

MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
May 8, 2013

54254.....54294

BUFFALO SEWER AUTHORITY

May 8, 2013

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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ITEM NO. 2

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

April 26, 2013

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
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
			<u>\$500,001.00</u>			
CONSTRUCTION FUND						
08-Apr-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-July-12	Money Market		\$35,844,455.11	First Niagara	0.20%	Municipal Premium
			<u>\$35,844,456.11</u>			
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$1.01	Chase	0.20%	High Yield
31-July-12	Money Market		\$1,000,579.14	First Niagara	0.20%	Municipal Premium
			<u>\$1,000,580.15</u>			
OPERATING FUND						
08-Apr-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-July-12	Super NOW		\$4,486,805.14	First Niagara	0.20%	Municipal Premium
			<u>\$4,486,806.14</u>			
TRUST & AGENCY FUND						
06-May-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-Jul-12	Money Market		\$31,346.12	First Niagara	0.02%	Municipal Premium
			<u>\$31,347.12</u>			
SURPLUS FUND						
			\$238.10	Wilmington US Treasury		
27-Mar-13	28-Jun-13	93	\$5,999,294.72	M&T Securities	0.11%	\$1,705.28
			<u>\$5,999,532.82</u>			
NET REVENUE FUND						
			466.83	Wilmington US Treasury		
04-Mar-13	31-May-13	88	\$2,499,388.89	M&T Securities	0.10%	\$611.11
27-Mar-13	28-Jun-13	93	\$4,799,635.72	M&T Securities	0.11%	\$1,364.28
29-Apr-13	28-Jun-13	60	\$8,799,533.17	M&T Securities	0.10%	\$1,466.83
			<u>\$16,099,024.61</u>			

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 May 8, 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

3/25/2013	00110103 Administrative Utilities	-\$327.00	00200103 Plant Utilities	\$327.00
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Wastewater Treatment Plant

3/22/2013	00380103 Incinerator Utilities	-\$300.00	00410103 Blower Utilities	\$300.00
3/22/2013	00300103 Blower Utilities	-\$6,000.00	00410103 Blower Utilities	\$6,000.00
3/27/2013	00210105 RWWP Supplies	-\$1,405.00	00320105 Chemical Supplies	\$1,405.00
3/27/2013	00210105 RWWP Supplies	-\$275.00	00530105 Yard Supplies	\$275.00
3/27/2013	00210105 RWWP Supplies	-\$3,080.00	00200105 Plant Supplies	\$3,080.00
3/27/2013	00210105 RWWP Supplies	-\$3,535.00	00520105 Maintenance Supplies	\$3,535.00
4/4/2013	00200106 Grit Services	-\$2,450.00	00200106 Plant Services	\$2,450.00
4/9/2013	00210106 RWWP Services	-\$6,500.00	00200106 Grit Services	\$6,500.00
4/9/2013	00210105 RWWP Supplies	-\$730.00	00520105 Maintenance Supplies	\$730.00
4/10/2013	00210105 RWWP Supplies	-\$1,175.00	00520105 Maintenance Supplies	\$1,175.00
4/11/2013	00300105 Blower Supplies	-\$1,950.00	00200105 Plant Supplies	\$1,950.00
4/12/2013	00210105 RWWP Supplies	-\$3,555.00	00520105 Maintenance Supplies	\$3,555.00
4/17/2013	00300106 Blower Services	-\$4,000.00	00520106 Maintenance Services	\$4,000.00
4/17/2013	00210105 RWWP Supplies	-\$420.00	00320105 Chemical Supplies	\$420.00
4/23/2013	00210105 RWWP Supplies	-\$95.00	00490105 Niagara Supplies	\$95.00
4/23/2013	00300105 Blower Supplies	-\$41,343.45	00290105 Aeration Supplies	\$41,343.45
4/24/2013	00210105 RWWP Supplies	-\$270.00	00340105 Thickener Supplies	\$270.00
4/26/2013	00280106 SWWP Services	-\$3,438.00	00200106 Plant Services	\$3,438.00
4/26/2013	00210105 RWWP Supplies	-\$2,875.00	00240105 PSED Supplies	\$2,875.00
4/26/2013	00210105 RWWP Supplies	-\$4,300.00	00470105 Water Supplies	\$4,300.00

