

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSD No. 3)  
BOARD OF MANAGERS MEETING MINUTES  
WEDNESDAY, FEBRUARY 1, 2023  
SOUTHTOWNS AWTF CONFERENCE ROOM

MEMBERS PRESENT: Jason Cozza (8:05am), Melissa Hartman, Michael Kasprzyk, Jason Keding, David Millar, David Rood

MEMBERS ABSENT: David Kaczor, Emery Wittmeyer

OTHERS PRESENT: Steve Canestrari, Joseph Fiegl, David Hojnacki, Carl Horne, Kevin Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

Mr. Kasprzyk called the meeting to order at 8:03 a.m.

ITEM NO. 2 – APPROVAL OF DECEMBER 7, 2022 MEETINGS MINUTES

On a motion by Ms. Hartman, seconded by Mr. Rood, the Board voted to approve the minutes from the December 7, 2022 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 the recent progress of the Southtowns AWTF Phase 1 and Phase 2 Expansion Project (Expansion Project). In mid-December 2022, the New York State Department of Environmental Conservation (NYSDEC) provided the Division of Sewerage Management (DSM) comments for the Phase 1 Basis of Design Report. A meeting was subsequently conducted with NYSDEC and the engineering consultant for the project, Arcadis (Consultant). The Consultant has submitted a response to NYSDEC addressing those comments. The DSM anticipates final Phase 1 drawings will be complete by the end of February and submitted to the NYSDEC for approval with the goal of bidding this work in the spring. Mr. Fiegl noted procurement bid documents are currently being prepared to purchase key electrical components, now, due to the long lead time associated with those items. American Rescue Plan (ARP) monies will be used to purchase the electrical components which are estimated to cost approximately \$8-million. Mr. Kasprzyk inquired as to whether or not the scope of Phase 1 work had changed to which Mr. Fiegl replied in the negative, except that value engineering has been performed to optimize the cost. Mr. Fiegl informed the Board about the status of the \$100-million bond authorization to fund the Expansion Project. A public hearing was held in October

*Item 2*

2022, the New York State Environmental Quality Review (SEQR) application was approved on December 1, 2022, and the Erie County Legislature issued the approving resolution for the bond. Bond counsel submitted the resolution to the New York State Comptroller's office for approval roughly three (3) weeks ago. Mr. Fiegl added the consultant has submitted the draft Basis of Design Report for Phase 2 to the DSM for review. Mr. Fiegl then informed the Board a feasibility study for the Project Labor Agreement (PLA) will be completed this week noting preliminary indications suggest proceeding with the PLA is advantageous for this project. The Erie County Attorney's office has identified outside counsel, with expertise in this area, to assist with finalizing the terms of the PLA which will require Board approval. Mr. Fiegl informed the Board that a special meeting prior to the regularly scheduled April Board meeting will likely be necessary to address the PLA to allow the Board the opportunity to ask questions and fully understand the terms of the agreement.

Mr. Cozza inquired about bond authorization should more that \$100 million need to be borrowed to which Mr. Fiegl responded the initial bond resolution might be amended or a second bond resolution may be issued. Mr. Fiegl added he will rely on Bond Counsel's recommendation in proceeding with this matter.

#### ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of January 2023.

On a motion by Mr. Rood, seconded by Mr. Keding, the Board voted to approve the January 2023 payments. The motion carried, 7 – 0.

b. Confirmation of Email Poll – Orchard Park Paving Project Resolution (Handout)

The Board considered confirmation of the December 9, 2022 email poll approving a resolution to enter into an agreement with the New York State Department of Transportation (NYSDOT) to implement betterment work in Erie County Sewer District No. 3. The NYSDOT will be undertaking a milling and paving project in the Village and Town of Orchard Park along NY Rt. 240/277 (South Buffalo Street, North Buffalo Street); Rt.952J to Michael Road & US20A (East and West Quaker Street); and Centre Drive to Freeman Road. As part of the District's Inflow and Infiltration (I/I) reduction program, the Erie County Division of Sewerage Management (ECDSM) would like to replace the 39 manhole frames and covers within the bounds of this project. To do so, it was agreed upon that the ECSD No. 3 will provide the NYSDOT's contractor with the materials and pay for the installation of same. The NYSDOT has estimated the cost to remove the existing frames and covers and install 39 new frames and covers would be \$81,640.00. The scope of work for this project involves just milling and paving only and, consequently, removal and replacement of frames and covers was not included. Based on the condition of the existing assets, our collections staff requested that the NYSDOT include this work in the project as this is an opportunity to tighten up the system from Inflow/Infiltration (I/I) and lessen our exposure to incidents related to traveling cars/bicycles/etc.

On a motion by Mr. Cozza, seconded by Ms. Hartman, the Board voted to confirm the December 9, 2022 poll approving a resolution to enter into an agreement with the NYSDOT to implement this project in a not-to-exceed amount of \$82,200. The motion carried, 7 – 0.

c. Confirmation of Email Poll – Award of Southtowns Clarifier Concrete Repair Project – Contract No. 77 (Handout)

The Board considered confirmation of the January 3, 2023 email poll to award Contract No. 77 for the Southtowns AWTF Facility Clarifier No. 1 Concrete Repair Project in the amount of \$147,500.00 to Hunting Valley Construction, Inc. The project involves concrete grout replacement of the existing clarifier floor to be performed under strict time limitations. The contractor has been recognized as a responsible company and has successfully completed projects of this scale for Erie County in the past. The DSM recommends the award of Contract No. 77 to the aforementioned lowest responsible bidder. The funding source would be Erie County Sewer District No. 3 Capital Reserve Account.

On a motion by Ms. Hartman, seconded by Mr. Keding, the Board voted to confirm the January 3, 2023 email poll to award Contract No. 77 for the Southtowns AWTF Facility Clarifier No. 1 Concrete Repair Project in the amount of \$147,500.00 to Hunting Valley Construction, Inc. The motion carried, 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski presented the following report for operations:

- Southtowns AWTF Incinerators – The X incinerator was taken down for repairs and instrumentation calibration to prepare for annual stack testing. The Y incinerator will be taken down next week for the same purpose.

