest Earnings	3,207.98
Transfer from Operating Fund	\$10,540.48
Less: Claims Paid	<u>\$18,539.72</u>
Fund Balance as of June 30, 2012	<u>\$1,000,816.82</u>

During the period of June 30, 2011 – June 30, 2012, the B.S.A. settled 24 claims. Seventeen (17) claims were denied. Seven (7) claims resulted in cash payments from the B.S.A. totaling \$18,539.72.

Total Active Claims Pending

Bodily Injury	9
Property Damage	9
Auto B.I. & P.D	2
Other Liability	<u>0</u>
	20

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Board Meeting of July 18, 2012

ITEM NO. 5

INFORMATIVE: REPORT ON THE CONDITION OF THE CAPITAL IMPROVEMENT FUND

Balance July 1, 2011 (Temporary Investments & Cash)	\$500,164.25	
Interest on Investments	1,608.64	
Transfers from Operating Fund	0	
Transfers to Operating Fund	<u>(1,673.71)</u>	500,099.18
Less: Expenditures	0	
Encumbrances	<u>0</u>	<u>0</u>
Unallocated Funds as of June 30, 2012		<u>\$500,099.18</u>
Expenditures:	<u> </u>	
Total Expenditures		<u>0</u>
Encumbrances:	<u> </u>	
Total Encumbrances		<u>0</u>
ENCUMBRANCES AND EXPENDITURES FOR 7/1/2011-6/30/2012		<u>\$0</u>

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Board Meeting of July 18, 2012

ITEM NO. 8

CONTRACT APPROVAL - SELF-INSURED WORKERS' COMPENSATION PROGRAM

WHEREAS: The use of a professional claims management company is necessary for the successful continuation of the Buffalo Sewer Authority's self-insured Worker's Compensation Program; and

WHEREAS: The current Workers' Compensation Administrative Agreement with First Niagara Risk Management, Inc., expires on June 30, 2012; and

WHEREAS: First Niagara Risk Management, Inc., has submitted a two-year proposal to continue to administer the Buffalo Sewer Authority's Self-Insured Workers' Compensation Program for the period July 1, 2012 to June 30, 2014; and

WHEREAS: The annual fee for these services shall remain at \$29,500.00 under this contract; and

WHEREAS: The Executive Secretary and staff recommend accepting this proposal.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into an agreement with First Niagara Risk Management, Inc., to administer the Self-Insured Workers' Compensation Program for the period July 1, 2012 through June 30, 2014, for an annual fee of \$29,500.00. Expenses for this contract will be charged to account nos. 00110108-452000, 00200108-452000, and 00650108-452000 on a pro-rata basis.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of July 18, 2012

ITEM NO. 9

CONTRACT APPROVAL - AUDIT AND ACCOUNTING SERVICES

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

WHEREAS: Drescher & Malecki, LLP, has proposed a service contract with the Buffalo Sewer Authority for accounting and auditing services for the fiscal year ending June 30, 2012, for a fee not to exceed \$45,500.00. Additionally, Drescher & Malecki, LLP proposes to compile the cost allocation schedule for the fiscal year ending June 30, 2012, for a fee not to exceed \$4,500.00; and

WHEREAS: The Audit Committee of the Board of Directors of the Buffalo Sewer Authority recommends accepting this proposal.

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves and authorizes the Chairman of the Audit Committee to enter into an agreement with Drescher & Malecki, LLP, Certified Public Accountants, to perform the required auditing services of the Authority's affairs and to compile the cost allocation schedule for the fiscal year ending June 30, 2012. Expenses for performing the required financial audit, up to a maximum of \$45,500.00, will be charged to account no. 00110106-432001. Expenses for the cost allocation schedule, up to a maximum of \$4,500.00 will be charged to account no. 00550106-432001.

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

Board Meeting of July 18, 2012

ITEM NO. 12

TRAVEL AUTHORIZATION - NEW ORLEANS, LOUISIANA

WHEREAS: The Water Environment Federation's 85th Annual Technical Exhibition and Conference will be held September 29 – October 3, 2012, in New Orleans, Louisiana; and

WHEREAS: The Buffalo Sewer Authority staff annually participates in this international event to keep abreast of the latest technologies, innovations, and research in the wastewater field; and

WHEREAS: The General Manager recommends attendance at the Water Environment Federation's 85th Annual Technical Exhibition and Conference.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes travel from September 28 – October 3, 2012, for the Chairman of the Board and the Treatment Plant Superintendent to attend the Water Environment Federation's 85th Annual Technical Exhibition and Conference in New Orleans, Louisiana at a total cost not to exceed \$6,000.00. Funds are available in account nos. 00100104-458010, 00100104-458012, 00200104-458010 and 00200104-458012.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, SR.

