

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY, APRIL 5, 2017
SOUTHTOWNS TREATMENT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, Melissa Hartman, Mike Hayden, David Kaczor, David Millar, David Rood, Karl Simmeth, Don Witkowski, Emery Wittmeyer

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joseph Fiegl, Kevin Kaminski, Ronald Martin, Rick Rehac, Linda Ulrich

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills opened the meeting at 8:01 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve the minutes from the December 7, 2016 meeting. The motion carried 9 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

The property owner at 4016 Grant St., Hamburg, Mr. Ronald Martin, was present at the meeting to speak with the Board about the premium assessment he had received, in the amount of \$900, for non-compliance with the Division of Sewerage Management's (DSM's) Inflow & Infiltration (I&I) Program.

Mr. Millar explained to the Board that, as part of the DSM's I&I Program, written requests were mailed to Mr. Martin to schedule a house inspection on four separate occasions (4/2/14, 5/27/14, 9/8/14, and 10/21/14), the last request was sent certified mail and signed for by Mr. Martin. Mr. Martin failed to schedule an inspection in response to any of those requests. On April 20, 2015, another letter was sent by both regular and certified mail, informing Mr. Martin he was being referred by the Board to an enforcement hearing scheduled for May 20, 2015. Mr. Martin signed for the certified letter, but did not appear at the hearing. During the hearing, the DSM's hearing officer evaluated violations of the "Rules and Regulations" and recommended a premium assessment \$100 per month for this property. The Board approved the hearing officer's recommendation on October 7, 2015 and another letter was sent on December 1, 2015 to Mr. Martin, both regular and certified mail, informing him the premium assessment would begin on January 1, 2016 if compliance was not met by that date. Mr. Martin refused to sign for the certified letter. The timeframe for the premium assessment of \$100 per month commenced on January 1, 2016 and continued until October 19, 2016. On that date an inspector from DSM, in an effort to resolve the outstanding issue, visited the property at 4016 Grant St., Hamburg, was allowed access, and completed an inspection. No violations were identified at that time.

Item 2

Mr. Martin addressed the Board by stating he had contacted DSM's office by phone on multiple occasions regarding the inspection request letters he received insisting his property had already been inspected in February 2014. Mr. Martin stated that he was told to install a mushroom cap on his sewer lateral vent during the February 2014 inspection. Mr. Martin stated his reason for contacting DSM during those multiple occasions was not for the purpose of scheduling an inspection, but to complain about the situation. Mr. Martin was critical of the DSM's phone call tracking and record keeping procedures and stated that whenever he spoke to administrative staff he was told that there was a "backlog" of paperwork.

Mr. Canestrari explained the circumstances behind the inspection completed by the DSM at Mr. Martin's home. In order to resolve situations when a property is receiving a premium assessment, a DSM inspector may visit those homes as a courtesy. This was the case in this instance of Mr. Martin's home; an inspector was in the area, knocked on his door, and asked if the inspection could be completed. Mr. Canestrari disagreed with Mr. Martin's comment concerning DSM's phone tracking and record keeping procedures and was confused by the "backlog" comment as inspections are scheduled routinely.

When questioned by the Board as to why Mr. Martin did not comply with the instructions detailed in the inspection request letters, he stated he had no violations.

Mr. Martin exited the meeting at 8:12 a.m.

The Board discussed whether or not the premium assessment of \$900 for the property at 4016 Grant St., Hamburg, was appropriate. The Board debated the possibility of reducing the premium assessment and asked if that would be feasible. Mr. Fiegl stated that the mechanism by which a reduction in premium assessment would be implemented would require some research as this situation had not occurred since inception of the I&I Program. Several Board members noted that a reduction in the premium assessment may set an unwanted precedent.

Mr. Kaczor requested Mr. Fiegl's recommendation concerning this matter. Mr. Fiegl commented that this was ultimately the Board's decision as pursuant to the "Rules and Regulations". It was noted that the DSM's first inspection request letter was sent to Mr. Martin on April 2, 2014 and the DSM does not know what the February 2014 inspection Mr. Martin referenced entailed. The DSM's records show it was not associated with the County's I&I program and there are indications that perhaps an inspection was done by the Town of Hamburg around that time for work being done at Mr. Martin's home. There are other components of Mr. Martin's recollection of this topic that do not align with the DSM's records. There were numerous correspondences sent to Mr. Martin and the instructions in the inspection request letters were very clear. Furthermore, Mr. Martin has not produced any written documentation to substantiate what he noted. Therefore, it was recommended that the premium assessment be upheld.

The Board further discussed Mr. Martin's statements and the information provided by the DSM. On a motion by Mr. Simmeth, seconded by Mr. Kaczor, the Board voted to uphold the

premium assessment of \$900 for the property at 4016 Grant St., Hamburg, for non-compliance with the DSM's I&I Program. The motion carried 9 – 0.

ITEM NO. 4 – OLD BUSINESS

a. I/I Enforcement Hearing Update – Fine Letters Sent

On December 30, 2016, notices were mailed to property owners who failed to comply with the DSM's I/I Program informing each their property would receive a premium assessment of \$100 per month unless compliance with the program occurred within 30 days. Of the three properties referred for premium assessments, two corrected violations in December 2016 and the third is in foreclosure. As a result, none of the properties under consideration will receive a premium assessment. Mr. Millar noted that the goal of DSM's I/I Program is to obtain compliance, not fine homeowners.

This is an informational item; no action is required by the Board.

b. Classification of Sewer Taxes/Fees (Handout)

The Board received a copy of a memo prepared by Hodgson Russ Attorneys concerning the classification of taxes and fees for sewer districts in the 2016 and 2017 Erie County Budget. The memo confirmed what was noted by the DSM during the December 2016 Board meeting regarding this topic.

This is an informational item; no action is required by the Board.

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handouts)

The Board reviewed a copy of the payment handout for the month of April.

On a motion by Mr. Kaczor, seconded by Mr. Rood, the above payments were approved. The motion carried 9 – 0.

b. Confirmation of Email Poll – Contract 37 STP – A Close Out – Kandey Company (Handout)

The Board considered confirmation of the January 25, 2017 email poll approving a resolution to close out Contract 37 STP-A with Kandey Company, Inc. for general construction involved with the Southtowns AWTF Influent Submersible Pump Station and ORF Improvements project. All work has been successfully completed. The final change order for the contract is an increase of \$12,898 which compensates Kandey for additional work required to complete the project as discussed at regularly scheduled Board meetings during the course of

construction. Chairman Mills inquired about the changes associated with the increase to the contract. Mr. Millar responded by informing the Board that the majority of the additional work involved changes to piping alignments that are often difficult to identify during design, depending on the accuracy of available information. The existing treatment plant site was formerly a cement production plant with significant underground infrastructure facilities.

