

**ERIE COUNTY SEWER DISTRICT (ECSD) NO. 2
BOARD OF MANAGERS MEETING MINUTES
FEBRUARY 7, 2013 @ 9:00 AM
DISTRICT ADMINISTRATION BUILDING**

MEMBERS PRESENT: Angela Horton, Anna Knack, Mayor Vincent George,
Gifford Swyers

MEMBERS ABSENT: Mayor Howard Frawley (*Excused due to death in the family*)

OTHERS PRESENT: Patrick Breier, Joseph Fiegl, Nancy Forys, Lawrence Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairperson Knack opened the meeting at 9:01 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mayor George, seconded by Mr. Swyers, the Board voted to approve the minutes from the December 6, 2012 meeting. The motion carried 4 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no items from the public.

ITEM NO. 4 – NEW BUSINESS

a. Permit Refund Request – 10637 Elm Street (Handout)

Mr. Breier explained the circumstances regarding the homeowner's request for refund for a sewer permit in the amount of \$502.00. Initially the homeowner applied for a new connection permit and paid the permit fee of \$502.00. After an inspection by the homeowner's contractor, Campland RV, Inc., the existing sewer lateral was used as it was in good condition. As a result, the homeowner considered the work a repair for which a "repair permit" would have been issued at a cost of \$2.00. If the original home was not torn down, this would have applied. However, the home was rebuilt using the existing sewer lateral. While the existing lateral was reused, the inspection fees still apply. The DSM determined that a partial refund can be given in the amount of \$250.00 less administrative fees which are predetermined to be \$50.00. Therefore, the DSM recommends a refund in the amount of \$200.00.

On a motion by Mr. Swyers, seconded by Ms. Knack, the Board approved the DSM recommendation to issue a refund in the amount of \$200.00 to Campland RV, Inc. The motion carried 4 - 0.

b. I/I Approval for Compliance Hearing (Handout)

The Board reviewed a list of homeowners the DSM is recommending be sent to a compliance hearing. This list is comprised of homeowners who have failed to have a house inspection or failed to correct a violation in accordance with the "Rules and Regulations for Erie County Sewer Districts". Those properties are:

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Property Address	Homeowner Name	Compliance Required
28 Mill Street	PJM Enterprises	Inspection
33 Mill Street	Robert E. Aruvali	Inspection
254 No. Main Street	Thomas Van Wie	Inspection
287 No. Main Street	James H. Fischer	Inspection
322 No. Main Street	Ann Borsink	Inspection
49 Orchard Avenue	Andrew M. Strianese	Inspection
6403 Lakeshore Road	Michael Weber	Violation

On a motion made by Mr. Swyers, seconded by Ms. Knack, the Board voted to approve the properties for a compliance hearing. The motion carried 4 – 0.

ITEM NO. 5 – OLD BUSINESS

- o Mr. Fiegl advised the Board that the Legislature did pass a resolution pertaining to the Zoladz Litigation (eminent domain claim for SBL#193.00-2-2.111), but the agreement has not been finalized with all signatures.
- o Mr. Swyers asked the status of the dumpster for the Grove area that would be placed on ECSD 2 property. Mr. Fiegl advised that there is a draft agreement in place with many protections for the sewer district. We are waiting to go over draft agreement with Councilman Paul Cooper from the Town of Evans. Councilman Cooper will be scheduling a meeting on this topic.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. District Payments (Handout)

Ms. Horton conveyed to the Board the payment made since the last Board meeting in December 2012 was to LP Ciminelli in the amount of \$41,481.75.

b. Operational Report

Mr. Breier advised the Board that during the month of January 2013, there were eight sewer complaints including an odor complaint on Harrison Avenue in North Collins. Our crew responded but did not observe any surcharged sewers. As a result of this odor complaint, the crew did flush the mainline and also installed inflow protectors in the manholes on Harrison Avenue. Of the eight complaints, five were homeowner issues.

Mr. Breier noted that this spring, work will begin on the Cured in Place Pipe (CIPP) lining contract. The contractor, United Survey Inc., will begin work in Eden and Derby – specifically Main Street in Eden and Schuyler and Hamilton Streets in Derby.

