

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSD No. 3)  
BOARD OF MANAGERS MEETING MINUTES  
WEDNESDAY, FEBRUARY 3, 2021  
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, Joseph Fiegl, David Hojnacki, Kevin Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Kaczor called the meeting to order at 8:01 a.m.

ITEM NO. 2 – APPROVAL OF DECEMBER 2, 2020 MEETINGS MINUTES

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the minutes from the December 2, 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 February 2021. On a motion by Ms. Hartman, seconded by Mr. Kasprzyk, the Board voted to approve the February 2021 payments. The motion carried, 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Hojnacki, District Manager for the Central Region, presented the following report for the collection system:

*Item 2*

- *Mini System No. 6 (Richmond Ave. area):* A Cured-in-Place Pipe (CIPP) term lining work order has been issued in this mini system which will complete lining of the majority of the Richmond Avenue area. District staff continued dye testing homes previously identified with below-grade storm facilities. A few minor violations were noted.
- *Mini system No. 8 (Big Tree/Bayview Rds. area):* A CIPP term lining work order has been issued in this mini system which will complete lining of the majority of the Big Tree Road/Bayview Road area collection system. District staff conducted isolated spot repairs prior to lining activities.
- *Mini System No. 21 (Village of Hamburg):* District staff continue to conduct video inspections of sanitary sewers in the Village of Hamburg to investigate sources of smoke outbreaks identified during this summer's smoke testing work.
- *Fisher Road:* Mechanical cleaning/bucketing of sewer main along Fisher Road is ongoing.
- *Mini System No. 30 (Roberts Rd. area):* Mini system number 30, located in the area surrounding Roberts Road along Lake Erie in the Town of Hamburg, will be the Inflow/Infiltration Program focus area for 2021.

Mr. Kaminski presented the following report for operations:

- *General:* Southtowns Advanced Wastewater Treatment Facility (Southtowns) staff are preparing for annual incinerator stack emissions testing as required by the New York State Department of Environmental Conservation.
- *Chief Operator:* The Chief Operator at Southtowns has been out on unanticipated extended leave. In his absence, stand-in personnel have performed well stepping up to operate the facility.

b. Pretreatment Report

i. Resident Letter – Heavy Grease in Grinder Tank (Handout)

The Board reviewed a notification from the Erie County Division of Sewerage Management (ECDSM) to residents of an apartment building in Holland, NY addressing a Fats, Oils, and Grease (FOG) issue. District personnel cleared heavy grease from the grinder tank servicing this building. The notification notes negative consequences created by grease issues including health, personal property and environmental damage. The notification also included best practice tips to prevent the occurrence of FOG issues.

Chairman Kaczor inquired as to whether or not a charge is applied by the ECDSM for remediation of grinder tank FOG issues to which Mr. Absolom replied in the negative. Chairman Kaczor then inquired about existing administrative procedures for addressing repeat

FOG issues. Mr. Absolom explained the *Rules and Regulations for Erie County Sewer Districts* provide a mechanism for corrective action in such cases; however, in his experience, fine stages have never been reached. Mr. Kasprzyk inquired as to whether or not the affected apartment was the property of an absentee owner to which Mr. Absolom replied in the negative.

c. Construction Status Report

Status of the following contracts was discussed:

Contract No. 64 (Holland WRRF Generator Replacement) – This project involves replacement of the generator and related electrical equipment at Holland Water Resource Recovery Facility (WRRF) with new equipment in new enclosures. The incoming electrical service will also be replaced. Contracts have been awarded to the State Group for Contract 64-A and Frey Electric for Contract 64-D. A Notice to Proceed was issued on January 4, 2021. Construction is anticipated to begin in April or May. There is a relatively long lead time for the generator and pre-fabricated building enclosure. The completion date is September 1, 2021.

Contract No. 75 (Cured-in-Place-Pipe (CIPP) Term Lining) – United Survey was issued a new work order in January 2021 including 28,400 LF in District 3, which included work in the Town of Hamburg (Teachers Lane, Lynn, Thurston, Richmond, Roseview, Lynwood, Horton, Abbott Road, Ashley, Bethford, Amber, Emerling, Cox, Dolphin), and Elizabeth St. in the Village of Hamburg. Kenyon Pipeline was issued a new work order in January 2021, which included 8,775 LF in District 3, including Lake Avenue in Blasdell, and the following streets in the Town of Hamburg: Bond, Allen, Buffalo, Bristol, Jarvis, Parker Road backlot. Televising and prep work have started under both work orders.

Contract No. 82 (multi-district) – A no-cost time extension was granted to Kandey Company to complete final restoration in 2021 for the sewer replacement project involving Frontier Drive in Blasdell, and Linwood Ave., Nottingham Terrace, and Meadow Drive in the Town of Hamburg.

i. Sanitary Sewer Replacement Project -Change Order No. 2 (Handout)

The ECDSM has granted a no-cost time extension of 90 days, changing the deadline for Contract No. 82 to March 10, 2021, as discussed above, to complete final paving, concrete sidewalk installation, and lawn restoration work.

ii. Holland Generator Replacement Project – Notice to Proceed (Handout)

The ECDSM has issued a Notice to Proceed for the Holland WRRF Generator Replacement Project, Contract Nos. 64-A and 64-D, as discussed above. The contract requires all work to be completed by September 1, 2021.

Mr. Kasprzyk inquired as to whether or not bids for Contract Nos. 64-A and 64-D came in under the engineer's estimate. Mr. Fiegl stated in aggregate, the total cost of the project came under the engineer's estimate but he did not recall for the individual contracts. Post

meeting response - (Contract No. 64-A: Engineer's Estimate was \$167,980.00 and the lowest responsive/responsible bidder was The State Group at \$186,000.00) (Contract No. 64-D: Engineer's Estimate was \$271,650.00 and the lowest responsive/responsible bidder was Frey Electric Construction at \$188,000.00).

Mr. Kasprzyk inquired about the percentage of the ECSD No. 3 collection system lined with CIPP, to date. Mr. Fiegl replied ECDSM can furnish those metrics. He also noted the District has caught up on a significant backlog of CIPP lining work.

