

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS MEETING  
WEDNESDAY, FEBRUARY 14, 2018  
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM  
MINUTES

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

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joseph Fiegl, Rick Rehac, Linda Ulrich

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills opened the meeting at 8:00 a.m.

a. Nominations for Board Officers

On a motion by Mr. Kasprzyk, seconded by Mr. Simmeth, the Board voted to reappoint Mr. Mills as Chairman, Mr. Kaczor as Vice Chairman, and Mr. Millar as Secretary of the Erie County Sewer District No. 3 (ECSD No. 3) Board of Managers. The motion carried 8 – 0.

Mr. Fiegl stated that Village of Orchard Park Trustee Jonathan McNatty is no longer on the ECSD No. 3 Board of Managers. He added that the Town of Hamburg has nominated Mark Cavalcoli, former Town Councilman, for consideration for appointment to the Board.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Rood, seconded by Mr. Kaczor, the Board voted to approve the minutes from the December 6, 2017 meeting. The motion carried 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

None.

Item 2

ITEM NO. 5 – NEW BUSINESS

a. Potential Division of Sewerage Management Name Change (Handout)

Mr. Fiegl presented the handout and discussed the rationale behind the proposal to change the name of the Division of Sewerage Management (DSM). Mr. Fiegl wanted input from boards regarding the emphasis on water over wastewater, potential concerns over confusion with the Erie County Water Authority, etc. He noted that many municipalities have changed the names of their wastewater divisions and that the names proposed were based on other sewer utilities. He also noted that the County Attorney's office will be investigating if the term "Utility" can be used in the name.

Mr. Kaczor stated the name of the DSM should clearly identify the function of the organization adding that the public may confuse terminology involving the word "water" with the Erie County Water Authority. Mr. Kasprzyk agreed with Mr. Kaczor's statement.

Mr. Fiegl thanked the Board for its feedback and stated that he would research other potential names for consideration.

Chairman Mills agreed that a name change for the DSM is in order and suggested that this issue remain on the agenda for the next meeting.

b. Funding of Division-Wide Projects (Handout)

The Board considered approval of a Resolution to transfer capital reserve funds into a single capital account to fund division-wide projects. The DSM has centralized a number of functions for all Sewer Districts, including ECSD No. 3, in the interest of efficiency and limiting duplication of efforts. One example is the DSM's current initiative to update its standard specifications. To facilitate funding of the division-wide projects, a proportional share of capital reserves would be transferred into a single capital account. ECSD No. 3's share would be \$70,000.

Chairman Mills inquired about the legality of transferring funds into a single capital account. Mr. Fiegl stated that similar actions have been advanced in the past; however, the final resolution will be reviewed by the Comptroller's Office and the County's Budget Office prior to advancing to the Erie County Legislature for approval.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the Resolution for the transfer of \$70,000 from capital account C.00007 into a single capital account to fund division-wide projects. The motion carried 8 – 0.

c. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of February. On a motion by Mr. Simmeth, seconded by Mr. Rood, the Board voted to approve the February 2018 payments. The motion carried 8 – 0.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Canestrari presented the following report for collections:

- Hilbert College: District investigations are complete. A report is being prepared to detail the violations found. Sump pump and leaking private manholes were identified during the investigations.
- Kirschner Parkway, Mount Vernon: The engineering department for the Town of Hamburg has corresponded with the residents in this area to explain the difference between sanitary, storm and drainage/runoff flows and has attempted to correct some misinformation regarding the former Mt. Vernon Sewer District.
- Multiple open cut spot repairs (30' total) and pipe patches were installed by the District to allow the term contract Cured-in-Place-Pipe (CIPP) lining contractor to proceed with work.
- Milford/Lenora: Sewers in this area have been televised and prepared for lining, including root removal. Lining is schedule to take place within the next few months.

b. Pretreatment Report

At the December 6, 2017 meeting, the Board approved entering into a Consent Stipulation with Switzer. A new wastewater treatment system has been installed and Switzer is on schedule with timeframes set forth.

On the morning of January 24, 2018, Steuben Foods notified the DSM of an accidental discharge of approximately 6,590 gallons of soy milk base into the sewer system. The cause of the spill was identified as a failed valve clamp on a silo tank. Steuben Foods will inspect all food ingredient tanks and valve clamps and complete repairs, as necessary.

i. Consent Stipulation - Switzer (Handout)

The Board received a copy of the executed Consent Stipulation Agreement with Switzer.

c. Construction Report

Contract 75 (CIPP Term Lining, Work Order 2) – Approximately 14,000 linear feet of sewer is scheduled to be lined in late winter or early spring.

Contract 79 (Sewer Repair Contract) – A work order was issued to repair an undersized connection in a manhole at the intersection of Oliver Place and Buffalo Street in the Village of Hamburg. A work order will be issued this spring to repair a manhole on Meadow Lane in the Village of Hamburg.

