

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSD No. 3)
BOARD OF MANAGERS MEETING MINUTES
WEDNESDAY, FEBRUARY 2, 2022
VIDEO/TELEPHONE CONFERENCE

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

MEMBERS ABSENT: David Rood, Emery Wittmeyer

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

ITEM NO. 1 – CALL MEETING TO ORDER

Mr. Fiegl called the meeting to order at 8:01 a.m.

a. Nomination of Board officers

On a motion by Mr. Keding, 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 ECSD No. 3 Board of Managers for the new term. The motion carried, 6 – 0.

The meeting was turned over to Chairman Kaczor.

ITEM NO. 2 – APPROVAL OF OCTOBER 6, 2021 MEETINGS MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Keding, the Board voted to approve the minutes from the October 6, 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. Fiegl discussed two items regarding the Southtowns Advanced Wastewater Treatment Facility (AWTF) upgrades. Under the first item, Mr. Fiegl informed the Board the engineering phase of the project commenced, on schedule, in December 2021. The retained firm, Arcadis, has already been through the facility performing 3-dimensional imaging, advanced soil borings on plant property, and conducted several meetings aimed at making decisions on the direction of the upgrades. Mr. Fiegl noted that, while the Erie County Division of Sewerage Management (ECDSM) is moving forward with all regulatory required items, there are a number of others capital project needs that will be evaluated for completion as part of this effort

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including IT infrastructure, electrical systems, and office needs. Mr. Fiegl also informed the Board that a meeting will take place later in the day with the New York State Department of Environmental Conservation and the New York State Environmental Facilities Corporation to discuss and engage those stakeholders in funding strategies and opportunities.

Under the second item, Mr. Fiegl informed the Board the ECDSM has drafted a map and plan report required to secure a new bond account for funding the upgrades. The proposed bond account will be in the amount of \$100-million and is based upon the \$80-million Facility Report Upgrade Report estimate for Phase 1 and Phase 2 of the project, as well as the additional needs previously discussed. Mr. Fiegl noted he intends to have the draft map and plan report reviewed by Bond Council before the next meeting of the Board so that it can be submitted at that time for consideration.

Chairman Kaczor inquired about the effect American Rescue Plan (ARP) monies, or other grants, will have on the bonding process. Mr. Fiegl informed the Board that ECDSM is required to proceed as though no grant funding will be received. Any ARP funds, or other grant monies, will offset the total amount that would ultimately be borrowed. Mr. Fiegl added he believes we need to proceed under the scenario that no grant funds are received to better have the ability to address regulatory uncertainties and the like. Chairman Kaczor stated, for the record, that the Board recognizes the sense of urgency for this project given the condition of the facility and the need for upgrades.

Mr. Kasprzyk inquired about the extent to which anticipated growth was factored into facility upgrade decisions. Mr. Fiegl responded by stating growth projections were incorporated into facility capacity recommendations detailed in the Facility Report Update. Mr. Fiegl added that much of the focus for the upgrades was directed at managing peak flows experienced at the facility that are the result of weather-related conditions. Ms. Hartman suggested that future studies should involve individual Town master plans to address projected capacity increases for residential and non-residential users going forward. Ms. Hartman added that Towns are at risk of losing significant revenue as a result of the inability to support prospective manufacturing infrastructure needs.

On a motion by Chairman Kaczor, seconded by Mr. Kasprzyk, the Board voted to receive and file Mr. Fiegl's report. The motion carried, 6 – 0.

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of February 2022.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to approve the February 2022 payments. The motion carried, 6 – 0.

b. Erie County Sewer Districts - Fund Balance Policy January 2022

i. Policy (Handout)

Mr. Fiegl reviewed the handout with the Board regarding the formal documentation prepared which outlines various policies to be used by the ECDSM to oversee the fund balance practices for the Erie County Sewer Districts. The practices noted in the policy have been in effect for several decades; however, Mr. Fiegl stated he could identify no pre-existing formal written fund balance policy. Mr. Fiegl added the Erie County Budget Director had reviewed the final policy. Mr. Cozza noted he would not want the policy to limit future options or to hinder good budgeting and planning. Mr. Fiegl stated that his intent was to promote the budgeting process in a transparent manner.

ii. Resolution (Handout)

On a motion by Mr. Keding, seconded by Mr. Cozza, the Board voted to approve the Erie County Sewer Districts Fund Balance Policy – January 2022. The motion carried, 6 – 0.

c. Award of Southtowns Incinerator Tray Scrubber Replacement & Crane Installation Project – Contract No. 68 (Handout)

The Board considered approval of a resolution to award Contract No. 68, in the amount of \$769,000.00, to Quackenbush Co., Inc. for construction work associated with replacement of the incinerator tray scrubber and installation of a crane in the incinerator area of the Southtowns AWTF. The contractor has successfully completed projects for the ECDSM in the past.

On a motion by Ms. Hartman, seconded by Mr. Kasprzyk, the Board voted to approve a resolution to award Contract No. 68 to Quackenbush Co., Inc., in the amount of \$769,000.00. The motion carried, 6 – 0.

d. Holland WRRF – Contract No. 64-A Closeout (Handout)

The Board considered a resolution for the close out of Contract 64-A with The State Group Industrial (USA) Limited for general construction work involved with the Holland WRRF Generator Replacement Project. The final amount of the contract was \$159,962.00 which represents a decrease of \$26,038.00 to the original contract amount of \$186,000.00. 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 Ms. Hartman, the Board voted to approve closeout of Contract 64-A. The motion carried, 6 – 0.

e. 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.

Mr. Kasprzyk suggested that more stringent enforcement actions be taken by the ECDSM to reduce the amount of time wasted with follow up actions and enforcement measures during implementation of the program. Mr. Fiegl stated ECDSM is sensitive to balancing the concerns of Erie County Sewer District residents and achieving the objectives of the program. Chairman Kaczor stated the Board relies on the ECDSM to implement the program in the most effective and professional manner.

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

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

The following report was presented for operations:

- Mr. Kaminski informed the Board that final repairs have been made to the influent screw pumps at the Southtowns AWTF and the process of removing the temporary bypass pumping, installed last year by means of an emergency declaration, will now commence.
- Mr. Absolom informed the Board the Holland Water Resource Recovery Facility (WRRF) received a draft modified New York State Pollutant Discharge Elimination System (SPDES) permit for the facility adding he would recommend accepting the permit without comment.

