

**MINUTES OF THE REGULAR MEETING**

**OF THE**

**BUFFALO SEWER AUTHORITY**

**July 17, 2013**



**BUFFALO SEWER AUTHORITY**

**July 17, 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>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor Wilson-DiVincenzo</u>	<u>Secretary</u>
	<u>David Comerford</u>	<u>General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Scott Steinwald</u>	<u>Intergovernmental Coordinator</u>
	<u>Oluwole McFoy, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Michael Letina</u>	<u>Treatment Plant Superintendent</u>
	<u>Thomas Caulfield</u>	<u>Administrator of Capital</u>
	<u>Yusef Myrick</u>	<u>Improvements &amp; Development</u>
	<u>Laura Surdej</u>	<u>Superintendent of Mechanical</u>
		<u>Maintenance</u>
		<u>Erie Co. Dept. of Sewerage</u>
Absent:	<u>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>

The meeting was called to order at 9:10 A.M. A quorum was present.

## ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 1, 2013

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 <sup>ND</sup> BY	<u>MS. WILSON-DIVINCENZO</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of July 17, 2013

## ITEM NO. 2

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

**June 30, 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		\$500,057.54	First Niagara	0.15%	Municipal Premium
			<b>\$500,058.54</b>			
<b>CONSTRUCTION FUND</b>						
08-Apr-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-July-12	Money Market		\$39,867,494.31	First Niagara	0.20%	Municipal Premium
			<b>\$39,867,495.31</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		\$1,001,078.18	First Niagara	0.20%	Municipal Premium
			<b>\$1,001,079.19</b>			
<b>OPERATING FUND</b>						
08-Apr-02	Money Market		\$1.01	Chase	0.20%	High Yield
31-July-12	Super NOW		\$6,883,472.57	First Niagara	0.20%	Municipal Premium
			<b>\$6,883,473.58</b>			
<b>TRUST &amp; AGENCY FUND</b>						
06-May-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-Jul-12	Money Market		\$31,874.11	First Niagara	0.02%	Municipal Premium
			<b>\$31,875.11</b>			
<b>SURPLUS FUND</b>						
			\$183.09	Wilmington US Treasury		
28-Jun-13	26-Sep-13	90	\$5,999,349.73	M&T Securities	0.11%	\$1,650.27
			<b>\$5,999,532.82</b>			
<b>NET REVENUE FUND</b>						
			\$452,208.24	Wilmington US Treasury		
28-Jun-13	29-Jul-13	31	\$2,347,161.20	JPMorgan Chase	0.10%	\$202.12
28-Jun-13	28-Aug-13	61	\$5,000,000.00	JPMorgan Chase	0.10%	\$847.22
28-Jun-13	26-Sep-13	90	\$7,999,799.45	M&T Securities	0.11%	\$2,200.55
			<b>\$15,799,168.89</b>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>DEBT RESERVE FUND</b>						
<b>Series F</b>						
			\$1,123,892.31	Wilmington US Treasury		
15-May-13	15-May-14	365	\$245,000.00	FDIC Brokered CD	0.25%	
			<u>\$1,368,892.31</u>			
<b>Series I</b>						
01-Aug-08	06-Sep-13	1862	\$8,240,877.50	FHLB	4.00%	
<b>Series J</b>						
04-Mar-04	15-Nov-33	10848	\$774,061.00	SLG	3.82%	
<b>Series K</b>						
22-Jul-04	15-Feb-33	10435	\$498,654.00	SLG	4.63%	
<b>Series L</b>						
27-Jul-06	01-Oct-35	10658	\$952,666.00	SLG	4.52%	
<b>Series N</b>						
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	SLG	2.42%	

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Board Meeting of July 17, 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.

**Wastewater Treatment Plant**

6/5/2013	00210105 RWWP Supplies	-\$6,400.00	00380105 Incinerator Supplies	\$6,400.00
6/6/2013	00210105 RWWP Supplies	-\$4,941.00	00520105 Maintenance Supplies	\$4,941.00
6/6/2013	00300103 Blower Utilities	-\$250.00	00490103 Niagara Utilities	\$250.00
6/6/2013	00380103 Incinerator Utilities	-\$100.00	00400103 South Utilities	\$100.00
6/10/2013	00380106 Incinerator Services	-\$6,000.00	00230106 Grit Services	\$6,000.00
6/11/2013	00520105 Maintenance Supplies	-\$1,500.00	00200105 Plant Supplies	\$1,500.00
6/12/2013	00360105 Dewater Supplies	-\$25,000.00	00340105 Thickener Services	\$25,000.00
6/13/2013	00360105 Dewater Supplies	-\$80.00	00530105 Yard Supplies	\$80.00
6/14/2013	00530105 Yard Supplies	-\$35.00	00200105 Plant Supplies	\$35.00