Mr. Breier provided an update to the I&I Program. He noted that this spring, house inspections will take place in the North Collins (MS 13) area with approximately 550 homes. Then this summer, house inspections will shift to the Bennett Beach, Evans (MS 10) area where many of these homes are seasonal. Next fall, the inspections will revert back to the North Collins area to complete MS 13 and any remaining properties in Angola.

- c. **Pretreatment Report** -- There was no pretreatment report at this time.

d. Construction Report

Ms. Horton advised the Board that close-outs on Lake St./Point Breeze pumping stations are proceeding with the electrical contractor and negotiations are ongoing with the general contractor.

Ms. Horton advised the Board that the bids for the water meter project at the Big Sister WWTP were received on 2/1/13 in the Purchasing Department. The low bidder was JD Northrup at \$74,150; the middle bidder was Kandey Company at \$79,800; and the high bidder was CMH at \$92,500. As the Engineer's estimate was around \$55,000, the Division is not recommending award at this time and plans to meet with the Village of Angola to discuss the meter and how to design an affordable bid to the District. Mr. Krug noted that the bids were publicly advertised. Also, he let the Board know that there are already backflow preventers for each of the buildings at the Big Sister Creek Wastewater Treatment Plant.

e. CIPP Lining Contract – Notice to Proceed (Handout)

Ms. Horton advised the Board that the formal Notice to Proceed for the Cured in Place Pipe (CIPP) Lining 2-year agreement (Contract 70) awarded to United Survey, Inc. became effective December 12, 2012. As Mr. Breier indicated, that work will begin sometime this spring.

f. Contract 79 A – Change Order (Handout)

Ms. Horton advised the Board of Change Order No. 2 to Contract 79A to LP Ciminelli for \$43,665.00 to compensate this contractor for the cost to perform additional work outside the scope of the original contract which was necessary for the successful completion of the project. Ms. Horton also noted that this should be the final change order before final close out.

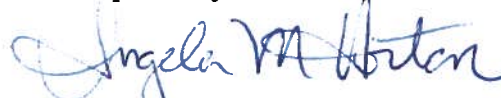
On a motion by Ms. Knack, seconded by Mayor George, the Miscellaneous/Informational Items listed above were received and filed. The motion carried 4 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Knack, seconded by Ms. Horton the meeting was adjourned at 9:20 a.m. The motion carried 4 – 0.

Next meeting is scheduled for **Thursday, APRIL 11, 2013 @ 9:00 a.m.**

Respectfully submitted,



Angela M. Horton, P.E.

Secretary - ECSD No. 2 Board of Managers

Motioned By: Mr. Swyers

Seconded By: Ms. Knack

Approved/Disapproved: 5/0 as revised.

Date: 4/11/13

Signed: Angela M. Horton

ERIE COUNTY SEWER DISTRICT (ECSD) NO. 2
BOARD OF MANAGERS MEETING MINUTES
APRIL 11, 2013 @ 9:00 AM
DISTRICT ADMINISTRATION BUILDING

MEMBERS PRESENT: Mayor Howard Frawley, Mayor Vincent George, Angela Horton,
Anna Knack, Gifford Swyers

OTHERS PRESENT: Patrick Breier, Joseph Fiegl, Lawrence Krug, Courtney Kurtz, Garry Pecak

ITEM NO. 1 – CALL MEETING TO ORDER

Ms. Knack opened the meeting at 9:01 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Swyers, seconded by Ms. Knack, the Board voted to approve the minutes from the February 7, 2013 meeting. The motion carried 5-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

a. Low Pressure Grinder System – Wisconsin Road (Handout)

In response to a request for sewer service from Mr. Art Kraus of 1383 Wisconsin Rd, Matt Salah, P.E. provided a written recommendation to the Board that the Division of Sewerage Management (DSM) install 100 LF of 3" PVC forcemain along Brandywine Drive and 160 LF of 2" PVC along Wisconsin Road, allowing Mr. Kraus of 1383 Wisconsin Road to furnish and install a grinder pump and 1½" forcemain to service his house. The recommendation would be (memorandum states) that this grinder will remain privately owned and maintained by Mr. Kraus until such time as a second residence connects to this system. Once this happens the District will assume ownership operation and maintenance of the entire system. Mr. Fiegl noted that by moving forward with this plan, it will bring the District one step closer to accommodating additional residents for sewer service on Wisconsin Road.

