

**MINUTES OF THE REGULAR MEETING**  
**OF THE**  
**BUFFALO SEWER AUTHORITY**  
**April 3, 2013**



# BUFFALO SEWER AUTHORITY

April 3, 2013

**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>David P. Comerford</u>	<u>General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Scott Steinwald</u>	<u>Intergovernmental Coordinator</u>
	<u>Oluwole A. McFoy, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Michael Letina</u>	<u>Treatment Plant Superintendent</u>
	<u>Yusef Myrick</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
	<u>Jill Terreri</u>	<u>Buffalo News</u>
	<u>                                </u>	<u>                                </u>
	<u>                                </u>	<u>                                </u>
Absent:	<u>none</u>	<u>                                </u>

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

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of March 6, 2013

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

Board Meeting of April 3, 2013

## ITEM NO. 2

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

**March 20, 2013**

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CAPITAL IMPROVEMENT FUND</b>						
15-Apr-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-Jul-12	Money Market		\$500,000.00	First Niagara	0.15%	Municipal Premium
			<b>\$500,001.00</b>			
<b>CONSTRUCTION FUND</b>						
08-Apr-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-July-12	Money Market		\$36,666,430.01	First Niagara	0.20%	Municipal Premium
			<b>\$36,666,431.01</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
22-Apr-02	Money Market		\$1.01	Chase	0.20%	High Yield
31-July-12	Money Market		\$1,000,420.16	First Niagara	0.20%	Municipal Premium
			<b>\$1,000,421.17</b>			
<b>OPERATING FUND</b>						
08-Apr-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-July-12	Money Market		\$4,956,277.84	First Niagara	0.20%	Municipal Premium
			<b>\$4,956,278.84</b>			
<b>TRUST &amp; AGENCY FUND</b>						
06-May-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-Jul-12	Money Market		\$33,611.38	First Niagara	0.02%	Municipal Premium
			<b>\$33,612.38</b>			
<b>SURPLUS FUND</b>						
			\$164.76	Wilmington US Treasury		
28-Dec-12	27-Mar-13	89	\$5,999,368.06	M&T Securities	0.11%	\$1,631.94
			<b>\$5,999,532.82</b>			
<b>NET REVENUE FUND</b>						
			\$611.11	Wilmington US Treasury		
28-Dec-12	27-Mar-13	89	\$2,999,184.17	M&T Securities	0.11%	\$815.83
29-Jan-13	29-Apr-13	90	\$8,199,744.45	M&T Securities	0.11%	\$2,255.55
04-Mar-13	31-May-13	88	\$2,499,388.89	M&T Securities	0.10%	\$611.11
			<b>\$13,698,928.62</b>			



ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>DEBT RESERVE FUND</b>						
<b>Series F</b>						
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%	
			<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	10,626	<b>\$2,825,593.00</b>	SLG	4.35%	
<b>Series J</b>						
04-Mar-04	15-Nov-33	10,848	<b>\$774,061.00</b>	SLG	3.82%	
<b>Series K</b>						
22-Jul-04	15-Feb-33	10,435	<b>\$498,654.00</b>	SLG	4.63%	
<b>Series L</b>						
27-Jul-06	01-Oct-35	10,658	<b>\$952,666.00</b>	SLG	4.52%	

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Board Meeting of April 3, 2013

## 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.

**Administrative Division**

2/26/2013	00100104 Board Travel	-\$400.00	00100103 Board Utilities	\$400.00
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**Wastewater Treatment Plant**