**Sewer Maintenance Division**

6/11/2013	00690106 Auto Services	-\$10,000.00	00550106 IWS Services	\$10,000.00
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Board Meeting of July 17, 2013



## ITEM NO. 4

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

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

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

Fund Balance as of June 30, 2012	\$1,000,816.82
Interest Earnings	1,999.97
Transfer from Operating Fund	0
Less: Claims Paid	<u>\$1,737.60</u>
Fund Balance as of June 30, 2013	<u>\$1,001,079.19</u>

During the period of July 1, 2012 – June 30, 2013, the B.S.A. settled 1 (one) claim. Sixteen (16) claims were denied. One (1) claim resulted in a cash payment from the B.S.A. totaling \$1,737.60. One (1) claim is pending.

**Total Active Claims Pending**

Bodily Injury	0
Property Damage	1
Auto B.I. & P.D	0
Other Liability	<u>0</u>
Total	1

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Board Meeting of July 17, 2013

## ITEM NO. 5

**INFORMATIVE: REPORT ON THE CONDITION OF THE CAPITAL IMPROVEMENT FUND**

Balance July, 2012 (Temporary Investments & Cash)	\$500,099.18	
Interest on Investments	748.53	
Transfers from Operating Fund	0	
Transfers to Operating Fund	(789.17)	
		500,058.54
Less: Expenditures	0	
Encumbrances	0	0
<b>Unallocated Funds as of June 30, 2013</b>		<b><u>\$500,058.54</u></b>
<b>Expenditures:</b>	_____	
<b>Total Expenditures</b>		<b><u>0</u></b>
<b>Encumbrances:</b>	_____	
<b>Total Encumbrances</b>		<b><u>0</u></b>

**RECEIVE & FILE**

Board Meeting of July 17, 2013

## ITEM NO. 6

**PAYMENT FROM JUDGMENT AND CLAIMS**

WHEREAS: Board approval is required for charges made against the Buffalo Sewer Authority's current budget for services and/or materials received during a prior fiscal year; and

WHEREAS: The following services were received during a prior fiscal year and charged to the 2013-2014 budget account no. 00800108-480214:

<b>VENDOR</b>	<b>AMOUNT</b>
Toshiba Business Solutions, USA	\$ 2,391.08
Damon Morey, LLP	\$ 1,722.00

; and

WHEREAS: The General Manager and staff recommend the above payment from the Judgment and Claims account.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above payments from the Judgment and Claims account.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 3 NOES 0

Board Meeting of July 17, 2013

## ITEM NO. 7

**AUTHORIZATION TO AMEND BOARD ITEM NO. 8 OF THE BOARD MEETING OF JUNE 12, 2013, FOR THE CONTRACT APPROVAL - AUDIT AND ACCOUNTING SERVICES**

WHEREAS: On June 12, 2013, the Board of the Buffalo Sewer Authority authorized the Chairman of the Audit Committee to enter into an agreement with Drescher & Malecki, LLP, Certified Public Accountants, to perform the required auditing services of the Authority's affairs and to compile a cost allocation schedule for fiscal year ending June 30, 2013; and

WHEREAS: The cost approved for the accounting and auditing services was \$45,500.00, which represents no increase over last year's fee; and

WHEREAS: The cost approved for preparation of the cost allocation schedule was \$4,500.00; and

WHEREAS: The cost approved for the preparation of the cost allocation schedule should have been \$5,000.00, which represents a \$500.00 increase over last year's fee.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby amends Resolution No. 8 of the Meeting of June 13, 2013, to read as follows: "That the Board of the Buffalo Sewer Authority hereby approves and authorizes the Chairman of the Audit Committee to enter into an agreement with Drescher & Malecki, LLP, Certified Public Accountants, to perform the required auditing services of the Authority's affairs and to compile a cost allocation schedule for fiscal year ending June 30, 2013. Expenses for performing the required financial audit, up to a maximum of **\$45,500.00**, will be charged to account no. 00110106-432001. Expenses for the cost allocation schedule, up to a maximum of **\$5,000.00**, will be charged to account no. 00550106-432001."

