

**MINUTES OF THE REGULAR MEETING**

**OF THE**

**BUFFALO SEWER AUTHORITY**

**April 5, 2017**



# BUFFALO SEWER AUTHORITY

April 5, 2017

**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 Petrucci</u>	<u>Secretary</u>
	<u>Oluwole A. McFoy, P.E.</u>	<u>General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Julie Barrett-O'Neill, Esq.</u>	<u>General Counsel</u>
	<u>Gelea James</u>	<u>Director of Employee Relations</u>
	<u>Scott Steinwald</u>	<u>Intergovernmental Coordinator</u>
	<u>Catherine Knab, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Michael Letina</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Timothy Blake</u>	<u>Sr. Instrument Technician</u>
	<u>James Skrabacz</u>	<u>Principal Chief Stationary Engineer</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
Absent:	<u>none</u>	<u></u>

The meeting was called to order at 9:05 AM. A quorum was present.

## ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of March 1, 2017

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MS. PETRUCCI</u>
2 <sup>ND</sup> BY	<u>MR. KENNEDY</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of April 5, 2017

## ITEM NO. 2

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

As of February 28, 2017

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$892,987.49	Key	0.15%	Municipal NOW
			\$27.30	JP Morgan Invest. Acct.	0.15%	
06-Jun-16	03-Mar-17	270	\$22,637,175.40	M&T Securities	0.90%	\$152,901.00
19-Jan-17	16-Oct-17	270	\$9,506,649.93	M&T Securities	1.35%	\$97,260.37
15-Nov-16	13-Nov-17	363	\$13,793,353.00	JP Morgan Securities	1.62%	\$228,060.00
			<u>\$46,830,193.12</u>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-July-12	Money Market		\$197,017.01	Key	0.15%	Municipal NOW
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		\$4,382,687.44	Key	0.15%	Municipal NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Money Market		\$31,757.05	Key	0.02%	Municipal NOW
<b>SURPLUS FUND (185181898)</b>						
			\$204.79	Wilmington Fund		
29-Dec-16	30-Jun-17	183	\$10,035,147.24	Key Banc Capital	1.40%	\$71,671.95
			<u>\$10,035,352.03</u>			
<b>NET REVENUE FUND (185316114)</b>						
			\$514.20	Wilmington Fund		
03-Nov-16	03-Mar-17	120	\$3,007,909.76	Key Banc Capital	0.90%	\$5,682.79
30-Nov-16	30-Mar-17	120	\$4,497,750.00	Key Banc Capital	0.96%	\$14,400.00
29-Dec-16	28-Apr-17	120	\$9,022,341.06	Key Banc Capital	1.10%	\$33,422.10
27-Jan-17	28-Apr-17	91	\$7,997,551.74	Key Banc Capital	1.31%	\$26,514.29
			<u>\$24,526,066.76</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)**

12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
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**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 of April 5, 2017

## 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.

***Sewer Maintenance Division***

2/27/2017	00670106 SWRM Maintenance Contract	-\$3,000.00	00690106 Auto Automotive Repairs-E	\$3,000.00
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***Waste Water Treatment Plant***

3/2/2017	00380105 INCIN Equip Maintenance	-\$4,393.00	00350105 FILTER Equip Maintenance	\$4,393.00
3/2/2017	00380105 INCIN Equip Maintenance	-\$17,794.00	00240105 PSED Equip Maintenance	\$17,794.00
3/2/2017	00380105 INCIN Equip Maintenance	-\$1,490.00	00520105 MAIN Chemicals and Gases	\$1,490.00
3/2/2017	00380105 INCIN Equip Maintenance	-\$3,472.00	00520105 MAIN Chemicals and Gases	\$3,472.00
3/2/2017	00380105 INCIN Equip Maintenance	-\$5,286.00	00410105 HAMB Chemicals and Gases	\$5,286.00
3/3/2017	00340105 THIC Equip Maintenance	-\$2,678.00	00240105 PSED Equip Maintenance	\$2,678.00
3/7/2017	00300103 Blow Electric Light & Power	-\$4,000.00	00680103 Electricity	\$4,000.00
3/9/2017	00300103 Blow Electric Light & Power	-\$212,275.00	00380106 INCIN Engineering and Tech	\$212,275.00
3/10/2017	00280105 SWWP Equip Maintenance	-\$2,678.00	00240105 PSED Equip Maintenance	\$2,678.00
3/10/2017	00280105 SWWP Equip Maintenance	-\$3,106.00	00260105 PRIM Equip Maintenance	\$3,106.00

***Engineering Division***

3/15/2017	00600103 Engineering Telephone	-\$436.48	00100103 Board Telephone Charges	\$436.48
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***General Financial Charges***

