

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

May 10, 2017

BUFFALO SEWER AUTHORITY

May 10, 2017

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

<u>ITEM NO.</u>	<u>CONTENTS</u>	<u>PAGE NO.</u>
	Roll Call	
1	Motion to Adopt the Minutes of April 5, 2017	55956
2	Informative: Temporary Investments	55957-58
3	Informative: Reallocation of Funds	55959-60
4	Informative: Public Notice – MS4 Annual Report (March 2016 – March 2017)	55961
5	Adoption of Amended “Final Schedule of Sewer Rents and Other Charges for 2017-2018”	55962-72
6	Authorization to Write-Off Charges	55973
7	Payment from Judgment and Claims	55974
8	Travel Authorization – Portland, Oregon	55975
9	Travel Authorization – Rochester, New York	55976
10	Amendment to Sole Source Listing for Selected Instrumentation, Maintenance, Laboratory and Office Equipment for Fiscal Year 2016-2017	55977-78
11	Change Order No. 1 – Contract No. 81700006	55979-80
12	Authorization for Renewal of Annual Customer Support Plan	55981
13	NYS Preferred Source – Janitorial Services Contract Renewal	55982
14	Authorization for Purchase of Actuators for Telescopic Valves Aeration	55983
15	Authorization for Purchase of Blackmer Centrifugal Pump	55984
16	Authorization for Purchase of Fairbanks Motor for the Morse Pump	55985

17	Report on Bids Received – Purchase of Polymer Dewatering Aid	55986-87
18	Report on Bids Received - Locker Room, Facilities and Laboratory Renovations Project	55988
19	Change Order No. 1 – Contract No. 81700002	55989-90
20	Authorization to Provide Funding for Vacant Lot Program as Part of the City of Buffalo 2017 Demolition Program	55991-93
21	Amendment to Schedule of Job Classification Plan	55994
22	Confirmation of Appointments	55995
23	Tuition Reimbursement	55996
24	Adjournment of Meeting	55997

CALL OF THE ROLL

Present: <u>Herbert L. Bellamy, Jr.</u>	<u>Chairman</u>
<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
<u>Eleanor Petrucci</u>	<u>Secretary</u>
<u>Oluwole A. McFoy, P.E.</u>	<u>General Manager</u>
<u>Ronald Brown</u>	<u>Executive Secretary</u>
<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
<u>Julie Barrett-O'Neill, Esq.</u>	<u>General Counsel (BSA)</u>
<u>Gelea James</u>	<u>Director of Employee Relations</u>
<u>Catherine Knab, P.E.</u>	<u>Principal Sanitary Engineer</u>
<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
<u>Rosaleen Nogle, P.E.</u>	<u>Assistant Principal Engineer</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>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>

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

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of April 5, 2017

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

ITEM NO. 2

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

As of March 31, 2017

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$3,816,213.76	Key	0.15%	Municipal NOW
03-Mar-17	07-June-17	96	\$19,026,189.80	Key Banc Capital	1.26%	\$64,055.04
19-Jan-17	16-Oct-17	270	\$9,528,683.54	M&T Securities	1.35%	\$97,230.37
15-Nov-16	13-Nov-17	363	\$13,868,996.00	JP Morgan Securities	1.62%	\$228,060.00
			\$46,240,083.10			
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		\$1,097,079.10	Key	0.15%	Municipal NOW
OPERATING FUND						
31-Jul-12	Super NOW		\$3,541,982.40	Key	0.15%	Municipal NOW
TRUST & AGENCY FUND						
31-Jul-12	Money Market		\$30,165.99	Key	0.02%	Municipal NOW
SURPLUS FUND (185181898)						
			\$204.79	Wilmington Fund		
29-Dec-16	30-Jun-17	183	\$10,046,829.60	Key Banc Capital	1.40%	\$71,671.95
			\$10,047,034.39			
NET REVENUE FUND (185316114)						
			\$520.62	Wilmington Fund		
29-Dec-16	28-Apr-17	120	\$9,027,580.20	Key Banc Capital	1.10%	\$33,422.10
27-Jan-17	28-Apr-17	91	\$8,002,195.80	Key Banc Capital	1.31%	\$26,514.29
03-Mar-17	28-Apr-17	56	\$3,001,198.20	M&T Securities	0.85%	\$3,970.63
30-Mar-17	02-May-17	33	\$4,489,899.83	Key Banc Capital	1.00%	\$4,118.58
			\$24,521,394.65			