Mr. Fiegl also informed the Board the ECDSM is applying for a New York State Green Innovation Grant Program grant to switch the Southtowns incinerators from fuel oil to natural gas. This project would realize cost and energy savings for the District.

On a motion by Mr. Keding, seconded by Mr. Wittmeyer, 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. Kasprzyk, seconded by Mr. Keding, the meeting was adjourned at 8:20 a.m. The motion carried, 7 - 0.

Next meeting is scheduled for 8:00 a.m., Wednesday, April 14, 2021.

Respectfully submitted,

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

Motion to Approve the February 3, 2021 Meeting Minutes

Moved by: JASON KEDING

Seconded by: MBLISSA HARTMAN

App./Disapp.: APPROVED, 7-0

Date: 4/14/2021

  
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, APRIL 14, 2021  
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, Joseph Fiegl, David Hojnacki, Kevin Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

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

ITEM NO. 2 – APPROVAL OF FEBRUARY 3, 2021 MEETINGS MINUTES

On a motion by Mr. Keding, seconded by Ms. Hartman, the Board voted to approve the minutes from the February 3, 2021 meeting. The motion carried, 7 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns Facility Plan Approval

Mr. Fiegl informed the Board that on February 26, 2021 the New York State Department of Environmental Conservation (NYSDEC) formally approved the Southtowns Advanced Wastewater Treatment Facility (AWTF) upgrades project. He provided a presentation (attached) detailing the scope of work, schedule, and anticipated costs including regulatory aspects to meet New York State Pollutant Discharge Elimination System (SPDES) permit requirements. The project will consist of 2 phases. Phase 1 will include improvements to the plant outfall pipe, expanding capacity of the existing Overflow Retention Facility (ORF) discharge pipe, disinfection process modifications, and effluent pumping upgrades to accommodate peak future flows. Phase 2 will include expansion of the secondary treatment process, upgrades to the existing secondary treatment process, and full replacement of the existing bioclarifier system. Mr. Fiegl noted the range of estimated costs for Phase 1 of the project is \$23.4-\$24.4 million (2019 dollars) and the range of estimated costs for Phase 2 is \$40.6-\$43.3 million (2019 dollars) adding the estimates include costs for regulatory driven projects, only, and do not address other necessary upgrades required at the plant including complete replacement of the influent bar screens and influent screw pumps, or other

improvements necessary to maintain operations at this location into the future. Mr. Fiegl informed the Board the schedule necessitates completion of the Phase 1 design by March 2023 and construction of related upgrades by September 2025. The Phase 2 design must be completed by March 2025 and construction of related upgrades by September 2027. Mr. Fiegl noted the schedule does not include time for NYSDEC review of design reports, plans and specifications; consequently, while design completion dates will not be postponed, there is a possibility the construction completion dates may be.

Mr. Fiegl continued his presentation by stating, with regard to the schedule, that in addition to Phase 1 and 2 project work, the Erie County Division of Sewerage Management (ECDSM) will continue to perform Collection System Program (CSP) Inflow and Infiltration (I/I) activities to decrease flows via collection system improvements. The ECDSM also continuously conducts status quo capital improvement projects focused on addressing aging equipment at the end of useful life and maintaining facilities, including at pumping stations.

Chairman Kaczor inquired about updating construction cost estimates to which Mr. Fiegl responded costs will be updated using construction industry indices as part of project design reports. Mr. Keding inquired about engineering consultant involvement with project schedule development to which Mr. Fiegl replied consultants prepared the existing schedule with input from the NYSDEC. Ms. Hartman suggested the timing of the upgrades project may be favorable for Federal stimulus opportunities. Mr. Fiegl agreed and stated the ECDSM is positioning itself to apply for possible Federal American Rescue Plan funds, new Environmental Bond Act funds, and Consolidated Funding Application grant opportunities through New York State. Mr. Cozza stated the layout of the Southtowns AWTF seems well suited for expansion to which Mr. Fiegl responded the facility was designed with a modular configuration but noted design standards have changed since original construction.

Mr. Fiegl concluded his comments by informing the Board the ECDSM has issued a Request for Proposal for engineering services to design the Southtowns AWTF Upgrades project. The selection process has been designed to be competitive to bring about best possible engineering solutions for this project.

On a motion by Ms. Hartman, seconded by Chairman Kaczor, the Board voted to approve the Southtowns AWTF Upgrades project, as discussed. The motion carried, 7 – 0.

#### ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of April 2021. On a motion by Mr. Keding, seconded by Mr. Millar, the Board voted to approve the April 2021 payments. The motion carried, 7 – 0.

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

The Board reviewed copies of final violation notices and a dye testing notice from the ECDSM 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 ECDSM'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 ECDSM'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 Mr. Wittmeyer, seconded by Mr. Keding, the Board voted to approve the referrals to compliance hearing. The motion carried, 7 – 0.

c. Potential Federal Funding

Mr. Fiegl further discussed that sewer / wastewater projects may be eligible for funding under programs associated with the Federal "American Rescue Plan of 2021" and potential infrastructure stimulus programs. The ECDSM has been coordinating with the County's administration to best position the Erie County Sewer Districts should this funding materialize. Additional information and guidance is required to determine the types of projects eligible and the timeframes for implementation. The Board will be kept informed.

Mr. Fiegl informed the Board an emergency declaration was issued late last week to expedite repairs to the Southtowns AWTF influent screw pumps. The emergency declaration will be used to install backup pumps for flows into the facility and to procure vendors to repair the existing pumps. Mr. Absolom provided the Board with background information concerning this issue noting mechanical failures were identified with all three influent pumps including gear box malfunctions and damaged flights. Mr. Kaminski discussed ECDSM actions taken to address this problem including redundant pump setups and vendor service procurement to perform repairs. Mr. Absolom stressed that existing equipment at Southtowns is at the end of useful service life. The DSM will be adding the replacement of the influent screw pumps to its project list for potential federal funding.