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

- *General District staff activities* – Completed 4 sewer repairs, replaced 35 linear feet of sanitary main, televised 6,690 linear feet of sanitary main, repaired 9 manholes, cleaned 22,571 linear feet of sanitary sewer, completed preventative maintenance on 11 grinder tanks.
- *Fisher/Langner Rd.* – Mechanical cleaning of large diameter mains along Fisher/Langner Rd. to the Mag Meter (West Seneca) was completed. No major restrictions were found.
- *St. Francis School Property* – District staff installed a bulkhead and bubbler system in the Town of Hamburg 's abandoned 30-inch diameter sewer main located on the grounds of the St. Francis Field House. This was done in an effort to eliminate a large source of Inflow/Infiltration (I/I), and also to alleviate flooding near the sports fields.
- *Mini System No. 21 (Village of Hamburg)* – The District is nearing the completion of all needed sewer repairs previously identified during video inspections. Production Cured-in-Place-Pipe (CIPP) lining will commence in 2022.

- *Mini System No. 30 (Tributary to Roberts Rd. pumping station)* – As the 2021 focus area, work to evaluate the condition of the system is nearing completion. Initial findings indicate the system to be in fair condition with no major rehabilitation work needed.
- Focus areas for 2022 will include parts of the Village of Orchard Park and Village of Blasdell. Work to evaluate the collection system in these areas is planned to begin in the spring.

b. 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. As discussed under item 5.d., general construction is now complete electrical construction is scheduled for completion in February. The Electrical Contract 64-D was extended due to delays with NYSEG scheduling for service switchover.

Contract 68 (Southtowns Solids Handling Area Improvements) – Sections of the Southtowns AWTF incinerator exhaust air pollution control equipment need replacement. Other equipment and changes in the solids handling area, required for maintenance and improved operation of the incinerators, are also being completed.

Contract 71 (Southtowns Incinerator Natural Gas Conversion) – Ramboll is designing the addition of natural gas fuel for use in operating our incinerators. Presently, the incinerators require supplemental fuel that is currently only supplied by diesel fuel. Natural gas will be more efficient and is a cleaner, reducing air pollution. Design will be based on an engineering evaluation report performed previously by Ramboll.

Southtowns Screens Replacement – Ramboll finalized an evaluation report for replacement of the Southtowns AWTF screening equipment. Design of new influent screens at the head of the plant is being awarded to a different engineering firm, GHD, through the Term Engineering Contract. The current screens are original to the facility, although some components have been replaced.

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

- United Survey performed preparation work and cleaning under Work Order 12 (ARP) (issued in 2021), which includes 39,444 linear feet at various locations in the Town of Hamburg. Lining is anticipated to begin in the coming months. This work order is utilizing ARP funds.
- In January 2022, United Survey was issued Work Order 14 (ARP) which includes approximately 26,000 linear feet in the Village of Hamburg (Legion, Oakland, Donald, Colvin, Anderson, Highland, Oliver, Norwood, North, Division), the Town of Hamburg (Brundage, Lake Heights, Overlook, Upper, Lower, Pleasant, Rogers,

Southwestern Blvd, Wildwood, Cloverbank, Mistymeadow), and the Village of Orchard Park (Highland, Woodview). Preparation work is anticipated to start in Spring 2022. This work order is utilizing ARP funds.

Contract 79 (Sewer Repair Contract) (Visone) – Visone completed a work order to perform an open cut spot repair, to facilitate CIPP lining, on Roseview Avenue in the Town of Hamburg.

Contract 81 (MH Rehabilitation) (National Water Main Cleaning Co.) – In fall 2021, NWMCC completed manhole rehabilitation work under Work Order #2021-1 and #2021-2 (ARP). NWMCC will return in the spring to complete one more manhole chimney seal identified during the final walkthrough. This contract expires in July 2022.

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

Mr. Kasprzyk inquired about the status of Steuben Foods growth plans to which Mr. Fiegl responded he will research the status of that issue and report his findings at the next meeting.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Hartman, seconded by Mr. Keding, the meeting was adjourned at 8:54 a.m. The motion carried, 6 – 0.

Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, April 6, 2022.

Respectfully submitted,



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

Motion to Approve the February 2, 2022 Meeting Minutes

Moved by: MELISSA HARTMAN

Seconded by: JASON COZZA

App./Disapp.: APPROVED 8-0

Date: APRIL 6, 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, APRIL 6, 2022
SOUTHTOWNS ADVANCED WASTEWATER TREATMENT FACILITY (AWTF)
CONFERENCE ROOM

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

MEMBERS ABSENT: None

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 8:04 a.m.

ITEM NO. 2 – APPROVAL OF FEBRUARY 2, 2022 MEETINGS MINUTES

On a motion by Ms. Hartman, seconded by Mr. Cozza, the Board voted to approve the minutes from the February 2, 2022 meeting. The motion carried, 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns Facility Upgrades

Mr. Fiegl summarized the Sewer Agency Report (SAR), prepared for the Board's consideration, calling for an Increase and Improvement of Facilities in the amount of \$100-million to fund capital improvements associated with the Southtowns AWTF Upgrades Project. Mr. Fiegl remarked that he forwarded the document to the Board, via email, during the previous 2 weeks for review. Based on feedback from Mr. Kasprzyk, wording was added to the SAR to document the fact that the existing average treatment capacity of the plant will be increased by 50%, and peak flow capacity by 37.5%, as a result of this project.

