

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
April 6, 2011**

53426.....53483

BUFFALO SEWER AUTHORITY

April 6, 2011

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>John E. Kennedy, Jr.</u>	<u>Assistant Secretary</u>
	<u>David P. Comerford</u>	<u>General Manager</u>
	<u>Oluwole A. McFoy</u>	<u>Secretary to the General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>James Eagan, P.E.</u>	<u>Sr. Sanitary Engineering Supervisor</u>
	<u>James Keller</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 Improvements & Development</u>
	<u>Seema Somani</u>	<u>City of Buffalo Audit Department</u>
	<u>Laura Surdej</u>	<u>Erie Co. Dept. of Sewerage</u>
Absent:	<u>none</u>	<u></u>

The meeting was called to order at 9:10 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of March 2, 2011

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MS. WILSON-DIVINCENZO</u>
2 ND BY	<u>MR. ROOSEVELT</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of April 6, 2011

ITEM NO. 2

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

March 25, 2011

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
15-Apr-02	Money Market		\$500,000.00	Chase	0.45%	High Yield
CONSTRUCTION FUND						
08-Apr-02	Money Market		\$36,093,737.66	Chase	0.45%	High Yield
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$1,006,239.89	Chase	0.45%	High Yield
OPERATING FUND						
08-Apr-02	Money Market		\$3,016,798.42	Chase	0.45%	High Yield
TRUST & AGENCY FUND						
06-May-02	Money Market		\$33,723.63	Chase	0.45%	High Yield
SURPLUS FUND						
			\$252.20	MTB Funds		
25-Feb-11	30-Jun-11	125	\$6,049,585.62	M&T Securities	0.21%	\$4,414.38
			<u>\$6,049,837.82</u>			
NET REVENUE FUND						
			\$426.08	MTB Funds		
25-Jan-11	25-Apr-11	90	\$6,299,164.10	M&T Securities	0.18%	\$2,835.90
25-Feb-11	25-May-11	89	\$2,499,948.88	M&T Securities	0.17%	\$1,051.12
25-Feb-11	30-Jun-11	125	\$2,399,249.27	M&T Securities	0.21%	\$1,750.73
25-Mar-11	30-Jun-11	97	\$4,499,573.92	M&T Securities	0.20%	\$2,426.08
			<u>\$15,698,362.25</u>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
DEBT RESERVE FUND						
30-Apr-10	03-Jun-11	399	\$1,007,669.72	Series F FHLB	0.42%	
30-Apr-10	10-Jun-11	406	\$333,570.61	Series F FHLB	0.42%	
01-Aug-08	06-Sep-13	1862	\$8,240,877.50	Series I FHLB	4.00%	
13-Mar-03	15-Apr-32		\$2,825,593.00	Series H SLG	4.35%	
04-Mar-04	15-Nov-33		\$774,061.00	Series J SLG	3.82%	
22-Jul-04	15-Feb-33		\$498,654.00	Series K SLG	4.63%	
27-Jul-06	01-Oct-35		\$952,666.00	Series L SLG	4.52%	

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Board Meeting of April 6, 2011

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 Buffalo Sewer Authority's operating budget.

Wastewater Treatment Plant

3/1/2011	00380105 Incinerator Supplies	-\$132.60	00520105 Maintenance Supplies	\$132.60
3/8/2011	00520106 Maintenance Services	-\$7,500.00	00370106 Centrifuge Services	\$7,500.00
3/14/2011	00520105 Maintenance Supplies	-\$400.00	00200105 Plant Supplies	\$400.00
3/15/2011	00210105 RWWP Supplies	-\$2,154.00	00520105 Maintenance Supplies	\$2,154.00
3/15/2011	00410105 Hamburg Supplies	-\$196.00	00450105 Kelly F Supplies	\$196.00
3/15/2011	00410105 Hamburg Supplies	-\$123.85	00470105 Water Supplies	\$123.85
3/15/2011	00520105 Maintenance Supplies	-\$2,236.55	00380105 Incinerator Supplies	\$2,236.55
3/17/2010	00520106 Maintenance Services	-\$100.00	00510106 Lab Services	\$100.00
3/18/2011	00520106 Maintenance Services	-\$35.00	00200106 Plant Services	\$35.00
3/21/2011	00520105 Maintenance Supplies	-\$212.35	00200105 Plant Supplies	\$212.35
3/21/2011	00520105 Maintenance Supplies	-\$18.22	00200105 Plant Supplies	\$18.22
3/21/2011	00520105 Maintenance Supplies	-\$218.48	00380105 Incinerator Supplies	\$218.48
3/21/2011	00520105 Maintenance Supplies	-\$396.00	00200105 Plant Supplies	\$396.00

Sewer Maintenance Division

2/28/2011	00670105 Sewer Cleaning Supplies	-\$500.00	00690105 Auto Supplies	\$500.00
3/15/2011	00690106 Auto Services	-\$250.00	00650106 Sewer Maintenance Services	\$250.00

General Financial Charges

3/15/2010	00800183 Financial Contingency	-\$170.00	00110106 Administrative Services	\$170.00
3/15/2001	00800183 Financial Contingency	-\$3,000.00	00670106 Sewer Cleaning Services	\$3,000.00
2/25/2011	00800183 Financial Contingency	-\$11,902.96	00600107 Engineering Capital Outlay	\$11,902.96

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Board Meeting of April 6, 2011

ITEM NO. 4

INFORMATIVE: PUBLIC NOTICE - STORMWATER ANNUAL REPORT (APRIL 2010 - MARCH 2011)

New York State's MS4 SPDES Permit, Section 2e: Public Involvement/Participation requires that the Buffalo Sewer Authority present the draft annual report at a meeting that is open to the public, where the public attendees are able to ask questions about and make comments on the report.

The Buffalo Sewer Authority will have the Annual Stormwater Report at their City Hall Office, Room 1038, Buffalo, New York, from 9:00 a.m. to 12:00 p.m. on Friday, May 6, 2011.

The Stormwater Annual Report for April 2010– March 2011 will be completed and submitted after the public review and comment period.

This item is presented to the Board for their information to be acknowledged and received and filed.

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Board Meeting of April 6, 2011

ITEM NO. 5

CONSIDERATION OF THE OPERATING FUND BUDGET FOR FISCAL YEAR 2011-2012

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached Operating Fund Budget and Five-Year Capital Plan for the fiscal year commencing July 1, 2011.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 6

PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"

WHEREAS: The Buffalo Sewer Authority has hereto adopted a "Schedule of Sewer Rents and Other Charges" pursuant to Section 1180 of Title 8, Article 5 of Chapter 870 of the Laws of 1939 of the State of New York; and

WHEREAS: Such "Schedule of Sewer Rents and Other Charges" now requires adjustments to provide the required revenue to finance our Operating Fund Budget for the fiscal year July 1, 2011 to June 30, 2012.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached proposed amended "Schedule of Sewer Rents and Other Charges".

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of April 6, 2011

PROPOSED SCHEDULE OF SEWER RENTS
AND OTHER CHARGES
FOR 2011-2012

TO PROVIDE FUNDS FOR THE FIXED CHARGES AND FOR THE OPERATION AND MAINTENANCE OF THE ENTIRE SEWER SYSTEM IN THE CITY OF BUFFALO AND ALL OF THE BUFFALO SEWER AUTHORITY FACILITIES FOR THE CONVEYANCE, TREATMENT AND DISPOSAL OF SEWAGE AND STORM WATER OPERATED BY THE BUFFALO SEWER AUTHORITY.