On a motion by Mayor Frawley, seconded by Ms. Horton the Board approved the recommendation to move forward with the installation of a forcemain on Wisconsin Road. The motion carried 5-0.

ITEM NO. 4 – NEW BUSINESS

a. I/I Compliance Hearing (Handout)

The Board reviewed a list of homeowners the DSM is recommending be sent to a compliance hearing. The list is comprised of homeowners who have failed to allow a house inspection or failed to correct a violation in accordance with the "Rules and Regulations for Erie County Sewer Districts". Ms. Horton noted that some of the inspections were scheduled for the end of this week and recommended to move forward if the listed homeowners do not comply. Mr. Fiegl noted that this procedure has been in place for decades and that the Division tries to be as non-intrusive as possible.

On a motion by Ms. Knack seconded by Mayor Frawley the Board approved the recommendation to move forward with the compliance hearings. The motion carried 5-0.

ITEM NO. 5 – OLD BUSINESS

Mr. Swyers asked about the status of the dumpster for the Grove area that would be placed on ECSD 2 property. Mr. Fiegl advised that he had met with Town of Evans Councilman Paul Cooper and presented the draft agreement to him for review by the Town Attorney. Councilman Cooper indicated that due to concerns by neighboring residents, this matter will be presented for a local vote. If the vote passes he plans to move forward. Mr. Fiegl noted that within the draft agreement is a 90 day trial period as requested by the Board of Managers.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. District Payments (Handout)

Ms. Horton conveyed to the Board the payment made since the last Board meeting in February 2013 to Hiscock & Barclay for the Zoladz Easement litigation in the amount of \$662.90.

Mr. Fiegl advised the Board on the contract close-out for Ciminelli on the Lake Street/Point Breeze Pump Station project. Mr. Fiegl stated that he has been in contact with the County Attorney's office as there have been discussions by LP Ciminelli regarding potential litigation.

b. Operational Report

Mr. Breier advised the Board that during the months of February and March 2013, there were thirteen sewer complaints. Of the thirteen complaints, six were homeowner issues. Deodorizer drippers were reinstalled in Angola manholes at the beginning of April.

Mr. Breier updated the Board on the Cured in Place Pipe (CIPP) lining contract. The Eden and Derby lining areas are currently on hold as the contractor is still working on the 2012 list in other Districts. Downtown staff are preparing the spot repair project to bid on the section on West Church Street at Main Street, Eden.

Mr. Breier provided an update to the I&I Program. He noted that the start of the house inspections in North Collins (MS 13), which includes approximately 550 homes, will be scheduled as letters are soon being mailed out. Currently Central Maintenance is working in the Derby area (MS 12) televising and dye testing lines. Ms. Knack questioned if all of the rain we have had in the past few days have caused many problems. Mr. Breier stated that although the rain has not caused overflows, they have found leaks in manholes allowing crews to identify repairs to be made immediately.

c. Pretreatment Report

Mr. Breier provided an update on an odor complaint the District received on March 30, 2013, at 9pm. The on-call supervisor detected a beany odor throughout the Village of Angola. Pretreatment staff followed up in April 1, 2013 with Steve Schunk of Goya Foods. The facility had been shut down on Friday March 29, 2013 and Saturday March 30, 2013 (usually half day cleaning shift) for the holiday weekend. They are always shut down on Sundays. Odor control chemicals were being dosed as normal, although they may have not made it out of the sump pit due to flow. Low flow in the sewerlines may also have been contributed to the odors.

d. Construction Report

Ms. Horton advised the Board that the Contract 79 A Lake St./Point Breeze pumping stations contract with LPC Construction is in close out pending resolution of punch list items, and engineering back charges. The Contract 79 D Lake St./Point Breeze pumping stations contract with O'Connell Electric is in a similar situation.