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 May 10, 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

4/17/2017	00650103 SWRM Electric Light & Power	-\$7,000.00	00650105 SWRM Office Supplies	\$7,000.00
4/21/2017	00650103 SWRM Gas	-\$3,000.00	00660105 SWRR Small Tools	\$3,000.00
4/26/2017	00660106 SWRR Service and Equipment Rental	-\$4,000.00	00690106 Auto Automotive Repairs	\$4,000.00

Waste Water Treatment Plant

4/3/2017	00220105 SCRE Equip Maintenance	-\$15,225.00	00260105 PRIM Equip Maintenance	\$15,225.00
4/3/2017	00230105 GRIT Equip Maintenance	-\$39,812.00	00290105 AER Equip Maintenance	\$39,812.00
4/3/2017	00230105 GRIT Equip Maintenance	-\$940.00	00520105 MAIN Office Supplies	\$940.00
4/6/2017	00280105 SWWP Equip Maintenance	-\$45,000.00	00520105 MAIN Chemicals and Gases	\$45,000.00
4/6/2017	00440105 KELS Equip Maintenance	-\$2,000.00	00490105 NIAG Equip Maintenance	\$2,000.00
4/6/2017	00440105 KELS Equip Maintenance	-\$2,000.00	00520105 MAIN Gasoline and Lubricants	\$2,000.00
4/10/2017	00220105 SCRE Equip Maintenance	-\$6,000.00	00410105 HAMB Equip Maintenance	\$6,000.00
4/10/2017	00280106 SWWP Repairs to Equipment	-\$1,300.00	00290106 AER Repairs to Equipment	\$1,300.00
4/24/2017	00220105 SCRE Equip Maintenance	-\$500.00	00290105 AER Equip Maintenance	\$500.00
4/24/2017	00220105 SCRE Equip Maintenance	-\$250.00	00520105 MAIN Office Supplies	\$250.00

Engineering Division

3/29/2017	00600106 Eng Engineering and Tech	-\$250,000.00	00800183 Financial Contingency	\$250,000.00
3/29/2017	00600107 Eng Operating Equipment	-\$120,000.00	00800183 Financial Contingency	\$120,000.00
4/19/2017	00600106 Eng Repairs to Office Equipment	-\$500.00	00600105 Eng Office Supplies	\$500.00
4/19/2017	00600106 Eng Maintenance Contract	-\$92.36	00600105 Eng Office Supplies	\$92.36

General Financial Charges

4/11/2017	00800183 Financial Contingency	-\$780.00	00110105 ADMIN Office Supplies	\$780.00
4/24/2017	00800183 Financial Contingency	-\$781.80	00600106 ENG Advertising	\$781.80

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Board Meeting of May 10, 2017

ITEM NO. 4

**INFORMATIVE: PUBLIC NOTICE - MS4 ANNUAL REPORT (MARCH 2016 - MARCH 2017)
AND STORMWATER MANAGEMENT PLAN (SWMP)**

New York State's Municipal Separate Storm Sewer System (MS4) SPDES Permit, Section 2e: Public Involvement/Participation requires that the Buffalo Sewer Authority present the Draft Annual Report and the Stormwater Management Program (SWMP) Plan 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(s).

The Buffalo Sewer Authority (BSA) will have the MS4 Annual Report and the SWMP at their City Hall Office, Room 1038, Buffalo, New York, from 9:00 a.m. to 12:00 p.m. on Tuesday, May 16, 2017.