2/15/2017	00800183 Financial Contingency	-\$7,034.00	00110106 ADMIN Rentals of Land and Building	\$7,034.00
2/21/2017	00800183 Financial Contingency	-\$5,000.00	00820102 Education Licenses & Training	\$5,000.00
2/23/2017	00800183 Financial Contingency	-\$3,000.00	00600103 Engineering Telephone	\$3,000.00
2/27/2017	00800183 Financial Contingency	-\$1,200.00	00600104 Eng Travel Expenses	\$1,200.00
2/27/2017	00800183 Financial Contingency	-\$400.00	00100104 Board Travel Expenses	\$400.00
3/1/2017	00800183 Financial Contingency	-\$375.50	00110106 ADMIN Membership Dues	\$375.50

**RECEIVE & FILE**

Board Meeting of April 5, 2017

## ITEM NO. 4

**CONSIDERATION OF THE OPERATING FUND BUDGET FOR FISCAL YEAR 2017-2018**

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, 2017.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MS. PETRUCCI

AYES 4 NOES 0

Board Meeting of April 5, 2017

ITEM NO. 5

**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, 2017 to June 30, 2018.

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 MS. PETRUCCI  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 4 NOES 0

Board Meeting of April 5, 2017

**PROPOSED SCHEDULE OF SEWER RENTS**  
**AND OTHER CHARGES**  
**FOR 2017-2018**

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 2017-2018.

(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:

<b>Residential Users</b>		<b>Non-Residential Users</b>	
<u>Meter Size</u>	<u>Charge (\$)</u>	<u>Meter Size</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 (BOD<sub>5</sub>) Total Suspended Solids (TSS) and Total Phosphate (TPO<sub>4</sub>) is as follows:

$$\text{Surcharge} = 8.34 \text{ QMGY} (0.1585 (\text{BOD}_5\text{-250}) + 0.2016 (\text{TSS-250}) + 0.0328 (\text{TPO}_4\text{-15.35}))$$

\$0.1585 Cost/lb. for treatment of BOD<sub>5</sub>

\$0.2016 Cost/lb. for treatment of TSS

\$0.0328 Cost/lb. for treatment of TPO<sub>4</sub>

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

BOD<sub>5</sub> shall mean the average concentration of BOD<sub>5</sub> 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.

TPO<sub>4</sub> shall mean the average concentration of TPO<sub>4</sub> in sewage or waste discharged to the Authority facilities.

Surchargeable concentrations are as follows:

BOD<sub>5</sub> - Over 250 mg/L; TSS - Over 250 mg/L; TPO<sub>4</sub> - Over 15.35 mg/L

This formula shall be applied in computing the Buffalo Industrial Waste Surcharge subsequent to July 1, 2016 and ending June 30, 2017 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, 2017.

(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 for sewer connection permits shall be paid as follows at the time said application is filed with the Authority:

<u>Tap Size</u>	<u>Fee (\$)</u>
4 inch	100.00
6 inch	200.00
8 inch	300.00
10 inch	500.00
12 inch	800.00
15 inch	1,200.00
18 inch	1,800.00
21 inch or greater	2,500.00

(k) An application fee of \$50.00 per 2,500 square feet or part thereof of soil disturbance or impervious area being drained, whichever is greater, shall be paid at time of plans and/or calculations are submitted to the Authority for site stormwater management review.

(l) An application fee of \$150.00 plus \$25.00 for every 100 linear feet or part thereof of new sanitary sewer pipe proposed shall be paid at the time that plans and/or calculations are submitted to the Authority for any facility proposing to discharge 2,500 gallons per day or more of additional sanitary and/or industrial flow than existing conditions.

(m) 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 verified quantity or truck capacity, 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 <sub>5</sub>	TOTAL PHOSPHATE
Inlet/South Buffalo Pump	\$0.1174/lb	\$0.0611/lb	\$0.0180/lb
Mixing Tank	\$0.1052/lb	\$0.0551/lb	\$0.0180/lb
Thickener/Digester	\$0.1316/lb	\$0.1100/lb	\$0.0180/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 \$0.04 per gallon discharged will be assigned to all permitted septage and portable toilet wastehaulers.
2. Grease trap wastes - The rate of \$0.05 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, 2017.

(n) 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.

(o) All industrial users and wastehaulers 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 users.

(p) 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.

(q) 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.*

(r) 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.

(s) 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:

1. 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;
2. 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 two percent (2%), and such sewer rents that remain unpaid shall be charged two percent (2%) for each month thereafter until paid; and
3. 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.

(t) 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.

(u) 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.