2/28/2013	00380105 Incinerator Supplies	-\$1,040.00	00320105 Chemical Supplies	\$1,040.00
2/28/2013	00210105 RWWP Supplies	-\$16,175.00	00400105 South Supplies	\$16,175.00
2/28/2013	00220105 Screen Supplies	-\$16,100.00	00410105 Hamburg Supplies	\$16,100.00
3/1/2013	00520105 Maintenance Supplies	-\$200.00	00320105 Chemical Supplies	\$200.00
3/6/2013	00380105 Incinerator Supplies	-\$431.00	00340105 Thickener Supplies	\$431.00
3/11/2013	00520105 Maintenance Supplies	-\$127.00	00200105 Plant Supplies	\$127.00
3/14/2013	00380103 Incinerator Utilities	-\$2,000.00	00490103 Niagara Utilities	\$2,000.00
3/14/2013	00380103 Incinerator Utilities	-\$800.00	00500103 Walden Utilities	\$800.00
3/14/2013	00300103 Blower Utilities	-\$500.00	00410103 Hamburg Utilities	\$500.00
3/14/2013	00300103 Blower Utilities	-\$250.00	00530103 Yard Utilities	\$250.00
3/14/2013	00300103 Blower Utilities	-\$108,000.00	00360103 Dewater Utilities	\$108,000.00
3/14/2013	00210105 RWWP Supplies	-\$600.00	00400105 South Supplies	-\$600.00
3/14/2013	00210105 RWWP Supplies	-\$3,800.00	00530105 Yard Supplies	-\$3,800.00
3/18/2013	00200106 Plant Services	-\$1.00	00510106 Lab Services	\$1.00
3/18/2013	00200106 Plant Services	-\$2.00	00520106 Maintenance Services	\$2.00
3/19/2013	00290105 Aeration Supplies	-\$25.58	00520105 Maintenance Supplies	\$25.58
3/21/2013	00210105 RWWP Supplies	-\$58.00	00400105 South Supplies	\$58.00
3/21/2013	00210105 RWWP Supplies	-\$23.00	00410105 Hamburg Supplies	\$23.00

**Engineering Division**

3/15/2013	00600107 Engineering Capital Outlay	-\$1,500.00	00600106 Engineering Services	\$1,500.00
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**Sewer Maintenance Division**

3/5/2013	00670105 Sewer Cleaning Supplies	-\$3,500.00	00690105 Auto Supplies	\$3,500.00
3/20/2013	00690106 Auto Services	-\$2,000.00	00670106 Sewer Cleaning Services	\$2,000.00

**General Financial Charges**

2/26/2013	00800108 Financial Charges	-\$5,000.00	00820102 Fringe Benefits	\$5,000.00
3/1/2013	00800183 Financial Contingency	-\$35,001.00	00380106 Incinerator Services	\$35,001.00
3/18/2013	00800183 Financial Contingency	-\$3,200.00	00200103 Plant Utilities	\$3,200.00

**RECEIVE & FILE**

Board Meeting of April 3, 2013

ITEM NO. 4

**CONSIDERATION OF THE OPERATING FUND BUDGET FOR FISCAL YEAR 2013-2014**

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, 2013.

MOTION TO \_\_\_\_\_ APPROVE \_\_\_\_\_

MADE BY \_\_\_\_\_ MS. WILSON-DIVINCENZO \_\_\_\_\_

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

AYES \_\_\_\_\_ 4 \_\_\_\_\_ NOES \_\_\_\_\_ 0 \_\_\_\_\_

Board Meeting of April 3, 2013

## 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, 2013 to June 30, 2014.

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

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

AYES 4 NOES 0

Board Meeting of April 3, 2013

**PROPOSED SCHEDULE OF SEWER RENTS**  
**AND OTHER CHARGES**  
**FOR 2013-2014**

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 2013-2014.

(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:

$$\text{Surcharge} = 8.34 \text{ QMGY} (0.1471 (\text{BOD}_5\text{-250}) + 0.1895 (\text{TSS-250}) + 0.0378(\text{TPO}_4\text{-15.35}))$$

\$0.1471 Cost/lb. for treatment of BOD<sub>5</sub>

\$0.1895 Cost/lb. for treatment of TSS

\$0.0378 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, 2012 and ending June 30, 2013 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, 2013.

(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	\$0.1908/lb	\$0.1482/lb.	\$0.0378/lb.
Mixing Tank	\$0.1678/lb	\$0.0887/lb.	\$0.0378/lb.
Thickener/Digester	\$0.1808/lb	\$0.0953/lb.	\$0.0378/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 \$0.046 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, 2013.