The MS4 Annual Report for March 10, 2016 – March 9, 2017 will be completed and submitted to the NYS Department of Environmental Conservation (NYSDEC) after the public review and comment period. The MS4 Annual report and the SWMP will also be available on the BSA's website: www.city-buffalo.com/Home/City_Departments/BSA/stormwater.

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

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Board Meeting of May 10, 2017

ITEM NO. 5

ADOPTION OF AMENDED "FINAL SCHEDULE OF SEWER RENTS AND OTHER CHARGES FOR 2017-2018"

WHEREAS: The Buffalo Sewer Authority, in the meeting of April 5, 2017, adopted a proposed "Schedule of Sewer Rents and Other Charges for 2017-2018" and authorized the publication of this notice, commencing April 10, 2017, once a week for three (3) consecutive weeks, in the City Record and Buffalo News; and

WHEREAS: The thirty-day period for inspection of the Schedule, and the filing of, has now expired; and

WHEREAS: No protests were filed; and

WHEREAS: It is now in order to adopt the "Final Schedule of Sewer Rents and Other Charges for 2017-2018"; and

WHEREAS: The proposed "Schedule of Sewer Rents and Other Charges for 2017-2018" includes no increases to sewer rents based on the assessed value of property. The levy of sewer rents based on assessed value remains unchanged from the previous year at \$12,050,000; and

WHEREAS: The proposed "Schedule of Sewer Rents and Other Charges for 2017-2018" also includes no increases to sewer rents based on the use of water. Metered accounts will continue to be charged \$11.09 per thousand cubic feet of water used, and there will be no increases to the charges on flat rate accounts.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby adopts the "Final Schedule of Sewer Rents and Other Charges for 2017-2018".

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

Board Meeting of May 10, 2017

FINAL 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:

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:

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

\$0.1585 Cost/lb. for treatment of BOD₅

\$0.2016 Cost/lb. for treatment of TSS

\$0.0328 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, 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 ₅	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 & 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 WRITE-OFF CHARGES

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

WHEREAS: Coyne Textile Services, located at 111 James E. Casey Dr., has an outstanding balance of \$446.90 for the cost of surcharge fees for the period of July 1, 2015-June 30, 2016; and

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

WHEREAS: Coyne Textile Services filed for bankruptcy protection in August 2015; and

WHEREAS: Coyne Textile Services subsequently closed its operations on December 11, 2015; and

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

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

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the write-off of the outstanding balance of \$446.90 for the cost of surcharge fees for Coyne Textile Services that is determined to be uncollectible.

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

Board Meeting of May 10, 2017

ITEM NO. 7

PAYMENT FROM JUDGMENT AND CLAIMS

WHEREAS: Board approval is required for charges made against the Buffalo Sewer Authority's current budget for services and/or materials received during a prior fiscal year; and

WHEREAS: The following materials were received during a prior fiscal year and charged to the 2016-2017 budget account no. 00800108-480214:

VENDOR	AMOUNT
Airgas	\$80.00

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

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

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 10, 2017

ITEM NO. 8

TRAVEL AUTHORIZATION - PORTLAND, OREGON

WHEREAS: Best practices for green infrastructure are of special interest to the Authority in support of its Combined Sewer Overflow Long Term Control Plan; and

WHEREAS: The Green Infrastructure Leadership Exchange is a practitioner network that supports communities seeking to grow green stormwater infrastructure programs by accelerating implementation through peer learning, innovation, partnerships and advocacy; and

WHEREAS: The Green Infrastructure Leadership Exchange is hosting its Annual Meeting and Conference on May 15-17, 2017 in Portland, Oregon; and

WHEREAS: The General Manager requests that the General Counsel (BSA) represent the Authority at this conference.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Counsel (BSA) to travel to Portland, Oregon from May 15 through 17, 2017 to attend the Green Infrastructure Leadership Exchange Annual Meeting and Conference with travel and accommodation to be provided by the conference sponsors.

