

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
December 3, 2014**

**54944.....54966**



# BUFFALO SEWER AUTHORITY

December 3, 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 November 5, 2014	54944
2	Temporary Investments (Certificates of Deposit and Treasury Bills)	54945-46
3	Reallocation of Funds	54947
4	Travel Authorization – Albany, New York	54948
5	Change Order – Contract No. 85100018	54949
6	Certificate of Acceptance and Occupancy – Contract No. 81300007	54950
7	Authorization to Enter into Engineering Agreement – Centrifuge Sludge Dewatering System	54951-52
8	Report on Bids Received – Sludge Incinerator No. 1 Refractory Rehabilitation	54953
9	Report on Bids Received – Purchase of Various Gray Cast Iron Castings	54954-55
10	Report on Bids Received – Purchase of Various New & Unused Steel Products	54956
11	Authorization to Enter into an Engineering Services Agreement – South Park Avenue Stormwater Outfall Project	54957
12	Report on Bids Received – SPP 163 Fillmore Northland Sewer Optimization Project	54958
13	Authorization to Pursue and Acquire Permanent Easement Rights for Construction of Real Time Control Project	54959-63
14	Confirmation of Appointments	54964
15	Tuition Reimbursement	54965
16	Adjournment	54966



**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 C. 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>Scott Steinwald</u>	<u>Intergovernmental Coordinator</u>
	<u>Oluwole 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 Development &amp; Capital Improvements</u>
	<u>Yusef Myrick</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Timothy Blake</u>	<u>BSA Staff</u>
	<u>Julie Barrett-O'Neill</u>	<u>Consultant</u>
	<u>Laura Surdej</u>	<u>Erie County Department of Environment &amp; Planning</u>
Absent:	<u>none</u>	<u></u>

The meeting was called to order at 9:02 a.m. A quorum was present.

## ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of November 5, 2014

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

Board Meeting of December 3, 2014

## ITEM NO. 2

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

November 21, 2014

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-July-12	Money Market		\$39,872,279.34	First Niagara	0.15%	Municipal Premium
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-July-12	Money Market		\$1,097,517.63	First Niagara	0.15%	Municipal Premium
<b>OPERATING FUND</b>						
31-July-12	Super NOW		\$2,177,738.29	First Niagara	0.10%	Municipal Premium
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Money Market		\$34,244.11	First Niagara	0.02%	Municipal Premium
<b>SURPLUS FUND</b>						
			\$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>			
<b>NET REVENUE FUND</b>						
			\$263.64	Wilmington Fund		
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
27-Oct-14	28-Jan-15	93	\$14,999,736.36	M&T Securities	0.11%	\$4,263.64
18-Jul-14	14-Jan-15	180	\$6,999,993.00	M&T Securities	0.20%	\$7,007.00
			<u>\$35,499,933.73</u>			

**DEBT RESERVE FUND**

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

**RECEIVE & FILE**

Board Meeting of December 3, 2014

## 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 the Buffalo Sewer Authority's operating budget.

**Wastewater Treatment Plant**

10/29/2014	00520105 Maintenance Supplies	-\$635.00	00530105 Yards Supplies	\$635.00
11/7/2014	00520105 Maintenance Supplies	-\$31.00	00530105 Yards Supplies	\$31.00
11/7/2014	00350106 Filter Services	-\$2,500.00	00300106 Blower Services	\$2,500.00
11/14/2014	00200106 Plant Services	-\$6,230.00	00200106 Plant Services	\$6,230.00

**General Financial Charges**

10/24/2014	00800183 Financial Contingency	-\$773.00	00600105 Engineering Supplies	\$773.00
------------	-----------------------------------	-----------	----------------------------------	----------

**RECEIVE & FILE**

Board Meeting of December 3, 2014



## ITEM NO. 5

**CHANGE ORDER NO. 2 – CONTRACT NO. 85100018**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 38,700.00
GHD Consulting Engineers, LLC.	PREVIOUS CHANGE ORDER	71,600.00
415 French Road	THIS CHANGE ORDER	<u>98,000.00</u>
Amherst, New York 14228	ADJUSTED CONTRACT COST	\$208,300.00

