

ERIE COUNTY SEWER DISTRICT NO. 8
BOARD OF MANAGERS MEETING
FEBRUARY 2, 2016
AURORA TOWN HALL

MEMBERS PRESENT: Susan Friess and Matthew Hoeh

OTHERS PRESENT: Steve Canestrari, Joseph Fiegl, Laurie Gier, and Kevin Kaminski

MEMBERS ABSENT: Garry Pecak and Bryan Smith

ITEM NO. 1 – CALL MEETING TO ORDER

Ms. Friess opened the meeting at 9:30 a.m.

a. Nominations for Board Officers

Since a quorum was not established for this meeting, this item was tabled until next meeting.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of the minutes of the October 6, 2015 meeting will be voted on at the next Board meeting.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no members of the public present at the meeting, but Mr. Fiegl reported on a phone call he had received from a homeowner on Mill Road. The homeowner had questioned why the unit charge had doubled over the course of several years and inquired as to whether the footage charge could be lowered. The homeowner was advised that the Board had increased the unit charge and subsequently decreased the assessed valuation charges, so in effect the overall levy increase over a number of years was quite small. Regarding the footage charge, that charge had remained the same during that time period. The homeowner stated that he has a large lot and hence is charged for 300-foot of frontage.

This is an item that can be discussed further during the 2017 Budget deliberations.

ITEM NO. 4 – OLD BUSINESS

There were no items to discuss.

ITEM NO. 5 – NEW BUSINESS

a. Proposed Name Change (Handout)

An article by the Water Environment Federation was distributed to the Board outlining a proposed name change for wastewater treatment plants (WWTPs). The Division of

Item 2(b)

Sewerage Management is proposing that all Erie County Sewer Districts rename their WWTPs as "water resource recovery facilities." Further, the County may be exploring a name change for the Division itself. Mr. Fiegl indicated that he may ask for a phone poll on the "East Aurora Water Resource Recovery Facility" resolution before the April Board of Managers meeting.

ITEM NO. 6 - MISCELLANEOUS / INFORMATIONAL ITEMS

a. Payments (Handout)

A handout detailing payments to Wendel for the design of the East Aurora Control Building was distributed to the Board. Mr. Fiegl also explained to the Board about two projects that will be going out to bid shortly: improvements to the East Aurora WWTP Control Building and a WWTP airline replacement. Mr. Fiegl indicated that a phone poll will likely be conducted at a later date on potential award for these two projects.

b. Operational Report

Mr. Kaminski reported that radioactive Iodine-131 was received at the plant. Four bins have been stored at the plant, but they are scheduled to be hauled to the landfill starting today. The general consensus when this happens is that it is due to individuals receiving medical treatment at home, rather than from company disposal.

Mr. Canestrari reported that outside of typical operation/maintenance tasks, three pipe patches were completed and District personnel replaced a frame cover on South Street.

c. Pretreatment Report

i. FOG Program – 634 Main Street (Handout)

A copy of a letter sent to John Rooney at Medici House on January 13, from Laura Surdej, was distributed to the Board informing him of the presence of grease in the sewer behind the restaurant and encouraging compliance with the County's Rules and Regulations. Mr. Fiegl reported that there have been grease blockages in the past at this location.

Ms. Friess inquired what course of action could be pursued if they do not comply. The Board pursuant to the "Rules and Regulations of Erie County Sewer Districts" has a number of potential remedies. For example, the restaurant may be called in for an enforcement hearing and if found to be in noncompliance, could be issued fines. Mr. Fiegl further added that the company could also be charged for the costs incurred to remedy a blockage.

d. Construction Report

i. Contract 74 – Sanitary Sewer Manhole Rehab & Replacement (Handout)

A copy of the Notice to Proceed for the above mentioned project that was sent to Kandey Company on October 19, 2015 was distributed to the Board.

ii. Resident Letter (Handout)

Also distributed to the Board was a copy of the letter sent to homeowners informing them that a manhole on or near their property is scheduled for either rehabilitation or replacement. The letter also informs homeowners what the project entails and how they might be affected.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Mr. Fiegl stated that there will be a motion to receive and file the informational items on this agenda at the next Board meeting on April 12th.

