

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS MEETING  
WEDNESDAY FEBRUARY 13, 2013  
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, David Kaczor, Gerry Kapsiak, Michael Kasprzyk, David Millar, Glenn Nellis, Karl Simmeth, John Wilson, Don Witkowski,

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Joe Fiegl, Steve Canestrari, Jill Krafft, Larry Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:02 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Kasprzyk, seconded by Mr. Simmeth, the Board voted to approve the minutes from the December 12, 2012 meeting. The motion carried 9 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None

ITEM NO. 4 – NEW BUSINESS

a. Approval of Payments (Handout)

Mr. Millar presented the Payments on the handout for the month of February. On a motion by Mr. Kasprzyk, seconded by Mr. Simmeth, the Board voted to approve the February 2013 payments. The motion carried 9 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Rush Creek Interceptor: Southtowns Upgrades

i. Response Ltr. to NYSDEC Concerns (Handout)

Item 2

Mr. Millar presented a copy of a summary letter written by Mr. Fiegl after a recent meeting held with the New York State Department of Environmental Conservation (DEC). The meeting, regarding the Rush Creek Interceptor project, took place on January 17, 2013. The DEC has committed to more timely responses, with said responses in writing. Consequently, Mr. Fiegl received a response to his Rush Creek Interceptor meeting letter within one week. Mr. Fiegl informed the Board that there will be several items in front of the Board for this project, such as consultant agreements for construction services, at the April meeting.

Mr. Fiegl discussed the potential use of Advanced Planning Bonds (APBs) for upcoming projects related to the new SPDES permit. APBs are issued by the County to fund engineering design services for capital projects. Cost estimates prepared during the project design phase are used to more accurately determine capital costs impacting the long-term bonding process. APB funds must be reimbursed by the sewer district to the County after design is complete. Mr. Fiegl briefly described anticipated projects that may take place at the WWTP and indicated much analysis will be required. He informed the Board that if APBs are not an available funding option, there may be a need to explore other options including possible use of the Capital Reserve Fund.

Mr. Kaczor inquired about the status of the 2% Property Tax Cap in regard to the 2014 Budget. Mr. Fiegl stated that there is an opportunity to adjust the current charge formula by redefining the existing unit charge as a usage charge which is classified differently under Tax Cap Law. Mr. Kaczor indicated that he would not support the same budget approach taken last year in regard to the 2% cap. Mr. Fiegl stated his focus is on what he can control including, for example, a strategy of balancing the collective Erie County Sewer District tax cap impacts. There have also been some discussions with the County Administration on this topic.

On a motion by Mr. Nellis, seconded by Mr. Kaczor, the Board voted to receive and file the response letter to the DEC. The motion carried 9 – 0.

#### ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Absolom informed the Board that solids were removed from two aeration reactors at the treatment plant and added that cleaning of the final two reactors will require a re-bid to account for unexpected difficult nature of solids materials removed. In addition, incinerator feed system work is being finished.

b. Pretreatment Report

Mr. Absolom reported that a repair had to be made on the Elma force main in the vicinity of Jamison Road. He also informed the Board that Steuben Foods is changing the chemical used for odor control. The change will be made on a trial basis.

i. Industrial

Steuben Foods – The project to upgrade the wastewater pretreatment system is complete. The system went on-line on January 30, 2013.

Buffalo News Publication - During July of 2012, there were two industrial users who were in significant non-compliance; Hamburg Finishing Works and Precision Photo-Fab. These violations were corrected and the industrial users are now in compliance. The required notice was listed in the Buffalo News on January 16, 2013.

ii. Dental Amalgam Program

There are 49 dental offices in the ECSD No. 3. All have been inspected and are in compliance with the District's amalgam separator requirement.

c. Construction Report

Mr. Millar reported that the contract for the W. Quaker, S. Davis, and Roseview Sewer Rehabilitation Project, Contract 71, has been awarded to Hydrolawn of Buffalo. Construction will start in the spring. He also informed the Board of fuel tank replacement projects at the Rodger Road and Mt. Vernon pump stations. Additionally, the Elma pumping station wet-well piping project is 100% complete.

d. Village of Orchard Park Invoice – 2012 Inspection Fees (Handout)

Mr. Millar presented a copy of an invoice sent from the DSM to the Village of Orchard Park for sewer inspection fees. During 2012 there were 43 properties inspected. Inspection service invoices are sent to the Village of Orchard Park on an annual basis per the terms of the DSM/Village of Orchard Park merger agreement.

e. CIPP Lining Contract No. 70

- i. Notice to Proceed (Handout)
- ii. Work Order No. 1 (Handout)

Mr. Millar presented the above handouts to the Board. The Notice to Proceed and Work Order No. 1 were issued for the Cured-in-Place Pipe (CIPP) term lining contract. He informed the Board that, per the contract, work orders are issued in a minimum of \$100,000 increments. The contractor for this CIPP term lining contract project is United Survey, Inc.

f. Resolution – Amended budget for Mt. Vernon Sewer District (Handout)

The Board reviewed a copy of the legislative resolution adjusting the 2013 Budget to account for operation and maintenance appropriations related to the Mt. Vernon Commissioner District in the Town of Hamburg. The adjustment was approved at the previous Board meeting.

g. SEQRA Solicitation – Ralph Wilson Stadium Project (Handout)

The Board reviewed a copy of the State Environmental Quality Review Act (SEQRA) package from the Erie County Department of Public Works for the Ralph Wilson Stadium improvements project. Mr. Millar reported that the package contains a solicitation to all affected agencies to grant lead agency status to Erie County for review and coordination purposes pursuant to SEQRA. Erie County has made a preliminary determination that the proposed project will not have a significant impact on the environment.

On a motion by Mr. Millar, seconded by Mr. Kasprzyk, the Miscellaneous/Informational Items 6.a. through 6.g. were received and filed. The motion carried, 9 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Mr. Kapsiak informed that Board that Mr. Fiegl had received the 2012 Technical and Management Innovation Award from the American Public Works Association – Western New York Branch. This awarded is given for the development and implementation of creative ideas, devices, or processes that enhance the goals of public works and protecting the environment.

On a motion by Mr. Kapsiak, seconded by Mr. Wilson, the meeting was adjourned at 8:36 a.m. The motion carried 9 – 0.