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

Board Meeting of May 10, 2017

ITEM NO. 9

TRAVEL AUTHORIZATION - ROCHESTER, NEW YORK

WHEREAS: The New York Water Environment Association (NYWEA) is holding its Spring Technical Conference and Exhibit in Rochester, New York from June 5-7, 2017; and

WHEREAS: As a Utility Member of NYWEA, several Authority staff members serve on the organization board, committee and task force's that hold their semi-annual meetings at this conference. In addition, this conference provides an important opportunity for ongoing training and peer-learning with other wastewater professionals across New York State; and

WHEREAS: The General Manager recommends attendance at this conference for himself, the Treatment Plant Superintendent, Treatment Plant Administrator, Assistant Principal Engineer, Shift Superintendents, Senior Instrument Technician and Wastewater Operators; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager, the Treatment Plant Superintendent, Treatment Plant Administrator, Assistant Principal Engineer, Shift Superintendents, Senior Instrument Technician and Wastewater Operators to travel to Rochester, New York, to attend the NYWEA Spring Technical Conference and Exhibit from June 4-7, 2017, for a total cost not to exceed \$6,000.00. Account nos. 00110104-458010, 00110104-458012, 00200104-458010, 00200104-458012, 00600104-458010 and 00600104-458012 will be utilized for this travel.

MOTION TO _____ APPROVE _____

MADE BY _____ MS. PETRUCCI _____

2ND BY _____ MR. ROOSEVELT _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of May 10, 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: Scott Safety is the sole manufacturer of Scott Safety (also formerly EIT and Bacharach and Scott Health & Safety, Inc.) combustible and toxic gas detection equipment, parts and supplies for *fixed* gas detection systems. “Fixed” (meaning permanently mounted detection devices) are sold exclusively by a “fixed” systems sales representative for Scott Safety by the region; and

WHEREAS: Scott Safety has now designated North East Technical Sales as the sole authorized provider for this region (Martech Controls previously held this regional position); 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 representative for the original equipment manufacturer of Scott Safety combustible and toxic gas detection equipment, parts and supplies for fixed gas detection systems:

North East Technical Sales	Services for Scott Safety combustible and toxic gas detection equipment, parts and supplies for fixed gas detection systems.
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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 North East Technical Sales to the sole source listing for the maintenance and/or services indicated for fiscal year 2016-2017.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of May 10, 2017

ITEM NO. 11

CHANGE ORDER NO. 1- CONTRACT NO. 81700006

CONTRACTOR:	ORIGINAL CONTRACT COST	\$86,379.00
AECOM	PREVIOUS CHANGE ORDER	n/a
257 West Genesee Street Suite 400	THIS CHANGE ORDER	<u>\$124,166.00</u>
Buffalo, New York 14202-2657	ADJUSTED CONTRACT COST	\$210,545.00

PROJECT: Digester No. 5 Rehabilitation Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Design and construction services for purchase and installation of a new steel floating cover for Digester No. 5

REASON FOR CHANGE OR EXTRA WORK:

Item #1 AECOM inspection and evaluation as well as consideration of the condition of recently rehabilitated Digester No. 6 floating cover has determined that cover replacement is necessary for long term service of Digester No. 5.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$124,166.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$124,166.00

The total INCREASE to the contract as a result of this Change Order is \$124,166.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81700006 as written in the above Agenda Item, increasing the contract cost in the amount of \$124,166.00, making the adjusted contract cost \$210,545.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 10, 2017

ITEM NO. 13

NYS PREFERRED SOURCE - JANITORIAL SERVICES CONTRACT RENEWAL

WHEREAS: New York State Industries for the Disabled (NYSID) is a not-for-profit corporation appointed by the New York State Department of Education to secure and administer contracts on behalf of community rehabilitation agencies. NYSID is a New York State preferred source under Section 162 of the State Finance Law. This preferred source status authorizes state and local governments to utilize and purchase NYSID products and services without competitive bidding; and

WHEREAS: On May 25, 2016, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with the Preferred Source Vendor, NYSID, through its member agency, Heritage Centers, also known by Allentown Industries, to perform janitorial services at the Buffalo Sewer Authority facilities for a one-year period from July 1, 2016 to June 30, 2017, at a total cost not to exceed \$66,924.44; and

WHEREAS: The NYS Department of Labor's prevailing wage and supplemental benefit rate is \$13.15 per hour; and

WHEREAS: The General Manager, Treatment Plant Superintendent and staff recommend renewal of this contract for janitorial services for fiscal year 2017-2018.

