

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING MINUTES
WEDNESDAY, FEBRUARY 12, 2020
SOUTHTOWNS AWTF CONFERENCE ROOM
MINUTES

MEMBERS PRESENT: Chairman David Kaczor, Jason Cozza, Melissa Hartman, Michael Kasprzyk, David Millar, David Rood, Emery Wittmeyer

MEMBERS ABSENT: Mark Cavalcoli, Jason Keding

OTHERS PRESENT: Glenn Absolom, Gerald Brady, Theresa Gemza, Steve Canestrari, Joseph Fiegl, Kevin Kaminski, Tammy Laurito, Michelle Oliver, Lynn Sullivan, Deborah Vinti, John Vinti

ITEM NO. 1 – CALL MEETING TO ORDER

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

a. Nomination for Board Officers

On a motion by Mr. Millar, seconded by Ms. Hartman, the Board voted to appoint Mr. Kaczor as Chairman, Mr. Kasprzyk as Vice Chairman, and Mr. Millar as Secretary of the Erie County Sewer District No. 3 (ECSD No. 3) Board of Managers for the new term. The motion carried 7 – 0.

Chairman Kaczor stated he would like to thank Mr. John Mills for his many years of service, guidance, and counsel during his time as Chairman for the ECSD No. 3 Board of Managers. He will be missed greatly.

b. Welcome New Members

The Board welcomed new members Mr. Jason Cozza, Mr. Jason Keding, and Mr. Emery who were recently appointed by the Erie County Executive.

ITEM NO. 2 – APPROVAL OF DECEMBER 4, 2019 MEETING MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the minutes from the December 4, 2019 meeting. The motion carried 7 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

Mr. Gerald Brady, Ms. Theresa Gemza, Ms. Deborah Vinti, and Mr. John Vinti, were in attendance to represent residents of the non-sewered portion of Powers Road in the Town of Orchard Park. The residents were present to request removal from the ECSD No. 3 and to also request a refund of previously paid sewer taxes as they presently have no sewers available. Mr. Vinti read aloud a handout he provided to the Board. Ms. Vinti explained that elderly residents

have tight budgets and removing these taxes would give them relief. Mr. Brady mentioned many have older failing septic systems and they do not want to replace those systems if a new sewer were to be constructed. Mr. Vinti stated the Orchard Park Town Board has promised to extend sewers on Powers Road for many years, but nothing has happened. Mr. Vinti finished his remarks by stating the Powers Road residents no longer wish to have the sewer extended to them, but would rather have their sewer taxes reduced or eliminated. Ms. Hartman asked how many residents are affected by this issue. Mr. Vinti responded approximately 50 homes.

Mr. Fiegl stated the information provided by Mr. Vinti will be formally filed and placed on the agenda for the next ECSD No. 3 Board meeting. He explained that ECSD No. 3 is a New York State special benefit district and added that he does not believe the Board of Managers has the authority to remove parcels from the District as established by the County Legislature. Residents in the District are benefitted by improved environmental conditions and the opportunity to use the existing collection and treatment systems if an extension is constructed by the Town. Mr. Fiegl then explained the multipart formula consisting of a flat usage charge, footage charge, and an assessed value charge, that is used to account for the various characteristics of benefitted properties in the District. The Powers Road residents who do not have sewer access are charged only the assessed value portion of the charge formula. Mr. Fiegl also explained residents of ECSD No. 3 can receive a partial refund for septage disposal fees at the Southtowns AWTF should the waste hauler servicing them discharge at this location.

Chairman Kaczor stated that the charges contribute to maintaining the community, a clean environment, and clean water. He added he would support the possibility of consolidating the Town of Orchard Park Sewer Districts and mentioned his understanding that it has always been the Town of Orchard Park's position not to develop or expand in the southern portion of the Town.

Mr. Fiegl stated he would contact the Orchard Park Engineering Department to discuss their plans for future sewer service.

ITEM NO. 4 – OLD BUSINESS

None.

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed the payment handout for the month of February 2020. On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve the February 2020 payments. The motion carried 7 – 0.

b. 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 as part of 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 for Erie County Sewer Districts (Rules and Regulations) and recommend a follow-up action.

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

c. Southtowns Advanced Wastewater Treatment Facility (AWTF) Overflow Retention Facility (ORF) Rehabilitation Project

i. Change Order No. 1 (Handout)

The Board considered a resolution for Change Order No. 1 to the Southtowns AWTF ORF Rehabilitation project, Contract No. 59. Change Order No. 1 has been requested for an extension of the Contract stipulated completion time. Upon final approval of Change Order No. 1, a renewed Notice to Proceed will be issued to the Contractor granting an additional 90 days to complete the project.

On a motion by Mr. Rood, seconded by Mr. Millar, the Board voted to approve Change Order No. 1. The motion carried 7 – 0.

ii. Change Order No. 2 (Handout)

The Board reviewed Change Order No. 2 to the Southtowns AWTF ORF Rehabilitation project, Contract No. 59. Change Order No. 2 was issued to address an unanticipated repair of the ORF's concrete surface that was not included in the original contract scope of work. The related repair could not be identified during initial surveys due to the constant presence of water at this location. The repair involved demolition, form installation, and cast-in-place concrete placement. The lump sum amount for work involved with Change Order No. 2 is \$25,593.95.

On a motion by Ms. Hartman, seconded by Mr. Kasprzyk, the Board voted to Receive and File Change Order No. 2. The motion carried 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Canestrari noted with this winter's favorable weather conditions, staff were able to complete routine maintenance items not typically completed at this time of year including replacement of 59 linear feet of sewer main at 7 different locations, installation of 3 pipe patches, repair of 9 manholes, inspection of 210 manholes, and preventative maintenance on numerous equipment items.

Mr. Kaminski noted staff have been working on preparing both incinerators for required upcoming stack testing procedures.

b. Pretreatment Report

No report.

c. Construction Status Report

Status of the following contracts was discussed:

Contract 59 – Southtowns AWTF ORF Rehabilitation: Hohl Industrial was unable to complete this Contract in November 2019. Construction has ceased until weather conditions are favorable for sealing remaining expansion joints. Construction is expected to resume in late spring/early summer.

Contract 63 – Parker Road Elevated Sewer: Final restoration work/seeding will take place in the spring.

Contract 64 – Holland WRRF Emergency Generator: Final design is being completed by GPI, DSM's engineering consultant. This project is expected to bid in March or April and will involve installation of a new outdoor generator with sound-attenuated enclosure, a new transfer switch with enclosure building, and a new load bank. The old generator has not been operational for several years and the new emergency power generation system service the entire facility.

Contract 65 – Southtowns AWTF Solids Handling Area Repairs: This project involves replacement of corroded steel beams and deteriorated concrete that compromise the structural integrity of the solids handling area basement and sub-basement of the Southtowns AWTF. Notice to Proceed was issued on February 3, 2020. Construction has begun. The projected completion date is April 3, 2020.

Contract 66 – Parker Road Elevated Sewer CIPP: Project was completed in December 2019. A promotional article was published on this project in a trade magazine.