Mr. Fiegl informed the Board the expected annual rate increase resulting from the anticipated bond account, calculated as part of the analysis required by New York State and detailed in the SAR, will be approximately \$110/ratepayer and added this value is conservative. Mr. Fiegl stated the rate impact could be tempered by three factors. First, the increase does not account for potential grant funding opportunities such as American Rescue Plan monies, the

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apparent Federal Infrastructure Bill, and potential State funded grants. Second, the increase is based upon a higher than expected market interest rate and does not account for low interest loan programs offered by the New York State Environmental Facilities Corporation (NYSEFC) that will be pursued for this project. Third, the calculated increase does not account for retiring bond debt and potential reductions in future capital reserve allocations that would effectively offset rate impacts. He did note, however, there could be other capital projects in ECSD No. 3 outside of the Southtowns Expansion as well. Further, inflationary factors are impacting cost estimates. Capital reserves and amending the amount of capital reserves allocated in the annual budgets are ways to mitigate the costs for other projects, as well as mitigate increases related to bond debt. Mr. Fiegl concluded his remarks noting it the Erie County Division of Sewerage Management (ECDSM) believes this project is incredibly important for the future of ECSD No. 3 and the areas served.

Chairman Kaczor inquired about whether or not the \$100-million bond would be exhausted entirely at one time. Mr. Fiegl stated the \$100-million bond will be drawn down over a period of time adding the project will be constructed in at least two major phases. Mr. Kaczor expressed optimism for grant funding but inquired about the Board's ability to review and revise the project in the event the rate increase is not received favorably by the public. Mr. Fiegl replied he would not recommend that course of action, given the present condition of the treatment plant and the ECDSM's regulatory responsibilities, but confirmed the Board does have the option to revise the project. Mr. Fiegl added that not meeting the permit-driven project schedule could result in an Order on Consent, fines, and other regulatory actions. Chairman Kaczor stated he recognized the project must be completed and stressed his intention for the Board to have a comfort level with its opportunity to act in the best interest of ratepayers. Mr. Fiegl stated that every project undertaken by the Division, as well as annual budgets, require Board approval. Ms. Hartman noted a \$110/year rate increase now will not have the same impact to ratepayers into the future. Mr. Cozza inquired about the ECDSM's intention to use Bond Anticipation Notes (BANs) as part of its project funding strategy to which Mr. Fiegl replied those details have not yet been developed, but the NYSEFC may have programs to assist with BANs. Mr. Cozza inquired about the approval process with the Erie County Legislature (Legislature) to which Mr. Fiegl replied that he has been preparing the Legislature for this bond authorization adding he gave the Energy and Environment Committee a presentation to review project details within the last year.

Mr. Fiegl explained the process involved with finalizing the bond authorization. With the Board's approval of the SAR, Bond Counsel will be approached to provide a resolution calling for a public hearing on this matter. The ECDSM will then submit the SAR to the Legislature, along with the suggested public hearing resolution. The hearing will likely take place early to mid-Summer 2022 where comments may be received from the public. After the public hearing takes place, there will be a 45-day permissive referendum. Because of the cost impacts involved with this authorization, the SAR will then be reviewed by New York State Comptroller's Office, Department of Audit and Control. At this point, another resolution will be considered by the Legislature to grant final approval. Mr. Fiegl anticipates that, if successful, the entire process will conclude in the Fall 2022.

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the resolution to accept and adopt the subject SAR, recommend that the SAR be submitted to the Erie County Legislature for further consideration and action pursuant to Article 5A of New York State County Law, and direct the Erie County Sewer Agency to pursue an Increase & Improvement of Facilities (2022) in the amount of \$100-million with the Erie County Legislature. The motion carried, 8 – 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 2022.

On a motion by Mr. Keding, seconded by Ms. Hartman, the Board voted to approve the April 2022 payments. The motion carried, 8 – 0.

b. Confirmation of Email Poll – Award of Blasdell Decommissioning Contract No. 70 (Handout)

The Board considered confirmation of the February 10, 2022 email poll approving a resolution to award Contract No. 70, in the amount of \$792,000.00, to E&R General Construction, Inc. (E&R) for decommissioning of the Blasdell Water Resource Recovery Facility (WRRF). The project involves demolition and/or removal of trickling filters, chambers, clarifiers, wells, buildings, tanks and digester equipment, drying beds, pipes, valves, and manholes. The project also includes site grading and restoration. E&R has experience with projects involving municipal sanitary sewer systems and is recognized as having the capability to provide necessary manpower and equipment for this contract.

On a motion by Mr. Wittmeyer, seconded by Mr. Cozza, the Board voted to confirm the February 10, 2022 poll approving a resolution to award Contract No. 70 to E&R General Construction, Inc. in the amount of \$792,000.00. The motion carried, 8 – 0.

c. Confirmation of Email Poll – Rogers Road Pumping Station Rehabilitation Project Award (Handout)

The Board considered confirmation of the March 17, 2022 email poll approving a resolution to enter into an agreement with GHD Consulting Services, Inc. (GHD) for engineering associated with the Rogers Road Pumping Station Rehabilitation/Elimination project in an amount not-to-exceed \$82,700. The project will involve the preparation of a report to evaluate the rehabilitation and/or elimination of that station including impacts of various selected options and assessment of life cycle costs for each identified. Based upon scoring and a review of furnished cost proposals, the ECDSM's review committee recommended retaining GHD.

On a motion by Mr. Keding, seconded by Mr. Kasprzyk, the Board voted to confirm the March 17, 2022 poll approving a resolution to enter into an agreement with GHD for engineering

associated with the Rogers Road Pumping Station Rehabilitation/Elimination project in an amount not-to-exceed \$82,700. The motion carried, 8 – 0.

d. Closeout of Holland Generator Electrical Contract No. 64 (Handout)

The Board considered a resolution for the close out of Contract 64-D with Frey Electric Construction Co., Inc. for electrical construction work involved with the Holland WRRF Generator Replacement Project. The final amount of the contract was \$178,392.00 which represents a decrease of \$9,608.00 to the original contract amount of \$188,000.00. 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 Ms. Hartman, the Board voted to approve closeout of Contract 64-D. The motion carried, 8 – 0.