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 renewal with NYSID, as a Preferred Source, through its member agency, Heritage Centers, also known by Allentown Industries, to perform janitorial services at the Buffalo Sewer Authority facilities for a one-year period from July 1, 2017 to June 30, 2018, at a total cost not to exceed \$66,924.44. Expenses for this contract will be charged to account nos. 00110106-434000, 00200106-434000 and 00650106-434000.

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

Board Meeting of May 10, 2017

ITEM NO. 14

**AUTHORIZATION FOR PURCHASE OF ACTUATORS FOR TELESCOPIC VALVES
AERATION**

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated AUMA Actuators, the original equipment manufacturer, and/or their authorized local representative, as a sole source for Auma control products (valve positioners) parts and service products located at the Bird Island Wastewater Treatment Plant; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for AUMA Actuators products. Upon request, RM Headlee Company Incorporated, the local representative, submitted a quote in the amount of \$24,025.00 for telescopic valves parts; and

WHEREAS: Monies payable to date to RM Headlee Company Incorporated, in fiscal year 2016-2017 are \$8,036.00. This purchase will bring the total monies payable for purchases to \$32,061.00; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff reviewed the quote received and recommend the purchase of the Actuators for telescopic valves aeration parts; and

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

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed AUMA Actuators of telescopic valves aeration parts for a cost of \$24,025.00. The Board further authorizes total monies payable to RM Headlee Company Incorporated, of \$32,061.00 for fiscal year 2016-2017. These purchases will be charged to account no. 00290105-466107.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

ITEM NO. 15

AUTHORIZATION FOR PURCHASE OF BLACKMER CENTRIFUGAL PUMP

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Blackmer Pump Company, the original equipment manufacturer, and/or their authorized local representative, as a sole source for Blackmer brand pumps located at the Bird Island Wastewater Treatment Plant; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for a Blackmer centrifugal pump. Upon request, Corrosion Products and Equipment, Inc., the local representative, submitted a quote in the amount of \$22,595.00; and

WHEREAS: Monies payable to date to Corrosion Products and Equipment, Inc., in fiscal year 2016-2017 are \$27,340.00. This purchase will bring the total monies payable for purchases to \$49,935.00; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff reviewed the quote received and recommend the purchase of the Blackmer centrifugal pump; 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 Blackmer centrifugal pump at a total cost of \$22,595.00, and further authorizes total monies payable to Corrosion Products and Equipment, Inc., of \$49,935.00 for fiscal year 2016-2017. This purchase will be charged to account no. 00380105-466107.

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

Board Meeting of May 10, 2017

ITEM NO. 16

AUTHORIZATION FOR PURCHASE OF FAIRBANKS MOTOR FOR THE 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 an applicable motor for the Fairbanks Morse pump; and
- WHEREAS: Upon request G.P. Jager and Associates, Inc., the authorized local representative, submitted a quote in the amount of \$9,372.00 for the needed motor; 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 \$21,027.60. This purchase will bring the total monies payable for purchase to \$30,399.60; 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 a Fairbanks Morse motor from G.P. Jager and Associates, Inc., at a total cost of \$9,372.00. This purchase will be charged to account no. 00290105-466107.

