

**ERIE COUNTY SEWER DISTRICT NO. 2 (ECSD 2)
BOARD OF MANAGERS MEETING MINUTES
FEBRUARY 4, 2016 @ 9:00 AM
DISTRICT ADMINISTRATION BUILDING**

- MEMBERS PRESENT:** Mayor Howard Frawley, Mayor Vincent George, Angela Horton, Gifford Swyers
- MEMBERS EXCUSED:** Anna Knack
- OTHERS PRESENT:** Glenn Absolom, Joseph Fiegl, Nancy Forys, Carl Horne, Supervisor Mary Hosler, Richard Rehac, and William Strzeszynski

ITEM NO. 1 – CALL MEETING TO ORDER

Vice Chair, Mayor Frawley opened the meeting at 9:07 a.m.

a. Nominations for Board Officers – Term through December 31, 2017

Ms. Knack (via email confirmation) has agreed to serve another term as Chairperson. On a motion by Mr. Swyers, seconded by Mayor George, the Board unanimously voted Ms. Knack as Chairperson. The motion carried 4 - 0.

Mayor Frawley has agreed to serve another term as Vice Chairperson. On a motion by Mayor George, seconded by Ms. Horton, the Board unanimously voted Mayor Frawley as Vice Chairperson. The motion carried 4 - 0.

Ms. Horton has agreed to serve another term as Secretary. On a motion by Mr. Swyers, seconded by Mayor George, the Board unanimously voted Ms. Horton as Secretary. The motion carried 4 – 0.

ITEM NO. 2 – APPROVAL OF OCTOBER 8, 2015 MEETING MINUTES

Mr. Swyers asked for a status regarding the homeowners due to receive premium assessments. Ms. Horton advised that all homeowners not in compliance after the enforcement hearing findings were sent out December 1, 2015, received an additional 30 days to comply. If they did comply, the penalties would not begin. One homeowner in North Collins did comply while the other five properties have not complied, and premium assessments began January 1, 2016.

Mr. Swyers also asked for an update on the properties that were required to connect to the Lake Shore Road low pressure grinders within 90 days from September 2, 2015. Ms. Forys advised that 13 properties have connected and only one property still needs to connect, which will be sent a follow up letter.

On a motion by Ms. Horton, seconded by Mayor George, the Board voted to approve the minutes from the October 8, 2015 meeting. The motion carried 4 - 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no new items from the public.

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ITEM NO. 4 – OLD BUSINESS

a. Solar Array (Handout)

Mr. Fiegl informed the board that preliminary work on this project began in December 2015. The larger array had to be downsized due to a large area of wetlands behind the treatment plant. The final layout has not been determined yet. Areas will be cleared of trees but the proposed array would be northeast of Baypoint Avenue and southwest of the treatment plant with significant buffer area in between. Any wood resulting from the trees being cut down will be taken by the clearing services as this condition was built into the pricing of the project. The area used for this will be fenced in.

Mr. Swyers brought up the wording in the official news release regarding the amount of savings as “usually lower”. Mr. Fiegl commented that these are standard agreements for a 20 year lease and the rates are reasonable, but there are no guarantees as to what the future holds.

Mr. Fiegl feels that in spite of the array being downsized, this is still a viable project worth pursuing.

ITEM NO. 5 – NEW BUSINESS

a. New Sewer District Manager

Mr. Fiegl announced the new personnel changes to the Division. With the retirement of Larry Krug, Richard Rezac was promoted to the position of Senior Sewer District Manager, overseeing all ECSD’s. Carl Horne was promoted to Sewer District Manager for the Southern Region ECSD 2 and William Strzeszynski moved to the Northern Region ECSD 1, 4, & 5, as Sewer District Manager.

b. Water Resource Recovery Facility – Proposed Name Change (Handout)

Mr. Fiegl referenced an article from the Water Environment & Technology magazine which details the push to re-brand utilities, in particular the wastewater industry, to do away with the negative image while pushing a more positive approach to the core mission which is to protect public health and water quality by treating society’s pollution.

The Division of Sewerage Management is proposing that all ECSD’s rename their wastewater treatment plants as water resource recovery facilities. In addition, in 2016 the County is starting its Charter Review process by exploring a possible name change for the Division and hoping to add the word ‘utility’ to the name chosen to better represent the service that the Division provides. Mr. Fiegl will keep the Board updated.

The Division is requesting the Board approve the recommended name change of Big Sister Creek Wastewater Treatment Plant to the “Big Sister Creek Water Resource Recovery Facility” to better capture its true function. Similar names changes have been well received at the other sewer district BOM meetings.

On a motion by Ms. Horton, seconded by Mayor George, the Board approved the recommendation to change the name of the Big Sister Creek Wastewater Treatment Plant to the “Big Sister Creek Water Resource Recovery Facility”. The motion carried 4 - 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. District Payments

Ms. Horton conveyed to the Board the one payment that was made to Wendel Duscherer for the Energy Improvements Project in the amount of \$59,249.70.

b. Operational Report

Mr. Strzeszynski provided the Board with an update on the ECSD 2 collection system activities since the last meeting which included a total of 20 sanitary sewer complaints; of these, only three were County issues which were flushed and relieved immediately. There were two odor complaints: one was related to Goya and was addressed by installing an inflow protector within a manhole, and the second was undetectable by ECSD staff. Both a door hanger and voicemail were left with the complainant. There were six manhole related complaints that were caused by plow damage and were resolved immediately. Additionally there were eight complaints or alarms from the low pressure grinders which were also resolved immediately.

