

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

October 7, 2015

BUFFALO SEWER AUTHORITY

October 7, 2015

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 23, 2015	55360
2	Informative: Temporary Investments	55361-62
3	Informative: Reallocation of Funds	55363
4	Payment from Judgment and Claims	55364
5	Travel Authorization – Pittsburgh, PA	55365-66
6	Travel Authorization – Racine, Wisconsin	55367
7	Authorization for Change Order to Purchase Order No. 21600116 for Security Guard Services	55368
8	Change Order No. 5 – Contract No. 81300021	55369-70
9	Report on Bids Received – Multiple Hearth Furnace Upgrade Project – Quench & Multi-Venturi-Scrubber Procurement	55371
10	Report on Bids Received – Purchase of Ten (10) Modulating Telescoping Valve Actuators	55372
11	Report on Bids Received – Purchase of One (1) Echo System Wireless Vibration Monitoring System	55373
12	Authorization for Publication of Industrial User Violators List	55374
13	Authorization for Sewer Construction as Part of the Colvin Estates Phase II Project	55375
14	Request for Unpaid Medical Leave of Absence	55376
15	Tuition Reimbursement	55377
16	Adjournment of Meeting	55378

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 Petrucci</u>	<u>Secretary</u>
	<u>Oluwole A. McFoy, P.E.</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>Julie Barrett-O'Neill, Esq.</u>	<u>General Counsel</u>
	<u>Scott Steinwald</u>	<u>Intergovernmental Coordinator</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 Projects & Development</u>
	<u>Rosaleen Nogle, P.E.</u>	<u>Associate Engineer</u>
	<u>James Skrabascz</u>	<u>Principal Chief Stationary Engineer</u>
	<u>Timothy Blake</u>	<u>Sr. Instrument Technician</u>
	<u>Laura Surdej</u>	<u>Erie County Department 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 September 23, 2015

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MS. PETRUCCI</u>
2 ND BY	<u>MR. ROOSEVELT</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of October 7, 2015

ITEM NO. 2

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

September 30, 2015

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-July-12	Money Market		\$14,548,166.37	First Niagara	0.15%	Municipal Premium
			\$13,296.65	Wilmington Fund		
09-Sep-15	08-Dec-15	90	\$24,988,500.00	M&T Securities	0.21%	\$13,125.00
01-07-15	30-Dec-15	182	\$2,500,912.07	M&T Securities	0.25%	\$ 3,163.51
22-May-15	12-May-16	356	\$14,195,816.67	M&T Securities	0.21%	\$29,523.97
			<u>\$56,246,691.76</u>			
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		<u>\$1,091,375.96</u>	First Niagara	0.15%	Municipal Premium
OPERATING FUND						
31-July-12	Super NOW		<u>\$4,128,584.79</u>	First Niagara	0.10%	Municipal Premium
TRUST & AGENCY FUND						
31-Jul-12	Money Market		<u>\$35,267.61</u>	First Niagara	0.02%	Municipal Premium
SURPLUS FUND						
			\$551.49	Wilmington Fund		
26-Aug-15	20-Nov-15	86	\$10,001,198.88	M&T Securities	0.16%	\$5,018.67
			<u>\$10,001,750.37</u>			
NET REVENUE FUND						
			\$1,000.00	Wilmington Fund		
13-Jul-15	26- Oct-15	105	\$9,402,965.56	M&T Securities	0.16%	\$4,388.53
26-Aug-15	20-Nov-15	86	\$3,500,019.72	M&T Securities	0.16%	\$1,756.33
08-Sep-15	07-Dec-15	90	\$6,999,988.71	M&T Securities	0.20%	\$672.22
30-Sep-15	30-Dec-15	91	\$7,998,438.29	M&T Securities	0.16%	\$3,236.77
			<u>\$27,902,412.28</u>			

DEBT RESERVE FUND**Series J (1004209)**

02-Jul-14	15-Nov-33	7076	\$515,879.00	SLG	2.70%
-----------	-----------	------	--------------	-----	-------

Series K (1004925)