Contract 57 (Milestrip Rd PS Bypass Chamber) – DSM staff are currently performing shop drawing review – there is a long time on sluice gate. Work will commence early in the spring.

Contract BVPS #3 (Boston Valley Pump Station Construction) – The wet well concrete is complete. Internal forms and scaffolds are being stripped and removed mechanical installation will commence soon. Trench/pit for connecting to existing sewer is nearly finished and the corresponding doghouse manhole will be set next. Control building structural work is completed and the electrical contractor has started mounting panels and conduit. There is a delay on digging the valve pit until NYSEG is available for a cutover to relocate the existing power service.

d. Elma Pumping Station

Conley Trucking reported difficulties with pumping into the Elma Forcemain. After investigation, Conley determined the problem was the result of an issue that involved their internal grinder tank, which was resolved.

e. American Public Works Association - Award (Handout)

The Board reviewed a copy of a letter from the WNY Branch of the American Public Works Association (APWA) notifying the DSM that the Rush Creek Interceptor project was selected to receive APWA's 2017 Environmental Project of the Year award. Mr. Kaczor asked if a press release was issued to which Mr. Fiegl responded yes. The award was mentioned in local papers.

f. Basement Facility Letters - (Handout)

The Board reviewed a copy of an informational letter sent to numerous residents in the District who were found to have basement facility connections 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.

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

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

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

Next meeting is scheduled for April 11, 2018 at 8:00 a.m.

Respectfully submitted,



Secretary  
ECSD No. 3 Board of Managers

DM:lku

Motion to Approve the February 14, 2018 Meeting Minutes

Moved by: M. Kasprzyk

Seconded by: D. Rood

App./Disapp.: 7-0

Date: 4/11/18



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

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS MEETING  
WEDNESDAY, APRIL 11, 2018  
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM  
MINUTES

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

MEMBERS ABSENT: Mark Cavalcoli, David Kaczor

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

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills opened the meeting at 8:00 a.m.

a. Welcome new board member

New board member, Mr. Mark Cavalcoli, was absent due to illness.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the minutes from the February 14, 2018 meeting. 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. Proposed Update – Memo of Understanding – Combined CR Budget (Handout)

The Board considered amending the Memorandum of Understanding (MOU) between ECSD Nos. 3 and 8, originally executed in June 2008, to detail the conditions and budgetary funding of the combined budget for the two Sewer Districts. Included in the original MOU was a requirement for the Sewer Districts to hold an annual combined budget meeting. The proposed amendment changes the requirement for a formal combined budget meeting to only being necessary when, during the review and approval process, an individual District proposes a change that impacts the other District. In that case, those changes would be presented

*Item 2*

to the other Board for consideration and a re-vote, if necessary. The proposed amendment also includes removal of outdated references to ECSD No. 8 debt.

Mr. Simmeth inquired about the origin of the combined budget to which Mr. Fiegl responded that at the time ECSD No. 8 was created the operation of the two districts were combined for the sake of efficiency.

Mr. Simmeth also inquired about language in the proposed amendment that states, "Should the Boards desire to make changes to these conditions, this resolution will become null and void upon the adoption of a revised resolution." After some back and forth, Mr. Fiegl explained that should there be a disagreement the terms and conditions; the MOU would remain in effect until both Boards agreed to a change.

On a motion by Ms. Hartman, seconded by Mr. Witkowski, the Board voted to approve the amendments to the MOU. The motion carried 7 – 0.

b. I&I Approval for Enforcement Hearing (Handout)

The Board reviewed copies of final 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, correct a deficient condition or perform a needed dye test 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 referral to an enforcement hearing. The motion carried 7 – 0.

c. Contract 47E Closeout – South Buffalo Electric

The Board considered approval of a resolution to close out Contract 47E with South Buffalo Electric, Inc. for electrical construction services involved with the Elma Pumping Station Improvement Project. All work has been satisfactorily completed. The final change order for Contract 47E is a decrease of \$10,000 to the original contract amount of \$164,498.00 resulting in a final contract amount of \$154,498.00.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the resolution to close out Contract 47E with South Buffalo Electric. The motion carried 7 – 0.

d. Payments (Handout)

The Board reviewed the payment handout for the month of April 2018.

On a motion by Mr. Simmeth, seconded by Mr. Rood, the Board voted to approve the April 2018 payments. The motion carried 7 – 0.

e. AECOM Change Order – Boston Valley Pumping Station (Handout)

The Board reviewed an informational item involving the Boston Valley Pump Station Project. This item is a change order to AECOM for resident engineering and construction administration services required for the project due to a longer than anticipated construction timeframe. At the beginning of the project, prior to bidding construction, individual work orders were issued to AECOM for resident engineering services and for construction administration services based on an anticipated construction time frame of six months. During the bid phase, several bidders indicated that six months was not enough time to complete this project due to constructability issues. Consequently, the time to completion was extended to 12 months. Because extending the time to completion required additional services from AECOM beyond what was originally arranged, this change order was necessary to extend inspection and resident engineering services for the project.