The beginning of December saw the return of the Central Maintenance televising crew who were focused on the trunkline sewers near or under creeks that are tributary to the Sweetland Pumping Station. The televising crew also televising in the vicinity of Peters Road with the assistance of the District flushing and vector crews, but will need to complete this work when they return in the summer. There were a total of six sewerline repairs located in the Village of Angola and Town of Evans completed with the trenchless internal pipe patch. Another pipe patch repair is scheduled for Terry Lynn Drive in the Village of Angola that will eliminate considerable wet weather infiltration.

Mr. Strzeszynski also stated that there was roughly 10,000 feet of root treatment to the sanitary sewers mainly in North Collins, the Village of Angola and the Derby areas.

Mr. Horne provided the treatment plant activities which included repairs to the south sand filter and maintenance completed on the north and south secondary clarifiers.

Mary Hosler, Town of Evans Supervisor, inquired about odors observed on Gold Street. Glenn Absolom detailed the history with the odors and the Goya site, how the sewer district installed inflow protectors under the manhole covers and chemical drippers, but that there are instances where hydrogen sulfide readings do not indicate the odors are coming from the sewers.

c. Pretreatment Report – There was nothing new to report at this time.

d. Construction Report

The Lake Shore Road low pressure grinder project (Contract 86) is 100% complete, with only restoration to be finalized in the spring before close out of this project.

i. Contract 70 CIPP Work Order 18 (Handout)

All sewerlines included in the 2015 budget were issued under work order (WO) 18 to United Survey Inc. in December 2015. The sewerlines on Prescott Dr (E81C9), Langford Road (1A99ED) and three lines on Theil Road (1A9930, 1A9931, EA3C5) were included in WO 18, but will be postponed until the 2016 contract is bid out. These sewerlines are being replaced by three 10 inch diameter sewerlines on Schuyler Drive (E828B, E828C and E828D) in Derby tributary to the Sweetland Road Pumping Station, due to the deteriorating condition of asbestos cement pipe (ACP).

ii. Contract 74 Sanitary Sewer Manhole Rehabilitation & Replacement Project

a. Notice to Proceed (Handout)

The notice to proceed was issued in October 2015 requiring all work be completed within 60 calendar days. However, due to cold weather this project has been given additional time.

b. Resident Letter (Handout)

This was a courtesy letter to area residents advising them that repairs to manholes either on or near their property was being scheduled for rehabilitation or replacement under the current Sanitary Sewer Manhole Rehabilitation Project.

On a motion by Ms. Horton, seconded by Mr. Swyers, the Miscellaneous & Informational Items listed above were all received and filed. The motion carried 4 - 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Horton, seconded by Mayor George, the meeting was adjourned at 9:52 a.m. The motion carried 4 - 0.

The next meeting is scheduled for Thursday, April 10, 2016 at 9:00 a.m.

Respectfully submitted,



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

Approval of Minutes:

Motioned By: Mayor Frawley

Seconded By: Gifford Swyers

Approved/Disapproved: 4/0

Date: 4/14/16

Signed: Angela M. Horton

**ERIE COUNTY SEWER DISTRICT NO. 2 (ECSD 2)
BOARD OF MANAGERS MEETING MINUTES
APRIL 14, 2016 @ 9:00 AM
DISTRICT ADMINISTRATION BUILDING**

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

MEMBERS EXCUSED: Mayor Vincent George

OTHERS PRESENT: Glenn Absolom, Joseph Fiegl, Nancy Forys, Carl Horne, Richard Rehac

ITEM NO. 1 – CALL MEETING TO ORDER

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

ITEM NO. 2 – APPROVAL OF FEBRUARY 4, 2016 MEETING MINUTES

On a motion by Mayor Frawley, seconded by Mr. Swyers, the Board voted to approve the minutes from the February 4, 2016 meeting. The motion carried 4 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

Mayor Frawley spoke about a sewer complaint that came from the property owner at 117 Lake Street, Angola. Mayor Frawley requested the district check into the matter. Mr. Horne advised that there have been only two complaints from that area over past ten years and both were from that property. ECSD 2 personnel flushed the main sewerline as a courtesy but experienced no issues with the County's system. It was determined that the issue is with the homeowner's private sewer lateral.

ITEM NO. 4 – OLD BUSINESS

a. SEQR – Out of District Customer Extension (Handout)

Ms. Horton stated this was an informational item as a follow up to the previous Board approval for out of district customer extensions to be incorporated into the ECSD 2 boundary.

ITEM NO. 5 – NEW BUSINESS

a. I/I Approval for Enforcement Hearing (Handout)

The Board was provided with copies of letters to District homeowners who have not complied with their house inspection program pursuant to "Erie County Rules and Regulations for Erie County Sewer Districts". The homeowners in Angola are listed as follows: 117 Middle Ln (Paul Wheeler); 80 North Ln (David Garrasi); 104 North Ln (Gary/John Krajacic); 9788 Shorecliff Rd (George Beckstein Jr.); and 119 Summerdale Rd (David Theobalds). The Division of Sewerage Management is recommending referral to a hearing for those homeowners.