4/29/2013	00240106 PSED Services	-\$3,163.14	00520105 Maintenance Supplies	\$3,163.14
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Engineering Division

3/22/2013	00600107 Engineering Capital Outlay	-\$865.54	00600105 Engineering Supplies	\$865.54
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Sewer Maintenance Division

4/22/2013	00650106 Sewer Maintenance Services	-\$2.50	00200106 Plant Services	\$2.50
4/29/2013	00670105 Sewer Cleaning Supplies	-\$500.00	00690105 Auto Supplies	\$500.00

General Financial Charges

4/11/2013	00800108 Financial Charges	-\$5,000.00	00820102 Fringe Benefits	\$5,000.00
4/22/2013	00800183 Financial Contingency	-\$5,000.00	00110105 Administrative Supplies	\$5,000.00

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Board Meeting of May 8, 2013

ITEM NO. 4

INFORMATIVE: PUBLIC NOTICE - STORMWATER ANNUAL REPORT (APRIL 2012 - MARCH 2013)

New York State's MS4 SPDES Permit, Section 2e: Public Involvement/Participation requires that the Buffalo Sewer Authority present the draft annual report at a meeting that is open to the public, where the public attendees are able to ask questions about and make comments on the report.

The Buffalo Sewer Authority will have the Annual Stormwater Report at their City Hall Office, Room 1038, Buffalo, New York, from 9:00 a.m. to 12:00 p.m. on Friday, May 10, 2013.

The Stormwater Annual Report for April 2012 – March 2013 will be completed and submitted after the public review and comment period.

This item is presented to the Board for their information to be acknowledged and received and filed.

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Board Meeting of May 8, 2013

FINAL 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:

Residential Users		Non-Residential Users	
<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 (BOD₅) Total Suspended Solids (TSS) and Total Phosphate (TPO₄) 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 BOD₅

\$0.1895 Cost/lb. for treatment of TSS

\$0.0378 Cost/lb. for treatment of TPO₄

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

BOD₅ shall mean the average concentration of BOD₅ 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.

TPO₄ shall mean the average concentration of TPO₄ in sewage or waste discharged to the Authority facilities.

Surchargeable concentrations are as follows:

BOD₅ - Over 250 mg/L; TSS - Over 250 mg/L; TPO₄ - 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 ₅	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 \$0.046per 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 & 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. 7

TRAVEL AUTHORIZATION - SYRACUSE, NEW YORK

WHEREAS: The New York Water Environmental Association (NYWEA) is holding the 2013 Spring Technical Conference and Exhibition in Syracuse, New York from June 3 – 5, 2013; and

WHEREAS: The General Manager recommends attendance at this conference for himself, the Principal Sanitary Engineer, the Treatment Plant Superintendent, and the Treatment Plant Administrator; and

WHEREAS: Buffalo Sewer Employee attendees are on various state committees that hold their semi-annual meeting at this conference. Also, this conference provides an important opportunity to share issues and ideas with other wastewater professionals across the state.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager, Principal Sanitary Engineer, Treatment Plant Superintendent, and the Treatment Plant Administrator to attend the NYWEA Spring Technical Conference and Exhibition in Syracuse, New York from June 3 – June 5, 2013, at a total cost not to exceed \$3,000.00. Account nos. 00110104-458012, 00110104-458010, 00200104-458012, 00200104-455010, 00600104-458010, and 00600104-458012 will be charged for this travel.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 8, 2013

ITEM NO. 8

CONTRACT APPROVAL FOR PROPERTY AND CRIME INSURANCE

WHEREAS: The Buffalo Sewer Authority currently receives property insurance coverage through Affiliated FM, and crime insurance coverage through Fidelity & Deposit (Zurich); and

WHEREAS: Affiliated FM has proposed a renewal extension to the Buffalo Sewer Authority for property insurance coverage for the period April 15, 2013 through April 15, 2014, at a cost not to exceed \$ 182,500.00. This represents an increase of 2.3% from last year's policy; and