Next meeting is scheduled for Wednesday April 10, 2013 at 8:00 a.m.

Respectfully submitted



Secretary  
ECSD No. 3 – Board of Managers

DM:jk

Motion to Approve Feb. 13, 2013 Minutes

Moved By: MIKE KASPRZYK  
Seconded By: GLENN NELLIS  
App./Disapp.: APPROVED, 9-0  
Date: 4/10/2013



David C. Millar, Secretary  
ECSD No. 3 Board of Managers

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS MEETING  
WEDNESDAY APRIL 10, 2013  
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: David Kaczor, Gerry Kapsiak, Michael Kasprzyk, David Millar,  
Chairman John Mills, Glenn Nellis, Karl Simmeth, John Wilson,  
Don Witkowski

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joe Fiegl, Kevin Kaminski, Jill  
Krafft, Larry Krug, Garry Pecak

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:02 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Kasprzyk, seconded by Mr. Nellis, the Board voted to approve the minutes from the February 13, 2013 meeting. The motion carried 9 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – NEW BUSINESS

a. Payments (Handout)

Mr. Millar presented the payments handout for the month of April 2013. On a motion by Mr. Simmeth, seconded by Mr. Millar, the Board voted to approve the April 2013 payments. The motion carried 9 – 0.

b. Close out of Contract

i. 43 PS-E – Electrical with Weydman Electric, Inc.

*Item 2*

Mr. Millar presented a suggested resolution for the close out of electrical construction Contract No. 43PS-E for the Crescent Ave. pump station project. He informed the Board the project successfully eliminated a Sanitary Sewer Overflow (SSO) and pump station at South Buffalo Street in the Village of Hamburg. The SSO was directly tributary to Eighteen Mile Creek. This project was undertaken to address the terms of a New York State DEC Consent Order already in effect when the County took ownership of the Village of Hamburg sanitary sewer assets. Contract No. 43PS-E was completed in the final amount of \$208,636.12 which includes Change Order No. 1 (final), a decrease of \$1,863.88. All work was satisfactorily completed.

Mr. Kapsiak noted 'Crescent Ave.' should be correctly spelled 'Crescent Ave.' throughout the text of the proposed resolution.

On a motion by Mr. Kasprzyk, seconded by Mr. Kapsiak, the Board voted to approve the resolution for close out of Contract No. 43PS-E, as corrected with the proper spelling of Crescent Ave. The motion carried 9 – 0.

ii. 43 PS-G – General/Mechanical with STC Construction, Inc.

Mr. Millar presented a suggested resolution for the close out of general construction Contract No. 43PS-G for the Crescent Ave. pump station project. Contract No. 43PS-G was completed in the final amount of \$299,175.00 which includes Change Order No. 1 (final), a decrease of \$29,327.00. All work was satisfactorily completed.

On a motion by Mr. Nellis, seconded by Mr. Kaczor, the Board voted to approve the resolution for close out of Contract No. 43PS-G, as corrected with the proper spelling of Crescent Ave. The motion carried 9 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Advanced Planning Bond Status

Mr. Fiegl summarized the potential use of Advanced Planning Bonds (APBs) for upcoming projects related to the new SPDES permit. APBs are issued by the County to fund engineering design services for capital projects. APB funds must be reimbursed by the sewer district to the County after design is complete. Mr. Fiegl stated he had an informational meeting with the Budget Office in March to discuss APBs and noted this type of funding had not been administered in at least 12-years. He informed the Board the Budget Office is reviewing APB funding. Mr. Fiegl will provide an APB status update at the next meeting.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski informed the Board he is scheduling solids removal work for aeration reactors number 1 and 2 at the treatment plant.

Mr. Fiegl stated that in February the United States Environmental Protection Agency completed a compliance inspection for overflows and sewer collection system issues in Erie County Sewer District No. 3. The inspection was conducted as part of a nation-wide program and was told that it was not "complaint" based. Some of the issues addressed included overflows, documentation, and sewer maintenance. To date, no response has been received from EPA resulting from the inspection.

Mr. Fiegl informed the Board that a Certificate of Emergency had been issued by the County Executive to address a repair made to the main electrical feed to the Southtowns Advanced Wastewater Treatment Facility. The certificate suspended all purchasing requirements detailed in Erie County Administrative Code, including competitive formal bidding requirements, to expedite the repair. In this case, two breakers on the main electric feed to the treatment plant were found inoperable during routine maintenance, potentially jeopardizing function of the electrical feed. The total cost of the emergency repair was approximately \$17,000, funded with the District's operating budget, and the work was to be performed by Ferguson Electric. Repair of the two inoperable main breakers was the only work performed under the emergency declaration; supplemental (less critical) repairs will be bid out separately.

The Board discussed the threshold limit that triggers Purchasing Department bidding assistance for the Division of Sewerage Management. Mr. Absolom noted that limit is presently \$10,000 and discussed increasing the dollar amount to potentially avoid future emergency declarations. Many of the municipalities represented in the Board had higher thresholds than the County. Mr. Mills stated he will investigate the \$10,000 limit.

b. Pretreatment Report

Mr. Millar reported that Steuben Foods has been testing a new odor control chemical in its wastewater discharge to the Elma forcemain. If effective use of the new chemical, chlorine dioxide ( $\text{ClO}_2$ ), would potentially save the company significant costs over use of the current odor control chemical, sodium hypochlorite. After Steuben switched to  $\text{ClO}_2$ , there was a notable pressure increase in the Elma forcemain and a decreased pump rate from the Elma Pump Station. It is not clear if there is a correlation between the use of  $\text{ClO}_2$  and the forcemain pressure increase, since there were several other changes made at the facility in that time frame.

Mr. Absolom stated Steuben Foods has been discharging flows to the Elma Pump Station that, at times, have exceeded capacity of even both pumps operating. The Board expressed their concern and asked that a letter be sent to Steuben Foods regarding the limitations of the wastewater system. Mr. Fiegl discussed the status of the ongoing Elma Pump Station study by Arcadis/Malcolm Pirnie and noted report objectives will be focused on pumping redundancy.