Mr. Hojnacki presented the following report for collections:

- Town of Hamburg – Planning the routine flushing of MS2 (East of Blasdel) for 2023.
- Town of Holland – Grinder preventative maintenance activities and are ongoing. House inspections will resume in the spring (300 completed/23 remaining).

Mr. Fiegl recognized and commended operations, maintenance, and collections staff for maintaining services throughout the blizzard that occurred at the end of December 2022. Additionally, Mr. Fiegl informed that Board that a surprise United States Environmental Protection Agency inspection of the Southtowns AWTF incinerator took place on January 9, 2023. A few paperwork deficiencies were noted, but no operational citations are anticipated.

b. Construction Status Report

The following summary was provided to the Board:

- 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. This project will be ARP funded.
- Contract 71 (Southtowns Incinerator Natural Gas Conversion) – Design is in progress. Ramboll is designing, through the Term Engineering Contract, the capability to use 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. This project will be ARP funded.
- Contract 73 (Southtowns Influent Screening Replacement) – GHD’s design of new influent screens for the Southtowns AWTF, through the Term Engineering Contract, is being finalized. The project is expected to bid later this month (February 2023) with bids being received in March. Requests for award approval will be either through phone poll or at the April 19<sup>th</sup> meeting.
- Contract 75 (Cured-in-Place (CIPP) Term Lining) (United Survey; Kenyon Pipeline)
  - United Survey completed all work under WO 12 (ARP).
  - United Survey continued lining work under WO 14 (ARP) which includes approximately 26,000 linear feet in the Village of Hamburg (various locations), and the Village of Orchard Park (Highland, Woodview). As of 1/23/23, USI was continuing installing liners in the Cloverbank/ Rogers Road area. Approximately 20 liners remain to be installed. Snow melt and rain have been slowing production over the last few months.
  - Under WO 13K, Kenyon Pipeline completed prep work on sewers in the Village of Hamburg (North St, Idlewood Ave, Huron St.), and Lewis Drive in the Town of Hamburg. CIPP lining is anticipated to be scheduled soon.

- Contract 77 (Southtowns Clarifier No. 1 Concrete Repair) – Bids were received to replace missing concrete grout in Clarifier No. 1, that is needed to protect and level the base, in December 2022. Confirmation of the email poll for award was covered under item 5.c. The Notice of Award should be issued this week. Work will during regular clarifier maintenance in May or June of 2023. This project will be funded through Capital Reserves.
- Contract 86 – Sanitary Sewer Open Cut Repair Term Contract - Kandey Company (Kandey) was issued WO 14 Lakeshore Road at Amsdell Road to perform a sanitary sewer spot repair on a sewer line where a utility pole was found to be pushed through the top of the sewer. Last year District staff coordinated with the power company to remove the power pole from the line and a repair is now required to fix the void in the pipe. Work is at the intersection of a NYSDOT roadway (NYS Route 5) and County roadway (Amsdell Road). Kandey is preparing permit applications and anticipate scheduling work in late winter/early spring.
- Contract 95 (CIPPL Term Contract) - DSM received bids for Contract 95 CIPPL Term Contract through the Division of Purchasing in November. The project is currently in the process of being awarded to the 2 lowest bidders, United Survey and Kenyon Pipeline. It is anticipated that a pre-construction meeting will be held in early 2023 and work orders issued to the contractors.

Milestrip Road Evaluation - Evaluation of the Milestrip Road Sewer is still in progress by C&S Engineers. A draft design report was submitted to the DSM in the fall and review comments were provided back to C&S Engineers.

ORF Groundwater Evaluation – Through the Term Engineering Contract, DiDonato Associates performed an evaluation of groundwater pressure and infiltration at the ORF. A report was received in January. No immediate construction projects are expected as a result of the report.

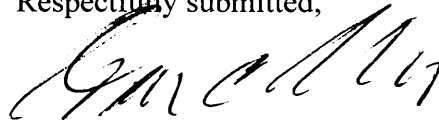
Mr. Kaminski informed the Board that a meeting was held with the Cybersecurity and Infrastructure Security Agency (CISA), an operational component of the United States Department of Homeland Security to discuss the results of a cyber security assessment of the Southtowns AWTF control systems. The assessment did not identify any security deficiencies.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Rood, seconded by Ms. Hartman, the meeting was adjourned at 8:40 a.m. The motion carried, 7 – 0.

**Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, April 19, 2023.**

Respectfully submitted,



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

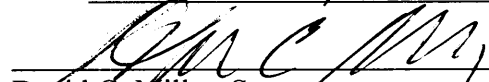
Motion to Approve the February 1, 2023 Meeting Minutes

Moved by: DAVID ROOD

Seconded by: MIKE KASPRZYK

App./Disapp.: APPROVED 8-0

Date: APRIL 19, 2023



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 19, 2023  
SOUTHTOWNS ADVANCED WASTEWATER TREATMENT FACILITY (AWTF)  
GLENN H. ABSOLOM JR. CONFERENCE ROOM

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

MEMBERS ABSENT: None

OTHERS PRESENT: Steve Canestrari, Joseph Fiegl, David Hojnacki, Carl Horne, Kevin  
Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

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

ITEM NO. 2 – APPROVAL OF FEBRUARY 1, 2023 MEETINGS MINUTES

On a motion by Mr. Rood, seconded by Mr. Kasprzyk, the Board voted to approve the minutes from the February 1, 2023 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 discussed the recent progress of the Southtowns AWTF Phase 1 and Phase 2 Expansion Project (Expansion Project). The Division of Sewerage Management (DSM) received approval of the Phase 1 Basis of Design Report from the New York State Department of Environmental Conservation (NYSDEC). The DSM submitted the final Phase 1 project drawings to the NYSDEC at the end of February 2023, ahead of the March 1, 2023 deadline.