On a motion by Mr. Swyers, seconded by Mayor Frawley, the Board approved to move forward with referral to a hearing. The motion carried 4 - 0.

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ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. District Payments

There have been no new payments made since the last meeting.

b. Operational Report

Mr. Horne provided the Board with an update on the District activities which included approximately 35,000 feet of sewerlines which were flushed and 16 manholes that were repaired. There were 11 complaints – 4 were related to the pumping stations; 1 was related to a grinder due to weather; 2 were manhole related due to being hit by snowplows and all were resolved immediately; and 5 were sewerline repairs (4 in Evans & 1 in Eden) and resolved by installing internal trenchless pipe patches. There were no odor complaints.

Regarding the WWTP, Mr. Horne advised that the UV bank was re-lamped. Kinsley Power was conducting their annual preventative maintenance at the plant facility.

c. Pretreatment Report

There was nothing new to report at this time. However, Mr. Fiegl did inform the Board that within the last few days there was radioactive sludge detected again at a level where the District could not haul it to the landfill. The District has contacted the local hospitals and medical facilities to inquire if extra medications are discharged into the system, but were advised that one person being released early could cause this and they do not discharge these medications. Also the District has attempted to find the source by collecting sludge from each pumping station to see if radioactive sludge could be detected but to no avail. The DEC in Albany has also looked into this. The sludge will be taken to the landfill once the radioactive half-life drops to an acceptable level for the landfill.

d. Construction Report

Ms. Horton advised there were no new construction projects, but ECSD 2 is waiting on the cured in place pipe (CIPP) lining contractor USI to come out and begin the previously issued work, which is expected sometime this spring. In addition, the CIPP contract for 2016 will be rebid later this year.

Mr. Fiegl updated the Board on the solar array project at the Big Sister Creek WWTP, where the agreement is currently being finalized by another County department. Mayor Frawley asked about the trees affected by the solar array. Mr. Fiegl advised that the project will be at the south end of the property and there will be a tree line buffer.

Mr. Swyers asked for an update on the Terry Lynn Drive sewer replacement and inquired about a concrete driveway if it would be disturbed. Mr. Horne said he will follow up with an update.

Mayor Frawley asked about storm sewer issues on Sunset Drive. Mr. Horne explained that we have no control over the storm sewers.

e. Lake Shore Road 2nd Notice to Connect (Handout)

A letter was sent to Mr. Fix at 7865 Lake Shore Rd as a second request to connect to the new sewer available and to date there has been no response from this homeowner. This was a follow up response asked by Mr. Swyers at the last meeting.

f. Letter to NYSEFC – GIGP Program Energy Efficiency Project (Handout)

This was a letter to thank NYSEFC for their generous grant under the GIGP program to the Big Sister Creek WWTP.

On a motion by Ms. Knack, seconded by Ms. Horton, the Miscellaneous & Informational Items listed above were all received and filed. The motion carried 4 - 0.

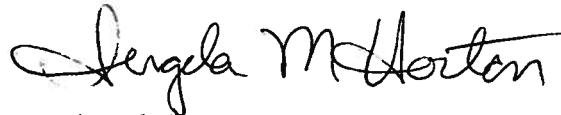
As a follow up to a Town of Evans meeting regarding Old Lakeshore Road, Mr. Swyers asked when the forcemain was installed along Old Lakeshore Road was there a sewerline abandoned to connect. Mr. Fiegl responded that he is not aware of any abandoned sewerlines on that side of the road.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Knack, seconded by Ms. Horton the meeting was adjourned at 9:26 a.m. The motion carried 4 – 0.

Next meeting is scheduled for Thursday, June 23, 2016 at 9:00 a.m.

Respectfully submitted,



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

Approval of Minutes:

Motioned By: G. Swyers

Seconded By: A. Horton

Approved/Disapproved: 4/0

Date: 6/23/2016

Signed: Angela M. Horton

**ERIE COUNTY SEWER DISTRICT NO. 2 (ECSD 2)
BOARD OF MANAGERS MEETING MINUTES
JUNE 23, 2016 @ 9:00 AM
DISTRICT ADMINISTRATION BUILDING**

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

MEMBERS EXCUSED: Mayor Howard Frawley

OTHERS PRESENT: Glenn Absolom, Joseph Fiegl, Nancy Forsys, Carl Horne, Richard Rehac

ITEM NO. 1 – CALL MEETING TO ORDER

Chairperson Knack opened the meeting at 9:00 a.m.

ITEM NO. 2 – APPROVAL OF APRIL 14, 2016 MEETING MINUTES

On a motion by Mr. Swyers, seconded by Ms. Horton, the Board voted to approve the minutes from the April 14, 2016 meeting. The motion carried 4 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

a. Article from Bill Houston – Cutting Complaints from Odors (Handout)

Ms. Horton noted this article references a device called the Sewer Sentry used on manhole covers to provide ventilation while cutting down on storm water infiltration. The District currently uses inflow protectors underneath the manhole cover which provides the same benefit.

b. Mr. Fiegl wanted to advise the Board that there have been inquiries from some Baypoint residents concerning the solar array project. The residents are concerned about the potential clearing of land, wildlife and their view. It was explained to them that a preliminary survey is being gathered and no final plans are set. Mr. Fiegl stated that once the plans are final on the County property, information will be sent to the residents. Mr. Swyers expressed concern regarding the buffer for odors. Mr. Fiegl noted that this project is proposed in an area away from the treatment plant with woods in between.