I. **SEWER RENTS FOR PREMISES SITUATED WITHIN THE LIMITS OF THE CITY OF BUFFALO**

(a) \$12,050,000 shall be collected from all real property in the City of Buffalo (the "City") by apportioning the said amount upon such property within the City as the same is set down on the last completed annual assessment roll of the City, except that no *ad valorem* sewer rent shall be assessed against real property exempt from real property taxes pursuant to subdivision one of section four hundred, sections four hundred four, four hundred six, four hundred twelve, four hundred eighteen, subdivision one section four hundred twenty, section four hundred forty-six, four hundred fifty-two, four hundred sixty-two and four hundred seventy-seven of the New York Real Property Tax Law.

(b) In the event a person, lot, parcel of land, building or premises, other than a City department, situated within the limits of the City, discharging sewage, water or other liquids into the Buffalo Sewer Authority (the "Authority") sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board or from any other source, and the quantity of water used is measured by a water meter acceptable to the Authority, then in each such case, the quantity of water used, as measured by said meter, shall be used to determine the sewer charge or rental, and the charge for such use shall be as follows: the first four thousand (4,000) cubic feet of water used per quarter year shall bear a sewer charge or rental of \$48.30, and any water used in excess thereof shall bear a sewer charge or rental of \$11.09 per thousand cubic feet (\$.0111 per cubic foot);

Provided that the minimum charge shall be \$16.10 per month if the meter is read monthly and \$48.30 per quarter year if the meter is read quarterly.

II. SEWER RENTS FOR PREMISES SITUATED OUTSIDE THE LIMITS OF THE CITY OF BUFFALO

(a) An annual service charge for the privilege of connecting with the facilities of the Authority shall be due for any premises situated outside the limits of the City for each \$1,000 of assessed valuation as determined on the last completed annual assessment, the same rate of \$2.71239 per \$1,000 of assessed valuation for 2011-2012.

(b) In the event a person, lot, parcel of land, building or premises, other than a City department, situated outside the limits of the City, discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board or from any other source, and the quantity of water used is measured by a water meter acceptable to the Authority, then in each such case, the quantity of water used, as measured by said meter, shall be used to determine the sewer charge or rental, and the charge for such use shall be as follows: the first four thousand (4,000) cubic feet of water used per quarter year shall bear a sewer charge or rental of \$48.30, and any water used in excess thereof shall bear a sewer charge or rental of \$11.09 per thousand cubic feet (\$.0111 per cubic foot);

Provided that the minimum charge shall be \$16.10 per month if the meter is read monthly and \$48.30 per quarter year if the meter is read quarterly.

III. GENERAL PROVISIONS

(a) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, is a user of water supplied by the Buffalo Water Board, and the quantity of water used is not measured by a water meter acceptable to the Authority, then the sewer charge or rental for all such accounts shall be in the respective amounts (expressed in dollars) set forth in Exhibit A, attached hereto and made a part hereof, as the Authority determines applicable to such person, lot, parcel of land, building or premises.

(b) In addition to all other rentals and charges provided herein, a monthly drainage connection service charge shall be due for any and all persons, lots, parcels of land, building or premises, other than a City department, that discharge sewage, water or other liquids into the Authority sewer system, either directly or indirectly, as follows:

1. A monthly charge of \$6.00 shall be due for all lots, parcels, land, buildings or premises where the quantity of water used is not measured by a meter acceptable to the Authority.
2. A monthly charge in the amounts set forth below shall be due for all lots, parcels, land, building or premises where the quantity of water used is measured by a meter acceptable to the Authority in accordance with the following meter size:

Residential Users		Non-Residential Users	
<u>Meter Size</u>	<u>Charge (\$)</u>	<u>Meter Size</u>	<u>Charge (\$)</u>
5/8 inch	6.00	5/8 inch	6.00
3/4 inch	6.00	3/4 inch	6.00
1 inch	6.00	1 inch	6.00
1 1/2 inch	6.00	1 1/2 inch	55.00
2 inch	6.00	2 inch	55.00
3 inch	55.00	3 inch	55.00
4 inch or larger	55.00	4 inch or larger	55.00

(c) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, which directly or indirectly, uses water obtained from a source other than the Buffalo Water Board, and the water so obtained is not measured by a water meter acceptable to the Authority, then, in each such case, the owner, user or other interested party shall, at his own expense, furnish, install, and maintain a water meter or other water or sewage measuring device acceptable to the Authority and the quantity of water used, as measured by said meter, or as otherwise determined, shall be used to determine the sewer charge or rental and there shall be charged an amount determined as set forth in paragraphs II(a), III(a) and III(b) as the case may be.

(d) In the event a person, lot, parcel of land, building or premises discharging sewage, water or other liquids into the Authority sewer system, either directly or indirectly, uses water in excess of 4,000 cubic feet per quarter year and it can be shown to the satisfaction of the Authority, that a portion of the water as measured by the water meter does not and cannot enter the Authority sewer system, then the Authority may determine in such manner as may be found practicable the percentage of metered water entering the Authority sewer system and the quantity of water used to determine the sewer charge or rental shall be that percentage, so determined, of the quantity of water measured by the water meter, or the Authority may require or permit the installation of additional meters or measuring devices in such a manner as to determine the quantity of water or sewage actually entering the Authority sewer system, in which case the quantity of water used to determine the sewer charge or rental shall be the quantity of water actually entering the Authority sewer system and so determined.

(e) In the event a person, lot, parcel of land, building or premises discharges sewage or other wastes into the Authority sewer system which, in the opinion of the Authority, contain unduly high concentrations or any substances which add to the operating costs of the Authority facilities, then the Authority may elect to establish and collect special rates of charge, based on the quantity of these substances, which rate of charge may be established and collected in such manner as the Authority may elect and such charge shall be paid to the Authority, or it may elect to exclude such sewage or other wastes from its facilities.

(f) As a condition of a Buffalo Discharge Elimination System Permit (BPDES), a user may be required to pay an industrial waste surcharge for discharging sewage or waste exhibiting a strength of sewage or waste greater than normal domestic sewage. The Industrial Waste Surcharge Formula reflecting the Treatment Plant unit costs for treatment of Biochemical

Oxygen Demand (BOD₅) Total Suspended Solids (TSS) and Total Phosphate (TPO₄) is as follows:

$$\text{Surcharge} = 8.34 \text{ QMGY} (0.1226 (\text{BOD}_5\text{-250}) + 0.1666 (\text{TSS-250}) + 0.0203 (\text{TPO}_4\text{-15.35}))$$

\$0.1226 Cost/lb. for treatment of BOD₅

\$0.1666 Cost/lb. for treatment of TSS

\$0.0203 Cost/lb. for treatment of TPO₄

QMGY shall mean the annual total industrial and sanitary discharge - water retention.

BOD₅ shall mean the average concentration of BOD₅ in sewage or waste discharged to the Authority facilities.

TSS shall mean the average concentration of TSS in sewage or waste discharged to the Authority facilities.

TPO₄ shall mean the average concentration of TPO₄ in sewage or waste discharged to the Authority facilities.

