

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
October 10, 2007**

BUFFALO SEWER AUTHORITY

October 10, 2007

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 C. Wilson-DiVincenzo</u>	<u>Secretary</u>
<u>John E. Kennedy, Jr.</u>	<u>Assistant Secretary</u>
<u>David Comerford</u>	<u>General Manager</u>
<u>Ronald Brown</u>	<u>Executive Secretary</u>
<u>Burt Mirti</u>	<u>Intergovernmental Coordinator</u>
<u>Franklin DiMascio, P.E.</u>	<u>Principal Engineer</u>
<u>James Eagan, P.E.</u>	<u>Senior Sanitary Engineering Supervisor</u>
<u>James Keller</u>	<u>Treatment Plant Superintendent</u>
<u>Angel Rivera</u>	<u>Superintendent of Mechanical Maintenance</u>
<u>Edward Hennessy</u>	<u>Director of Sewer Maintenance</u>
<u>Nicole Elliott</u>	<u>Erie County Environment and Planning</u>

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

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of September 5, 2007

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

Board Meeting of October 10, 2007

ITEM NO. 2

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

September 27, 2007

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
15-Apr-02	Money Market		\$500,000.00	Chase	4.55%	High Yield
CONSTRUCTION FUND						
08-Apr-02	Money Market		\$1,643,734.40	Chase	4.55%	High Yield
05-Sep-07	05-Oct-07	30	\$15,000,000.00	Citizens	5.27%	\$65,875.00
16-Aug-07	15-Oct-07	60	\$13,400,000.00	Citizens	5.22%	\$116,580.00
			<u>\$30,043,734.40</u>			
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$138,469.72	Chase	4.55%	High Yield
29-Aug-07	28-Sep-07	30	\$933,625.96	M&T	5.21%	\$4,053.49
			<u>\$1,072,095.68</u>			
OPERATING FUND						
08-Apr-02	Money Market		\$3,352,495.17	Chase	4.55%	High Yield
TRUST & AGENCY FUND						
06-May-02	Money Market		\$27,823.33	Chase	4.55%	High Yield
SURPLUS FUND						
27-Sep-07	31-Dec-07	95	\$5,308,732.02	HSBC	4.75%	\$66,543.48
NET REVENUE FUND						
10-Aug-07	25-Oct-07	76	\$2,700,000.00	Citizens	5.23%	\$29,811.00
27-Aug-07	26-Nov-07	91	\$4,899,971.51	M&T Securities	5.26%	\$66,028.49
25-Sep-07	31-Dec-07	97	\$7,800,259.35	M&T	4.90%	\$102,985.09
			<u>\$15,400,230.86</u>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
DEBT RESERVE FUND						
15-May-07	15-May-08	366	\$1,255,988.58	Series F FNMA	5.00%	
23-Sep-03	15-Aug-08	1788	\$7,350,000.00	Series I M&T Securities	3.25%	
13-Mar-03	15-Apr-32		\$2,825,593.00	Series H SLG	4.35%	
04-Mar-04	15-Nov-33		\$774,061.00	Series J SLG	3.82%	
22-Jul-04	15-Feb-33		\$498,654.00	Series K SLG	4.63%	
27-Jul-06	01-Oct-35		\$952,666.00	Series L SLG	4.52%	
CONSTRUCTION FUND SERIES H						
			\$273,807.06	MTB Funds		
CONSTRUCTION FUND SERIES K						
27-Sep-07	11-Oct-07	14	\$58,378.63	HSBC	4.75%	\$107.84

RECEIVE & FILE

Board Meeting of October 10, 2007

ITEM NO. 3

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: On September 7, 2007, Melanie Cellini, 1290 Electric Avenue, Lackawanna, New York, filed a Claim with the Buffalo Sewer Authority for damages to her vehicle. Damage to the vehicle occurred on August 21, 2007, when it was struck by a Buffalo Sewer Authority truck at Tift & Hopkins Streets; and

WHEREAS: The Buffalo Police Department report indicated that the Buffalo Sewer Authority was at fault in this accident; and

WHEREAS: The lowest estimate received for damages to the vehicle was \$1,279.33; and

WHEREAS: The City of Buffalo Law Department and the General Manager reviewed this Claim and recommend payment in the amount of \$1,279.33.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Melanie Cellini, 1290 Electric Avenue, Lackawanna, New York, in the amount of \$1,279.33 as full settlement. This Claim will be paid out of the Liability and Casualty Reserve Fund.