On a motion by Ms. Hartman, seconded by Mr. Simmeth, the Board voted to confirm the January 25, 2017 poll approving a resolution to close out Contract 37 STP-A with Kandey Company, Inc.. The motion carried 9 – 0.

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

The Board reviewed copies of final violation notices from the DSM to several property owners in ECSD No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection or correct a deficient condition found during the DSM's Inflow/Infiltration inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the DSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Kaczor, seconded by Mr. Witkowski, the Board voted to approve the enforcement hearing letters. The motion carried 9 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported that recently completed stack emissions sample results from incinerators were evaluated to reduce addition of caustic soda used in the process, and thereby, reduce scale build-up. He also reported that the Southtowns and Blasdel Treatment Plants were recently inspected by the NYSDEC. The outcome of these inspections is not known yet.

Mr. Canestrari updated the Board on issues with the Elma Force Main: On February 19, 2017, District staff located and repaired a 2' long crack on the Elma Force Main at 751 Conley Road. On March 21, 2017, District staff launched a 'pig' pipe cleaning device in the force main that was recovered without the transmitter and back end. After attempting to locate the lost transmitter, staff launched a second pig and the second pig did not come through the pipe either. After walking the entire force main alignment, staff were able to locate second pig and first transmitter at Conley Road repair site. After a number of attempts to dislodge the pigging equipment, staff had to ultimately cut it out. During this process a leak occurred near the pumping station that also required repair. Ultimately, the pig and transmitter were recovered and a section of ductile pipe and two tapping sleeves were removed near the pumping station.

Mr. Fiegl praised staff for completing this effort. Mr. Absolom stated his concern regarding the condition of the pipe after removal of the pig, noting the pressure was down 50 lbs.

Mr. Fiegl and Mr. Absolom will be meeting with original designer of Elma force main for additional perspective. The force main has a reasonable life expectancy of over 50 years and has been in service for at least 33 years. Mr. Fiegl stated the force main is 8" in diameter and estimated a cost of \$1 million per mile to construct a similar line. Mr. Kaczor suggested a letter be sent to Steuben Foods acknowledging their cooperation during the recent complications that took place while maintaining the force main.

b. Pretreatment Report

Mr. John Hooker of Conley Trucking contacted District staff to express appreciation for help in connecting his business to the Elma Force Main.

Crescent Moon, one of the waste haulers approved for service by the Board at the October 2016 meeting, was sold and is now United Rentals.

c. Construction Report

Rush Creek Interceptor Projects –

Southtowns Wet Well and ORF Improvements, Contracts 37STP: The general and HVAC contracts have been closed out and the electrical contractor, South Buffalo Electric (SBE) has outstanding deficiency work to address. Once completed, contract closeout will proceed. SBE has filed for bankruptcy protection and their bonding company has stepped in and settled all of SBE's Article 78, mechanic's liens.

Rush Creek Interceptor, Contract 17: The general contractor and electrical contractors have successfully finished all work with the exception of restoration and some punch list items. Close out of both of these contracts is anticipated with the completion of the restoration and punch list items.

Southtowns Sludge Incinerator (SSI) Emissions Upgrades – Contract work has been completed by both the mechanical and electrical contractors and these contracts will be closed out. The DSM has completed the 2017 testing of incinerator stack emissions. Results are anticipated to be available by the end of April 2017.

Boston Valley Pumping Station Improvement Project – The project was advertised for bids on March 28, 2017. Bid opening will be April 26, 2017.

Cured-In-Place Pipe (CIPP) Term Lining Contract – Contract has been bid and work orders will be issued by the end of April 2017.

Contract 76 - CIPP Lining Contract – Project work has commenced.

i. Contract 58, Ontario & Park CIPP Lining – Extension of Time (Handout)

The Board reviewed a copy of a letter sent last December to the lining contractor for the Ontario & Park project granting an extension of time to complete the project. The extension was

granted as winter conditions slowed the progress of the work. The project is now complete but not closed out, yet. A few minor items remain to be addressed.

ii. Contract 76, ECSD Nos. 2, 3 & 8 CIPP Lining – Notice to Proceed (Handout)

The Board reviewed a copy of a Notice to Proceed letter for Contract No. 76. The project has commenced.

d. Request for Disposal of Sanitary Sewage Debris (T) Orchard Park (Handout)

The Town of Orchard Park recently purchased a vacuum truck to perform annual maintenance and cleaning of its sanitary sewer lines and pump stations. In order to obtain a waste transporter permit from the NYSDEC to operate the truck, the Town is required to secure a facility to accept the waste. The Board reviewed a letter from the Town of Orchard Park, and the accompanying DSM response letter, for the Town's request to dispose of its vacuum truck sanitary sewage debris at the Southtowns AWTF. As Mr. Absolom notes in the DSM response letter, Southtowns is not a NYSDEC permitted landfill and as such DSM cannot dispose of sanitary sewage debris from outside entities as there is no authorization to do so. In the spirit of cooperation and to accommodate the request, a dumpster will be procured for the Town of Orchard Park to dispose of grit from its vacuum truck after the liquid waste has been properly decanted at a small fee.

e. SPDES Permit Draft Updated Facilities Plan (Handout)

As part of the Southtowns SPDES Permit Schedule of Compliance, a Facility Report Update was prepared in October 2015 and submitted to the NYSDEC. On September 26, 2016, the NYSDEC sent a comment letter addressing the report. The letter included several comments primarily directed at projected flows and how the plant would manage those flows. In response to the NYSDEC's letter, a meeting was arranged by Mr. Fiegl with the NYSDEC, DSM and the consultants who prepared the report and a presentation was made by Mr. Fiegl to address specific issues detailed in the September 26, 2017 comment letter. The handout for this item includes DSM's initial responses to the NYSDEC's comments as discussed at that meeting.

f. Southtowns AWTF & Blasdell WWTP – Collection System and SSO Annual Report (Handout)

On March 1, 2017, the annual collection system program and sanitary sewer overflow annual reports for the Southtowns and Blasdell treatment plants were sent to the NYSDEC in accordance with SPDES permit requirements. The handout for this item is a copy of the transmittal letter for those submissions.

g. Holland WWTP – Annual Compliance Inspection (Handout)

On February 28, 2017 the NYSDEC's annual inspection of the Holland WWTP took place. The treatment plant was found to be well operated and the facility is generally in compliance with the SPDES permit.

h. 4016 Grant Ave. – Premium Assessment

This items was discussed during Item No. 3.