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

The Board reviewed a copy of the final notice from the ECDSM to a property owner in ECSD No. 3. Written requests were mailed to the property owner on several occasions, without response, to correct a deficient condition found during the ECDSM's Inflow/Infiltration (I/I) inspection program. As a result, the property owner has 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. Rood, seconded by Mr. Wittmeyer, the Board voted to approve the referral to an enforcement hearing. The motion carried, 8 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski presented the following report for operations:

- *Influent Screw Pump* – Repairs to the influent screw pumps have now been completed and all emergency bypass pumps and piping have been removed.
- *Incinerators* – Completed large annual maintenance on the X-line incinerator. Stack testing was completed in March 2022.
- *Elma Force Main* – A leak was identified and repaired along Jamison Road. The leak was caused by a failed repair clamp installed as part of a previous leak repair.
- *Milestrip Road Pump Station* – The station experienced a Variable Frequency Drive (VFD) failure leading to an overflow. The VFD was replaced. Chairman Kaczor inquired about

potential expansion of the station to which Mr. Fiegl responded that the ECDSM contacted Steuben Foods for the status of an ongoing flow monitoring study. Steuben is in the process of retaining services of a firm to analyze the flow data collected. Mr. Absolom noted the recent failures of the Elma Force Main and the Milestrip Road Pump Station were not caused by Steuben Foods. Chairman Kaczor inquired about the capacity of the existing 24-inch diameter gravity pipe on Milestrip Road with regard to future Steuben Foods flows and the addition of subdivisions in that area. Mr. Fiegl stated the existing pipe was installed to provide for development in that corridor and also receive flows from Steuben. Ultimately, the solution to address increased Steuben flows may be installation of a forcemain to bypass the 24-inch sewer on Milestrip Road. Mr. Fiegl added the ECDSM needs to maintain its commitment to the Town of Orchard Park by guaranteeing its share of capacity in the Milestrip Road sewer.

- *Holland Water Resource Recovery Facility (WRRF)* – Mr. Fiegl informed the Board that ECDSM received a new permit from the New York State Department of Environmental Conservation for the Holland WRRF noting no major concerns included in the new terms and conditions of the permit. Mr. Absolom informed the Board of the need to conduct house inspections in Holland to address increasing flow rates at the plant.

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

- *Village of Hamburg* – The District is nearing the completion of all needed sewer repairs previously identified during video inspections. A property on Hunt Avenue was discovered to have the sanitary lateral connected to the storm system. The ECDSM is working with the Village to address.
- *Town of Holland* – The District is continuing to perform preventative maintenance and replacement of tanks lids on grinder units. Letters to be mailed to properties requesting they schedule a house inspection with the District, along with a “grinder informational pamphlet” mailing to properties with grinder tanks.

b. 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. Electrical construction is complete, other than punch list items, and closure of Contract 64-D was requested in New Business.

Contract 68 (Southtowns Solids Handling Area Improvements) – Sections of the Southtowns AWTF incinerator exhausts containing air pollution control equipment are in need of replacement. Other equipment and changes in the solids handling area, needed for maintenance and improved operation of the incinerators, are also being completed. The Contracts are being executed. The Notice to Proceed is expected this month (April).

Contract 71 (Southtowns Incinerator Natural Gas Conversion) – Design is in progress. Ramboll is designing the addition of natural gas fuel for use in operating our incinerators. The incinerators require supplemental fuel that is currently only supplied by diesel fuel. Natural gas will be more efficient and is a cleaner fuel – reducing air pollution.

Contract 73 (Southtowns Influent Screening Replacement) – GHD is designing new bar screens for the Southtowns AWTF, through the Term Engineering Contract. The current screens are original to the facility, although some components have been replaced.

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

- United Survey completed prep and cleaning work under WO 12 (ARP) (issued in 2021), which includes 39,444 linear feet in the Town of Hamburg (various locations). Lining is anticipated to begin in the coming months. This work order is utilizing ARP funds.
- United Survey began prep and cleaning work under Work Order 14 (ARP) which includes approximately 26,000 linear feet in the Village of Hamburg (Legion, Oakland, Donald, Colvin, Anderson, Highland, Oliver, Norwood, North, Division), the Town of Hamburg (Brundage, Lake Heights, Overlook, Upper, Lower, Pleasant, Rogers, Southwestern Blvd, Wildwood, Cloverbank, Mistymeadow), and the Village of Orchard Park (Highland, Woodview). This work order is utilizing ARP funds.

Contract 81 (MH Rehabilitation) (National Water Main Cleaning Co.) – Work under this contract has been completed, with the exception of one manhole chimney seal on Sharondale Drive in the Town of Hamburg that was not completed and was observed during the final walkthrough. This is anticipated to be completed this spring.

Upcoming Design/Evaluations – Under the engineering term contract, C&S Engineers was issued a work order to provide an evaluation and design report for the Milestrip Road Sewer in the Town of Hamburg. The design report is anticipated to be completed later this year.

c. Letter to 80 Vermont – Deck built over grinder tank (Handout)

The Board reviewed a letter from the ECDSM notifying the resident at 80 Vermont Street in the Town of Holland that a deck constructed over the grinder pump unit serving this house must be removed. The deck violates the existing permanent easement granting unimpeded access for the ECDSM to operate and maintain the grinder unit.

Chairman Kaczor inquired about the status of the past odor issue in the vicinity of the intersection of Quaker and Buffalo Streets in the Village of Orchard Park. Mr. Absolom responded that there have been no reported odor complaints in this area for years adding he believed grease trap maintenance from a local business has improved, which in turn has mitigated the problem.

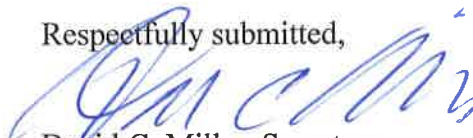
On a motion by Mr. Keding, seconded by Ms. Hartman, the Board voted to receive and file the above informational items. The motion carried, 8 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Rood, seconded by Mr. Wittmeyer, the meeting was adjourned at 9:03 a.m. The motion carried, 8 – 0.

Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, June 8, 2022.

Respectfully submitted,



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

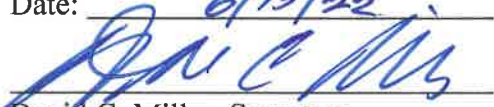
Motion to Approve the April 6, 2022 Meeting Minutes

Moved by: DAVID ROOD

Seconded by: MELISSA HARTMAN

App./Disapp.: APPROVED 8-0

Date: 6/15/22



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 15, 2022
SOUTHTOWNS ADVANCED WASTEWATER TREATMENT FACILITY (AWTF)
GLENN H. ABSOLOM JR. CONFERENCE ROOM

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

MEMBERS ABSENT: None

OTHERS PRESENT: 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.

a. Resolution – Glenn H. Absolom, Jr.

