

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
May 27, 2015**

55189.....55203

BUFFALO SEWER AUTHORITY

May 27, 2015

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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CALL OF THE ROLL

Present:	<u>Herbert L. Bellamy, Jr.</u>	<u>Chairman</u>
	<u>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor Wilson-DiVincenzo</u>	<u>Secretary</u>
	<u>David Comerford</u>	<u>General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Michael Letina</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Oluwole McFoy, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Yusef Myrick</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Thomas Caulfield</u>	<u>Administrator of Capital Improvements & Development</u>
	<u>Rosaleen Nogle, P.E.</u>	<u>Associate Engineer</u>
	<u>Timothy Blake</u>	<u>Sr. Instrument Technician</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Environment & Planning</u>
	_____	_____
Absent:	<u>none</u>	_____
	_____	_____

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

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 6, 2015

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 May 27, 2015

ITEM NO. 2

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

May 18, 2015

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-July-12	Money Market		\$32,188,002.07	First Niagara	0.15%	Municipal Premium
			\$295.60	Wilmington Fund		
13-Mar-15	09-Sep-15	180	\$15,000,226.25	M&T Securities	0.25%	\$18,771.25
13-Mar-15	09-Sep-15	180	\$ 9,999,485.00	M&T Securities	0.25%	\$12,512.50
			<u>\$57,188,008.92</u>			
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		<u>\$1,093,882.48</u>	First Niagara	0.15%	Municipal Premium
OPERATING FUND						
31-July-12	Super NOW		<u>\$1,947,227.50</u>	First Niagara	0.10%	Municipal Premium
TRUST & AGENCY FUND						
31-Jul-12	Money Market		<u>\$35,184.64</u>	First Niagara	0.02%	Municipal Premium
SURPLUS FUND						
			\$600.10	Wilmington Fund		
25-Feb-15	28-May-15	92	\$9,998,932.72	M&T Securities	0.12%	\$3,067.28
			<u>\$9,999,532.82</u>			
NET REVENUE FUND						
			\$6,978.29	Wilmington Fund		
14-Jan-15	13-Jul-15	180	\$6,999,642.65	M&T Securities	0.21%	\$7,357.35
			<u>\$7,006,620.94</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		
			\$317,870.32	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%

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Board Meeting of May 27, 2015

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

5/01/2015	00280105 SWWP Equip. Maintenance	-\$5,040.00	00330105 FINA Equip. Maintenance	\$5,040.00
5/04/2015	00280105 SWWP Equip. Maintenance	-\$2,100.00	00200105 Plan Clothing Safety	\$2,100.00
5/06/2015	00280105 SWWP Equip. Maintenance	-\$7,260.00	00200105 Plan Equip. Maintenance	\$7,260.00
5/12/2015	00280105 SWWP Equip. Maintenance	-\$2,000.00	00520106 INCI Equip. Maintenance	\$2,000.00
5/12/2015	00240106 PSED Repairs to Equip.	-\$500.00	00300106 Blow Repairs to Equip.	\$500.00
5/13/2015	00280105 SWWP Equip. Maintenance	-\$226.00	00530105 Yard Equip. Maintenance	\$226.00
5/13/2015	00280105 SWWP Equip. Maintenance	-\$1,451.00	00530105 Yard Small Tools	\$1,451.00
5/14/2015	00280105 SWWP Equip. Maintenance	-\$566.00	00530105 Yard Janitorial and Operating	\$566.00
5/15/2015	00200103 Plan Telephone	-\$70.00	00650103 Plan Clothing Safety	70.00

Sewer Maintenance Division

5/13/2015	00690105 Auto Gasoline and Lubricants	-\$2,000.00	00670105 SWRC Small Tools	\$2,000.00
5/15/2015	00650106 SWRM Maintenance Contract	-\$3,000.00	00690106 Auto Automotive Repairs	\$3,000.00

General Financial Charges

5/01/2015	00800183 Financial Contingency	-\$75,000.00	00820102 FR Workers Compensation	\$75,000.00
5/04/2015	00800183 Financial Contingency	-\$650.00	00100103 Board Telephone Charges	\$650.00
5/13/2015	00800183 Financial Contingency	-\$2,710.00	00110105 Admin. Office Supplies	\$2,710.00
5/13/2015	00800183 Financial Contingency	-\$179.00	00600104 ENG Registration Fees & Dues	\$179.00
5/15/2015	00800183 Financial Contingency	-\$816.86	00600107 ENG Office Equip.	\$816.86

Administrative Division

5/18/2015	00110104 Admin. Registration Fees & Dues	-\$173.00	00600104 Eng Registration Fees & Dues	\$173.00
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Board Meeting of May 27, 2015