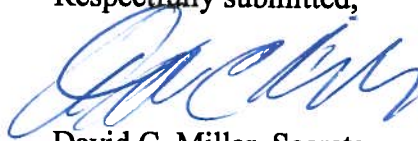
On a motion by David Rood, seconded by Karl Simmeth, the Board voted to receive and file the informational items on the agenda. The motion carried 8 – 0 (Ms. Hartman had to leave the meeting prior to this vote).

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by David Kaczor, seconded by Don Witkowski, the meeting was adjourned at 9:03 a.m. The motion carried 8 – 0.

Next meeting is scheduled for June 14, 2017 at 8:00 a.m.

Respectfully submitted,



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

DM:lku

Motion to Approve the April 5, 2017 Meeting Minutes

Moved by: DAVID KACZOR

Seconded by: MELISSA HARTMAN

App/Disapp: APPROVED 6-0

Date: 6/14/2017



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

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY, JUNE 14, 2017
SOUTHTOWNS TREATMENT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, Melissa Hartman, David Kaczor, Michael Kasprzyk, David Millar, Don Witkowski,

MEMBERS ABSENT: Jonathan McNatty, David Rood, Karl Simmeth

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joseph Fiegl, Kevin Kaminski, Jill Krafft, Rick Rehac

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills opened the meeting at 8:02 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Kaczor, seconded by Ms. Hartman, the Board voted to approve the minutes from the April 5, 2017 meeting. The motion carried 6 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None

ITEM NO. 4 – OLD BUSINESS

None

ITEM NO. 5 – NEW BUSINESS

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

The Board reviewed copies of final violation notices from the Division of Sewerage Management (DSM) to several property owners in ECSD No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection or correct a deficient condition found during the DSM's Inflow/Infiltration inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the DSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Millar, seconded by Mr. Witkowski, the Board voted to approve the referral to an enforcement hearing. The motion carried 6 – 0.

b. Confirmation of Email Poll – Contract 17D Industrial Power & Lighting Close Out (Handout)

Item 2b)

The Board considered confirmation of the April 24, 2017 email poll approving a resolution to close out Contract 17D with Industrial Power & Lighting, Inc. (IPL) for the Rush Creek Interceptor / Blasdell Milestrip Wet Weather Relief Pumping Station and Forcemain Project for which IPL provided electrical construction services. All work has been satisfactorily completed. The final change order for Contract 17D is a decrease of \$5,000.00 to the original contract amount of \$23,500.00, resulting in a final contract amount of \$18,500.00.

On a motion by Mr. Kaczor, seconded by Ms. Hartman, the Board voted to confirm the April 24, 2017 poll approving a resolution to close out Contract 17D with Industrial Power & Lighting, Inc. The motion carried, 6 – 0.

c. Confirmation of Email Poll – Award of Contract Boston Valley Pumping Station Improvements #3A and #3D (Handout)

The Board considered confirmation of the April 28, 2017 email poll awarding Contract Nos. BVPS #3-A and BVPS #3-D for the Boston Valley Pump Station Improvements Project as follows:

| <u>Contract</u> | <u>Lowest Responsible Bidder</u> | <u>Bid Amount</u> |
|--|--|-------------------|
| Contract No. BVPS #3-A (General/Mechanical) | Nichols, Long & Moore Construction Corp. | \$2,667,000.00 |
| Contract No. BVPS #3-D (Electrical) | Frey Electrical Construction Co. | \$403,000.00 |

Both contractors have been recognized as reputable and capable of performing the work and the Division of Sewerage Management recommends contract awards.

On a motion by Ms. Hartman, seconded by Mr. Millar, the Board voted to confirm the April 28, 2017 poll awarding Contract Nos. BVPS #3-A and BVPS #3-D Nichols, Long & Moore Construction Corp. and Frey Electrical Construction Co., respectively. The motion carried, 6 – 0.

d. Confirmation of Email Poll – Town of OP request – Permit to Discharge Septage and Sewage (Handout)

The Town of Orchard Park recently purchased a vacuum truck to perform annual maintenance and cleaning of its sanitary sewer lines and pump stations. To operate the truck, the Town must obtain a waste transporter permit from the NYSDEC. A stipulation of the waste transporter permit is that the Town must secure a facility to accept collected waste. To meet this requirement, the Town has requested that the Southtowns Water Resource Recovery Facility (WRRF) accept the vacuum truck waste. To accommodate the Town's request, a *Permit to Discharge Septage and Sewage* must first be approved by the Board. Discharge permits are a requirement of Article VIII of the Erie County "Rules & Regulations" and are approved by the Board on an annual basis, usually at the October meeting. Permits are valid for one year and can be amended or revoked for non-compliance with the permit's terms. A dumpster will be procured for the Town of Orchard Park to dispose of grit from its vacuum truck after the liquid waste has been properly decanted.

On a motion by Mr. Kaczor, seconded by Mr. Millar, the Board voted to confirm the April 28, 2017 poll approving a *Permit to Discharge Septage and Sewage* to the Town of Orchard Park. The motion carried, 6 – 0.

e. Payments (Handout)

The Board reviewed a copy of the payment handout for the month of June.

On a motion by Mr. Millar, seconded by Ms. Hartman, the above payments were approved. The motion carried, 6 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Canestrari reported that District staff launched a ‘pig’ cleaning device in the Elma Force Main as part of the normal maintenance of that pipe. This was the first attempt to launch a pig in that force main since repair work was completed in March of this year, as discussed at the April 2017 Board meeting. The device functioned properly and was retrieved without any issues.

In response to a complaint from Mullican Flooring, located on Vermont Street in Holland, District staff identified a severe blockage in the force main serving that business. Approximately 740 linear feet of force main was replaced by the District and the service is operational and functioning properly.

A manhole located immediately upstream of a creek crossing at the Hamburg golf course was found in deficient condition. The manhole is located in an area which is very difficult to access. The barrel section of the structure has shifted and it is likely that significant flow enters the collection system at this location when creek levels are high. District staff are in the process of evaluating options to repair the manhole.

b. Pretreatment Report

i. Southtowns Pretreatment Program Local Limit Modification (Handout)

The Board reviewed a copy of a letter from the DSM to the United States Environmental Protection Agency (USEPA) regarding proposed local limits for several parameters at the Southtowns WRRF. During an audit conducted several years ago, the USEPA directed the DSM to perform an evaluation and prepare a report to address local limits for the Southtowns WRRF. The proposed limits are based on the results of an evaluation conducted by CHA Consulting, Inc. The letter was sent to USEPA requesting a non-substantial modification of our program. Because this action involves a non-substantial modification, the limits were automatically approved within 45 days provided USEPA did not have any comments, which they did not.

c. Construction Report

Rush Creek Interceptor Projects –

Southtowns Wet Well and ORF Improvements, Contracts 37STP: The General and HVAC Contracts have been closed out and the electrical contractor, South Buffalo Electric (SBE) has outstanding deficiency work to address. SBE will load test the emergency generator interlock for the influent submersible pump stations pumps before close out of the contract. SBE has filed for bankruptcy protection and their bonding company has stepped in and settled all of SBE's Article 78 mechanic's liens. All payments are being sent to the bonding company's representative.