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

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported that asbestos was unexpectedly encountered between refractory brick and the steel wall during the rebuild of incinerators at the Southtowns WRRF. An emergency declaration was issued for the project to implement protocols for proper removal of the material. Unanticipated additional costs for asbestos abatement were approximately \$52,000; however, there is the possibility that some work completed as part of the abatement will decrease the General Contractor's scope.

Mr. Canestrari presented the following report for collections:

Elma Force Main Issues:

*861 Jamison Road:* On March 16, 2018, the Town of Elma reported a force main break at this location to the DSM. An 8" x 30" repair clamp was installed at the break to repair the damaged pipe.

*Conley & North Davis:* On March 23, 2018, the Town of Elma reported a leak in the vicinity of Steuben Foods. The DSM identified a break in the line near a ravine and stream crossing. It was determined that a repair could not be completed with DSM equipment and a contractor was contacted for assistance. The damaged pipe was exposed, an 8" x 25" repair clamp was installed, and the repair was backfilled with concrete. Site restoration included construction of a new berm to divert storm water runoff.

*611 Jamison Road:* On March 30, 2018 the Town of Elma notified the DSM of a leak coming from a vault located in front of the Sonwil Distribution Center. The source of the leak was from Sonwil's pipe preceding the connection with the Elma Force Main. An isolation valve serving this pipe, located in the vault, was inoperable and a shutdown of the Elma Force Main



had to be coordinated with Steuben Foods, Moog, and Conley Trucking. The shutdown involved mobilization of six storage tanks to the Steuben property for flow control, as well as depressurization of the line. The leak was ultimately repaired by Sonwil's contractor. Mr. Fiegl noted this repair would not have been possible without the cooperation of Steuben Foods.

b. Pretreatment Report

At the December 6, 2017 meeting, the Board entered into a consent stipulation with Switzer which included a March 1, 2018 compliance deadline. DSM staff visited Switzer on February 12, 2018 to inspect the new pretreatment system. The system was fully operational, but adjustments were still being completed to optimize performance. On March 14, 2018, the DSM received the semi-annual monitoring report from Switzer indicating all results comply with permit limits.

c. Construction Report

i. CIPP Lining Contract 75 – Work Order 1k (Handout)

The Board reviewed a copy of a final Notice to Proceed letter for Contract No. 75 dated March 1, 2018. Work Order 2 (United Survey) is ongoing. Sections on Electric Ave. and Rosedale will be postponed to Work Order 3 due to high flows and the need for homeowner inspections and follow-up respectively. Work Order 3 will be used to USI in April or May. Work Order 1K was issued to Kenyon in March and includes about 11,000 LF in District 3.

ii. Milestrip Rd Pumping Station Bypass Chamber – Contract 57 (Handout)

The Board reviewed a copy of a final Notice to Proceed letter for the Milestrip Road Pumping Station Bypass Chamber Project, Contract No. 57.

iii. Contract 79 – Sewer Repair Contract

A manhole to manhole repair work order for Meadow Lane in Hamburg will be issued in the spring.

iv. Contract Boston Valley Pump Station #3

All structural concrete work is complete. Pumps are in and the internal piping in the wet well and valve chamber is being finished this week. Electrical work has started between the new control building and the wet well. We anticipate startup of the new station by the end of the month. We are still waiting on the new utility pole and service from NYSEG.

d. American Public Works Association – Award (Handout)

The Board reviewed a copy of a letter dated March 5, 2018 from the WNY Branch of the American Public Works Association (APWA) notifying the DSM that the Rush Creek Interceptor project was selected to receive APWA's 2017 Environmental Project of the Year

award. The award will be presented April 12, 2018 at the NY Chapter Conference and Awards Banquet to be held at the Buffalo Hyatt Regency.

e. Willow Bend Club (Handout)

The Board reviewed a notification letter dated February 15, 2018 from the Town of Hamburg Supervisor, James Shaw, regarding a repetitive sewer overflow issue at the Willow Bend Club on Taylor Rd. The letter indicates there have been numerous overflow occurrences, reported by the owner of the adjacent property, from a privately owned manhole at the club over the years. Flows to the manhole originate from a private pumping station located on the Willow Bend property. The DSM understands that the Town of Hamburg has since shut off power to the club thereby eliminating the possibility of overflows from this manhole. The DSM has spoken to almost all of the organizations listed in the letter regarding this matter.

f. Letter to (T) Orchard Park – Resident Phone Calls (Handout)

The Board reviewed a copy of a letter dated March 2, 2018 from the DSM to the Town of Orchard Park Engineer, in response to numerous phone calls received from residents in the Burmon Road area earlier this year. This letter was prepared to inform the Town of these phone calls and offer clarification on the issues the residents presented.

g. Southtowns AWTF & Blasdell WRRF – Collection System and SSO Annual Report – (Handout)

On March 1, 2018, 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.

h. Holland WRRF – Annual Compliance Inspection (Handout)

On February 9, 2018 the NYSDEC's annual inspection of the Holland WRRF took place. The treatment plant was found to be well operated and the facility is generally in compliance with the SPDES permit. A few maintenance items were noted in the letter.