Surchargeable concentrations are as follows:

BOD₅ - Over 250 mg/L; TSS - Over 250 mg/L; TPO₄ - Over 15.35 mg/L

This formula shall be applied in computing the Buffalo Industrial Waste Surcharge subsequent to July 1, 2010 and ending June 30, 2011 for all users that discharge sewage or waste exhibiting a strength of sewage or waste greater than normal domestic sewage. In addition, this formula with the above rates will be used to calculate all monthly, quarterly, semiannual, and annual accounts subsequent to July 1, 2011.

(g) Any person who violates the Sewer Regulations of the Authority or the conditions of the permits issued thereunder shall be subject to fines as specified in said regulations.

(h) Whenever sewage or other wastes result in conditions in the Authority sewer system as to cause blockage or a substantial reduction in the flow, charges for the work necessary to eliminate such blockage or reduction in flow may be made, based upon costs incurred by the Authority for labor, materials, equipment hire, insurances, and other overhead, against the owner of the property or premises that caused the discharge of such sewage or other wastes into the Authority sewer system.

(i) Where sewer facilities have been installed to serve improved and unimproved property and have been paid for in whole or in part by the Authority, a charge shall be made based on a proportionate share of the original cost, determined by the foot frontage of the parcel served, or by the area of such parcels, or by such other method the Authority determines to be equitable, as a condition to a permit for a connection to the Authority's facilities.

(j) An application and inspection fee of \$100.00 for a residential sewer permit, a \$200.00 fee for a commercial sewer permit, and a \$500.00 fee for an industrial sewer permit shall be paid at the time said application is filed with the Authority.

(k) An application fee of \$500.00 for review of stormwater pollution prevention plan and erosion and sediment control plans shall be paid at the time said application is filed with the Authority.

(l) All persons owning or operating a pump truck or other transport vehicle and desiring to discharge wastes, directly or indirectly, into the Authority's facilities shall first secure a valid Truckers Discharge Permit after paying an annual permit fee of \$120.00. In addition to said permit fee, a separate charge shall be billed based upon the quantity and character of the waste discharged and, if applicable, the point of discharge.

The following surcharge rates are hereby charged for such wastehaulers who are located outside the City:

DISCHARGE LOCATION	TOTAL SUSPENDED SOLIDS	BOD ₅	TOTAL PHOSPHATE
Inlet/South Buffalo Pump	\$0.1672/lb	\$0.1232/lb.	\$0.0203/lb.
Mixing Tank	\$0.1429/lb	\$0.0694/lb.	\$0.0203/lb.
Thickener/Digester	\$0.1567/lb	\$0.0759/lb.	\$0.0203/lb.

The above surcharge rates, along with costs incurred by the Authority when handling, testing, conveying, and administering each wastehauler, will be used to determine the cost per gallon of each wastestream. The wastehauler user charges for various wastestreams are as follows:

1. Septage and portable toilet wastes - The rate of \$0.052 per gallon discharged will be assigned to all permitted septage and portable toilet wastehaulers.
2. Grease trap wastes - The rate of \$0.10 per gallon discharged will be assigned to all permitted grease trap wastehaulers.
3. Sludge wastes - This rate will vary dependent on strength and volume. Sludge rates will be calculated using the parameter costs for the mixing tank location.
4. Miscellaneous Wastes - This rate will vary dependent on strength of waste, volume and discharge location.

These rates will be used for all permits effective July 1, 2011.

(m) In the event a person, lot, parcel of land, building or premises threatens to discharge or discharges sewage or waste into or near the Authority's publicly owned treatment works, either directly or indirectly, which in the opinion of the Authority will or is likely to bypass, upset, harm or endanger the facilities of the Authority, then such person or the owner or operator of such lot, parcel of land, building or premises shall pay to the Authority charges for any and all clean up, removal and remediation costs actually incurred by the Authority, including but not limited to labor, materials, equipment, insurances or laboratory services for the (i) containment or attempted containment of such discharge or threatened discharge, (ii) sampling and analysis of such discharge or threatened discharge, (iii) removal or attempted removal of such discharge or threatened discharge, (iv) taking of reasonable measures to prevent or mitigate damage to property, public health, safety or welfare, or (v) remediation, treatment, storage or disposal of such discharge or threatened discharge and all soils, water or structures affected by such discharge.

(n) All industrial users shall pay to the Authority a charge for the actual costs of analysis incurred by the Authority for the annual or other monitoring of any and all discharges of such industrial users.

(o) Any person who is granted a temporary permit to discharge into the facilities of the Authority shall pay a permit fee of \$500.00 to the Authority as a condition of the issuance of such permit.

(p) Except as otherwise defined herein, all terms and phrases used or contained in this schedule of sewer rents shall bear the same meaning and definition as set forth in the Authority's Sewer Use Regulations 21 N.Y.C.R.R. Part 10075 and New York Public Authorities Law Section 1175 *et seq.*

(q) Sewer rents and charges as herein provided shall be payable at the office of the Director of the Treasury for the City at Room 117, City Hall, Buffalo, New York 14202, or at such other location or address as may be set forth on the Authority's invoice, and shall become due and payable as follows:

1. So much of the sewer rents and charges as are based upon water use and the drainage connection service charge covering the respective premises, or such other charges as provided herein shall be due and payable, except as otherwise stated in this schedule or in such invoice, on the same day, one month following the month of the invoice billing date, and such invoice may be billed monthly, quarterly or as otherwise determined by the Authority; and
2. So much of the sewer rents and charges as are based upon the assessed valuation of chargeable real estate shall become due and payable from the first day of July 1938, and each year thereafter, and may be paid without interest on or before September 30th next succeeding.

(r) Such sewer rents and charges that remain unpaid after their respective due dates shall be charged interest, and such interest shall continue to be charged until such sewer rents and charges are paid in full, as follows: (i) sewer rents based upon assessed valuation of chargeable real estate that remain unpaid on October 1 of each year shall be charged interest at the rate of one and one-half percent (1.5%), and such sewer rents that remain unpaid shall be charged one and one-half percent (1.5%) for each month thereafter until paid; (ii) sewer rents based upon water use and drainage connection service charges shall be charged interest at the same rate as unpaid City taxes, to wit: four and one-half percent (4.5%) interest shall be added to amounts unpaid from the first through the thirtieth day after the due date, and thereafter one and one-half percent (1.5%) shall be added to all amounts that remain unpaid for each succeeding month; and (iii) all other sewer rents and charges of the Authority shall be charged interest at the rate of one and one-half percent (1.5%) per month if not paid by the due date stated on the invoice issued by the Authority.

(s) All persons and property served by the Authority shall be subject to paying reasonable costs and expenses, including attorney fees incurred in the collection of sewer rents and charges that remain unpaid, as may be determined by the Board of the Authority. In addition to any other remedy or provision hereof, the Authority reserves the right to engage in such collection activities, as it deems appropriate, for all accounts that remain unpaid after the due date. In consideration of such collection activities and to defray the cost thereof with respect to accounts based on water use and drainage connection service, the person or property served by the

Authority may pay an additional charge of twenty-one percent (21%) of the amount of each such delinquent account, together with interest as provided herein, that remains unpaid for more than (i) one hundred twenty (120) days from the due date for metered accounts, and (ii) two hundred ten (210) days from the due date for non-metered flat rate accounts. Due date, as used herein, means the date that the Authority's sewer rent and other charges are due and payable pursuant to III (q) (1) and III (q) (2), herein, respectively.