WORK: Distributed Control System (DCS) Upgrade

WHEREAS: The Buffalo Sewer Authority (BSA) is currently replacing the existing Distributed Control System (DCS) at the Bird Island Sewage Treatment Plant (BISTP); and

WHEREAS: The BSA has selected Emerson Process Management as the company for the design and installation of the new DCS System; and

WHEREAS: GHD Consulting Engineers, LLC (GHD) is assisting the BSA in the design review and construction management for the new DCS for the BISTP; and

WHEREAS: Additional services are required by GHD for continuation of this project including review of shop drawing submittals, assistance with RFIs, and ongoing engineering support services as requested by BSA; and

WHEREAS: GHD has submitted a proposal to perform these additional services in an amount not to exceed \$98,000.00; and

WHEREAS: The Treatment Plant Administrator and staff have reviewed the engineering proposal and recommend approval of the additional engineering work at a total cost not to exceed \$98,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 85100018 in the amount of \$98,000.00, making the adjusted contract cost \$208,300.00. Expenses for this Contract will be funded from account no. 02000205-490740.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of December 3, 2014



## ITEM NO. 7

**AUTHORIZATION TO ENTER INTO AN ENGINEERING AGREEMENT WITH URS CORPORATION FOR A CENTRIFUGE SLUDGE DEWATERING SYSTEM AT THE BIRD ISLAND WASTEWATER TREATMENT PLANT**

WHEREAS: On September 24, 2014, following a formal Request for Qualification process in which sixteen (16) firms submitted proposals, the Board of the Buffalo Sewer Authority authorized utilizing URS Corporation – New York (URS) for professional engineering services for large projects; and

WHEREAS: The Buffalo Sewer Authority requires design and construction-phase services for installation of a third centrifuge sludge dewatering system; and

WHEREAS: URS has previously performed this task for installation of the second centrifuge sludge dewatering system; and

WHEREAS: The General Manager and his committee have reviewed the proposal from URS; and

WHEREAS: The proposal submitted by URS Corporation – New York is to perform the required work in the two (2) following separate tasks:

Task 1	Design of the centrifuge sludge dewatering system, including bidding assistance	\$137,229.00
Task 2	Construction phase services	\$176,096.00

WHEREAS: The total cost of this agreement is not to exceed \$313,325.00; and

WHEREAS: The General Manager and his committee recommend entering into a contract with URS Corporation – New York.



## ITEM NO. 8

**REPORT ON BIDS RECEIVED - SLUDGE INCINERATOR NO. 1 REFRACTORY REHABILITATION**

WHEREAS: Formal bids were advertised and solicited for the Sludge Incinerator No. 1 Refractory Rehabilitation project on Bird Island. The following bid was received and opened on November 3, 2014:

K&E Fabricating Co., Inc.	\$ 213,475.00
---------------------------	---------------

; and

WHEREAS: The bid was 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 staff reviewed the bid and recommend awarding the contract to the only bidder, K&E Fabricating Co., Inc., at a cost not to exceed \$213,475.00.

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 K&E Fabricating Co., Inc. for the Sludge Incinerator No. 1 Refractory Rehabilitation at a cost not to exceed \$213,475.00. Expenses for this contract will be charged to account no. 02000382-490740.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

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

AYES 4 NOES 0

Board Meeting of December 3, 2014

## ITEM NO. 9

**REPORTS ON BIDS RECEIVED- PURCHASE OF VARIOUS GRAY CAST IRON CASTINGS**

WHEREAS: Formal bids were advertised and solicited for the purchase of the following various gray cast iron castings:

- 1.) (150) Standard Manhole Covers Only
  - 2.) (100) Standard Manhole Frames and Covers (Sets)
  - 3.) (50) 11 ½" x 23" McConnell Cast Iron Grate
  - 4.) (50) 23" x 23" McConnell Cast Iron Grate
  - 5.) (25) Coalhole Frame & Cover Sets
  - 6.) (6) Type 1 – 49" Manhole Frame
  - 7.) (6) 38" Cover with 22" Cover Recessed within for Type 1 Frame
  - 8.) (6) 38 3/8" Solid Access Cover
  - 9.) (6) 50" Manhole Frame
- ; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on October 30, 2014:

Vendor	Total Cost:
EJ USA	\$75,149.00 * did not quote item #9
Neenah Foundry	\$76,285.00 * did not quote item #9

; and

WHEREAS: The Director of Sewer Maintenance and staff reviewed the quotes received for each item needed and recommend the following awards, to the low bidder for each item:

Vendor	Items to award	Cost
EJ USA Inc.	#s: 1, 2, 3, 4 & 8	\$67,124.00
Neenah Foundry	#s: 5, 6 & 7	\$ 8,285.00

; and

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the above listed various gray cast iron castings from the low bidders for the items listed: EJ USA Inc. for item nos. 1, 2, 3, 4 & 8, and Neenah Foundry for item nos. 5, 6 & 7 at a total cost of \$75,409.00. These purchases will be charged to account no. 00660105-466269.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of December 3, 2014



## ITEM NO. 11

**AUTHORIZATION TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT -  
SOUTH PARK AVENUE STORMWATER OUTFALL PROJECT**

WHEREAS: In anticipation of the development of the RiverBend site by SolarCity, the Buffalo Sewer Authority (the Authority) has inspected the South Park sewer system downstream of the site and has determined that the existing separate storm sewer outfall has insufficient capacity and flows are being redirected into the combined system; and

WHEREAS: Upon request, CHA Consulting, Inc., (CHA) has submitted a professional engineering services proposal for the South Park Avenue Stormwater Project to address re-separation; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed this proposal and recommend retaining CHA to perform the engineering design services for this project as outlined in their proposal dated October 22, 2014, for an amount not to exceed \$10,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into an agreement with CHA to perform engineering design services for the South Park Avenue Stormwater Outfall Project in an amount not to exceed \$10,000.00. Account no. 02000383-432004 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 December 3, 2014



## ITEM NO. 13

**AUTHORIZATION TO PURSUE AND ACQUIRE PERMANENT EASEMENT RIGHTS FOR CONSTRUCTION OF REAL TIME CONTROL PROJECT**

- WHEREAS: The Buffalo Sewer Authority, as part of its approved Long Term Control Plan has committed to the construction of Real Time Control projects utilizing existing system storage to minimize combined sewer overflows and maximize conveyance to the Bird Island Wastewater Treatment Plant; and
- WHEREAS: The location for construction of this facility requires electrical power for system monitoring; and
- WHEREAS: Based on examination of public records for this area, as shown on the attached map (the Property), ownership of the Property is held by Ms. Yashica Williamson; and
- WHEREAS: In order to implement the Project, it is necessary for the Buffalo Sewer Authority to acquire easement rights for the Property from said owner; and
- WHEREAS: The New York State Public Authorities Law Sections 1178(7) and 1182 authorizes the Buffalo Sewer Authority to acquire lands, or any right, title, interest, or easement therein in the name of the City of Buffalo, and upon such acquisition, any such fee, right, title, interest, or easement shall become dedicated to the uses and purposes of the Buffalo Sewer Authority.
- NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager and any other representative or agent of the Buffalo Sewer Authority, to execute and deliver any agreement, memorandum of understanding, conveyances, documents and instruments with the City of Buffalo or any other party, including but not limited to, provisions for the indemnification, hold harmless, defense, covenant not to sue and release of the City of Buffalo and responsibility for environmental and other liabilities in connection with the Buffalo Sewer Authority's use and maintenance of the Property, in support of and in furtherance of the City of Buffalo's obligations and responsibilities undertaken in and contemplated by the Easement Agreement, as modified or changed by the City of Buffalo and/or the General Manager, all as may be necessary or appropriate to implement and effectuate the Project, the Easement Agreement or to better assure, transfer and confirm the easement to the City of Buffalo and the Buffalo Sewer Authority, consistent with the substance and intent of this resolution.