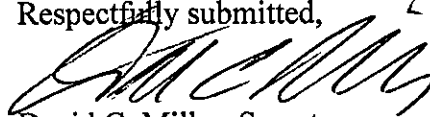
On a motion by Mr. Kasprzyk, seconded by Mr. Simmeth, the Board voted to receive and file the informational items on the agenda. The motion carried 7 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Hartman, seconded by Mr. Rood, the meeting was adjourned at 8:33 a.m. The motion carried 7 – 0.

Next meeting is scheduled for June 13, 2018 at 8:00 a.m.

Respectfully submitted,



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

DM:lku

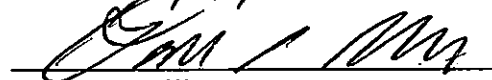
Motion to Approve the April 11, 2018 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: DAVID ROOD

App/Disapp: APP. 8-0

Date: 6/13/2018

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

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS MEETING  
WEDNESDAY, JUNE 13, 2018  
SOUTHTOWNS TREATMENT CONFERENCE ROOM  
MINUTES

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

MEMBERS ABSENT: Mark Cavalcoli

OTHERS PRESENT: Glenn Absolom, Joseph Fiegl, Kevin Kaminski, Rick Rehac, Linda  
Ulrich

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills opened the meeting at 8:00 a.m.

ITEM NO. 2 – APPROVAL OF APRIL 11, 2018 MEETING MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the minutes from the April 11, 2018 meeting. The motion carried 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

Mr. Fiegl informed the Board he was interviewed by a reporter from WIVB three weeks ago to discuss the topic of beach closings. Mr. Fiegl stated in the interview there is still work to be done in the Erie County Sewer District No. 3 collection system but significant progress has been made to that end. The interview has yet to air.

ITEM NO. 4 – OLD BUSINESS

None.

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

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

On a motion by Mr. Simmeth, seconded by Ms. Hartman, the above payments were approved. The motion carried, 8 – 0.

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

Item 2(a)

a decrease of \$2,130.00 to the original contract amount of \$154,070.00. All work for this project has been satisfactorily completed and the DSM recommends close out of this contract.

On a motion by Mr. Kaczor, seconded by Mr. Rood, the Board voted to approve closeout of Contract No. 54 STP-D. The motion carried 8 – 0.

d. Contract Closeout – 37 STP-D Southtowns Influent Pumping Station Improvements (Handout)

The Board considered a resolution for the close out of Contract No. 37 STP-D with South Buffalo Electric, Inc. for electrical work involved with the Southtowns AWTF Influent Submersible Pump Station and ORF Improvements project. The final amount of the contract was \$1,716,843.06 which represents a decrease of \$38,656.94.00 to the original contract amount of \$1,752,500.00. All work for this project has been satisfactorily completed and the DSM recommends close out of this contract. Final payment will not be released to South Buffalo Electric, Inc., or its bonding company, until the New York State Department of Labor provides further guidance to the DSM concerning outstanding labor issues on other audited projects.

On a motion by Ms. Hartman, seconded by Mr. Simmeth, the Board voted to approve closeout of Contract No. 54 STP-D. The motion carried 8 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported that the incinerator rebuild at the treatment plant is nearly complete. An asbestos issue delayed the project, but that issue has been resolved.

Mr. Kaminski also reported that a civil service list from a treatment plant operator's test was recently released. The results of the test were not all positive as roughly half of the existing DSM operators that were hired provisionally in recent years did not pass. Personnel changes will have to be made as a result. Mr. Kaminski added the DSM offers many training opportunities for staff to pass this exam.

Mr. Rezac reported that the District has been conducting Inflow and Infiltration (I&I) investigations in Mini System-19 (MS-19) tributary to an SSO location at Park & Ontario. Private property violations were found at Citizen's Bank and Camper World. Both have been sent violation letters. Staff has also flushed, televised, and root cut as necessary all sections downstream, from Electric to the North side of Sowles. They have since mechanically cleaned under the I-90 working through the back lots towards Southwestern. Heavy root masses have been removed from some of these sections. A very similar effort is also underway in MS-1, tributary to the SSO location at Kent and Avon in Blasdell.