(t) Invoice statements shall be mailed or delivered to the address of the owner or user, as the case may be, as such address appears on the Authority's records. Such mailing or delivery is a matter of convenience. Failure of an owner or user to receive an invoice statement shall not release such owner or user from the obligation to pay such invoice statement, together with any other charges and interest which may accrue on unpaid amounts.

(u) All invoices shall be paid in United States dollars and may be paid by cash, check or MasterCard and Visa at Room 117, City Hall, Buffalo, New York or such other location or address as may be provided on such invoice, by internet, or by telephone as set forth on the invoice. All persons who pay by credit or debit card made through the City of Buffalo Website shall pay the Authority a charge of the greater of two percent (2%) of the amount paid, or two dollars (\$2.00) for each credit card payment transaction as a handling charge. Also, all persons who pay by debit or check cards shall pay the Authority a two dollar (\$2.00) charge for each such transaction as a convenience fee. Multiple payments in the same transaction will be charged the convenience fee only once. The convenience fee will be added automatically to each transaction.

IV. LIEN OF SEWER RENT

From and after the due date thereof, such sewer rents and charges, together with any interest and collection costs shall constitute a lien upon the real property served by the facilities. Such lien shall have the same priority and superiority as the lien of the general tax of the City.

V. EFFECTIVE DATE OF THIS SCHEDULE

This schedule of sewer rents and other charges shall become effective July 1, 2011; provided, however, that the sewer rents and other charges herein set forth, applicable to water use, shall become effective on all billings on and after August 1, 2011, excepting only monthly metered accounts for July 2011, and Section "W" of the quarterly metered accounts for the period May, June, and July 2011, which shall be billed according to the schedule of rents in effect prior to July 1, 2011.

Exhibit A

Stories High:	1	1 ½	2	2 ½	3	4	5
Under 25 ft	21.65	24.38	29.76	35.17	37.84	40.57	45.97
From 25 ft to 30 ft	24.38	29.76	35.17	37.84	40.57	45.97	51.35
From 31 ft to 35 ft	29.76	35.17	37.84	40.57	45.97	51.35	56.74
From 36 ft to 40 ft	35.17	37.84	40.57	45.97	51.35	56.74	59.44
From 41 ft to 45 ft	37.84	40.57	45.97	51.35	56.74	59.44	62.12
From 46 ft to 50 ft	40.57	45.97	51.35	56.74	59.44	62.12	67.56

The Following Rates Apply To More Than One Family Homes or Housekeeping:

1 Family	21.65
2 Families	43.29
3 Families	64.94
4 Families	86.58
5 Families	108.03
6 Families	129.87

Bathtubs & Showers *Bathtubs with attached showers are charged for only bathtubs

1 Bathtub	5.45
2 Bathtubs	10.91
3 Bathtubs	16.36
4 Bathtubs	21.81
5 Bathtubs	27.27
6 Bathtubs	32.72
7 Bathtubs	38.17
8 Bathtubs	43.63
9 Bathtubs	49.08

Toilets:	1 Family	2 Family	3 Family	4 Family	5 Family	6 Family
1 Toilet	10.86					
2 Toilets	19.15	21.73				
3 Toilets	27.43	30.01	32.59			
4 Toilets	35.72	38.30	40.88	43.46		
5 Toilets	44.00	46.58	49.16	51.74	54.32	
6 Toilets	52.29	54.87	57.45	60.03	62.61	65.19
7 Toilets	60.57	63.15	65.73	68.31	70.89	73.47
8 Toilets	68.86	71.44	74.02	76.60	79.18	81.76
9 Toilets	77.14	79.72	82.30	84.88	87.46	90.04
Each Additional Toilet	8.28					

Border or Roomer

1	4.13
2	8.26
3	12.38
4	16.51

Office with Water: 21.65

Office without Water: 10.86

Hot Water Heating Billed in November & February:

1	10.84
2	21.67
3	32.51
4	43.35
5	54.18
6	65.02
7	75.86
8	86.69

Car in Garage:

1 Car
2 Cars
3 Cars
4 Cars
5 Cars
6 Cars
7 Cars
8 Cars

Garage w/out Water

10.84
21.67
32.51
43.35
54.18
65.02
75.86
86.69

Garage w/Water

21.66
43.32
64.98
86.69
108.30
129.96
151.62
173.28

ITEM NO. 7

AUTHORIZATION TO PUBLISH NOTICE OF PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"

WHEREAS: The Buffalo Sewer Authority requires an amendment to the "Schedule of Sewer Rents and Other Charges."

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes and directs that the proposed amended "Schedule of Sewer Rents and Other Charges" be published as a notice once a week for three (3) successive weeks, in *The Buffalo News* and the City Record on Monday, April 11, April 18, and April 25, 2011. This notice shall state that the proposed amended "Schedule of Sewer Rents and Other Charges" will remain open for inspection in the office of the Authority for thirty (30) days from the date of said notice, and that objections thereto may be filed during said period with said Authority by any person conceiving himself or herself aggrieved thereby, and that the Authority shall hear and examine such complaints and may modify the proposed Schedule and shall adopt the final amended "Schedule of Sewer Rents and Other Charges" within sixty (60) days of such notice.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 8

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: On February 24, 2011, Belknap Heating and Cooling, Inc., 8655 Transit Road, E. Amherst, New York, filed a Claim with the Buffalo Sewer Authority for damages that occurred on October 28, 2010 to one of their vehicles when struck by a Buffalo Sewer Authority vehicle while parked on Elmwood Avenue; and

WHEREAS: The General Manager reviewed this Claim and determined that the Buffalo Sewer Authority is liable in this matter.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Belknap Heating and Cooling, Inc., 8655 Transit Road, E. Amherst, New York, in the amount of \$38.07 as full settlement. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE
MADE BY MR. KENNEDY, SR.
2ND BY MR. KENNEDY, JR.
AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 9

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 commodities were received during a prior fiscal year and charged to the 2010-2011 budget account no. 00800108-480214:

VENDOR	AMOUNT
Empire Vision	\$ 71.00
Donald Wood	\$ 398.79

; and

WHEREAS: The General Manager and staff recommend the above payments from the Judgment and Claims account.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above payments from the Judgment and Claims account.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 10

AUTHORIZATION FOR EMERGENCY SERVICE ON SETTLED WASTEWATER PUMP NO. 5

WHEREAS: On April 11, 2007, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Kohl Construction, Inc., the low bidder of this formal bid for the Large Pump and Motor Rehabilitation at the Treatment Plant, at a total cost of \$536,000.00; and

WHEREAS: The terms of the contract with Kohl Construction, Inc., included the rehabilitation of two (2) large wastewater pumps and one (1) motor (No. 5 Settled Wastewater Pump and Motor and No. 4 Raw Wastewater Pump and Motor). As required, a performance bond was also provided as part of the bid package; and

WHEREAS: Both of these pumps failed while under warranty. Kohl Construction, Inc., failed to complete the necessary rehabilitation or honor their warranty for their work under this contract. In April 2010 the Authority submitted a claim with the bonding company, Colonial Surety Company, through the City of Buffalo Department of Law; and

WHEREAS: Colonial Surety Company has been deemed unresponsive; and

WHEREAS: The function of these pumps and motors are critical to the operation of the Buffalo Sewer Authority's sewer system and further delay will disrupt the Authority's Annual Pump Rehabilitation Program and jeopardize the Authority's SPDES Permit; and

WHEREAS: The Authority requested and received the following quotes for emergency repair of Settled Wastewater Pump No. 5:

CPE Service Systems Solutions	\$ 38,000.00
ITT Pro Services -Ontario	\$ 49,425.00
Pennsylvania Electric	\$ 73,000.00

; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff recommend this emergency repair service; and

WHEREAS: Due to the critical nature of this pump, the Board was polled on March 4, 2011, and verbally authorized the General Manager to utilize the services of Corrosion Products for the repair of SWWP No. 5 at a total cost of \$38,000.00; 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 General Manager to utilize the services of Corrosion Products for the repair of SWWP No. 5 at a total cost of \$38,000.00. Account no. 02000272-490740 will be charged for this service.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 11

AUTHORIZATION FOR CHANGE ORDER TO BLANKET PURCHASE ORDER NO. 21100088 - BUFFALO INDUSTRIAL CHEMICALS

WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with Buffalo Industrial Chemicals for the purchase of boiler feedwater chemicals and service at the Treatment Plant, up to a maximum amount of \$18,364.10, for a one year period, July 1, 2010 to June 30, 2011; and

WHEREAS: Blanket Purchase Order No. 21100088 was established for this commodity and service for fiscal year 2010-2011; and

WHEREAS: The Principal Chief Stationary Engineer has a need for additional chemicals for this fiscal year and requests an increase in the amount of \$4,956.25 to Blanket Purchase Order No. 21100088, from \$18,364.10 to \$23,320.35; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this increase.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to increase Blanket Purchase Order No 21100088 in the amount of \$4,956.25, from \$18,364.10 to \$23,320.35, for the purchase of boiler feedwater chemicals and service from Buffalo Industrial Chemicals for fiscal year 2010-2011. Funds for this change order will be charged to account no. 00380105-467044.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 12

AUTHORIZATION FOR CHANGE ORDER TO BLANKET PURCHASE ORDER NO. 21100064 - PURCHASE OF GLOVES UNDER CITY OF BUFFALO INFORMAL PRICE AGREEMENT

WHEREAS: The Buffalo Sewer Authority utilizes City of Buffalo Informal Price Agreement No. 351 with Triad Synergy Group for the purchase of various gloves used at the Treatment Plant; and

WHEREAS: Blanket Purchase Order No. 21100064 was established for this commodity in the amount of \$9,950.00 with current expenditures to date for this fiscal year of \$9,939.57; and

WHEREAS: The Principal Chief Stationary Engineer has identified a need for additional restock of various gloves in the amount of \$3,262.80 which would bring the total expenditures for fiscal year 2010-2011 to \$13,202.37; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff recommend an increase to Blanket Order No. 21100064 of \$3,262.80, from \$9,950.00 to \$13,202.37; and

WHEREAS: Board approval is required on purchases over \$10,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the General Manager to increase Blanket Order No. 21100064 by \$3,262.80, from \$9,950.00 to \$13,202.37. Funds for this change order will be charged to account no. 00200105-461145.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 13

EXTENSION OF THE CONTRACT FOR THE RENTAL AND SERVICE OF COVERALL GARMENTS AND LAB COATS

WHEREAS: On February 10, 2010, the Board of the Buffalo Sewer Authority awarded a contract to Coyne Textile Services for the rental and service of coverall garments and lab coats at the Treatment Plant at an estimated cost of \$10,585.74, and an actual cost not to exceed \$15,000.00, for the period July 1, 2010 to June 30, 2011, with an option to renew for three (3) one-year periods; and

WHEREAS: Coyne Textile Services has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2011-2012; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$15,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Coyne Textile Services for the rental and service of coverall garments and lab coats at the Treatment Plant, up to a maximum amount of \$15,000.00 for a one-year period, July 1, 2011 to June 30, 2012. Expenses for this contract will be charged to account nos. 00200106-442330, 00520106-442330, and 00650106-442330.

MOTION TO	_____ APPROVE _____		
MADE BY	_____ MR. KENNEDY, JR. _____		
2 ND BY	_____ MS. WILSON-DIVINCENZO _____		
AYES	_____ 5 _____	NOES	_____ 0 _____

Board Meeting of April 6, 2011

ITEM NO. 14

EXTENSION OF THE CONTRACT FOR ANALYTICAL SERVICES

WHEREAS: On April 15, 2009, the Board of the Buffalo Sewer Authority awarded a contract to IsleChem, LLC, to provide analytical services for the period July 1, 2009 to June 30, 2010, with an option to renew for three (3) one-year periods, at an estimated annual cost not to exceed \$46,452.00; and

WHEREAS: On April 7, 2010, the Board authorized the extension of this contract for the period July 1, 2010 to June 30, 2011; and

WHEREAS: IsleChem, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2011-2012; and

WHEREAS: The Treatment Plant Superintendent, Industrial Waste Administrator, Laboratory Director, and staff recommend this extension at a total cost not to exceed \$46,452.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with IsleChem, LLC, to provide analytical services for the period July 1, 2011 to June 30, 2012. Expenses for this contract will be charged to account no. 00550106-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 15

EXTENSION OF THE CONTRACT FOR THE PURCHASE OF FERROUS CHLORIDE

WHEREAS: On May 6, 2009, the Board of the Buffalo Sewer Authority awarded a contract to Kemira Water Solutions, Inc., for the purchase of ferrous chloride for use at the Treatment Plant at a cost of \$0.845 per gallon, up to a maximum amount of \$270,400.00, for the period July 1, 2009 to June 30, 2010, with an option to renew for three (3) one-year periods; and

WHEREAS: On April 7, 2010, the Board authorized the extension of this contract for the period July 1, 2010 to June 30, 2011; and

WHEREAS: Kemira Water Solutions, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2011-2012; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, and staff recommend this extension at a total cost not to exceed \$270,400.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Kemira Water Solutions, Inc., for the purchase of ferrous chloride for use at the Treatment Plant for the period July 1, 2011 to June 30, 2012. Expenses for this contract will be charged to account no. 00360105-467044.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 16

EXTENSION OF THE CONTRACT FOR THE PURCHASE OF SODIUM HYPOCHLORITE

WHEREAS: On March 3, 2010, the Board of the Buffalo Sewer Authority awarded a contract to Bison Laboratories for the purchase of sodium hypochlorite for use at the Treatment Plant at a cost of \$0.53 per gallon with a total cost not to exceed \$530,000.00 for the period July 1, 2010 to June 30, 2011, with an option to renew for three (3) one-year periods; and

WHEREAS: Bison Laboratories has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2011-2012; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$530,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Bison Laboratories for the purchase of sodium hypochlorite at a cost of \$0.53 per gallon, up to a maximum amount of \$530,000.00 for a one-year period, July 1, 2011 to June 30, 2012. Expenses for this contract will be charged to account no. 00330105-467044.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MR. KENNEDY, JR.</u>	
2 ND BY	<u>MS. WILSON-DIVINCENZO</u>	
AYES	<u>5</u>	NOES <u>0</u>

Board Meeting of April 6, 2011

ITEM NO. 17

**EXTENSION OF THE CONTRACT FOR THE PURCHASE OF BOILER FEEDWATER
CHEMICALS AND SERVICE**

WHEREAS: On June 18, 2008, the Board of the Buffalo Sewer Authority awarded a contract to Buffalo Industrial Chemicals for the purchase of boiler feedwater chemicals and service at the Treatment Plant for fiscal year 2008-2009 at a total cost not to exceed \$18,364.10, with an option to renew for three (3) one-year periods; and

WHEREAS: On June 17, 2009, the Board authorized the extension of this contract for the period July 1, 2009 to June 30, 2010; and

WHEREAS: On May 26, 2010 (amended on June 16, 2010) the Board authorized the extension of this contract for the period July 1, 2010 to June 30, 2011; and

WHEREAS: Buffalo Industrial Chemicals has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2011-2012; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff recommend this extension.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Buffalo Industrial Chemicals for the purchase of boiler feedwater chemicals and service at the Treatment Plant, up to a maximum amount of \$18,364.10, for a one-year period, July 1, 2011 to June 30, 2012. Expenses for this contract will be charged to account no. 00380105-467044.