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

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Hojnacki, District Manager for the Central Region, presented the following report for the collection system:

- *Mini System No. 21 (Village of Hamburg)*: Video inspection in the mini system is nearing completion. The findings are indicating the area will need extensive repairs and open cut replacements. The District will be working with the Village of Hamburg DPW to

remove/correct four properties whose sanitary laterals were found to be improperly connected to storm mains on St. Mary's Place.

- *Fisher Road:* Mechanical cleaning of large diameter mains along Fisher/Langner Rd. (West Seneca) has started.
- *Mt. Vernon Sewer District:* In response to a backup complaint on Mt. Vernon Blvd., the District completed a sewer repair on Clifton Pkwy. which included 40 linear feet of sewer main replacement and removal of a large root mass and broken pipe causing the system to back up in wet weather.

Mr. Kaminski noted the major item of focus for facilities operations was the Southtowns influent pumping issues presented under Item 5.c.

b. Pretreatment Report

None.

c. Construction Status Report

Status of the following contracts was discussed:

Contract 64 (Holland WRRF Generator Replacement) – This project involves replacement of the generator, electrical equipment and new incoming power service at the Holland Water Resource Recovery Facility (WRRF). Shop drawing submittals have been reviewed and on-site construction is anticipated to begin in May. There is a relatively long lead time for the generator and pre-fabricated building enclosure. The completion date is September 1, 2021.

Contract 75 (Cured-in-Place (CIPP) Term Lining) –

- United Survey has commenced televising and prep work on lines in Work Order No. 10 including work in the Town of Hamburg (Teachers Lane, Lynn, Thurston, Richmond, Roseview, Lynwood, Horton, Abbott Road, Ashley, Bethford, Amber, Emerling, Cox, Dolphin), and Elizabeth Street in the Village of Hamburg. Lining is anticipated to occur this spring and summer.
- Kenyon Pipeline has completed lining of sewers on the following streets in the Town of Hamburg: Bond, Allen, Buffalo, Bristol, Jarvis, Parker Road backlot under Work Order No. 8K. Work on Lake Avenue in Blasdell has been on hold in order to coordinate activities with County DPW/Highways road reconstruction project. Preparation work and televising is anticipated to continue later this spring.

Contract 79 – Sewer Repair Contract (Visone Construction) – The balance of 2020 work orders will be completed this spring.



Contract 81 (MH Rehab) (NWMCC) – A new work order was assigned to NWMCC, effective April 12<sup>th</sup> and includes work on 2 manholes in Blasdell (Labelle, Salem), 5 manholes in Hamburg (T) (Robin, Glenwillow, Jarvis, State, Sharondale), and 7 manholes in the Village of Hamburg (Randall Terrace, Janice Place). The contract expires in July 22, 2021.

Contract 82 (multi-district) Sanitary Sewer Repair (Kandey Company) – A no-cost time extension was requested by Kandey Company to complete final restoration in Spring 2021 and was approved by the Legislature. The new contract end date is June 15, 2021. Restoration is anticipated to be completed this spring (including Frontier Drive (Blasdell), Nottingham Terrace (Hamburg), and Meadow Drive (Hamburg)). Following restoration, a final walkthrough will be scheduled in preparation for project closeout.

Ramboll Southtowns Screening Evaluation – Under the Engineering Term Contract, Ramboll is reviewing the Southtowns AWTF screening equipment to provide recommendations for design of new influent screens at the head of the plant. The existing equipment is original to the facility, although some components have been replaced.

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

On February 25, 2021, 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.

e. Saddlebrook Pointe Pumping Station

As of February 9, 2021, Erie County Sewer District No. 3 has formally taken over operation and maintenance of the Saddlebrook Pointe Pumping Station along Amsdell Road in the Town of Hamburg. The Saddlebrook Pointe homeowners' association has executed the deed and ECSD No. 3 will take ownership of the station when easement documents have been filed with the Erie County Clerk's Office.

On a motion by Ms. Hartman, seconded by Mr. Wittmeyer, 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. Kasprzyk, seconded by Mr. Keding, the meeting was adjourned at 8:50 a.m. The motion carried, 7 – 0.

Next meeting is scheduled for 8:00 a.m., Wednesday, June 9, 2021.

Respectfully submitted,



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

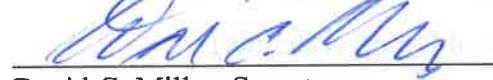
Motion to Approve the April 14, 2021 Meeting Minutes

Moved by: MELISSA HARTMAN

Seconded by: JASON KEDING

App./Disapp.: APPROVED 6-0

Date: 6/16/21



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, JUNE 16, 2021  
VIDEO/TELEPHONE CONFERENCE

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

MEMBERS ABSENT: Michael Kasprzyk, David Rood

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 8:03 a.m.

ITEM NO. 2 – APPROVAL OF APRIL 14, 2021 MEETINGS MINUTES

On a motion by Ms. Hartman, seconded by Mr. Keding, the Board voted to approve the minutes from the April 14, 2021 meeting. The motion carried, 6 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns Facility Upgrades

Mr. Millar informed the Board that, on June 15, 2021, proposals were received for engineering services for the Southtowns Advanced Wastewater Treatment Facility (AWTF) Phase 1 and Phase 2 Expansion Project. A total of three (3) proposals were submitted. The Erie County Division of Sewerage Management (ECDSM) will evaluate each proposal using a standard scoring matrix, and may conduct supplemental interviews, to select the consultant for this project. Chairman Kaczor inquired about the use of potential American Rescue Plan monies to which Mr. Fiegl replied the ECDSM is preparing for those funding opportunities, internally, to best position the Division to use them should they become available.

b. Southtowns Influent Pumping System

Mr. Fiegl provided an update to the Board concerning the influent pumping system at the Southtowns AWTF. Since the April 2021 meeting of the Board, an emergency declaration was authorized by the County Executive to implement measures to address necessary repairs. Several vendors and internal staff members installed an emergency bypass pump system to meet

*Item 2*

the needs of the plant while the defective influent screw pumps are repaired. Mr. Fiegl added the ECDSM worked through the Erie County Legislature to use capital account monies to fund the emergency work. The plant has not experienced any bypasses, as a result.

c. Steuben Foods

Mr. Fiegl noted there have been a few odor complaints within recent months received from residents along Milestrip Road that appear to be associated with discharges from Steuben Foods (Steuben). A meeting was held at the Southtowns AWTF at the end of May 2021 with Steuben, their consultant, and Erie County staff to specifically discuss the odor control topic. Steuben has been responsive in making adjustments to its odor control system as complaints have been received. Mr. Absolom stated the ECDSM is working diligently with Steuben to address this matter and added Steuben has been very cooperative. Chairman Kaczor stated the odor control issue has not been a Board topic for a long time. Mr. Absolom informed the Board Steuben has put into operation new efficiencies to reduce discharged flows from the facility; the resulting waste stream is more concentrated than in the past and opined that may have an impact.