AYES 5 NOES 0

Board Meeting of July 18, 2012

ITEM NO. 13

AUTHORIZATION TO UPGRADE LASERFICHE SOFTWARE

- WHEREAS: General Code is a government reseller of Laserfiche electronic storage systems and provides a variety of information management solutions to many local governments; and
- WHEREAS: In 2002 the Buffalo Sewer Authority requested a quote from General Code and purchased a Laserfiche group server with software and support for computer filing, archiving and retrieval of Authority records. A Laserfiche Software Assurance Plan (LSAP) has been maintained annually since then and minor upgrades to this system were done in 2004 and 2006; and
- WHEREAS: On April 4, 2012, the Board authorized the General Manager to enter into and execute an agreement with Biel's Document Service for electronic conversion of approximately 300,000 documents, 4,000 drawings and 1,500 photographs. The Authority desires to continue the use of Laserfiche as a repository for the electronic files which requires an upgrade of Laserfiche software; and
- WHEREAS: General Code has provided a proposal for a Laserfiche Avante Content Management Software upgrade to address document imaging, document management and business process management. The total cost for this software (with an upgrade credit of \$4,500.00) is \$48,150.00 which includes a new Laserfiche Software Assurance Plan (LSAP) for updates and technical support for the first year (annual renewals are estimated at \$8,495.00); and
- WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Computer Systems Coordinator and staff recommend this needed upgrade; and
- WHEREAS: Board approval is required on purchases over \$20,000.00.

ITEM NO. 14

CHANGE ORDER NO. 1 – CONTRACT NO. 85100025

CONTRACTOR:	ORIGINAL CONTRACT COST	\$2,280,614.87
Hohl Industrial Services, Inc.	PREVIOUS CHANGE ORDER	N/A
770 Riverview Boulevard	THIS CHANGE ORDER	<u>21,433.32</u>
Tonawanda, NY 14150	ADJUSTED CONTRACT COST	\$2,302,048.19

WORK: Sludge Cake Receiving System

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Removal of Worthington Compressor and Concrete Housekeeping Pad.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Worthington Compressor and Concrete Housekeeping Pad are in conflict with layout for the new sludge cake push frame and support steel.

COST OF CHANGE OR EXTRA WORK:

Item #1 Add \$21,433.32

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$21,433.32

The total INCREASE to the contract as a result of this Change Order is \$21,433.32

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

ITEM NO. 15

CHANGE ORDER NO. 3 – CONTRACT NO. 85100013

CONTRACTOR:	ORIGINAL CONTRACT COST	\$38,000.00
Corrosion Products & Equipment, Inc.	PREVIOUS CHANGE ORDER	\$26,500.00
110 Elmgrove Park	THIS CHANGE ORDER	<u>(\$2,745.00)</u>
Rochester, New York 14624	FINAL CONTRACT COST	\$61,755.00

WORK: Emergency Service Settled Wastewater Pump No. 5

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 A bid was received by the Buffalo Sewer Authority and was a not to exceed proposal for work performed.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Actual work performed resulted in a deduct from the quote.

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$2,745.00)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$2,745.00)

The total DECREASED to the contract as a result of this Change Order is \$2,745.00

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

ITEM NO. 18

REPORT ON BIDS RECEIVED - FINE SCREEN UNIT 2 – REPLACEMENT PROJECT

WHEREAS: Formal bids were advertised and solicited for Fine Screen Unit 2 – Replacement Project. The following bids were received and opened by the Buffalo Sewer Authority on July 10, 2012.

John W. Danforth	\$658,700.00
Quackenbush Company	\$693,073.00
Hohl Industrial	\$734,553.00

; and

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

WHEREAS: The Administrator of Capital Improvements and Development and staff reviewed the bids and recommend awarding the contract to the lowest bidder, John W. Danforth at a cost not to exceed \$658,700.00.