Chairman Kaczor stated he would like to thank Mr. Glenn Absolom for his many years of service with Erie County as the Chief Treatment Plant Supervisor for the Division of Sewerage Management (DSM). Mr. Absolom retired on June 4, 2022 after almost 44 years with the DSM and close to 51 years of distinguished work enhancing and protecting public health and the environment. He will be greatly missed.

On a motion by Chairman Kaczor, seconded collectively by the other members present, the Board voted to confirm the phone poll approving the resolution designating the meeting space at the Southtowns AWTF as the “GLENN H. ABSOLOM, JR. CONFERENCE ROOM” for all future purposes. The motion carried, 8 – 0.

ITEM NO. 2 – APPROVAL OF APRIL 6, 2022 MEETINGS MINUTES

On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve the minutes from the April 6, 2022 meeting. The motion carried, 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns Facility Upgrades

Mr. Fiegl informed the Board that DSM’s goal is to have design drawings for Phase I of this project complete by March 2023. New York State Environmental Quality Review (SEQR)

documentation is presently being finalized and funding is being coordinated with New York State Environmental Facilities Corporation (NYSEFC). DSM is working diligently to meet the project schedule.

ITEM NO. 5 – NEW BUSINESS

- a. Presentation and Approval of the 2023 Budget
 - i. Proposed 2023 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.

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

- 62.7% of Centralized Laboratory Expenses based on the volume of laboratory work.
- 41.6% 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.
- 39.8% 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.

The ECSD No. 8 Board of Managers approved of their portion of this budget during their meeting yesterday.

Reviewing the overall summary for ECSD No. 3, total appropriations are projected to increase approximately \$1.63 million when compared to 2022. Anticipated revenues are over \$1.49 million higher than 2022, mainly due to an increase in fund balance. Considering the proposed appropriations and anticipated revenues, the proposed budget is such that charges for the typical ECSD No. 3 ratepayer (single family home) are projected to increase by approximately \$15-17 in 2023.

Mr. Fiegl explained that there were a few adjustments in the 2023 personnel budget for ECSD Nos. 3 and 8. Personnel costs are increasing this year, primarily due to a new collective bargaining agreement with the County’s AFSCME union representing the Division’s blue-collar

employees and projections for a tentative agreement with the County's CSEA union representing the Division's white-collar employees. Fringe benefits for employees are being calculated at 60% based on discussions with the County's Budget Department – same overall percentage as 2022. Actual numbers are not available at this time.

The 2023 equipment line items represent almost \$915,000 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 new telespection unit, a new fork truck, replacement of two (2) fleet vehicles, a new sewer repair vehicle, and the unanticipated replacement item.

Before going into specific details of the budget line codes, Mr. Fiegl explained that the budgets are developed conservatively, with the understanding that monies left over at year end are transferred to fund balance and utilized as revenue to offset future rate impacts. Items listed in the budget as "DSM" are expenses for the Downtown office. Again, Central Region contributes approximately 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 (including chemicals), increases in training needs, adjustments made in the Professional Service Contracts/Fees and maintenance contract accounts, capital reserves, utility costs, and the aforementioned personnel costs.

Fund balance usage as an offsetting revenue is budgeted at approximately 64% of the amount available on 12/31/21. The available district fund balance represents approximately 4.6 months of 2022 budgeted appropriations. As this amount is above the Division's fund balance policy target, the percentage utilized in the 2023 budget is higher than 2022. As always, this will be monitored in future years and adjustments will be made as warranted.

It is recommended for the 2023 Budget that the flat usage charge be increased to \$255.00 per unit and the standard footage charges increase to \$1.00/foot.

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.

On a motion by Ms. Hartman, seconded by Mr. Keding, 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 69% and 31% of the total sanitary sewer tax levy of \$7,595,468 shall be raised from the assessed value and footage charges, respectively, for ECSD No. 3.

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

b. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of June 2022. On a motion by Ms. Hartman, seconded by Mr. Wittmeyer, the Board voted to approve the June 2022 payments. The motion carried, 8 – 0.

c. Award of Southtowns Influent Screw Pump Project (Handout)

The Board considered approval of a resolution to award Contract No. 72-A, in the amount of \$3,100,000.00, to Hohl Industrial Services, Inc. (Hohl) and Contract No. 72-D, in the amount of \$262,500.00, to CIR Electric Construction Corporation (CIR) for replacement of the influent screw pumps and associated overhead cranes at the Southtowns AWTF. The influent screw pumps and overhead cranes are original to the facility and at the end of useful service life. Both contractors have been recognized as responsible companies and have completed projects of similar scale for the Erie County Division of Sewerage Management (ECDSM) in the past.

On a motion by Mr. Rood, seconded by Mr. Wittmeyer, the Board voted to approve a resolution to award Contract No. 72-A, in the amount of \$3,100,000.00, to Hohl and Contract No. 72-D, in the amount of \$262,500.00, to CIR. The motion carried, 8 – 0.

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

The Board reviewed copies of a final notice from the ECDSM to a property owner in ECSD No. 3. Written requests were mailed to the property owner on several occasions, without response, to complete a dye test to address a deficient condition found during the ECDSM's Inflow/Infiltration (I/I) inspection program. As a result, the property owner has 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 Ms. Hartman, seconded by Mr. Keding, the Board voted to approve the referral to an enforcement hearing. The motion carried, 8 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported UNOX Reactor Nos. 3 and 4, and Bioclarifier Nos. 3 and 4, were cleaned as part of the treatment facility's annual maintenance program.

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

- *Hamburg (S. Park south of Milestrip)* – Smoke testing planned to begin mid-July.

