

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

September 21, 2016

BUFFALO SEWER AUTHORITY

September 21, 2016

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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ITEM NO. 2

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

As of July 31, 2016

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$9,674,913.62	First Niagara	0.15%	Municipal Premium
			\$318.98	Wilmington Fund		
20-Jun-16	21-Sep-16	93	\$12,504,547.86	M&T Securities	0.31%	\$10,023.23
15-Jul-16	16-Nov-16	124	\$14,171,098.70	M&T Securities	0.41%	\$20,064.85
06-Jun-16	03-Mar-17	270	\$22,490,881.53	M&T Securities	0.90%	\$152,901.00
			<u>\$58,841,760.69</u>			
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		\$1,077,243.01	First Niagara	0.15%	Municipal Premium
OPERATING FUND						
31-Jul-12	Super NOW		\$2,734,165.93	First Niagara	0.15%	Municipal Premium
TRUST & AGENCY FUND						
31-Jul-12	Money Market		\$34,772.75	First Niagara	0.02%	Municipal Premium
SURPLUS FUND						
			\$782.60	Wilmington Fund		
27-Apr-16	29-Aug-16	124	\$10,013,195.52	M&T Securities	0.50%	\$17,249.78
			<u>\$10,013,978.12</u>			
NET REVENUE FUND						
27-Apr-16	03-Aug-16	98	\$3,002,939.94	M&T Securities	0.42%	\$3,433.43
26-May-16	26-Aug-16	92	\$2,500,374.75	M&T Securities	0.30%	\$1,917.43
30-Jun-16	28-Sept-16	90	\$5,400,109.12	M&T Securities	0.31%	\$4,188.10
15-Jul-16	26-Oct-16	103	5,496,514.56	M&T Securities	0.31%	\$4,881.74
			<u>\$16,399,938.37</u>			

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

02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
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Series K (1004925)

02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%
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Series L (3001357)

				Federated Treasury Obligation	
			\$0.12		
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			\$689,547.12		

Series M (1039308)

27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt	2.70%
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Series N (1002070)

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
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RECEIVE & FILE

Board Meeting September 21, 2016

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

7/01/2016	00230106 Refuse Disposal Service	-\$35,000.00	00290106 Aeration Refuse	\$35,000.00
7/22/2016	00300103 Blow Electric Light & Power	-\$42,300.00	00390103 Hamburg Drain Float Water	\$42,300.00
7/28/2016	00380105 INCIN Equip Maintenance	-\$1,000.00	00530105 Yard Small Tools	\$1,000.00
8/24/2016	00340105 THIC Equip Maintenance	-\$2,485.00	00530105 Yard Equip Maintenance	\$2,485.00

General Financial Charges

7/22/2016	00800183 Financial Contingency	-\$2,471.10	00600106 Eng Advertising	\$2,471.10
8/02/2016	00800183 Financial Contingency	-\$800.00	00600106 Eng Advertising	\$800.00
8/09/2016	00800183 Financial Contingency	-\$70,000.00	00550106 IWS Legal Barclay	\$70,000.00

RECEIVE & FILE

Board Meeting of September 21, 2016

ITEM NO. 4

FUND BALANCE DESIGNATION

WHEREAS: The Buffalo Sewer Authority has adopted a Fund Balance Policy in an effort to ensure financial security through the maintenance of a reserve fund; and

WHEREAS: In accordance with this policy, each year the Buffalo Sewer Authority must designate the purpose of the fund balance; and

WHEREAS: The General Manager recommends the following designation of the fund balance for the fiscal year ending June 30, 2016.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the following designation of the fund balance for the fiscal year ending June 30, 2016.

Fund Balances:		
Non-Spendable	\$	130,385
Committed:		
Encumbrances	\$	1,616,453
Loss Contingencies	\$	5,000,000
Capital Projects	\$	17,761,478
Unassigned	\$	<u>10,000,000</u>
Total Fund Balances	\$	34,508,316

MOTION TO _____ APPROVE _____

MADE BY _____ MS. PETRUCCI _____

2ND BY _____ MR. KENNEDY _____

AYES _____ 4 _____ NOES _____ 0 _____

Board Meeting of September 21, 2016

ITEM NO. 5

AUTHORIZATION TO WRITE-OFF 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: Fast Mart Gas and Grocery, located at 400 Rhode Island Street, has an outstanding balance of \$1,229.33 for the cost of an environmental spill cleanup plus interest for the period of 1998-2016; and