Rush Creek Interceptor, Contract 17: Final walkthrough will take place next week.

Southtowns Sludge Incinerator (SSI) Emissions Upgrades – The General Contract is closed out. Electrical work has been finalized and this Contract will be closed out in the near future.

Boston Valley Pumping Station Improvement Project – A kickoff meeting took place Tuesday, June 13, 2017. The General/Mechanical Contract is nearly executed, anticipating Notice to Proceed next week. The Electrical Contract is about 3 weeks behind the General, anticipating NTP in early July.

Cured-In-Place Pipe (CIPP) Term Lining Contract – Work Order No. 1 was issued last month and the contractor has commenced video inspection work.

Contract 76 - CIPP Lining Contract – The majority of lining work has been completed. A few sewers still need to be lined and all post-installation video still needs to be completed. The District will be installing a spot repair on Prospect Avenue in the Village of Hamburg next week.

i. CIPP Lining Term Contract No. 75 – Work Order No. 1 (Handout)

The Board reviewed a copy of Work Order No. 1 for the CIPP Lining Term Contract, to United Survey, Inc., as noted above.

d. Basement Bathroom Facility Resident Letter (Handout)

The Board reviewed a copy of an informational letter sent to numerous residents in the District who were found to have basement facilities during house inspections conducted as part of the DSM's Inflow/Infiltration inspection program. While recipients of this letter may not be in violation of the *Rules and Regulations for Erie County Sewer Districts*, they may be at risk for sewer backups due these connections. The letter was sent as a courtesy to notify the affected residents.

e. Resident Interest for Extension 7552 Back Creek Rd. (Handout)

The DSM received a request from the property owner at 7552 Back Creek Rd. to inquire about extending sewer service to this location. The DSM's response was provided to the Board.

f. 4016 Grant Ave. – Premium Assessment

The Board reviewed a copy of a letter sent to the property owner at 4016 Grant St., Hamburg, to inform him that the Board unanimously voted to uphold the premium assessment on this property. This item was discussed at the April 2017 Board meeting.

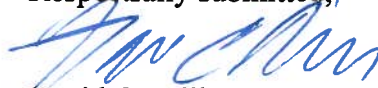
On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to receive and file the informational items on the agenda. The motion carried 6 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Kaczor, seconded by Ms. Hartman, the meeting was adjourned at 8:33 a.m. The motion carried 6 – 0.

The next meeting is scheduled for June 21, 2017 at 8:00 a.m. at the Southtowns Water Resource Recovery Facility conference room to consider the proposed 2018 Erie County Sewer District Nos. 3 and 8 budget.

Respectfully submitted,



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

DM:jk

Motion to Approve the June 14, 2017 Meeting Minutes

Moved by: DAVID KACZOR

Seconded by: MELISSA HARTMAN

App/Disapp: APPROVED 8-0

Date: 6/14/2017



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

BOARD OF MANAGERS
ERIE COUNTY SEWER DISTRICT NO. 3 & 8
WEDNESDAY, JUNE 21, 2017
SOUTHTOWNS TREATMENT PLANT OFFICE
BUDGET MEETING

MEMBERS PRESENT: Chairman John Mills, Melissa Hartman, David Kaczor, Mike Kasprzyk, David Millar, David Rood, Karl Simmeth,

MEMBERS ABSENT: Jonathan McNatty, Don Witkowski

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joe Fiegl, Kevin Kaminski, Garry Pecak (ECSD No. 8), Rick Rehac, Linda Ulrich

ITEM NO. 1 – CALL MEETING TO ORDER – OPEN MEETING

Chairman Mills called the meeting to order at 8:00 a.m.

ITEM NO. 2 – ITEMS FROM THE PUBLIC

None

ITEM NO. 3 – OLD BUSINESS

None

ITEM NO. 4 – NEW BUSINESS

Presentation and Approval of 2018 Budget

i. Proposed 2018 Budget (Handout)

Mr. Fiegl presented the proposed combined budget for ECSD Nos. 3 and 8. Mr. Fiegl informed the ECSD No. 3 Board that Mr. Pecak was in attendance representing ECSD No. 8 and that the ECSD No. 8 Board unanimously approved their portion of the Central Region budget at their June 20, 2017 meeting.

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 June 17, 2008. 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.

For this year, Central Region shares in approximately 39% of the Division-wide expenses and 62% of Laboratory expenses. Overall, within Central Region ECSD No. 3 is responsible for approximately 91% of ECSD Nos. 3 and 8 costs, except for Professional Services, debt service, capital reserves, and personnel.

Item 2(b)

Mr. Fiegl noted the lab expenses in this year's budget is 62%.

Reviewing the overall summary for ECSD No. 3, total appropriations are projected to increase over \$2.3 million when compared to 2017. The major components of this increase are an additional \$1,000,000 allocated to capital reserves, additional maintenance and repair supplies, an additional \$1,000,000 in I&I Repair / Sewer Relining, and debt service. Offsetting the appropriation increase are various revenues – most significantly an additional \$2.26 million of fund balance when compared to the 2017 budget. As a result, it is estimated that the typical ratepayer (single family home) in ECSD No. 3 will see a very small increase – on average less than 1% when compared to 2017. These charges reflect an increase in the footage rates and a resultant decrease in the assessed valuation rates.

Fringe benefits for employees are being calculated at 64% in this budget – a slight increase from 2017. Actual numbers are not available at this time, early in budget process, but this is a conservative estimate. Mr. Fiegl noted that fringe benefit rate is slightly higher than the typical County Department due to worker's compensation costs.

The 2018 equipment line items represent over \$869,000 of the Central Region budget from \$719,000 in 2017. The major items includes 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, technology upgrades, 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 \$1,000,000 increase in I&I repair, the \$1,000,000 increase in capital reserves, decreases in utility costs, and personnel costs. Mr. Fiegl noted that the annual plant SCADA maintenance and support item under Line 940D may be increased as more accurate vendor information for these services becomes available. Other items in the budget will be adjusted to offset any increase and hence overall this would be a budget neutral transaction.

Mr. Rood inquired about the increase in the New York State Environmental Facilities Corporation (EFC) Bond Administration Fee. Mr. Fiegl explained that the increase was due to the completion of the Rush Creek Interceptor construction, which was a sizable project financed through the EFC.