- *Milestrip Road (Orchard Park)* – In response to several odor complaints, the District has been working with Steuben Foods, in addition to increasing force main and gravity sewer cleaning in this area.
- *Village of Orchard Park* – The cleaning and video inspection of Minisystem 11 (southwest portion of Village) is ongoing.
- *Village of Hamburg* – District staff completed the work to properly connect the lateral to the sanitary main at 48 Hunt Ave.
- *Town of Holland* – Grinder preventative maintenance activities and house inspections are ongoing.
 - 275 Canada St – Updated letter sent to current homeowner regarding an easement violation for deck over grinder tank.
 - 80 Vermont St – Homeowner is in the process of working with the District to resolve their easement violation.

b. Construction Status Report

Status of the following contracts was discussed:

Contract 68 (Southtowns Solids Handling Area Improvements) – Sections of the Southtowns AWTF incinerator exhausts containing air pollution control equipment need replacement. Other equipment and changes in the solids handling area, necessary for maintenance and improved operation of the incinerators, are also being completed. Notice-to-Proceed has been postponed due to expected equipment delivery delays. On-site work is not expected until the winter.

Contract 71 (Southtowns Incinerator Natural Gas Conversion) – Ramboll is designing the addition of natural gas fuel for use in operating our incinerators. The Southtowns AWTF incinerators require supplemental fuel that is currently only supplied by diesel fuel. Natural gas will be more efficient and is a cleaner fuel, reducing air pollution.

Contract 73 (Southtowns Influent Screening Replacement) – GHD is designing new bar screens for the Southtowns AWTF, through the Term Engineering Contract. Existing screens are original to the facility, although some components have been replaced.

ORF Groundwater Evaluation – Through the Term Engineering Contract, DiDonato Associates is performing an evaluation of groundwater pressure and infiltration at the Overflow Retention Facility (ORF). Pressure from groundwater impacts the longevity of, and ability to repair, the concrete joints.

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

- United Survey has commenced lining work under Work Order 12 (ARP) (issued in 2021), which includes 39,444 linear feet in the Town of Hamburg (various locations). This work order is utilizing American Rescue Plan (ARP) funds.
- Preparation and cleaning work is underway by United Survey under Work Order 14 (ARP) which includes approximately 26,000 linear feet in the Village of Hamburg (various locations), and the Village of Orchard Park (Highland, Woodview). This work order is utilizing ARP funds.

Contract 81 (MH Rehab) (National Water Main Cleaning Co.) –

- Work under this contract has been completed. Final payment and closeout are in process.

Contract 86 – Sanitary Sewer Open Cut Repair Term Contract (Kandey Company) –

- Work Order Nos. 4, 5, and 6 were issued to Kandey in late May/early June for various spot repairs and replacements in the Village of Hamburg (East Union St, West Avenue, Division St). Kandey plans to begin work on East Union Street the week of June 6th.
- Work Order No. 3 was issued to Kandey Company in February consisting of approximately 154 LF of manhole to manhole replacement on Big Tree Road near the intersection with Robin Lane in the Town of Hamburg. Work is within a 15' permanent easement parallel to the right of way in front of National Fuel's property and includes protection of existing gas transmission mains. DSM, Kandey, and National Fuel are meeting to coordinate on June 6th.

Contract 93 (Multi-District), Sanitary Manhole Rehabilitation Term Contract – Bids were received May 31st for a term contract for manhole rehabilitation (chimney seals and epoxy lining). This project was bid through Erie County's Department of Purchasing. The apparent low bidder is Camden Group and bids are being reviewed.

Upcoming Design/Evaluations – Under the engineering term contract, C&S Engineers was issued a work order to provide an evaluation and design report for the Milestrip Road Sewer in the Town of Hamburg. The design report is anticipated to be completed later this year. Flow meters were installed in the project area on May 5th.

c. Letter to 275 Canada St. – Deck built over grinder tank (Handout)

The Board reviewed a letter from the ECDSM notifying the resident at 275 Canada Street in the Town of Holland that a deck constructed over the grinder pump unit serving this house

must be removed. The deck violates the existing permanent easement granting unimpeded access for the ECDSM to operate and maintain the grinder unit.

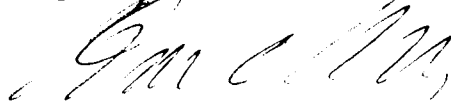
On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to receive and file the above informational items. The motion carried, 8 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Chairman Kaczor, seconded by Mr. Keding, the meeting was adjourned at 9:23 a.m. The motion carried, 8 – 0.

Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, October 5, 2022.

Respectfully submitted,



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

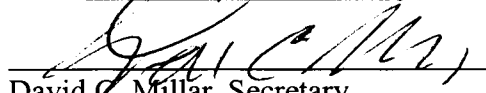
Motion to Approve the June 15, 2022 Meeting Minutes

Moved by: DAVID ROND

Seconded by: MEUSSA HARTMAN

App./Disapp.: APPROVED 8-0

Date: 10/5/2022



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 5, 2022
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: Joseph Balcarczyk, Steve Canestrari, Joseph Fiegl, Carl Horne, David Hojnacki, Kevin Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Kaczor called the meeting to order at 7:58 a.m.

ITEM NO. 2 – APPROVAL OF JUNE 15, 2022 MEETINGS MINUTES

On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve the minutes from the June 15, 2022 meeting. The motion carried, 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no items from the public to discuss. Mr. Fiegl introduced the Board to Carl Horne, recently appointed Assistant Chief Treatment Plant Supervisor at the Southtowns Advanced Wastewater Treatment Facility (AWTF), and Joseph Balcarczyk, recently appointed Assistant Sewer District Manager for ECSD No. 3.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns Facility Upgrades

Mr. Fiegl discussed the recent progress of the Southtowns AWTF Phase 1 and Phase 2 Expansion Project. The Basis of Design Report for Phase 1 was submitted to the New York State Department of Environmental Conservation (NYSDEC) at the end of July 2022. The Division of Sewerage Management (DSM) subsequently met with the NYSDEC at the end of September 2022 to assist review efforts as timely NYSDEC report comments are critical to the final design schedule. The DSM's goal is to have the design complete and submitted to NYSDEC by March 1, 2023. Mr. Fiegl added that a major item, with regard to the scope of the project, is replacement of significant portions of the electrical infrastructure throughout portions of the plant. This item was identified during an additional needs assessment project task. It was noted the existing electrical equipment is well maintained, but at the end of useful service life. Mr. Fiegl then informed the Board that a public hearing will be held at 2:00 p.m., Monday, October 17, 2022 in the Legislative chambers of Old County Hall for the proposed \$100-million bond issue to fund this project. Mr. Fiegl concluded his remarks by stating the DSM is

considering use of a Project Licensing Agreement (PLA) to deliver the construction portion of this project. The intent of the PLA is to potentially streamline construction activities and expedite the project schedule. Under the PLA arrangement, a single contractor would be responsible for coordination of the numerous trades that will be involved with construction activities. At this time, a feasibility study is being conducted by a consulting firm, with expertise in this subject matter, to support this approach. The study will evaluate schedule, cost estimates, and potential efficiency gains to determine whether or not a PLA is in the best interest of the public.