BE IT FURTHER  
RESOLVED:

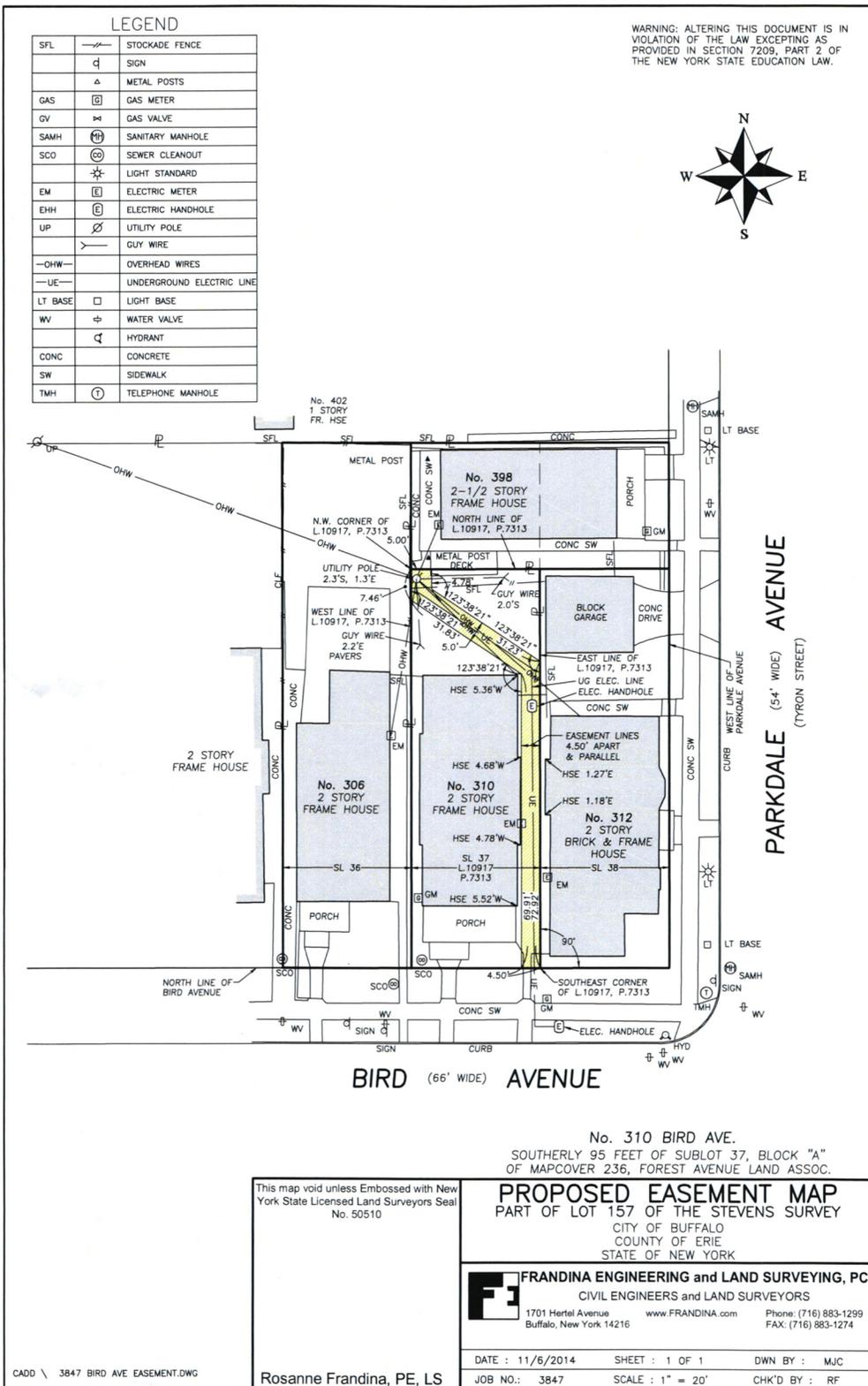
That the General Manager and any other representative or agent of the Buffalo Sewer Authority is hereby authorized to take any other action necessary or appropriate to implement this resolution, including but not limited to, the payment of utility connection fees and costs, transactional closing costs, recording and filing fees, title abstract fees, title insurance premiums, permit fees and other transaction fees and costs.