WHEREAS: Fidelity & Deposit (Zurich) has proposed a renewal extension to the Buffalo Sewer Authority for crime insurance coverage for the period April 15, 2013 through April 15, 2014 at a cost not to exceed \$2,564.00. The insurer is not seeking an increase for this year's policy; and

WHEREAS: Aldrich & Cox, Inc., the Insurance Consultants for the Buffalo Sewer Authority, has carefully reviewed the proposals and recommend acceptance of these proposals.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves property insurance coverage with Affiliated FM at a cost not to exceed \$ 182,500.00, and crime insurance coverage with Fidelity & Deposit (Zurich) at a cost not to exceed \$2,564.00, effective April 15, 2013, for a one-year period, at a total cost not to exceed \$185,064.00. These costs will be charged to accounts 00200108-452000 and 00650108-452000 on a pro rata basis.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 8, 2013

ITEM NO. 9

CHANGE ORDER NO. 2 - CONTRACT NO. 81300005

CONTRACTOR:	ORIGINAL CONTRACT COST	\$200,000.00
Quackenbush Company, Inc.	PREVIOUS CHANGE ORDER	125,000.00
495 Kennedy Road	THIS CHANGE ORDER	275,000.00
Buffalo, New York 14227	ADJUSTED CONTRACT COST	\$600,000.00

WORK: East trash rack repair, sand filter installation, HHW in chemical handling

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Various tasks needed to maintain operations at the Treatment Plant including heating HW in chemical handling. Repair work on the east trash rack and sand filter installation.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Tasks required before end of this fiscal year

COST OF CHANGE OR EXTRA WORK:

Item #1 \$275,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$275,000.00

The total INCREASE to the contract as a result of this Change Order is \$275,000.00

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.

ITEM NO. 11

REPORT ON BIDS RECEIVED - DISSLOVED AIR FLOATATION (DAF) TOP COLLECTOR PROJECT AT THE BIRD ISLAND WASTEWATER TREATMENT FACILITY

WHEREAS: Formal bids were advertised and solicited for DAF Top Collector Project at the Bird Island Wastewater Treatment Facility. The following bids were received and opened by the Buffalo Sewer Authority on April 30, 2013:

John W. Danforth Company	\$ 889,400.00
Quakenbush Company, Inc.	\$ 909,000.00
STC Construction, Inc.	\$ 989,000.00
Hohl Industrial Services, Inc.	\$ 1,023,000.00
Mollenberg-Betz, Inc.	\$ 1,079,000.00

; and

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

WHEREAS: The Buffalo Sewer Authority's Consulting Engineer for this project, Greenman-Pedersen, Inc., and staff reviewed the bids and recommend awarding the contract to the lowest bidder, John W. Danforth Company, at a cost not to exceed \$ 889,400.00.

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 Company, at cost not to exceed \$ 889,400.00. Expenses for this contract will be charge to account no. 00200346-490740.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 8, 2013

ITEM NO. 12

REPORT ON BIDS RECEIVED - WASTE HAULING SERVICES

WHEREAS: Formal bids were advertised and solicited for Various Waste Hauling Services including the Removal and Disposal of: Aeration System Grit, Sewage Screenings, and Trash for a one-year period, July 1, 2013 through June 30, 2014, with an option to renew for four (4) one-year periods; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on April 23, 2013:

AERATION GRIT	PRICE PER TON (Approx. 300 tons)	WAIT CHARGES (per 15 minutes)	NO LOAD FEE	TOTAL ANNUAL COST (based on est. quantity)
Republic Services dba Allied Waste Niagara Falls Landfill,	\$58.99	\$17.50	\$170.00	\$17,697.00
Modern Disposal Services,	\$61.50	\$15.00 (per 15 minutes)	\$85.00 (per trip)	\$18,450.00
Southtowns Disposal & Services	Did not respond.			
Casella Waste Services of Ontario, LLC	Did not respond.			

: and

SEWAGE SCREENINGS	PRICE PER TON (Approx. 550 tons)	WAIT CHARGES (per 15 minutes)	NO LOAD FEE	TOTAL ANNUAL COST (based on est. quantity)
Republic Services dba Allied Waste Niagara Falls Landfill,	\$46.47	\$17.50	\$170.00	\$25,558.50
Modern Disposal Services,	\$60.77	\$15.00 (per 15 minutes)	\$85.00 (per trip)	\$33,423.50
Southtowns Disposal & Services	Did not respond.			
Casella Waste Services of Ontario, LLC	Did not respond.			