Inspection and smoke testing at the Wanakah Country Club revealed several violations, including a fairway drainage connected to the sanitary system. Additionally, flow monitoring revealed heavy inflow from the Hamburg golf course. The related manhole covers were sealed

commence next week. All work, other than lawn restoration, should be complete by the end of July 2018.

i. Contract 75 CIPP Lining – Kenyon Work Order 1 – Revision (Handout)

The Board reviewed a copy of Work Order No. 1K for the CIPP Lining Term Contract, to Kenyon Pipeline Inspection. This work order is a revision issued to correct discrepancies with actual field conditions.

ii. Contract 75 CIPP Lining – United Survey Work Order 3 (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. Southtowns WRRF – Draft Air Title V Permit (Handout)

The Board reviewed a copy of a letter from the DSM to the NYSDEC regarding the Southtowns WRRF draft Title V air permit. The letter documents proposed permit conditions that warrant revisions or further discussion.

Mr. Kaczor excused himself from the meeting at 8:21 a.m.

e. National Fuel Letter – Sewer Cross Bore Safety & DSM Response (Handout)

The Board reviewed a copy of a notification from National Fuel to the DSM concerning potential hazards associated with cross bores. National Fuel defines cross bores as natural gas lines unintentionally and unknowingly installed through existing sanitary and storm pipes by means of trenchless construction methods. Hazards occur when those natural gas lines are subsequently damaged by mechanical equipment used to clean sewer line blockages. The notice recommends that DSM perform a thorough investigation of its sewer lines prior to cleaning with mechanical equipment, including property owner inquiries, teleinspection, and calling 811.

The Board also reviewed the DSM's response letter to National Fuel addressing the cross bore notification. The letter points out the DSM maintains over 1,000 linear miles of sanitary sewer pipes that often require immediate cleaning for the preservation of public health and safety and states that National Fuel's proposed recommendations are not feasible or practical in most cases. As an alternative, the DSM offered to coordinate with National Fuel's trenchless pipe installation contractors to prevent cross bores from occurring in the first place or to identify problems immediately after installation so that sewer backups do not occur in the first place.

f. ECSD No. 3 Overview

Mr. Fiegl delivered a presentation to the Board providing general overview of Erie County Sewer District No. 3.

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS BUDGET MEETING  
WEDNESDAY, JUNE 20, 2018  
SOUTHTOWNS WRRF CONFERENCE ROOM  
MINUTES

MEMBERS PRESENT: Chairman John Mills, Mark Cavalcoli, Michael Kasprzyk,  
David Millar, David Rood, Karl Simmeth, Donald Witkowski

MEMBERS ABSENT: Melissa Hartman, David Kaczor

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joe Fiegl, Kevin Kaminski,  
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. and welcomed new Board Member, Mark Cavalcoli.

ITEM NO. 2 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 3 – OLD BUSINESS

None.

ITEM NO. 4 – NEW BUSINESS

a. Presentation and Approval of 2019 Budget

i. Proposed 2019 Budget (Handout)

Mr. Fiegl presented the proposed ECSD No. 3 Budget. It was noted that the package before the Board was updated (and transmitted via e-mail) on June 18<sup>th</sup> to reflect adjustments to Code 505800 345A and fund balance.

ECSD No. 3 is part of the combined ECSD Nos. 3 and 8 budgets. The ECSD Nos. 3 and 8 budget is developed based upon a Memorandum of Understanding (MOU) updated in April 2018. The MOU 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 areas.
- Debt service, revenues, fund balance, and capital reserve allocations are exclusive to each sewer district.

Item 2(b)

The ECSD No. 8 Board approved their portion of the combined budget at their June 19<sup>th</sup> meeting.

For this year, Central Region shares in approximately 39% of the Division-wide expenses, 36% of vehicle 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.

Reviewing the overall summary for ECSD No. 3, total appropriations are projected to decrease approximately \$674,000 when compared to 2018. The major component of this decrease is a drop of \$650,000 in allocated to capital reserves. This is necessary because of a decrease in available fund balance. It was discussed last year that depending on fund balance levels the amount of capital reserves allocated may change in future years.

The proposed budget is such that it is estimated the typical ratepayer (single family home) in ECSD No. 3 will have an increase of 1.7% (or \$6 – 8 annually). A proposed increase in the unit usage charge of \$5 is proposed in this budget.

Mr. Fiegl explained that there were a few adjustments in the 2019 personnel budget for ECSD Nos. 3 and 8. Specifically, the total number of personnel paid for exclusively through this budget has decreased by one due primarily to the centralization of vehicle maintenance services.

Fringe benefits for employees are being calculated at 60% in this budget – a decrease from 2018. Actual numbers are not available at this time, but this is a conservative estimate.