The Board also suggested sending a letter to the Town of Elma stating potential problems associated with development of the Maple and Jamison Roads corridor and limited sanitary sewer service.

c. Construction Report

Mr. Millar reported that the Cured-in-Place Pipe (CIPP) contract with United Survey is ongoing. Preliminary cleaning and inspection work was completed on 4,799.5 linear feet of pipe in the Wanakah area of the Town of Hamburg and in the Village of Orchard Park. Two pipe segments located beneath and behind houses in the vicinity of Beachwood Dr. were successfully lined on March 13. Additional lining in the Wanakah area commenced March 28 with remaining work to be completed by the end of spring. Spot repairs and restoration activities will be conducted when warmer weather arrives.

Mr. Millar also informed the Board that a Notice to Proceed was issued on April 8, 2013 for the Roseview, W. Quaker and S. Davis Sewer Rehabilitation project, Contract 71. The Fuel Tank Replacement project, Contract 45, at the Mt. Vernon and Roger Rd. Pump Stations is 100% complete and that contract is being closed out.

i. Contract No. 40 – Resident Letter (Handout)

Mr. Millar presented an informational letter sent to homeowners on Cherry Place in the Village of Hamburg affected by the Charlotte/Sherburn/McKinley Pumping Station Elimination project, Contract 40, which commenced last fall. The letter informs homeowners that construction is resuming and states the mainline sewer installation on Cherry Place is the next phase of the project.

ii. Contract No. 12 ST-A – Change Order No. 1 (Handout)

Mr. Millar presented Change Order No. 1, in the amount of \$43,851, for the Dewatered Sludge Pump Replacement project, Contract 12ST-A, at the Southtowns Advanced Wastewater Treatment Facility. The change order was required to accommodate process pipe fitting adjustments for the new sludge pumps installed under this project. The work also involved unforeseen concrete repairs not evident until existing sludge hoppers were removed. This is an informational item that does not require Board action.

d. Ltr. to NYSDEC – SPDES Facility Work Plan (Handout)

Mr. Millar presented a copy of the Facility Report Work Plan submitted to the New York State Department of Environmental Conservation (DEC) as a requirement of the new State Pollutant Discharge Elimination (SPDES) Permit Schedule of Compliance. The intent of the work plan is to detail steps that will be taken to conduct an evaluation of all flows to the treatment plant and recommend how the County will provide adequate capacity needed to convey and treat all existing peak flows to meet SPDES permit requirements and limitations.



e. Ltr. to NYSDEC – SPDES Permit Schedule of Compliance (Handout)

Mr. Millar presented a copy of the transmittal letter that accompanied the Inflow/Infiltration (I/I) Analysis Sewer System Evaluation Survey (SSES) work plan submitted to the DEC as a requirement of the new State Pollutant Discharge Elimination (SPDES) Permit Schedule of Compliance. The plan prioritizes efforts by mini system, builds on work that is already being done by the District, and compliments the Capacity, Management, Operation and Maintenance (CMOM) plan already sent to DEC for approval.

f. Blasdell WWTP – SPDES Compliance Inspection (Handout)

Mr. Millar presented a letter from the DEC detailing findings of the annual SPDES Permit Compliance Inspection of the Blasdell Wastewater Treatment Plant. The letter notes several items in need of attention and requests a written response to address those items within 30-days.

g. Holland WWTP – SPDES Compliance Inspection (Handout)

Mr. Millar presented a letter from the DEC detailing findings of the annual SPDES Permit Compliance Inspection of the Holland Wastewater Treatment Plant. The letter states the Holland WWTP is considered to be well operated and maintained.

h. Ralph Wilson & Training Facilities Improvement Project – Negative Declaration (Handout)

Mr. Millar presented a copy of the Negative Declaration for the Ralph Wilson Stadium and Associated Support Facilities Capital Improvement Project, prepared by the Erie County Department of Public Works, as required by New York State law.

i. Sanitary Sewer Overflow – 4650 Southwestern Blvd. (Handout)

Mr. Millar presented an informational letter from the District to the Autumn View Health Care Facility on Southwestern Boulevard in the Town of Hamburg. The letter was sent in response to a recent incident involving a malfunctioning grinder system at the facility. As a result, a backup occurred in the main sewer line that created a reportable Sanitary Sewer Overflow. The letter cautions Autumn View it will be billed for time and materials involved with relieving similar blockages in the future, with possible enforcement action by the Erie County Sewer District No. 3 Board of Managers.

j. Sewer Backup Claim Response – 187 Brookwood Drive (Handout)

Mr. Millar presented a letter from the Division to a resident at 187 Brookwood Drive in the Village of Hamburg denying a claim for damages resulting from a sewer backup. The denial is based on the grounds that the District was not negligent in this matter.

k. Basement Service Information Letter (Handout)

Mr. Millar presented an informational letter sent to residents in the Lake View area of the Town of Hamburg regarding basement facilities and/or drains connected to basement floor plumbing. These types of connections may provide a pathway for sanitary sewer backups to enter basement areas and as a result, there are risks associated when maintaining these below grade connections.

On a motion by Mr. Kaczor, seconded by Mr. Millar, the Miscellaneous/Informational Items listed above were received and filed. The motion carried 9 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Kapsiak, seconded by Mr. Wilson, the meeting was adjourned at 9:03 a.m. The motion carried 9 – 0.

Next meeting is scheduled for Wednesday June 19, 2013 at 8:00 a.m.

Respectfully submitted,



Secretary  
ECSD No. 3 – Board of Managers

DM:jk

Motion to Approve April 10, 2013 Minutes

Moved By: MIMI KASPAZUK

Seconded By: JOHN WILSON

App./Disapp.: APPROVED 7-0

Date: 6/19/2013



David C. Millar, Secretary  
ECSD No. 3 Board of Managers

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS MEETING  
WEDNESDAY JUNE 19, 2013  
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Gerry Kapsiak, Michael Kasprzyk, , Dave Millar, Chairman John Mills, Karl Simmeth, John Wilson, Don Witkowski

MEMBERS ABSENT: David Kaczor, Glenn Nellis  
(Mr. Kaczor was absent for medical reasons.)