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

Board Meeting of October 10, 2007

ITEM NO. 4

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: On September 20, 2007, Robert Dorsey, 29 Fairview Place, Buffalo, New York, filed a Claim with the Buffalo Sewer Authority for damages to his parked vehicle on September 17, 2007; and

WHEREAS: Mr. Dorsey is an employee of the Buffalo Sewer Authority and his vehicle was parked at the Maintenance Building lot at the Bird Island Sewage Treatment Plant; and

WHEREAS: The parked vehicle sustained a broken rear window when a Yards and Grounds vehicle ejected a stone striking the rear window and breaking it; and

WHEREAS: The General Manager reviewed the Claim and recommends payment in full in the amount of \$217.50.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Robert Dorsey, 29 Fairview Place, Buffalo, New York, in the amount of \$217.50 as full settlement. This Claim will be paid out of the Liability and Casualty Reserve Fund.

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

Board Meeting of October 10, 2007

ITEM NO. 5

AUTHORIZATION FOR PURCHASE OF 2008 MODEL YEAR VEHICLES UNDER NEW YORK STATE CONTRACT

WHEREAS: The Buffalo Sewer Authority Treatment Plant Superintendent has identified a need for fleet replenishment; and

WHEREAS: The Treatment Plant Superintendent recommends purchase of the following vehicles available from Fairport Ford under New York State Contract PC62882, Group 40560, Award 20339:

Vehicle	Quantity	Cost Each	Total Cost
2008 Ford F-150 XL Regular Cab, Long Box, 4X2 Pickup Truck ½ ton (F12)	3	\$12,121.01	\$36,363.03
2008 Ford F-150 XL, Regular Cab, Long Box, 4x4 Pickup Truck ½ ton (F14)	2	\$15,166.58	\$30,333.16
Delivery Charge	5	\$160.00	\$800.00
Total Cost			\$67,496.19

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the General Manager to purchase the above five (5) vehicles at a total cost of \$67,496.19. These purchases will be charged to account no. 00520107-474200.

MOTION TO _____ APPROVE _____

MADE BY _____ MS. WILSON-DIVINCENZO _____

2ND BY _____ MR. KENNEDY, JR. _____

AYES _____ 5 _____ NOES _____ 0 _____

Board Meeting of October 10, 2007

ITEM NO. 6

AUTHORIZATION TO PURCHASE REPLACEMENT PARTS FOR MOYNO PROGRESSIVE CAVITY PUMPS

WHEREAS: On July 18, 2007, the Board of the Buffalo Sewer Authority designated Moyno, Inc., the original equipment manufacturer, and/or their authorized local representative as a sole source for replacement parts, supplies, and service for the Moyno brand pumps located at the Treatment Plant; and

WHEREAS: The Superintendent of Mechanical Maintenance has determined that additional restock of miscellaneous replacement parts for these Moyno brand pumps is needed; and

WHEREAS: Shrier Martin, the authorized local representative for Moyno, Inc., has submitted a quote in the amount of \$7,098.26, plus freight charges estimated not to exceed \$400.00 for these necessary replacement parts; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend the purchase of these necessary replacement parts for the Moyno brand pumps from Shrier Martin at a cost of \$7,098.26, plus freight charges not to exceed \$400.000.

WHEREAS: The total monies payable to Shrier Martin for fiscal year 2007-2008 is over \$10,000.00; and

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

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the necessary replacement parts for the Moyno brand pumps from Shrier Martin at a cost of \$7,098.26, plus freight charges not to exceed \$400.00. This purchase will be charged to account no. 00320105-466107.

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

Board Meeting of October 10, 2007

ITEM NO. 8

AUTHORIZATION FOR PUBLICATION OF INDUSTRIAL USER VIOLATORS LIST

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

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

WHEREAS: In accordance with this requirement the following violators met the above criteria between July 1, 2006 and June 30, 2007:

Rosina Food Products, Inc.
775 Industrial Parkway
Cheektowaga, NY 14227

Marlette Plating
25 Rano Street
Buffalo, NY 14207

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to publish the aforementioned violators in The Buffalo News.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of October 10, 2007

ITEM NO. 9

AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH INCINERATOR Rx CORPORATION FOR THE MULTIPLE HEARTH FURNACE EQUIPMENT AND CONTROLS UPGRADE PROJECT