Mr. Fiegl stated that bid documents were prepared for the Southtowns Electrical Procurement Contract 74P to purchase key electrical components in advance of bidding construction contracts for the Expansion Project. No bids were received at the March 16, 2023 opening. The engineering consultant for the project, Arcadis, reached out to numerous electrical contractors and vendors to ascertain the reason for the lack of bids, to which many responded there was substantial risk associated with the M/WBE requirements built into the contract. The majority of the estimated \$9-million value of Contract 74P involves furnishing electrical equipment with a relatively small portion dedicated to contractor support services associated with providing that equipment. Consequently, there is very little opportunity for contractors to

meet stipulated participation goals. At the same time, Contract 74P was bid using the standard contract language for use of Clean Water State Revolving Fund (CWSRF) monies in anticipation of receiving this type of funding for a portion of the Expansion Project. The provisions for failure to meet CWSRF M/WBE goals are very stringent and the opportunity to obtain a waiver for the electrical equipment portion of the contract is not a guaranteed outcome under this program. As a result, discussions were held with the County's Equal Employment Opportunity (EEO) office to identify a means to mitigate contractor concerns while upholding the County's EEO program with the intent to rebid Contract 74P in the month of May 2023.

Mr. Fiegl then informed the Board about the status of the \$100-million bond authorization to fund the Expansion Project. The DSM received a second round of comments from the New York State Comptroller's office in regard to the bond authorization application. The DSM responded to those comments, last week. At this point, the approval of the State Comptroller's office has not been garnered. Once obtained, the Erie County Legislature will then need to approve the authorization. As a result, the schedule for bidding construction work associated with Phase 1 of the Expansion Project is now delayed approximately two (2) months.

Mr. Fiegl went on to inform the Board that Arcadis has submitted the draft Basis of Design Report for Phase 2 of the Expansion Project. The DSM provided review comments which will be the focus of a May 2, 2023 meeting to discuss strategy involved with advancing report content. Mr. Fiegl then informed the Board that a Project Labor Agreement (PLA) feasibility study was submitted to the DSM identifying a 1.8% savings using PLA as a project delivery method. Mr. Fiegl added savings cited in the feasibility study were based on conservative assumptions and could actually be greater. The DSM's outside counsel, with expertise in this area, prepared a draft PLA for discussion with the local building trades. On April 13, 2023, a meeting was held with the local building trades who suggested minor changes to the document. Mr. Fiegl noted that, at the recommendation of outside counsel, the PLA will be included in the project specifications as the document will be signed by the selected contractor and the building trades. The Erie County Attorney's office subsequently agreed with this recommendation.

On a motion by Mr. Keding, seconded by Ms. Hartman, the Board voted to accept Mr. Fiegl's Expansion Project report. 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 2023.

On a motion by Ms. Hartman, seconded by Chairman Kaczor, the Board voted to approve the April 2023 payments. The motion carried, 8 – 0.



b. Request for Permit Refund – Wood Ave (Handout)

The Board considered a request for refund of a permit issued to the owner of the property at 5312 Wood Avenue, Hamburg, N.Y. On April 14, 2022, a Building Sewer Repair Permit was issued for work required to disconnect and reconnect the sewer service at this property. It was subsequently revealed that only a repair was needed for this service, which negated the need for a new connection permit. The proposed refund is in the amount of \$654.00, which represents the original fee of \$704.00 less a \$50.00 administration fee.

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

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

The Board considered referring two (2) property owners in ECSD No. 3 to a hearing with the Division of Sewerage Management's (DSM's) hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action. Written requests were mailed to both property owners on several occasions, without response, to correct a violation identified as part of the DSM's Infiltration/ Inflow (I/I) inspection program.

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

d. Confirmation of Email Poll – Award of Southtowns Roof Replacement & Effluent HVU Replacement Contract (Handout)

The Board considered confirmation of the February 16, 2023 email poll approving a resolution to award Contract No. 76-A and Contract No. 76-B for the Southtowns Advanced Wastewater Treatment Facility (AWTF) Roof and Heating/Ventilation Unit (HVU) Replacement Repair Project. The project involves replacement of 80,000 square feet of roofing system and replacement of three (3) HVUs, associated structural modifications, and ductwork at the treatment facility. The total cost submitted by the apparent low bidder for Contract No. 76-A, Weaver Metal & Roofing (Weaver), was \$3,580,000.00. The Engineer's Estimate for the work was \$3,309,691.00. The total cost submitted by the apparent low bidder for Contract No. 76-B, John W. Danforth Company (Danforth), was \$974,000.00. The Engineer's Estimate for the work was \$2,074,496.00. Subsequent to the bid opening, Danforth made the County aware of a purported bid mistake and after consultation with the County Attorney's office and Danforth's submission of evidence noting an unintentional omission of work, Erie County was obligated by New York State General Municipal Law to grant Danforth's bid withdrawal request. The second apparent low bidder for Contract 76-B, D.V. Brown and Associates, Inc. (DV Brown), submitted a cost of \$2,058,400.00. It was the DSM's opinion it is in the County's best interests to award Contract 76-B to the second low bidder, as opposed to re-bidding the project, considering the engineer's estimate, the bidding climate, and the schedule of various other improvements at the Southtowns AWTF. Therefore, the Erie County Department of Environment and Planning recommended award of Contract Nos. 76-A and 76-B to Weaver and DV Brown as the lowest responsible bidders. Both have successfully completed projects of this scale for the County in the

past. American Rescue Plan (ARP) and Capital Reserve Account monies will be used to fund this project.