The Big Sister WWTP water meter project bids exceeded the engineers estimate. The project is to be redesigned pending guidance from Angola Village Water Department.

e. Basement Service Information Letter (Handout)

Ms. Horton advised the Board that an informational letter was sent after house inspections to homeowners with basement sanitary facilities, advising that connections put the property at a greater risk for a sewer backup into a home. The letter further advises homeowners that, while not illegal, under the floor plumbing may provide a pathway for sanitary sewer basement backups and if such backups should occur, the Erie County Sewer Districts will take no responsibility as the ECDSM does not guarantee basement service. Mr. Fiegl noted that this was the first attempt at the type of correspondence and subsequent letters will provide additional information and clarification.

- i. Homeowner Response & DSM follow up – 17 Lerczak Drive (Handouts) - In reference to Mr. Pinto's letter, the Board stated that the response sent by Mr. Krug was well written.

f. Big Sister WWTP – SPDES Compliance Inspection (Handout)

Mr. Fiegl advised the Board of the Compliance Inspection letter sent by the New York State Department of Environmental Conservation in response to the inspection that took place on March 20, 2013. Mr. Fiegl explained to the Board that the inspection entailed a walk through by a representative of the DEC who made observations, evaluated records, and spoke with various staff in Operations. Mr. Fiegl stated that his take on the letter was that we are operating the facilities fairly well.

Mr. Fiegl explained the circumstances regarding the consolidation of the District 2 lab to District 3. Merging the labs will be more efficient and allows District 2 to operate as a process control lab.

On a motion by Ms. Knack, seconded by Mayor George, the Miscellaneous and Informational Items listed above were received and filed. The motion carried 5-0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Knack, seconded by Mr. Swyers the meeting was adjourned at 9:30am. The motion carried 5-0.

Next meeting is scheduled for Thursday, June 27, 2013 @ 9:00 a.m.

Respectfully submitted,



Angela M. Horton, P.E.

Secretary - ECSD No. 2 Board of Managers

Motioned By: Mayor Frawley

Seconded By: Gifford Swyers

Approved/Disapproved: 4/0

Date: 6/27/13

Signed: Angela M. Horton

**ERIE COUNTY SEWER DISTRICT (ECSD) NO. 2
BOARD OF MANAGERS MEETING MINUTES
JUNE 27, 2013 @ 9:00 AM
DISTRICT ADMINISTRATION BUILDING**

MEMBERS PRESENT: Mayor Howard Frawley, Angela Horton, Anna Knack, Gifford Swyers
*Mayor Frawley was excused for another meeting and left at 10:04 a.m.

MEMBERS EXCUSED: Mayor Vincent George

OTHERS PRESENT: Glenn Absolom, Patrick Breier, Joseph Fiegl, Nancy Forys, Lawrence Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairperson Knack opened the meeting at 9:03 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING (Handout)

On a motion by Mayor Frawley, seconded by Mr. Swyers, the Board voted to approve the minutes from the April 11, 2013 meeting. The motion carried 4 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no new items from the public.

ITEM NO. 4 – NEW BUSINESS

a. Presentation of the Budget

Mr. Fiegl presented the proposed ECSD No. 2 Budget to the Board. Overall, the ECSD No. 2 appropriations or expenses are budgeted in 2014 to increase approximately \$297,000. When considering the anticipated revenues, the required levy for 2014 is expected to be approximately \$179,000 higher than 2013. Based upon this levy, the typical ECSD No. 2 ratepayer will have annual sanitary sewer charges that will increase approximately 2.6%.

Reviewing the detailed summary for ECSD No. 2, the majority of the appropriations increase in 2014 is due to operation and maintenance expenses, with approximately \$13,000 associated with additional bond debt requirements. The major increases on the operation and maintenance expenses are associated with a \$150,000 increase for cured in place pipe lining and \$50,000 for capital reserves. On the revenue side, all items are expected to be at or below 2013 budget with the exception of fund balance. The use of fund balance has increased approximately \$126,000 when compared to 2013.

As stated previously, the estimated impact to the typical ratepayer (single family home) in ECSD No. 2 for sanitary sewer services in 2014 is an increase of approximately 2.6%, or around \$10 - \$15 per home on average.