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joe Fiegl, Kevin Kaminski, Jill Krafft, Larry Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:02 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Kasprzyk, seconded by Mr. Wilson, the Board voted to approve the minutes from the April 10, 2013 meeting. The motion carried 7 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – NEW BUSINESS

a. Payments (Handout)

Mr. Millar presented the payments handout for the month of June 2013. On a motion by Mr. Simmeth, seconded by Mr. Witkowski, the Board voted to approve the June 2013 payments. The motion carried 7 – 0.

b. Contracts 12ST-A & 12ST-D – Close Out (Handout)

Mr. Millar presented suggested resolutions for the close out of the general and electrical contracts for the Dewatering Sludge Pump Replacement Project at the Southtowns AWTF, Contracts 12ST-A and 12ST-D, respectively. Mr. Millar informed the Board that this project increased the efficiency and flexibility of dewatering and incineration operations at the plant. Contract 12ST-A was completed in the final amount of \$1,874,347.41 which includes Change Order No. 2 (final), an increase of \$32,494 necessary to add stiffeners to existing press hoppers for structural reinforcement. Contract 12ST-D was completed in the final amount of \$98,129.95

*Item No. 2(a)*

which includes Change Order No. 1 (final), a decrease of \$17,270.05. All work was satisfactorily completed.

On a motion by Mr. Kasprzyk, seconded by Mr. Wilson, the Board voted to approve the Contracts 12ST-A and 12ST-D Close Out handout. The motion carried 7 – 0.

c. Confirmation of Telephone Poll – Contract 23 – Close Out (Handout)

The Board considered confirmation of the May 2, 2013 telephone poll approving close out of the Pinecrest Terrace/Valley Circle Lane Sanitary Sewer Replacement Project, Contract No. 23. The project was completed in the final amount of \$1,847,577.66 which includes Change Order No. 1 (final), a decrease of \$33,573.44. All work has been satisfactorily completed.

On a motion by Mr. Simmeth, seconded by Mr. Millar, the Board voted to approve the telephone poll confirmation. The motion carried 7 – 0.

d. Award of Engineering Agreement – GHD Consulting (Handout)

Mr. Millar presented a suggested resolution for award of an engineering agreement with GHD Consulting Services, Inc. for general services during construction and resident inspection services associated with upgrades at the Southtowns AWTF in the amount of \$688,700.00. The related services are necessary to implement influent pumping station and ORF improvements at the treatment plant to accommodate flow from the Rush Creek Interceptor (RCI) Project. The Division of Sewerage Management (DSM) recommends award of this agreement for these purposes. Mr. Fiegl explained the history of the project and noted the DSM performed parallel estimates to verify the services fee. Mr. Fiegl added that the County's MBE/WBE requirements were considered during GHD's development of the budget.

On a motion by Mr. Millar, seconded by Mr. Mills, the Board voted to approve award of engineering agreement to GHD Consulting Services, Inc. The motion carried 7 – 0.

e. Change Order No. 1 – GHD Consulting (Handout)

Mr. Millar presented a copy of the Change Order No. 1 to GHD Consulting Service's October 6, 2004 engineering agreement. This change order is necessary to design upgrades at the Southtowns AWTF necessary to accommodate flows from the RCI project, specifically, influent pumping and ORF related upgrades. Mr. Fiegl informed the Board that part of this change order includes development of a technical memorandum to address New York State Department of Environmental Conservation comments related to the RCI Water Quality Improvement Project grant.

On a motion by Mr. Mills, seconded by Mr. Millar, the Board voted to receive and file Change Order No. 1. The motion carried 7 – 0.

f. Recent Buffalo News Article

Mr. Fiegl discussed a May 26, 2013 article that appeared in the Buffalo News entitled "Heavy Rains Turn Lake Erie into a Toilet". The article focused on wastewater discharges to Lake Erie and the associated impact on water quality and beach closings. ECSD No. 3 was referenced in the article. Mr. Fiegl noted that the article was incomplete as it did not address all potential sources throughout the watershed that contribute to water quality and the beach closure issue. Mr. Fiegl stated the article also made reference to sanitary sewers leaking into the ground, also known as exfiltration, and then into the Lake. While this condition may occur in private sanitary sewer lateral connections, Mr. Fiegl stated he has never seen a study to substantiate exfiltration in the Western New York area for public sanitary sewers – particularly because of the groundwater levels and subsequent infiltration issues. He added that many significant details were left out of the article and that no comments from sanitary sewer service providers were included.

Mr. Fiegl continued by stating that ECSD No. 3 recently assumed responsibility for several sanitary sewer systems, many with known problem areas or overflows that have existed for decades. There was no information in the article on solutions employed to eliminate overflows (such as all four (4) overflows eliminated in the Village of Hamburg), the millions of dollars spent in these areas since the mergers in the 2000's, or the County's plans (i.e. the RCI project). Mr. Fiegl then stated the message that should be shared with the public is that the ECSD No. 3 personnel and Board of Managers have done a tremendous job improving water quality.

This is an informational item. No action is required by the Board.

ITEM NO. 5 – OLD BUSINESS

None

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Kevin Kaminski reported that grit cleaning of Bio Reactor No. 4 was being completed and, once that is done, the entire cleaning project will be finished. He also reported that changes had been made to the odor control system which involved replacing plastic parts with stainless steel parts.

Mr. Absolom reported a recent rain event of 1.5" - 2" over a 2-hour period which caused problems in the collection system.

Item 6.m., presented below, was discussed at this point in the meeting.

b. Pretreatment Report

Industrial Survey

An Industrial Waste Survey (IWS) was sent to all businesses tributary to the Southtowns and Blasdell Treatments Plants having the potential for industrial wastewater discharges, as required by the new SPDES Permit. IWS's will be reviewed and any prone discharges will be inspected. Industrial Wastewater Discharge Permits will be issued as necessary. Completed IWSs were due June 7<sup>th</sup>. As of June 11<sup>th</sup>, the Blasdell plant sent 13 letters with 5 received complete. The Southtowns Plant sent 96 letters, receiving 34 complete. Two businesses had moved or were no longer operating.