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

WHEREAS: The statute of limitations has passed to collect this debt; and

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

WHEREAS: The Executive Secretary recommends the write-off of these charges.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the write-off of the outstanding balance of \$1,229.33 for the cost of an environmental spill cleanup plus interest for Fast Mart Gas and Grocery that is determined to be uncollectible.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 6

AUTHORIZATION TO WRITE-OFF 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: E & A Excavating, Inc., has an outstanding balance of \$18,755.63 for the cost of disposal of waste at the Bird Island Wastewater Treatment Plant plus interest for the period of 2006-2016; and

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

WHEREAS: The statute of limitations has passed to collect this debt; and

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

WHEREAS: The Executive Secretary recommends the write-off of these charges.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the write-off of the outstanding balance of \$18,755.63 for the cost of disposal of waste at the Bird Island Wastewater Treatment Plant plus interest for E & A Excavating, Inc. that is determined to be uncollectible.

MOTION TO APPROVE
MADE BY MR. KENNEDY
2ND BY MR. ROOSEVELT
AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 8

CONTRACT APPROVAL - AUDIT AND ACCOUNTING SERVICES

WHEREAS: The use of independent Certified Public Accountants is necessary in order that the Buffalo Sewer Authority submits financial statements in accordance with generally accepted auditing standards, prepares a Comprehensive Annual Financial Report for submission to the New York State Comptroller, and develops accurate cost allocation schedules of operation at the Bird Island Wastewater Treatment Plant; and

WHEREAS: Drescher & Malecki LLP, Certified Public Accountants, has proposed to extend their service contract with the Buffalo Sewer Authority for accounting and auditing services for a one-year period, beginning July 1, 2016, for a fee not to exceed \$45,500.00, and to prepare a cost allocation schedule for a fee not to exceed \$5,000.00. The cost for these services remains the same as last fiscal year's contract; and

WHEREAS: The Audit Committee of the Board of Directors of the Buffalo Sewer Authority recommends renewing this contract for the fiscal year beginning July 1, 2016; and

WHEREAS: Due to time constraints, the Board was polled on August 2, 2016, and verbally authorized acceptance of this proposal; and

WHEREAS: It is now necessary to formally ratify that authorization.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby formally authorizes the Chairman of the Audit Committee to enter into an agreement with Drescher & Malecki LLP, Certified Public Accountants, to perform the required auditing of the Buffalo Sewer Authority's affairs for a cost not to exceed \$45,500.00, and to develop the cost allocation schedule for a cost not to exceed \$5,000.00, for the period July 1, 2016 through June 30, 2017. Account no. 00110106-432001 will be charged for the financial audit. Account no. 00550106-432001 will be charged for the cost allocation schedule.

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

Board Meeting of September 21, 2016

ITEM NO. 9

REPORT ON BIDS RECEIVED - SLUDGE INCINERATOR REFRACTORY REHABILITATION SERVICES

WHEREAS: Formal bids were advertised and solicited for Sludge Incinerator Refractory Rehabilitation Services at the Bird Island Wastewater Treatment Facility. The following bids were received and opened on September 7, 2016:

VENDOR	TOTAL BID
K&E Fabricating, Co. Inc.	\$183,710.00
Industrial Furnace Company, Inc.	\$401,200.00

; and

WHEREAS: The bids were 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: The Buffalo Sewer Authority's staff reviewed the bids and recommend awarding the contract to the lowest most responsible bidder, K&E Fabricating Co., Inc., at a cost not to exceed \$183,710.00.

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 not to exceed amount of \$183,710.00 that will be charged to account no. 00380106-443421.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. PETRUCCI

AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 10

REPORT ON BIDS RECEIVED - PURCHASE OF BSP THERMAL SYSTEM REPLACEMENT PARTS

WHEREAS: Board approval is required on purchases made over \$20,000.00; and

WHEREAS: The following bid request for the purpose of BSP Thermal Systems replacement parts were solicited and received:

VENDOR	TOTAL BID
Industrial Furnace Company	\$30,795.20
BSP Thermal Systems, Inc.	\$35,878.00 (plus freight estimated not to exceed \$1,113.00)

; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for BSP Thermal Systems brand parts. Although BSP Thermal Systems, Inc. is sole source, the purchase department has been informed that Industrial Furnace can supply the parts due to the fact that they track the commodity. The entire order will be awarded to Industrial Furnace Company; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend the purchase of Industrial Furnace brand parts.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed BSP Thermal Systems replacement parts from Industrial Furnace Company, in the amount of \$30,795.20. This purchase will be charged to account nos. 00380105-466107 and 00380150-466107.