Chairman Kaczor inquired about potential funding sources for this project. Mr. Fiegl replied by stating the DSM submitted a NYSDEC Water Quality Improvements Project (WQIP) grant program application in July 2022. He added some American Rescue Plan monies will also be dedicated to this project. Mr. Fiegl noted there are certain grant programs ECSD No. 3 is not eligible for until bonding is formally established. Mr. Cozza inquired about the original scope of electrical work for this project. Mr. Fiegl replied the Phase 1 and Phase 2 expansion was directed at items specific to the processes impacted to meet the regulatory requirements of our State Pollutant Discharge Elimination System (SPDES) permit terms and conditions and the electrical work needed to support those items. Chairman Kaczor requested a project schedule, for the Board's information, to clarify project work tasks, associated time frames, and costs. Mr. Fiegl responded he will provide a formal presentation at the December 7, 2022 Board meeting to address those concerns. Mr. Kasprzyk inquired about steps necessary to implement a PLA for this project. Mr. Fiegl responded the PLA must be determined to be in the best interest of the public through the feasibility study and if that is the case, then an agreement must be negotiated and approval obtained by the ECSD No. 3 Board of Managers and the Erie County Legislature . If it were to proceed, Mr. Fiegl anticipates the Board will be requested to consider approval of the PLA agreement at its February 1, 2023 meeting.

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

Mr. Fiegl noted during the 2023 budget discussions, there were a few items with respect to Personnel costs that were not finalized at the time of submission. As an update, there were adjustments made to salaries for positions in the budget and the amount allocated for fringe benefits. The net result is the same overall amount budgeted for Personnel costs, as approved by the Board, was submitted to the County Executive's office and, hence, there was no impact to the Board approved ratepayer charges. 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 2022.

On a motion by Mr. Cozza, seconded by Mr. Rood, the Board voted to approve the October 2022 payments. The motion carried, 8 – 0.

b. 2023 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, 2022 at the DSM Downtown offices for the proposed 2023 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 2023 User Charge Rates. Mr. Kasprzyk inquired about ECSD No. 3 user charges relative to other municipalities providing similar services. Mr. Fiegl replied Erie County Sewer District user charges are less than Buffalo Sewer Authority Charges for treatment of Biochemical Oxygen Demand and Total Suspended Solids and greater for treatment of Phosphorus.

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

c. 2023 Meeting Schedule (Handout)

The Board reviewed a copy of the proposed 2023 meeting schedule. Chairman Kaczor noted he will be absent from the meeting scheduled for February 1, 2023.

On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve the proposed 2023 meeting schedule, as presented. The motion carried, 8 – 0.

d. Confirmation of Email Poll – Southtowns Incinerator Tray Scrubber Replacement & Crane Installation Project – Change Order No. 1 (Handout)

The Board considered confirmation of the July 5, 2022 email poll approving a resolution for Change Order No. 1 to Contract No. 68, in the amount of \$222,076.00, to Quackenbush Co., Inc. (Quackenbush) for replacement of the mercury module sections for both incinerators here at the Southtowns AWTF. With this Change Order, the entire control vessel for each incinerator will be replaced as a single piece to enclose not only the tray scrubbers that were part of the original Contract No. 68, but also mercury removal modules situated just above the scrubbers. This work will improve long-term structural integrity of the equipment by eliminating failure points, such as field welds, eliminates potential equipment alignment issues, and provides the opportunity to improve operation and maintenance of the incinerator system by providing customized door openings at strategic locations. Based on the level of effort and manufacturer's

materials, the DSM believes the Change Order is appropriate for the additional work. American Rescue Plan monies will be used to fund this project.

On a motion by Mr. Cozza, seconded by Mr. Wittmeyer, the Board voted to confirm the July 5, 2022 poll approving a resolution for Change Order No. 1 to Contract No. 68, in the amount of \$222,076.00 to Quackenbush. The motion carried, 8 – 0.

e. 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. Wittmeyer, 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, 8 – 0.

f. ST Phase 1 & 2 Expansion Project – Amendment No. 1 (Electrical) (Handout)

The Board considered a resolution to approve an amendment, in the amount of \$721,699.60 for design services to replace the existing electrical system at the facility, to Arcadis’s Agreement for providing design and construction phase services associated with the Southtowns AWTF Phase 1 and Phase 2 Expansion Project. During the condition assessment phase of the project, it was determined that the existing single electrical feed from the utility provider and the original standby generators are beyond useful life and must be replaced. Chairman Kaczor inquired about funding for this amendment to which Mr. Millar replied a bond account is being used for the engineering services. Mr. Fiegl added that the cost of the proposed amendment is consistent with design services for similar capital improvements of this magnitude.

On a motion by Mr. Kasprzyk, seconded by Mr. Keding, the Board voted to approve an amendment, in the amount of \$721,699.60, for design services to replace the existing electrical system at the Southtowns AWTF as part of the Phase 1 and Phase 2 Expansion Project. The motion carried, 8 – 0.

g. 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 DSM’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 DSM’s hearing officer who will evaluate violations of the “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 referral to an enforcement hearing. The motion carried, 8 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski presented the following report for operations:

- *Secondary Clarifiers:* Annual preventative maintenance activities were completed on all four secondary clarifiers at the Southtowns AWTF.
- *Ash Drying Facility:* Roughly 75% of the ash was hauled from the facility, the balance will be removed during the next several weeks.