Industrial Pretreatment

Mr. Millar reported that Steuben Foods is continuing to use chlorine dioxide (ClO<sub>2</sub>) for odor control. To date, no odor complaints have been received while using this method. Steuben continues to keep sodium hypochlorite on-site and available as a backup should any problems arise.

i. Letter to local businesses – Industrial Waste Survey (Handout)

Mr. Millar presented a copy of the transmittal letter and a list of ECSD No. 3 commercial businesses that were sent and industrial waste survey per the terms of the new SPDES Permit. He informed the Board that the surveys were due by June 7<sup>th</sup>.

c. Construction Report

Mr. Millar reported that the Roseview, South Davis and West Quaker Sewer Rehabilitation Project, Contract 71, is complete. Also, the Elma Force Main Air Release Valves Replacement Project is 60% complete. Approximately 50% of the new sewer line has been installed on the Charlotte, Sherburn, McKinley Pump Station Elimination Project, Contract 40, and the McKinley Pump Station has been decommissioned and removed.

i. Contract No. 70 CIPP Lining – Issuance of Work Order 4 (Handout)

The Board reviewed a copy of Work Order No. 4, issued to United Survey, Inc., for Cured-in-Place Pipe (CIPP) lining work to be completed under the 2013 budget allocation in ECSD No. 3. This Work Order is a continuation of lining work that has been completed in the District. This assignment will focus on areas in the Village of Orchard Park and Wanakah.

d. EPA Sanitary Sewer System Compliance Evaluation Inspection (Handout)

The Board reviewed a copy of a report from the EPA Compliance Evaluation Inspection of ECSD No. 3 conducted on February 25<sup>th</sup>. The inspection was part of a nationwide assessment

of collection systems focused on minimizing SSOs. The report recommended that the District focus on abating reoccurring SSOs.

e. Ltr. to Steuben Foods – Violation Response Letter (Handout)

The Board reviewed a copy of a letter from the DSM to Steuben Foods acknowledging receipt of Steuben's April 26, 2013 response the April 10, 2013 Notice of Violation. The letter stated that Steuben's efforts to improve its discharge have been substantial.

f. Ltr. to NYSDEC – Wet Weather Operation Plan (Handout)

The Board reviewed a copy of an April 30, 2013 transmittal letter from the DSM to the DEC for submission of the Wet Weather Operating Plan that was required by the Southtowns AWTF SPDES Permit, Schedule of Compliance.

g. Ltr. to NYSDEC – Influent Monitoring of ORF (Handout)

The Board reviewed a copy of a letter detailing information pertaining to influent monitoring for the ORF at the treatment plant. This letter was submitted to the DEC as a requirement of the Southtowns AWTF SPDES Permit, Schedule of Compliance.

h. Ltr. to NYSDEC – Emergency Bypass/Outfall 004 (Handout)

The Board reviewed a copy of a letter summarizing planning efforts to address slot flows at the newly designated Outfall 004. This letter was submitted to the DEC as a requirement of the Southtowns AWTF SPDES Permit, Schedule of Compliance.

i. Ltr. from NYDEC – Acceptance and Approval of ECSD 3 CMOM plan (Handout)

The Board reviewed a copy of an approval letter from the DEC for "collection System Program for the Erie County Sewer Districts" plan submitted by DSM to satisfy the Capacity, Management, Operation, and Maintenance (CMOM) requirement of the Southtowns AWTF SPDES Permit, Schedule of Compliance. The plan calls for preparation of an annual report detailing collection system I/I abatement efforts.

j. Sewer Backup Claim Response – 154 Brookwood Drive (Handout)

Mr. Millar presented a letter from the DSM to the resident at 154 Brookwood Drive in the Village of Hamburg denying a claim for damages resulting from a sewer backup. The denial is based on the grounds that the DSM was not negligent in this matter.

k. Ltr. to Assemblyman Ryan – Woodlawn Beach State Park (Handout)

The Board reviewed a copy of a letter sent from the DSM to Assemblyman Sean Ryan in response to correspondence from his office concerning water quality issues at Woodlawn Beach. A presentation and tour of the Southtowns AWTF was subsequently given to the Assemblyman's staff to provide them with a better understanding of the facility's capabilities.

l. Compliance Hearings & Retainer Agreement (Handout)

The Board reviewed a copy of a Retainer Agreement with the new compliance hearing officer, Feldman Kieffer, LLP. A compliance hearing has been set for Wednesday, August 14, 2013, from 1:30 to 3:30 p.m. at the Southtowns AWTF to address outstanding sewer violations.

m. Sewage Pollution Right to Know Act

Mr. Fiegl reported that the first phase of the Sewage Pollution Right to Know Act went into effect on May 1, 2013. Under the new law, notification is required within two hours for all discharges by publically owned treatment works and publically owned sewer systems. The DEC is developing regulations under a second phase of the law for reporting to be directly to the public. Mr. Fiegl added that a letter was sent in April to the elected officials of all areas serviced by County sewers to be notified under the Right to Know Act. All are notified, in full compliance of the law, within two hours of a discharge.

n. Ltr. to Town of Elma – Elma Pumping Station Update (Handout)

Mr. Millar presented a letter sent, at the request of the Board at its last scheduled meeting, to the Town of Elma. The letter was sent to communicate the status of the Elma Pump Station and Force Main, as it relates to the Maple/Jamison Rd/ RT. 400 corridor, for commercial regional expansion serviced by municipal wastewater services.

On a motion by Mr. Millar, seconded by Mr. Simmeth, the Board voted to receive and file the miscellaneous/informational items above. The motion carried 7 – 0.

Mr. Kasprzyk questioned whether or not other Erie County Sewer Boards of Managers conduct business in similar fashion to the District No. 3 Board. Mr. Absolom and Mr. Fiegl noted that all of the Boards operate in a similar fashion; however, the District 3 Board of Managers is one of the more proactive and supportive.

Mr. Wilson questioned whether or not the DSM could send a representative to attend a meeting of the Association of Erie County Governments to make supervisors and Mayors aware of what is going on with infrastructure issues. Mr. Fiegl responded by stating he is willing to attend and participate in one of those meetings.



ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Wilson, seconded by Mr. Kasprzyk, the meeting was adjourned at 9:14 a.m. The motion carried 7 – 0.

Next meeting is scheduled for Wednesday June 26, 2013 at 8:00 a.m.