On a motion by Mr. Millar, seconded by Mr. Rood, the Board voted to confirm the February 16, 2023 poll approving a resolution to award Contract No. 76-A and Contract No. 76-B for the Southtowns Advanced Wastewater Treatment Facility (AWTF) Roof and Heating/Ventilation Unit (HVU) Replacement Repair Project. The motion carried, 8 – 0.

e. Award of Southtowns Influent Screening Replacement Contract (Handout)

The Board considered approval of a resolution to award Contract Nos. 73-A and 73-D, for the Southtowns Influent Screening Replacement Project. Contract No. 73-A will be to Hohl Industrial Services, Inc. (Hohl) in the amount of \$2,893,000 for General/Mechanical work. Contract No. 73-D will be to CIR Electrical Construction Corporation (CIR) in the amount of \$351,760 for Electrical work. Both contractors are recognized as responsible companies having completed projects of this scale for the DSM in the past. Funding for this project will be split with \$3,000,000 coming from ARP funds and the balance of \$244,760 coming from the ECSD No. 3 Capital Reserve Account.

On a motion by Mr. Keding, seconded by Mr. Wittmeyer, the Board voted to approve a resolution to award Contract No. 73-A to Hohl, in the amount of \$2,893,000, and Contract No. 73-D to CIR, in the amount of \$351,760, for the Southtowns Influent Screening Replacement Project. The motion carried, 8 – 0.

f. Southtowns Incinerator Tray Scrubber & Crane Installation Project – Change Order No. 2 (Handout)

The Board considered approving a no-cost time extension Change Order No. 2 to Contract No. 68 for the Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project. Under Change Order No. 1, Envirocare International, as the fabricator and supplier of the air pollution control equipment tray scrubber section, was authorized to make beneficial changes to the mercury removal section known as part of Contract No. 68. When Change Order No. 1 was executed, the time delay resulting from the addition was not known or anticipated. The time required to procure and manufacture the additional equipment delayed the anticipated delivery date from the original in February 2023 to now June 2023.

Incineration equipment is required to process solid waste generated in wastewater treatment processes. The incineration equipment cannot be run without operational air pollution control equipment. Installation of the air pollution control components in Contract No. 68 will require each incinerator to be out of operation for approximately one month. The DSM has requested that the installation of the air pollution control components commence in the late fall or winter to mitigate potential issues with wastewater treatment operations and/or potential odors when the incinerators are down.

On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve a no-cost time extension Change Order No. 2 adding 309 days to Contract No. 68. The motion carried, 8 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski presented the following report for facility operations:

- The annual NYSDEC inspection of the Southtowns AWTF took place without issue.
- Elma Pump Station – The station recently experienced pump failures which were the result of high pumping pressures during a period of sustained maximum flows from Steuben Foods. The cause of the high pressures at maximum flows could not be identified, but the issue has subsided. The DSM will continue to monitor operation of this station and respond, accordingly. Mr. Fiegl noted a meeting will be held with Steuben Foods on May 9, 2023 to discuss various items including their odor control protocols, their long-term plans, and the need to consider planning for replacement of the existing 40-year-old Elma Forcemain.

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

- Mt. Vernon – Reoccurring blockages have occurred at the Cloverbank overflow as a result of debris entering the structure from Lake Erie on turbulent days. The blockage has been removed and the overflow structure is operational. Mr. Fiegl informed the Board the Cloverbank overflow is not ECSD No. 3's facility, rather it is owned by the Town of Hamburg and the DSM operates and maintains the structure by contract.
- Closed circuit televising (CCTV) inspection is ongoing in the Villages of Hamburg and Orchard Park.
- Town of Holland – Grinder preventative maintenance activities and are ongoing. House inspections will resume in the spring.
- Village of Orchard Park – House inspections are planned to begin for 2023.

b. Construction Status Report

The following summary was provided to the Board:

- Contract 68 (Southtowns Solids Handling Area Improvements) –The completion date for this project was April 6, 2023 but due to delays with equipment manufacture and delivery, and subsequent delays due to restrictions on when the incineration equipment can be taken out of operation, this project completion date needs to be extended (see New Business item 5.f. for Change Order No. 2). Most on-site construction is expected to begin in November 2023, but

some smaller components in the project should be completed by summer or early fall. This project uses ARP funding.

- 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 our incinerators. Natural gas will be more efficient and cleaner than diesel fuel, which is currently used. This project is expected to be completed over the next several months after which time a bid date will be determined based on the other work at the facility.
- Contract 72 (Southtowns Influent Screw Pumps Replacement) – DiDonato Associates, through a term agreement, designed the replacement of all three influent screw pumps and installation of new equipment cranes and associated work in the influent building. Contract 72-A was awarded to Hohl Industrial Services, for general construction, and Contract 72-D was awarded to CIR Electrical for electrical construction. The completion date for this project is May 2, 2023 but will need to be extended into the fall of 2023 due to equipment delays. On site work has begun on Contract 72-D and some equipment has been received by Contract 72-A. The screw pumps are expected to be delivered in the next month and installation will begin after receipt of the crane needed to install the new pumps. This project uses ARP funding.
- Contract 73 (Southtowns Influent Screening Replacement) – Bids were opened for GHD’s design of new influent screens for the Southtowns AWTF, through the term agreement, on March 29th. Award of the contracts is included under New Business Item 5.e. The low bidders were Hohl Industrial Services for Contract 73-A and CIR for Contract 73-D. Bids came in well under the Engineer’s estimates. GHD believes they were given budget pricing for the equipment components and the Contractors were given lower prices. The bids were extremely close so there is no concern over the discrepancy.
- Contract 75 (Cured-in-Place (CIPP) Term Lining) (United Survey; Kenyon Pipeline) – All CIPP lining installations in this contract have been completed. Minor punch list items /repairs are being completed, and this contract is expected to close out this spring.
- Contract 77 (Southtowns Clarifier No. 1 Concrete Repair) – The Notice of Award to replace missing concrete grout in Clarifier No. 1, that is needed to protect and level the base, was issued in January and the Notice to Proceed was issued on March 8, 2023. Work must occur during regular clarifier maintenance in May or June of 2023. This project will be funded through Capital Reserves.
- Contract 86 – Sanitary Sewer Open Cut Repair Term Contract (Kandey Company) - Kandey Company completed WO 14 Lakeshore Road at Amsdell Road on March 28<sup>th</sup>. The work consisted of a sanitary sewer spot repair on a sewerline where a utility pole was found to be pushed through the top of the sewer. Last year District staff coordinated with the power company to remove the power pole from the line and a repair was required to fix the void in the pipe.
- Contract 89 Various Sanitary Sewer Replacements - The DSM is in the process of advertising a multi-district sanitary sewer replacement project that includes work in District 1

and District 3. Work in District 3 includes replacement of a 6-inch sewer on Hugo Pl. in the Village of Blasdell, and a 6-inch sewer at Ockler St. and Oakland St. in the Town of Hamburg.