(v) 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, 2017; 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, 2017, excepting only monthly metered accounts for July 2017, and Section "W" of the quarterly metered accounts for the period May, June, and July 2017, which shall be billed according to the schedule of rents in effect prior to July 1, 2017.

## 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					

## Boarder 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 &amp; 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. 6

**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 City Record* and *The Buffalo News* on Monday, April 10, April 17, and April 24, 2017, in an amount not to exceed \$4,000.00. 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	MR. KENNEDY	
2 <sup>ND</sup> BY	MR. ROOSEVELT	
AYES	4	NOES 0

Board Meeting of April 5, 2017

## ITEM NO. 7

**TRAVEL AUTHORIZATION - CHICAGO, ILLINOIS**

WHEREAS: The Chicago Council on Global Affairs hosted an Urban Waterways Forum in Chicago, Illinois, on March 13, 2017; and

WHEREAS: Mayor Byron W. Brown represented Buffalo, New York in this forum that allowed mayors from around the world to discuss ideas on mixed-use waterfront development projects; and

WHEREAS: In the ever changing climate of stormwater management, it is important that the Buffalo Sewer Authority is knowledgeable of water sustainability innovation best practices to ensure that resources are strategically allocated; and

WHEREAS: The General Manager requests that the General Counsel (BSA), who serves as the Authority's Green Programs Director, attend this forum in Chicago, Illinois, from March 12-13, 2017; and

WHEREAS: Due to time restraints, the Board of the Buffalo Sewer Authority was polled and verbally authorized this travel on March 13, 2017; 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 Counsel to travel to Chicago, Illinois, from March 12-13, 2017, to attend the Urban Waterways Forum. Expenses for this travel will not exceed \$500.00 and will be charged to account no. 00600104-458010.

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

Board Meeting of April 5, 2017



## ITEM NO. 8

**CONTRACT APPROVAL - PROPERTY AND CRIME INSURANCE**

WHEREAS: The Buffalo Sewer Authority currently receives property insurance coverage through Affiliated FM Insurance Company, and crime insurance coverage through Fidelity & Deposit Co. of MD (Zurich Insurance Group); and

WHEREAS: Affiliated FM Insurance Company has proposed a renewal extension to the Buffalo Sewer Authority for property insurance coverage for the period April 15, 2017 through April 15, 2018, at a cost of \$163,064.00, which reflects a slight decrease from the 2016-2017 policy; and

WHEREAS: Fidelity & Deposit (Zurich Insurance Group) has proposed a renewal extension to the Buffalo Sewer Authority for crime insurance coverage for the period April 15, 2017 through April 15, 2018, at a cost not to exceed \$3,459.00; and

WHEREAS: The Executive Secretary and Insurance Consultants for the Buffalo Sewer Authority, Aldrich & Cox, Inc., have carefully reviewed the policies and recommend acceptance of these proposals.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves property insurance coverage through Affiliated FM Insurance Company at a cost not to exceed \$163,064.00, and crime insurance coverage through Fidelity & Deposit (Zurich Insurance Group) at a cost not to exceed \$3,459.00, effective April 15, 2017, for a one-year period, at a total cost not to exceed \$166,523.00. These costs shall be charged to account nos. 00200108-452000 and 00650108-452000 on a pro rata basis.

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

Board Meeting of April 5, 2017

## ITEM NO. 9

**AMENDMENT TO SOLE SOURCE LISTING FOR SELECTED INSTRUMENTATION, MAINTENANCE, LABORATORY AND OFFICE EQUIPMENT FOR FISCAL YEAR 2016-2017**

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

WHEREAS: The Buffalo Sewer Authority laboratory utilizes Mettler-Toledo balances and calibration of balances is a requirement of the Environmental Protection Agency and Department of Health; and

WHEREAS: Only Mettler-Toledo's proprietary software and parts can be used to calibrate Mettler-Toledo equipment and to make necessary part replacements to existing Mettler-Toledo equipment; and

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

WHEREAS: An amendment is requested to the sole source listing to add the following original equipment manufacturer for the Full Preventative Maintenance service and replacement parts and service for laboratory analytical balances:

Mettler-Toledo, LLC	Full preventative annual maintenance service and replacement parts and service for laboratory analytical balances
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; and

WHEREAS: The Laboratory Director and Purchasing Department staff have reviewed all supporting documentation and recommend this amendment to the sole source listing for 2016-2017.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the addition of Mettler-Toledo, LLC, to the sole source listing for the maintenance and/or services indicated for fiscal year 2016-2017.