The 2019 equipment line items represent over \$639,000 of the Central Region budget. The major items includes various treatment plant and pumping station equipment replacements, shared equipment purchases to be used across all Erie County Sewer Districts, replacement of three (3) vehicles, technology upgrades, and Central Region's 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, the new code for central vehicle maintenance, the revision made to 505800 345A, various changes in Maintenance and Repair supply codes, adjustments in chemicals, the \$2,000,000 remaining in I&I repair, the decrease in capital reserves for ECSD No. 3 (with levels still remaining 17.5% higher than 2017), decreases in utility costs, and personnel costs.

Fund balance usage as an offsetting revenue is budgeted at approximately 58% of the amount available on 12/31/17. The available district fund balance represents approximately 4.3 months of 2019 budgeted appropriations. This is higher than the DSM's typical target but observing recent trends on amount available and amount used, it is believed that this allocation of fund balance is prudent.



A number of questions were presented by the Board members during the budget presentation. The questions included detailed discussion regarding fund balances. Mr. Absolom and Mr. Fiegl explained that the fund balance account functions as District's contingency account if something catastrophic occurs and is used as offsetting revenue in the budget. It is important to have these monies to protect the individual special districts.

An inquiry was presented regarding whether or not ECSD No. 3 was in a position to implement projects should monies suddenly become available from the United States Environmental Protection Agency (USEPA). Mr. Fiegl replied that the DSM submitted a Facility Report Update and a No Feasible Alternatives analysis to the NYSDEC for approval under the terms of the Southtowns WRRF State Pollutant Discharge Elimination System permit. The DSM is presently conducting further analyses as a result of report comments received by the NYSDEC. When final approval of those reports is garnered, the DSM will be in a position to implement projects; however, at the present time, there is not a completed project design ready for construction. The DSM has attempted to be proactive on this item but the lack of final approvals from the NYSDEC has delayed the process.

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. Kasprzyk, seconded by Mr. Cavalcoli, the Board voted to approve the budget presented for ECSD No. 3. The motion carried, 7 – 0.

ii. 271 Resolution (Handout)

It was resolved that approximately 73% and 27% of the total sanitary sewer tax levy of \$7,062,782 shall be raised from the assessed value and footage charges, respectively, for ECSD No. 3.

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

ITEM NO. 5 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Sewer Permit Expiration Time Changes

Mr. Millar informed the Board effective June 11, 2018, to coincide with the kickoff of DSM's new permit system, expiration dates have been updated as follows:

- Sewer Repair Permits are now only valid for 30 days.
- Sewer Disconnect Permits are now only valid for 30 days.

The previous time allotted for these activities was 180 days which was too much time for tracking purposes. Sewer Connection Permits will remain valid for 180 days.

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

Mr. Fiegl made an inquiry concerning future meetings held by the ECSD No. 3 Board during the month of June. Typically, the Board conducts two separate meetings during June. The first is held to address regular business. The second is held for the budget. As the ECSD Nos. 3 and 8 Boards recently voted to no longer conduct the joint budget meeting unless necessary, the opportunity exists to combine the two June meetings into a single meeting where both regular business and the budget will be addressed. After some discussion, the general consensus of the Board was to continue holding two separate meetings in the month of June.


ITEM NO. 6 – ADJOURNMENT & NEXT MEETING

The Board discussed the need to hold the next regularly scheduled meeting on July 11, 2018. On a motion by Mr. Millar, seconded by Mr. Simmeth, the Board voted to cancel the July 11, 2018 meeting. The motion carried, 7 – 0.

On a motion by Mr. Rood, seconded by Mr. Simmeth, the meeting was adjourned at 8:55 a.m. The motion carried, 7 – 0.

The next meeting of the Board is scheduled for Wednesday, October 10, 2018, 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 20, 2018 Budget Meeting Minutes

Moved by: DAVID ROOD

Seconded by: MELISSA HAERTMAN

App/Disapp: APPROVED 7-0

Date: 10/10/18



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

ERIE COUNTY SEWER DISTRICT NO. 3  
BOARD OF MANAGERS MEETING  
WEDNESDAY, OCTOBER 10, 2018  
SOUTHTOWNS WRRF CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, Mark Cavalcoli, Melissa Hartman, David Kaczor, David Millar, David Rood, Donald Witkowski

MEMBERS ABSENT: Michael Kasprzyk, Karl Simmeth

OTHERS PRESENT: Steve Canestrari, Joseph Fiegl, Roger Lalli, Linda Ulrich

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills opened the meeting at 8:00 a.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETINGS

a. June 13, 2018 (Handout)

On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve the minutes from the June 13, 2018 meeting. The motion carried 7 – 0.

b. June 20, 2018 Budget Meeting (Handout)

On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve the minutes from the June 20, 2018 budget meeting. The motion carried 7 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

None.

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ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of October.