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Fringe benefits for employees are being calculated at 67% in this budget. Actual numbers are not available at this time. Increases in pension and medical insurance are projected, influencing the change from the 2013 budget.

The 2014 equipment line items represent close to \$377,000 of the ECSD No. 2 budget. The major items include several replacements for treatment plant and pumping station equipment, the replacement of two (2) vehicles, and the ECSD No. 2 standard unanticipated replacement item.

Before going into specific details of the budget line codes, Mr. Fiegl explained that the budgets are developed conservatively, with the understanding that monies left over at year end are transferred to fund balance and utilized as a revenue to offset future rate impacts. Items listed in the budget as "DSM" are expenses for the Downtown office. ECSD No. 2 contributes 9.2% of the overall Downtown office expenses.

A review of the individual budget codes was provided. Specific items highlighted included the budgeting on fuel, chemical cost decreases, modifications to equipment repair items, the \$150,000 increase in I&I services, AVL monitoring, the \$50,000 capital reserve allocation, utility cost decreases, and personnel costs.

Fund balance usage as an offsetting revenue is budgeted at 62% of available balance. The available district fund balance at 12/31/12 represents approximately 3.4 months of 2014 budgeted appropriations. Observing recent trends on amount available and amount used, it is believed that this allocation of fund balance is prudent. However, fund balance will be monitored to determine if additional considerations should be made next year.

It is recommended for the 2014 Budget that the unit charge remain unchanged at \$270.00 per home and the footage charge in ECSD No. 2 remain at \$1.00/foot.

The floor was opened up for questions and discussions ensued.

On a motion by Mayor Frawley, seconded by Ms. Horton, the Board voted to approve the 2014 Budget. The motion carried 4 – 0.

i. 271 Resolution

It was resolved that approximately 36%, 17% and 47% of the total sanitary sewer tax levy of \$6,422,105 shall be raised from the assessed value, footage and flat charges, respectively, for ECSD No.2.

On a motion by Ms. Knack, seconded by Mr. Swyers, the Board voted to approve the assessment roll resolution, that the sanitary sewer tax levy shall be raised from the assessed value, footage and flat charges respectively. The motion carried 3 – 0.

b. The Board reviewed a list of homeowners the DSM is recommending be sent to a compliance hearing. This list is comprised of homeowners who have failed to correct their violation according to the "Rules and Regulations for Erie County Sewer Districts".

On a motion by Ms. Knack, seconded by Mr. Swyers, the Board approved the recommendation to move forward with the compliance hearings. The motion carried 3 – 0.

ITEM NO. 5 – OLD BUSINESS

There was no old business discussed.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. District Payments (Handout)

Ms. Horton conveyed to the Board the payments made June 2013 to Hiscock & Barclay for Zoladz Easement in the amounts of \$59.90 and \$732.00.

Mr. Swyers asked if this would be the last payment and Mr. Fiegl responded that he cannot guarantee this is the last payment, they are very close to the end of issuing payments for this.

b. Operational Report

Mr. Breier advised the Board that during the months of April and May there were 21 sanitary sewer complaints. He noted that 7 of the 21 complaints received were homeowner problems and 7 were odor complaints.

He informed the Board that deodorizer drippers were installed in the Angola manholes on April 1, 2013 and in the odor control system in service at the treatment plant on May 11, 2013.

He updated the Board on the Cured in Place Pipe (CIPP) lining contract ongoing in the District. The Eden and Derby lining areas are currently on hold until the spot repair project is bid and completed so that all the CIPP work in ECSD 2 can start and be mobilized one time. The Eden Section (West Church St. at Main St.) spot repair project is in the final review process and will go out to bid in July 2013.

The Infiltration & Inflow (I&I) program update is as follows: Letters requesting initial inspections were sent to property owners in North Collins MS 13 which has approximately 550 homes. To date, 220 homes have been inspected.

This July, smoke testing will also be conducted in North Collins MS 13 areas.