; and

ITEM NO. 13

AUTHORIZATION FOR PURCHASE OF REPLACEMENT PARTS FOR CLARIFIERS 1A AND 1B

- WHEREAS: On November 7, 2012, the Board of the Buffalo Sewer Authority designated Siemens Industry, Inc., the original equipment manufacturer, and/or their authorized local service representative as a sole source for replacement parts, supplies, and services for US Filter/Envirex, Link-Belt and FMC Corporation brand equipment including sludge thickeners and final clarifier sludge withdrawal equipment installed at the BSA facilities; and
- WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for restock parts for Final Clarifiers 1A and 1B; and
- WHEREAS: Upon request G.P. Jager and Associates, Inc., the authorized local representative, submitted a quote in the amount of \$46,706.10 for the needed restock parts; and
- WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff reviewed the quote received and recommend this purchase; and
- WHEREAS: Purchases from G.P. Jager and Associates, Inc., for fiscal year 2012-2013 total \$23,822.50; and
- WHEREAS: This purchase will bring the total monies payable to G.P. Jager and Associates, Inc., for fiscal year 2012-2013 to \$70,528.60; and
- WHEREAS: Board approval is required on purchases over \$20,000.00.

ITEM NO. 15

AUTHORIZATION TO PURCHASE FORD 2013 F-250 UNDER STATE CONTRACT

WHEREAS: In 2006-2007 the Buffalo Sewer Authority implemented a vehicle replacement plan in order to update its current fleet and budget responsibly; and

WHEREAS: As part of this plan, the Director of Sewer Maintenance and Head Motor Equipment Mechanic request approval to purchase the following vehicle, with additional options, available under State Contract to add to the existing fleet:

State Contract	Vendor	Vehicle	Cost
PC65855 Group no. 40451 Award No. 22539	Van Bortel Ford	One (1) 2013 Ford F-250 XL Super Cab 4WD 8.0' Box:	\$22,936.88
		Warner Bodies Pro Model P98-M-SW-F, Construction- Steel:	\$11,074.38
		Various options for chassis Totaling:	\$ 5,123.95
		Total Vehicle Cost	\$39,135.21

; and

WHEREAS: The Director of Sewer Maintenance and the Head Motor Equipment Mechanic recommend the purchase of the above vehicle at the total cost of \$39,135.21.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the above vehicle and additional options indicated from Van Bortel Ford, at a total cost of \$39,135.21. This purchase will be charged to account no. 00690107-474200.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 8, 2013

ITEM NO. 16

AUTHORIZATION TO PURCHASE VEHICLE UNDER THE CHAUTAUQUA COUNTY BID NO. 2012

WHEREAS: In 2006-2007 the Buffalo Sewer Authority implemented a vehicle replacement plan in order to update its current fleet and budget responsibly; and

WHEREAS: As part of this plan, the Director of Sewer Maintenance and Head Motor Equipment Mechanic request approval to purchase the following vehicle, with additional options, available under Chautauqua County Contract to add to the existing fleet:

County Contract	Vendor	Vehicle	Cost
Bid No. 2012 Group no. 6 Item 2 Veh 2	Van Bortel Ford	One (1) 2013 Ford F-450 XL Super Cab 4WD DRW 186" WB 84"CA:	\$33,392.25
		6.7L Powerstroke Diesel V-8 Engine:	\$ 6,849.00
		9 FT Steel Gallon Dump body Model#130U-9-108x84:	\$12,650.00
		Various options for chassis Totaling:	\$ 1,562.55
		Delivery Charge:	\$ 110.00
		Total Vehicle Cost	\$54,563.80

; and

WHEREAS: The Director of Sewer Maintenance and the Head Motor Equipment Mechanic recommend the purchase of the above vehicle at the total cost of \$54,563.80.