MOTION TO APPROVE _____
 MADE BY MS. PETRUCCI _____
 2ND BY MR. ROOSEVELT _____
 AYES 4 NOES 0

ITEM NO. 11

AUTHORIZATION TO PURCHASE THC ANALYZER FOR CEMS

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Thermo Environmental Instruments, the original equipment manufacturer, and/or their authorized local representative as a sole source for replacement parts, supplies, and service for the TEI Model 51 series Total Hydrocarbon Analyzers for the Continuous Emissions Monitoring System (CEMS) at Incinerator Control located at the Wastewater Treatment Plant; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for THC Analyzer for CEMS parts; and

WHEREAS: A quote was requested and received from Thermo Environmental Instruments in the amount of \$20,350.00 for the THC Analyzer for CEMS parts; and

WHEREAS: Monies payable to date to Thermo Environmental Instruments, for parts, supplies and services in fiscal year 2016-2017 are \$3,566.47. This purchase will bring the total monies payable to \$23,916.47; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff reviewed the quote received and recommend the purchase of the THC Analyzer for CEMS parts; and

WHEREAS: Board approval is required on purchases over \$20,000.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the necessary THC Analyzer for CEMS parts from Thermo Environmental Instruments for a total of \$20,350.00, including shipping charges. These parts will be charged to account no. 00380105-466107.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MS. PETRUCCI	_____
2 ND BY	_____	MR. KENNEDY	_____
AYES	_____	4	NOES _____ 0

Board Meeting of September 21, 2016

ITEM NO. 12

AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 21600068 FOR ELEVATOR SERVICES

- WHEREAS: On December 7, 2011, the Board of the Buffalo Sewer Authority received formal bids for elevator maintenance through June 30, 2012, with an option to renew for three (3) one-year periods through June 30, 2016, and authorized the General Manager to enter into a contract with the Otis Elevator Company, the responsible low bidder; and
- WHEREAS: Blanket Order No. 21600068 was established for the period July 1, 2015 through June 30, 2016, in the amount of \$120,800.00 for these services; and
- WHEREAS: In fiscal year 2014-2015, a quote was requested and received from Otis Elevator Company for the completed replacement of existing car gate system for the freight elevator located in the Treatment Plant Mega Structure in the amount of \$61,895.00; and
- WHEREAS: On February 11, 2015, on Item No. 12 the Board approved a change order to increase the total amount to \$182,695.00; and
- WHEREAS: Original installation of the freight elevator was in the mid 1970's and exact OEM materials are no longer available, therefore extensive modification of the new door rails and wiring changes at each of the four (4) floors were required to fit properly. Extra cost were incurred for additional time and materials required to complete these repairs and to ensure safety and reliability of the elevator operation.
- WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff recommend this increase in payment; and
- WHEREAS: Board approval is required on purchases over \$20,000.00; and
- WHEREAS: Due to the particulars of the matter and the nature of the transaction it will be necessary to treat this item under Judgment and Claims.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to approve the change order in the amount of \$49,509.40 to blanket order no. 21600068 with Otis Elevator Company for a total amount not to exceed \$232,204.40. This repair will be charged to Judgment and Claims account no. 00800108-480214.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 13

UTILITY WORK AGREEMENT (HC-140) - NEW YORK STATE DEPARTMENT OF TRANSPORTATION - PIN 5808.28

WHEREAS: The New York State Department of Transportation (NYSDOT) desires to perform work under PIN 5808.28, ADA Compliance Sidewalk Mitigation and Milling and Resurfacing Oak and Elm Streets and North and South Division Streets; and

WHEREAS: The NYSDOT will include as part of the improvement of the above mentioned project the installation of new catch basins, rebuilding drainage structure's top slabs and adjusting manhole cover elevations as shown on the contract plans relating to the project; and

WHEREAS: It is a recommendation of the NYSDOT that a Utility Work Agreement be executed by a duly authorized agent of the affected utility to allow the State of New York to perform said work within the Buffalo Sewer Authority; and

WHEREAS: This work will be done at no cost to the Buffalo Sewer Authority.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute, on behalf of the Buffalo Sewer Authority, a Utility Work Agreement granting the State of New York authority to perform the installations and adjustments for the Buffalo Sewer Authority under PIN 5808.28, ADA Compliance Sidewalk Mitigation and Milling and Resurfacing Oak and Elm Streets and North and South Division Streets and agreeing to maintain facilities installed and adjusted via State-let contract.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 21, 2016

CERTIFICATE

I, Eleanor C. Petrucci, Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on September 21, 2016, 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 on September 21, 2016, 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 21st day of September, 2016.