Ms. Fries adjourned the meeting at 10:00 a.m.

Respectfully submitted,



Joseph L. Fiegl, P.E.
Deputy Commissioner

Motion to approve minutes of February 2, 2016

Moved By: _____

Seconded By: _____

Approved/Disapproved: _____

Date: _____

ERIE COUNTY SEWER DISTRICT NO. 8
BOARD OF MANAGERS MEETING
APRIL 12, 2016
AURORA TOWN HALL

MEMBERS PRESENT: Susan Friess, Matthew Hoeh, Garry Pecak, Bryan Smith

OTHERS PRESENT: Steve Canestrari, Joseph Fiegl, Laurie Gier, and Kevin Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

Ms. Friess opened the meeting at 9:30 a.m.

a. Nominations for Board Officers

Mr. Fiegl asked if the Board Members would like to continue serving in their roles the Board –Ms. Friess as Chairwoman, Mr. Hoeh as Vice Chairman, and Mr. Pecak as Secretary. All were in agreement. On a motion by Mr. Smith, seconded by Mr. Hoeh, the Board voted to approve the appointments. The motion carried 4-0.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

a. October 6, 2015 (Handout)

On a motion by Mr. Smith, seconded by Mr. Hoeh, the Board voted to approve the Minutes from the October 6, 2015 meeting. The motion carried 4-0.

b. February 2, 2016 (Handout)

On a motion by Mr. Hoeh, seconded by Mr. Smith, the Board voted to approve the Minutes of the February 2, 2016 meeting. The motion carried 4-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no members of the public present at the meeting. Mr. Fiegl reported that a developer on a Mill Road project had inquired as to what steps would have to be taken to extend the District boundary.

ITEM NO. 4 – OLD BUSINESS

There were no items to discuss

ITEM NO. 5 – NEW BUSINESS

a. East Aurora WWTP – Contract 16 (Handout)

i. Board Recommendation for Award – Confirmation of Telephone Poll

On a motion by Ms. Friess, seconded by Mr. Smith, the Board voted to confirm the telephone poll approving the award of Contract 16 to Hohl Industrial Services for the Air Line Replacement project at the East Aurora Treatment Plant. The motion carried 4-0.

ii. Notice of Award (Handout)

A copy of the Notice of Award of Contract 16 was distributed to the Board. Mr. Pecak reported that the Contract Agreement was being circulated for signature and finalized. Mr. Fiegl informed the Board that the \$297,300.00 project cost would be paid out of Capital Reserve.

b. Proposed Name Change – Confirmation of Telephone Poll (Handout)

On a motion by Ms. Friess, seconded by Mr. Smith, the Board voted to confirm the telephone poll approving renaming the East Aurora Wastewater Treatment Plant as a “Water Resource Recovery Facility” The motion carried 4-0.

ITEM NO. 6 - MISCELLANEOUS / INFORMATIONAL ITEMS

a. Payments (Handouts)

A handout detailing payments to Wendel for the design of the East Aurora Control Building was distributed to the Board in the amounts of \$10,574.21 and \$2,053.24.

b. Operational Report

Mr. Kaminski updated the Board that sludge contaminated by radioactive iodine 131 had been temporarily stored at the plant and has now been hauled off-site. The old trailer that has been used by employees has been scheduled to be replaced by a new one in the very near future. It will be utilized until the control building is renovated over the course of the next few years. Also, the Wastewater Treatment Plant is continuing to operate with a temporary fix on the airline to Tank no. 1. Once the Tank no.1 airline is repaired under Contract 16, Tank no. 2 will be drained and a repair will be made on a sludge skimmer.