Contract 75 – Cured in Place Pipe (CIPP) Lining Term Contract: CIPP lining work was completed in the Village of Blasdell by both Kenyon Pipeline and USI. Kenyon also completed lining at Lakeshore Road in Hamburg and the Milford backlot in the Village of Hamburg. Work Order No. 8 was issued to USI in January including approximately 19,000 LF in the Town of Hamburg (Robin Lane, Brian Ct, Chisholm Tr, Big Tree, Glenwillow, Sheva, Sharondale). Work Order No. 5K was issued to Kenyon Pipeline in February including approximately 14,000 LF in District No. 3, including work in the Village of OP (New Taylor, North Buffalo, East Quaker, Linwood, Freeman, Stonehenge, Pheasant, Stoneybrook) and the Village of Hamburg (Holiday Ln, Scott, Haviland, Lake Ave & cross streets).

Chairman Kaczor requested the approximate start date of this project. Mr. Millar stated it will commence early to late spring 2020. Mr. Cozza asked if some pipes are not candidates for

lining due to damage or weakness. Mr. Fiegl answered that in some cases, pipes or sections of pipe, need to be replaced. A lot of the repair work completed by ECSD No. 3 is to prepare longer sewer segments for lining.

Contract 79 – Sewer Repair Contract: As part of Work Order No. 10 issued to Visone Construction for a repair in Wanakah Heights, the porch of the house at 44 Wanakah Heights was dismantled to allow for installation of the new sewer lateral connection. Quotes were received for porch replacement related to this work order and the lowest quote was accepted from Devine's Complete Home Improvement. This work is anticipated to be completed this month, weather-dependent.

Contract 81 – Manhole Rehabilitation Contract: National Water Main Cleaning Company will return in spring to re-apply chimney seals at several manholes in the Wanakah Heights area and one manhole adjacent to the Eighteen Mile Creek at the Hamburg Golf Course. The initial application of the chimney seal material did not properly adhere to those manholes.

d. Southtowns WRRF – Annual Stack Testing (Handout)

The Board reviewed a letter from the DSM to the New York State Department of Environmental Conservation (NYSDEC) requesting a reduction in the testing frequency for the following emissions parameters during required annual stack testing: Dioxins/Furans, Carbon Monoxide, Oxides of Nitrogen, and Sulfur Dioxide. These parameters have tested well below 75% of the respective regulatory limits over the last three (3) years. With this letter, the DSM requested that the testing frequency for these parameters be changed to every third year, instead of annually, as a cost savings measure. The NYSDEC's subsequent response was to deny the third-year testing interval for Dioxins as this parameter showed a relevant increase last year compared with the previous year, even though the result was still well below the 75% regulatory limit. Consequently, the DSM will test all parameters during this year's stack test next month, and hopefully request another reduction in testing frequency next year.

e. Basement Bathroom Facility/Floor Drain Letter (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 to these connections. The letter was sent as a courtesy to notify the affected residents. Mr. Absolom noted these letters are also being sent to homeowners with previous floor drain backups noted in our complaint system.

f. Southtowns AWTF Facility Plan

Mr. Fiegl discussed an email he received from the NYSDEC last month regarding the Southtowns AWTF Facility Plan. That plan may now require additional evaluation to satisfy United State Environmental Protection Agency (USEPA) criteria related to discharges to the

Great Lakes. Mr. Fiegl added the ECDSM is committed to advancing the Facility Plan noting the Southtowns AWTF is a 40-year-old facility in need of significant improvements.

Mr. Fiegl noted the DSM was recognized by the New York Water Environment Association with its Collection System Operation and Maintenance award. A significant component of this award is the endorsement of the New York State Department of Environmental Conservation. Additionally, The DSM's Senior Sanitary Chemist, Robert Klosko, also received the Laboratory Analyst Excellence award from the Water Environment Federation. Mr. Klosko was chosen for his outstanding performance, professionalism, and contributions to the water quality analysis profession.

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

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Hartman, seconded by Mr. Kasprzyk the meeting was adjourned at 9:16 a.m. The motion carried 7 – 0.

Next meeting is scheduled for Wednesday, April 8, 2020 at 8:00 a.m.

Respectfully submitted,



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

DM:mo

Motion to Approve the February 12, 2020 Meeting Minutes

Moved by: M. Kasprzyk

Seconded by: M. Hartman

App./Disapp.: 6-0

Date: 6-10-20



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

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSD No. 3)
BOARD OF MANAGERS MEETING
WEDNESDAY, JUNE 10, 2020
VIDEO/TELEPHONE CONFERENCE
MINUTES

MEMBERS PRESENT: Chairman David Kaczor, Jason Cozza, Melissa Hartman, Michael Kasprzyk, Jason Keding, David Millar

MEMBERS ABSENT: Mark Cavalcoli, David Rood, Emery Wittmeyer

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joseph Fiegl, Kevin Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Kaczor opened the meeting at 8:05 a.m.

ITEM NO. 2 – APPROVAL OF FEBRUARY 12, 2020 MEETING MINUTES

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the minutes from the February 12, 2020 meeting. The motion carried, 6 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

a. Powers Road Inquiry (Handout)

The Board reviewed a series of letters and email correspondences prepared to address the request by the several residents from the Powers Road area of ECSD No. 3, in attendance at the February 12, 2020 meeting, for removal from the District and a refund of past sanitary sewer fees. The Erie County Division of Sewerage Management (ECDSM) coordinated with the County Attorney's office regarding these concerns. The County Attorney's office reaffirmed the statement made in the ECDSM's February 26, 2020 letter "that Article 5-A of New York State County Law does not provide a method to remove areas from a district once it is set up."

Chairman Kaczor recognized the ECDSM for the considerable time and effort put forth in attempting to fairly address the concerns of the Powers Road residents. Mr. Kasprzyk stated that while the County Attorney's office determination may be legally correct, he had concerns regarding fairness considering those just outside of the district boundaries contributing nothing. Mr. Cozza stated that, based on the dialogue, the County Attorney's interpretation of the law was appropriate and noted it did not seem anything else could be done. Chairman Kaczor noted he believed there is the general need for residents outside benefitted districts like ECSD No. 3 to contribute to them, adding that everyone has the responsibility for the betterment of a community. Mr. Fiegl stated that ECSD No. 3 addresses fairness through implementation of the three-part formula used to generate sewer district revenues. The formula takes into account that some residents within the Districts are benefitted more than others. Additionally, those in the district have the opportunity to connect in the future once sewer service is extended and, in the

meantime, may dispose of their septage at the Southtowns Facility for a partial refund of their charges paid. Those are not opportunities afforded to those outside of the District.

On a motion by Mr. Keding, seconded by Chairman Kaczor, the Board voted to receive and file the Powers Road inquiry letters and email correspondence. The motion carried, 6 – 0.

b. Sanitary Backups – Westside of Abbott (Handout)

The Board reviewed a letter from Town of Hamburg Supervisor James Shaw, regarding purported sanitary sewer backups in the eastern quadrant of Hamburg along Abbott Rd. in the vicinity of Thurston Avenue, and the response to the Supervisor from the ECDSM. The area of concern was part of a Town of Hamburg Sewer District until November 20, 2012 when it was formally merged into ECSD No. 3 (Minisystem 006) at the request of the Town. At the time of the merger, the Town was under an Order on Consent with the New York State Department of Environmental Conservation (NYSDEC) to address long-standing sanitary sewer overflows in this area. The Town retained the Order on Consent pursuant to the asset transfer agreement, but the ECDSM acts as the Town's agent concerning compliance. The primary reason for the Order on Consent was due to the deployment of portable bypass pumps on Richmond Avenue during large wet weather events to mitigate damage from high water levels during large wet weather events.