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MS. WILSON-DIVINCENZO</u>		
2 <sup>ND</sup> BY	<u>MR. ROOSEVELT</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of July 17, 2013

## ITEM NO. 8

**NYS PREFERRED SOURCE - JANITORIAL SERVICES CONTRACT RENEWAL**

WHEREAS: New York State Industries for the Disabled (NYSID) is a not-for-profit corporation appointed by the New York State Department of Education to secure and administer contracts on behalf of community rehabilitation agencies. NYSID is a New York State preferred source under Section 162 of the State Finance Law. This preferred source status authorizes state and local governments to utilize and purchase NYSID products and services without competitive bidding; and

WHEREAS: The Buffalo Sewer Authority utilized a contract with NYSID through their member agency, Phoenix Frontier, Inc., during the period July 1, 2012 to June 30, 2013, to perform janitorial services at the Buffalo Sewer Authority facilities; and

WHEREAS: Phoenix Frontier, Inc., has performed these services in a satisfactory manner; and

WHEREAS: The General Manager, Treatment Plant Superintendent, and staff recommend renewal of this contract for janitorial services for fiscal year 2013-2014.

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 renewal with NYSID through its member agency, Phoenix Frontier, Inc., to perform janitorial services at the Buffalo Sewer Authority facilities for a one-year period from July 1, 2013 to June 30, 2014, at a total cost not to exceed \$74,900.79. Expenses for this contract will be charged to account nos. 00110106-434000, 00200106-434000, and 00650106-434000.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 <sup>ND</sup> BY	<u>MS. WILSON-DIVINCENZO</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of July 17, 2013

## ITEM NO. 9

**REPORT ON BIDS RECEIVED - ELECTRICAL POWER SUPPLY**

WHEREAS: The contract with GDF Suez Energy Resources, NA, Inc., for electrical power supply to the Treatment Plant and outlying stations expired on June 30, 2013; and

WHEREAS: Informal bids were solicited and opened on June 5, 2013, by United Energy, the Authority's energy consultant, for electrical power supply to the Treatment Plant and outlying stations for various terms commencing on July 1, 2013:

<b>Term</b>	<b>Bidder</b>	<b>Price per kWh</b>
One year	GDF Suez Energy Resources, NA, Inc.	\$0.04956
	Integrys Energy	\$0.05087
	Energy Cooperative of America *SC3A price only; Others prices were higher	\$0.04994*

Two year	GDF Suez Energy Resources, NA, Inc.	\$0.04912
	Integrys Energy	\$0.05022
	Energy Cooperative of America	No Bid

Alternative price	GDF Suez Energy Resources, NA, Inc. (Three year)	\$0.04953
	Integrys Energy (One year; 10% green)(*added price for green option)	\$0.000114*
	Energy Cooperative of America	No Bid

; and

WHEREAS: The bid prices include energy only. There are additional charges for transmission and distribution as regulated by NYS Public Service Commission; and

WHEREAS: United Energy recommends awarding a two-year contract for electrical power for the Treatment Plant and outlying stations to GDF Suez Energy Resources, NA, Inc., for a unit rate of \$0.04912/kWh; and

WHEREAS: The General Manager and his committee concur with the recommendation from United Energy to award a two-year contract period commencing July 1, 2013 through June 30, 2015 for electrical power for the Treatment Plant and outlying stations to GDF Suez Energy Resources, NA, Inc.; and

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 for a two-year period commencing July 1, 2013 through June 30, 2015, with GDF Suez Energy Resources, NA, Inc., to supply electrical power to the Treatment Plant and outlying stations as outline in their bid proposal.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 3 NOES 0

Board Meeting of July 17, 2013

## ITEM NO. 10

**AUTHORIZATION TO PURCHASE VARIOUS LABORATORY SUPPLIES AND EQUIPMENT UNDER NEW YORK STATE CONTRACT GROUP NO. 12000, AWARD NO. 21132 FOR FISCAL YEAR 2013-2014**

WHEREAS: New York State Contract Group No. 12000, Award No. 21132 is for laboratory supplies and equipment with individual contract awards to twelve vendors including VWR Scientific; and

WHEREAS: The Buffalo Sewer Authority's Laboratory utilizes this New York State Contract pricing to purchase various laboratory supplies from VWR Scientific. Other Authority departments also utilize this NYS Contract for various laboratory supplies and equipment purchases; and

WHEREAS: Based upon historical purchases the Treatment Plant Superintendent and staff recommend approval for purchases anticipated for fiscal year 2013-2014 in an amount not to exceed \$50,000.00 total commodities purchased under this contract; and

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

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize New York State Contract Group No. 12000, Award No. 21132 pricing, when applicable, to purchase commodities for the period July 1, 2013 to June 30, 2014, at a total cost not to exceed \$50,000.00. Expenses for these purchases will be charged to the appropriate accounts.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 3 NOES 0