- Contract 95 (CIPPL Term Contract) - The DSM received bids for Contract 95 CIPPL Term Contract through Purchasing in November 2022. The project has been awarded to the 2 lowest bidders, United Survey and Kenyon Pipeline, and contracts are being executed. Upcoming lining work anticipated in District 3 includes sewerlines on Abbott Road in the Towns of Hamburg and Orchard Park, sewerlines on Big Tree Road and Bayview Road in the Town of Hamburg, and sewers on various streets in the Village of Hamburg (including Maple, Pleasant, Hawkins, Union, and Linwood).

- Milestrip Road Evaluation – Evaluation of the Milestrip Road Sewer is still in progress by C&S Engineers. A draft design report was submitted to the DSM in the fall and review comments were provided back to C&S Engineers. A revised report is anticipated to be submitted to DSM later this month. It is anticipated that the report will be finalized this spring and sent to NYSDEC.

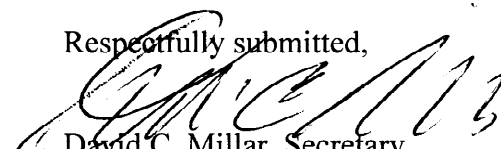
On a motion by Mr. Keding, seconded by Mr. Kasprzyk, the Board voted to receive and file the informational items. The motion carried, 8 – 0.

#### ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Ms. Hartman, seconded by Mr. Rood, the meeting was adjourned at 9:00 a.m. The motion carried, 8 – 0.

**Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, June 7, 2023.**

Respectfully submitted,



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

Motion to Approve the April 19, 2023 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: DAVID ROOD

App./Disapp.: APPROVED 6-0

Date: 6/7/23



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 7, 2023  
SOUTHTOWNS ADVANCED WASTEWATER TREATMENT FACILITY (AWTF)  
GLENN H. ABSOLOM JR. CONFERENCE ROOM

MEMBERS PRESENT: Jason Cozza (8:03 a.m.), Melissa Hartman, David Kaczor, Michael Kasprzyk, Jason Keding, David Millar, David Rood

MEMBERS ABSENT: Emery Wittmeyer

OTHERS PRESENT: Joseph Balcarczyk, Steve Canestrari, Joseph Fiegl, Carl Horne

ITEM NO. 1 – CALL MEETING TO ORDER

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

ITEM NO. 2 – APPROVAL OF APRIL 19, 2023 MEETINGS MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the minutes from the April 19, 2023 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 the recent progress of the Southtowns AWTF Phase 1 and Phase 2 Expansion Project (Expansion Project). The Division of Sewerage Management (DSM) submitted the final Phase 1 project drawings to the New York State Department of Environmental Conservation (NYSDEC) at the end of February 2023. The NYSDEC provided review comments to the DSM the first week of May 2023. Mr. Fiegl noted the NYSDEC has been very responsive and cooperative in its reviews of Expansion Project submittals, to date. The DSM's response to NYSDEC's comments will be returned by the engineering consultant for the project, Arcadis, by June 9, 2023.

Mr. Fiegl stated that, as no bids were received at the March 16, 2023 opening for the Southtowns Electrical Procurement Contract 74P, with assistance from the County's Equal Employment Opportunity (EEO) office the bid documents were modified to mitigate prospective contractor concerns. Numerous electrical contractors and vendors had noted there was substantial risk associated with the M/WBE requirements built into the contract, as originally bid, with very little opportunity to meet stipulated participation goals and potentially severe damages for not achieving them. The modified project documents were re-bid as Contract 74P-

Here 2(a)

R and four (4) bids were received at the May 25, 2023 bid opening. Mr. Fiegl added that bid pricing was favorable and the DSM will recommend award of Contract 74P-R later in the meeting.

Mr. Fiegl then informed the Board about the status of the \$100-million bond authorization to fund the Expansion Project. In April 2023, the DSM responded to comments received from the New York State Comptroller's Office regarding the bond authorization application. No response has been received at this time. Mr. Fiegl noted that the DSM provided the State Comptroller's Office a detailed schedule for the Expansion Project, including applicable New York State grant program deadlines which require formal bond authorization as an eligibility requirement. To that end, the DSM has requested approval by the first week of July 2023. Mr. Fiegl added that Bond Council has also been in contact with the State Comptroller's office.

Mr. Fiegl went on to discuss the status of the Project Labor Agreement for the Expansion Project (PLA). The PLA is principally complete and the DSM's outside council is satisfied with the agreement. He noted there were good negotiations back and forth with the local building trades during development.

Mr. Fiegl informed the Board that Arcadis will be submitting the Preliminary Engineering Report (PER) for Phase 2 of the Expansion Project to the NYSDEC for approval by the end of July 2023. He added the Phase 2 PER is an application requirement for New York State grant programs.

Mr. Fiegl then informed the Board that an Open House was held at the Southtowns AWTF on May 31, 2023, to generate interest from contractors for the upcoming Expansion Project. Arcadis provided a presentation detailing the proposed project followed by a tour of the facility. Approximately twenty (20) contractors were present and another ten (10) attended the presentation on-line. Mr. Fiegl acknowledged that the construction market is presently saturated with work and the DSM is doing everything possible to best position itself to proceed with this project when it is bid.

On a motion by Mr. Keding, seconded by Mr. Millar, the Board voted to accept Mr. Fiegl's Expansion Project report. 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 June 2023.