Fund balance usage as an offsetting revenue is budgeted at 61%. The available district fund balance at 12/31/16 represents approximately 4.8 months of 2018 budgeted appropriations. Observing recent trends on amount available / amount used and considering the regulatory issues facing the sewer district, it is believed that this allocation of fund balance is prudent. That said there may be an opportunity in the near future to transfer additional monies to capital reserves if these trends continue.

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. Kaczor, seconded by Mr. Rood, the Board voted to approve the budget presented for both ECSD Nos. 3 and 8. The motion passed unanimously.

ii. 271 Resolution (Handout)

It was resolved that approximately 73% and 27% of the total sanitary sewer tax levy of \$6,952,124 shall be raised from the assessed value and footage charges, respectively, for ECSD No. 3.

On a motion by Mr. Rood, seconded by Mr. Kaczor, the ECSD No. 3 Board voted to approve the 271 Resolution. The motion carried, 7 – 0.

ITEM NO. 5 – ADJOURNMENT & NEXT MEETING

The Board discussed the need to hold the next regularly scheduled meeting on July 12, 2017. On a motion by Mr. Simmeth, seconded by Ms. Hartman, the Board voted to cancel the July 12, 2017 meeting. The motion carried, 7 – 0.

Mr. Fiegl informed the Board that a Sewer Agency Report (SAR) is being finalized as a necessary step to obtain bond authorization for funding capital work projects at the treatment plant, pump stations, and the collection system. David Millar will be forwarding an email poll for Board approval of the SAR in the near future.

On a motion by Mr. Kasprzyk, seconded by Mr. Simmeth, the meeting was adjourned at 8:30 a.m. The motion carried, 7 – 0.

The next meeting of the Board is scheduled for Wednesday, October 11, 2017, at 8:00 a.m. at the Southtowns Water Resource Recovery Facility conference room.

Respectfully submitted,



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

DM:lku

Motion to Approve the June 21, 2017 Budget Meeting Minutes

Moved by: DAVID KACZOR

Seconded by: MELISSA HARTMAN

App/Disapp: APPROVED 8-0

Date: 10/17/2017



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

ERIE COUNTY SEWER DISTRICT (ECSD) NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY OCTOBER 11, 2017
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, Melissa Hartman, David Kaczor,
Michael Kasprzyk, David Millar, David Rood, Karl Simmeth,
Don Witkowski

MEMBERS ABSENT: Jonathan McNatty

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joe Fiegl, Jill Krafft,
Rick Rehac, Nadine Wetzel

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 7:59 a.m.

ITEM NO. 2 – APPROVAL OF MEETING MINUTES

- a. June 14, 2017
- b. June 21, 2017

On a motion by Mr. Kaczor, seconded by Ms. Hartman, the Board voted to approve the minutes from the June 14 and June 21 meetings. The motion carried 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None

ITEM NO. 4 – OLD BUSINESS

None

ITEM NO. 5 – NEW BUSINESS

- a. 2018 User Charge
 - i. Public Hearing Notice & Meeting Minutes (Handout)

The Board reviewed the Notice and the Minutes for the Public Hearing held on September 20, 2017 regarding proposed 2018 User Charge Rates. This hearing is a requirement of County Law. No comments were received from the public at that meeting.

- ii. Approval of Resolution (Handout)

The Board considered a resolution to approve the proposed 2018 User Charge Rates.

On a motion by Mr. Rood, seconded by Mr. Simmeth, the Board voted to approve the resolution. The motion carried 8 – 0.

Item 2

b. Payments (Handout)

The Board reviewed the payment handout for the month of October.

On a motion by Mr. Simmeth, seconded by Mr. Millar, the Board voted to approve the October 2017 payments. The motion carried 8 – 0.

c. 2018 Meeting Schedule (Handout)

The Board considered the proposed 2018 Meeting schedule for approval. Mr. Fiegl asked if the members were interested in serving on the Board past the close of their current term (December 31, 2017). All replied in the affirmative.

On a motion by Ms. Hartman, seconded by Mr. Rood, the Board voted to approve the proposed 2018 Meeting schedule. The motion carried 8 – 0.

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

The Board reviewed copies of final violation notices from the Division of Sewerage Management (DSM) to several property owners in ECSD No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection, complete dye testing resulting from a house inspection, or correct a deficient condition found during the DSM's Inflow/Infiltration inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the DSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Witkowski, seconded by Mr. Kaczor, the Board voted to approve the referrals to a Compliance Hearing. The motion carried 8 – 0.

e. Mount Vernon Sewer District

The Board reviewed a copy of a letter from the DSM in support of the Town of Hamburg's application for an Engineering Planning Grant (EPG) to potentially fund further evaluation of the Mt. Vernon Sewer District's collection system with the goal of identifying solutions to mitigate sources of inflow/infiltration and sanitary sewer overflows in that District. ECSD No. 3 commits to working with the Mt. Vernon Sewer District throughout the study, as improvements in this area would likely be mutually beneficial.

Mr. Fiegl informed the Board that the DSM presently operates and maintains the Mount Vernon Sewer District's collection system. The Town of Hamburg has expressed interest in merging the Mt. Vernon Sewer District into ECSD No. 3 and potentially partnering in the aforementioned evaluation.

This is an informational item; no action is required by the Board.

f. Request for Refund of Permit

i. 84 Lake Street (Handout)

The Board considered a request for refund of a permit issued to the owner of the property at 84 Lake Street, Hamburg, N.Y. The property under consideration is situated at the intersection of two streets, fronting both. The owner erroneously obtained a sewer permit using an incorrect address. While applying for a building permit, the owner realized the mistake and obtained another sewer permit using the correct address. The proposed refund is in the amount of \$452.00, which represents the original fee of \$502.00 less a \$50.00 administration fee.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the sewer permit refund request. The motion carried 8 – 0.

ii. 4899 Clarke (Handout)

The Board considered a request for refund of a permit issued to the owner of the property at 4899 Clarke St. in Hamburg, N.Y. In January 2017, the owner applied for a permit prior to the Town of Hamburg issuing an address to the property. The owner then applied for a second permit in July 2017, unaware the first permit was obtained, after the Town issued an address to the property. The proposed refund is in the amount of \$452.00, which represents the original fee of \$502.00 less a \$50.00 administration fee.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the sewer permit refund request. The motion carried 8 – 0.

g. Local Discharge Limit Resolution (Handout)

The Board considered a resolution to propose new local discharge limits for ECSD No. 3, as presented for adoption, and publish those limits in the official newspapers of Erie County for a thirty (30) day public comment period, as required by Section 502 of the Rules and Regulations for Erie County Sewer Districts. After the comment period, the Board will consider adoption of the proposed local limits.