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 John W. Danforth at a cost not to exceed \$658,700.00. Expenses for this contract will be charged to account no. 02000337-490740.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of July 18, 2012

ITEM NO. 19

REPORT ON BIDS RECEIVED - PURCHASE OF BOILER FEEDWATER CHEMICALS AND SERVICE

WHEREAS: Based upon historical purchases for boiler feedwater chemicals, informal bids were solicited and received for the purchase of boiler feedwater chemicals and service at the Treatment Plant. The following informal bids were solicited and received and were opened by the Buffalo Sewer Authority Purchase Department on June 22, 2012:

Buffalo Industrial Chemicals, Inc.	\$20,718.50
M.I.S. of America, Inc.	\$26,027.00
The Metro Group, Inc.	\$33,983.00

; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff reviewed the bids received and recommend awarding a contract to the low bidder, Buffalo Industrial Chemicals, Inc., at a total cost not to exceed \$20,718.50.

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 Buffalo Industrial Chemicals, Inc., for the purchase of boiler feedwater chemicals and service at the Treatment Plant for a one-year period, July 1, 2012 to June 30, 2013, at a total cost not to exceed \$20,718.50. This contract has an option to renew for three (3) one-year periods through June 30, 2016. Expenses for this contract will be charged to account no. 00380105-467044.

MOTION TO APPROVE
MADE BY MR. KENNEDY, JR.
2ND BY MR. ROOSEVELT
AYES 5 NOES 0

Board Meeting of July 18, 2012

ITEM NO. 21

**ADOPTION OF NEGATIVE DECLARATION OF STATE ENVIRONMENTAL QUALITY
REVIEW FOR LONG TERM CONTROL PLAN – CSO ABATEMENT PROJECT**

- WHEREAS: The Buffalo Sewer Authority (the “Authority”) was created by New York Public Authorities Law (the “Public Authorities Law”) Section 1177 (the “Authority Act”) and is authorized and empowered by the Public Authorities Law Article 5, Title 8 to provide for the jurisdiction, control, possession, supervision and use of the “facilities”, as defined in Section 1176(10) of the Authority Act, including but not limited to the sewage treatment plant, storm water and sewage collection system constituting the sewer system that serves the City of Buffalo and neighboring communities (the “Sewer System”); and
- WHEREAS: Pursuant to Section 1179 of the Authority Act, the City of Buffalo (the “City”) assigned, transferred and dedicated to the Authority the jurisdiction, control, supervision, possession and use of the Sewer System; and
- WHEREAS: In accordance with Article 8 (State Environmental Quality Review Act a/k/a “SEQRA”) of the Environmental Conservation Law (the “Act”), and the statewide regulations under the Act (6 NYCRR Part 617) (the “Regulations”), the Authority has considered the proposed adoption and implementation of a Combined Sewer Overflow Long Term Control Plan, dated April, 2012 (“LTCP”) designed to address and abate combined sewer overflows to area waterways which occur during wet weather, typically rain and/or snow melt events (the “Action”); and
- WHEREAS: The LTCP will serve to protect the environment, water quality and the public health, safety and welfare by reducing discharges of pollutants from combined sewer overflows which would otherwise occur without adoption and implementation of the LTCP; and
- WHEREAS: On March 7, 2012, the Authority determined that it would serve as Lead Agency pursuant to SEQRA and engage in a coordinated review process, and a notice of such Lead Agency designation and coordinated review process was mailed to various involved and interested agencies on March 8, 2012; and
- WHEREAS: The Authority, through its appropriate officers has identified and contacted all potentially involved and interested agencies in the Action (the “Agencies”), and all of the identified potentially Involved Agencies, as defined in the SEQRA Regulations, have consented or not objected to the Authority’s proposal to be Lead Agency for the Action; and

WHEREAS: The Authority, as Lead Agency, in making a Determination of Significance with respect to the Action, has considered the Action as a “Type 1 Action” pursuant to the Regulations, has examined the completed Full Environmental Assessment Form and has reviewed and discussed each and every criteria for determining significance set out in Part 617.7 of the SEQRA Regulations.

NOW THEREFORE
BE IT RESOLVED:

Based upon a consideration of the Action, an examination of the completed Full Environmental Assessment Form, a review and discussion of each and every criteria for making a Determination of Significance set out in Part 617.7 of the SEQRA Regulations, and such further investigation of the Action and its environmental effects, if any, as the BSA has deemed appropriate, the BSA makes the following findings with respect to the Action:

- a) No potentially large impacts on the environment from the Action are identified in the Environmental Assessment Form.
- b) The Action is not expected to trigger any significant adverse impacts, including those examples of impacts listed in Part 617.7 of the SEQRA Regulations.