On a motion by Ms. Hartman, seconded by Mr. Rood, the Board voted to approve the June 2023 payments. The motion carried, 7 – 0.

b. Confirmation of Email Poll – Southtowns Influent Pumps Replacement Project – Change Order No. 1 (Handout)

The Board considered confirmation of the May 5, 2023 email poll approving a resolution to approve a no-cost time extension Change Order No. 1 to Contract Nos. 72-A (General) and 72-D (Electrical) for the Southtowns AWTF Influent Pumps Replacement project. This project involves replacement of the existing influent screw pumps and overhead bridge crane at the head of the plant. Unfortunately, manufacturers of this equipment have experienced delays due to the continuation of world-wide supply chain issues. As these delays were outside control of the prime contractors for this project, a no-cost time extension is requested to extend the original May 12, 2023 completion date by 172 days, to October 31, 2023, for both Contract Nos. 72-A and 72-D. The email poll was conducted to gain approval for the proposed time extension prior to the original May 12, 2023 completion date.

On a motion by Mr. Kasprzyk, seconded by Ms. Hartman, the Board voted to confirm the May 5, 2023 poll approving a no-cost time extension Change Order No. 1 to Contract Nos. 72-A (General) and 72-D (Electrical) for the Southtowns AWTF Influent Pumps Replacement project. The motion carried, 7 – 0.

c. Award Recommendation – Southtowns Advanced Wastewater Treatment Facility Electrical Substation & Plant-Wide Generator Equipment Procurement Contract No.74P-R (Handout)

The Board considered approval of a resolution to award Contract No. 74P-R for the Southtowns AWTF Electrical Substation and Plant-Wide Generator Equipment Procurement to O’Connell Electric Company, Inc. (O’Connell) in the amount of \$6,027,231. The Procurement Contract includes a base bid to furnish a new engine generator and electrical substation equipment and two (2) alternate bid items for service contracts, one for the engine generator and the other for the electrical substation. The engineering consultant for the project, Arcadis, reviewed all bids submitted for accuracy and completeness and recommended award to O’Connell who submitted the lowest-priced, responsive, and responsible bid. O’Connell has successfully completed numerous wastewater facilities projects with the DSM. Funding for this project will be split with \$5,718,996 coming from American Rescue Plan (ARP) funds and the balance of \$308,235 coming from the ECSD No. 3 Capital Reserve Account.

On a motion by Mr. Keding, seconded by Mr. Kasprzyk, the Board voted to approve a resolution to award Contract No. 74P-R to O’Connell, in the amount of \$6,027,231, for the Southtowns AWTF Electrical Substation and Plant-Wide Generator Equipment Procurement. The motion carried, 7 – 0.

d. Award Recommendation – Various Sewer Replacements Project Contract No. 89 (Handout)

The Board considered approval of a resolution to award Contract No. 89 for Various Sanitary Sewer Replacements to Kandey Company, Inc. (Kandey) in the amount of \$1,048,419.50, of which ECSD No. 3 is responsible for \$416,292.90. This is a multi-district project involving ECSD Nos. 1 and 3. The scope of work in ECSD No. 3 consists of installation of 185 linear feet of 8-inch diameter sanitary sewer pipe on Hugo Place in the Village of Bladell



and 225 linear feet of 8-inch diameter sanitary sewer pipe on Oakland Place at Ockler Avenue in the Town of Hamburg. Upon consultation with Kandey, it was learned that major cost factors for this project were recent price escalations in trucking, granular materials, and concrete. The DSM has reviewed the bid and recommends award to Kandey. Funding for this project will be from the ECSD No. 3 Capital Reserve Account.

On a motion by Mr. Rood, seconded by Ms. Hartman, the Board voted to approve a resolution to award Contract No. 89 to Kandey for Various Sanitary Sewer Replacements. The motion carried, 7 – 0.

e. Capital Reserve Transfer Request (Handout)

The Board considered a resolution to transfer up to \$280,000 from the ECSD No. 3 capital reserve account to the ECSD No. 3 operating budget. The transfer will be used to replace existing equipment or perform repairs to minimize downtime and associated costs related to the fluidizer blower, VPSA (oxygen generation system) motor, and filter press feed pump at the Southtowns AWTF.

On a motion by Mr. Kasprzyk, seconded by Mr. Cozza, the Board voted to approve the resolution recommending the transfer of up to \$280,000 from the ECSD No. 3 capital reserve account to the ECSD No. 3 operating budget. The motion carried, 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Horne presented the following report for facility operations:

- Southtowns AWTF – Roof repairs and influent screw pump repairs are ongoing. Ash was hauled from the drying facility to the Modern landfill in Lewiston, N.Y. The annual grit removal maintenance activities took place on UNOX reactor numbers 1 and 2. The brick wall at the plant entrance was replaced and bricks on the exterior of the Hamburg Master Pump Station were repointed.

Mr. Balcarczyk presented the following report for collection system operations:

- Town of Holland – Grinder PM's and house inspections are ongoing.
- Village of Orchard Park (MS 16, Central portion of the Village) – House inspections planned to begin late summer and CCTV is ongoing.
- Village of Hamburg – Smoke testing planned in MS 18 (Brookwood subdivision area).