Our Central Maintenance Crew completed working in the Derby area (MS 12) and North Collins area (MS 13) televising and dye testing lines with good results. They observed leaking manholes and mainline issues. These are infiltration candidates for pipe patches and future CIPP projects. Four pipe patch repairs were completed this spring.

c. Pretreatment Report

Nothing new reported at this time.

d. Construction Report

Ms. Horton advised the Board that Contract 79A and D, associated with the Lake St./Pt. Breeze Pumping Stations, are still open. For Contract 79D, there is an issue with the Gen Set fuel tanks at both stations; the fuel port will not gravity fill and adapters are needed to enable the tanks to be filled under

pressure from the tanker. This issue does not prevent the Gen Set fuel tanks from being filled. This is a punch list item which is currently being worked through.

Mr. Fiegl commented on Contract 79D which is the electrical portion of the contract. He recently met with representatives of O'Connell Electric in order to settle differences and come up with a solution to suit both parties. He feels a compromise has been reached and the final punch list items will be issued shortly.

Regarding the matter of the water meter, Ms. Horton advised the Board that since this item was over-bid, the plan is to purchase a meter and backflow preventer device through the operations budget and purchasing; and have the piping, enclosure and power work contracted out through purchasing with the contractor installing the meter and backflow preventer as part of the contract. The plan would be to purchase parts this year and install those parts into the enclosure constructed next year.

e. Lateral Interest/Information Letter (Handout)

Ms. Horton briefly explained to the Board a letter which was sent to Derby area residents who were identified through smoke testing conducted last summer as part of the I&I Program, as candidates for the lateral rehab replacement project currently ongoing. There were four (4) homeowners on this list who have signed on to the project bringing the total to seven (7) on the waiting list; we require 10 properties to continue with development tributary to Sweetland PS.

f. SPDES Annual I&I Report (Handout)

Presented as informational to the Board.

g. Compliance Hearing & Retainer Agreement (Handout)

Ms. Horton presented to the Board the retainer agreement between Erie County and Feldman Kieffer, LLP, who was referred by the Erie County Attorney's Office to act as a hearing officer for compliance hearings in response to violating the Rules and Regulations for ECSDs. The hearing date is scheduled for Wednesday, August 14, 2013 at the Southtowns Advanced Wastewater Treatment Facility.

h. The Sewage Pollution Right to Know Act

Mr. Fiegl noted that the Act became effective on 5/1/13 making it necessary to notify the DEC, DOH, local officials and officials in Albany within two hours of any sanitary sewer overflows. He said this is generating a lot of publicity, particularly through local television stations.

i. Grinder Pump Issue (Handout)

Mr. Breier explained a situation with regard to a grinder pump unit in our District. He advised the Board that the District is making every effort to resolve this issue before any charges are passed on to the homeowner.

j. DEC Compliance Inspection Response (Handout)

Mr. Fiegl spoke on this topic and noted that the NYSDEC's letter seemed to indicate that we are doing a good job maintaining our facilities and protecting water quality.

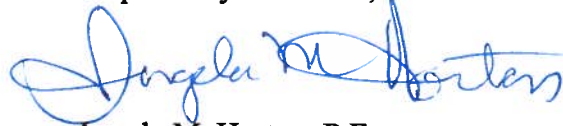
On a motion by Ms. Knack, seconded by Ms. Horton, the Miscellaneous/Informational Items listed above were all received and filed. The motion carried 3 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Knack, seconded by Mr. Swyers, the meeting was adjourned at 10:27 a.m. The motion carried 3 – 0.

The next meeting scheduled for Thursday, July 11, 2013 has been cancelled. The October 10, 2013 meeting will most likely be rescheduled via telephone poll at a future date.