On a motion by Mr. Keding, seconded by Mr. Wittmeyer, the Board voted to enter into executive session to discuss a confidential financial matter related to Steuben. The motion carried 6 – 0. At the conclusion of the executive session and, on a motion by Ms. Hartman, seconded by Chairman Kaczor, the Board voted to resume the regular meeting of the ECSD No. 3 Board of Managers. The motion carried 6 – 0. There were no actionable items for the Board during the executive session.

ITEM NO. 5 – NEW BUSINESS

a. Presentation and Approval of the 2022 Budget

i. Proposed 2022 Budget (Handout)

Mr. Fiegl presented the proposed ECSD No. 3 Budget to the Board.

ECSD No. 3 is part of the combined ECSD Nos. 3 and 8 budget. The ECSD Nos. 3 and 8 budget is developed based upon a Memorandum of Understanding (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 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 15<sup>th</sup> meeting.

For this year, ECSD Nos. 3 and 8 share in the following percentages of Division-wide expenses:

- 63% of Centralized Laboratory Expenses based on the volume of laboratory work.
- 37.4% of Centralized Vehicle Expenses based on the ratio of the number of vehicles serviced for ECSD Nos. 3 and 8 to the total number serviced Division-wide.
- 40% of Centralized Division of Sewerage Management expenses based on the ratio of units served by ECSD Nos. 3 and 8 to the total units served by all Districts.

Within the ECSD Nos. 3 and 8 budget, ECSD No. 3 is responsible for approximately 91% of the costs, except for Professional Services, debt service, capital reserves, and personnel.

Reviewing the overall summary for ECSD No. 3, total appropriations are projected to increase approximately \$245,500 when compared to 2021. Anticipated revenues are approximately \$19,000 lower than 2021, mainly due decreases in the budget for Fund Balance and Steuben Foods revenues, which are in part offset by an increase in anticipated flat user charge revenues. Considering the proposed appropriations and anticipated revenues, the proposed budget is such that rates for the typical ECSD No. 3 ratepayer (single family home) are projected to increase by approximately \$11-\$14 in 2022. There was no increase in the 2021 budget.

Mr. Fiegl explained that there were a few adjustments in the 2022 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 2021. Actual numbers are not available at this time.

The 2022 equipment line items represent almost \$815,000 of the ECSD Nos. 3 and 8 budget. The major items include various equipment replacements, shared purchases to be used across all Erie County Sewer Districts, a spare grinder for the Elma Pumping Station, replacement filter effluent valve actuators, a new portable generator, replacement of two (2) fleet vehicles, a new flusher, a new dump truck, and the unanticipated replacement item. The merits of the new and traffic signal set was 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, centralized vehicle and laboratory services, various changes in Maintenance and Repair supply codes, adjustments made in the Professional Service Contracts/Fees account, increases for SCADA maintenance and support, a \$100,000 increase in capital reserves for ECSD No. 3, utility costs, and the aforementioned personnel costs.

Fund balance usage as an offsetting revenue is budgeted at approximately 59% of the amount available on 12/31/20. The available district fund balance represents approximately 4.09 months of 2021 budgeted appropriations. This amount is in line with the Division's target of 3-4 months. Observing recent trends on amount available and amount used, it is believed that this allocation of fund balance is prudent.

Chairman Kaczor inquired as to whether or not the proposed budget sufficiently addresses all ECSD No. 3 needs for 2022. Mr. Fiegl responded that the average rate increase for the proposed budget is 2.7% and while the ECDSM could always productively use more funding for items like capital reserves, that would lead to a higher increase in rates. Chairman Kaczor stated his preference for continual prudent budget increases in preparation for future capital projects in order to avoid sudden rate increases. Mr. Keding agreed with Chairman Kaczor and added ECSD No. 3 must be properly prepared for future conditions by keeping rates relatively steady, now.

Mr. Cozza noted there were no major variations in the proposed 2022 budget, compared with the previous year, and inquired about items not included. Mr. Fiegl responded that no cuts were made to proposed requests from District Managers in this year's budget. Mr. Absolom added that many items were not included in the proposed 2022 budget in anticipation of upgrades to be completed as part of the upcoming facility expansion project.

On a motion by Chairman Kaczor, seconded by Mr. Keding, the Board voted to approve the budget presented for ECSD No. 3. The motion carried, 6 – 0.

ii. Resolution (Handout)

It was resolved that approximately 70% and 30% of the total sanitary sewer tax levy of \$7,458,525 shall be raised from the assessed value and footage charges, respectively, for ECSD No. 3.

On a motion by Ms. Hartman, seconded by Mr. Keding, the ECSD No. 3 Board voted to approve the Resolution as presented. The motion carried, 6 – 0.

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. If any major changes are necessary, the Board of Managers will be informed. Mr. Kaczor stated, for the record, in the past the Board has attempted to argue that all sewer charges should be exempt from the 2% limit.