MOTION TO APPROVE
MADE BY MS. WILSON-DIVINCENZO
2ND BY MR. KENNEDY, SR.
AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 18

EXTENSION OF THE CONTRACT FOR CRANE INSPECTION, PREVENTATIVE MAINTENANCE, AND CORRECTIVE REPAIR SERVICES

WHEREAS: On March 3, 2010, the Board of the Buffalo Sewer Authority awarded a contract to Simmers Crane Design & Services for the inspection, preventative maintenance, and corrective repair services on the Buffalo Sewer Authority’s cranes for the period July 1, 2010 to June 30, 2011, at an estimated annual cost not to exceed \$19,400.00, with an option to renew for three (3) one-year periods; and

WHEREAS: Simmers Crane Design & Services has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2011-2012; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend this extension at a total cost not to exceed \$19,400.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to renew the contract with Simmers Crane Design & Services for the inspection, preventative maintenance, and corrective repair services on the Buffalo Sewer Authority’s cranes, at an estimated annual cost not to exceed \$19,400.00, for a one-year period July 1, 2011 to June 30, 2012. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 19

EXTENSION OF THE CONTRACT FOR GAS BURNER SYSTEM INSPECTION, PREVENTATIVE MAINTENANCE, AND REPAIR SERVICES

WHEREAS: On July 16, 2008, the Board of the Buffalo Sewer Authority awarded a contract to Mollenberg-Betz for inspection, preventative maintenance, corrective, and emergency repair services of gas burners located in various Buffalo Sewer Authority buildings throughout the Treatment Plant and outlying pumping stations at a total cost not to exceed \$153,830.00 for the period of the award through June 30, 2009, with an option to renew for three (3) one-year periods; and

WHEREAS: On April 15, 2009, the Board authorized the extension of this contract for the period of July 1, 2009 to June 30, 2010; and

WHEREAS: On April 7, 2010, the Board authorized the extension of this contract for the period of July 1, 2010 to June 30, 2011; and

WHEREAS: Mollenberg-Betz has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2011-2012; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer, and staff recommend this extension at a total cost not to exceed \$36,230.00. The reduction in the original contract cost is due to the first year of the contract taking care of most of the repair services.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the General Manager to renew the contract with Mollenberg-Betz for inspection, preventative maintenance, corrective, and emergency repair services of gas burners located in various Buffalo Sewer Authority buildings throughout the Treatment Plant and outlying pumping stations, up to a maximum amount of \$36,230.00 for a one-year period, July 1, 2011 to June 30, 2012. Funding for this contract will be charged 00380106-443421.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 20

EXTENSION OF THE CONTRACT FOR THE REMOVAL AND DISPOSAL OF MISCELLANEOUS CONSTRUCTION DEBRIS

- WHEREAS: On February 10, 2010, the Board of the Buffalo Sewer Authority awarded a contract to Modern Landfill, Inc., for the removal and disposal of miscellaneous construction debris at a cost of \$43.50 per ton with a total cost not to exceed \$87,000.00 for the period July 1, 2010 to June 30, 2011, with an option to renew for three (3) one-year periods; and
- WHEREAS: Modern Landfill, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2011-2012; and
- WHEREAS: The Director of Sewer Maintenance and staff recommend this extension at a total cost not to exceed \$87,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Modern Landfill, Inc., for the removal and disposal of miscellaneous construction debris at a cost of \$43.50 per ton, up to a maximum amount of \$87,000.00 for a one-year period, July 1, 2011 to June 30, 2012. Expenses for this contract will be charged to account no. 00690106-442100.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 21

CHANGE ORDER NO. 1 – CONTRACT NO. 84900008

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,640,000.00
Quackenbush Company, Inc.	THIS CHANGE ORDER	<u>(\$22,721.71)</u>
495 Kennedy Road	FINAL CONTRACT COST	\$1,617,278.29
Buffalo, New York 14227		

WORK: Centrifuge No. 2 Installation

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Unused project allowance

REASON FOR CHANGE OR EXTRA WORK:

Item #1 A portion of the project allowance was not needed to complete the project

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$22,721.71)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$22,721.71)

The total DECREASE to the contract as a result of this Change Order is (\$22,721.71)

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements remains 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.
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

ITEM NO. 22

CONTRACT NO. 84900008

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Centrifuge No. 2 Installation

BID: \$1,640,000.00

CONTRACTOR: Quackenbush Company, Inc.
495 Kennedy Road
Buffalo, New York 14227

WHEREAS: The Treatment Plant Administrator and staff have certified that the Contractor completed the work in accordance with the plans and specifications on January 6, 2011.

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 completed and is accepted.
- b. The date of entrance and occupancy for:
 - Mechanical operating equipment be fixed as of March 1, 2010
 - Controls be fixed as of July 6, 2010
 - Programming be fixed as of January 6, 2011
- c. The maintenance period commence on:
 - Mechanical operating equipment be fixed as of March 1, 2010
 - Controls be fixed as of July 6, 2010
 - Programming be fixed as of January 6, 2011
- d. Final payment be made to the Contractor in the amount of \$97,963.91, decreased \$22,721.71 by change order, making the final cost of the contact \$1,617,278.29.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 23

CHANGE ORDER NO. 1 – CONTRACT NO. 85000025

CONTRACTOR:	ORIGINAL CONTRACT COST	\$681,300.00
Progressive Roofing, Inc.	THIS CHANGE ORDER	<u>(6,534.00)</u>
331 Grote Street	FINAL CONTRACT COST	\$674,766.00
Buffalo, New York 14207		

WORK: Roof Replacement – Phase IV

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Credit for deck repair not utilized.
 Item #2 Credit for metal work not installed on Administration Building
 Item #3 Credit for metal work not installed on Maintenance Building.
 Item #4 Add for installation of eight (8) drain extensions.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 No deck repair was necessary during the course of this contract.
 Item #2 The existing through-wall counter-flashing was left in place.
 Item #3 The existing through-wall counter-flashing was left in place.
 Item #4 These installations were necessary to avert deteriorated drain colors.

COST OF CHANGE OR EXTRA WORK:

Item #1	(\$1,600.00)
Item #2	(\$1,601.00)
Item #3	(\$5,525.00)
Item #4	\$2,192.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$6,534.00)

The total DECREASE to the contract as a result of this Change Order is (\$6,534.00)
 ;and

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements remains 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 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 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. 1 to Contract No. 85000025 as written in the above Agenda Item, making the final contract cost \$674,766.00.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY, SR.	_____
2 ND BY	_____	MR. ROOSEVELT	_____
AYES	_____ 5	NOES	_____ 0

Board Meeting of April 6, 2011

ITEM NO. 24

CONTRACT NO. 85000025

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Roof Replacement – Phase IV

BID: \$681,300.00

CONTRACTOR: Progressive Roofing, Inc.
331 Grote Street
Buffalo, New York 14207

WHEREAS: The Administrator of Capital Improvements & Development and staff have certified that the Contractor completed the work in accordance with the plans and specifications on November 25, 2010.