On a motion by Mr. Kaczor, seconded by Mr. Cavalcoli, the Board voted to approve the October 2018 payments. The motion carried 7 – 0.

b. 2019 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, 2018 at the Division of Sewerage Management (DSM) Northern Region offices for the proposed 2019 User Charge Rates. This hearing is a requirement of County Law. User charges for the various parameters (BOD, TSS, etc.) are based on usage flow and pollutant loadings and are calculated annually from historic cost data from the treatment facility. No comments were received from the public at the meeting.

ii. Approval of Resolution (Handout)

The Board considered a resolution to approve the proposed 2019 User Charge Rates.

On a motion by Mr. Cavalcoli, seconded by Mr. Rood, the Board voted to approve the resolution. The motion carried 7 – 0.

c. 2019 Meeting Schedule (Handout)

The Board reviewed a copy of the 2019 meeting schedule for approval. The only change noted is the addition of a regular meeting on June 12, 2019. The annual budget meeting will take place the following week on June 19, 2018.

On a motion by Ms. Hartman, seconded by Mr. Kaczor, the Board voted to approve the proposed 2019 meeting schedule, as amended. The motion carried 7 – 0.

d. I/I Enforcement Hearing – Approval for Fine Stages (Handout)

The Board reviewed a package of hearing summaries from the Compliance Hearing held on June 6, 2018. At that hearing, a Compliance Officer evaluated and recommended premium assessments to 3 property owners in the District for violating the “Rules and Regulations of Erie County Sewer Districts.” Property owners who do not correct violations

within 30 days of notification will receive a recommended premium assessment in the amount of \$100.00 per month (up to \$10,000.00).

On a motion by Mr. Kaczor, seconded by Mr. Rood, the Board voted to approve the recommended fines for the listed properties. The motion carried 7 – 0.

e. 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, 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.

Mr. Mills inquired about the mechanism by which the DSM receives premium assessment fines. Mr. Fiegl explained that liens are placed on the county tax bills. Mr. Kaczor inquired about the procedure that allows for DSM to recoup premium assessment funds through County tax rolls. Mr. Fiegl will research this issue and provide an explanation at the next Board meeting.

On a motion by Ms. Hartman, seconded by Mr. Cavalcoli, the Board voted to approve the referrals to compliance hearing. The motion carried 7 – 0.

f. Truckers Discharge Permits Approval (Handout)

Waste Hauler 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. Witkowski, seconded by Ms. Hartman, the Board voted to approve Waste Hauler's Discharge permits to Delo Drain & Septic, JB Enterprises, Modern Portable Toilets, United Rentals, and the Town of Orchard Park pending application and insurance approvals. The motion carried 7 – 0.

g. RFP – Air Permit Assistance

Mr. Fiegl informed the Board the DSM is currently seeking proposals from qualified engineering firms for assistance with various air permit requirements and miscellaneous tasks associated with the incinerators at the Southtowns Water Resource Recovery Facility (WRRF). A recommendation to award an agreement for these services will likely be brought to the Board for consideration in the coming month.

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

h. Budget Transfer – Water Usage

Mr. Fiegl informed the Board of a necessary but unanticipated transfer of funds, in the amount of \$15,000, from the 2018 Auto/Mechanic budget line item to the Utility Account to cover an increase in water usage at the Southtowns WRRF. The transfer resulted in no net change to the overall budget for 2018. Operations personnel are attempting to identify the source of increased water usage. Mr. Fiegl suggested newly installed compressors in the plant, which require a potable water source, may be the source of the increase.

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

i. Potential Merger – Town of Orchard Park

Mr. Fiegl informed the Board he was recently contacted by the Town of Orchard Park about the possibility of merging sewer services. The inquiry was very preliminary in nature. Mr. Fiegl stated that an impact study would be necessary to fully assess potential cost implications prior to executing a merger agreement. Mr. Fiegl will keep the board apprised of any new developments, should they arise.

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

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Lalli discussed ongoing projects in ECSD No. 3.

- A manufacturer's representative was on site at the Boston Valley Pumping Station to adjust pump motor drives installed as part of the recent reconstruction of this station. The pumps are now functioning properly.
- A power monitoring system was recently installed at the Southtowns WRRF in an effort to improve power consumption efficiency.
- UNOX Reactor Nos. 3 and 4 were cleaned as part of a bi-annual maintenance program.

Mr. Kaczor inquired recent activity at the Milestrip Road Pumping Station. Mr. Canestrari responded by informing the Board there was a mechanical issue at the station that was addressed with no interruption of service.

(Mr. Kaczor departed the meeting during this report at 8:25 a.m.)