The ECDSM has completed numerous activities to evaluate the inherited sewer system and investigate the sources of extraneous flows including: comprehensive flow monitoring, private property inspections, smoke/dye testing, closed circuit televising (CCTV), and manhole inspections. These activities are used to identify and prioritize further investigations and capital investment. Previously completed investigations have allowed ECDSM to identify and remove various sources of extraneous flows impacting ECSD No. 3, Minisystem 006. While there have been long-standing sanitary sewer issues in this area, since the time of the merger progress has been made as evidenced by customer complaint records from homeowners in the area of concern during the last five (5) years.

Mr. Fiegl informed the Board the NYSDEC generally does not allow upsizing of downstream piping to remedy sanitary sewer system backups. Mr. Fiegl added he spoke with Supervisor Shaw after the ECDSM sent its response, just prior to the COVID-19 crisis. Mr. Fiegl also noted residents in the area of concern have experienced issues with stormwater drainage. Mr. Keding inquired as to whether or not the ECDSM was aware of which residents in that area were interested in lateral replacement. Mr. Fiegl responded the ECDSM's lateral replacement program is voluntary for those residents who wish to pursue it, but added only a limited number of replacements are available across the entire District. Mr. Cozza asked about the extent of overflow issues to which Mr. Fiegl responded the ECDSM assumed responsibility for numerous sanitary sewer overflows during various mergers over the years and has managed to successfully eliminate/mitigate the majority of them. This is one of the last few remaining and as evidenced in the response letter, is an area of focus.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to receive and file the Town of Hamburg correspondence. The motion carried, 6 – 0.

ITEM NO. 4 – OLD BUSINESS

None

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed the payment handout for the month of June 2020.

On a motion by Mr. Kasprzyk, seconded by Mr. Keding, the Board voted to approve the June 2020 payments. The motion carried, 6 – 0.

b. Capital Reserve Transfer (Handout)

The Board considered a resolution to recommend the transfer of up to \$110,000 from the ECSD No. 3 capital reserve account to the ECSD No. 3 operating budget. The transfer will be used to assist with the ultimate refurbishment/replacement of the effluent screw pump gear boxes at the Southtowns Advanced Wastewater Treatment Facility (AWTF). The existing effluent pump gear boxes are original to the Southtowns facility, have never been rebuilt, are critical for managing flows, and are at the end of useful life. The estimated cost for a new existing effluent gear box is \$110,000, which is proposed to be financed with capital reserve account funds to avoid incurring bond debt costs. Mr. Kasprzyk inquired about the likelihood of successfully rebuilding the effluent screw pumps to which Mr. Kaminski replied addressing the gear boxes would be the first step to that end. Chairman Kaczor asked about the timing of this item and also the use of capital reserves for this purchase. Mr. Fiegl explained this gear box was a 2021 budget request and due to some challenges in the 2021 proposal, the use of capital reserves was identified as a solution to address this need.

On a motion by Ms. Hartman, seconded by Mr. Keding, the Board voted to approve the resolution recommending the transfer of up to \$110,000 from the ECSD No. 3 capital reserve account to the ECSD No. 3 operating budget. The motion carried, 6 – 0.

c. Memo to Board – COVID-19 Update (Handout)

The Board reviewed an April 23, 2020 memorandum from Joe Fiegl concerning the COVID-19 outbreak State of Emergency. Both the State and Federal governments designated public water and wastewater as an essential service. In response, the ECDSM implemented an emergency staffing plan to reduce to possibility of contact exposure for ECDSM personnel while

safely maintaining our critical service. Additional measures have also been taken including enhanced cleaning of facilities, limiting vehicle occupancy, following social distancing protocols, and imposing numerous other working condition related restrictions.

Mr. Fiegl informed the Board that, as of June 1, 2020, the ECDSM has resumed full staffing levels. He extended his complements to Glenn Absolom, Kevin Kaminski, Steve Canestrari, and staff for their tremendous efforts during this difficult time. Mr. Fiegl added the ECDSM would continue to follow safety protocols as conditions dictate.

On a motion by Chairman Kaczor, seconded by Mr. Millar, the Board voted to receive and file the COVID-19 Update correspondence. The motion carried, 6 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski presented the following report for operations:

- *COVID-19*: Treatment plant staff have been following COVID-19 health and safety protocols.
- *Southtowns Chiller*: The existing chiller units at Southtowns have failed and have been replaced.

Mr. Canestrari presented the following report for collections:

- *COVID-19*: Collection system operations were adjusted to accommodate staff including the use of split shifts.
- *Abbott Rd. Project*: In order to assist the Erie County Highway Department with this road construction project, district staff replaced approximately 16 linear feet of sewer main in conflict with newly installed catch basins.

b. Pretreatment Report

The Board reviewed a letter from the ECDSM to Unifirst Corporation regarding violations of its Industrial Discharge Permit limits for oil and grease, as required by the Division's pretreatment program. UniFirst installed a new oil and grease removal system in August 2019 to address the violations; however, violations have continued to occur. Unifirst submitted a letter on May 21, 2020 to the ECDSM which explained that work flows at their facility have changed due to the COVID-19 crisis and this was the cause of the oil and grease violations. Unifirst will adjust its process to address the issue. Increased monitoring may be required if the violations continue.

c. Construction Report

i. Parker Rd. Contract 63 – Change Order No. 1 (Handout)

The Board reviewed a copy of Change Order No. 1 to the Parker Road Elevated Sewer Repair Project, Contract 63, for the repair of a section of 8-inch diameter exposed sewer that was identified during construction in the vicinity of the elevated section of sewer off Parker Road. The exposed pipe was located in a heavily wooded area with difficult access and was the result of meandering stream that eroded cover away from the pipe over time. The change order was in the amount of \$46,430.80 and included clearing and grubbing, removal and replacement of the exposed pipe, concrete encasement at the stream crossing, and stream bank protection. Mr. Millar informed the Board this issue was originally discussed during the October 9, 2019 regularly scheduled meeting.

Contract 59 – Southtowns AWTF ORF Rehabilitation: Construction for this contract should resume in June. Construction work was halted to allow for weather conditions favorable for sealing remaining expansion joints. Construction will be completed this summer.

Contract 63 – Parker Road Elevated Sewer: Final restoration work/seeding will take place in the spring/summer.

Contract 64 – Holland WRRF Emergency Generator: Final design is being completed by an engineering consultant. This project will go through a final QA/QC review and is expected to bid in August or September. The project involves installation of a new outdoor generator with sound-attenuated enclosure, new transfer switch with enclosure building, and new load bank.

Contract 65 – Southtowns WRRF Solids Handling Area Repairs: Construction on this project paused due to the COVID-19 crisis. Construction should resume in June and will be completed this summer. The remaining work includes replacing the grouting under one filter press, railing repairs and final support beam repairs.

Contract 66 – Parker Rd. CIPP: An inspection in May revealed that the liner pipe installed last December has slightly expanded into the upstream manhole. The contractor for this project will televise the liner during the first week of June and provide a recommendation. This project is under warranty.

Contract 75 – Cured in Place Pipe (CIPP) Lining Term Contract: United Survey, Inc. completed preparation work for Work Order (WO) 8 and CIPP lining work in the Village of Blasdell (WO 7). Kenyon Pipeline completed preparation work on WO 5K. CIPP lining work by both contractors paused due to the COVID-19 crisis in late March. USI resumed work on May 28th. They will commence lining work in the Village of Blasdell in June and lining work in the Robin Lane neighborhood (Town of Hamburg) is expected to be completed this summer.