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

Board Meeting of May 10, 2017

ITEM NO. 17

REPORT ON BIDS RECEIVED - PURCHASE OF POLYMER DEWATERING AID

WHEREAS: Formal Bids were advertised and solicited for the purchase of Polymer Dewatering Aid located at the Bird Island Wastewater Treatment Plant; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on February 21, 2017:

VENDOR		BID	
POLYDYNE, INC.			
Description	Product Offer	Polymer Price Per Pound Delivered	Total Annual cost for Polymer (Based on estimated annual quantities listed below)
<i>Estimated Annual Quantity-based on 3 yr. average</i>			800,000
1)Wastewater Dewatering	Clarifloc NE-1741	\$.810/lb.	\$648,000.00
<i>Estimated Annual Quantity-Based on 3yr. average</i>			2,000,000
2) Wastewater Sludge Thickening	Clarifloc C-331W	\$0.108/lb	\$216,000.00
TOTAL ANNUAL COST			\$864,000.00
			X2
TOTAL COST OF POLYMER FOR INITIAL TWO YEAR CONTRACT TERM 07/01/17-06/30/19			\$1,728,000.00
Description	Equipment Offer	Cost Per Unit	Total Cost
<i>All Pricing for Equipment Shall Include Installation, Training and Removal of the Old Units as Outlined in Specifications</i>			
3)Two (2) Sludge Dewatering Polymer Blending Units	EA 70 Emulsion Polymer Make Down Unit	\$32,304.98	\$64,609.96
4) Two (2) Thickening Polymer Blending Units	ML 100 Mannich Polymer Make Down Unit	\$38,304.98	\$76,609.96
GRAND TOTAL COST OF POLYMER & EQUIPMENT FOR INITIAL TWO YEAR CONTRACT TERM 07/01/17-06/30/19			\$1,869,219.92
VENDOR		BID	
M.W. WATERMARK		NO BID	
BASF CORP.		NO REPLY	
SOLENIS		NO REPLY	
KEMIRA WATER SOLUTIONS		NO REPLY	

; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Principal Chief Stationary Engineer and staff have reviewed the bids received and recommend awarding the bid to the lowest responsible bidder, Polydne, Inc., at a total cost not to exceed \$1,869,219.92.

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 Polydyne, Inc., for the purchase of Polymer Dewatering Aid at the Bird Island Wastewater Treatment Plant, for a two-year period, July 1, 2017 to June 30, 2019 at a cost not to exceed \$1,869,219.92. Expenses for this contract will be charged to account nos. 00340105-467044 and 00360105-467044.

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

Board Meeting of May 10, 2017

ITEM NO. 18

REPORT ON BIDS RECEIVED - LOCKER ROOM, FACILITIES AND LABORATORY RENOVATIONS PROJECT

WHEREAS: Formal bids were advertised and solicited for the Locker Room, Facilities and Laboratory Renovations Project at the Bird Island Wastewater Treatment Plant. The following bids were received and opened by the Buffalo Sewer Authority on April 18, 2017:

Vendor	Bid
Galbo Construction	\$247,000.00
Lakeside Construction	\$252,500.00
Nichter Construction	\$282,200.00
Allstate Construction	\$317,300.00

; and

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

WHEREAS: The consulting engineer, Greenman Pedersen, Inc., has reviewed the bids and recommend awarding the contract to the lowest bidder, Galbo Construction, Inc., at a cost not to exceed \$247,000.00; and

WHEREAS: The Treatment Plant Administrator and staff concur with the consultant's recommendation.

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 Galbo Construction, Inc., at a cost not to exceed \$247,000.00. Expenses for this contract will be charged to account no. 02000440-490740.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 10, 2017

ITEM NO. 19

CHANGE ORDER NO. 1 – CONTRACT NO. 81700002

CONTRACTOR:	ORIGINAL CONTRACT COST	\$3,997,000.00
Mark Cerrone, Inc.	PREVIOUS CHANGE ORDER	N/A
2368 Maryland Ave.	THIS CHANGE ORDER	\$0
Niagara Falls, New York 14305	ADJUSTED CONTRACT COST	<u>\$3,997,000.00</u>

PROJECT: CSO No. 026 RTC Structure

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Extension of time changing the completion date to July 31, 2017

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Extension of time to accommodate additional work, long lead times for materials and weather delays.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$0.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$0.00