(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, 2013; 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, 2013, excepting only monthly metered accounts for July 2013, and Section "W" of the quarterly metered accounts for the period May, June, and July 2013, which shall be billed according to the schedule of rents in effect prior to July 1, 2013.

## 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:

1 Car  
2 Cars  
3 Cars  
4 Cars  
5 Cars  
6 Cars  
7 Cars  
8 Cars

## Garage w/out Water

10.84  
21.67  
32.51  
43.35  
54.18  
65.02  
75.86  
86.69

## Garage w/Water

21.66  
43.32  
64.98  
86.69  
108.30  
129.96  
151.62  
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 8, April 15, and April 22, 2013. 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. ROOSEVELT

AYES 4 NOES 0

Board Meeting of April 3, 2013



## ITEM NO. 7

**CHANGE ORDER NO. 2 – CONTRACT NO. 85100029**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$175,000.00
Ferguson Electric Constr. Co., Inc.	PREVIOUS CHANGE ORDER	50,000.00
333 Ellicott St.	THIS CHANGE ORDER	<u>45,000.00</u>
Buffalo, New York 14203	ADJUSTED CONTRACT COST	\$270,000.00

WORK: Wastewater Treatment Plant Electrical Maintenance Services

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Additional funding needed in the amount of \$45,000.00 to cover the deficit in the contract for extra work needed to be performed by Ferguson Electric Construction Company, Inc., during the fiscal year.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 The purchase (\$62,855.00) and installation (\$19,260.00) of new switchgear at 5P4A/5P4B (Outside Main Pump).

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$82,115.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$82,115.00

The total INCREASE to the contract as a result of this Change Order is \$45,000.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements remains 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.

4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE

BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 85100029 as written in the above Agenda Item, increasing the contract cost in the amount of \$45,000.00, making the adjusted contract cost \$270,000.00.

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

Board Meeting of April 3, 2013

## ITEM NO. 8

**REPORT ON BIDS RECEIVED - PURCHASE OF FERROUS CHLORIDE (FeCl<sub>2</sub>)**

WHEREAS: Formal bids were advertised and solicited for the purchase of ferrous chloride (FeCl<sub>2</sub>) for use at the Treatment Plant. The following bids were received and opened by the Buffalo Sewer Authority on March 19, 2013:

Vendor	Cost per gallon	Total estimated annual cost
Kemira Water Solutions, Inc.	\$0.456	\$145,920.00
PVS Chemicals	\$0.73	\$233,600.00
Riverside Chemical Company, Inc.	No bid submitted	

; and

WHEREAS: The Treatment Plant Superintendent and staff reviewed the bids received and recommend awarding a contract to the low bidder, Kemira Water Solutions, 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 Kemira Water Solutions, Inc., for the purchase of ferrous chloride for use at the Treatment Plant for the period July 1, 2013 to June 30, 2014, at a cost of \$0.456 per gallon, up to a maximum amount of \$145,920.00, with an option to renew for four (4) one-year periods. Expenses for this contract will be charged to account no. 00360105-467044.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of April 3, 2013

ITEM NO. 9

**REPORT ON BIDS RECEIVED - BIRD ISLAND SEWAGE TREATMENT PLANT  
IN-PLANT STEAM SYSTEM REPAIR SERVICES**

WHEREAS: Formal bids were advertised and solicited for the Bird Island Sewage Treatment Plant In-Plant Steam System Repair Services. The following bids were received and opened by the Buffalo Sewer Authority on March 28, 2013:

Company	General Foreman	Journeyman
Mollenberg-Betz, Inc.	\$34,995.00	\$6,473.00
Quackenbush Co. Inc.	\$36,090.00	\$6,854.00
John W. Danforth Co.	\$40,830.81	\$7,530.23

; and

WHEREAS: The Administrator of Capital Improvements and Development and staff reviewed the bids and recommend accepting the low bid and awarding the contract to Mollenberg-Betz, 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 Mollenberg-Betz, Inc., for Steam System Repair Services at the Bird Island Sewage Treatment Plant for a one-year period beginning July 1, 2013, with an option to renew for two (2) additional one-year periods if agreeable to both parties, at a cost not to exceed \$75,000.00. Expenses for this contract will be charged to account no. 02000342-490740.

