

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
October 8, 2014**

54894.....54915

BUFFALO SEWER AUTHORITY

October 8, 2014

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

<u>ITEM NO.</u>	<u>CONTENTS</u>	<u>PAGE NO.</u>
	Roll Call	
1	Motion to Adopt the Minutes of September 24, 2014	54894
2	Temporary Investments (Certificates of Deposit and Treasury Bills)	54895-96
3	Change Order No. 4 – Contract No. 81300012	54897-98
4	Certificate of Acceptance and Occupancy – Contract No. 81300012	54899
5	Change Order No. 1 – Contract No. 81400003	54900-901
6	Authorization to Amend Contract with ARCADIS for Low-Pressure Blower Aeration Study	54902
7	Authorization to Enter into an Engineering Services Agreement with ARCADIS	54903
8	Report on Bids Received – Purchase of Mast Boom Lift	54904-05
9	Amend Board Resolution No. 15 of the Board Meeting of July 23, 2014	54906
10	Change Order No. 1 – Contract No. 81300018	54907-08
11	Certificate of Acceptance and Occupancy – Contract No. 81300018	54909
12	Amendment to Schedule of Job Classification Plan	54910
13	Amend C.S.E.A. Salary Schedule (Exempt) XIVB M22	54911
14	Confirmation of Appointments	54912-13
15	Tuition Reimbursement	54914
16	Adjournment	54915

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>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Oluwole A. McFoy, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Rosaleen Nogle, P.E.</u>	<u>Associate Engineer</u>
	<u>Michael Letina</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Thomas Caulfield</u>	<u>Administrator of Capital Assets & Development</u>
	<u>Yusef Myrick</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Julie Barrett-O'Neill, Esq.</u>	<u>Consultant</u>
Absent:	<u>none</u>	<u></u>

The meeting was called to order at 9:00 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of September 24, 2014

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

Board Meeting of October 8, 2014

ITEM NO. 2

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

September 30, 2014

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-July-12	Money Market		\$41,309,162.19	First Niagara	0.15%	Municipal Premium
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		\$1,097,377.82	First Niagara	0.15%	Municipal Premium
OPERATING FUND						
31-July-12	Super NOW		\$3,722,250.90	First Niagara	0.10%	Municipal Premium
TRUST & AGENCY FUND						
31-Jul-12	Money Market		\$33,989.31	First Niagara	0.02%	Municipal Premium
SURPLUS FUND						
			\$533.07	Wilmington Fund		
28-Aug-14	26-Nov-14	90	\$7,998,999.75	M&T Securities	0.10%	\$2,000.25
			<u>\$7,999,532.82</u>			
NET REVENUE FUND						
20-Aug-14	27-Oct-14	68	\$11,999,186.52	M&T Securities	0.08%	\$1,813.48
08-Sep-14	08-Dec-14	91	\$6,499,356.69	M&T Securities	0.10%	\$1,643.31
30-Sep-14	30-Dec-14	91	\$7,000,584.04	M&T Securities	0.08%	\$1,415.96
18-Jul-14	14-Jan-15	180	\$6,999,993.00	M&T Securities	0.20%	\$7,007.00
			<u>\$32,499,120.25</u>			

DEBT RESERVE FUND

Series J					
02-Jul-14	15-Nov-33	7076	\$515,879.00	SLG	2.70%
Series K					
02-Jul-14	15-Feb-33	6803	\$361,415.00	SLG	2.70%
Series L					
27-Jul-06	01-Oct-35	10658	\$952,666.00	SLG	4.52%
Series M Construction					
			\$317,870.30	Wilmington Fund	
Series M					
27-Jun-14	01-May-44	10901	\$595,613.00	SLG	2.70%
Series N					
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	SLG	2.42%

RECEIVE & FILE

Board Meeting of October 8, 2014

ITEM NO. 3

CHANGE ORDER NO. 4 – CONTRACT NO. 81300012

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,498,000.00
K&E Fabricating, Inc.	PREVIOUS CHANGE ORDERS	173,220.81
40 Stanley Street	THIS CHANGE ORDER (DEDUCT)	<u>(43,445.69)</u>
Buffalo, NY 14206	ADJUSTED CONTRACT COST	\$1,627,775.12

WORK: BSA Multiple Hearth Incinerator Upgrade (Incinerator Equipment Install-16C)

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Decrease the contract sum in the amount of \$43,445.69.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Deduct amount of unused allowances from base bid.