MOTION TO    APPROVE   

MADE BY    MS. PETRUCCI   

2<sup>ND</sup> BY    MR. KENNEDY   

AYES           4           NOES           0          

Board Meeting of April 5, 2017

## ITEM NO. 10

**AMENDMENT TO SOLE SOURCE LISTING FOR SELECTED INSTRUMENTATION, MAINTENANCE, LABORATORY AND OFFICE EQUIPMENT FOR FISCAL YEAR 2016-2017**

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

WHEREAS: Howden Roots is the sole manufacturer of the Howden Roots Model 1228 RVS series mechanical exhausters, s/n's LR02-3610, LR12-7585 and 48853RP36; and

WHEREAS: Glauber Equipment is the sole designated authorized provider for this region by the manufacturer; and

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

WHEREAS: An amendment is requested to the sole source listing to add the following original equipment manufacturer for the Howden Roots Model 1228 RVS-Y-PL 130 Blowers:

Glauber Equipment	Services for Howden Roots Model 1228 RVS series mechanical exhausters, s/n's LR02-3610, LR12-7585 and 48853RP36
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; and

WHEREAS: The Principal Chief Stationary Engineer and Purchasing Department staff have reviewed all supporting documentation and recommend this amendment to the sole source listing for 2016-2017.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the addition of Glauber Equipment to the sole source listing for the maintenance and/or services indicated for fiscal year 2016-2017.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of April 5, 2017

## ITEM NO. 11

**AUTHORIZATION FOR EXPENDITURE OF PURCHASE TO REBUILD TWO (2) MECHANICAL EXHAUSTERS**

WHEREAS: On April 5, 2017, the Board of the Buffalo Sewer Authority designated Glauber Equipment, as the original equipment manufacturer, and/or their authorized local service representative, as a sole source for replacement parts, supplies and services for Howden Roots Model 1228 RVS series mechanical exhausters, s/n's LR02-3610, LR12-7585 and 48853RP36 installed at the Bird Island Wastewater Treatment Plant; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need to rebuild two (2) mechanical exhausters; and

WHEREAS: Board approval is required for purchases over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute the expenditures for the rebuild of two (2) mechanical exhausters from Glauber Equipment at a total cost of \$100,000.00. The expenditure will be charged to account nos. 00380105-466107 and 00380106-443301.

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

Board Meeting of April 5, 2017

## ITEM NO. 12

**EXTENSION OF THE CONTRACT FOR SECURITY GUARD SERVICES**

- WHEREAS: On April 1, 2015, the Board of the Buffalo Sewer Authority awarded a contract to Securitas Security Services USA, Inc., for security guard services at the Bird Island Wastewater Treatment Plant at a total cost not to exceed \$302,345.28 for the period July 1, 2015 to June 30, 2016, with an option to renew for four (4) one-year periods; and
- WHEREAS: The NYS Department of Labor's prevailing wage rate on July 1, 2015, increased by a total of \$0.34 resulting in the allowable billable rate increasing from \$17.21/hr. to \$17.55/hr. for this service; and
- WHEREAS: On October 7, 2015, the Board authorized an increase from \$302,345.28 to a total not to exceed \$308,318.40 for fiscal year 2015-2016; and
- WHEREAS: On March 2, 2016, the Board authorized the extension of this contract for one (1) additional year under the same terms and conditions at a cost not to exceed \$307,476.00. This decreased amount was due to the previous year being a leap year which resulted in one (1) less day; and
- WHEREAS: The NYS Department of Labor's prevailing wage rate on July 1, 2016, decreased by a total of \$0.14 resulting in the allowable billable rate decreasing from \$17.55/hr. to \$17.41/hr. for a total cost of \$305,865.60 for this service; and
- WHEREAS: Securitas Security Services USA, Inc., has agreed to extend for the third year this contract for one (1) additional year under the same terms and conditions for fiscal year 2017-2018; and
- WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$305,865.60.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Securitas Security Services USA, Inc., for security guard services at the Bird Island Wastewater Treatment Plant for the period July 1, 2017 to June 30, 2018, at a cost not to exceed \$305,865.60. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 4 NOES 0

Board Meeting of April 5, 2017



## ITEM NO. 13

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

WHEREAS: On May 25, 2016, the Board of the Buffalo Sewer Authority awarded a contract to Mollenberg-Betz, Inc., for gas burner system inspection, preventive maintenance and repair services at the Bird Island Wastewater Treatment Plant for a one-year period, July 1, 2016 to June 30, 2017, with an option to renew for four (4) one-year periods, at a total cost not to exceed \$37,810.00; and

WHEREAS: Mollenberg-Betz, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2017-2018; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff recommend this extension at a total cost not to exceed \$37,810.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Mollenberg-Betz, Inc., for gas burner system inspection, preventive maintenance and repair services for the period July 1, 2017 to June 30, 2018, at a total cost not to exceed \$37,810.00. Expenses for this contract will be charged to account no. 00380106-443421.