ITEM NO. 4 – OLD BUSINESS

There was no old business discussed.

ITEM NO. 5 – NEW BUSINESS

a. Presentation and Approval of 2017 Budget

i. Proposed 2017 Budget

Mr. Fiegl presented the proposed 2017 ECSD 2 Budget to the Board. Overall, the typical ECSD 2 ratepayer would have an annual sanitary sewer charge increase of approximately 1.6%.

Reviewing the detailed summary for ECSD 2, appropriations or expenses are budgeted in 2017 to increase approximately \$177,000. Capital reserve allocations, I&I repair, and equipment

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replacements are the primary areas of increase. Revenues are expected to increase approximately \$48,000 when compared to 2016, with the use of fund balance the main component.

As stated previously, the estimated impact to the typical ratepayer (single family home) in ECSD 2 in 2017 is an increase of approximately 1.6% or around \$6 - \$12 per home annually.

ECSD 2 is one of seven sewer districts administered by the Division of Sewerage Management. There are shared costs that each District contributes to. As noted on Page 6, ECSD 2 contributes towards 17% of the consolidated laboratory costs and approximately 9.3% towards the non-laboratory shared costs.

The personnel budget for ECSD 2 is slightly different than 2016. There were minor transfers of positions within the County's various sewer districts and the transfer of laboratory staff to centralized funding. Fringe benefits for employees are being calculated at 63% in this budget – a decrease from 2016. Actual numbers are not available at this time, but this is a conservative estimate. With all of these changes coupled with a number of retirements of long standing employees, budgeted personnel costs are actually lower than 2016.

The 2017 equipment line items represent approximately \$478,000 of the ECSD 2 budget. The major items include several replacements for treatment plant and pumping station equipment, the replacement of a crane truck, several Division-wide "shared" items, and the ECSD 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 revenue to offset future rate impacts. Items listed in the budget as "DSM" are expenses for the Downtown office. As noted earlier, ECSD 2 contributes approximately 9.3% of the overall Downtown office expenses.

A review of the individual budget codes was provided. Specific items highlighted included the budgeting on fuel, adjustments in maintenance and repair supplies, I&I services, an additional \$100,000 capital reserve allocation (there was a typographical error on Page 18), utility cost decreases, and personnel costs.

Fund balance usage as an offsetting revenue is budgeted at 60% of available balance. The available district fund balance at 12/31/15 represents approximately 3.2 months of 2017 budgeted appropriations. Observing recent trends on amount available and amount used, it is believed that this allocation of fund balance is prudent.

It is recommended for the 2017 Budget that the unit charge remain at \$290.00 per home and the footage charge in ECSD 2 remain at \$1.00 per foot.

At the end of Mr. Fiegl's presentation of the Budget, as well as during his presentation, questions and concerns were brought up by the board members.

Mr. Swyers posed questions regarding SCADA, the drivers for replacement of old equipment, the increase in sand costs, computers, motors, unanticipated fund, the proposed ORF valve, and the lab fridge. He was provided answers from Mr. Fiegl, Mr. Absolom, Mr. Horne and Ms. Horton as to why these items appeared in the budget and their importance to ECSD 2.

For the 2018 budget, Ms. Knack requested the Board look into a possible increase to the flat charge for those properties connected to the sewer, while not increasing the rates for those properties within the District but not connected to the sanitary sewer.

Ms. Knack also expressed a concern regarding the budget packet which she did not receive until the Monday. Ms. Horton indicated it may be possible to hand deliver the budget packages next year. As an alternative, it was also noted that the Board can view the packet on-line on the Erie County DSM website and notice will be provided next year.

On a motion by Mayor George, seconded by Ms. Horton, the Board voted to approve the 2017 Budget. The motion carried 4 – 0.

ii. 271 Resolution (Handout)

It was resolved that approximately 37 %, 16% and 47% of the total sanitary sewer tax levy of \$6,895,284.00 shall be raised from the assessed value, footage and flat charges, respectively, for ECSD 2.

On a motion by Ms. Horton, seconded by Ms. Knack, the Board voted to approve the assessment roll resolution with a flat charge of \$290.00 and a footage charge of \$1.00/foot. The motion carried 4 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. District Payments (None)

b. Operational Report

Mr. Horne provided the Board with an update on the District activities which included flushing on approximately 79,000 feet of sewerlines and 17 manhole repairs. There were a total of 16 sewer complaints and 7 odor complaints, all of which were resolved immediately.

Regarding the WWTP, Mr. Horne advised that the radioactive sludge referred to at the last meeting has all been hauled away to the landfill. The semi-annual tech-check for the UV disinfection system by Koester Associates was completed on May 5, 2016. National Grid replaced pole 7 to the main transformer on June 14, 2016. A new grit pump and a new RAS pump were installed (these were 2016 budget items).

There was a force main leak repair at the 18-Mile Pumping Station. There was a Pump 1 controller upgrade at the Brant-Farnham Pumping Station. They expect to upgrade Pump 2 in the future.