ITEM NO. 18

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) Wastewater Treatment Plant Operator II	
(w/license)	00290161 411001
One (1) Laborer II	00530161 411001

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. WILSON-DIVINCENZO

AYES 3 NOES 0

Board Meeting of May 8, 2013

ITEM NO. 19

CONFIRMATION OF APPOINTMENTS

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$17.62 PER HOUR
EFFECTIVE: APRIL 8, 2013

KENNETH BROWN
89 WILLIAM PRICE PKWY.
BUFFALO, NY

LABORER I (PERMANENT)
SEWER MAINTENANCE DEPT.
\$16.72 PER HOUR
EFFECTIVE: APRIL 15, 2013

WAYNE HOWARD
115 MARIEMONT
BUFFALO, NY

PRINCIPAL CLERK (PERMANENT)
SEWAGE TREATMENT PLANT
\$54,744 PER ANNUM
EFFECTIVE: APRIL 22, 2013

PAULETTE LEE
40 McCARTHY DRIVE
BUFFALO, NY

MILLWRIGHT (PERMANENT)
SEWAGE TREATMENT PLANT
\$21.02 PER HOUR
EFFECTIVE: APRIL 22, 2013

MICHAEL SKINNER
16 CRYSTAL AVE.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$16.72 PER HOUR
EFFECTIVE: APRIL 22, 2013

RONALD CHRISTOPHER II
250 LINWOOD AVE.
BUFFALO, NY

EQUIPMENT OPERATOR (SEWER AUTHORITY) [PROVISIONAL]
SEWER MAINTENANCE DEPT.
\$21.88 PER HOUR
EFFECTIVE: APRIL 22, 2013

LANCE PARKER, JR.
56 JOHNSON ST.
BUFFALO, NY

MAINTENANCE ASSISTANT (SEWER CLEANING)
[PROVISIONAL]
SEWER MAINTENANCE DEPT.
\$19.92 PER HOUR
EFFECTIVE: APRIL 22, 2013

DESMOND LAWS
308 TAUNTON PLACE
BUFFALO, NY

LABORER I (TEMPORARY)
SEWAGE TREATMENT PLANT
\$16.72 PER HOUR
EFFECTIVE: APRIL 29, 2013

JASON AUSTIN
8 WINCHESTER
BUFFALO, NY

MAINTENANCE ASSISTANT (SEWER CLEANING)
[PROVISIONAL]
SEWER MAINTENANCE DEPT.
\$19.37 PER HOUR
EFFECTIVE: APRIL 29, 2013

CONOR MORRISON
88 CUSHING
BUFFALO, NY

WASTEWATER TREATMENT PLANT OPERATOR II
(PROVISIONAL)
SEWAGE TREATMENT PLANT
\$19.84 PER HOUR
EFFECTIVE: APRIL 29, 2013

DANIEL O'SULLIVAN
163 HARDING RD.
BUFFALO, NY

WASTEWATER TREATMENT PLANT OPERATOR II
(PROVISIONAL)
SEWAGE TREATMENT PLANT
\$19.84 PER HOUR
EFFECTIVE: APRIL 29, 2013

PETER CICERO
427 COLVIN
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. 20

REQUEST FOR LEAVE OF ABSENCE

WHEREAS: Kevin O'Connor, a permanent Electrician, has requested an unpaid personal leave of absence beginning April 29, 2013, for a period of six (6) months to pursue an employment opportunity with the City of Buffalo Department of Permits and Inspections; and

WHEREAS: The General Manager has reviewed this request and recommends approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Kevin O'Connor a personal leave of absence without pay beginning April 29, 2013, and extending until October 29, 2013.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 8, 2013

ITEM NO. 21

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>
Thomas E. Caulfield	Walden University	Residency 3 for Public Administration	90%	\$981.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$981.00 This Reimbursement will be charged to account no. 00820102-421026.

MOTION TO APPROVE
 MADE BY MR. ROOSEVELT
 2ND BY MS. WILSON-DIVINCENZO
 AYES 3 NOES 0

Board Meeting of May 8, 2013

ITEM NO. 22

ADJOURNMENT OF MEETINGMOTION TO APPROVEMADE BY MS. WILSON-DIVINCENZO2ND BY MR. ROOSEVELTAYES 3 NOES 0

Board Meeting of May 8, 2013