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

Board Meeting of April 3, 2013

## ITEM NO. 10

**REPORT ON BIDS RECEIVED - BIRD ISLAND SEWAGE TREATMENT PLANT  
IN-PLANT MECHANICAL MAINTENANCE SERVICES**

WHEREAS: Formal bids were advertised and solicited for the Bird Island Sewage Treatment Plant In-Plant Mechanical Maintenance Services. The following bids were received and opened by the Buffalo Sewer Authority on March 28, 2013:

Company	General Foreman	Journeyman	Appr./Laborer
Mollenberg-Betz, Inc.	\$62,901.00	\$135,933.00	\$9,766.00
Quackenbush Co., Inc.	\$64,962.00	\$143,934.00	\$10,163.00
John W. Danforth Co.	\$66,868.72	\$144,330.83	\$10,093.95

; and

WHEREAS: The Administrator of Capital Improvements and Developments and staff reviewed the bids and recommend accepting the low bid and awarding the contract to Mollenberg-Betz 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 Mollenberg-Betz, Inc. for Mechanical Maintenance Services at the Bird Island Sewage Treatment Plant for a one-year period beginning July 1, 2013, with an option to renew for two (2) additional one-year periods if agreeable to both parties, at a cost not to exceed \$300,000.00. Expenses for this contract will be charged to account no. 02000342-490740.

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

Board Meeting of April 3, 2013

## ITEM NO. 11

**REPORT ON BIDS RECEIVED - BIRD ISLAND SEWAGE TREATMENT PLANT  
IN-PLANT ELECTRICAL MAINTENANCE SERVICE**

WHEREAS: Formal bids were advertised and solicited for the Bird Island Sewage Treatment Plant In-Plant Electrical Maintenance Service. The following bids were received and opened by the Buffalo Sewer Authority on March 28, 2013:

Company	General Foreman	Journeyman (Tech.)	Appr/Laborer
O'Connell Electric Company	\$19,701.30	\$93,539.70	\$33,408.40
Ferguson Electrical, Corp.	\$19,125.00	\$101,954.00	\$37,883.00

; and

WHEREAS: The Administrator of Capital Improvements and Development and staff reviewed the bids and recommend accepting the low bid and awarding the contract to O'Connell Electric Company.

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 O'Connell Electric Company for Electrical Maintenance Service at the Bird Island Sewage Treatment Plant for a one-year period beginning July 1, 2013, with an option to renew for two (2) additional one-year periods if agreeable to both parties, at a cost not to exceed \$200,000.00. Expenses for this contract will be charged to account no. 02000342-490740.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of April 3, 2013

## ITEM NO. 12

**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: On April 4, 2012, the Board authorized the extension of this contract for the period July 1, 2012 to June 30, 2013. On September 5, 2012 the Board amended the total annual contract cost to a total not to exceed \$334,807.20 for fiscal year 2012-2013; 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 2013-2014; and

WHEREAS: The Treatment Plant Superintendent, Safety Officer, and staff recommend this extension at a total cost not to exceed \$334,807.20.

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, 2013 to June 30, 2014, at a total cost not to exceed \$334,807.20. Expenses for this contract will be charged to account no. 00200106-434000.

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

Board Meeting of April 3, 2013

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: On April 4, 2012, the Board authorized the extension of this contract for the period July 1, 2012 to June 30, 2013; 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 2013-2014; 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, 2013 to June 30, 2014, 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 APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of April 3, 2013





## ITEM NO. 15

**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: On April 4, 2012, the Board authorized the extension of this contract for the period July 1, 2012 to June 30, 2013; 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 2013-2014; 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 herreby 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, 2013 to June 30, 2014, at a total cost not to exceed \$17,271.00. Expenses for this contract will be charged to account no. 00230106-442100.