Respectfully submitted



Secretary  
ECSD No. 3 – Board of Managers

DM:jk

Motion to Approve June 19, 2013 Minutes

Moved By: GLENN NELLIS

Seconded By: JOHN WILSON

App./Disapp.: APPROVED

Date: OCT. 2, 2013



David C. Millar, Secretary  
ECSD No. 3 Board of Managers

**BOARD OF MANAGERS  
ERIE COUNTY SEWER DISTRICT NO. 3 & 8  
JUNE 26, 2013  
SOUTHTOWNS SEWAGE TREATMENT PLANT  
BUDGET MEETING**

**MEMBERS PRESENT:** John Wilson, Michael Kasprzyk, Gerry Kapsiak, David Millar, John Mills, Glenn Nellis, Edward Paolini (District 8), Karl Simmeth

**OTHERS PRESENT:** Glenn Absolom, Steve Canestrari, Joe Fiegl, Kevin Kaminski, Larry Krug, and Courtney Kurtz

**MEMBERS ABSENT:** David Kaczor, Don Witkowski  
(Mr. Kaczor was absent for medical reasons.)

**1. Open Meeting**

Chairman John Mills called the District No. 3 meeting to order at 8:04 a.m.

**2. Items from the Public**

None.

**3. Old Business**

Mr. Fiegl discussed two potential funding options for general services and construction inspection services related to the Southtowns AWTF portion of the Rush Creek Interceptor project, for the Board's consideration. The first option involves use of capital reserves to fund engineering services; the second funding option involves a New York State Environmental Facilities Corporation (EFC) borrowing. After discussions, the Board agreed to use capital reserves for the stated purpose.

**4. New Business**

None.

**Adjournment**

On a motion by Chairman Mills, seconded by David Millar, the ECSD No. 3 Board of Managers meeting was procedurally adjourned at 8:10 a.m. in order to conduct the combined ECSD No. 3 and No. 8 budget meeting. The motion carried 7 – 0.

**2014 Combined Budget Meeting**

Chairman John Mills called the combined budget meeting of ECSD Nos. 3 and 8 to order at 8:10 a.m.

**a. Presentation and Approval of 2014 Budget**

**i. Proposed 2014 Budget (Handout)**

*Item 2(b)*

Mr. Fiegl presented the proposed ECSD Nos. 3 and 8 Budget to the Board. For ECSD No. 3, the 2014 appropriations are expected to increase \$1.2 million or 6.5%; however, there are offsetting revenues that temper the expected increase to the typical ratepayer down to 3 – 5%.

ECSD No. 3 is part of the combined ECSD Nos. 3 and 8 budget. The ECSD Nos. 3 and 8 budget is developed based upon a Memorandum of Understanding dated 6/17/08. Essentially, the Memorandum of Understanding outlines which costs or expenses are shared items and which items are exclusive to individual districts and their respective budgets. In summary:

- Costs such as supplies, equipment, “District-wide” expenses etc. are shared based upon the ratio of units in each sewer district and the total units in the ECSD Nos. 3 and 8 service areas.
- Debt service, revenues, fund balance, and capital reserve are exclusive to each sewer district.

On June 25, 2013, the ECSD No. 8 Board of Managers approved its portion of this budget. Mr. Edward Paolini, Secretary of the ECSD No. 8 Board of Managers, was present to represent that Board. ECSD No. 8 unanimously approved this budget, with the understanding that further review would occur at this meeting.

Mr. Fiegl continued the discussion by stating that, for this year, Central Region shares in approximately 39.5% of the Division-wide expenses. Within Central Region, ECSD No. 3 is responsible for approximately 90 – 91% of the costs.

Reviewing the overall summary for the ECSD No. 3, total appropriations are projected to increase over \$1.2 million when compared to 2013, with increases in both the operation and maintenance and debt service accounts. Major components of the operation and maintenance increase consists of the proposed capital reserve allocation, additional cured in place lining, purchase of a new flusher, and personnel costs. Mr. Fiegl stated that he is proposing one new position for 2014, a Senior Sanitary Chemist. This person will eventually take over position of lab director under the NYSDOH ELAP certification program in order to maintain the lab’s certification for testing in New York State. Due to the new SPDES permit requirements, additional lab supervision is important. Furthermore, this position will provide better succession planning in a critical area of operations.

On the revenue side, the most significant changes from the budget passed last June are charges to contracting communities (Mount Vernon Sewer District O&M), approximately \$294,000 of additional fund balance use, and increased fees to be collected from Steuben Foods based on the greater volume of wastewater discharge from that facility.

As stated previously, the typical ratepayer (single family home) in ECSD No. 3 will pay approximately 3 – 5% more in 2014 when compared to 2013 budget. It is important to note that 2013 rates were essentially the same as the 2012 levy.

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. Chairman Mills stated that this number is not realistic. Mr. Fiegl stated

that the Division of Sewerage Management (DSM) does not have influence with regard to fringe benefits; this number is provided by the County based on best projections at this time. Better projections are developed by the Budget office later in the year. Mr. Kapsiak requested a comparison of budgeted vs. actual fringe benefit costs for past years. Mr. Fiegl stated he will attempt to provide that information to the Board.

The 2013 equipment line items represent over \$1.1 million of the Central Region budget. The major items includes various treatment plant equipment replacements throughout the Region, replacement of underground fuel storage tanks at three (3) pumping stations, replacement of a truck mounted flusher, three (3) vehicles, and the Central Region's standard unanticipated replacement item. Mr. Kasprzyk requested a code for the abbreviations under the 2014 Equipment items, making it easier for the Board while reviewing.

While the Board reviewed the items of equipment, Mr. Kasprzyk requested clarification about the tool storage and control system. Mr. Kaminski explained that this piece of equipment will keep better track of tools and allow employees to share tools across each shift. Originally there was an increase in the tool replacement code in the budget detail, which was subsequently cut. Mr. Absolom informed the Board of the request for a new truck mounted flusher, as the current condition of the 1997 GMC has been experiencing increasing maintenance costs and nearing the end of its useful life. Mr. Wilson asked if the District maintains an equipment replacement schedule. Mr. Absolom stated that the District attempts to replace 10% of fleet every year.

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 the fund balance and then can be utilized as revenue to offset future rate impacts. Items listed in the budget as "DSM" are expenses for the Downtown office. Central Region contributes 39.5% of these Downtown office expenses.