COST OF CHANGE OR EXTRA WORK:

Item #1 Deduct \$43,445.69

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$43,445.69)

The total DECREASE to the contract as a result of this Change Order is \$43,445.69

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is unchanged. The project was completed on June 17, 2014.
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. 4

CONTRACT NO. 81300012

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: BSA Multiple Hearth Incinerator Upgrade (Incinerator Equipment Install-16C)

BID: \$1,498,000.00

CONTRACTOR: K&E Fabricating, Inc.

WHEREAS: The Administrator of Capital Improvements & Development of the Buffalo Sewer Authority has certified that the Contractor completed the work in accordance with the plans and specifications on June 17, 2014.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of June 17, 2014;
- c. The maintenance period will commence on June 17, 2014;
- d. Final payment will be made to the Contractor in the amount of \$83,388.76, making the final cost of the contract \$1,627,775.12.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of October 8, 2014

ITEM NO. 5

CHANGE ORDER NO. 1 – CONTRACT NO. 81400003

CONTRACTOR:	ORIGINAL CONTRACT COST	\$19,500.00
O'Brien & Gere Engineers, Inc.	PREVIOUS CHANGE ORDER	n/a
333 W. Washington Street	THIS CHANGE ORDER	<u>19,730.00</u>
Syracuse, NY 13202	ADJUSTED CONTRACT COST	\$39,230.00

WORK: Digester Feed Stock Availability and Economic Impact Evaluation

WHEREAS: The Buffalo Sewer Authority (Authority) operates six (6) anaerobic digesters to stabilize and process waste sludge generated during wastewater treatment. Methane (biogas) generated during digestion is captured and used as a fuel to help heat the Bird Island Wastewater Treatment Plant (WWTP) and to supplement the incineration process; and

WHEREAS: The Authority currently accepts waste from numerous locations that provides the benefit of tipping fee income as well as helps to generate additional biogas for the WWTP; and

WHEREAS: The Authority entered into a contract with O'Brien & Gere Engineers, Inc., (O'Brien & Gere) for an engineering evaluation that included a study of digester feed stock availability and a facility evaluation to help project the feasibility and economic impact of accepting high strength waste at the Bird Island WWTP and to provide a project report for a total cost not to exceed \$19,500.00; and

WHEREAS: O'Brien & Gere performed the study and submitted the report to the Authority. After review of the report the Authority would like to move forward towards gathering further information regarding specific wastestreams; and

WHEREAS: O'Brien & Gere prepared a scope of work to provide a conceptual design for equipment and tankage for the receipt of various feed stocks and to further investigate the receipt of brewery waste at the WWTP; and

WHEREAS: O'Brien & Gere will perform the engineering evaluation and provide a project report for a total additional cost not to exceed \$19,730.00; and

WHEREAS: The General Manager, Treatment Plant Superintendent, Treatment Plant Administrator, and staff have reviewed the scope of work received and recommend accepting the additional work outlined in the proposal from O'Brien & Gere.

ITEM NO. 8

REPORT ON BIDS RECEIVED - PURCHASE OF MAST BOOM LIFT

WHEREAS: Formal bids were advertised and solicited for the purchase of a mast boom lift for the Bird Island Wastewater Treatment Plant; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on September 18, 2014:

VENDOR	MFG. & MODEL	UNIT PRICE	TRAINING	GRAND TOTAL
Buffalo Materials Handling	Mfg: Genie	\$43,847.00	-	\$43,847.00
	Model: GR26J	delivery	no entry	
E.D. Farrell Co. Inc.	Mfg.: JLG	\$42,622.92	\$650.00	\$43,272.92
	Model: T26E	delivery	no entry	
JIT Toyota-Lift	Mfg.: JLG	\$39,980.00	\$0.00	\$39,980.00
	Model: T26E	delivery	45 days	
R.B.U'Ren Equipment Inc.	Mfg.: JLG	\$37,064.53	TBD	\$37,064.53
	Model: T26E	delivery	45 days	
Skyworks, LLC	Mfg.: JLG	\$37,000.00	\$0.00	\$37,000.00
	Model: T26E	delivery	45 days	
Liftech Equipment Co.	Mfg.: <input type="checkbox"/>	NO Bid		No Bid
	Model:			
United Services GP Inc.	Mfg.: <input type="checkbox"/>	No Bid		No Bid
	Model:			

; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff reviewed the bids received and recommend an award to the low bidder, Skyworks, LLC, at a total cost not to exceed \$37,000.00.