\*\*\* Ms. Hartman was excused from the meeting at 9:25 a.m. \*\*\*

b. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of June 2021. On a motion by Chairman Kaczor, seconded by Mr. Keding, the Board voted to approve the June 2021 payments. The motion carried, 5 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Hojnacki, District Manager for the Central Region, presented the following report for the collection system:

- *Mini System No. 21 (Village of Hamburg):* Video inspection of the mini system has been completed. The planning of the repairs has started.
  - *St. Mary's Place:* The District has successfully disconnected three of the four sanitary laterals found to be improperly connected to storm mains.
- *Fisher Road:* Mechanical cleaning of large diameter mains along Fisher/Langner Rd. (West Seneca) is continuing.
- *Milestrip Road:* Since April, six (6) odor complaints have been received from residents residing on Milestrip Rd. in the Town of Orchard Park. The District is working, in collaboration with Steuben Foods, to minimize odors in this area.

b. Pretreatment Report

None.

c. Construction Status Report

Status of the following contracts was discussed:

Contract 64 (Holland WRRF Generator Replacement) – This project involves replacement of the generator, electrical equipment and new incoming power service at Holland WRRF. On-site construction is progressing. The generator, building, and most equipment should be installed in June. The completion date is September 1, 2021.

Contract 68 (Southtowns Solids Handling Area Improvements) – Sections of the Southtowns AWTF incinerator air pollution control equipment is in need of replacement. Additional modifications to the solids handling area, necessary for maintenance and improved operation of the incinerators, are also being completed. DiDonato Associates is providing

engineering assistance under the Engineering Term Contract for this effort. The project is expected to be bid later this year.

Southtowns Screens Replacement – Ramboll is completing an evaluation of the Southtowns AWTF screening equipment with the intention of moving into design of new influent screens at the head of the plant. The current equipment is original to the facility, although some components have been replaced.

Contract 75 (Cured-in-Place (CIPP) Term Lining) –

- United Survey is continuing CIPP lining work in the Town of Hamburg (Teachers Lane, Lynn, Thurston, Richmond, Roseview, Lynwood, Horton, Abbott Road, Ashley, Bethford, Amber, Emerling, Cox, Dolphin) with anticipated completion this summer. Lining work at Elizabeth St. in the Village of Hamburg will be performed later this summer.
- Kenyon Pipeline has performed cleaning and preparation work for sewers at Lake Avenue in Blasdell. Lining installation will be performed this summer.

Contract 81 (MH Rehab) (NWMCC) – National Water Main Cleaning Corporation has commenced preparation and cleaning work under WO #2021-1, which includes work at two (2) manholes in Blasdell (Labelle, Salem), five (5) manholes in Hamburg (T) (Robin, Glenwillow, Jarvis, State, Sharondale), and seven (7) manholes in the Village of Hamburg (Randall Terrace, Janice Pl.). These manholes will be epoxy-lined and chimney seals will be applied. The contract was extended for another term and now expires on July 22, 2022.

Contract 82 (multi-district) Sanitary Sewer Repair (Kandey Company)- Restoration was completed this spring (including Frontier Drive (Blasdell), Nottingham Terrace (Hamburg), and Meadow Drive (Hamburg)). A final walkthrough was performed on May 28<sup>th</sup> and project closeout was recommended.

On a motion by Mr. Wittmeyer, seconded by Chairman Kaczor, the Board voted to receive and file the above informational items. The motion carried, 5 – 0.



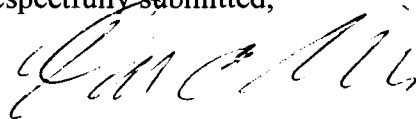
ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Mr. Fiegl asked the Board about in-person meetings should the community's COVID-19 response continue to improve. The Board noted it would be open to meeting at the Southtowns AWTF conference room, if feasible. Upcoming meetings will be scheduled as COVID-19 protocols warrant.

On a motion by Chairman Kaczor, seconded by Mr. Cozza, the meeting was adjourned at 9:33 a.m. The motion carried, 5 – 0.

**Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, October 6, 2021.**

Respectfully submitted,



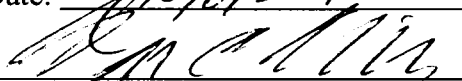
David C. Millar, Secretary  
ECSD No. 3 Board of Managers

Motion to Approve the June 16, 2021 Meeting Minutes

Moved by: MELISSA HINDMAN

Seconded by: JASON KEDING

App./Disapp.: APPROVED 7-0

Date: 10/6/2021  


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 6, 2021  
SOUTHTOWNS AWTF CONFERENCE ROOM

MEMBERS PRESENT: Chairman David Kaczor, Jason Cozza, Melissa Hartman, Michael Kasprzyk, Jason Keding, David Millar, David Rood, 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 8:00 a.m.

ITEM NO. 2 – APPROVAL OF JUNE 16, 2021 MEETINGS MINUTES

On a motion by Ms. Hartman, seconded by Mr. Keding, the Board voted to approve the minutes from the June 16, 2021 meeting. The motion carried, 7 – 0.

\*\*\* Mr. Cozza joined the meeting at 8:02 a.m. \*\*\*

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns Facility Upgrades

i. Award Recommendation – Engineering Services (Handout)

Mr. Fiegl presented a high-level summary of a memorandum prepared to memorialize the selection process used to recommend a consultant for engineering services associated with the Southtowns Advanced Wastewater Treatment Facility (AWTF) Phase 1 and Phase 2 Expansion Project. The selection process involved evaluation of three (3) quality proposals received using the Erie County Division of Sewerage Management (ECDSM) established scoring matrix. In addition, interviews were conducted to provide a better understanding of each firm's proposed project approach and capabilities. Chairman Kaczor recommended that ECDSM contact other municipalities familiar with the recommended consultant's work as part of the selection process. Mr. Cozza inquired as to whether or not the proposing consultants provided information regarding past similar projects. Mr. Fiegl responded in the affirmative and added ECDSM has experience with much of the recommended consultant's project team, which is local. Ms. Hartman inquired about the timeframe for this project. Mr. Fiegl responded that, with Board approval to award engineering services for this contract, Erie County Legislative authorization

could happen on October 21 leading to design work commencing in December 2021 or January 2022. The ECDSM intends to bid the Phase 1 portion of this project in 2023. Mr. Fiegl added he is hopeful a significant portion of the Phase 1 work will be funded by American Rescue Plan Act (ARP) monies.