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

Board Meeting of April 5, 2017

## ITEM NO. 14

**EXTENSION OF THE CONTRACT FOR ELEVATOR MAINTENANCE**

WHEREAS: On April 6, 2016, the Board of the Buffalo Sewer Authority awarded a contract to D.C.B. Elevator Co., Inc., for elevator maintenance at the Bird Island Wastewater Treatment Plant for a one-year period, July 1, 2016 to June 30, 2017, with an option to renew for four (4) one-year periods, at a total cost not to exceed \$138,800.00; and

WHEREAS: D.C.B. Elevator Co., Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2017-2018; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff recommend this extension at a total cost not to exceed \$138,800.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with D.C.B. Elevator Co., Inc., for elevator maintenance for the period July 1, 2017 to June 30, 2018, at a total cost not to exceed \$138,800.00. Expenses for this contract will be charged to account nos. 00380106-443421, 00520103-443421 and 00650106-443421.

MOTION TO APPROVE

MADE BY MR. KENNEDY

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

AYES 4 NOES 0

Board Meeting of April 5, 2017

## ITEM NO. 15

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

WHEREAS: On May 11, 2016, the Board of the Buffalo Sewer Authority awarded a contract to ClarityChem, Inc., for the purchase of boiler feedwater chemicals and service at the Bird Island Wastewater Treatment Plant for a one-year period, July 1, 2016 to June 30, 2017, with an option to renew for four (4) one-year periods, at a total cost not to exceed \$20,873.20; and

WHEREAS: ClarityChem, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2017-2018; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff recommend this extension at a total cost not to exceed \$20,873.20.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with ClarityChem, Inc., for the purchase of boiler feedwater chemicals for the period July 1, 2017 to June 30, 2018, at a total cost not to exceed \$20,873.20. Expenses for this contract will be charged to account no. 00380105-467044.

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

Board Meeting of April 5, 2017

## ITEM NO. 16

**EXTENSION OF THE CONTRACT FOR THE PURCHASE OF FERROUS CHLORIDE**

WHEREAS: On April 3, 2013, 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 Bird Island Wastewater Treatment Plant for the period July 1, 2013 to June 30, 2014, at a cost of \$0.456 per gallon, up to a maximum amount of \$145,920.00, with an option to renew for four (4) one-year periods; and

WHEREAS: On March 19, 2014, the Board authorized the extension of this contract for the period July 1, 2014 to June 30, 2015; and

WHEREAS: On March 4, 2015, the Board authorized the extension of this contract for the period July 1, 2015 to June 30, 2016; and

WHEREAS: On March 2, 2016, the Board authorized the extension of this contract for the period July 1, 2016 to June 30, 2017; 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 2017-2018; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator and staff recommend this extension at a total cost not to exceed \$145,920.00.

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 Bird Island Wastewater Treatment Plant for the period July 1, 2017 to June 30, 2018, at a total cost not to exceed \$145,920.00. Expenses for this contract will be charged to account no. 00360105-467044.

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

Board Meeting of April 5, 2017

## ITEM NO. 17

**AUTHORIZATION TO ENTER INTO AGREEMENT WITH KOESTER ASSOCIATES, INC.**

WHEREAS: The Board of the Buffalo Sewer Authority authorized the installation of a fine bubble diffusion system on 16 aeration tanks at the Bird Island Wastewater Treatment Plant in 1995. Sanitaire, the original equipment manufacturer of the diffuser and the holder of the patent on the gas cleaning procedure, recommends annual gas cleaning of the diffuser elements. Lack of cleaning results in severe bio-fouling and loss of oxygen-transfer efficiency; and

WHEREAS: Performance reports have proven that the continued cleaning and maintenance of these diffusers lowers electrical usage and improves oxygen-transfer efficiency; and

WHEREAS: The annual cleaning was last performed in the spring of 2016. Plant staff recommend that annual cleaning of 14 aeration tank diffusers be performed at this time; and

WHEREAS: Koester Associates, Inc., a representative for Sanitaire, has submitted a quote in the amount of \$111,299.71 for the cleaning of 14 aeration tanks. The quote includes labor and chemicals (20 tanks of nitrogen and 79 tanks of hydrogen chloride); and

WHEREAS: The Treatment Plant Superintendent and staff recommend accepting the quote from Koester Associates, Inc., for labor and chemicals at a total cost not to exceed \$111,299.71.

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 Koester Associates, Inc., for the annual cleaning of 14 aeration tank diffusers at a total cost not to exceed \$111,299.71. Expenses for this agreement will be charged to account no. 00290106-443301.