ITEM NO. 10

CHANGE ORDER NO. 1 – CONTRACT NO. 81300018

CONTRACTOR:	ORIGINAL CONTRACT COST	\$555,950.00
E&R General Construction	PREVIOUS CHANGE ORDER	n/a
38 Saint David's Drive	THIS CHANGE ORDER	56,368.40
West Seneca, New York 14224	ADJUSTED CONTRACT COST	<u>\$612,318.40</u>

WORK: Swan Trunk Flow Diversion and Weir Modification

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional cleaning of Pennsylvania Street culvert and 48" diameter sewer along Bingham Street.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 To facilitate cleaning of unforeseen debris within sewerage facilities.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$56,368.40

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$56,368.40

The total INCREASE to the contract as a result of this Change Order is \$56,368.40

CONTRACT SUPPLEMENT CONDITIONS:

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

ITEM NO. 11

CONTRACT NO. 81300018

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Swan Trunk Flow Diversion and Weir Modification

BID: \$555,950.00

CONTRACTOR: E&R General Construction
38 Saint David's Drive
West Seneca, New York 14224

WHEREAS: The Principal Sanitary Engineer and staff of the Buffalo Sewer Authority have certified that the Contractor completed the work in accordance with the plans and specifications on July 30, 2013.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of July 30, 2013;
- c. The maintenance period commence on July 30, 2013;
- d. Final payment be made to the Contractor in the amount of \$30,615.92, increased by \$56,368.40, making the final cost of the Contract \$612,318.40.

MOTION TO APPROVEMADE BY MS. WILSON-DIVINCENZO2ND BY MR. ROOSEVELTAYES 4 NOES 0

Board Meeting of October 8, 2014

ITEM NO. 12

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) General Counsel

00110111 411001

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of October 8, 2014

ITEM NO. 13

AMEND C.S.E.A. SALARY SCHEDULE (EXEMPT) XIVB M22

WHEREAS: The Board of the Buffalo Sewer Authority is restructuring its Exempt Administrative Managerial staff; and

WHEREAS: The Board of the Buffalo Sewer Authority has reviewed and approved the duties and responsibilities of its Exempt Administrative Managerial staff; and

WHEREAS: The Board desires to amend C.S.E.A. Salary Schedule (Exempt) XIVB M22 from \$87,056 to \$82,326.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above amendment.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of October 8, 2014

ITEM NO. 14

CONFIRMATION OF APPOINTMENTS

LABORER I (SEASONAL)
SEWAGE TREATMENT PLANT
\$105.00 PER DAY
EFFECTIVE: SEPTEMBER 29, 2014

MENELIK BROWN
319 MAY ST.
BUFFALO, NY

WASTEWATER TREATMENT PLANT OPERATOR I
(PROVISIONAL)
\$17.57 PER HOUR
EFFECTIVE: SEPTEMBER 29, 2014

JAMES A. CROCE
37 CARMEL RD. APT. 2
BUFFALO, NY

WASTEWATER TREATMENT PLANT OPERATOR I
(PROVISIONAL)
\$17.57 PER HOUR
EFFECTIVE: OCTOBER 6, 2014

RYAN SULLIVAN
86 SALEM ST.
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. 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>
Thomas Caulfield	Walden University	PPA 9000 – Dissertation (3)	90%	\$2,833.24

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$2,833.24. This Reimbursement will be charged to account no. 00820102-421026.

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

Board Meeting of October 8, 2014

ITEM NO. 16

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MS. WILSON-DIVINCENZO 2ND BY MR. ROOSEVELT AYES 4 NOES 0

Board Meeting of October 8, 2014