Mr. Canestrari reported that one manhole was replaced and one was repaired on Center Street. He also reported that a Collection crew had conducted routine flushing of sewer lines.

c. Pretreatment Report

There was nothing to report at this time.

d. Construction Report

Mr. Pecak reported that there had been an issue with basement flooding at the four-unit townhouse on the corner of Fillmore and Church Streets. This was caused by the contractor performing pipe lining in the area. The contractor remediated basement damage to the satisfaction of the homeowners.

Mr. Pecak informed the Board that bid openings for the East Aurora Wastewater Treatment Plant Control Building Project, Contract No. 15, was were being conducted concurrent to the Board Meeting. A poll to recommend award would be conducted once a responsible lower bidder is identified.

On a motion by Mr. Hoeh, seconded by Mr. Smith, the Board voted to receive and file the informational items from both the February 2, 2016 and April 12, 2016 meetings. The motion carried 4-0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Ms. Fries made a motion to adjourn the meeting at 9:42 a.m. Mr. Smith seconded the motion. The motion carried 4-0.

Respectfully submitted,



Garry Pecak, P.E., Secretary
ECSD No. 8 Board of Managers

Motion to approve minutes of April 12, 2016

Moved By: G. Pecak

Seconded By: S. Fries

Approved/Disapproved: 4-0

Date: 6/21/16

ERIE COUNTY SEWER DISTRICT NO. 8
BOARD OF MANAGERS MEETING
JUNE 21, 2016
AURORA TOWN HALL
Amended

MEMBERS PRESENT: Susan Friess, Matthew Hoeh, Garry Pecak and Bryan Smith

OTHERS PRESENT: Steve Canestrari, Joseph Fiegl, Laurie Gier, Kevin Kaminski and Rick Rehac

ITEM NO. 1 – CALL MEETING TO ORDER

Ms. Friess opened the meeting at 9:30 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Pecak, seconded by Ms. Friess, the Board voted to approve the minutes from the April 12, 2016 meeting. The motion carried 4-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no members of the public present at the meeting.

ITEM NO. 4 – OLD BUSINESS

There were no items to discuss.

ITEM NO. 5 – NEW BUSINESS

a. Presentation and Approval of 2017 Budget

i. Proposed 2017 Budget

Mr. Fiegl presented the proposed ECSD No. 8 Budget to the Board

ECSD No. 8 is part of the combined ECSD Nos. 3 and 8 budget. The ECSD Nos. 3 and 8 is developed based upon a Memorandum of Understanding dated 6-17-08. The Memorandum of Understanding essentially 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 area.
- Debt service, revenues, fund balance, and capital reserve allocations are exclusive to each sewer district.

Item 2

For this year, Central Region shares in approximately 39% of the Division-wide expenses and 61% of Laboratory expenses. Overall, within Central Region ECSD No. 8 is responsible for approximately 9% of ECSD Nos. 3 and 8 costs, except for Professional Services, debt service, capital reserves, and personnel.

Reviewing the overall summary for ECSD No. 8, total appropriations are projected to increase approximately \$20,000 when compared to 2016. The major component of this increase is an additional \$150,000 allocated to capital reserves. Offsetting the appropriation increase is approximately \$25,000 in additional fund allocation in the District's revenues when compared to the 2016 budget. Observing recent trends on amount available and amount used, it is believed that this allocation of fund balance is prudent. The table also reflects the classification of the District's flat charge as a usage or user revenue.

The typical ratepayer (single family home) in ECSD No. 8 will pay \$7-\$10 more annually when compared to 2016 budget.

The Central Region position listing is slightly different than the previous year. Additional positions are now accounted for in the Division's central services (Fund 180) and hence those costs are allocated in accordance with the appropriate percentages.

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.

The 2017 equipment line items represent over \$719,000 of the Central Region budget. The major items include various treatment plant equipment replacements throughout the Region, shared equipment purchases to be used across all Erie County Sewer Districts, replacement of two (2) vehicles, and Central Region's 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. Again, Central Region contributes approximately 39% of these Downtown office expenses.