A review of the individual budget codes was provided. Specific items highlighted included the budgeting on fuel, various changes in Maintenance and Repair supply codes, the \$250,000 increase in I/I repair, AVL monitoring, an increase of \$100,000 in miscellaneous construction projects, explanation of the increase in rental equipment, breakdown on capital reserve allocation (\$350,000 increase, for total of \$1,000,000), utility costs, and personnel costs.

Chairman Mills questioned why the cost and usage of chemicals did not change from last year. Mr. Kaminski stated that, for budget purposes, he reviews usage from the previous 2-years and added any unused chemicals carry over into stock/storage. The numbers in this budget reflect the result of his review. Mr. Simmeth asked for clarification regarding the increase in rental charges. Mr. Fiegl stated that this increase was for rental of a backup pump at the Elma pumping station. Steuben Foods will actually pay the \$4,000 a month for a pump that will be located at the station. Currently the station does not have redundancy at peak flows, so if one of the two existing pumps fails there is not sufficient capacity.

Fund balance usage as an offsetting revenue is budgeted as 55%. The available district fund balance at 12/31/2012 represents approximately 3.6 months of 2014 budgeted appropriations. Observing recent trends on amount available and amount used, along with anticipated projects on the horizon, it is believed that this allocation of fund balance is prudent. That being said, next year trends should be reviewed to see if additional monies from the fund balance should be allocated.

It is recommended for the 2014 budget that the flat charge be increased to \$215.00 per unit and the base footage charge be increased to \$0.55/foot.

On a motion by Dave Millar, seconded by Edward Paolini, the Board voted to approve the budget presented for both ECSD Nos. 3 and 8. The motion carried 8 – 0.

**The 2014 Combined Budget meeting was closed and the District No. 3 Board of Managers meeting resumed.**

**i. 271 Resolution**

It was resolved that approximately 35%, 10% and 55% of the total sanitary sewer tax levy of \$13,704,049 shall be raised from the assessed value, footage and flat charges, respectively, for ECSD No. 3.

On a motion by Mr. Nellis, seconded by Mr. Wilson, the Board voted to approve the 271 Resolution. The motion carried 7 – 0

**5. Adjournment and Next Meeting**

The Board discussed the need to hold the next regularly scheduled meeting on July 10, 2013. On a motion by Chairman Mills, seconded by Mr. Simmith, the meeting scheduled for July 10, 2013 was cancelled. The motion carried 7 – 0.

On a motion by Chairman Mills, seconded by Mr. Kasprzyk, the meeting was adjourned at 9:20 am. The motion carried 7 – 0.

**The next Board of Managers Meeting is  
Wednesday, October 2, 2013 at 8:00 am  
Southtowns Treatment Plant**

DM:ck

*Respectfully submitted,*

**Motion to Approve June 26, 2013 Budget Meeting Minutes**

Moved By: GLENN NELLIS

Seconded By: JOHN WILSON

App./Disapp.: APPROVED

Date: OCT. 2, 2013

*David C. Millar*  
Secretary, ECSD No.3 BOM

*David C. Millar*

David C. Millar, Secretary  
ECSD No. 3 Board of Managers

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS MEETING  
WEDNESDAY DECEMBER 11, 2013  
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, David Kaczor, Gerry Kapsiak, Michael Kasprzyk, David Millar, Karl Simmeth, John Wilson, Don Witkowski

MEMBERS ABSENT: Glenn Nellis (due to weather conditions)

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joe Fiegl, Kevin Kaminski, Jill Krafft, Larry Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:04 a.m.

ITEM NO. 2 – APPROVAL OF OCTOBER 2, 2013 MEETING MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Witkowski, the Board voted to approve the minutes from the October 2, 2013 meeting. The motion carried 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None

ITEM NO. 4 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed the payments handout for the month of December. On a motion by Mr. Kaczor, seconded by Mr. Wilson, the Board voted to approve the December 2013 payments. The motion carried 8 – 0.

b. Confirmation of Telephone Poll – Construction Inspection Services (Handout)

The Board considered confirmation of the November 19, 2013 telephone/email poll to award three-year term agreements to DiDonato, GPI & Wm. Schutt for construction inspection services in an amount not-to-exceed \$150,000.00, each. Construction inspection term agreements are used when in-house staff is not available.

On a motion by Mr. Kasprzyk, seconded by Mr. Kapsiak, the Board voted to approve confirmation of the November 19, 2013 poll. Mr. Wilson abstained from the vote. The motion carried 7 – 0.

*Item 2*

c. Confirmation of Telephone Poll – Engineering Services URS Change Order No. 5 (Handout)

The Board considered confirmation of the October 11, 2013 telephone/email poll approving Change Order No. 5 to the April 15, 2003 Agreement with URS Corporation for work related to the Rush Creek Interceptor (RCI) project, in an amount of \$248,235.92. During the period of time since the original Agreement was executed, numerous concept changes and reallocations of scope were necessary. Those reallocations were made with the understanding that the Agreement would be adjusted when project approval was received from the New York State Department of Environmental Conservation (NYSDEC). The reallocations of scope ultimately led to receipt of a \$5 million Water Quality Improvement Project (WQIP) grant from the NYSDEC for the RCI project. It is the opinion of the DSM that the project would not have received the WQIP grant, or NYSDEC approval, without completion of the necessary upfront engineering analyses.

On a motion by Mr. Wilson, seconded by Mr. Simmeth, the Board voted to approve the confirmation of the October 11, 2013 poll. The motion carried 8 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Steuben Foods (Handout)

Mr. Fiegl summarized a meeting that took place on Oct. 31, 2013 between representatives of Steuben Foods and the DSM to discuss findings of an evaluation report prepared by ARCADIS for improvements to the Elma Pumping Station. During the course of the meeting, Steuben Foods stated a preference for Alternative 2 from the ARCADIS report which proposed expansion of the existing building to accommodate installation of a third positive displacement pump to provide redundancy for peak instantaneous flows of approximately 1.0 million gallons per day (mgd). Presently, the station only has pumping redundancy up to 0.5 mgd. The engineer's estimate for construction of the improvements is \$427,000, not including engineering fees for detailed design and construction phase services. Mr. Fiegl noted that Steuben gave approval for the Alternative 2 upgrades and added this was not the least expensive option evaluated.