BE IT FINALLY  
RESOLVED:

That the Board of the Buffalo Sewer Authority hereby adopts the attached map as a current plan of the land area to be dedicated to the Project, and the General Manager is hereby authorized, upon the advice of legal counsel, professional engineers, and such other consultants as the General Manager deems appropriate, to amend such map, and prepare a more particular map and description of the interest in land or easement to be acquired by the Buffalo Sewer Authority to implement the Project.

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

Board Meeting of December 3, 2014



## EASEMENT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York being part of Lot 157 of the Stevens survey and Part of Sublot No. 37 of Block "A" as shown on map filed in the Erie County Clerk's Office under Cover No. 236, bounded and described as follows:

BEGINNING at a point on the north line of Bird Avenue (66' wide) at the southeast corner of lands conveyed by deed filed in the Erie County Clerk's Office in Liber 10917, page 7313; thence northerly at right angles with the north line of Bird Avenue and along the east line of Liber 10917, page 7313 a distance of 72.92 feet to a point; thence northwesterly at an interior angle of  $123^{\circ}38'21''$  a distance of 31.23 feet to a point; thence northerly at an exterior angle of  $123^{\circ}38'21''$  a distance of 4.78 feet to a point on the north line of lands conveyed by said Liber 10917, page 7313; thence westerly along the north line of Liber 10917, page 7313 a distance of 5.00 feet to the northwest corner of Liber 10917, page 7313; thence southerly along the west line of Liber 10917, page 7313 a distance of 7.46 feet to a point; thence southeasterly at an interior angle of  $123^{\circ}38'21''$  on a line parallel to and distant 5.0 feet southwesterly from the second course described herein as measured at right angles therefrom a distance of 31.83 feet to a point; thence southerly at an exterior angle of  $123^{\circ}38'21''$  and on a line parallel to the east line of Liber 10917, page 7313 and distant 4.50 feet westerly as measured at right angles therefrom a distance of 69.91 feet to a point on the north line of Bird Avenue, thence easterly along the north line of Bird Avenue a distance of 4.50 feet to the point of beginning.

**CERTIFICATE**

I, Eleanor C. Wilson-DiVincenzo, Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on December 3, 2014, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract, and that said resolution has not been amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Authority this 3<sup>rd</sup> day of December, 2014.

(SEAL)

---

Eleanor C. Wilson-Divincenzo  
Secretary

ITEM NO. 14

**CONFIRMATION OF APPOINTMENTS**

SEWER CONSTRUCTION WORKER (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$19.31 PER HOUR  
EFFECTIVE: OCTOBER 27, 2014

WAYNE HOWARD  
115 MARIEMONT AVE.  
BUFFALO, NY

---

LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$17.05 PER HOUR  
EFFECTIVE: NOVEMBER 3, 2014

DAVID MARINARO  
11 RYAN 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.

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 MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of December 3, 2014

## 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	Dissertation (4) for Public Administration	90%	\$2,786.94

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$2,786.94. 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 4 NOES 0

Board Meeting of December 3, 2014

ITEM NO. 16

**ADJOURNMENT OF MEETING**MOTION TO APPROVEMADE BY MS. WILSON-DIVINCENZO2<sup>ND</sup> BY MR. ROOSEVELTAYES 4 NOES 0

Board Meeting of December 3, 2014