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

Board Meeting of April 5, 2017

ITEM NO. 18

**AUTHORIZATION FOR PURCHASE OF FAIRBANKS MORSE PUMP**

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Evoqua Water Technologies, formerly Siemens Industry, as the original equipment manufacturer, and/or their authorized local service representative, as a sole source for replacement parts, supplies and services for US Filter/Envirex, Link-Belt and FMC Corporation brand equipment including sludge thickeners and final clarifier sludge withdrawal equipment installed at the Bird Island Wastewater Treatment Plant; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for a Fairbanks Morse pump; and

WHEREAS: Upon request G.P. Jager and Associates Inc., the authorized local representative, submitted a quote in the amount of \$20,145.60 for the needed pump; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff reviewed the quote received and recommend this purchase; and

WHEREAS: Monies payable to date to G.P. Jager and Associates, Inc., for Evoqua Water Technologies, Filter/Envirex replacement parts and supplies in fiscal year 2016-2017 are \$882.00. This purchase will bring the total monies payable for purchase to \$21,027.60; and

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed Fairbanks Morse pump from G.P. Jager and Associates, Inc., at a total cost of \$20,145.60. This purchase will be charged to account no. 00290105-466107.

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

Board Meeting of April 5, 2017

## ITEM NO. 19

**AUTHORIZATION FOR PARTS AND REPAIR SERVICES FROM COMAIRCO EQUIPMENT INCORPORATED**

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Cameron International Corporation, the original equipment manufacturer, and/or their authorized local representative, as a sole source for replacement parts, supplies and services for Cooper Turbo air and C-8 series compressors and Engineer (TA-MSG) compressed air in the Mega Structure Building located at the Bird Island Wastewater Treatment Plant; and

WHEREAS: The air compressors are a vital part in the process of the Treatment Plant facility; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for parts and repair services for TA2000 compressor sn# F10280; and

WHEREAS: Upon request Comairco Equipment, Inc., the authorized local representative, submitted a quote in the amount of \$59,319.52 for the needed parts and repair services; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff reviewed the quote received and recommend authorization for these parts and services; and

WHEREAS: Monies payable to date to Comairco Equipment, Inc., are \$5,307.89. The purchase of these parts and repair services would bring the total to \$64,627.41 for fiscal year 2016-2017; and

WHEREAS: Board approval is required on parts/services over \$20,000.00

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize Comairco Equipment, Inc., to provide repair parts and services to the TA2000 compressor sn# F10280 at a total cost of \$59,319.52. These parts/services will be charged to account nos. 00380105-466107 and 00380106-443301.

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

Board Meeting of April 5, 2017





## ITEM NO. 21

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

WHEREAS: On March 2, 2016, the Board of the Buffalo Sewer Authority awarded a contract to Waste Management of New York, LLC, for the removal and disposal of miscellaneous construction debris at the Bird Island Wastewater Treatment Plant for a one-year period, July 1, 2016 to June 30, 2017, with an option to renew for four (4) one-year periods, at an unit cost of \$58.00/ton up to a maximum amount of \$116,000.00; and

WHEREAS: Waste Management of New York, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2017-2018; and

WHEREAS: The Assistant Principal Engineer and staff recommend this extension at a total cost not to exceed \$116,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Waste Management of New York, LLC, for the removal & disposal of construction debris for the period July 1, 2017 to June 30, 2018, at a total cost of \$58.00/ton up to a maximum amount of \$116,000.00. Expenses for this contract will be charged to account no. 00690106-442100.

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

Board Meeting of April 5, 2017



## ITEM NO. 23

**REPORTS ON BIDS RECEIVED - PURCHASE OF VARIOUS NEW AND UNUSED STEEL PRODUCTS**

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

- 1.) (120) Curb Box: 23" x 8"; 6" Reveal
  - 2.) (250) 2' x 2' Steel Frame
  - 3.) (130) McConnell Curb Box: 23" x 10"; 8" Reveal
  - 4.) (25) 6" Dark Curb Boxes
  - 5.) (25) 7" Dark Curb Boxes
  - 6.) (25) 8" Dark Curb Boxes
  - 7.) (20) Catch Basin Full Inlet Plate
  - 8.) (200) Catch Basin Hood: 12"
- ; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on March 28, 2017:

<b>Vendor</b>	<b>Total Cost:</b>
Melius Welding	\$90,925.00
EJ USA	\$138,799.00
Neenah Foundry	\$120,550.00 * did not quote line 3
Emcom Industries ** Incomplete Bid **	\$84,040.50 *did not quote lines 4,5,6,& 7

;and

WHEREAS: Emcom Industries submitted an incomplete bid as they did not complete the Reference portion of their bid package. Buffalo Sewer Authority Purchasing Department contacted Emcom Industries and they did not respond. Their bid package was deemed incomplete and will not be considered for any portion of this purchase; and

WHEREAS: The Assistant Principal Engineer and staff reviewed the quotes received for each item needed and recommend awarding the entire purchase to the lowest eligible bidder, Melius Welding at a cost not to exceed \$90,925.00.