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

Board Meeting of April 3, 2013

## ITEM NO. 16

**EXTENSION OF THE CONTRACT FOR ELEVATOR MAINTENANCE**

WHEREAS: On December 7, 2011, the Board of the Buffalo Sewer Authority awarded a contract to Otis Elevator Company, at a total cost for the initial term not to exceed the pro-rated amount of \$191,000.00 from the period beginning on the date of the signed agreement through June 30, 2013, with an option to renew for three (3) one-year periods through June 30, 2016; and

WHEREAS: Otis Elevator Company has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2013-2014; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$120,800.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Otis Elevator Company for Elevator Maintenance at a total cost not to exceed \$120,800.00 for the period July 1, 2013 to June 30, 2014. Expenses for this contract will be charged to account nos. 00380106-443421, 00520106-443421, and 00650106-443421.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of April 3, 2013

## ITEM NO. 17

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

WHEREAS: On July 18, 2012, the Board of the Buffalo Sewer Authority awarded a contract to 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, with an option to renew for three (3) one-year periods at a total cost not to exceed \$20,718.50; and

WHEREAS: Buffalo Industrial Chemicals, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2013-2014; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend this extension 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 renew the 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, 2013 to June 30, 2014, at a total cost not to exceed \$20,718.50. Expenses for this contract will be charged to account no. 00380105-467044.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of April 3, 2013

## ITEM NO. 18

**EXTENSION OF THE CONTRACT FOR PREVENTIVE MAINTENANCE AND REPAIRS OF OVERHEAD DOORS**

WHEREAS: On May 9, 2012, the Board of the Buffalo Sewer Authority awarded a contract to Hamburg Overhead Door, Inc., for the Preventive Maintenance and Repairs of Overhead Doors for a one-year period, July 1, 2012 through June 30, 2013, with an option to renew for three (3) one-year periods at a total cost not to exceed \$44,236.00; and

WHEREAS: Hamburg Overhead Door, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2013-2014; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend this extension at a total cost not to exceed \$44,236.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Hamburg Overhead Door, Inc., for the Preventive Maintenance and Repairs of Overhead Doors for a one-year period, July 1, 2013 through June 30, 2014, at a total annual estimated cost not to exceed \$44,236.00. Expenses for this contract will be charged to account nos. 00520106-443421 and 00650106-443421.

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

Board Meeting of April 3, 2013

## ITEM NO. 19

**EXTENSION OF THE CONTRACT FOR INDUCED DRAFT (ID) FAN INSPECTION, PREVENTIVE MAINTENANCE, AND REPAIR SERVICES**

WHEREAS: On October 13, 2010, the Board of the Buffalo Sewer Authority awarded a contract to Hohl Industrial Services, Inc., for induced draft (ID) fan inspection, preventive maintenance, and repair 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 \$25,955.00; and

WHEREAS: On April 4, 2012, the Board authorized the extension of this contract for the period July 1, 2012 to June 30, 2013; and

WHEREAS: Hohl Industrial Services, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2013-2014; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend this extension at a total cost not to exceed \$25,955.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Hohl Industrial Services, Inc., for induced draft (ID) fan inspection, preventive maintenance, and repair services for the period July 1, 2013 to June 30, 2014, at a total cost not to exceed \$25,955.00. Expenses for this contract will be charged to account no. 00380106-443421.

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

Board Meeting of April 3, 2013

## ITEM NO. 20

**EXTENSION OF THE CONTRACT FOR GAS BURNER SYSTEM INSPECTION,  
PREVENTIVE MAINTENANCE, AND CORRECTIVE REPAIR SERVICES**

WHEREAS: On April 4, 2012, the Board of the Buffalo Sewer Authority awarded a contract to Mollenberg-Betz, Inc., 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; and

WHEREAS: Mollenberg-Betz, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2013-2014; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend this extension at a total cost not to exceed \$38,035.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Mollenberg-Betz, Inc., 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, 2013 through June 30, 2014. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 4 NOES 0

Board Meeting of April 3, 2013

## ITEM NO. 21

**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: On April 4, 2012, the Board authorized the extension of this contract for the period July 1, 2012 to June 30, 2013; 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 2013-2014; 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, 2013 to June 30, 2014, 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 MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of April 3, 2013



## ITEM NO. 22

**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: On April 4, 2012, the Board authorized the extension of this contract for the period July 1, 2012 to June 30, 2013; 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 2013-2014; 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, 2013 to June 30, 2014, at a total cost not to exceed \$87,000.00. Expenses for this contract will be charged to account no. 00690106-442100.