A review of the individual budget codes was provided. Specific items highlighted included the budgeting on fuel, central laboratory supplies, various changes in Maintenance and Repair supply codes, adjustments in chemicals, the \$350,000 increase in I&I repair, increases in capital reserves, utility costs, and personnel costs.

Fund balance usage as an offsetting revenue is budgeted at 49% of the available amount based upon 12/31/15. The available district fund balance represents approximately 3.7 months of 2017 budgeted appropriations.

It is recommended for the 2017 Budget that the flat unit charge remain at \$50.00 per unit, footage charges remain at \$1.50 per foot, and the water use charge remain at \$3.50 per 1,000 gallons. At this time, the Board would be voting on the ECSD No. 8 portion of the Central Region budget. At the Combined Budget Meeting on June 22nd, the entire budget is voted upon. If at that time any changes are proposed by the ECSD No. 3 Board of Managers that impact the ECSD No. 8 portion of the budget, said changes will be presented and discussed at the July 2016 ECSD No. 8 Board of Managers meeting.

Mr. Fiegl's final comments related to the 2% Tax Cap. As the sewer district levies are part of the County's overall tax cap calculation, there is additional coordination required prior to finalization. If any changes are necessary, the Board of Managers will be informed.

On a motion by Mr. Hoeh, seconded by Mr. Smith, the Board voted to approve the 2017 Budget. The motion carried 4-0.

ii. 271 Resolution (Handout)

Mr. Fiegl presented to the ECSD No. 8 Board of Managers the Resolution that approximately 72% and 28% of the total sanitary sewer tax levy of \$1,194,127 shall be raised from the assessed value and footage respectively.

On a motion by Mr. Friess, seconded by Mr. Hoeh, the Board voted to approve the 271 Resolution as read. The motion carried 4-0.

b. East Aurora Wastewater Treatment Plant Control Building Project – Confirmation of Email Poll (Handout)

The ECSD No. 8 Board of Managers were polled via email for approval of Contract 15 to be awarded to Miller Enterprises for the East Aurora Wastewater Treatment Plant Control Building Project. There were 2 bidders for this project, with Miller Enterprises being the lowest bidder, with the base bid plus the alternative at \$711,000.

On a motion by Mr. Smith, seconded by Ms. Friess, the Board voted to confirm the email poll awarding Contract 15 to Miller Enterprises. The motion carried 4-0.

c. Sean Miller, 697 Center Street – Reimbursement for Permit Fee (Handout)

The homeowner, Sean Miller, of 697 Center Street had previously taken out a permit to connect to the sewer, and then was able to obtain a septic system approval from the Health Department. He elected to install a septic tank instead of connecting to the sewer and is therefore requesting a refund of the \$502.00.

On a motion by Mr. Smith, seconded by Mr. Hoeh, the Board voted to refund his permit fee, less \$50.00 in administrative fees. The motion carried 4-0.

*Mr. Smith had to leave the meeting at this point.

ITEM NO. 6 - MISCELLANEOUS / INFORMATIONAL ITEMS

a. Payments (Handout)

A handout detailing payments to Wendel for the design of the East Aurora Control Building was distributed to the Board in the amounts of \$68,454.54 and \$3,149.94.

b. Operational Report

Mr. Kaminski updated the Board that was a new “temporary” trailer received and moved away from the Control Building to facilitate the Control Building Rehabilitation Project.

Mr. Canestrari informed the Board of a planned main line sewer repair on Mill Rd, which will include uncovering and raising two manholes. This project will require the road to be closed for a period of time for the repair. Mr. Canestrari stated that in an effort to lessen the impact on residents in the area, the repairs may be done overnight. He also stated that notification will be made prior to the work beginning.

c. Pretreatment Report

There was nothing to report at this time.

d. Construction Report

i. Contract No. 16, East Aurora Wastewater Treatment Plant Tank No. 1 Airline Replacement Project – Notice to Proceed (Handout)

Mr. Pecak distributed the formal Notice to Proceed to Hohl Industrial Services, effective May 23, 2016 for the above mentioned airline replacement project.