02-Jul-14	15-Feb-33	6803	\$361,415.00	SLG	2.70%
-----------	-----------	------	--------------	-----	-------

Series L (1009355)

			\$16,250.47	Wilmington Fund	
--	--	--	-------------	-----------------	--

Series M Construction (1039320)

			\$0.00	Wilmington Fund	
--	--	--	--------	-----------------	--

Series M (1039308)

27-Jun-14	01-May-44	10901	\$595,613.00	SLG	2.70%
-----------	-----------	-------	--------------	-----	-------

Series N (1002070)

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	SLG	2.42%
-----------	-----------	------	----------------	-----	-------

RECEIVE & FILE

Board Meeting October 7, 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

9/21/2015	00520106 Main Repairs to Equip.	-\$14,650.00	00200106 Plan Repairs to Equip.	\$14,650.00
9/23/2015	00280105 SWWP Equip. Maintenance	-\$15,110.00	00370105 Centrifuge Equip. Maintenance	\$15,110.00
9/30/2015	00280105 SWWP Equip. Maintenance	-\$1,105.00	00520105 Main Chemicals and Gases	\$1,105.00

Sewer Maintenance Division

9/28/2015	00660105 SWRR Road and Highway Maintenance	-\$1,500.00	00600105 Eng Small Tools	\$1,500.00
-----------	--	-------------	-----------------------------	------------

General Financial Charges

9/29/2015	00800183 Financial Contingency	-\$1,000.00	00680103 Electricity	\$1,000.00
-----------	-----------------------------------	-------------	-------------------------	------------

RECEIVE & FILE

Board Meeting of October 7, 2015

ITEM NO. 4

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 materials were received during a prior fiscal year and charged to the 2015-2016 budget account no. 00800108-480214:

VENDOR	AMOUNT
Buffalo Crushed Stone	\$322.33

; 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 _____ MS. PETRUCCI _____

2ND BY _____ MR. ROOSEVELT _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of October 7, 2015

ITEM NO. 5

TRAVEL AUTHORIZATION - PITTSBURGH, PA

- WHEREAS: The Buffalo Sewer Authority utilizes an instrumentation and control system that was installed in 1999 at the Bird Island Wastewater Treatment Plant (WWTP) to monitor its daily operations; and
- WHEREAS: On December 7, 2011, the Board of the Buffalo Sewer Authority authorized the General Manger to enter into a Professional Services contract with Emerson Process Management to provide and install a new Distributed Control System (DCS) at the Bird Island WWTP; and
- WHEREAS: Throughout the DCS installation process, it will be necessary for Buffalo Sewer Authority staff to travel to the Emerson Process Management (Emerson) Training Facility in Pittsburgh, PA; and
- WHEREAS: It is also necessary that Buffalo Sewer Authority employees witness Factory Acceptance Tests (FATs) in Pittsburgh, PA; and
- WHEREAS: Training classes are offered at various times throughout the year and specific training classes will be attended as per personnel expertise and three (3) separate FATs will be performed; and
- WHEREAS: The Treatment Plant Administrator recommends that specified Buffalo Sewer Authority staff travel to Pittsburgh, PA, for the necessary training and FATs; and
- WHEREAS: The cost for the training classes is included in the contract with Emerson. However, additional monies not to exceed \$25,000.00 will be needed for travel expenses and accommodations for the 2015-2016 fiscal year.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes Buffalo Sewer Authority staff to attend specific Distributed Control System training classes and Factory Acceptance Tests at the Emerson Process Management Training Center. Account no. 00200104-458010 will be utilized for this travel during the 2015-2016 fiscal year at a total amount not to exceed \$25,000.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 6

TRAVEL AUTHORIZATION - RACINE, WISCONSIN

WHEREAS: The Great Lakes St. Lawrence Cities Initiative, American Rivers, and The Johnson Foundation at Wingspread are hosting a conference on Integrated Water Resources Management in Racine, Wisconsin October 28-30, 2015; and

WHEREAS: The conference organizers have agreed to directly pay for travel and accommodations to facilitate the participation of Buffalo Sewer Authority; and