Mr. Swyers requested an update on the Terry Lynn Drive sewer replacement and a driveway in question. The repair will be away from the driveway and it should be completed in the near future.

c. Pretreatment Report

There was nothing new to report at this time.

d. Construction Report

Contract 86 for the Old Lake Shore Road Low Pressure Grinder System is being closed out.

Contract 70 - CIPP with United Survey Inc. is planning to continue the 2015 work beginning the week of July 5th. The 2016 CIPP contract will be bid later this year.

Contract 90 - Big Sister Creek Energy Performance Contract is at the 1-year mark for the new SCADA system and will complete performance measures against contract guarantees.

e. Letter to Mr. Stout, 354 Lakeside Ave. – Surface Runoff into Sanitary Sewers (Handout)

ECSD 2 staff evaluated all the concerns brought up in the March 30, 2016 letter by Mr. Stout concerning surface runoff getting into the sanitary sewers. Staff installed inflow protectors in the manholes mentioned in his letter, if they were not already installed. A follow up letter was sent to Mr. Stout April 28, 2016 advising him of the actions taken.

Mr. Swyers asked if we have District personnel conducting regular field checks on manholes. Mr. Horne responded that ECSD 2 staff conducts trunkline walks each year. Ms. Horton added that each year we focus on a specific mini system and that area has not been covered to date.

f. 2015 Annual I&I Report – SPDES NY 002-2543 (Handout)

Ms. Horton advised the Board that the 2015 Annual I&I Report was provided to the NYSDEC on April 29, 2016.

g. Letter to Mr. Fix, 7865 Lake Shore Rd. – 3rd Notice to Connect (Handout)

After two notices were sent advising Mr. Fix that he needed to obtain a permit from the ECSD 2 office and connect to the sanitary sewer, he connected his grinder unit without a sewer permit and inspection, and therefore it was never turned on by ECSD 2 staff. Following a complaint call on April 28, 2016, that sewage was backing up on his lawn, ECSD 2 staff responded and activated the power to the grinder unit. Mr. Fix was then notified of this violation by a letter dated May 3, 2016, instructing him to adhere to proper procedure according to Erie County Rules and Regulations. He has retained the proper sewer permit but no inspection of that connection was made.

h. Eden Corn Festival – Petitioning installation of sewer line (Handout)

The Eden Corn Festival, Inc. has requested by June 6, 2016 letter to the ECSD 2 Board for supplies for the installation of extending the sewerline at the Eden Corn Festival's vendor camping and storage area. A rough estimate of the supplies they are requesting is approximately \$3,500. Before rendering any decision, the County requires additional information including a plan of what will be installed for approval, a written request from the owner of the property (Legion Post). Ms. Horton will respond to the request in writing and will also offer discharge at the Erie County Wastewater Treatment Plants for all campers.

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

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Swyers, seconded by Ms. Horton, the Board cancelled the July 14, 2016 meeting. The motion carried 4 - 0.

On a motion by Ms. Knack, seconded by Mr. Swyers, the meeting was adjourned at 10:17 a.m. The motion carried 4 - 0.

The next meeting is scheduled for Thursday, October 6, 2016 at 9:00 a.m.

Respectfully submitted,



Angela M. Horton, P.E.
Secretary - ECSD 2 Board of Managers

Approval of Minutes:

Motioned By: G. Swyers

Seconded By: A. Knack

Approved/Disapproved: 5/0

Date: 10/6/2016

Signed: Angela M. Horton

**ERIE COUNTY SEWER DISTRICT NO. 2 (ECSD 2)
BOARD OF MANAGERS MEETING MINUTES
OCTOBER 6, 2016 AT 9:00 AM
DISTRICT ADMINISTRATION BUILDING**

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

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Joseph Fiegl, Nancy Forys, Carl Horne, Richard Rehac

ITEM NO. 1 – CALL MEETING TO ORDER

Chairperson Knack called the meeting to order at 9:02 am.

ITEM NO. 2 – APPROVAL OF JUNE 23, 2016 MEETING MINUTES

On a motion by Mr. Swyers, seconded by Ms. Knack, the Board voted to approve the minutes from the June 23, 2016 meeting. The motion carried 5 – 0.

Mr. Swyers inquired on the status of the Eden Corn Festival request to extend the sewerlines at the Legion Post property where the festival is held. Ms. Horton advised that a resubmittal has not been received with the requested changes and to date a letter requesting the extension has not been received from the property owners.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

a. Solar Arrays

Mr. Fiegl wanted to make the Board aware of inquiries from the Chairman of the Town of Evans Conservation Committee on the status of the solar array specifically questions regarding the area of trees designated as a buffer zone. Surveyors were on site to determine the wetlands but had failed to advise the district they would be in the area conducting the survey, which had the homeowners over on Bay Point concerned. The survey markers that were put in are for the layout of actual county property lines and not necessarily where the solar arrays would be constructed. The surveyors were advised they needed to contact the district office prior to any further survey work on this project. Mr. Fiegl noted that there has not been a final layout submitted and that Interconnection costs to be paid to National Grid are estimated much higher than expected, which may hinder the project.