On a motion by Mr. Wittmeyer, seconded by Mr. Keding, the Board voted to approve a resolution to award an agreement to Arcadis of New York, Inc. for engineering services for the “Southtowns AWTF Phase 1 and Phase 2 Expansion Project” at a cost not to exceed \$8,400,000.00. The motion carried, 8 – 0.

b. Southtowns Influent Pumping System

Mr. Kaminski provided an update to the Board concerning the influent pumping system at the Southtowns AWTF. In late Spring, an emergency declaration was authorized by the County Executive to implement measures to address the failing influent pumps. Several vendors and internal staff members installed an emergency bypass pump system to meet the needs of the plant while the influent screw pumps were repaired. Presently, two (2) of the three (3) influent pumps are back in service. The third and final pump should be operational by December 2021. The emergency bypass system will be removed at that time. Mr. Kaminski highlighted present difficulties with procurement of necessary materials.

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

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of October 2021.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the October 2021 payments. The motion carried, 8 – 0.

b. 2022 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, 2021 at the ECDSM Downtown offices for the proposed 2022 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 2022 User Charge Rates.

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

c. 2022 Meeting Schedule (Handout)

The Board reviewed a copy of the proposed 2022 meeting schedule.

On a motion by Mr. Keding, seconded by Mr. Cozza, the Board voted to approve the proposed 2022 meeting schedule, as presented. The motion carried, 8 – 0.

Mr. Fiegl explained the current Board's term will be ending December 31, 2021. He asked if the Board Members would be interested in serving another term. The Board Members replied in the affirmative.

d. Closeout Sewer Replacement Contract No. 82 – Kandey Company (Handout)

The Board considered a resolution for the close out of Contract No. 82 Kandey Company for multi-district sanitary sewer replacement project in Erie County Sewer District Nos. 3, 6, and 8. The final amount of the contract was \$798,134.97 which represents a decrease of \$31,864.03 to the original contract amount. The final amount allocated to ECSD No. 3 is \$446,411.69, a decrease of \$23,520.31 from the bid award of \$469,932.00. All work for this project has been satisfactorily completed and the ECDSM recommends close out of this contract.

On a motion by Ms. Hartman, seconded by Mr. Keding, the Board voted to approve closeout of Contract No. 82. The motion carried, 8 – 0.

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

The Board reviewed a package of hearing summaries from the Compliance Hearing held at the Southtowns AWTF on July 14, 2021. At that hearing, a Compliance Officer evaluated and recommended premium assessments to 11 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. Kasprzyk, seconded by Mr. Rood, the Board voted to approve recommended premium assessments for the listed properties. The motion carried, 8 – 0.

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

The Board reviewed copies of final notices from the ECDSM to several property owners in ECSD No. 3. Written requests were mailed to each property owner on several occasions,

without response, to complete a house inspection or correct a deficient condition found during the ECDSM's Inflow/Infiltration (I/I) inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the ECDSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Cozza, seconded by Ms. Hartman, the Board voted to approve the referral to an enforcement hearing. The motion carried, 8 – 0.

g. Trucker 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. Kasprzyk, seconded by Mr. Wittmeyer, 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, 8 – 0.

h. ARP Update

Mr. Fiegl recapped the latest regarding ARP funding. All told a total of approximately \$32.7 million dollars was allocated for infrastructure improvements in the Erie County Sewer Districts (ECSDs) from the first tranche of funding based on the RENEW Plan submitted by the County Executive and approved by the Erie County Legislature. The Legislature also approved additional authorization and engineering capacity through the engineering term contracts to assist with the workload.

The Division of Sewerage Management has been advancing a number of "shovel ready" projects while also moving ahead engineering work on at risk and/or critical assets. Thus far, approximately \$7 million has been awarded across all ECSDs. Within ECSD No. 3, the major projects awarded include approximately 39,000 lineal feet (LF) of cured-in-place pipe lining and rehabilitation of 65 manholes. Additional work across the ECSDs is in the planning stages, specifically at the Southtowns Advanced Wastewater Treatment Facility.

As part of the 2022 budget process, the County Executive has proposed \$31.2 million of the second tranche of ARP funding be allocated to the ECSDs. The 2022 budget was submitted this week to the Legislature for consideration. The Board will be kept informed as more information is available.

Chairman Kaczor requested a letter be sent, on behalf of the ECDSM, thanking all parties involved with securing ARP funding for ECSD No. 3 projects.

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

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski presented the following report for operations:

- *General:* Plant staff have completed hauling incinerator ash from the facility for this year.

Mr. Hojnacki, District Manager for the Central Region, reported District staff have completed nine sewer repairs replacing 81 linear feet of sanitary main, televised 2,673 linear feet of sanitary main, and replaced ten (10) manhole frames/covers. Mr. Hojnacki also presented the following report for the collection system:

- *Mini System No. 21 (Village of Hamburg):* District staff has begun working to complete sewer repairs previously identified during video inspections. A focus on completing repairs in this area will be ongoing in preparation for future CIPP lining.
- *St. Mary's Place (Village of Hamburg):* Work to correct an improper sanitary sewer lateral to the storm main at a residence on St. Mary's Place is expected to be completed by a private contractor soon.
- *Fisher/Langner Rd. (northern boundary of ECSD No. 3 tributary to West Seneca):* Mechanical cleaning of large diameter mains along Fisher/Langner Road to the mag meter (West Seneca) is continuing.
- *Mini System No. 30 (Tributary to Roberts Rd. pumping station):* As the 2021 focus area, work to evaluate the condition of the system, and investigate I/I sources in this area is ongoing.

Mr. Absolom noted the District is presently experiencing difficulties finding and keeping personnel for field staff positions. Ms. Hartman inquired about re-evaluating field staff pay scales to which Mr. Fiegl replied the related blue collar collective bargaining agreement is set to expire at the end of 2021 and pay scales will be renegotiated as part of the next agreement.

b. Pretreatment Report

None.

c. Construction Status Report

Status of the following contracts was discussed:

Contract 64 (Holland WRRF Generator Replacement) – This project involves replacement of the generator, electrical equipment and new incoming power service at Holland Water Resource Recovery Facility (WRRF). General construction is mostly complete and electrical construction is in progress. The building and generator are in place. There was a delay

in delivery of the generator and other electrical components due to material shortages. The contract completion date has been extended to November 1, 2021.