WHEREAS: Best practices for integrated regional water approaches are of special interest to the Buffalo Sewer Authority in its effort to address watershed water quality; and

WHEREAS: The General Manager recommends the BSA General Counsel attend this conference October 28-30, 2015, to represent the Authority.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes BSA General Counsel to travel to Racine, Wisconsin, October 28-30, 2015 to attend the Integrated Water Resources Management with travel and accommodation to be provided by the conference organizers.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 7

AUTHORIZATION FOR CHANGE ORDER TO PURCHASE ORDER NO. 21600116 FOR SECURITY GUARD SERVICES

WHEREAS: On April 1, 2015, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with Securitas Security Services USA, Inc., for security guard services at the Bird Island Wastewater Treatment Plant at a total cost not to exceed \$302,345.28 for the period July 1, 2015 to June 30, 2016; and

WHEREAS: The NYS Department of Labor's prevailing wage rate on July 1, 2015, increased by a total of \$0.34/hr. resulting in the billable rate increasing from \$17.21/hr. to \$17.55/hr. for this service; and

WHEREAS: The total amount of this contract for fiscal year 2015-2016 should be revised from \$302,345.28 to a total not to exceed \$308,318.40 for the period July 1, 2015 to June 30, 2016, necessitating a change order to Purchase Order No. 21600116; and

WHEREAS: The Treatment Plant Superintendent and staff recommend the above change order.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to increase the previously authorized amount from \$302,345.28 to a total not to exceed \$308,318.40 for fiscal year 2015-2016 for security guard services with Securitas Security Services. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 8

CHANGE ORDER NO. 5 – CONTRACT NO. 81300021

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 300,000.00
Mollenberg-Betz, Inc.	PREVIOUS CHANGE ORDER	1,750,000.00
300 Scott Street	THIS CHANGE ORDER	<u>262,290.56</u>
Buffalo, NY 14204	ADJUSTED CONTRACT COST	\$ 2,312,290.56

WORK: In-Plant Mechanical Maintenance Services

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Increase the contract sum in the amount of \$262,290.56

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Accommodate additional mechanical repairs directed through the BSA Maintenance Department at the Treatment Plant

COST OF CHANGE OR EXTRA WORK:

Item #1 \$262,290.56

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$262,290.56

The total INCREASE to the contract as a result of this Change Order is \$262,290.56

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 30, 2015.
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.

- 4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor’s Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
- 5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 5 to Contract No. 81300021 as written in the above Agenda Item, increasing the contract cost in the amount of \$262,290.56, making the final adjusted contract cost \$2,312,290.56.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 9

REPORT ON BIDS RECEIVED - MULTIPLE HEARTH FURNACE UPGRADE PROJECT - QUENCH & MULTI-VENTURI SCRUBBER PROCUREMENT

WHEREAS: Formal bids were advertised and solicited for the Multiple Hearth Furnace #3 Upgrade Project - Quench and Multi-Venturi Scrubber Procurement at the Bird Island Wastewater Treatment Plant. The following bid was received and opened by the Buffalo Sewer Authority on September 29, 2015:

Envirocare International, Inc.	\$789,985.00
--------------------------------	--------------

; and

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

WHEREAS: GHD, Inc., the Authority's consulting engineer has reviewed the bid and recommend awarding the contract to the sole bidder; and

WHEREAS: The Treatment Plant Administrator, Administrator of Capital Projects & Development and staff concur and recommend awarding the contract to Envirocare International, Inc., at a cost not to exceed \$789,985.00.

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 Envirocare International, Inc. Expenses for this contract will be charged to account no. 02000408-490740.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 11

REPORT ON BIDS RECEIVED - PURCHASE OF ONE (1) ECHO SYSTEM WIRELESS VIBRATION MONITORING SYSTEM

WHEREAS: Formal bids were advertised and solicited for purchase of one (1) echo system wireless vibration monitoring system; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on August 18, 2015:

VENDOR	UNIT PRICE	EXTENDED PRICE	GRAND TOTAL
North East Controls			No Response
PCB Piezotronics	\$26,871.50	\$26,871.50	\$26,871.50
Martech Controls			No Response

; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff reviewed the bids received and recommend an award to the sole bidder, PCB Piezotronics has submitted the only bid, at a total cost not to exceed \$26,871.50.