ITEM NO. 4 – OLD BUSINESS

a. Mr. Fiegl referred back to a question brought up during budget discussions at our last Board meeting regarding the 2015 unanticipated funds and advised the Board that \$24,705 of the \$100,000 unanticipated funds was used last year.

b. Mayor Frawley asked if there have been any updates regarding the requested dumpster at the Grove location. Mr. Fiegl responded by stating Paul Cooper was the individual in charge of this request when he was a Town Councilman, which he is no longer. As many residents were not in favor of the dumpster, it has not been brought back to the Board. There also have been no complaints from that area. Mr. Swyers suggested that this item will not proceed.

ITEM NO. 5 – NEW BUSINESS

a. 2017 User Charge

Mr. Fiegl noted the Board was provided with copies of the public hearing notice (item i.) and the public hearing meeting minutes (item ii.) as informational items. The hearing occurs annually in order to inform the public on the proposed user charge rates. At the public hearing, no one spoke in opposition of the ECSD 2 rates. Mr. Fiegl also noted the 2015 and 2016 changes listed in the fees, that the flow remained the same, and that the calculations are based on operational costs.

iii. Approval of the Resolution (Handout)

On a motion by Ms. Knack, seconded by Mayor Frawley, the Board voted to approve the User Charge Resolution for ECSD 2. The motion carried 5 – 0.

b. 2017 Meeting Schedule

The Board received a copy of the proposed 2017 ECSD 2 Meeting Schedule. On a motion by Ms. Horton, seconded by Ms. Knack, the Board voted to approve the meeting schedule. The motion carried 5 – 0.

c. Confirmation of Email Poll – Award of CIPP Lining Contract 76 (Handout)

During an email poll conducted by Ms. Horton on September 27, 2016, the Board was asked to approve the low bidder for Contract 76 – 2016 Cured in Place Pipe (CIPP) lining to Kenyon Pipeline Inspection LLC, which will provide a cost savings of approximately \$40,000 from the Engineer's estimate. Motioned by Ms. Horton, seconded by Mr. Swyers, the Board unanimously approved the email poll 5 – 0.

On a motion by Mayor Frawley, seconded by Mayor George, the Board voted to confirm the email poll awarding the 2016 CIPP lining Contract to Kenyon Pipeline Inspection LLC. The motion carried 5 – 0.

d. I/I Approval for Enforcement Hearing (Handout)

The Board was provided with copies of letters to ECSD 2 property owners who have not complied with their house inspection request or have not corrected a violation found during their inspection, pursuant to "Erie County Rules and Regulations for Erie County Sewer Districts". The Division of Sewerage Management is recommending that the following property owners be referred to an enforcement hearing: 650 Beach Rd, 828 Beach Rd, 813 Bennett Rd, 8637 Larch St, 455 Alfred Ave, 710 Bennett Rd, 70 South Ln, and 8261 Lake Shore, all located in Angola. On a motion by Mr. Swyers, seconded by Mayor Frawley, the Board voted to move forward with the enforcement hearing referral. The motion carried 5 – 0.

Ms. Horton noted that this list along with others that the Board has previously approved since May 2015, will now go before a Hearing Officer at the upcoming enforcement hearing scheduled for November 16, 2016, unless they comply before that date.

e. Trucker Discharge Permits Approval (Handout)

A handout listing the three previous permit holders for ECSD 2 was provided to the Board. On a motion by Ms. Horton, seconded by Mr. Swyers, the Board voted to approve the 2017 Trucker's Discharge Permits for Delo Drain & Septic Services, Holland NY; JB Enterprises Inc., DBA, Ball Toilets & Septic, Blasdell NY; and Crescent Moon, Farmington NY. The motion carried 5 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

- a. District Payments - There were no payments made since the last Board meeting.
- b. Operational Report

Mr. Horne provided the Board with an update on ECSD 2 activities. Since the last meeting, there was 91,231 feet of sewerlines flushed and 55 manholes repaired. There was 20,604 feet of sewerlines televised resulting in five internal pipe patches. There were a total of 28 complaints, 7 of those were odor related and all of which were satisfactorily resolved.

There were three sewerline repairs – one in Angola on Terry Lynn Drive; one in Farnham at the Brant/Farnham forcemain which was a result of National Grid placing a pole through our line; and one in North Collins on Woode Avenue. Mr. Swyers asked if National Grid will be charged for the damage and Mr. Absolom responded that yes they will be sent a bill as a charge back.

At the Wastewater Treatment Plant (WWTP), a new ventilation system was installed in the Grit Room; new LED lighting was installed in the Filter Press room; the inside of the (20-year old) Flotation Thickener Tank was coated with coal tar epoxy; and piping was replaced in the Hypochlorite Pump Room. In addition, all of the fire extinguishers in the plant, vehicles, and pumping stations were inspected by Life Safety; the annual preventative maintenance check of influent flowmatchers was conducted by Siewert Equipment; the annual inspection of the cathodic protection system for the underground diesel fuel tank was completed by Prime Time Services; and four clarifiers were drained and inspected and minor repairs were made to them.

Regarding the pumping stations (PS), batteries were replaced in all the Moscad telemetry units; the 18 Mile PS received an upgraded controller (2016 budget line item); and the #2 controller in the Brant-Farnham PS was upgraded.

Mayor Frawley advised the Board that he has fielded telephone calls from area residents regarding emptying their swimming pools. The residents are being told to contact our office first.