## ITEM NO. 24

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

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

- 1.) (35) Standard Manhole Frames and Covers (Sets)
  - 2.) (205) 11 ½" x 23" McConnell Cast Iron Grate
  - 3.) (25) 23" x 23" McConnell Cast Iron Grate
  - 4.) (20) Coalhole Frame & Cover Sets
  - 5.) (20) Dark 12" x 18 1/8" Cast Iron Receiver Grate
  - 6.) (75) Dark 13" x 18 1/8" Cast Iron Receiver Grate
- ; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on March 28, 2017:

<b>Vendor</b>	<b>Total Cost:</b>
EJ USA	\$41,665.00
Neenah Foundry	\$41,645.00

; and

WHEREAS: The Assistant Principal Engineer and staff reviewed the quotes received for each item needed and recommend the following awards, to the low bidder for each item:

<b>Vendor</b>	<b>Items to award</b>	<b>Cost</b>
EJ USA Inc.	#s: 1 & 3	\$14,330.00
Neenah Foundry	#s: 2,4,5 & 6	\$27,220.00

; and





## ITEM NO. 26

**CHANGE ORDER NO. 1 – CONTRACT NO. 81700005**

CONSULTANT:	ORIGINAL CONTRACT COST	\$159,813.00
CHA Consulting Inc.	PREVIOUS CHANGE ORDER	N/A
2200 Main Place Tower	THIS CHANGE ORDER	<u>\$23,500.00</u>
Buffalo, New York 14202	ADJUSTED CONTRACT COST	\$183,31300

WORK: Hazelwood Inline Storage Real Time Control Project

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 Additional field survey & mapping
- Item #2 Additional geotechnical investigations and an updated Geotechnical Report
- Item #3 Additional site visits, utility coordination and revised preliminary site layout and design report
- Item #4 Additional scope to investigate the feasibility of potential interconnections.

**REASON FOR CHANGE OR EXTRA WORK:**

Items 1, 2, and 3 in this Change Order are a result of a change in the location for the proposed chamber. The original location in the proposal was in the vicinity of East Delavan Avenue. Based on updated model results, a location approximately 1,200 feet north was determined to provide an increased storage capacity three times larger than the original location.

During development of the Basis of Design Report, it was realized that flow from a neighboring trunk sewer can potentially be diverted to the Lang and Hazelwood Real Time Controls, thereby eliminating construction of a future site. Item 4 is for the investigation into the feasibility and constructability of two potential interconnections.

**COST OF CHANGE OR EXTRA WORK:**

Item #1	\$3,850.00
Item #2	\$8,250.00
Item #3	\$2,500.00
Item #4	\$8,900.00



THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$23,500.00

The total INCREASE to the contract as a result of this Change Order is \$23,500.00

NOW THEREFORE

BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81700005 as written in the above Agenda Item, increasing the contract cost in the amount of \$23,500.00, making the adjusted contract cost \$183,313.00.

MOTION TO                     APPROVE                    

MADE BY                     MR. KENNEDY                    

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

AYES           4           NOES           0          

Board Meeting of April 5, 2017

## ITEM NO. 27

**CHANGE ORDER NO. 1 – CONTRACT NO. 81700007**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$304,900.00
Wendel WD Architecture, Engineering, Surveying and Landscape Arch., P.C. 375 Essjay Road, Suite 200 Williamsville, New York 14221	PREVIOUS CHANGE ORDER	N/A
	THIS CHANGE ORDER	<u>\$79,000.00</u>
	ADJUSTED CONTRACT COST	\$383,900.00

WORK: Pratt Willert Green Infrastructure Design

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 Additional Survey/Design along, William Street, including the Intersections of William Street and Jefferson Avenue, and William Street and Michigan Avenue
- Item #2 Design of Sewer Replacement on Louisiana Street
- Item #3 Site Renderings

**REASON FOR CHANGE OR EXTRA WORK:**

- Item #1 The original project scope restricted the design work to the SPP 281 basin. Having identified William Street as one of the preferred green infrastructure locations, additional survey and design must be extended to the intersection at Michigan Avenue and the intersection at Jefferson Avenue to address transitions and ensure a complete project. In addition, the preferred green infrastructure approach will require traffic signal design to accommodate the proposed expanded median.
- Item #2 Televising of the existing 24" combined sewer on Louisiana Street adjacent to the original project design area indicated the need for sewer replacement. The design for this replacement has been incorporated into the project design and specifications package to allow BSA to take advantage of project mobilization savings.
- Item #3 The public information meetings required additional renderings showing proposed designs to effectively communicate the proposal and obtain feedback from the residents surrounding the project location.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$70,500.00

Item #2 \$ 2,000.00

Item #3 \$ 6,500.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$79,000.00

The total INCREASE to the contract as a result of this Change Order is \$79,000.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81700007 as written in the above Agenda Item, increasing the contract cost in the amount of \$79,000.00, making the adjusted contract cost \$383,900.00.