Mr. Pecak also informed the Board that the Notice to Proceed was issued on June 20, 2016 for the Control Building rehabilitation.

e. East Aurora Water Resource Recovery Facility – SPDES Permit No. NY0028436 (Handout)

A letter from the DEC to Mr. Joe Fiegl acknowledging receipt of the application to renew the SPDES permit was distributed to the Board.

On a motion by Mr. Hoeh, seconded by Ms. Friess, the Board voted to receive and file the informational items. The motion carried 3-0.

On a motion by Ms. Friess, seconded by Mr. Hoeh, the Board voted to cancel the July 12th meeting in the event that the Board of Managers approves the 2017 ECSD No. 8 Budget at the Combined Budget meeting on June 22, 2016.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Mr. Hoeh made a motion to adjourn the meeting at 10:03 a.m. Ms. Friess seconded the motion. The motion carried 3-0.

Respectfully submitted,



Garry Pecak, P.E., Secretary
ECSD No. 8 Board of Managers

Motion to approve minutes of June 21, 2016

Moved By: G. Pecak

Seconded By: M. Hoeh

Approved/Disapproved: 4-0

Date: 10/4/16

ERIE COUNTY SEWER DISTRICT NO. 8
BOARD OF MANAGERS MEETING
OCTOBER 4, 2016
AURORA TOWN HALL
Revised

MEMBERS PRESENT: Susan Friess, Matthew Hoeh, Garry Pecak and Bryan Smith

OTHERS PRESENT: Gary Eckis, Joseph Fiegl, Kevin Kaminski, Beth Pfalzer and Rick Rehac

ITEM NO. 1-CALL MEETING TO ORDER

Ms. Friess opened the meeting at 9:33 a.m.

ITEM NO. 2 -APPROVAL OF MINUTES OF PREVIOUS MEETING

It was discussed that the minutes should be amended to reflect that Mr. Smith had to leave early to clarify why votes near the end of the meeting were only by 3 members. On a motion by Mr. Pecak, seconded by Mr. Hoeh, the Board voted to approve the minutes from the June 21, 2016 meeting with amendment. The motion carried 4-0.

ITEM NO. 3-ITEMS FROM THE PUBLIC

Mr. Eckis from the Aurora Mills Subdivision was at the meeting looking for approval of extension of the Sewer District Boundary (Item 5 d).

ITEM NO. 4-OLDBUSINESS

There were no items to discuss.

ITEM NO. 5-NEW BUSINESS

- a. 2017 User Charge
 - i. Public Hearing Notice (Handout)

The Board reviewed the Notice for the Public Hearing held in the Erie County Legislative Chambers on September 20, 2016 regarding proposed 2017 User Charge Rates.

- ii. Meeting Minutes (Handout)

The minutes from the public hearing conducted September 20, 2016 were distributed to the Board. Mr. Fiegl noted that no one from the public opposed the user charges for ECSD No. 8.

iii. Approval of Resolution (Handout)

The Board reviewed the following new rates for the 2017 budget year:

Flow (water use):	\$ 3.50/1000 gallons
Biochemical Oxygen Demand	\$ 0.03/lb
Suspended Solids:	\$ 0.11/lb.
Phosphorus	\$ 0.63/lb

Mr. Fiegl noted that the total suspended solids rate was miscalculated for the 2016 year which was the reason for the increase in the 2017 rate. On a motion by Mr. Hoeh, seconded by Mr. Smith, the Board voted to approve the User Charge Resolution. The motion carried 4-0.

b. 2017 Proposed Meeting Schedule (Handout)

The 2017 Proposed Meeting schedule was distributed to the Board. On a motion by Mr. Smith, seconded by Mr. Hoeh the Board voted to approve the schedule. The motion carried 4-0.