MOTION TO	<u>APPROVE</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 April 3, 2013

## ITEM NO. 23

**AUTHORIZATION TO INCREASE BLANKET ORDER NO. 21300125 FOR ANALYTICAL SERVICES**

WHEREAS: On April 4, 2012, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with IsleChem, LLC, to provide analytical services for the period July 1, 2012 to June 30, 2013, up to a maximum amount of \$46,452.00; and

WHEREAS: Blanket Purchase Order No. 21300125 was established for this service for fiscal year 2012-2013; and

WHEREAS: The Industrial Waste Administrator and the Laboratory Director have a need for additional analytical services this fiscal year for low level mercury analyses, TCLP analyses for annual monitoring and whole effluent testing for this fiscal year, and request an increase in the amount of \$15,000.00 to Blanket Purchase Order No. 21300125, from \$46,452.00 to \$61,452.00; and

WHEREAS: The Treatment Plant Superintendent, Industrial Waste Administrator, Laboratory Director, and staff recommend this increase.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to increase Blanket Purchase Order No. 21300125 in the amount of \$15,000.00, from \$46,452.00 to \$61,452.00, for analytical services from IsleChem, LLC, for fiscal year 2012-2013. Funds for this change order will be charged to account no. 00550106-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of April 3, 2013



## ITEM NO. 25

**SUPPLEMENTAL AUTHORIZATION TO THREE (3) YEAR ENGINEERING SERVICES AGREEMENT WITH WENDEL COMPANIES**

WHEREAS: At the January 5, 2011, Board Meeting, the Board of the Buffalo Sewer Authority authorized retaining Wendel Companies, for a three (3) year Engineering Services Agreement for small to medium-sized capital projects; and

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

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

WHEREAS: The Principal Sanitary Engineer and Administrator of Capital Improvements & Development recommend increasing the amount of this agreement from \$100,000.00 to \$250,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves an increase of \$150,000.00, making the total cost not to exceed \$250,000.00, for the three (3) year Engineering Services Agreement between the Buffalo Sewer Authority and Wendel Companies. Account no. 02000290-432004 will be utilized for these services.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of April 3, 2013

## ITEM NO. 26

**REPORT ON BIDS RECEIVED - SWAN TRUNK IMPROVEMENTS SPP-35 MODIFICATIONS**

WHEREAS: Formal bids were advertised and solicited for the Swan Trunk Improvements SPP-35. The following bids were received and opened by the Buffalo Sewer Authority on February 27, 2013:

Kandey Company, Inc.	\$1,247,860.00
Milherst Construction, Inc.	\$1,255,416.05
Mark Cerrone, Inc.	\$1,283,660.00
Accadia Site Contracting, Inc.	\$1,656,150.00
E&R General Construction, Inc.	\$1,693,350.00

; and

WHEREAS: The proposals were received, and the contract will be awarded on the basis of unit bid and lump sum prices. The bids do not reflect the true amount of the contract; and

WHEREAS: The Authority's consultant, GHD Consulting Engineers, LLC has reviewed the proposals and recommend award of this contract to Kandey Company, Inc., at their low bid of \$1,247,860.00; and

WHEREAS: The Principal Sanitary Engineer concurs with the recommendation provided by GHD Consulting Engineers, LLC to award the contract to the lowest responsible bidder, Kandey Company, 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 Kandey Company, Inc., at a cost not to exceed \$1,247,860.00 for the Swan Trunk Improvements- SPP 35. Expenses for this contract will be charged to account no. 02000345-490740.