WHEREAS: On July 18, 2007, the Board of the Buffalo Sewer Authority authorized a contract with CH2M Hill to provide engineering design, inspection, and construction administration services for upgrading one (1) of the multiple hearth furnace units; and

WHEREAS: Throughout the design and construction process of the Multiple Hearth Furnace Equipment and Controls Upgrade Project, additional expertise will be required; and

WHEREAS: At the request of the Buffalo Sewer Authority, Incinerator Rx Corporation has provided a multiple hearth furnace evaluation and recommendation report for the project; and

WHEREAS: Additionally, Incinerator Rx Corporation has submitted a proposal for technical support, operational start-up, and emissions testing; and

WHEREAS: The Treatment Plant Administrator and her committee have reviewed the proposal submitted by Incinerator Rx and recommend acceptance.

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 Incinerator Rx Corporation for technical support, operational start-up, and emissions testing pursuant to their proposal for the Multiple Hearth Furnace Equipment and Controls Upgrade Project at the Bird Island Wastewater Treatment Plant at a cost not to exceed \$80,000.00. Funds for this contract will be charged to account no. 02000271-480000.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of October 10, 2007

ITEM NO. 10

CHANGE ORDER NO. 2 – CONTRACT NO. 84700013

CONTRACTOR:	PREVIOUS CONTRACT COST	\$77,965.00
Quality Inspection Services, Inc.	THIS CHANGE ORDER	<u>\$11,998.07</u>
37 Franklin Street, Suite 400	ADJUSTED CONTRACT COST	\$89,963.07
Buffalo, New York 14202		

WORK: Inspection of Digester Gas Storage Sphere at the Bird Island Sewage Treatment Plant

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Replacement of 4" vent valve.
- Item #2 Removal of sludge in man way.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 During inspection of the sphere, it was determined that the 4" vent valve required replacement and the associated vent lines required unplugging.
- Item #2 During inspection services, it was determined that sludge was discovered in the sphere man way, requiring removal.

COST OF CHANGE OR EXTRA WORK:

- Item #1 \$9,865.32
- Item #2 \$2,132.75

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$11,998.07

The total INCREASE to the contract as a result of this Change Order is \$11,998.07

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.

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. 2 to Contract No. 84700013 as written in the above Agenda Item, increasing the contract cost in the amount of \$11,998.07, making the adjusted contract cost \$89,963.07.

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

Board Meeting of October 10, 2007

ITEM NO. 11

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 positions to the Job Classification Plan:

One (1) Wastewater Treatment Plant Operator II (w/License)
00280131 411001

One (1) Wastewater Treatment Plant Operator II (w/License)
00360131 411001

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of October 10, 2007

ITEM NO. 12

AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN

WHEREAS: There is a need to modify the Job Classification Plan.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority approves the deletion of the following positions from the Job Classification Plan:

- One (1) Maintenance Assistant (Sewer Cleaning) 00670161 411001**
- One (1) Wastewater Treatment Plant Operator II 00280161 411001**
- One (1) Wastewater Treatment Plant Operator II 00360161 411001**

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of October 10, 2007

ITEM NO. 13

CONFIRMATION OF APPOINTMENTS

LABORER II (TEMPORARY)
SEWER MAINTENANCE DEPARTMENT
\$16.60 PER HOUR
EFFECTIVE: SEPTEMBER 17, 2007

ALFONSO VENTURA
133 COLONIAL DRIVE EAST
GRAND ISLAND, NY

SEWER MAINTENANCE SUPERVISOR I (PERMANENT)
CHANGE OF STATUS ONLY
SEWER MAINTENANCE DEPARTMENT
\$43,481 PER ANNUM
EFFECTIVE: SEPTEMBER 17, 2007

KEVIN CRAPO
59 GOOD AVE.
BUFFALO, NY

WASTEWATER TREATMENT PLANT OPERATOR II
(W/LICENSE) (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.11 PER HOUR
EFFECTIVE: SEPTEMBER 17, 2007

JOSPEH CORDARO
79 WINSTON RD.
BUFFALO, NY

LABORER II (PERMANENT)
SEWER MAINTENANCE DEPARTMENT
\$16.60 PER HOUR
EFFECTIVE: SEPTEMBER 24, 2007

MICHAEL TRONOLONE
 343 KINSEY
 KENMORE, 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 APPROVE
 MADE BY MR. KENNEDY, JR.
 2ND BY MR. ROOSEVELT
 AYES 5 NOES 0

Board Meeting of October 10, 2007

ITEM NO. 14

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of October 10, 2007