Mayor Frawley asked if there were any plans to extend the sewerline on Erie Road, near the old Moose Lodge, for commercial use. Mr. Fiegl indicated there are no plans at this time for any extension to the sewerlines in that area, but if the municipalities have plans they would like to discuss, the County is more than willing to meet and discuss service options (if any).

Mayor George asked if there has been recent flushing of sewerlines on Woode Avenue. He noted there was a waterline break he feels was a result of using a fire hydrant without being notified during flushing. Ms. Horton explained that the sewerline on Woode was scheduled for CIPP by United Survey Inc. (USI) and they would have flushed the line prior to doing the TV and CIPP. Mayor George inquired the name of the contractor responsible for the flushing on Woode as he would like to possibly submit a claim. Mr. Fiegl advised that the project manager would get that information to him.

- c. Pretreatment Report – There was nothing new to report at this time.
- d. Construction Report

Ms. Horton advised the Board that all of the ECSD 2 2015 CIPP work by USI, including 8", 10" and 12" diameter sewerlines have been completed. They will be issued payment once the test results have been satisfactorily received.

Contract 76 - Kenyon Pipeline Inspection LLC is scheduled to go before the Legislature today for approval. The Notice of Award should go out Monday, followed by another month to secure bonds and insurance approval and another 22 days for signatures. Work is tentatively scheduled to begin in 2017.

Wendel is still assessing our electric usage for the Energy Performance project.

Ms. Horton advised the Board that a contract with Horizon Masonry Restoration has been executed as they were the successful low bidder for the administration building repairs. They will begin work next week. Mr. Fiegl explained in detail that there was an accident whereby one of the sewer district employees drove the County vehicle into the administration building. The cost is estimated at over \$25,000 which will come out of the unanticipated funds in the Budget.

On a motion by Ms. Knack, seconded by Ms. Horton, the Miscellaneous & Informational Items listed above were all received and filed. The motion carried 5 – 0.

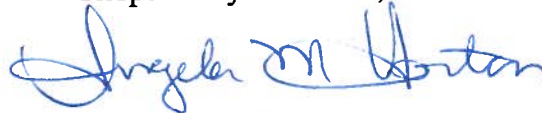
Mr. Fiegl advised the Board there will be an upcoming phone poll before the December meeting regarding proposals for the Engineering Term and Inspection Contracts that the Division of Sewerage Management would like awarded by the Legislature before the end of the year.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Knack, seconded by Mayor Frawley, the meeting was adjourned at 9:36 a.m. The motion carried 5 – 0.

Next meeting is scheduled for Thursday, December 8, 2016 at 9:00 am.

Respectfully submitted,



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

Approval of Minutes:

Motioned By: W. Knack

Seconded By: W. Horton

Approved/Disapproved: 3/0

Date: 12/8/2016

Signed: Angela M. Horton

**ERIE COUNTY SEWER DISTRICT NO. 2 (ECSD 2)
BOARD OF MANAGERS MEETING MINUTES
DECEMBER 8, 2016 AT 9:00 AM
DISTRICT ADMINISTRATION BUILDING**

MEMBERS PRESENT: Angela Horton, Anna Knack, and Gifford Swyers

MEMBERS EXCUSED: Mayor Howard Frawley, Mayor Vincent George

OTHERS PRESENT: Glenn Absolom, Joseph Fiegl, Carl Horne, Beth Pfalzer, and Richard Rehac

ITEM NO. 1 – CALL MEETING TO ORDER

Chairperson Knack called the meeting to order at 9:01 am.

ITEM NO. 2 – APPROVAL OF OCTOBER 6, 2016 MEETING MINUTES

On a motion by Ms. Knack, seconded by Ms. Horton, the Board voted to approve the minutes from the October 6, 2016 meeting. The motion carried 3-0.

Mr. Swyers asked about the status of the Enforcement Hearings. Ms. Horton informed the Board that all of the properties in ECSD 2 complied prior to the hearing, and no actions needed to be taken for ECSD 2.

Mr. Swyers also inquired about the status of the repairs on the Administration Building. Mr. Horne explained that all the repair work was completed.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no items from the public.

ITEM NO. 4 – OLD BUSINESS

There was no old business to discuss.

ITEM NO. 5 – NEW BUSINESS

a. Discussion on Sewer Taxes/Fees (Handout)

Mr. Fiegl addressed the Erie County Comptroller's press release, report, and associated communications regarding Erie County's tax cap and the reclassification of sewer charges to user fees. Changes were made in some of the Erie County Sewer Districts in the 2016 and 2017 budgets to address tax cap concerns. Note that these changes have not yet been applied in the ECSD No. 2 budget.

In the Comptroller's office report, an opinion was presented that the County "may have exceeded the New York State real property tax cap in 2016, and that the proposed 2017 budget may also exceed the property tax limit." The report is 14 pages long, but at essence it suggests that the revenues raised should have been classified as part of the tax levy, not user charges, and that the tax bills issued to residents reflect that.

Item 2

As noted in Mr. Fiegl's e-mail, the nuances of the tax cap are handled by others in the County. The County's Budget Office, and Department of Real Property Services had investigated this reclassification, including conferring with outside legal counsel, and had consulted published guidance from the State Comptroller's office prior to proceeding.