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

On a motion by Ms. Friess seconded by Mr. Hoeh the Board voted to confirm the September 23, 2016 poll awarding Contract 76 to Kenyon Pipeline Inspection LLC. The motion carried 4-0.

d. Sewer District Extension – Aurora Mills Patio Home Development (Handout)

The Sewer Agency Report for the extension of the Sewer District for the Aurora Mills Patio Home Development was distributed to the Board. Mr. Fiegl advised the Board that the process for approval requires that: First, the Town of Aurora is in favor of the extension (sketch plan approval has already been received). Second the district has completed an evaluation of the system to verify there is enough capacity to add the additional flow. Thirdly an evaluation is completed on operation and maintenance expenses for the additional flow. Mr. Hoeh asked what the current load on East Aurora Wastewater Treatment Plant was. Mr. Fiegl stated that it was on average less than 2 MGD, design capacity is 3.14 MGD. Mr. Fiegl further noted that upon analysis surcharge was discovered in the Mill Street sewer downstream of the proposed development due to an undersized wet well at the Mill Street pump station. As noted in the approval criteria, Aurora Mills will be required to install a new deeper wet well & valve chamber to avoid over-cycling of the pumps and mitigation of the surcharge conditions. After evaluation of the operation and maintenance expenses DSM determined that there would be sufficient revenues to cover the additional expenses.

Mr. Fiegl expressed that the Division of Sewerage Management is not opposed to the extension based on the technical and financial analyses. The extension will not move forward

until the Towns' final approval is received. Mr. Smith asked when the expansion would start. Mr. Fiegl responded that after attaining the Town's Approval, it would probably be another six (6) months. Ms. Friess stated that the next public hearing on the Town level was on October 11, 2016 and that the item should be approved by the end of the month.

On a motion by Mr. Smith, seconded by Mr. Hoeh, the Board voted to approve the Sewer Agency Report on the contingency that the Aurora Mills Patio Home Development receives final approval by the Town of Aurora. The motion carried 4-0.

The Sewer Agency Report was then signed by ECSD No. 8 Board of Managers Chairperson Friess.

ITEM NO. 6 - MISCELLANEOUS / INFORMATIONAL ITEMS

a. Payments (Handout)

A handout detailing payments to Wendel & Hohl distributed to the Board.

b. Operational Report

Mr. Kaminski reported that treatment tank No. 2 was being drained for maintenance and repairs of the sludge skimmer arm.

Mr. Rehac reported that the repair mentioned at the last meeting on Mill Road was completed and a few manholes were raised to grade. Mr. Rehac also stated that the district responded to a trouble call at 35 Wailey Road and found a collapse pipe. An emergency repair was completed and 25 feet of was replaced. Approximately 50 manhole repairs were completed in District 8 in the Elmwood/Chestnut Hill Area.

c. Pretreatment Report

There was nothing to report at this time.

d. Construction Report

i. Contract No. 15, East Aurora Wastewater Treatment Plant Control Building Project – Notice to Proceed (Handout)

Mr. Pecak reported that Contract 15 was near completion; the contractor is currently working on the roof replacement. Windows are expected by the end of the month.

Mr. Pecak reported that Contract 16 – the Airline Replacement was completed, however a pipe was put in the wrong place blocking a stairwell and the Contractor is currently working on moving the pipe.

Mr. Pecak also noted that the CIPP Lining on the line on Lawrence street resulted in a much large excavation than typical due to a large bow in the pipe.

On a motion by Mr. Smith, seconded by Ms. Friess, the Board voted to receive and file the informational items. The motion carried 4-0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Mr. Hoeh made a motion to adjourn the meeting at 9:57 a.m. Mr. Smith seconded the motion. The motion carried 4-0.