Kenyon Pipeline is anticipated to return in late June/July to complete approximately 14,000 LF in District 3, including work in the Village of OP (New Taylor, North Buffalo, East Quaker, Linwood, Freeman, Stonehenge, Pheasant, Stoneybrook), and the Village of Hamburg (Holiday Ln, Scott, Haviland, Lake Ave & cross streets).

- ***During the NYS Pause, United Survey was also assigned removal of a large root ball and cleaning/televising of a line on Lakeshore Road (Mount Vernon sewer district). This work was deemed essential due to the extent of the obstruction and the potential to cause backups. The root ball was successfully removed and a pipe patch was installed. In accordance with the agreement with the Mount Vernon sewer district, ECDSM is responsible for the costs to clean/maintain/provide root removal and will be invoicing the Town of Hamburg for the portion of the repair in excess of \$4,000 (which will be \$1,000).

Contract 79 – Sewer Repair Term Contract: Visone Construction has lawn restoration work to complete under WO 10 Wanakah Heights. The homeowner porch repair at 44 Wanakah Heights was completed by Devine’s Complete Home Improvement in March 2020.

Contract 81 – Manhole Rehabilitation Contract: Contractor (NWMCC) is returning to re-apply chimney seals at 2 defective installations, currently scheduled for the first week of June, and will inspect all other manholes in the work order before final acceptance.

Contract 82 – Sewer Replacement Contract: This contract will bid June 26, 2020 and will address multiple repairs, primarily manhole to manhole, in several sewer districts including the following locations in ECSD No. 3: Frontier Drive (Blasdel), Linwood Ave (Hamburg), Nottingham Terrace (Hamburg), Meadow Drive (Hamburg). An email poll will be required to award this project before the summer Legislative recess.

Chairman Kaczor inquired about the possibility of financial impacts from delays in construction contract work due to the COVID-19 crisis. Mr. Fiegl responded he was not aware of any.

- d. Holland Wastewater Resource Recovery Facility – Annual Compliance Inspection (Handout)

The NYSDEC completed its annual inspection of the Holland WRRF on March 19, 2020. The treatment facility was considered to be well operated and the NYSDEC noted the operators are to be commended for their efforts. Two maintenance items were noted during the inspection as follows: 1.) The creek bank at the facility outfall requires stabilization, and 2.) Spalling concrete repairs are needed at the primary clarifier stairs and at the exterior of the sand filter building. The ECDSM is addressing the two maintenance items.

e. Southtowns Collection System and SSO Annual Report (Handout).

On February 26, 2020, the ECDSM submitted the annual Collection System Program (CSP) and Sanitary Sewer Overflow (SSO) reports to the NYSDEC for the Southtowns AWTF as required by the State Pollution Discharge Elimination System (SPDES) permit for this facility.

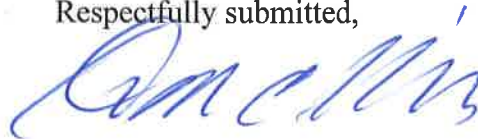
On a motion by Ms. Hartman, seconded by Chairman Kaczor, the Board voted to receive and file the above miscellaneous and informational items. The motion carried, 6 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Keding, seconded by Chairman Kaczor, the meeting was adjourned at 9:02 a.m. The motion carried, 6 – 0.

The next meeting is scheduled for June 17, 2020 at 8:00 a.m., via teleconference, to consider the proposed 2021 Erie County Sewer District No. 3 budget.

Respectfully submitted,



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

DM:dm

Motion to Approve the June 10, 2020 Meeting Minutes

Moved by: DAVID MILLAR

Seconded by: DAVID KACZOR

App./Disapp.: APPROVED 7-0

Date: 10/7/2020



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

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSD No. 3)
BOARD OF MANAGERS BUDGET MEETING
WEDNESDAY, JUNE 17, 2020
VIDEO/TELEPHONE CONFERENCE
MINUTES

MEMBERS PRESENT: Chairman David Kaczor, Jason Cozza, Melissa Hartman, Michael Kasprzyk, Jason Keding, David Millar, David Rood, Emery Wittmeyer

MEMBERS ABSENT: Mark Cavalcoli

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joseph Fiegl, Kevin Kaminski

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

Chairman Kaczor called the meeting to order at 8:06 a.m.

ITEM NO. 2 – ITEMS FROM THE PUBLIC

None

ITEM NO. 3 – OLD BUSINESS

None

ITEM NO. 4 – NEW BUSINESS

a. Presentation and Approval of 2021 Budget

i. Proposed 2021 Budget (Handout)

Mr. Fiegl presented the proposed ECSD No. 3 Budget. ECSD No. 3 is part of the combined ECSD Nos. 3 and 8 (Central Region) budget. The ECSD Nos. 3 and 8 budget is developed based upon a Memorandum of Understanding updated in April 2018. 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.

The ECSD No. 8 Board approved their portion of the combined budget at their June 16th meeting.

For this year, Central Region shares in approximately 40% of the Division-wide expenses, 37% of vehicle expenses, and 61% 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 \$27,700 when compared to 2020. An increase in debt service costs is offset by decreases in O&M Costs (specifically capital reserves). Revenues are approximately \$38,400 lower, mainly due to a decrease in the anticipated bill for Steuben Foods, which is a function of their repayment of capital improvements at the Elma Pumping Station.

The proposed budget is such that rates will essentially remain the same for the typical ECSD No. 3 ratepayer (single family home) in 2021. Mr. Fiegl explained some of the challenges in developing these estimates considering the uncertainty associated with the COVID-19 emergency and the effects on the economy. The Division of Sewerage Management has made a concerted effort to put forth its best estimates, acknowledging that there have been unprecedented impacts throughout our society and hence adjustments may need to be made.

Chairman Kaczor questioned whether or not operations were being financed into the future in the proposed budget. Mr. Fiegl responded that cuts were made to capital reserve allocations to, in part, address that situation in this budget. The Division wants to make sure staff have the resources to properly operate/maintain the infrastructure. The decrease in capital reserves will lessen the District's ability to cash fund projects in the coming year; however, Mr. Fiegl expressed optimism for boosting capital reserve allocations to prior levels in the future.

Mr. Fiegl explained that there were a few adjustments in the 2021 personnel budget for ECSD Nos. 3 and 8, but that total number of positions funded remained the same. Fringe benefits for employees are being calculated at 60% based on discussions with the County's Budget Department – same overall percentage as 2020. Actual numbers are not available at this time. Ms. Hartman commented the Town of Eden had been advised by Blue Cross/Blue Shield to anticipate a 5% increase in health insurance premiums for the coming year. Mr. Keding added that Blue Cross/Blue Shield is recently affiliated with Highmark Health which could bring uncertainty with rates in the future.

The 2021 equipment line items represent over \$872,000 of the Central Region budget. The major items include various equipment replacements, shared purchases to be used across all Erie County Sewer Districts, a new portable generator, replacement of a fleet vehicle, a new flusher, and Central Region's unanticipated replacement item. The merits of the new CCTV camera system, mini excavator, and service/boom truck were specifically highlighted when discussing the shared purchases.

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 40% of these Downtown office expenses.

A review of the individual budget codes was provided. Specific items highlighted included the budgeting on fuel, various changes in Maintenance and Repair supply codes, adjustments in the Highway Supplies account, changes made in Professional Service Contracts/Fees, a \$300,000 decrease in capital reserves in ECSD No. 3, an increase of almost \$211,000 in the District’s debt service, utility costs, and the aforementioned personnel costs.