Respectfully submitted,



Angela M. Horton, P.E.
Secretary - ECSD No. 2 - Board of Managers

Approval of Minutes:

Motioned By: FRANLEY

Seconded By: GEORGE

Approved/Disapproved: 4-0

Date: 10/10/13

Signed: [Signature] FOR AMH

**ERIE COUNTY SEWER DISTRICT (ECSD) NO. 2
BOARD OF MANAGERS MEETING MINUTES
OCTOBER 10, 2013 @ 9:00 AM
DISTRICT ADMINISTRATION BUILDING**

- MEMBERS PRESENT:** Mayor Howard Frawley, Mayor Vincent George,
Anna Knack, Gifford Swyers
- MEMBERS EXCUSED:** Angela Horton
- OTHERS PRESENT:** Patrick Breier, Joseph Fiegl, Nancy Forys, Lawrence Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairperson Knack opened the meeting at 9:04 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING (Handout)

On a motion by Mayor Frawley, seconded by Mayor George, the Board voted to approve the minutes from the June 27, 2013 meeting. The motion carried 4 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

Mayor Frawley advised the Board that his office received an odor complaint from a resident at 5 Forest Avenue, Angola. The complaint was turned over to Mr. Breier who will investigate and follow up.

ITEM NO. 4 – NEW BUSINESS

- a. 2014 Meeting Schedule (Handout)

The Board received a copy of the proposed 2014 Erie County Sewer District No. 2 Meeting Schedule. On a motion by Mr. Swyers and seconded by Ms. Knack, the Board voted to approve the 2014 meeting schedule. The motion carried 4 – 0.

Mr. Fiegl did poll the Board to see if the members would be interested in serving for another two-year term as the current term expires next year. All members indicated they would be happy to stay on for another term.

- b. Notice of Public Hearing – 2013 Assessment Rolls (Handout)

Mr. Fiegl explained that this was provided as informational to the Board.

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c. User Charge 2014

i. Minutes from the Public Hearing (Handout)

The Board received a copy of both the public hearing notice and minutes of the meeting which was held September 24, 2013. Mr. Fiegl explained that each individual Board of Managers must adopt the rates. Mr. Fiegl provided a comparison between the 2013 rates and the proposed 2014 rates.

ii. Approval of Resolution (Handout)

Mr. Swyers moved, seconded by Mayor Frawley, to approve the user charges resolution for Erie County Sewer District No. 2. The motion carried 4 – 0.

d. Permit Fees Refund

i. 547 Church St. Farnham (Handout). Based on the property owner's request for a permit fee refund, the Division recommends granting the refund less the standard \$50 administrative fee, for a total of \$452.00.

ii. 1073 Eden Evans Center Road (Handout). Based on the property owner's request for a permit fee refund, the Division is recommending a full refund (\$502.00) because there is no public sewer fronting his lot as initially thought.

On a motion by Mayor Frawley, seconded by Mayor George, the Board voted to approve the Division's recommendations for refunds to both property owners. The motion carried 4 – 0.

e. Approval for Fine Stages (Handout)

Mr. Fiegl advised the Board that a Compliance Hearing took place this past August 14, 2013, and two properties, 9415 Steffi Drive, Angola and 49 Orchard Avenue, Angola, are non-compliant for failing to allow ECSD No. 2 personnel inspect their home under the Rules and Regulations for Erie County Sewer Districts.

It is the recommendation of the Hearing Officer to impose a premium assessment of \$100 for each month they are deemed non-compliant. If the inspection is not completed within 30 days of the notification letter being sent, then the property will start incurring these penalties.

On a motion by Ms. Knack, seconded by Mr. Swyers, the Board voted to approve the Hearing Officer's recommendation to initiate the penalty phase. The motion carried 4 – 0.

Mr. Fiegl provided the Board an update on the inspection of Mr. Joseph Gogan's home. Mr. Gogan agreed to an exterior inspection of the home coupled with a dye test concluded that there were no violations. The property was approved.

f. Approval of Trucker's Discharge Permits (Handout)

On a motion by Mayor Frawley, seconded by Ms. Knack, the Board voted to approve the 2014 Trucker's Discharge Permits for Delo Drain & Septic Service, Holland, NY and JB Enterprises, Inc. Blasdell, NY. The motion carried 4 – 0.

g. I/I Compliance Hearing (Handout)

Mr. Fiegl presented to the Board a list of properties the County is recommending be sent to a compliance hearing. This list is comprised of homeowners who have failed to correct their violation in accordance with the Rules and Regulations for Erie County Sewer Districts.

On a motion by Ms. Knack, seconded by Mayor Frawley, the Board voted to approve the properties for a compliance hearing. The motion carried 4 – 0.