On a motion by Ms. Hartman, seconded by Mr. Simmeth, the Board voted to approve the resolution for the proposed local discharge limits. The motion carried 8 – 0.

h. Confirmation of Email Poll – Contract 54 Close Out (Handout)

The Board considered confirmation of the June 30, 2017 email poll approving close out Contract 54 STP–A with Hohl Industrial Services, Inc. (Hohl) for the Southtowns Sludge Incinerator Emissions Upgrade Project for which Hohl provided general construction services. All work has been satisfactorily completed. The final change order for Contract 54 STP–A is a decrease of \$6,130.86 to the original contract amount of \$540,355.00, resulting in a final contract amount of \$534,224.14. The DSM recommends close out of this contract.

On a motion by Mr. Kaczor, seconded by Mr. Rood, the Board voted to confirm the June 30, 2017 email poll approving close out Contract 54 STP–A with Hohl for the Southtowns Sludge Incinerator Emissions Upgrade Project. The motion carried, 8 – 0.

i. Confirmation of Email Poll – Sewer Agency Report (Handout)

The Board considered confirmation of the July 6, 2017 email poll approving the Sewer Agency Report (SAR) to obtain bond authorization for funding several capital projects. Projects include extending the existing outfall pipe at the Southtowns Water Resource Recovery Facility, upgrading existing pumping stations, and various collection system initiatives identified through the Division's capital planning process. The total anticipated capital investment identified in the SAR would be \$10,500,000 which, when fully expended, would result in an annual cost impact to the average home in Sewer District No. 3 of \$13.73.

On a motion by Mr. Rood, seconded by Mr. Kasprzyk, the Board voted to confirm the July 6, 2017 poll approving the SAR for ECSD No. 3. The motion carried, 8 – 0.

j. Confirmation of Email Poll – 2017 Budget Transfer (Handout)

The Board considered confirmation of the September 7, 2017 email poll approving a resolution involving the 2017 budget for ECSD No. 3 for the transfer of funds from accounts with surplus balance to accounts in need of additional funds. The proposed transfer will allow the District to maintain daily operations and will have no net impact on the 2017 budget.

On a motion by Ms. Hartman, seconded by Mr. Simmeth, the Board voted to confirm the September 7, 2017 poll approving the resolution for the transfer of funds in the 2017 budget, as presented. The motion carried, 8 – 0.

k. Confirmation of Email Poll – Capital Reserve Transfer (Handout)

The Board considered confirmation of the September 7, 2017 email poll approving a resolution involving the transfer of capital reserve funds for improvements to the Southtowns Water Resource Recovery Facility (WRRF). The DSM has identified the need to implement the improvements to the facilities in ECSD No. 3 involving incinerator refractory lining and roof steel replacement and fuel tank replacement. Transfer of capital funds into the ECSD No. 3 budget will allow for the funding of improvements without incurring bond debt costs.

On a motion by Mr. Kasprzyk, seconded by Mr. Kaczor, the Board voted to confirm the September 7, 2017 poll. The motion carried, 8 – 0.

l. Trucker Discharge Permits Approval (Handout)

Waste Hauler's Discharge permits are a requirement of Article VIII of the Erie County "Rules & Regulations" and are approved by the Board on an annual basis. Permits are valid for one year and can be amended or revoked for non-compliance with the permit's terms.

On a motion by Mr. Kasprzyk, seconded by Mr. Kaczor, the Board voted to approve

Waste Hauler's Discharge permits to Delo Drain & Septic, JB Enterprises, Modern Portable Toilets, Crescent Moon, and the Town of Orchard Park pending application and insurance approvals. The motion carried 7 – 0. Mr. Rood abstained from this vote.

m. Contract Close out – Rush Creek Interceptor 17A – Kandey (Handout)

The Board considered a resolution to close out Contract 17A for the Rush Creek Interceptor (RCI) Blasdell Milestrip Wet Weather Relief Pumping Station and Force Main Project, with Kandy Company, Inc., in the final amount of \$6,028,408.18. The final amount represents a net decrease of \$614,116.82 to the original contract amount of \$6,642,525.00. The decrease is primarily related to the fact that almost no rock was encountered during pipe boring activities. All construction work has been satisfactorily completed and the DSM recommends close out of this contract.

On a motion by Ms. Hartman, seconded by Mr. Kasprzyk, the Board voted to close out Contract 17A with Kandey Company, Inc. The motion carried, 8 – 0.

n. Contract Close out – Ontario & Park CIPP Lining Project – Kenyon (Handout)

The Board considered a resolution to close out Contract No. 58 with Kenyon Pipeline Inspection, LLC, for the Ontario & Park Sanitary Sewer Cured-In-Place Pipe Lining (CIPPL) Project in the final amount of \$490,247.00 which represents a decrease of \$125,263.00 to the original contract. The decrease is primarily associated with the lack of spot repairs required to complete the project. All construction work has been satisfactorily completed and the DSM recommends close out of this contract.

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to close out Contract No. 58 with Kenyon Pipeline Inspection, LLC. The motion carried, 8 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Canestrari reported that while investigating excessive flow at the Southwestern Pumping Station, District staff discovered a water main leak on Beetow Drive infiltrating into the sewer main. The Erie County Water Authority repaired the leak. Staff also sealed a severe leak in a manhole, in the same area, taking in considerable flow. As a part of the investigation, flow monitoring of the Hilbert College campus is taking place. District and downtown staff are currently smoke testing and televising the area.

Mr. Absolom reported that the last of the sludge has been hauled from the Blasdell WRRF and District staffs are dismantling equipment. Once cleanup of the facility is complete, the DSM will proceed with procedures for permit close out.

b. Pretreatment Report

i. FOG Residential Mailing (Handout)

The Board reviewed a copy of an informational letter from the DSM to residents tributary to the Rogers Road Pump Station (PS) regarding the prevention of sewer blockages resulting from the improper disposal of Fats, Oils, and Grease (FOG) into the sanitary sewer system. The letter suggests practices that can be undertaken to prevent FOG blockages.

c. Construction Report

Mr. Millar reviewed the status of current construction projects in ECSD No. 3 including:

- Boston Valley PS Improvements project is progressing. Excavation for the new wet well was completed last week along with pouring of the mud matt and bottom slab. Forming of wet well side walls and control building footers will be occurring this week. Anticipating start up testing in late November.
- CIPPL of Ontario & Park with Kenyon – completed, in closeout
- Manhole rehab of Ontario & Park with Kandey – completed, in closeout
- RCI – complete and in process of close out. One payment (final retention release) forthcoming.
- Influent Submersible Pumping Station (ISPS) – warranty work on failed concrete in the chlorine contact area completed.
- CIPP Term Lining Contract 75 – United Survey has completed the Work Order No. 1 lining work in ECSD No. 3. They need to return to complete a repair item, and lateral grouting work in 4 locations. Work Order No. 2 was issued in September and includes lining of about 15,000 LF sewers in Hamburg (Town and Village) and Blasdell. Investigation work has not commenced, yet. Work will proceed through the winter, if the weather allows.
- Contract 76 (CIPP Lining) – Kenyon Pipeline was onsite in September and completed punch list work.
- Contract 79 (Sewer Repair Term) is in the process of award to Visone through the County's Purchasing Department. Notice to Proceed is expected later this month.
- Contract 57 (Milestrip Rd PS Bypass Chamber) is in the process of award to Kandey through the County's Purchasing Department. Notice to Proceed is expected later this month.
- Southtowns Fuel Station and Fuel Storage Tanks replacement has been awarded to Lavalley Bros. Const., Inc. Construction will begin as soon as an Agreement is executed.

i. CIPP Lining Term Contract – Work Order No. 2 (Handout)

The Board reviewed a copy of Work Order No. 2 for the CIPP Lining Term Contract No. 75.

ii. Contract BVPS#3A&D – Notice to Proceed (Handout)

The Board reviewed a copy of the Notice to Proceed for the Boston Valley Pump Station Improvements Project, Contract Nos. BVPS#3-A&D.

iii. Contract 57 – Milestrip Rd. PS Bypass Chamber – Resident Letter (Handout)

The Board reviewed a copy of an informational letter sent to residents who may be affected by an improvements project at the Milestrip Rd. Pump Station. The project is presently in the process of being awarded through the Erie County Department of Purchasing and project Notice to Proceed is anticipated for late October 2017. The intent of the project is to allow District personnel to bypass sewage flows around the pump station during operation and maintenance activities. A new underground concrete chamber and associated piping will be installed adjacent to the existing pumping station.

A. Resident Response – 3528 Baker (Handout)

The Board reviewed copies of informational letters from the DSM to the resident at 3528 Baker Road, adjacent to the Milestrip Rd. Pump Station, in response to the letter discussed in the previous item. The letters provide information regarding the logistics of construction activities during the project.

d. Preliminary Draft Title V Permit Comments (Handout)

The Board reviewed a copy of a comment letter from the DSM to the New York State Department of Environmental Conservation (NYSDEC) in regards to the preliminary draft Title V permit for the Southtowns WRRF air emissions. The intent of the letter was to facilitate NYSDEC consideration of DSM comments specific to permit conditions and requirements.

Mr. Fiegl reported that he and Mr. Absolom have spent a great deal of time working on the regulatory standards set for the incinerators. He informed the Board a new Title V permit has not yet been issued.

e. NYSDEC Ltr. – Permit Deletion Request – Electric Ave. Pumping Station (Handout)

The Board reviewed a copy of a letter from the DSM to the New York State Dept. of Environmental Conservation (NYSDEC) requesting deletion of the SPDES permit for the Electric Ave. Pumping Station. As part of the Rush Creek Interceptor project, the overflow and the entire Electric Ave. Pumping Station were eliminated. All flows tributary to that former station now flow directly to the Southtowns WRRF.

f. Sanitary Sewer Easement Encroachment – Hampton Inn (Handout)

The Board reviewed a copy of a letter from the DSM to Hampton Lodging, Inc. to inform them that they have a structure located on an existing Erie County Sanitary Sewer Easement. The letter informs Hampton Inn that the structure must be relocated outside of the easement boundary.

On a motion by Mr. Rood, seconded by Mr. Kaczor the Board voted to receive and file the above items 6.a. through 6.f. The motion carried 8 – 0.

Mr. Fiegl thanked the Board for their flexibility with the number of phone/e-mail polls conducted over the summer. The polls allow the DSM to continue progress on these initiatives in a more expeditious manner.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Hartman , seconded by Mr. Witkowski, the meeting was adjourned at 8:39 a.m. The motion carried 8 – 0.

Next meeting is scheduled for Wednesday December 6, 2017 at 8:00 a.m.

Respectfully submitted,



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

DM:jk


Motion to Approve the October 11, 2017 Meeting Minutes

Moved by: DAVID ROOD

Seconded by: DAVID KACZOR

App/Disapp: APPROVED 7-0

Date: 12/6/17



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

ERIE COUNTY SEWER DISTRICT (ECSD) NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY DECEMBER 6, 2017
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM
MINUTES

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

MEMBERS ABSENT: Melissa Hartman, Jonathan McNatty

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joe Fiegl, Kevin Kaminski, Jill Krafft, Rick Rehac, Laura Surdej

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 7:59 a.m.

ITEM NO. 2 – APPROVAL OF MEETING MINUTES

On a motion by Mr. Rood, seconded by Mr. Kaczor, the Board voted to approve the minutes from the October 11, 2017. The motion carried 7 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

None.

ITEM NO. 5 – NEW BUSINESS

a. Local Discharge Limit – Adoption Resolution (Handout)

The Board considered a resolution to adopt new local discharge limits for ECSD No. 3. During an audit several years ago, the United States Environmental Protection Agency (USEPA) directed the Division of Sewerage Management (DSM) to perform an evaluation and prepare a report to address local limits for the Southtowns Water Resource Recovery Facility (WRRF) pretreatment program using USEPA guidance. The USEPA subsequently approved the proposed local limits presented in a report prepared by CHA Consulting. Per the procedure outlined in section 502 of the Rules and Regulations for Erie County Sewer Districts (Rules and Regulations), at its October 2017 meeting the Board approved a resolution to propose the new local limits for adoption and publish those limits in the official papers of Erie County for a 30-day public comment period. As no comments were received from the public after publication, this resolution is presented, for the Board's consideration, to formally adopt the new local discharge limits, as proposed.

On a motion by Mr. Kasprzyk, seconded by Mr. Witkowski, the Board voted to approve the local discharge limit resolution. The motion carried 7 – 0.

Hen2

b. Switzer Enforcement Proceeding (Handout)

The Board reviewed a letter involving an enforcement proceeding for an industrial user, Switzer, operating in ECSD No. 3. Switzer is a metal fabricator located at 4020 Jeffrey Blvd. in Blasdell and has had numerous discharge limit violations spanning the time frame from June 30, 2014 to September 20, 2017. Switzer's pretreatment system is in frequent need of repair and is currently being replaced. Due to the long history of violations, the DSM recommends entering into a Consent Stipulation with Switzer, with milestone dates for the completion of the new pretreatment system, to facilitate compliance. Consent Stipulation is a remedy outlined in the "Rules and Regulations for Erie County Sewer Districts" ("Rules and Regulations") to address discharge limit violations. A copy of the proposed Consent Stipulation for Switzer was provided to each Board member detailing a schedule of compliance and penalties for not meeting the scheduled milestones.

i. Consent Stipulation Agreement (Handout)

The Board reviewed the proposed Consent Stipulation with Switzer. Mr. Kaczor expressed his support for proactive cooperation with industrial users regarding compliance issues in the future.