Fund balance usage as an offsetting revenue is budgeted at approximately 60% of the amount available on 12/31/19. The available district fund balance represents approximately 4.1 months of 2021 budgeted appropriations. The percentage of fund balanced utilized was increased slightly based on observations of recent trends and the Division of Sewerage Management’s target of 3-4 months of fund balance available when compared to budgeted appropriations.

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) and the uncertainty regarding the COVID-19 emergency. If any major changes are necessary, the Board of Managers will be informed.

Chairman Kaczor stated this budget was presented without much comment from the Board which demonstrates the budget was well prepared and the Board is comfortable with the budgeting process and format used over the last several years. Mr. Kasprzyk reflected those comments.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the budget presented for ECSD No. 3. The motion carried, 8 – 0.

ii. Resolution (Handout)

It was resolved that approximately 71% and 29% of the total sanitary sewer tax levy of \$7,193,746 shall be raised from the assessed value and footage charges, respectively, for ECSD No. 3.

On a motion by Mr. Rood, seconded by Mr. Keding, the ECSD No. 3 Board voted to approve the Resolution as presented. The motion carried, 8 – 0.

ITEM NO. 5 – ADJOURNMENT & NEXT MEETING

Mr. Fiegl restated the ECSD No. 8 Board of Managers passed its budget earlier in the week; consequently, the combined ECSD Nos. 3 and 8 Combined Budget Meeting, scheduled for July 8, 2020, will not be required.

On a motion by Ms. Hartman, seconded by Mr. Kaczor, the meeting was adjourned at 8:58 a.m. The motion carried, 8 – 0.

The next meeting of the Board is scheduled for Wednesday, October 7, 2020, at 8:00 a.m.

Respectfully submitted,



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

DM:mo

Motion to Approve the June 17, 2020 Budget Meeting Minutes

Moved by: DAVID MILLAR

Seconded by: DAVID KACZOR

App/Disapp: APPROVED 7-0

Date: 10/7/2020



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

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSD No. 3)
BOARD OF MANAGERS MEETING MINUTES
WEDNESDAY, OCTOBER 7, 2020
VIDEO/TELEPHONE CONFERENCE

MEMBERS PRESENT: Chairman David Kaczor, Jason Cozza, Melissa Hartman, Michael Kasprzyk, Jason Keding, David Millar, Emery Wittmeyer

MEMBERS ABSENT: David Rood

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, and Joseph Fiegl

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Kaczor called the meeting to order at 8:03 a.m.

a. Resignation of Mark Cavalcoli

On a motion by Chairman Kaczor, seconded by Mr. Kasprzyk, the Board voted to accept, with regret, the resignation of Mark Cavalcoli and thanked him for his many years of service to the ECSD No. 3 Board of Managers and the community. The motion carried 7 – 0.

ITEM NO. 2 – APPROVAL OF MEETINGS MINUTES

a. June 10, 2020 (Handout)

On a motion by Mr. Millar, seconded by Chairman Kaczor, the Board voted to approve the minutes from the June 10, 2020 meeting. The motion carried 7 – 0.

b. June 17, 2020 Budget Meeting (Handout)

On a motion by Mr. Millar, seconded by Chairman Kaczor, the Board voted to approve the minutes from the June 17, 2020 budget 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. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of October 2020.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the October 2020 payments. The motion carried 7 – 0.

b. 2021 User Charge

i. Public Hearing Notice & Meeting Minutes (Handout)

The Board reviewed the Notice and the Minutes for the Public Hearing held on September 22, 2020 at the Erie County Division of Sewerage Management (ECDSM) Northern Region offices for the proposed 2021 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.

Mr. Kasprzyk inquired about how the proposed rates compare with other municipalities in the region. Mr. Fiegl responded the proposed rates for ECSD Nos. 1 and 4, as presented in the handout, are identical to Buffalo Sewer Authority (BSA) rates as those districts are tributary to BSA. For comparative purposes, this year ECSD No. 3 rates for BOD₅ and suspended solids are less while phosphorus is higher than the BSA. Mr. Fiegl added rates are a function of treatment processes at the various facilities. Mr. Kasprzyk then inquired as to whether or not ECSD No. 3 rates encourage or discourage business. Mr. Fiegl responded that is difficult to answer; the rates are calculated based on actual costs of treatment for each constituent. He added that the ECDSM provides rate information to Invest Buffalo Niagara and similar organizations to assist with business development opportunities. Mr. Absolom added that collection system and treatment plant capacity are the most relevant factors to be considered for new industry in the district.

ii. Approval of Resolution (Handout)

The Board considered a resolution to approve the proposed 2021 User Charge Rates.

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

c. 2021 Meeting Schedule (Handout)

The Board reviewed a copy of the proposed 2021 meeting schedule.

On a motion by Chairman Kaczor, seconded by Ms. Hartman, the Board voted to approve the proposed 2021 meeting schedule, as presented. The motion carried 7 – 0.

d. Connection Permit, Inspection, & Equity Fee Schedule –
Rules & Regulations: Article XIII, Section 1301 (Handout)

The Board reviewed a memorandum regarding an update to the sanitary sewer connection permit, inspection, and equity fees charged by the Erie County Sewer Districts. Per Article 5A of New York State County Law and County Legislative authorization, the Board of Managers have been empowered to determine the amounts charged for various permit and inspection fees pursuant to Section 1301 of the “Rules and Regulations for Erie County Sewer Districts” (“Rules & Regulations”). The Erie County Sewer District Boards last went through the process of updating the various fees approximately 15 years ago and based on the analysis included in this memorandum, it has been determined the existing fees are not reflective of the actual costs incurred by the sewer districts. As a result, it is the recommendation of the ECSDM to update the fees as proposed.

This is a two (2) step process for the Board. Today, the Board is asked to consider for approval the updated fees for the purpose of advertising them to the public. Should all seven (7) Boards endorse the updated fees, a public hearing will be held to solicit outside input over these changes. It is the intention of the ECSDM to host this public hearing sometime in November 2020. After the public hearing, any comments will be considered and a final fee schedule will be developed for approval by the Erie County Sewer District Boards via resolution during their December 2020 meetings. The final fee schedule would be published in the official newspapers of the County and become effective sometime in 2021.

After consideration, on a motion by Chairman Kaczor, seconded by Mr. Keding, the Board voted to approve the updated fees and direct the ECSDM to hold a public hearing on this matter. The motion carried 7 – 0.

e. Request for Permit Refund – 25 Jordy Court (Handout)

The Board considered a request for refund of a duplicate connection permit fee to Ryan Homes for the property at 25 Jordy Ct. in Hamburg. Ryan Homes applied for the permit and paid the required fee of \$502 for the property on March 13, 2019. Subsequently, Hamburg changed the address for this property to 35 Jordy Ct and Ryan Homes mistakenly applied and paid for a duplicate permit fee on January 27, 2020. 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 Ms. Hartman, seconded by Mr. Millar, the Board voted to approve the sewer permit refund request. The motion carried 7 – 0.

f. Truckers Discharge Permits Approval – 2021 (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. Cozza, seconded by Mr. Kasprzyk, the Board voted to approve

Waste Hauler's Discharge permits to Delo Drain & Septic, Modern Portable Toilets, United Rentals, and the Town of Orchard Park pending application and insurance approvals. The motion carried 7 – 0.

g. Saddlebrook Pointe Pumping Station (Handout)

The Board considered a request from the Homeowners Association of Saddlebrook Pointe for ECSD No. 3 to take ownership, operation and maintenance of the privately-owned sanitary sewer system servicing the Saddlebrook Pointe Development located within the District off Amsdell Rd. The existing sanitary sewer facilities, consisting of a pumping station and gravity collection system, were inspected by ECSD No. 3 staff and found in good condition. As part of the transfer, the Homeowners Association of Saddlebrook Pointe will provide electrical, mechanical, and controls equipment upgrades requested by the ECSD No. 3.