ITEM NO. 5 – OLD BUSINESS

Mayor Frawley requested an update on the proposed dumpster on the ECSD No. 2 parcel near Baypoint Road. Mr. Fiegl advised the Board that he did meet with Councilman Cooper to present the draft agreement which would then be presented for review to the Town of Evans Attorney. A vote was going to be put forth to the homeowners in the area, and if the majority agreed, Councilman Cooper would proceed. Mr. Fiegl indicated he was waiting to hear back from Councilman Cooper and will reach out to him to see where it currently stands.

Mayor Frawley requested an update on the matter of the water meter. Mr. Fiegl explained that because the cost was extremely high, the plan is to purchase the parts as part of this year's budget, with the installation completed next year.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. District Payments (Handout)

Mr. Fiegl conveyed to the Board the payments made in October 2013 to URS for PS Rehab Release Retention in the amount of \$29,897.36 and to Wendel Duscherer for Energy SCADA Design WD-3 in the amount of \$6,741.95.

b. Operational Report

Mr. Breier provided a summary of activities since the last meeting in June. He advised the Board that there were 26 sanitary sewer complaints of which 12 were homeowner problems while 7 were odor complaints. The staff continues to monitor deodorizers drippers in manhole's in Angola and at the treatment plant.

The sewer repair project final design is complete for West Church Street at Main Street and will be going out for bid on October 28, 2013. Work expected to begin in the spring 2014.

Over the summer months, the District focused its infiltration and inflow (I&I) house inspection program in the North Collins (mini-system (MS) 13) area. Approximately 550 homes were sent letters requesting initial inspections and 402 inspections have been conducted. Follow up letters have been sent to those homeowners who have not yet responded.

The Central Maintenance Crew is currently televising and dye testing (if needed) in the (MS 4) Point Breeze, (MS 8) Angola, (MS 11) Derby and (MS 13) North Collins areas with good results. They have observed some leaking manholes and mainline issues which will be considered infiltration candidates for pipe patches and future relining projects. They have also completed one pipe patch on Railroad Street in North Collins.

c. Pretreatment Report

Nothing new reported at this time.

d. Construction Report

Mr. Fiegl advised the Board that O'Connell Electric Contract will be closed out. No update is available on contract closeout with LPCiminelli.

Contract 70 cured in place pipe lining with United Survey is nearing the end. As United Survey has done an excellent job the Division is seeking to extend that contract through 2014-2015.

e. New Environmental Bond Act (Handout)

Presented as informational to the Board.

Ms. Knack made a motion, seconded by Mr. Swyers, to receive and file the Miscellaneous/Informational items on the agenda. The motion carried 4 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

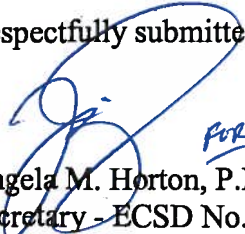
Mr. Fiegl noted that there will be an additional resolution attached to the County's Budget submission regarding pension amortization. Mr. Fiegl explained to the Board what that means and how it relates to the sewer districts. It is important to note that should the sewer districts wish to participate in pension amortization, a vote of the various Boards would be required. At this time, Mr. Fiegl did not believe this option would be necessary.

Mayor Frawley asked if there were any sewers in the area of the Eden Evans Center Road Thruway Exit. Mr. Krug explained that the trunk line to Eden crossed the thruway near Eden Evans Center Road but then went to the back of the properties and that area near the thruway exit was not in the sewer district. Mr. Fiegl advised he would provide Mayor Frawley with a sewer map of the area.

On a motion by Ms. Knack, seconded by Mr. Swyers, the meeting was adjourned at 9:55 a.m. The motion carried 4 – 0.

Next meeting is scheduled for Thursday, December 5, 2013 @ 9:00 a.m.

Respectfully submitted,


for
Angela M. Horton, P.E.
Secretary - ECSD No. 2 - Board of Managers

Approval of Minutes:

Motioned By: Mayor Frawley

Seconded By: G. Swyers

Approved/Disapproved: 4/0 as amended

Date: 2/3/14

Signed: Angela M Horton