BE IT FURTHER
RESOLVED:

Based upon the foregoing investigation of the potential environmental impacts of the Action and considering both the magnitude and importance of each potential environmental impact, as more particularly stated in the attached Environmental Assessment Form and Negative Declaration attached hereto and made a part hereof, the BSA makes the following determinations:

- a) The Action will not have a significant adverse impact on the environment and an environmental impact statement will not be prepared with respect to the Action; and
- b) The Authority hereby authorizes and directs the General Manager, and its appropriate officers to execute and deliver a Notice of Determination of Non-Significance (“Negative Declaration”), in form and substance as attached hereto and made a part hereof, and to file such Notice, in accordance with the requirements of the SEQRA Regulations, and to take such other actions, upon the advice of legal counsel, in furtherance of this resolution as may be necessary or appropriate.

The Authority does hereby adopt the LTCP dated April, 2012.

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

I, the undersigned Secretary of the Buffalo Sewer Authority (the "Authority"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Authority, including the resolution contained therein, held the 18th day of July, 2012, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Authority and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of July, 2012.

Eleanor C. Wilson DiVincenzo
Secretary of the Board

ITEM NO. 22

AUTHORIZATION TO ENTER INTO AGREEMENT WITH REDZONE ROBOTICS FOR A COLLECTION SYSTEM ASSESSMENT DEMONSTRATION PROJECT

WHEREAS: The Buffalo Sewer Authority seeks further evaluation of the Sewer System, including overall conditions in accordance with the Capital Improvement program, Geographic Information System and continued operation and maintenance activities; and

WHEREAS: The Authority seeks to characterize and assess over 6000 linear feet of large diameter, and over 27000 linear feet of medium diameter sewer mains utilizing innovative robotically controlled video inspection and analysis equipment; and

WHEREAS: The Authority received a proposal from RedZone Robotics, Inc. in the amount of \$67,396.44 to assess and document the condition of our Sewer System to substantiate the Authority's compliance with Federal and State regulations; and

WHEREAS: The General Manager, Associate Engineer, and staff have reviewed this quote and recommend accepting the proposal from RedZone Robotics at a total cost not to exceed \$67,396.44.

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 RedZone Robotics, to assess and document the condition of our Sewer System as outlined in their proposal dated July 6, 2012, for a total cost not to exceed \$67,396.44. These services will be charged to account no. 02000338-480000.

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

Board Meeting of July 18, 2012

ITEM NO. 23

AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN

WHEREAS: There is a need to modify the Job Classification Plan.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority approves the deletion of the following positions from the Job Classification Plan:

One (1) Administrative Aide	00110121 411001
One (1) Senior Sanitary Engineer	00600161 411001

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of July 18, 2012

ITEM NO. 24

CONFIRMATION OF APPOINTMENTS

**DIRECTOR OF LABORATORY (SEWER AUTHORITY)
{PERMANENT}
CHANGE OF STATUS ONLY
SEWAGE TREATMENT PLANT
\$81,141 PER ANNUM
EFFECTIVE: JUNE 19, 2012**

STEPHEN TUHOVAK
7377 BALLA DRIVE
NORTH TONAWANDA, NY

**ASSOCIATE ENGINEER (PERMANENT)
ENGINEERING DEPARTMENT
\$78,440 PER ANNUM
EFFECTIVE: JUNE 25, 2012**

OLUWOLE McFOY
56 CAMP ST.
BUFFALO, NY

**LABORATORY ASSISTANT (PERMANENT)
SEWAGE TREATMENT PLANT
\$17.94 PER HOUR
EFFECTIVE: JULY 30, 2012**

DENINE JACKSON
89 WELLINGTON RD.
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.

ITEM NO. 29

TUITION REIMBURSEMENT

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employee has applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Salvatore P. Falzone	Buffalo State College	PAD 501 Public Administration	65%	\$820.43

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$820.43. This Reimbursement will be charged to account no. 00800108-480214.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR

AYES 5 NOES 0

Board Meeting of July 18, 2012

ITEM NO. 30

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MS. WILSON-DIVINCENZO 2ND BY MR. ROOSEVELT AYES 5 NOES 0

Board Meeting of July 18, 2012