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 completed and is accepted.
- b. The date of entrance and occupancy be fixed as of November 25, 2010.
- c. The maintenance period commence on November 25, 2010.
- d. Final payment be made to the Contractor in the amount of \$29,051.00, decreased \$6,534.00 by change order, making the final cost of the Contract \$674,766.00.

MOTION TO APPROVE _____

MADE BY MR. KENNEDY, JR. _____

2ND BY MS. WILSON-DIVINCENZO _____

AYES 5 NOES 0 _____

Board Meeting of April 6, 2011

ITEM NO. 25

CHANGE ORDER NO. 1 – CONTRACT NO. 85000024

CONTRACTOR:	ORIGINAL CONTRACT COST	\$119,000.00
Erie Contracting Company, Inc.	THIS CHANGE ORDER	<u>(5,540.91)</u>
188 Erie Street	FINAL CONTRACT COST	\$113,459.09
Lancaster, New York 14086		

WORK: Door Replacement – Phase I

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Decrease the Contract for items not installed under the original Contract specifications

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Only six (6) extra doors from the allowance of ten (10) were installed

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$5,540.91)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$5,540.91)

The total DECREASE to the contract as a result of this Change Order is (\$5,540.91)

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby 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.
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. 1 to Contract No. 85000024 as written in the above Agenda Item, decreasing the contract cost in the amount of (\$5,540.91), making the final Contract cost \$113,459.09.

MOTION TO APPROVE
MADE BY MS. WILSON-DIVINCENZO
2ND BY MR. KENNEDY, JR.
AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 26

CONTRACT NO. 85000024

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Door Replacement – Phase I

BID: \$119,000.00

CONTRACTOR: Erie Contracting Company, Inc.
188 Erie Street
Lancaster, New York 14086

WHEREAS: The Administrator of Capital Improvements & Development and staff have certified that the Contractor completed the work in accordance with the plans and specifications on March 25, 2011.

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 completed and is accepted.
- b. The date of entrance and occupancy be fixed as of March 25, 2011.
- c. The maintenance period commence on March 25, 2011.
- d. Final payment be made to the Contractor in the amount of \$5,672.95, decreased \$5,540.91 by change order, making the adjusted cost of the Contract \$113,459.09.

MOTION TO APPROVEMADE BY MR. KENNEDY, SR.2ND BY MS. WILSON-DIVINCENZOAYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 27

CONTRACT NO. 85000007

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Fine Screen Unit Replacement Project

BID: \$597,000.00

CONTRACTOR: Quackenbush Company, Inc.
495 Kennedy Road
Buffalo, New York 14227

WHEREAS: The Administrator of Capital Improvements & Development and staff have certified that the Contractor completed the work in accordance with the plans and specifications on October 19, 2010.

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 completed and is accepted.
- b. The date of entrance and occupancy be fixed as of October 19, 2010.
- c. The maintenance period commence on October 19, 2010.
- d. Final payment be made to the Contractor in the amount of \$30,253.70 increased \$8,074.00 by change order, making the final cost of the Contract \$605,074.00.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 28

CONTRACT NO. 85000023

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Final Clarifier Weir Renovations – Phase IV

BID: \$458,590.00

CONTRACTOR: Quackenbush Company, Inc.
495 Kennedy Road
Buffalo, New York 14227

WHEREAS: The Administrator of Capital Improvements & Development and staff have certified that the Contractor completed the work in accordance with the plans and specifications on January 5, 2011.

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 completed and is accepted.
- b. The date of entrance and occupancy be fixed as of January 5, 2011.
- c. The maintenance period commence on January 5, 2011.
- d. Final payment be made to the Contractor in the amount of \$23,769.54 increased \$16,800.84 by change order, making the final cost of the Contract \$475,390.84.

MOTION TO APPROVEMADE BY MR. KENNEDY, SR.2ND BY MR. KENNEDY, JR.AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 29

CONTRACT NO. 84900001

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Bird Island Sewage Treatment Plant Large Pump and Motor Rehabilitation Project

BID: \$529,432.00

CONTRACTOR: Hohl Industrial Services, Inc.
770 Riverview Boulevard
Tonawanda, New York 14150

WHEREAS: The Principal Chief Stationary Engineer and staff have certified that the Contractor completed the work in accordance with the plans and specifications on March 21, 2011.

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 completed and is accepted.
- b. The date of entrance and occupancy be fixed as of March 21, 2011.
- c. The maintenance period commence on March 21, 2011.
- d. Final payment be made to the Contractor in the amount of \$18,294.22 increased \$30,000.00 by change order, then decreased \$3,801.00, making the final cost of the Contract \$555,631.00.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 30

AUTHORIZATION TO ENTER INTO AN ENGINEERING AGREEMENT WITH EI TEAM, INC.

WHEREAS: The Buffalo Sewer Authority has a need to remove and replace Chiller No. 1, Air Handling Units J1, J2, and J3 and the Glycol Hot Water Heating at the Bird Island Sewage Treatment Plant; and

WHEREAS: EI Team, Inc., has the knowledge to provide Engineering and Construction Administration Services for the removal and replacement of the above; and

WHEREAS: EI Team, Inc., has proposed to complete these tasks for the following costs:

Chiller No. 1 Remove and Replace:	\$51,600.00
Air Handling Units J1, J2, and J3 Remove and Replace:	\$34,500.00
Glycol Hot Water Heating Remove and Replace:	\$29,200.00
TOTAL PROPOSAL:	\$115,300.00

; and

WHEREAS: The Administrator of Capital Improvements & Development and staff have reviewed and recommend accepting this proposal from EI Team, Inc., at a cost not to exceed \$115,300.00.

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 EI Team, Inc., for the removal and replacement of Chiller No. 1, Air Handling Units J1, J2, and J3 and the Glycol Hot Water Heating at the Bird Island Sewage Treatment Plant, at a total cost not to exceed \$115,300.00. Funds for this contract will be charged to account no. 02000278-432004

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 31

AUTHORIZATION TO ENTER INTO AN ENGINEERING AGREEMENT - DISTRIBUTED CONTROL SYSTEM (DCS) REQUEST FOR PROPOSAL DEVELOPMENT

WHEREAS: The Buffalo Sewer Authority (BSA) intends to replace the existing DCS at the Bird Island Sewage Treatment Plant (BISTP); and

WHEREAS: The BSA is currently developing a Request for Proposal (RFP) for a new DCS for the BISTP; and

WHEREAS: Upon request GHD Consulting Engineers, LLC has submitted an engineering proposal to assist the BSA in the development of the DCS RFP at a total cost not to exceed \$38,700.00; and

WHEREAS: GHD Consulting Engineers, LLC brings extensive experience and practical knowledge for the implementation of the requested services; and

WHEREAS: The Treatment Plant Superintendent and staff have reviewed the engineering proposal and recommend approval at a cost not to exceed \$38,700.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with GHD Consulting Engineers, LLC for engineering services to assist the BSA in development of an RFP for a DCS at a total cost not to exceed \$38,700.00. The cost of these services will be charged to account no. 02000205-490740.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY, SR.	_____
2 ND BY	_____	MR. KENNEDY, JR.	_____
AYES	_____	5	NOES _____ 0

Board Meeting of April 6, 2011

ITEM NO. 32

REPORT ON BIDS RECEIVED - PIPE REPLACEMENT - PHASE II

WHEREAS: Formal bids were advertised and solicited for the Pipe Replacement – Phase II. The following bids were received and opened by the Buffalo Sewer Authority on March 25, 2011.