On a motion by Mr. Kaczor, seconded by Mr. Rood, the Board voted to enter into a Consent Stipulation with Switzer, as presented. The motion carried 7 – 0.

c. Payments (Handout)

The Board reviewed the payment handout for the month of December 2017.

On a motion by Mr. Simmeth, seconded by Mr. Millar, the Board voted to approve the October 2017 payments. The motion carried 7 – 0.

d. Contract No. 76 Closeout CIPP Lining – Kenyon (Handout)

The Board considered a resolution for the close out of Contract No. 76 with Kenyon Pipeline Inspection LLC for a sanitary sewer cured-in-place pipe lining project. The final amount of the contract was \$505,150.00 which represents a decrease of \$97,335.00 to the original bid amount. The decrease is primarily associated with an allowance for open cut spot repairs that were determined not to be necessary during construction. All work for this project has been satisfactorily completed and the DSM recommends close out of this contract.

On a motion by Mr. Witkowski, seconded by Mr. Millar, the Board voted to approve the Contract No. 76 Closeout. The motion carried 7 – 0.

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

The Board reviewed copies of final violation notices from the Division of Sewerage Management (DSM) to several property owners in ECSD No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection or correct a deficient condition found during the DSM's Inflow/Infiltration inspection program. As a result, these

property owners have been referred to the Board to be considered for a hearing with the DSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Rood, seconded by Mr. Simmeth, the Board voted to approve the referrals to an enforcement hearing. The motion carried 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported that the biannual removal grit removal project was completed on Unox reactors numbers 1 and 2. He also reported that all four bioclarifiers were drained, maintained, and are now back in service.

Mr. Absolom informed the Board that the New York State Department of Environmental Conservation (NYSDEC) recently toured the Southtowns WRRF. Favorable comments were received.

Mr. Canestrari reported that Hilbert College has continued investigating excess inflow sources from their property. ECSD No. 3 staff assisted Hilbert by conducting dye tests in downspouts and sump pumps. Sump pump connections to the sanitary sewer and mainline infiltration from cracked pipes were identified. Further investigations will continue.

Mr. Canestrari also reported an issue concerning an overflowing manhole at Willow Bend Club, located at 6653 Taylor Road, Hamburg. The owner of the property adjacent to Willow Bend contacted numerous public agencies to report the issue including the NYSDEC, the Town of Hamburg, and County Executive's office. Severe root intrusion in the Willow Bend's private system was found to be the cause of the overflow. Town of Hamburg Code Enforcement cut the power to the club to prevent further overflow incidents from the private manhole. During an inspection of the sanitary facilities on the club's property, a 4" cast iron overflow pipe was identified originating from an on-site pumping station. As the club is presently closed, the only possible source of water coming from that overflow pipe at this time is runoff and/or groundwater. The DSM has sent a notice of violation to the facility owner. NYSDEC and ECDOH have been notified about the 4" cast iron overflow pipe.

Mr. Canestrari received a letter and petition signed by homeowners residing on Kirschner Parkway, located in the Mount Vernon Commissioner District in the Town of Hamburg, regarding basement flooding issues that occurred during the rain event of November 5, 2017. The DSM met with Town of Hamburg to discuss the petition. A letter was sent by the DSM to the homeowners to clarify responsibilities of the Town of Hamburg and the DSM regarding the sanitary sewers in the Mt. Vernon area.

b. Pretreatment Report

Mr. Millar reported a change in the USEPA's Dental Amalgam Regulations that became effective in July 2017. Existing facilities must be in compliance with the regulations by July 14, 2020 and new facilities (after July 14, 2017) must be in compliance within 90 days from commencement of discharge.

c. Construction Report

Contract 75 (CIPP Term, USI) – Work Order No. 2 has commenced. Approximately 50% of pre-video work is completed in ECSD No. 3. Follow up lining work is scheduled to being in December or early January.

Contract 57 (Milestrip Rd. PS, Kandey) – A pre-construction meeting was held on November 6th and construction is expected to start in early 2018.

Boston Valley Pumping Station Improvement Project – The control building is erected and the brick fascia and roof are complete. Wet well and comminutor chamber walls have been poured to top elevation. Excavation should begin soon for the valve chamber and doghouse manhole which will tie-in the existing influent sewer. The concrete floor of the control building must be poured before electrical work can begin. Station startup has been delayed from December 2017 to early March 2018. The homeowner adjacent to the station has requested that no one park in front of his property.

i. Contract 79 – Sewer Repair Term Contract – Work Order No. 1 (Handout)

The Board reviewed a copy of Work Order No 1 issued to Visone Construction for the repair of a manhole and related piping at the intersection of Oliver Place and Buffalo Street in the Village of Hamburg. The engineer's estimate for the work order is \$6,186.00 with final costs to be based on field quantities verified by the inspector.

d. NYSDEC Discontinuance of SPDES Permit – Electric Ave Pumping Station (Handout)

The Board reviewed a copy of the Discontinuance of SPDES Permit for the Electric Avenue Pumping Station. The station was eliminated as part of the Rush Creek Interceptor project.

e. Sanitary Sewer Easement Encroachment – Hampton Inn (Handout)

The Board reviewed a copy of a letter from the DSM to Hampton Lodging, Inc. concerning a structure located on an existing Erie County Sanitary Sewer Easement. The letter informed Hampton Inn that the structure built over our easement during recent construction of their new hotel on Camp Rd. must be relocated outside of the easement boundary. This is an informational item which includes a memorandum, and supporting information, that was forwarded to the County Attorney's Office seeking guidance in dealing with this issue.

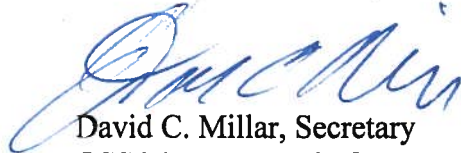
On a motion by Mr. Kaczor, seconded by Mr. Simmeth the Board voted to receive and file the above informational items. The motion carried 7 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Rood, seconded by Mr. Kasprzyk, the meeting was adjourned at 8:29 a.m. The motion carried 7 – 0.

Next meeting is scheduled for Wednesday February 14, 2018 at 8:00 a.m.

Respectfully submitted,



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

DM:jk

Motion to Approve the Dcember 6, 2017 Meeting Minutes

Moved by: DAVID REOD

Seconded by: DAVID KACOR

App/Disapp: APPROVED 8-0

Date: 2/14/18



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