Mr. Fiegl informed the Board that the DSM met with Steuben Foods last month to discuss current and long-term coordination items. Regarding current conditions, an April 2023 high force main pressure event was discussed and various potential causes were

hypothesized. Both parties acknowledged the importance of communicating when these types of issues arise. Odor complaints on Milestrip Road were also discussed, with Steuben Foods's odor control consultant noting some of the changes made when complaints are received. Regarding the long-term, the DSM noted the force main is approaching 40-years old and regardless of any expansion plans, all should start to discussing replacement of this pipeline considering the wear-and-tear on this asset. As has been noted in the past, it will take several years to advance a capital project to replace this force main. Better specificity on the future capacity needs for Steuben Foods is required. A 2022 downstream capacity analysis for a potential Steuben Foods expansion and the DSM's subsequent comment letter were discussed. Steuben Foods noted it needed to follow-up with its engineering consultant about addressing the comments, with the DSM offering to meet directly with their consultant if there are questions. Finally, the DSM noted that approximately \$500,000 of equipment replacements for the Elma Pumping Station are proposed in the 2024 budget, which will impact Steuben Foods's annual bill.

b. Construction Status Report

The following summary was provided to the Board:

- 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, needed for maintenance and improved operation of the incinerators, are also being completed. Most on-site construction is expected to begin in November 2023 but some smaller components in the project should be done in the summer or early fall. This project uses ARP funding. Completion date is now February 9, 2024.
- 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 our incinerators. Natural gas will be more efficient and cleaner than diesel fuel, which is currently used. Project design is expected to be complete in June at which time a bid date will be determined based on the progress of other construction projects taking place at the facility.
- 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 equipment cranes and associated work in the influent building. Contract 72-A was awarded to Hohl Industrial Services and Contract 72-D was awarded to CIR Electrical with a completion date of October 10, 2023. The cranes are installed and one (1) screw pump has been demolished. All three (3) new screw pumps and all components are on-site. Installation of the first screw will take place in June 2023. This project uses ARP funding.

- Contract 73 (Southtowns Influent Screening Replacement) – This project was awarded to Hohl Industrial Services for Contract 73-A and CIR Electrical for Contract 73-D. A pre-construction meeting will be scheduled for early June 2023 with the Notice to Proceed expected around that same time. GHD is the project engineer and this project uses ARP funding supplemented with some funds from a bond account.
- Contract 76 (Southtowns Roof & HVU Replacement Project) – Construction has begun. Weaver Metal & Roofing (76-A) is currently removing stone and insulation from the roof. Weaver expects to commence asbestos removal next week. DV Brown & Associates is currently removing ductwork and the old HVU units.
- Contract 77 (Southtowns Clarifier No. 1 Concrete Repair) – This project was successfully completed during regular clarifier maintenance in May. This project was funded through Capital Reserves and will be closed in June 2023.
- Contract 79 (Open Cut Contract) - Work Orders 53, 54, & 55 were issued to Visone Construction and include work to replace seven (7) sanitary manhole frames and covers in high traffic NYSDOT and County roadways including Southwestern Blvd. in Town of Hamburg, Lake Street in Village of Hamburg, Camp Road in Town of Hamburg. The work will be scheduled pending Visone securing the required roadway work permits.
- Contract 89 (Various Sanitary Sewer Replacements) - Bids were opened on May 10, 2023 for a multi-district sanitary sewer replacement project which includes work in District 1 and District 3. The scope of work in District 3 includes replacement of undersized mainline sewers on Hugo Place in the Village of Blasdell and Ockler Ave/Oakland Pl in the Town of Hamburg. Upon award, the work is anticipated to start in late summer/fall. Recommendation of award to the low bidder, Kandey Company is on the board agenda.
- Contract 95 (CIPPL Term Contract) - Notice to Proceed was issued to both contractors (Kenyon Pipeline and United Survey) and pre-construction meetings were held in May. Work orders were issued to both contractors at the pre-construction meeting including the following work in District 3: Sewerlines on Abbott Road in the Towns of Hamburg and Orchard Park, sewerlines on Big Tree Road and Bayview Road in the Town of Hamburg, and sewers on various streets in the Village of Hamburg (including Maple, Pleasant, Hawkins, Union, and Linwood). The work is anticipated to start this summer.

#### Upcoming Design/Evaluations

- Evaluation of the Milestrip Road Sewer is still in progress by C&S Engineers. A revised report is anticipated to be submitted to DSM soon. It is anticipated that the report will be finalized this spring/summer and sent to NYSDEC.

- An engineering work order was issued to Erdman Anthony to prepare an alternatives analysis report to address an existing 18-inch diameter sanitary interceptor sewer that has become exposed within Eighteenmile Creek in the Town of Boston. It is anticipated that survey and a preliminary stream investigation will commence this summer.

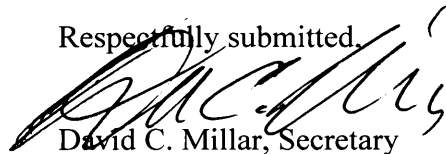
On a motion by Mr. Cozza, seconded by Mr. Rood, the Board voted to receive and file the informational items. The motion carried, 7 – 0.

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 of the Board is scheduled for 8:00 a.m., Wednesday, June 14, 2023.**

Respectfully submitted,



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

Motion to Approve the June 7, 2023 Meeting Minutes

Moved by: DAVID MILLAR

Seconded by: DAVID ROOD

App./Disapp.: APPROVED, 5-0

Date: 6/18/23



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 14, 2023  
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.

ITEM NO. 2 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 3 – OLD BUSINESS

None.

ITEM NO. 4 – NEW BUSINESS

a. Presentation and Approval of the 2024 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.

*June 21(b)*

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

- 58.9% 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.
- 39.2% 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 \$1.41 million when compared to 2023. Anticipated revenues are adversely impacted by a decrease of over \$640,000 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 \$27-35 in 2024.

Personnel costs are increasing this year, primarily due to new collective bargaining agreements with the County's AFSCME and CSEA unions representing the Division's employees. Fringe benefits for employees are being calculated at 58% based on discussions with the County's Budget Department. Actual numbers are not available at this time.

The 2024 equipment line items represent approximately \$1.3 million of the ECSD Nos. 3 and 8 budget. It is important to note that Items #8, #17, and #18 would be charged directly to Steuben Foods. As is typical, there are shared purchases to be used across all Erie County Sewer Districts. Some of the larger items specific to ECSD Nos. 3 and 8 include three (3) vehicle replacements, equipment replacements, various technology upgrades, a new scum tank, 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 (specifically a \$516,000 increase in 506200 885 Water/Sewer-Chem), adjustments made in the Professional Service Contracts/Fees (including a

decrease in the I&I Repair line and an increase in sludge disposal), a decrease in capital reserves, utility cost changes, and the aforementioned personnel cost increases.