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 PCB Piezotronics, for the purchase of one (1) echo system wireless vibration monitoring system at a total cost not to exceed \$26,871.50. Funding for this purchase will be charged to account no.00280105-466107.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 12

AUTHORIZATION FOR PUBLICATION OF INDUSTRIAL USER VIOLATORS LIST

WHEREAS: The Environmental Protection Agency's General Pretreatment Regulations, 40 CFR Section 403.8(f)(2)(viii), requires the Buffalo Sewer Authority (BSA) to publish at least annually in the largest daily newspaper in the City of Buffalo, a list of the users which, during the previous twelve (12) months, met with one or more of the following criteria:

- User was in significant non-compliance with applicable pretreatment standards and requirements;
- User received fines;
- User had violations that were unique or warrant special attention ; and

WHEREAS: In accordance with this requirement the following violators met the above criteria for the BSA'S Industrial Pretreatment Program reporting year of May 1, 2014 – April 30, 2015:

Cintas Corporation #782 5740 Genesee Street Lancaster, NY 14086	Frontier Plating Co., Inc. 68 Buell Street Buffalo, NY 14211
Coyne Textiles Services 111 James E. Casey Drive Buffalo, NY 14206	Keystone Corporation 2929 Main Street Buffalo, NY 14214
Camellia General Provision Co., Inc. 1333 Genesee Street Buffalo, NY 14211	Tripp Plating 1491 William Street Buffalo, NY 14206

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to publish the aforementioned violators in The Buffalo News.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 13

AUTHORIZATION FOR THE SEWER CONSTRUCTION AS PART OF THE COLVIN ESTATES PHASE II PROJECT

WHEREAS: The City of Buffalo, the Department of Public Works, Parks and Streets has initiated award of a contract to Milherst Construction as the responsible low bidder, for infrastructure improvements in the Colvin Estates Phase II Project; and

WHEREAS: Milherst Construction has submitted as a base bid and alternate, an unit price bid for sewer infrastructure installation in the amount of \$183,950.00; and

WHEREAS: The Buffalo Sewer Authority has allocated money in their construction fund for the sewer infrastructure construction for this project; and

WHEREAS: The City of Buffalo Department of Public Works, Parks and Streets, the General Manager, and the Associate Engineer recommend awarding this contract to Milherst Construction at a cost not to exceed \$183,950.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the awarding of the contract for sewer construction for the Colvin Estates Phase II Project to Milherst Construction. Expenses for the contract will be charged to account no. 02000318-490720.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 14

REQUEST FOR UNPAID MEDICAL LEAVE OF ABSENCE

WHEREAS: We have received a request from Lance E. Parker, a permanent Equipment Operator, for a six (6) month unpaid medical leave of absence beginning September 25, 2015. Mr. Parker’s attending physician has provided required supporting documentation; and

WHEREAS: The General Manager has reviewed this request and recommends approving this unpaid medical leave of absence request for a period of six (6) months.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Lance E. Parker a six (6) month unpaid medical leave of absence beginning September 25, 2015, and extending until March 25, 2016.

MOTION TO APPROVE _____

MADE BY MR. ROOSEVELT _____

2ND BY MS. PETRUCCI _____

AYES 3 NOES 0 _____

Board Meeting of October 7, 2015

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 employees have 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 9000-7 Public Administration Dissertation	90%	\$2,933.95
Yusef Myrick	Medaille College	MBA 533X Financial Accounting	90%	\$2,867.40

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$5,801.35. These Reimbursements will be charged to account no. 00820102-421026.

MOTION TO APPROVE
 MADE BY MS. PETRUCCI
 2ND BY MR. ROOSEVELT
 AYES 3 NOES 0

Board Meeting of October 7, 2015

ITEM NO. 16

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MS. PETRUCCI 2ND BY MR. ROOSEVELT AYES 3 NOES 0

Board Meeting of October 7, 2015