It was noted that property owners of the Saddlebrook Pointe Development have always paid the same sanitary sewer charges applied to all ratepayers in ECSD No. 3. Upon approval of the change of ownership by the Board, the ECDSM will prepare the necessary deed and gains tax documents to be filed at the Erie County Clerk's Office to formally effectuate the transfer to ECSD No. 3.

Mr. Fiegl noted that taking ownership of the Saddlebrook Pointe sewer system is in the interest of fairness to the residents living there as they are already paying ECSD No. 3 for full service. Mr. Fiegl added the ECDSM is recommending this action with the understanding that the Saddlebrook Pointe Homeowners Association make the requested changes to its pumping station, improving it to ECDSM standards. Mr. Kasprzyk inquired whether or not there was any downside to this action to which Mr. Fiegl stated that while there is always risk taking over a sewer system; that said, the Saddlebrook system is relatively new and the upgrades to the pumping station should result in a long life span. Mr. Cozza inquired about the size of the system to which Mr. Millar replied that Saddlebrook Pointe consists of 45 residences, associated piping and a single 60 gallon per minute pump station. Mr. Fiegl added that residents of Saddlebrook Pointe presently pay ECSD No. 3's user fee, footage, and assessed valuation charges, as opposed to certain areas within the district without sewer system access that only pay assessed valuation.

On a motion by Mr. Millar, seconded by Mr. Kasprzyk, the Board voted to take ownership, operation and maintenance of the Saddlebrook Pointe Development sanitary sewer system. The motion carried 7 – 0.

h. Confirmation of Email Poll – Award of Sanitary Sewer Replacement Project (Handout)

The Board considered confirmation of the June 30, 2020 email poll approving a resolution to award a contract to Kandey Company, Inc. (Kandey) for construction work associated with a Sanitary Sewer Replacement Project, Contract No. 82, in the amount of \$829,999.00. This is a multi-district project which includes work in District Nos. 3, 6, and 8. The scope of work in ECSD No. 3 involves replacement of 1,069 linear feet of 8-inch diameter

sanitary sewer pipe, reconnection of 28 service laterals, replacement of 3 sewer manholes, and associated appurtenant services and restoration activities. That work will take place on Frontier Drive and Linwood Avenue in the Village of Blasdell, Nottingham Terrace in the Town of Hamburg, and Meadow Lane in the Town of Hamburg.

The ECDSM has reviewed the bid and determined it to be responsive and fair. Kandey has successfully completed projects of this scale for ECDSM in the past. Therefore, the ECDSM has recommended award of Contract No. 82 to Kandey. The funding source for this project will be ECSD No. 3's Capital Reserve Account.

On a motion by Chairman Kaczor, seconded by Mr. Millar, the Board voted to confirm the June 30, 2020 poll approving a resolution to award Contract No. 82 to Kandey in the amount of \$829,999.00. The motion carried, 7 – 0.

i. Award of Holland Generator Replacement Project (Handout)

The Board considered a resolution to award Contract No. 64-A (General/Mechanical) to The State Group (State Group) in the amount of \$186,000.00 and Contract No. 64-D (Electrical) to Frey Electric Construction Co., Inc. (Frey) in the amount of \$188,000.00 for construction work involved with the Holland Water Resource Recovery Facility (WRRF) Generator Replacement Project. The ECDSM has reviewed bids from State Group for Contract No. 64-A and Frey for Contract No. 64-D and believes they are fair and competitive. It was noted the bid for Contract No. 64-A is comparable to the Engineer's estimate; however, the bid for Contract No. 64-D is significantly less than the Engineer's estimate and other bids received. Upon consultation, Frey has confirmed it can successfully complete the project for the amount bid. Therefore, the ECDSM recommends award of Contract Nos. 64-A and 64-D to the aforementioned bidders.

On a motion by Mr. Cozza, seconded by Ms. Hartman, the Board voted to approve award Contract No. 64-A (General/Mechanical) to The State Group (State Group) in the amount of \$186,000.00 and Contract No. 64-D (Electrical) to Frey Electric Construction Co., Inc. (Frey) in the amount of \$188,000.00. The motion carried 7 – 0.

j. Southtowns Solids Handling Project – Change Order 1 and Closeout (Handout)

The Board reviewed Change Order No. 1 to Contract No. 65 for the Southtowns Solids Handling Area Repairs Project. During the course of construction, several corroded support beams and spalled and loose concrete was identified in the vicinity of the filter presses. To address the deficiencies, Change Order No. 1 was issued to the contractor for this project, Patterson-Stevens, Inc., in the amount of \$20,603.00 to repair the structural beams and damaged concrete. This is an informational item; no action is required by the Board.

The Board considered a resolution for the close out of Contract No. 65 with Patterson-Stevens, Inc. for general/mechanical construction work involved with the Southtowns Solids Handling Repairs Project. The final amount of the contract was \$178,559.00 which represents a decrease of \$2,239.00 to the sum of the original contract amount of \$160,195.00 and Change

Order No. 1 in the amount of \$20,603.00. All work for this project has been satisfactorily completed and the ECDSM recommends close out of this contract.

On a motion by Mr. Kasprzyk, seconded by Mr. Keding, the Board voted to approve closeout of Contract No. 65. The motion carried, 7 – 0.

k. Closeout of Parker Road Elevated Sewer Project (Handout)

The Board considered a resolution for the close out of Contract No. 63 with Kandey Company, Inc. (Kandey) for general construction work involved with the Parker Road Elevated Sewer Repair Project. The final amount of the contract was \$388,810.38 which represents the sum of the original contract amount of \$342,380.00 and Change Order No. 1 in the amount of \$46,430.38. All work for this project has been satisfactorily completed and the ECDSM recommends close out of this contract.

On a motion by Mr. Keding, seconded by Mr. Kasprzyk, the Board voted to approve closeout of Contract No. 63. The motion carried, 7 – 0.

l. Closeout of Southtowns Overflow Retention Facility Contract (Handout)

The Board considered a resolution to close out of Contract No. 59 with Hohl Industrial Services, Inc. (Hohl) for general construction work involved with the Southtowns Advanced Wastewater Treatment Facility (AWTF) Overflow Retention Facility (ORF) Project. The final amount of the contract was \$666,666.95 which represents an increase of \$15,213.75 to the sum of the original contract amount of \$625,859.25.00 and Change Order No. 2 in the amount of \$25,593.95. Change Order No. 1 for this contract was issued to enable a no-cost time extension. All work for this project has been satisfactorily completed and the ECDSM recommends close out of this contract.