Contract 68 (Southtowns Solids Handling Area Improvements) –Sections of the Southtowns AWTF incinerator exhaust stack and the associated air pollution control equipment need replacement. Other equipment and changes in the solids handling area, needed for maintenance and improved operation of the incinerators, are also being completed. The project is expected to be bid this fall with a request for award expected at the next meeting.

Southtowns Screens Replacement –Ramboll is finalizing an evaluation report for the Southtowns AWTF screening equipment. Design of new influent screens at the head of the plant will likely be performed next year. The current screens are original to the facility, although some components have been replaced.

Contract 75 (Cured-in-Place (CIPP) Term Lining)

- United Survey was issued WO 12 (ARP) in July, which includes 39,444 linear feet in the Town of Hamburg (various locations). Prep work will begin in October, lining is anticipated to begin in late 2021 or early 2022. This work order is utilizing ARP funds.
- Kenyon Pipeline lined a 20” diameter sewer on Lake Avenue in Blasdell, and a 12” diameter sewer on Sickmon Avenue in the Village of Hamburg. Additional lining on Sickmon Avenue is anticipated later this year.

Contract 79 (Sewer Repair Contract) (Visone)

- Visone was issued and completed a work order in August on Sickmon Avenue in the Village of Hamburg to perform a spot repair to replace collapsed 15-inch diameter pipe.
- Visone was issued a work order in August to perform a spot repair on Roseview Avenue in the Town of Hamburg. Anticipated 13 LF of repair to prepare for CIPP lining. Waiting on a schedule from Visone for this work.

Contract 81 (MH Rehab) (National Water Main Cleaning Co. [NWMCC])

- NWMCC has continued with rehabilitation under WO #2021-1, which includes work on 2 manholes in Blasdell (Labelle, Salem), 5 manholes in Hamburg (T) (Robin, Glenwillow, Jarvis, State, Sharondale), and 7 manholes in the Village of Hamburg (Randall Terrace, Janice Place). Epoxy-lining is underway. Chimney seals still need to be applied.
- WO #2021- 2(ARP) was issued in July 2021. This is work order is utilizing ARP funding. Rehabilitation of 29 manholes were issued in the Robin Lane neighborhood. Prep, cleaning, mortar repair and epoxy lining have been started. Chimney seals still need to be applied.

Contract 86 - Sanitary Sewer Open Cut Repair Term Contract (Multi-District) – Bids were opened on Monday, September 27<sup>th</sup> for a multi-district open cut sanitary sewer repair term contract. This contract is intended for completion of sanitary sewer repairs that will be performed via individual work orders on an as-needed basis. The bids are currently being reviewed.

Contract 87 On-Call Sewer Repair Term Contract (Multi-District) - Bids were opened on Monday, September 27<sup>th</sup> for a multi-district term contract for emergency open cut excavation sewer spot repairs. This contract is intended only for unscheduled, unanticipated, and/or high priority repairs (i.e., forcemain leaks, sinkholes, substantial sewer collapses, etc.). The bids are currently being reviewed.

d. Sanitary Sewer Easement Encroachment – 260 Electric Ave, Blasdell (Handout)

Mr. Millar informed the Board that an encroachment of a sanitary sewer easement within the District had occurred at 260 Electric Avenue in the Village of Blasdell. A letter was sent to the owner of the property requesting that the building structure erected on the easement, and directly above the northeast interceptor tributary to the Southtowns AWTF, be removed. The Erie County Attorney's Office is presently addressing this matter.

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

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Wittmeyer, seconded by Mr. Kasprzyk, the meeting was adjourned at 9:22 a.m. The motion carried, 8 – 0.

**Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, December 8, 2021.**

Respectfully submitted,

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

Motion to Approve the October 6, 2021 Meeting Minutes

Moved by: MICHAEL KASPRZYK

Seconded by: JASON KEDDING

App./Disapp.: APPROVED 6-0

Date: 2/2/2022

  
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 6, 2021  
SOUTHTOWNS AWTF CONFERENCE ROOM

MEMBERS PRESENT: Chairman David Kaczor, Jason Cozza, Melissa Hartman, Michael Kasprzyk, Jason Keding, David Millar, David Rood, 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 8:00 a.m.

ITEM NO. 2 – APPROVAL OF JUNE 16, 2021 MEETINGS MINUTES

On a motion by Ms. Hartman, seconded by Mr. Keding, the Board voted to approve the minutes from the June 16, 2021 meeting. The motion carried, 7 – 0.

\*\*\* Mr. Cozza joined the meeting at 8:02 a.m. \*\*\*

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns Facility Upgrades

i. Award Recommendation – Engineering Services (Handout)

Mr. Fiegl presented a high-level summary of a memorandum prepared to memorialize the selection process used to recommend a consultant for engineering services associated with the Southtowns Advanced Wastewater Treatment Facility (AWTF) Phase 1 and Phase 2 Expansion Project. The selection process involved evaluation of three (3) quality proposals received using the Erie County Division of Sewerage Management (ECDSM) established scoring matrix. In addition, interviews were conducted to provide a better understanding of each firm's proposed project approach and capabilities. Chairman Kaczor recommended that ECDSM contact other municipalities familiar with the recommended consultant's work as part of the selection process. Mr. Cozza inquired as to whether or not the proposing consultants provided information regarding past similar projects. Mr. Fiegl responded in the affirmative and added ECDSM has experience with much of the recommended consultant's project team, which is local. Ms. Hartman inquired about the timeframe for this project. Mr. Fiegl responded that, with Board approval to award engineering services for this contract, Erie County Legislative authorization

could happen on October 21 leading to design work commencing in December 2021 or January 2022. The ECDSM intends to bid the Phase 1 portion of this project in 2023. Mr. Fiegl added he is hopeful a significant portion of the Phase 1 work will be funded by American Rescue Plan Act (ARP) monies.