At a hearing held on November 3, 2016, Mr. Fiegl had the opportunity to present the Legislature the steps the Sewer Districts went through to reclassify the charges as user fees. The discussions included how previously the charges of interest were raised through Sections 270 and 271 of County Law (Article 5-A), after the reclassification the revenues were raised per Section 266 of County Law (Article 5-A), and all of the procedures followed to formally reclassify the charge as a user fee.

After release of the Comptroller's office report, the County once again consulted with outside counsel on this matter. Outside counsel confirmed that case law states charges under Section 266 of County Law are not part of the tax levy. Further, outside counsel stated that the labeling on the tax bills – even if there was a mislabeling – does not impact the tax cap calculation.

Based on everything to date, it appears that this change was done properly. That said, the law is fairly new and hence there is some uncertainty. The Division of Sewerage Management (DSM) will keep the Board informed should anything change.

b. Pump Station Capital Improvement Plan (Handout)

Mr. Fiegl stated that DSM's asset management group did an assessment of 100 pumping stations (PS) throughout the 7 sewer districts to determine the needs of the sewer districts and how to prioritize the work that needs to be completed. Ratings for the PS on a scale of 1-5 were used; 1 being brand new or requiring no work, 5 being there is a serious condition or deficiency. A Business Risk Exposure was used to assess the PS due to limited funding and a lot of need. The PS were prioritized by the probably of failure vs the consequence of failure. Sweetland PS, for example is already failing due to the reoccurring sanitary sewer overflows (SSOs); Lake Street PS has a very high consequence of failure, but a low probability of failure due to the recent upgrades.

Mr. Fiegl also noted that the Evangola PS was on the chart, which is owned by NYS Parks but operated and maintained by ECSD 2. The Sweetland PS is in need of a study by an engineering firm to determine the best course of action. Mr. Swyers inquired if the study can be completed sooner and if it could be completed in-house. Mr. Fiegl responded that the DSM has done some investigation into the PS repairs but an outside expertise was needed and the DSM had applied for a grant to complete this study next year.

c. Confirmation of Email Poll – Construction Inspection Term Agreement & Professional Engineering Services Agreement (Handout)

During an email poll conducted by Ms. Horton on November 9, 2016 the Board was asked to approve the award of three year term agreements for Construction Inspection Services to DiDonato Associates, Greenman Pedersen Inc., Nausbaum & Clarke, & William Schutt Associates and the award of Professional Engineering Services to Arcadis of New York, Inc., GHD Consulting Services, AECOM Inc., Wendel, Erdman Anthony, Greenman Pedersen Inc, and DiDonato Associates. Motioned by Ms. Horton, seconded by Ms. Knack, the Board unanimously approved the email poll 5-0.

On a motion by Ms. Horton, seconded by Ms. Knack, the Board voted to confirm the email poll. The motion carried 3-0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

- a. District Payments - There were no payments made since the last Board meeting.
- b. Operational Report

Mr. Horne provided the Board with an update on ECSD 2 activities. Since the last meeting, there was approximately 22,000 feet of sewerlines flushed and 10 manholes repaired. District inspectors performed 12 home inspections. There were a total of 13 complaints in the district, 5 pumping station related (2 related to power outages and 3 flow/weather related), 2 grinder related where both grinder pumps were replaced (one was under warranty), 4 sanitary sewer backups which were relieved immediately, as well as 2 sanitary sewer related odor complaints.

At the Wastewater Treatment Plant (WWTP): a repair was made to a broken water line; another round of radioactive sludge started on December 7th; the diffusers in the aerobic digesters were replaced; the north sand filter was repaired and put back into service; district staff drained and inspected Clarifier No. 3 and returned it to service as well as replacing the airline in the grit chamber with new stainless piping and diffusers; and Horizon Masonry completed the final restoration on the Administration building.

Mr. Horne also stated that the annual flowmeter calibration was completed by Total Control System Services and a semi-annual tech check of the UV disinfection system was completed by Koester Associates. ECSD 2 also completed the annual certification of the backflow preventers as required by the Erie County Water Authority.

In regards to the PS, outside of typical maintenance the sump pump was replaced at the Lake Street PS and the portable generator was repaired, which can be used at multiple PS.

- c. Pretreatment Report
 - i. Dental Amalgam Separator Inspection Letter (Handout)

Ms. Horton reported that the Dental Amalgam Separator Inspection is required on all dental facilities once every five years per state regulations due to their mercury production. Pretreatment is required on waste through the amalgam separator. The letter was sent to the 8 dental offices located within the sewer district.

- d. Construction Report

Ms. Horton reported that United Survey has completed all 2014 & 2015 lining and the 2016 contract was awarded to Kenyon Pipeline. The DSM is still waiting on a final signature to the contract, with the project expected to begin in the spring 2017. The DSM is currently working on the 2017 CIPP lining contract and it is expected to be advertised this month and the work to also begin next spring.

On a motion by Ms. Knack seconded by Mr. Swyers, 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 9:29 a.m. The motion carried 3-0.

Next meeting is scheduled for Thursday, February 2, 2017 at 9:00 am.

Respectfully submitted,



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

Approval of Minutes:

Motioned By: G. Swyers

Seconded By: A. Horton

Approved/Disapproved: 3/0

Date: 4/6/2017

Signed: Angela M. Horton