On a motion by Chairman Kaczor, seconded by Mr. Millar, the Board voted to approve closeout of Contract No. 65. The motion carried, 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Absolom presented the following report for operations:

- *General:* Treatment staff caught up with operation and maintenance activities throughout the summer months that could not be addressed during the early stages of the COVID crisis.
- *Nos. 3 and 4 Reactors:* Bi-annual grit removal and necessary preventative maintenance activities took place in Reactor Nos. 3 and 4.

Mr. Canestrari presented the following report for the collection system:

- *Mini System No. 6 (Richmond Ave. area):* District staff completed smoke testing, televising and the dye testing of ditches and bubblers. Video inspection results will be reviewed to determine if further action is necessary.
- *Mini System No. 21 (Village of Hamburg):* District staff completed smoke testing activities. Follow-up video inspections will take place in October.
- *Lake Ave.:* The back-lot sewers along Lake Avenue were mechanically cleaned via bucketing.
- *Orchard Park Compliance Inspections:* House compliance inspections resumed in Orchard Park. The inspections were previously on hold due to the COVID crisis.

b. Pretreatment Report

i. Unifirst Oil and Grease Violation (Handout)

The Board reviewed a copy of the July 22, 2020 notification letter from the ECDSM to Unifirst Corporation (Unifirst) for violations of its oil and grease limit as specified in its Industrial Wastewater Permit. Unifirst has had several violations since installing a Dissolved Air Flootation (DAF) system in August 2019 to reduce oil and grease. In response to ECDSM's notification, Unifirst adjusted operation of its DAF system including staff training and sludge disposal protocols. Nine (9) samples were analyzed from Unifirst in August for oil and grease; all were in compliance with its Industrial Wastewater Permit.

c. Construction Status Report

Status of the following contracts was discussed:

Contract 59 – Southtowns AWTF ORF Rehabilitation: Construction was successfully completed in September. Close out of this contract was addressed earlier in this meeting.

Contract 63 – Parker Road Elevated Sewer: Parker Road Elevated Sewer Repair. Final restoration work and punch list items are complete. Close out of this contract was addressed earlier in this meeting.

Contract 64 – Holland WRRF Emergency Generator: The Board was copied on the bid schedule memo for their information. The Bids were opened for this project on October 1, 2020. Award of this contract was addressed earlier in this meeting.

Contract 65 – Southtowns AWTF Solids Handling Area Repairs: Construction was successfully completed in July. Close out of this contract was addressed earlier in this meeting.

Contract 66 – Parker Road Elevated Sewer – Cured in Place Pipe (CIPP) Lining: In response to ECDSM's concern about possible movement (expansion/contraction) of the liner observed this spring the contract for this project, National Water Main Cleaning Company (NWMCC), inspected/re-televised the sewer in June and found the liner to be in good condition with no defects. The cement product installed in December at the interface between the liner and the manhole wall was applied under very cold weather conditions and is believed to have experience shrinkage as a result, giving the appearance of movement of the liner. NWMCC removed the cement product and installed a new flexible epoxy product at the manhole. The ECDSM will continue to monitor the liner through seasonal temperature changes to confirm effectiveness.

Contract 75 – CIPP Lining Term Contract: United Survey Incorporated completed CIPP lining work for Work Order (WO) 8 (including the Robin Lane neighborhood - approximately 19,000 LF). Kenyon Pipeline completed CIPP lining work for WO 5K (approx. 14,000 LF in District 3, including work in the Village of Orchard Park (New Taylor, North Buffalo, East Quaker, Linwood, Freeman, Stonehenge, Pheasant, Stoneybrook), and the Village of Hamburg (Holiday Ln, Scott, Haviland, Lake Ave & cross streets). WO 6K was issued to Kenyon Pipeline in August and included approximately 4,500 LF in ECSD No. 3 (Sheldon, Thurston, Lynn, in the Town of Hamburg). Kenyon has cleaned and prepped these lines, and they are anticipated to be completed in September 2020.

Contract 79 – Sewer Repair Contract: Visone Construction completed lawn restoration, hedge replacement, and miscellaneous punch list work for WO No. 10 in Wanakah Heights.

Contract 82 – Sanitary Sewer Project: This is a multi-district project awarded to Kandey Company Inc., as discussed earlier in this meeting. A Notice to Proceed was issued on September 11, 2020. The project includes the following sewer repairs in ECSD No. 3: Frontier Drive (Blasdell), Linwood Ave (Hamburg), Nottingham Terrace (Hamburg), Meadow Drive (Hamburg). Linwood Avenue has been substantially completed. Work on Meadow Drive began in late September. Frontier Drive is currently ongoing.

Mr. Absolom informed the Board the Erie County Water and Soil Conservation District is undertaking a creek bank stabilization project in the vicinity of the Holland WRRF plant outfall. Stabilization of the creek bank was identified as a maintenance item by the New York

State Department of Environmental Conservation (NYSDEC) during its March 19, 2020 annual compliance inspection of the Holland facility.

d. Southtowns Facilities Plan Update & Summary (Handout)

The Board reviewed correspondence between the NYSDEC and the ECDSM concerning final approval of the Southtowns AWTF Facilities Plan Update and Summary Letter Report. Upon final approval, the ECDSM will commence with design and construction of the improvements necessary to increase the hydraulic capacity of the plant and improve treatment capabilities to meet the requirements of New York State Discharge Elimination Permit System (SPDES) Permit No. NY0095401. The correspondence address issues related to dilution factor requirements and treatment action levels for various metals, phenolics, and cyanide as well as effective milestone construction dates. Mr. Fiegl noted construction of proposed improvements will commence at the Southtowns WRRF in the next 2-3 years adding it has taken almost 2 decades of effort to get to this point. Mr. Fiegl stated there will be some challenges to fund the improvements, particularly in the present economic environment, but the improvements must go forward with portions of the plant beyond estimates for its useful life and SPDES permit requirements.

Chairman Kaczor inquired about the availability of funding assistance. Mr. Fiegl responded by informing the Board the ECDSM has been positioning itself to take advantage of New York State and Federal funding programs. Mr. Fiegl cautioned that New York State did not implement the Consolidated Funding Application (CFA) program this year due to concerns with the State budget. Mr. Kaczor suggested reaching out to State officials representing the Southtowns WRRF tributary area for support with funding opportunities to which Mr. Fiegl agreed. Mr. Cozza inquired about sources of low interest financing and available grant opportunities. Mr. Fiegl responded that low interest financing is typically a New York State Environmental Facilities (NYSEFC) program administered with funds from the United States Environmental Protection Agency (USEPA) Clean Water State Revolving Fund (CWSRF) program. He added that New York State has in the past had grant funds through the Water Quality Improvement Project (WQIP) and Water Infrastructure Improvement Act (WIIA) programs. Those programs are administered through the CFA program that was not offered this year. Mr. Keding suggested developing a long-term funding approach involving a contingency plan to address the event where grant funding is acquired but becomes unavailable for circumstances beyond our control. Mr. Fiegl responded that ECSD No. 3 will have to acquire bonding authorization for the second phase of this project from the Erie County Legislature and that authorization should assume no grant monies will be available.

Mr. Fiegl discussed an additional item, not on the meeting agenda, regarding Steuben Foods (Steuben). During a meeting last month, Steuben informed the ECDSM of plans which, if implemented, could double production at its Elma facility. Mr. Fiegl noted the Elma forcemain presently operates at maximum flows and pressure. He added that providing additional capacity will not be a simple project. The ECDSM will reach out to Steuben in November to collaborate further on this matter, as Steuben indicated they may have additional details at that time. Chairman Kaczor suggested reaching out to representatives from the Town of Elma.