Quackenbush Company, Inc.	\$253,253.00
Kandey Company, Inc.	\$283,450.00
Ackerman Plumbing, Inc.	\$294,578.00
Mollenberg Betz	\$310,300.00
John W. Danforth	\$324,697.00

; and

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

WHEREAS: The Administrator of Capital Improvements & Development and staff reviewed the bids and recommend awarding the contract to the lowest bidder, Quackenbush Company, Inc., at a cost not to exceed \$253,253.00.

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 Quackenbush Company, Inc., at a cost not to exceed \$253,253.00. Expenses for this contract will be charged to account no. 02000311-490740.

MOTION TO APPROVE
MADE BY MR. KENNEDY, SR.
2ND BY MR. ROOSEVELT
AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 33

REPORT ON BIDS RECEIVED - PURCHASE OF VARIOUS CAST IRON CASTINGS

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

- 1.) (20) Receiver Grate: 13" x 18 1/8"
 - 2.) (20) Receiver Grate: 18 1/8" x 18 1/8"
 - 3.) (150) McConnell Grate: 11 1/2" x 23"
 - 4.) (75) McConnell Grate: 23" x 23"
 - 5.) (20) Coalhole Frame & Cover Set
- ; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on March 23, 2011:

Vellano Bros., Inc.	\$42,995.00
Neenah Foundry Co.	\$26,995.00
Syracuse Castings	\$22,011.75

; and

WHEREAS: The Director of Sewer Maintenance and staff carefully 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
Neenah Foundry Co.	# 5	\$2,740.00
Syracuse Castings	#1,2,3 & 4	\$19,131.75

; 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 cast iron castings from the low bidders for the items listed: Neenah Foundry for item no. 5 and Syracuse Castings for item nos. 1, 2, 3 & 4 at a total cost of \$21,871.75. These purchases will be charged to account no. 00660105-466269.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 34

REPORT ON BIDS RECEIVED - PURCHASE OF VARIOUS NEW & UNUSED STEEL PRODUCTS

WHEREAS: Formal bids were advertised and solicited for the purchase of the following various steel products:

- 1.) (20) Dark 18" Receiver Top Section
 - 2.) (50) 23" x 9"; 7" Reveal Curb Box
 - 3.) (150) 23" x 8"; 6" Reveal Curb Box
 - 4.) (20) Dark 24" Steel Receiver Top Section
 - 5.) (20) Catch Basin Inlet Plate
 - 6.) (175) Catch Basin Hood 12"
 - 7.) (175) 2'x2' Steel Frame
- ; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on March 23, 2011:

Buffalo Metal Forming, Inc.	\$ 75,365.00
Neenah Foundry Co.	\$ 89,650.00
Goergen-Mackwirth	\$ 130,815.00
Syracuse Castings	\$ 91,180.00
Emcom	\$ 75,944.25
Lakeshore Metals	\$ 110,820.00

; and

WHEREAS: The Director of Sewer Maintenance and staff carefully 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
Buffalo Metal Forming	#1,2,3 & 4	\$ 24,745.00
Neenah Foundry	#7	\$ 33,250.00
Goergen-Mackwirth	#5	\$ 4,500.00
Emcom	#6	\$ 6,007.75

; 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 steel products from the low bidders for the items listed: Buffalo Metal Forming, Inc. for item nos. 1, 2, 3 & 4, Neenah Foundry Co. for item no. 7, Goergen-Mackwirth for item no. 5, and Emcom for item no. 6 at a total cost of \$68,502.75. These purchases will be charged to account no. 00660105-466269.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of Aril 6, 2011

ITEM NO. 35

AUTHORIZATION TO DISPOSE OF AN OBSOLETE VEHICLE

WHEREAS: The Buffalo Sewer Authority’s current inventory of fixed assets contains a vehicle that is obsolete; and

WHEREAS: The Head Motor Equipment Mechanic and Director of Sewer Maintenance recommend disposing of the following vehicle:

VEHICLE			
BSA#	Description	Vin#	Asset No.
247-A	2003 Ford Explorer	1FMZU72K23UB51398	98460010

WHEREAS: The Authority will first hold an auction utilizing Erie County Bid No. 290198-002 awarded to Auctions International; and

WHEREAS: Auctions International will receive ten percent of the proceeds from this auction; and

WHEREAS: Any vehicle and/or equipment remaining after the auction will then be scrapped utilizing the City of Buffalo Informal Price Agreement #0345; and

WHEREAS: The results of the auction and scrapping of the vehicles and equipment will be presented to the Board for their information; and

WHEREAS: Buffalo Sewer Authority Board approval is required for the disposal of vehicles and equipment.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to dispose of the above listed vehicle by auction with the remaining unsold items disposed of under the scrap contract.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 36

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 deletion of the following positions from the Job Classification Plan:

One (1) Senior Account Clerk-Typist	00200121 411001
One (1) Associate Chemist	00510151 411001
One (1) Stock Clerk	00520161 411001
One (1) Motor Equipment Mechanic	00690171 411001

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 37

CONFIRMATION OF APPOINTMENT

CHIEF SEWER CONSTRUCTION INSPECTOR (PERMANENT)
 ENGINEERING DEPARTMENT
 \$64,405 PER ANNUM
 EFFECTIVE: FEBRUARY 28, 2011

RICHARD SKINNER
 5148 MAYER RD.
 HAMBURG, NY

WHEREAS: The preceding appointment was 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 appointment is hereby confirmed by the Board of the Buffalo Sewer Authority.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 38

DOWNGRADE IN EXEMPT POSITION

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 of its Exempt Administrative Managerial staff; and

WHEREAS: The Board desires to downgrade the position of Intergovernmental Coordinator from Job Group VIIIA (M38) to Job Group VIA (M40).

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

MOTION TO APPROVE
MADE BY MR. KENNEDY, SR.
2ND BY MS. WILSON-DIVINCENZO
AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 39

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 E. Caulfield	Walden University	Governance & Public Policy for Public Administration	90%	\$ 2,047.50
Alexander Emmerson	NYWEA	Greater Buffalo Environmental Conference	100%	\$ 85.00
George H. Giambrone	NYWEA	Greater Buffalo Environmental Conference	100%	\$ 75.00
Dawn Marie Ras	Buffalo Public Schools - Adult Education	Facilities Management #1	100%	\$ 243.15
Dawn Marie Ras	Buffalo Public Schools - Adult Education	Facilities Management #2	100%	\$ 175.00
Peter S. Zieniewicz	NYWEA	Greater Buffalo Environmental Conference	100%	\$ 85.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$ 2,710.65. These Reimbursements will be charged to account no. 00800108-480214.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 40

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>
Thomas E. Caulfield	Walden University	Research Theory for Public Administration	Spring 2011	\$ 1,975.50

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 applications for Tuition Assistance.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY, SR.

AYES 5 NOES 0

Board Meeting of April 6, 2011

ITEM NO. 41

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MS. WILSON-DIVINCENZO 2ND BY MR. KENNEDY, SR. AYES 5 NOES 0

Board Meeting of April 6, 2011