Mr. Hojnacki presented the following report for collections:

- *Town of Hamburg (S. Park south of Milestrip Rd.):* Completed smoke testing and follow-up video inspection.
- *Village of Orchard Park (SW portion of the Village):* Completed smoke testing and follow-up video inspection.
- *Village of Holland:* Conducted grinder pump preventative maintenance activities and house inspections.
 - 80 Vermont St.: Homeowner has corrected the easement violation issue allowing the District to resume grinder pump system maintenance.
 - 275 Canada St.: A follow-up letter was sent to the resident at 275 Canada St., without response, requesting that the deck installed over the grinder pump unit be removed for the District to maintain that equipment.
 - Completed E-One grinder upgrade program. All grinder pump equipment is now standardized.

Chairman Kaczor stated he had been informed of several occurrences of odors along the Milestrip Rd. corridor in the Town of Orchard Park, over the Summer 2022, by affected residents and inquired about the condition of the Milestrip Pump Station. Mr. Hojnacki replied that all routine maintenance procedures were conducted at the station and the surrounding collection system in the vicinity of that station during this timeframe. Chairman Kaczor inquired about industrial discharges upstream of the Milestrip Pump Station. Mr. Fiegl replied that a meeting was held with Steuben Foods in Spring 2022 and Steuben is committed to preventing operation issues leading to odor problems. Mr. Fiegl noted no odor complaints have been received by the DSM from the Milestrip area in the last couple of months. He added that Steuben does not want to be known as the company causing odor problems in the Town of Orchard Park. Mr. Kasprzyk

inquired about the status of Steuben's expansion plans. Mr. Fiegl replied Steuben submitted a downstream capacity analysis to the DSM earlier this year. Report comments were returned to Steuben, but no response has been received by DSM at this time.

b. Construction Status Report

Status of the following contracts was discussed:

- Contract 68 (Southtowns Solids Handling Area Improvements) – Sections of the Southtowns AWTF incinerator air pollution control equipment are in need of replacement. Other equipment and changes in the solids handling area, needed for maintenance and improved operation of the incinerators, are also being completed. A Notice-to-Proceed (NTP) was issued to Quackenbush Co. on July 5, 2022 with a completion date of April 4, 2023. On-site work is not expected to commence until early 2023.
- Contract 71 (Southtowns Incinerator Natural Gas Conversion) – Design is in progress. Ramboll is designing, through the Term Engineering Contract, the addition of natural gas fuel for use in operating the Southtowns incinerators. Presently, diesel is used in the incinerators as a supplemental fuel source. Natural gas will be more efficient and will reduce air pollution. This project is expected to bid in early 2023.
- Contract 72 (Southtowns Influent Screw Pumps Replacement) – DiDonato Associates, through the Term Engineer Contract, designed the replacement of all three influent screw pumps and installation of new overhead cranes in the influent building. Contract 72-A was awarded to Hohl Industrial Services and Contract 72-D was awarded to CIR Electrical for general and electrical construction work, respectively. NTP was issued on August 15, 2022 with a completion date of May 12, 2023. On site work is not expected to commence until early 2023.
- Contract 73 (Southtowns Influent Screening Replacement) – Design is in progress. GHD is designing new bar screens for the Southtowns AWTF, through the Term Engineering Contract. The current screens are original to the facility, although some components have been replaced. This project is expected to bid before the end of the year.
- Contract 77 (Southtowns Clarifier No. 1 Grouting) – Design is in progress to replace missing grout on the floor of Clarifier No. 1. This project is expected to bid before the end of 2022 and installed during regular clarifier maintenance in Spring of 2023.
- ORF Groundwater Evaluation – Through the Term Engineering Contract, DiDonato Associates is performing a groundwater infiltration evaluation at the Overflow Retention Facility (ORF).

- Contract 75 (Cured-in-Place (CIPP) Term Lining) (United Survey; Kenyon Pipeline) –
 - United Survey continued lining work through Work Order (WO) No. 12 (ARP), which includes 39,444 linear feet in the Town of Hamburg at various locations. The majority of the work order has been completed, it is anticipated the remaining work will be completed by the end of the year.
 - CIPP lining installation is underway by United Survey through Work Order No. 14 (ARP) which includes approximately 26,000 linear feet at various location in the Village of Hamburg and the Village of Orchard Park (Highland, Woodview). It is anticipated the remaining work will be completed by the end of the year.
- Contract 86 – Sanitary Sewer Open Cut Repair Term Contract (Kandey Company)
 - In June and July, Kandey Company completed the following Work Orders in ECSD No. 3:
 - WO No. 3, Big Tree Road: Manhole to manhole pipe replacement was completed on Big Tree Road in Town of Hamburg.
 - WO No. 4, West Avenue: Three (3) spot repairs on a 15” sewer were completed on West Avenue in Village of Hamburg.
 - WO No. 5, East Union Street: Three (3) sewer spot repairs were completed on East Union Street in Village of Hamburg.
 - WO No. 6, Division Street: Manhole to manhole pipe replacement was completed on Division Street in Village of Hamburg.
 - WO No. 7, Sherwood Avenue: Manhole to manhole pipe replacement and install of a new manhole was completed on Sherwood Avenue in Village of Hamburg.
 - WO No. 8, Euclid Avenue: Abandonment of a manhole and a pipe repair was completed on Euclid Avenue in Village of Hamburg.
 - Upcoming Design/Evaluations – Evaluation of the Milestrip Road Sewer is still in progress by C&S Engineers. A design report is anticipated to be completed later this year.

c. Low pressure grinder tank (Handout)

The Board reviewed correspondence from the DSM to residents at 275 Canada Street and 80 Vermont Street in the Town of Holland, as discussed during operational report item 6.a.

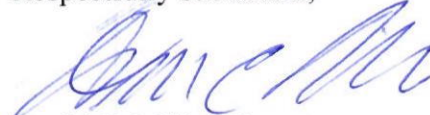
On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to receive and file the above informational items. The motion carried, 8 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Kasprzyk, seconded by Chairman Kaczor, the meeting was adjourned at 9:13 a.m. The motion carried, 8 – 0.

Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, December 7, 2022.

Respectfully submitted,



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

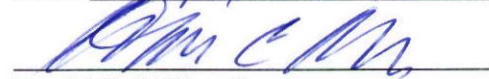
Motion to Approve the October 5, 2022 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: MELISSA HARTMAN

App./Disapp.: APPROVED 7-0

Date: 12/7/2022



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