Respectfully submitted,



Garry Pecak, P.E., Secretary
ECSD No. 8 Board of Managers

Motion to approve minutes of October 4, 2016

Moved By: M. Hoeh

Seconded By: G. Pecak

Approved/Disapproved: 3-0

Date: 12/6/16

Signed: Garry Pecak

**ERIE COUNTY SEWER DISTRICT NO. 8
BOARD OF MANAGERS MEETING
DECEMBER 6, 2016
AURORA TOWN HALL**

MEMBERS PRESENT: Susan Friess, Matthew Hoeh, and Garry Pecak

MEMBERS ABSENT: Bryan Smith

OTHERS PRESENT: Steve Canestrari, James Carr, Joseph Fiegl, Kevin Kaminski, Rick Rezac and Cynthia Schuman

ITEM NO. 1 – CALL MEETING TO ORDER

Ms. Friess opened the meeting at 9:33 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Hoeh, seconded by Mr. Pecak, the Board voted to approve the minutes from the October 4, 2016 meeting. The motion carried 3-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no items from the public.

ITEM NO. 4 – OLD BUSINESS

There were no items to discuss.

ITEM NO. 5 – NEW BUSINESS

- a. Discussion on Sewer Taxes (Handout)

The Board received a handout of Mr. Fiegl's original e-mail.

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. As the Board will remember, the 2017 budget was developed with this change in the interest of tax cap concerns.

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 its 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.

The Director of Real Property Services was also present at the November 3rd hearing. At that meeting he addressed the concerns presented in the Comptroller's office report regarding the presentation of the charges/fees on the tax bills. The Director of Real Property Services stated that the label for those charges would be clearer on the 2017 tax bills.

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 will keep the Board informed should anything change.

b. Pump Station Capital Improvement Plan (Handout)

The Board received a handout detailing a suggested prioritization of capital improvements to pump stations in the District. District 8 has relatively small pump stations that were assessed to have low "business risk exposure" and also could be typically upgraded or replaced under operational funds. Therefore it was recommended that future capital improvements focus on the wastewater treatment plant and the collection system.

Mr. Fiegl explained the plan for asset management and prioritizing capital improvements.

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

Mr. Smith abstained from the email poll due to his employment with one of the firms being considered. On a motion by Mr. Hoeh and seconded by Mr. Pecak, the results of the email poll were confirmed 3-0.

ITEM NO. 6 - MISCELLANEOUS / INFORMATIONAL ITEMS

a. Payments (Handout)

The Board received a handout detailing payments.

b. Operational Report

Outside of normal maintenance activities, Mr. Kaminski reported that winterization of the facility was performed. The #2 treatment train is back online after repairs to the aerators and collector sweeps.

Collections updates

Mr. Canestrari reported that District staff had located and raised two buried manholes at 232 and 238 Mill and mechanically removed roots in the area. This will hopefully solve the backup issues at 232 Mill, owner Mr. Ed Brush. There were no issues resulting from the last rain event. All other activities were typical preventative maintenance.

c. Pretreatment Report

None

d. Construction Report

Mr. Pecak reported on construction projects in the District:

The Reactor Air Line Replacement project, Contract 16, is complete aside from some spare parts delivery and development of as-built drawings. The error in the alignment of the pipe work in the stairwell to the blower room has been corrected.

The Control Building Rehabilitation, Contract 15, is also nearing completion. The new roof, doors, windows, stairwells, and railings have been installed. Only punch list items remain.

An open cut repair of a sewerline on Beech Road was started but had to be called off due to direct conflicts with a 6-inch diameter transite water main and a 4-inch diameter medium pressure gas main that had been previously marked further away under the UFPO request. Due to these utility conflicts, the sewerline will likely need to be abandoned and relocated away from the other utilities.

e. Sewer Connection Waiver (Handout)

The Board received a copy of the letter extending the connection waiver for Ms. Braun to April 30, 2017.

On a motion by Ms. Friess, seconded by Mr. Pecak, the Board voted to receive and file the informational items on the agenda. The motion carried 3-0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Ms. Friess made a motion to adjourn the meeting at 10:05 a.m., Mr. Pecak seconded the motion. The motion carried 3-0.

Respectfully submitted,



Garry Pecak, P.E., Secretary
ECSD No. 8 Board of Managers

Motion to approve minutes of December 6, 2016

Moved By: Mr. Hoeh

Seconded By: Mr. Pecak

Approved/Disapproved: 4-0

Date: 4/4/17

Signed: Garry Pecak