Board Meeting of July 17, 2013



## ITEM NO. 11

**AUTHORIZATION TO PURCHASE PARTS FOR THE REHABILITATION OF  
INCINERATOR NO. 2**

WHEREAS: On November 7, 2012, the Board of the Buffalo Sewer Authority designated BSP Thermal Systems, Inc., the original equipment manufacturer, and/or their authorized local representative as a sole source for replacement parts, supplies, and service for the BSP 22 -3 O.D. x 12 hearth sludge incinerators located at the Wastewater Treatment Plant; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for parts for Incinerator No. 2; and

WHEREAS: A quote was requested and received from BSP Thermal Systems, Inc., in the amount of \$185,234.00, for this rehabilitation including lute caps and rabble arms; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the purchase of the needed parts; and

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

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the necessary parts for the rehabilitation of Incinerator No. 2 from BSP Thermal Systems, Inc., for a total cost of \$185,234.00, including freight charges. These parts will be charged to account no. 00380105-466107.

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

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

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

AYES \_\_\_\_\_ 3 \_\_\_\_\_ NOES \_\_\_\_\_ 0 \_\_\_\_\_

Board Meeting of July 17, 2013

## ITEM NO. 12

**AUTHORIZATION TO PURCHASE ONE NEW AND UNUSED BLACKMER SYSTEM ONE VORTEX CENTRIFUGAL PUMP**

WHEREAS: On November 7, 2012, the Board of the Buffalo Sewer Authority designated Blackmer Pump Company, the original equipment manufacturer, and/or their authorized local representative, as a sole source for Blackmer brand pumps located at the Treatment Plant; and

WHEREAS: The Blackmer existing Primary Sedimentation Pump is in need of service; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined that with new technology, it is more cost-effective to replace this pump;

WHEREAS: Upon request, Corrosion Products and Equipment, Inc., the authorized local representative, submitted a quote for the new replacement pump assembly, Blackmer Vortex System One; WE/SCB 4 X 4-12 frame 150#, wet end full CD4MCU, impeller rim to 8.125 inches; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the purchase of the new replacement Blackmer System One Vortex Centrifugal Pump for a total cost of \$28,748.00; and

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

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed replacement pump assembly, Blackmer Vortex System One; WE/SCB 4 X 4-12 frame 150# at a total cost of \$28,748.00, including freight, from Corrosion Products and Equipment, Inc. This purchase will be charged to account no. 00240107-474080.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 <sup>ND</sup> BY	<u>MS. WILSON-DIVINCENZO</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of July 17, 2013

## ITEM NO.13

**CONFIRMATION OF APPOINTMENTS**

**SENIOR CLERK (PROVISIONAL)**  
ENGINEERING DEPARTMENT  
\$41,604 PER ANNUM  
EFFECTIVE: JUNE 17, 2013

DANIELLE CRONIN  
220 VILLA AVE.  
BUFFALO, NY

---

**CLERK (TEMPORARY)**  
ADMINISTRATIVE OFFICES  
\$34,977 PER ANNUM  
EFFECTIVE: JULY 1, 2013

TIFFANY FERGUSON  
44 BEITER WALK  
BUFFALO, NY

---

**LABOR SUPERVISOR I (PROVISIONAL)**  
SEWAGE TREATMENT PLANT  
\$51,424 PER ANNUM  
EFFECTIVE: JULY 8, 2013

THOMAS LOTEMPIO  
277 PARAMOUNT PKWY.  
TONAWANDA, 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                                  3                                  NOES                                  0                                 

Board Meeting of July 17, 2013

ITEM NO. 14

**TUITION ASSISTANCE**

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 Assistance:

<b><u>EMPLOYEE</u></b>	<b><u>SCHOOL</u></b>	<b><u>COURSE</u></b>	<b><u>SEMESTER</u></b>	<b><u>TUITION</u></b>
Yusef Myrick	Kansas University Continuing Education	Introduction to Maintenance Management	Sept. 10, 2013 - Oct. 15, 2013	\$1,000.00

WHEREAS: No Funds will be expended at this time.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Assistance.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 3 NOES 0

Board Meeting of July 17, 2013

## ITEM NO. 15

**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>
Perry LaMarr Pope	Erie Community College	Computer Applications in Business	50%	\$475.75
Perry LaMarr Pope	Erie Community College	Marketing I	50%	\$475.75
George Giambrone	NYWEA	Beaver Island Breakout	100%	15.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$966.50. This Reimbursement will be charged to account no. 00820102-421026.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 3 NOES 0

Board Meeting of July 17, 2013

## ITEM NO. 16

**ADJOURNMENT OF MEETING**MOTION TO                     APPROVE                    MADE BY                     MR. ROOSEVELT                    2<sup>ND</sup> BY                     MS. WILSON-DIVINCENZO                    AYES                     3                     NOES                     0                    

Board Meeting of July 17, 2013