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed from April 9, 2017 to July 31, 2017.
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. 81700002 as written in the above Agenda Item, keeping the contract cost \$3,997,000.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 10, 2017

ITEM NO. 20

AUTHORIZATION TO PROVIDE FUNDING FOR VACANT LOT PROGRAM AS PART OF THE CITY OF BUFFALO 2017 DEMOLITION PROGRAM

WHEREAS: In compliance with the requirements of its Long Term Control Plan (LTCP), the Buffalo Sewer Authority (Authority) continues to implement Green Infrastructure to reduce stormwater runoff from impervious surfaces entering the combined sewer system; and

WHEREAS: As part of its Green Infrastructure efforts, the Authority has partnered with the City of Buffalo's Department of Permits and Inspections for razing dilapidated structures and reducing impervious surfaces associated with demolitions, to reduce the amount of stormwater runoff to the combined sewer system within the City of Buffalo; and

WHEREAS: The City of Buffalo Department of Permits and Inspections is responsible for identifying structures in need of demolition due to derelict and dangerous conditions that, upon removal, would reduce stormwater runoff to the Authority's collection system, and issued a competitive bid for demolition services to remove twenty-six (26) City owned structures; and

WHEREAS: The City of Buffalo reviewed the bids and recommends awarding contracts to the following lowest bidders, for a total project cost of \$499,464.00:

Contractor	No.	Sites	Bid
Empire Dismantlement	2	49 Alma, 785 South Ogden	\$155,700.00
Geiter Done	15	183 Goodyear, 375 Guilford, 23 Howlett, 67 Koons, 124 May, 322 May, 96 Miller, 83 Oberlin, 365 Sherman, 1047 Smith, 81 St. Louis Ave, 294 Strauss, 102 Theodore, 205 Titus, 68 Verplanck	\$190,400.00
Hannah Demolition	2	153 Brinkman, 245 Stevens	\$35,000.00
Metro Environmental	1	358 Johnson	\$19,999.00
Niagara Environmental	6	289 Cherry, 29 Glenwood, 266 High, 178 Miami, 61 Parkridge, 30 Schreck	\$98,365.00
Total	26		\$499,464.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to provide \$499,464.00 in funding to the City of Buffalo Department of Permits and Inspections for the competitively bid demolition of hazardous structures on City owned property in support of the Authority's Green Infrastructure efforts. Account no. 02000442-432004 will be utilized for these services.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 10, 2017

CERTIFICATE

I, Eleanor C. Petrucci, Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on May 10, 2017, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted on May 10, 2017, and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract, and that said resolution has not been amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Authority this 10th day of May, 2017.

(SEAL)

Eleanor Petrucci
Secretary, Buffalo Sewer Authority Board

ITEM NO. 21

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 addition of the following position to the Job Classification Plan:

One (1) Assistant Computer Systems Engineer Coordinator
00200111 411001

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of May 10, 2017

ITEM NO. 22

CONFIRMATION OF APPOINTMENTS

CLERK (PROVISIONAL)
 ADMINISTRATION
 \$37, 118 PER ANNUM
 EFFECTIVE: MARCH 27, 2017

JOY HOUSTON
 1669 CLINTON STREET (LOWER)
 BUFFALO, NY

MAINTENANCE ASSISTANT S.C. (TEMPORARY)
 SEWAGE TREATMENT PLANT
 \$20.38 PER HOUR
 EFFECTIVE: MARCH 27, 2017

RYAN SULLIVAN
 24 SHENANDOAH ROAD
 BUFFALO, NY

WHEREAS: The preceding appointments were 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 appointments are hereby confirmed by the Board of the Buffalo Sewer Authority.

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

Board Meeting of May 10, 2017

ITEM NO. 23

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 employee has applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Michael Cosgrove	California State University, Sacramento	Operation of Wastewater Treatment Plants II	100%	\$136.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$136.00. This Reimbursement will be charged to account no. 00820102-421026.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of May 10, 2017

ITEM NO. 24

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

Board Meeting of May 10, 2017