ITEM NO. 4

WRITE-OFF OF CHARGES

WHEREAS: In accordance with the resolution adopted December 15, 1982, requests for sewer rent cancellations, adjustments or refunds in excess of \$400.00 must be submitted to the Buffalo Sewer Authority Board for its consideration and action; and

WHEREAS: The property located at 2454 Seneca St. (SBL 133-43-1-1) has an outstanding balance of \$1,432.37 for sewer rent and interest for the period of 2009-2013; and

WHEREAS: Numerous attempts to collect the outstanding balance have been unsuccessful; and

WHEREAS: The property was sold in October 2013 at the Erie County In Rem Tax Lien Foreclosure Auction and the proceeds were not enough to satisfy any part of this debt; and

WHEREAS: Due to the special circumstances of this account, this account is deemed to be uncollectible.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the write-off of the outstanding balance of \$1,432.37 for sewer rent and interest for 2454 Seneca St. that is determined to be uncollectible.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of May 27, 2015

ITEM NO. 5

PAYMENT FROM JUDGMENT AND CLAIMS

WHEREAS: The Buffalo Sewer Authority (the "Authority") approved on May 6, 2015, the Final Settlement and Tax Obligation relating to a longstanding civil action regarding the termination of a former employee; and

WHEREAS: Further to this action, the Authority requested and received relief from New York State ("NYS") under its Voluntary Disclosure Application for abatement of penalties associated with this matter; and

WHEREAS: In connection with the settlement with NYS Department of Taxation and Finance, the Authority was levied a total of \$937.42 representing accrued interest for the two (2) quarterly reporting periods ending 12/31/2013 and 3/31/2014. The Authority still awaits and expects a similar disposition from the IRS on this matter; and

WHEREAS: The General Manager, Executive Secretary and BSA Legal Counsel recommend the payment of accrued interest from Judgment & Claims.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the payment from Judgment & Claims the total amount of \$937.42 in accrued interest to NYS Department of Taxation and Finance for the quarterly periods stated above. Funds are to be appropriated from Judgment & Claims account no. 00800108-480214.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of May 27, 2015

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 2014-2015 budget account no. 00800108-480214:

VENDOR	AMOUNT
Evoqua Water Technologies LLC	\$711.76

; 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 payment from the Judgment and Claims account.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of May 27, 2015

ITEM NO 7

AMEND BOARD ITEM NO. 7 FROM THE BOARD MEETING OF MARCH 4, 2015 - REPORT ON BIDS RECEIVED FOR INCINERATOR ASH SYSTEM UPGRADES PROJECT

WHEREAS: At the March 4, 2015, Buffalo Sewer Authority Board Meeting a contract was awarded to Hohl Industrial Services, Inc., for the Incinerator Ash System Upgrades Project at the Bird Island Wastewater Treatment Plant; and

WHEREAS: Resolution No. 7 incorrectly states that Hohl Industrial Services, Inc., submitted a bid in the amount of \$3,414,499.59 on February 20, 2015, for this project; and

WHEREAS: A rounding error occurred during the bid tabulation. The actual bids received and opened by the Buffalo Sewer Authority on February 20, 2015, are as follows:

<u>Contractor</u>	<u>Bid</u>
Hohl Industrial Services, Inc.	\$3,414,500.00
Mark Cerrone	\$3,796,290.00
Quackenbush Co., Inc.	\$3,850,417.76
K&E Fabrication	\$4,005,859.00

; and

WHEREAS: It is now necessary to formally amend this Resolution to correct the error.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby amends Board Item No. 7 of the March 4, 2015, Board Meeting to reflect the bid submitted by Hohl Industrial Services, Inc., as \$3,414,500.00, and to read as follows: “That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract with Hohl Industrial Services, Inc., for the Incinerator Ash System Upgrades Project at a cost not to exceed \$3,414,500.00. Expenses for this contract will be charged to account no. 02000388-490740.”