Mr. Fiegl continued by stating that Steuben Foods would be responsible for costs associated with the pumping station improvements and had requested flexibility with respect to repayment. Steuben Foods had asked that any required payments be deferred for as long as possible. Their preference is a schedule with the smallest possible payments spread over the maximum allowable period of time. Mr. Fiegl discussed the possibility of creating a stand-alone capital account for this project to pay for construction and engineering costs, with repayment per the terms of an arrangement established with Steuben Foods. He added that his intention was to obtain concurrence from the Board for this funding strategy prior to researching with the County Attorney's office. The Board then offered its concurrence. Mr. Fiegl stated that he would research the legality, terms, and conditions involved with a 5-year repayment schedule from Steuben Foods for this project and report back to the Board before taking any action.

Mr. Fiegl noted that the Board had continually expressed its desire to support the growth of Steuben Foods. Presently, the tap-in fees set at \$1.25/gallon for annual average flows over and above the previous annual average. In the spirit of continuing the Board's business friendly approach and

support for Steuben Foods, the Board discussed lowering that fee. Mr. Fiegl noted that if the project were to proceed, Steuben Foods bill would rise due to incremental increases in unit charges and surcharges (BOD, suspended solids, phosphorus) which are based on greater flows and pollutant loadings facilitated by the pumping station upgrades, along with tap-in fees, costs associated with pumping station improvements, and potential costs related to increases in operation and maintenance expenses. Chairman Mills noted that he would be supportive of a reduced tap-in fee considering the big picture of helping Erie County businesses and noting the fact that when the agreement with Steuben Foods was initially developed in the 1980's, there was a much lower flow contemplated. Mr. Kasprzyk proposed a reduction in the tap-in fee from \$1.25 to \$1.00 and revisiting the proposed amount next year. Mr. Kaczor suggested that the tap-in fee reduction be included in the terms of an Agreement with Steuben Foods for funding of the Elma Pump Station improvements. The rest of the Board was in general concurrence with what was proposed.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported that the 5 kV breakers have been rebuilt at the Southtowns AWTF as a result of the related emergency declaration from earlier this year. He noted there are now two spares on hand. He also noted that work was done on the Southtowns AWTF X incinerator and added that a submersible pump had been replaced in the Elma Pumping Station wet well.

b. Pretreatment Report

None

c. Construction Report

i. Contract No. 70 – CIPP Lining Work Order No. 7 (Handout)

Mr. Millar presented a copy of the Contract No. 70, Work Order No. 7 for Cured-in-Place Pipe (CIPP) lining work. He informed the Board the focus of this Work Order was the Windom Trunk area of ECSD No. 3. Mr. Millar also indicated that this is a good application for CIPP as it addresses an aging sanitary sewer segment in a wooded area with challenging access issues.

d. Letter to NYSDEC

i. Blasdell & Southtowns Short-Term High Intensity Monitoring Results (Handout)

Mr. Millar presented a copy of the letter from the DSM to the NYSDEC providing information required by the new SPDES permits for the Blasdell and Southtowns treatment plants. The letter includes mercury monitoring data for Blasdell, mercury and PCB monitoring data for Southtowns, and information about new sampling equipment at new combined outfall 003 at Southtowns.

ii. SPDES Schedule of Compliance – Total residue Chlorine Study (Handout)



Mr. Millar presented a copy of the letter to the Board from the DSM to the NYSDEC requesting confirmation that the new SPDES permit requirement for a TRC study at the Blasdel WWTP, Blasdel Emergency Bypass and Labelle Pump Stations has been met by the Rush Creek Interceptor project approvals.

e. Compliance Hearing Properties – Premium Assessment Letters Sent Nov. 1, 2013 (Handout)

Mr. Millar presented copies of letters sent to the two property owners recommended for premium assessment by an appointed hearing officer at an enforcement hearing that took place on August 14, 2013 for failing to correct violations of the Rules and Regulations for Erie County Sewer Districts. He informed the Board the resident at 41 Crescent Ave. had recently complied and no assessment will be charged. The property owner at 131 Crescent Ave. will be charged a premium assessment per the terms of the hearing officer's recommendation.

f. NACWA – Proposed SSI Advocacy Plan & Funding Request (Handout)

Mr. Millar presented a copy of a proposed advocacy plan concerning new Sanitary Sludge Incinerator (SSI) emissions standards to the Board. He noted that the National Association of Clean Water Agencies (NACWA), of which the County of Erie is a member, is proposing continued legal action against new emissions standards that have the potential to profoundly affect the Southtowns AWTF. Most notable, in addition to the continued legal challenge to EPA's Non-Hazardous Secondary Materials Rule, NACWA is proposing to submit an administrative petition to EPA asking the Agency to administratively stay the current March 2016 SSI Rule compliance deadline until EPA's remand revisions to the rule are complete. Mr. Millar reported that NACWA is requesting funding from participants for this legal effort of \$1,000.00 to \$2,500.00 depending upon the number of participants.

Mr. Fiegl made a recommendation to support this effort with \$3,000.00. On a motion by Mr. Kasprzyk, seconded by Mr. Kaczor, the Board voted to approve the recommendation of support. The motion carried 8 – 0.

g. Buffalo News Article on America's Infrastructure (Handout)

Mr. Millar presented a copy of the article that appeared in the Buffalo News on November 10, 2013 concerning infrastructure issues.

On a motion by Mr. Kaczor, seconded by Mr. Wilson, the Board voted to receive and file the informational handouts presented on the agenda. The motion carried 8 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Wilson, seconded by Mr. Millar, the meeting was adjourned at 9:00 a.m. The motion carried 8 – 0.

Next meeting is scheduled for Wednesday February 12, 2014 at 8:00 a.m.

Respectfully submitted,



Secretary  
ECSD No. 3 – Board of Managers

Motion to Approve the December 11, 2013 Meeting Minutes

Moved By: GLENN NEELIS

Seconded By: DAVID MILLAR

App./Disapp.: APPROVED, 9-0

Date: 2/12/2014



David C. Millar, Secretary  
ECSD No. 3 Board of Managers

DM:jk