(SEAL)

Eleanor Petrucci
Secretary, Buffalo Sewer Authority Board

ITEM NO. 14

CHANGE ORDER NO. 2 – CONTRACT NO. 81500022

CONTRACTOR:	ORIGINAL CONTRACT COST	\$2,094,375.00
Mark Cerrone, Inc.	PREVIOUS CHANGE ORDER	\$59,012.90
2368 Maryland Avenue	THIS CHANGE ORDER (DEDUCT)	<u>(\$412,134.20)</u>
Niagara Falls, NY 14304	ADJUSTED CONTRACT COST	\$1,741,253.70

WORK: Miscellaneous System Wide Repairs

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Decrease in contract due to unused quantities in amount of \$412,134.20

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Final adjustment

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$412,134.20)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$412,134.20)

The total DECREASE to the contract as a result of this Change Order is \$412,134.20

CONTRACT SUPPLEMENT CONDITIONS:

- 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.
- 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.
- 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.
- 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. 2 to Contract No. 81500022 as written in the above Agenda Item, decreasing the contract cost in the amount of \$412,134.20 making the adjusted contract cost \$1,741,253.70.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 16

SEQRA TYPE II DETERMINATION REGARDING THE PRATT-WILLERT GREEN STREETS PROJECT

- WHEREAS: On March 18, 2014, the United States Environmental Protection Agency, with concurrence by the New York State Department of Environmental Conservation, issued an Amended Administrative Order which approved the Buffalo Sewer Authority's Combined Sewer Overflow Long Term Control Plans (LTCP); and
- WHEREAS: The LTCP includes requirements for the implementation of green infrastructure for impervious surface control within the CSO 017 basin; and
- WHEREAS: The Authority is scheduled to begin construction utilizing green and gray infrastructure technology within the existing street rights-of-way in the City of Buffalo to minimize wet weather runoff to the Buffalo River through the existing CSO Outfall No. 017; and
- WHEREAS: This project will reduce discharges of combined sanitary and storm water to the Buffalo River during significant storm events by incorporating green and gray infrastructure technology; and
- WHEREAS: The Buffalo Sewer Authority, as lead agency pursuant to the New York State Environmental Quality Review Act (SEQRA), undertook a coordinated review of the LTCP, and on July 18, 2012 issued a Negative Declaration with respect to the LTCP; and
- WHEREAS: SEQRA, with reference to 6 NYCRR §617.5, provides that certain actions noted as Type II, or classes of action, have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under New York Environmental Conservation Law. Specifically, 6 NYCRR 617.5 (c) (29) excludes "a course of action specifically required to be undertaken pursuant to a judgment or order".

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby constitutes the Pratt-Willert Green Streets Project as a Type II Action in accordance with 6 NYCRR 617.5 (c) (29). Accordingly, no further review under SEQRA is required.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 21, 2016

CERTIFICATE

I, Eleanor C. Petrucci, Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on September 21, 2016, 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 on September 21, 2016, 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 21st day of September, 2016.

(SEAL)

Eleanor Petrucci
Secretary, Buffalo Sewer Authority Board

CERTIFICATE

I, Eleanor C. Petrucci, Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on September 21, 2016, 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 on September 21, 2016, 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 21st day of September, 2016.

(SEAL)

Eleanor Petrucci
Secretary, Buffalo Sewer Authority Board

ITEM NO. 18

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH EMNET, LLC FOR WET WEATHER OPERATIONAL OPTIMIZATION PROFESSIONAL CONSULTATION SERVICES

WHEREAS: The Buffalo Sewer Authority (BSA) issued a request for proposals (RFP) for professional consultation services on July 18, 2016, inviting national firms - EmNet, LLC, MWH Americas, Inc., OptiRTC, Inc., and Tetra Tech to respond; and

WHEREAS: EmNet was the only company that responded to the RFP by the specified deadline of 3:00 pm August 8, 2016; and