MOTION TO _____ APPROVE _____

MADE BY _____ MS. WILSON-DIVINCENZO _____

2ND BY _____ MR. KENNEDY _____

AYES _____ 4 _____ NOES _____ 0 _____

ITEM NO. 8

AMENDMENT TO SOLE SOURCE LISTING FOR SELECTED INSTRUMENTATION, MAINTENANCE, LABORATORY, AND OFFICE EQUIPMENT FOR FISCAL YEAR 2014-2015

WHEREAS: A Sole Source procurement, in accordance with New York State Procurement Guidelines, is one in which an item is only available from one source due to patents, exclusive franchises, etc. and there is no possibility of competition for the item; and

WHEREAS: On November 7, 2012, the Board of the Buffalo Sewer Authority approved and designated a list of original equipment manufacturers as sole sources for fiscal year 2012-2013; and

WHEREAS: An amendment is requested to the sole source listing to add the following original equipment manufacturer for Chesterton's Products:

Corrosion Products & Equipment, Inc.	Parts and service for Chesterton Products
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; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Superintendent of Mechanical Maintenance, and staff have reviewed all supporting documentation and recommend this amendment to the sole source listing for 2014-2015.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the addition of Corrosion Products & Equipment, Inc., to the sole source listing for the equipment indicated for fiscal year 2014-2015.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. WILSON-DIVINCENZO

AYES 4 NOES 0

Board Meeting of May 27, 2015

ITEM NO. 9

AUTHORIZATION FOR PURCHASE OF SLUDGE CAKE PARTS

WHEREAS: On February 11, 2015, the Board of the Buffalo Sewer Authority designated Schwing Bioset, Inc., the original equipment manufacturer and/or their local authorized representative, as a sole source for equipment, replacement parts, supplies and service for the Sludge Cake Receiving System at the Bird Island Wastewater Treatment Plant; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined a need for sludge cake parts. A quote was requested and received from Schwing Bioset, Inc., in the amount of \$21,145.84; and

WHEREAS: Monies payable to date to Schwing Bioset, Inc., in fiscal year 2014-2015 are \$63,525.27. This purchase will bring the total monies payable for purchases to \$84,671.11; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the purchase of the necessary sludge cake 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 sludge cake parts from Schwing Bioset, Inc., in the amount of \$21,145.84, and further authorizes total monies payable to Schwing Bioset, Inc., of \$84,671.11 for fiscal year 2014-2015. This purchase will be charged to account no. 00380105-466107.

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

Board Meeting of May 27, 2015

ITEM NO. 10

REPORT ON BIDS RECEIVED - SPP 97A, 180, 332, 336A OPTIMIZATIONS AND ORLANDO STREET SEWER ABANDONMENT

WHEREAS: Formal bids were advertised and solicited for the SPP 97A, 180, 332, 336A Optimizations and Orlando Street Sewer Abandonment. The following bids were received and opened by the Buffalo Sewer Authority on Thursday, May 14, 2015, at 11:00 AM:

<u>Contractor</u>	<u>Bid</u>
Novasite Company, LLC	\$299,745.00
Mark Cerrone, Inc.	\$313,000.00
Kandey Co., Inc.	\$727,525.00

; and

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

WHEREAS: The Buffalo Sewer Authority’s consultant, GHD Consulting Services, Inc., reviewed the proposals and recommends awarding this contract to the apparent low bidder, Novasite Company, LLC; and

WHEREAS: The Principal Sanitary Engineer and staff concur with the recommendation provided by GHD Consulting Services, Inc., to award the contract to the lowest responsible bidder, Novasite Company, LLC.

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 Novasite Company, LLC, for the SPP 97A, 180, 332, 336A Optimizations and Orlando Street Sewer Abandonment at a cost not to exceed \$299,745.00. Expenses for this contract shall be charged to account no. 02000396-490740.

MOTION TO _____ APPROVE _____

MADE BY _____ MS. WILSON-DIVINCENZO _____

2ND BY _____ MR. KENNEDY _____

AYES _____ 4 _____ NOES _____ 0 _____

ITEM NO. 11

CONFIRMATION OF APPOINTMENTS

LABORER I (TEMPORARY)
SEWAGE TREATMENT PLANT
\$17.05 PER HOUR
EFFECTIVE: May 18, 2015

JOSEPH DENECKE JR.
143 DENSMORE ST.
BUFFALO, NY

LABORER I (TEMPORARY)
SEWAGE TREATMENT PLANT
\$17.05 PER HOUR
EFFECTIVE: MAY 18, 2015

MENELIK Z. BROWN JR.
319 MAY ST.
BUFFALO, NY

LABORER I (TEMPORARY)
SEWAGE TREATMENT PLANT
\$17.05 PER HOUR
EFFECTIVE: MAY 18, 2015

PATRICK F. DONOHUE
173 COLUMBUS AVE.
BUFFALO, NY

WHEREAS: The preceding appointments were made by the General Manger 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

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of May 27, 2015

ITEM NO. 12

ADJOURNMENT OF MEETINGMOTION TO APPROVEMADE BY MR. KENNEDY2ND BY MR. ROOSEVELTAYES 4 NOES 0

Board Meeting of May 27, 2015