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

Board Meeting of April 5, 2017

## ITEM NO. 28

**REPORT ON BIDS RECEIVED - WILLERT PARK GREEN INFRASTRUCTURE & MIAMI STREET AND LOUISIANA STREET SEWER IMPROVEMENTS**

WHEREAS: Formal bids were advertised and solicited for Willert Park Green Infrastructure & Miami Street and Louisiana Street Sewer Improvements. The following bids were received and opened by the Buffalo Sewer Authority on Monday, March 20 2017, at 11:00 AM:

<b><u>Contractor</u></b>	<b><u>Bid</u></b>
CATCO	\$4,814,586.50
Kandey Company Inc.	\$5,283,242.00
Mark Cerrone, Inc.	\$5,896,000.00
Scott Lawn Yard, Inc	\$6,143,678.00

; and

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

WHEREAS: The Buffalo Sewer Authority's consultant, Wendel Companies, has reviewed the proposals and recommends awarding this contract to the apparent low bidder, Concrete Applied Technologies Corp. (CATCO); and

WHEREAS: The Principal Sanitary Engineer and staff concur with the recommendation provided by Wendel Companies to award the contract to the lowest responsible bidder, CATCO.

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 CATCO for the Willert Park Green Infrastructure & Miami Street and Louisiana Street Sewer Improvements Project at a cost not to exceed \$4,814,586.00. Expenses for this contract shall be charged to account no. 02000449-490740.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MS. PETRUCCI

AYES 4 NOES 0

Board Meeting of April 5, 2017

## ITEM NO. 29

**CONFIRMATION OF APPOINTMENTS**

LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$18.10 PER HOUR  
EFFECTIVE: FEBRUARY 21, 2017

JULIUS LEWIS  
208 HASTINGS AVENUE  
BUFFALO, NY

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FIELD TECHNICIAN (WPC) (TEMPORARY)  
SEWAGE TREATMENT PLANT  
\$43,348 PER ANNUM  
EFFECTIVE: FEBRUARY 21, 2017

MATTHEW W. SUPPA  
35 TACOMA AVENUE  
BUFFALO, NY

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ADMINISTRATIVE ASSISTANT (PERMANENT)  
ADMINISTRATION  
\$63,895 PER ANNUM  
EFFECTIVE: FEBRUARY 22, 2017

KATHLEEN A. BEENY  
75 BRIGGS STREET  
BUFFALO, NY

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SR. ADMINISTRATIVE ASSISTANT (PERMANENT)  
ADMINISTRATION  
\$72,886 PER ANNUM  
EFFECTIVE: FEBRUARY 22, 2017

TERESA A. PLEASANT  
4545 CHESTNUT RIDGE ROAD  
AMHERST, NY

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LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$110.00 PER DAY  
EFFECTIVE: FEBRUARY 27, 2017

DYLAN CARBONE  
212 GEARY STREET  
BUFFALO, NY

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PRINCIPAL CLERK (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$59,257 PER ANNUM  
EFFECTIVE: MARCH 6, 2017

MARYBETH WILES  
6313 LAKE AVENUE  
ORCHARD PARK, NY

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PRINCIPAL CLERK (PERMANENT)  
ADMINISTRATION  
\$59,257 PER ANNUM  
EFFECTIVE: MARCH 6, 2017

JUDITH EAGAN  
10 BEECHWOOD DRIVE  
WEST SENECA, NY

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PRINCIPAL CLERK (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$59,257 PER ANNUM  
EFFECTIVE: MARCH 6, 2017

DEBRA KACZMAREK  
49 GLENCOVE ROAD  
TONAWANDA, NY

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LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$18.10 PER HOUR  
EFFECTIVE: MARCH 6, 2017

DWIGHT COOK  
40 LARK STREET  
BUFFALO, NY

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ITEM NO. 31

**ADJOURNMENT OF MEETING**MOTION TO                     APPROVE                    MADE BY                     MR. KENNEDY                    2<sup>ND</sup> BY                     MR. ROOSEVELT                    AYES           4           NOES           0          

Board Meeting of April 5, 2017