WHEREAS: A Consultant Selection Committee, consisting of the General Manager, Principal Sanitary Engineer, Associate Engineer, Treatment Plant Administrator, Treatment Plant Superintendent, and Senior Instrument Technician reviewed the proposal received; and

WHEREAS: EmNet holds extensive experience in the planning, design, and implementation of real time control and real time decision support systems for utilities' collection systems across the country; and

WHEREAS: EmNet has experience with BSA's previous wet weather operational optimization projects that have been installed and are currently under construction; and

WHEREAS: Based upon the review process and past BSA experience, the Consultant Selection Committee recommends retaining EmNet, LLC for professional consultation services outlined in the RFP; and

WHEREAS: Upon request, EmNet has submitted a proposal to complete these tasks at a cost not to exceed \$1,535,882.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manger to execute an agreement with EmNet, LLC at a cost not to exceed \$1,535,882.00 for professional consultation services as defined in the proposal dated August 2016. The cost of this contract will be funded from account no. 02000446-432004.

MOTION TO _____ APPROVE _____

MADE BY _____ MS. PETRUCCI _____

2ND BY _____ MR. KENNEDY _____

AYES _____ 4 _____ NOES _____ 0 _____

Board Meeting of September 21, 2016

CERTIFICATE

I, Eleanor C. Petrucci, Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on September 21, 2016, 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 on September 21, 2016, 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 21st day of September, 2016.

(SEAL)

Eleanor Petrucci
Secretary, Buffalo Sewer Authority Board

ITEM NO. 20

CONFIRMATION OF APPOINTMENTS

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$18.58 PER HOUR
EFFECTIVE: AUGUST 29, 2016

TONY FOUNTAIN
276 MASTEN
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$18.10 PER HOUR
EFFECTIVE: AUGUST 29, 2016

MICHAEL CRAPO
273 BARAGA ST.
BUFFALO, NY

SEWER MAINTENANCE SUPERVISOR I (PERMANENT)
SEWAGE TREATMENT PLANT
\$52,333 PER ANNUM
EFFECTIVE: AUGUST 9, 2016

JOEL RENZONI
20 PORTLAND AVENUE
BUFFALO, NY

SEWER MAINTENANCE SUPERVISOR I (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$52,333 PER ANNUM
EFFECTIVE: AUGUST 17, 2016

ROBERT STORY
46 STRATHMORE AVENUE
BUFFALO, NY

SEWER MAINTENANCE SUPERVISOR I (PROVISIONAL)
 SEWAGE TREATMENT PLANT
 \$52,333 PER ANNUM
 EFFECTIVE: AUGUST 29, 2016

RAYMOND MCCAUSTLE
 57 COUNTESS AVENUE
 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. PETRUCCI
 2ND BY MR. ROOSEVELT
 AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 21

REQUEST FOR LEAVE OF ABSENCE

WHEREAS: The Buffalo Sewer Authority has received a request from Leonard Falzone, a permanent Sewer Construction Worker, for an unpaid leave of absence. Leonard Falzone has accepted a position as a Buffalo Firefighter with the City of Buffalo Fire Department beginning September 7, 2016, and he has requested this unpaid leave of absence for the duration of his probationary period; and

WHEREAS: The General Manager has reviewed this request and recommends approval of Leonard Falzone's request for an unpaid leave of absence for the duration of his probationary period.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Leonard Falzone an unpaid leave of absence beginning September 7, 2016, and extending until the end of his probationary period.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MS. PETRUCCI

AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 22

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</u>
Peter Cicero	Buffalo State	Grade 4 Management	100%	<u>TOTAL</u> \$500.00
Daniel O'Sullivan	California State University, Sacramento	The Function and Principals of Water Treatment	100%	\$173.00
Victor Orlando	Buffalo State	Grade 4A Management	100%	\$642.10

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$1,315.10. These Reimbursements will be charged to account no. 00820102-421026.

MOTION TO APPROVE
MADE BY MS. PETRUCCI
2ND BY MR. ROOSEVELT
AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 23

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:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>SEMESTER</u>	<u>TUITION</u>
Rosaleen B. Nogle	Indiana University	SPEA-V 502 Public Management	Summer 2016	\$3,474.24

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 MR. KENNEDY
 2ND BY MR. ROOSEVELT
 AYES 4 NOES 0

Board Meeting of September 21, 2016

ITEM NO. 24

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

Board Meeting of September 21, 2016