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

Board Meeting of April 3, 2013

ITEM NO. 27

**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 addition of the following position to the Job Classification Plan:

**One (1) Sewer Maintenance Supervisor I                    00670131 411001**

MOTION TO                                      APPROVE                  

MADE BY                                      MR. KENNEDY                  

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

AYES                              4              NOES                              0          

Board Meeting of April 3, 2013

## ITEM NO. 28

**CONFIRMATION OF APPOINTMENTS**

**LABORER I (PERMANENT)**  
SEWAGE TREATMENT PLANT  
\$16.72 PER HOUR  
EFFECTIVE: MARCH 4, 2013

MARCUS HARRIS  
56 B STREET  
BUFFALO, NY

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**CLERK (PERMANENT)**  
ADMINISTRATIVE OFFICES  
\$36,384 PER ANNUM  
EFFECTIVE: MARCH 4, 2013

DANIELLE CRONIN  
220 VILLA AVE.  
BUFFALO, NY

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**WASTEWATER TREATMENT PLANT OPERATOR II  
(PERMANENT)**  
**CHANGE OF STATUS ONLY**  
SEWAGE TREATMENT PLANT  
\$21.21 PER HOUR  
EFFECTIVE: MARCH 14, 2013

CHRISTOPHER BOGDAN  
715 DELAWARE AVE.  
BUFFALO, NY

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**WASTEWATER TREATMENT PLANT OPERATOR II  
(PERMANENT)**  
**CHANGE OF STATUS ONLY**  
SEWAGE TREATMENT PLANT  
\$21.21 PER HOUR  
EFFECTIVE: MARCH 14, 2013

AMEER LUCAS  
200 BAYNES ST.  
BUFFALO, NY

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**WASTEWATER TREATMENT PLANT OPERATOR II  
(PERMANENT)  
CHANGE OF STATUS ONLY  
SEWAGE TREATMENT PLANT  
\$21.88 PER HOUR  
EFFECTIVE: MARCH 14, 2013**

SEAN MORRISON  
32 EAGLEWOOD AVE.  
BUFFALO, NY

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**MILLWRIGHT (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$24.39 PER HOUR  
EFFECTIVE: MARCH 18, 2013**

RAFAEL RAMOS  
249 GROVE ST.  
TONAWANDA, NY

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**MILLWRIGHT HELPER (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$18.93 PER HOUR  
EFFECTIVE: MARCH 18, 2013**

GREGORY REUSCH  
361 O'KELL  
BUFFALO, NY

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**MILLWRIGHT HELPER (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$19.57 PER HOUR  
EFFECTIVE: MARCH 18, 2013**

DANIEL GILMOUR  
253 COMMONWEALTH  
BUFFALO, NY

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**MILLWRIGHT HELPER (PERMANENT)**  
SEWAGE TREATMENT PLANT  
\$19.57 PER HOUR  
EFFECTIVE: MARCH 18, 2013

SHAWN ESFORD  
16 SHENANDOAH  
BUFFALO, NY

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**MILLWRIGHT (PERMANENT)**  
SEWAGE TREATMENT PLANT  
\$21.02 PER HOUR  
EFFECTIVE: APRIL 8, 2013

ROBERT TOMANI  
649 MARILLA ST.  
BUFFALO, NY

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

WHEREAS: The General Manager requests confirmation of each appointment.

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

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

Board Meeting of April 3, 2013

## 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 employees have applied for Tuition Reimbursement:

<b><u>EMPLOYEE</u></b>	<b><u>SCHOOL</u></b>	<b><u>COURSE</u></b>	<b><u>TUITION%</u></b>	<b><u>REIMBURSEMENT TOTAL</u></b>
Thomas Caulfield	Walden University	PPPA-8391 - Transformational Change	90%	\$2,357.24
Alexander Emmerson	NY Rural Water Association	Process Measurement & Control	100%	\$33.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$ 2,390.24. These Reimbursements will be charged to account no. 00820102-421026.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of April 3, 2013

ITEM NO. 30

**ADJOURNMENT OF MEETING**MOTION TO APPROVEMADE BY MR. KENNEDY2<sup>ND</sup> BY MS. WILSON-DIVINCENZOAYES 4 NOES 0

Board Meeting of April 3, 2013