On a motion by Mr. Wittmeyer, seconded by Mr. Keding, the Board voted to approve a resolution to award an agreement to Arcadis of New York, Inc. for engineering services for the “Southtowns AWTF Phase 1 and Phase 2 Expansion Project” at a cost not to exceed \$8,400,000.00. The motion carried, 8 – 0.

b. Southtowns Influent Pumping System

Mr. Kaminski provided an update to the Board concerning the influent pumping system at the Southtowns AWTF. In late Spring, an emergency declaration was authorized by the County Executive to implement measures to address the failing influent pumps. Several vendors and internal staff members installed an emergency bypass pump system to meet the needs of the plant while the influent screw pumps were repaired. Presently, two (2) of the three (3) influent pumps are back in service. The third and final pump should be operational by December 2021. The emergency bypass system will be removed at that time. Mr. Kaminski highlighted present difficulties with procurement of necessary materials.

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

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of October 2021.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the October 2021 payments. The motion carried, 8 – 0.

b. 2022 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, 2021 at the ECDSM Downtown offices for the proposed 2022 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 2022 User Charge Rates.

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

c. 2022 Meeting Schedule (Handout)

The Board reviewed a copy of the proposed 2022 meeting schedule.

On a motion by Mr. Keding, seconded by Mr. Cozza, the Board voted to approve the proposed 2022 meeting schedule, as presented. The motion carried, 8 – 0.

Mr. Fiegl explained the current Board's term will be ending December 31, 2021. He asked if the Board Members would be interested in serving another term. The Board Members replied in the affirmative.

d. Closeout Sewer Replacement Contract No. 82 – Kandey Company (Handout)

The Board considered a resolution for the close out of Contract No. 82 Kandey Company for multi-district sanitary sewer replacement project in Erie County Sewer District Nos. 3, 6, and 8. The final amount of the contract was \$798,134.97 which represents a decrease of \$31,864.03 to the original contract amount. The final amount allocated to ECSD No. 3 is \$446,411.69, a decrease of \$23,520.31 from the bid award of \$469,932.00. All work for this project has been satisfactorily completed and the ECDSM recommends close out of this contract.

On a motion by Ms. Hartman, seconded by Mr. Keding, the Board voted to approve closeout of Contract No. 82. The motion carried, 8 – 0.

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

The Board reviewed a package of hearing summaries from the Compliance Hearing held at the Southtowns AWTF on July 14, 2021. At that hearing, a Compliance Officer evaluated and recommended premium assessments to 11 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. Kasprzyk, seconded by Mr. Rood, the Board voted to approve recommended premium assessments for the listed properties. The motion carried, 8 – 0.

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

The Board reviewed copies of final notices from the ECDSM to several property owners in ECSD No. 3. Written requests were mailed to each property owner on several occasions,

without response, to complete a house inspection or correct a deficient condition found during the ECDSM's Inflow/Infiltration (I/I) inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the ECDSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Cozza, seconded by Ms. Hartman, the Board voted to approve the referral to an enforcement hearing. The motion carried, 8 – 0.

g. Trucker 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. Kasprzyk, seconded by Mr. Wittmeyer, 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, 8 – 0.

h. ARP Update

Mr. Fiegl recapped the latest regarding ARP funding. All told a total of approximately \$32.7 million dollars was allocated for infrastructure improvements in the Erie County Sewer Districts (ECSDs) from the first tranche of funding based on the RENEW Plan submitted by the County Executive and approved by the Erie County Legislature. The Legislature also approved additional authorization and engineering capacity through the engineering term contracts to assist with the workload.

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Chairman Kaczor requested a letter be sent, on behalf of the ECDSM, thanking all parties involved with securing ARP funding for ECSD No. 3 projects.

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ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

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- *General:* Plant staff have completed hauling incinerator ash from the facility for this year.

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b. Pretreatment Report

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c. Construction Status Report

Status of the following contracts was discussed:

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in delivery of the generator and other electrical components due to material shortages. The contract completion date has been extended to November 1, 2021.

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- NWMCC has continued with rehabilitation under WO #2021-1, which includes work on 2 manholes in Blasdell (Labelle, Salem), 5 manholes in Hamburg (T) (Robin, Glenwillow, Jarvis, State, Sharondale), and 7 manholes in the Village of Hamburg (Randall Terrace, Janice Place). Epoxy-lining is underway. Chimney seals still need to be applied.
- WO #2021- 2(ARP) was issued in July 2021. This is work order is utilizing ARP funding. Rehabilitation of 29 manholes were issued in the Robin Lane neighborhood. Prep, cleaning, mortar repair and epoxy lining have been started. Chimney seals still need to be applied.

Contract 86 - Sanitary Sewer Open Cut Repair Term Contract (Multi-District) – Bids were opened on Monday, September 27<sup>th</sup> for a multi-district open cut sanitary sewer repair term contract. This contract is intended for completion of sanitary sewer repairs that will be performed via individual work orders on an as-needed basis. The bids are currently being reviewed.

Contract 87 On-Call Sewer Repair Term Contract (Multi-District) - Bids were opened on Monday, September 27<sup>th</sup> for a multi-district term contract for emergency open cut excavation sewer spot repairs. This contract is intended only for unscheduled, unanticipated, and/or high priority repairs (i.e., forcemain leaks, sinkholes, substantial sewer collapses, etc.). The bids are currently being reviewed.

d. Sanitary Sewer Easement Encroachment – 260 Electric Ave, Blasdell (Handout)

Mr. Millar informed the Board that an encroachment of a sanitary sewer easement within the District had occurred at 260 Electric Avenue in the Village of Blasdell. A letter was sent to the owner of the property requesting that the building structure erected on the easement, and directly above the northeast interceptor tributary to the Southtowns AWTF, be removed. The Erie County Attorney's Office is presently addressing this matter.

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

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Wittmeyer, seconded by Mr. Kasprzyk, the meeting was adjourned at 9:22 a.m. The motion carried, 8 – 0.

**Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, December 8, 2021.**

Respectfully submitted,

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

Motion to Approve the October 6, 2021 Meeting Minutes

Moved by: MICHAEL KASPRZYK

Seconded by: JASON KEDDING

App./Disapp.: APPROVED 6-0

Date: 2/2/2022

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