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

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

The meeting was adjourned by Chairman Kaczor at 9:11 a.m.

Next meeting is scheduled for 8:00 a.m., Wednesday, December 2, 2020.

Respectfully submitted,



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

DM:dm

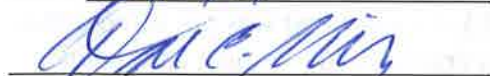
Motion to Approve the October 7, 2020 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: DAVE ROOD

App./Disapp.: APPROVED 7-0

Date: 12/2/2020



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

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSO No. 3)
BOARD OF MANAGERS MEETING MINUTES
WEDNESDAY, DECEMBER 2, 2020
VIDEO/TELEPHONE CONFERENCE

MEMBERS PRESENT: Chairman David Kaczor, Jason Cozza, Melissa Hartman, Michael Kasprzyk, Jason Keding, David Millar, David Rood

MEMBERS ABSENT: Emery Wittmeyer

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joseph Fiegl, David Hojnacki, Kevin Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

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

ITEM NO. 2 – APPROVAL OF OCTOBER 7, 2020 MEETINGS MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the minutes from the October 7, 2020 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. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of December 2020.

On a motion by Ms. Hartman, seconded by Mr. Cozza, the Board voted to approve the December 2020 payments. The motion carried, 7 – 0.

b. Connection Permit, Inspection, & Equity Fee Schedule – Rules & Regulations: Article XIII, Section 1301

i. Public Hearing Minutes (Handout)

The Board reviewed the Notice for the Public Hearing held on November 5, 2020 in Room 1004 of the Erie County Rath Building for the proposed permit, connection,

Utter 2

and equity fees schedule for the Erie County Sewer Districts. This hearing provides the public an opportunity to voice concerns over the proposed fees. No comments were received from the public at the meeting.

ii. Approval of Resolution (Handout)

The Board considered approval of a resolution to adopt the updated fee schedule, as presented, pursuant to Section 1301 of the "Rules and Regulations for Erie County Sewer Districts. Upon approval of all Boards, the final fee schedule will be published in the official newspapers of the County and become effective on January 1, 2021.

On a motion by Mr. Kasprzyk, seconded by Mr. Cozza, the Board voted to approve the resolution to update the fee schedule, as presented. The motion carried, 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Hojnacki, new district manager for the Central Region, presented the following report for the collection system:

- *Mini System No. 6 (Richmond Ave. area):* A Cured-in-Place Pipe (CIPP) term lining work order will be issued to include this mini system. When complete, the majority of the Richmond Avenue area will have been lined with CIPP. District staff will conduct isolated spot repairs to support lining activities. Staff will also continue dye testing of homes with identified below-grade storm facilities.
- *Mini system No. 8 (Big Tree/Bayview Rds. area):* A CIPP term lining work order will be issued to include this mini system. When complete, the majority of the Big Tree Road/Bayview Road area will have been lined with CIPP. District staff will conduct isolated spot repairs to support lining activities.
- *Mini System No. 21 (Village of Hamburg):* District staff are conducting video inspections of sanitary sewers in the Village of Hamburg to investigate sources of smoke outbreaks identified during this summer's smoke testing work. Initial findings indicate the need for some repair work and open cut replacements.
- *Fisher Road:* Mechanical cleaning/bucketing of sewer main along Fisher Rd. is ongoing. A large amount of grit has been removed from the pipe.

Mr. Kaminski presented the following report for operations:

- *General:* The District is working through issues related to the COVID crisis. It was noted that roughly a dozen employees have had to quarantine for various reasons during the last several weeks; however, facilities have been properly staffed. The

entire Erie County Division of Sewerage Management (ECDSM) continues to follow health and safety protocols to keep facilities safe.

- *Permit Room:* The Southtowns Advanced Wastewater Treatment Facility permit room remodeling project is 75% complete.

Mr. Fiegl informed the Board that house inspection program activities were suspended due to recent health and safety concerns related to COVID. As noted at the last meeting of the Board, the District had just commenced house inspections in the Village of Orchard Park to reduce the backlog which built up during the Spring and Summer months. House inspections are required by the Village for sale of homes. The District was able to reduce the backlog of inspections prior to suspending the program. Mr. Keding inquired about staffing preparedness during times of trouble to which Mr. Fiegl responded the ECDSM is a multi-district operation with the ability to draw resources from other Districts, as necessary.

b. Pretreatment Report

Fats, Oils, and Grease (FOG) inspections notification letters were recently sent to new restaurants in the District. FOG inspections are cautiously proceeding with efforts directed at take-out restaurants and businesses with grease related issues.

c. Construction Status Report

Status of the following contracts was discussed:

Contract 64 (Holland WRRF Generator Replacement) – This project involves replacement of the generator and related electrical equipment at Holland Water Resource Recovery Facility (WRRF). Contracts have been awarded to the State Group for general construction (Contract 64-A) and Frey Electric for electrical construction (Contract 64-D). Contracts are being executed and Notice to Proceed is expected to be issued in December. Construction is anticipated to begin in Spring 2021.

Contract 75 (Cured-in-Place (CIPP) Term Lining) – Kenyon Pipeline completed CIPP lining work under Work Order 6K and Work Order 7K including approximately 7,300 LF in ECSD No. 3 (Sheldon, Thurston, Lynn, Olympic Ave. in the Town of Hamburg).

Contract 82 (multi-district) - Sewer replacement work on Frontier Drive (Blasdell), Linwood Ave (Hamburg), Nottingham Terrace (Hamburg), and Meadow Drive (Hamburg) has been substantially completed by Kandey Company. Final restoration will take place in Spring 2021.

d. Holland WRRF – SPDES Permit Compliance Inspection
(Handout)

The Board reviewed an October 19, 2020 letter from the ECDSM to the New York State Department of Environmental Conservation (NYSDEC) regarding two items

identified during the annual inspection of the Holland WRRF last spring. The first item involved erosion of the creek bank in the vicinity of the treatment plant's outfall pipe headwall. The letter notes that streambank protective measures were installed on October 14, 2020 to prevent failure at the outfall pipe headwall. The second item involved concrete repairs at the primary clarifier stairs and exterior of the sand filter building. The letter notes a work order has been developed to address the concrete repairs.

Mr. Kasprzyk inquired about the present state of the ECDSM's association with the NYSDEC. Mr. Fiegl replied that both entities have mutual respect for each other's role in endeavoring to satisfy regulatory approvable initiatives.

Chairman Kaczor requested that Mr. Fiegl thank the entire ECSD No. 3 staff, on behalf of the ECSD No. 3 Board of Managers, for their efforts during the COVID crisis and these trying times.

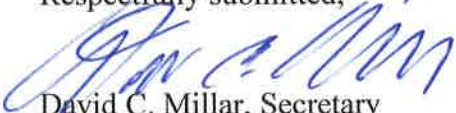
On a motion by Ms. Hartman, seconded by Chairman Kaczor, the Board voted to receive and file the above informational items. The motion carried, 7 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Rood, seconded by Mr. Cozza, the meeting was adjourned at 8:25 a.m. The motion carried, 7 – 0.

Next meeting is scheduled for 8:00 a.m., Wednesday, February 3, 2021.

Respectfully submitted,


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

DM:dm

Motion to Approve the December 2, 2020 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: MELISSA HARTMAN

App./Disapp.: APPROVED 7-0

Date: 2/3/2021


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