Mr. Canestrari presented the following report for collections:

### I&I MS19 updates

- Hilbert College has corrected most violations with the exception of infiltration into the private sewer system on that property.
- Citizen's Bank (CB) is actively correcting identified violations. CB has developed plans to discharge storm water to the rear of its property and has made arrangements with a contractor to construct related improvements.
- Camping World is in the process of hiring a contractor to separate roof leaders from the sanitary sewer system.
- East Prospect & Charlotte: A 12" water main broke under DSM's sanitary sewer at this location in the Village of Hamburg. The Erie County Water Authority (ECWA) removed a section of sewer to facilitate repair of the water main. Upon completion, District staff replaced 24 lineal feet of affected sewer pipe and repaired an adjacent manhole. The ECWA backfilled the excavation and contracted out final restoration services. Ms. Hartman inquired about the costs to ECSD No. 3 for this repair. Mr. Canestrari stated less than \$2,500 was used for necessary manpower and material. (Note: Upon departmental review of related expenses, the actual cost of the repair to ECSD No. 3 was \$4,200.)
- Wanakah Country Club has corrected all violations involving the storm sewer cross connection identified at this property.

#### b. Pretreatment Report

##### i. Industrial Waste Survey (Handout)

As a requirement of the Southtowns WRRF State Pollutant Discharge Elimination System (SPDES) permit, an industrial waste survey was sent to all businesses tributary to the facility having the potential for an industrial wastewater discharge. The survey is conducted every five years.

##### ii. Preventing Sewer Blockages through Proper Management of Fats, Oils & Greases (Handout)

The Board reviewed a copy of an informational letter sent to residents on Lilydale Dr. in Hamburg. The letter was sent in response to a grease blockage that occurred in a sewer line to which these streets are tributary. The letter points out that grease blockages are preventable and may cause damage to personal property via basement backups.

#### c. Construction Report

##### i. CIPP Lining Contract 75 – Work Order No. 2K (Handout)

The Board reviewed a copy of Work Order 2K issued in July to Kenyon Pipe Inspection for CIPP Lining Term Contract No. 75, effective July 23, 2018.

ii. CIPP Lining Contract 75 – Work Order No. 4 (Handout)

The Board reviewed a copy of Work Order 4 issued to United Survey for CIPP Lining Term Contract No. 75, effective August 20, 2018

iii. Hilbert College Campus Sanitary Evaluation – 1<sup>st</sup> Violation (Handout)

The Board reviewed a copy of a certified letter sent to Hilbert College, dated August 28, 2018, listing violations and deficiencies identified on the property by ECSD No. 3 personnel.

iv. Wanakah Country Club Sewer Evaluation – 1<sup>st</sup> Violation (Handout)

The Board reviewed a copy of a certified letter sent to Wanakah Country Club, dated August 28, 2018, stating that storm water draining was directly connected to the onsite private sanitary sewer system tributary to the Southtowns WRRF. The connection allowed for extraneous ground and rain water flows to enter the sanitary system. As discussed previously, all issues have been resolved.

d. SPDES Southtowns Advanced Wastewater Treatment Facility Flow Management Plan (Handout)

The Board reviewed a copy of a Flow Management Plan sent to the New York State Department of Environmental Conservation (NYSDEC). The plan was required by the NYSDEC because the annual average flow at the Southtowns AWTF exceeded 95% of design. As noted on the first page, and referenced throughout, the plan is generally a summary of ongoing efforts referenced in the Southtowns WRRF SPDES permit which include the Updated Facilities Plan as well as elements of the DSM's Inflow/Infiltration Program.

e. EPA Collection System Audit

Mr. Fiegl informed the Board that the United States Environmental Protection Agency (USEPA) is currently auditing the collection system of ECSD No. 3. The USEPA was onsite on October 9, 2018 inspecting various documents and records with a focus directed at overflows. So far, one item that came up was a missing operation/maintenance plan for our collection system. .

Mr. Mills inquired about additional funding for sewer improvements related to the audit. Mr. Fiegl replied that he will discuss that item with USEPA at a meeting scheduled to take place later in the day.

f. Water Main Break – E. Prospect & Charlotte

(discussed under item 6.a.)



g. Camping World

(discussed under item 6.a.)

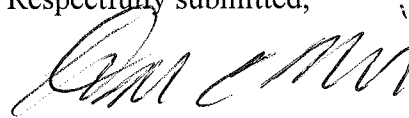
On a motion by Ms. Hartman, seconded by Mr. Rood, the Board voted to receive and file informational items on the agenda. The motion carried 6 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Witkowski, seconded by Mr. Cavalcoli, the meeting was adjourned at 8:43 a.m. The motion carried, 6 – 0.

Next meeting is scheduled for 8:00 a.m., Wednesday, December 5, 2018 at the Southtowns WRRF conference room.

Respectfully submitted,



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

DM:lku

Motion to Approve the October 10, 2018 Meeting Minutes

Moved by: MELISSA HARTMAN

Seconded by: MARK CAVALCOLI

App./Disapp.: APPROVED 9-0

Date: FEB. 13, 2019.



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