Fund balance usage as an offsetting revenue is budgeted at approximately 65% of the amount available on December 31, 2022. The available district fund balance represents approximately 3.74 months of 2023 budgeted appropriations. As always, this will be monitored in future years and adjustments will be made as warranted.

It is recommended for the 2024 Budget that the flat usage charge be increased to \$275.00 per unit and the standard footage charges remain at \$1.00/foot.

Several questions were asked throughout the budget presentation, with information provided on personnel cost increases, chemical commodity costs, landfill costs, and more. Detailed discussions focused on long-term planning, maintaining budgets to manage the needs of the District, and financial stability considering major changes on the horizon with the expansion of the Southtowns Facility.

With no further questions and comments, on a motion by Mr. Keding, seconded by Mr. Kasprzyk, the Board voted to approve the budget presented. The motion carried, 8 – 0.

ii. Resolution (Handout)

Mr. Fiegl presented a copy of the Budget Resolution to the Board for approval. He noted there were clauses added to this year's resolution to address new connections after the tax rolls have been established. It was resolved that approximately 71% and 29% of the total sanitary sewer tax levy of \$8,098,417 shall be raised from the assessed value and footage charges, respectively, for ECSD No. 3.

On a motion by Chairman Kaczor, seconded by Ms. Hartman, the ECSD No. 3 Board voted to approve the Resolution as presented. The motion carried, 8 – 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.

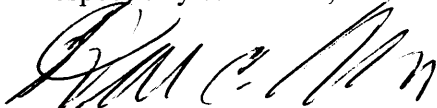
ITEM NO. 5 – ADJOURNMENT & NEXT MEETING

Ms. Hartman informed the Board that this will be her last meeting serving on the ECSD No. 3 Board of Managers. The Board thanked Ms. Hartman for her many years of service.

On a motion by Mr. Rood, seconded by Mr. Cozza, the meeting was adjourned at 9:10 a.m. The motion carried, 8 – 0.

The next meeting of the Board is scheduled for 8:00 a.m., Wednesday, October 4, 2023.

Respectfully submitted,



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


Motion to Approve the June 14, 2023 Meeting Minutes

Moved by: DAVID MILLAR

Seconded by: JASON KEDING

App./Disapp.: APPROVED, 5-0

Date: 10/18/23



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



ERIE COUNTY SEWER DISTRICT NO. 3 (ECSO No. 3)  
BOARD OF MANAGERS MEETING MINUTES  
WEDNESDAY, OCTOBER 18, 2023  
SOUTHTOWNS AWTF CONFERENCE ROOM

MEMBERS PRESENT: Jason Cozza, Michael Kasprzyk, Jason Keding, David Millar,  
David Rood

MEMBERS ABSENT: Chairman David Kaczor, Emery Wittmeyer

OTHERS PRESENT: Joseph Fiegl, Carl Horne, David Hojnacki, Kevin Kaminski

ITEM NO. 1 – CALL MEETING TO ORDER

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

a. Resignation of Melissa Hartman

On a motion by Mr. Rood, seconded by Mr. Keding, the Board accepted the resignation of Melissa Hartman and recognized her many years of service to Erie County Sewer District No. 3. The motion carried, 5 – 0.

ITEM NO. 2 – APPROVAL OF MEETING MINUTES

a. June 7, 2023 (Handout)

On a motion by Mr. Millar, seconded by Mr. Rood, the Board voted to approve the minutes from the June 7, 2023 meeting. The motion carried, 5 – 0.

b. June 14, 2023 (Handout)

On a motion by Mr. Millar, seconded by Mr. Keding, the Board voted to approve the minutes from the June 14, 2023 budget meeting. The motion carried, 5 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

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 (Expansion Project). Plans and specifications were finalized for Phase 1 and the project was advertised in August with the intention to open bids in September 2023. Numerous requests were received from prospective bidders to extend the bid period due to the

size of the project. The bid period was extended by three weeks, as it was determined to be in the best interest of the Division of Sewerage Management (DSM), and bids were opened on October 12, 2023 and will be addressed under Item 5.i.. Mr. Fiegl stated the set deadlines for the Southtowns AWTF Electrical Substation and Plant-Wide Generator Procurement Contract 74P-R for Phase 1 with O'Connell Electric, awarded at the previous meeting, are no longer feasible due to associated lead times. After numerous conversations with the procurement contractor involving cost issues related to equipment availability, and with the concurrence of the engineering consultant for the project, Arcadis, the DSM is recommending a time extension for that contract, to be addressed under Item 5.h. Mr. Fiegl then noted a Preliminary Engineering Report for Phase 2 of the Expansion Project was submitted to the New York State Department of Environmental Conservation (NYSDEC) at the end of July 2023. The DSM subsequently met with the NYSDEC at the beginning of October 2023 to assist review efforts and highlight key areas of the design. Mr. Fiegl added that the NYSDEC have been good partners during the planning and design phases of this project. The Board then discussed the timetable involved with the new State Pollutant Discharge Elimination Permit (SPDES) which is a necessary requirement to be completed prior to commencing construction for Phase 2 of the Expansion Project. Mr. Fiegl informed the Board the New York State Comptroller's Office approved the \$100-million bond authorization for this project in early July 2023 which was subsequently approved by the Erie County Legislature. Mr. Fiegl continued by stating two separate grant applications were submitted in August 2023 to fund the Expansion Project; one for a NYSDEC Water Quality Improvement Project grant of potentially up to \$10-million, and the other for a New York State Environmental Facilities Corporation Water Infrastructure Improvement grant for potentially up to 25% of the cost of the Phase 1 Expansion Project construction.

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

b. Elma Forcemain & Milestrip Road Gravity Sewer (Handout)

Mr. Fiegl discussed the recent increase in the number of odor complaints received from homeowners residing on Milestrip Road during the months of August and September 2023 and the history of odor issues in this area over the years. In response to the complaints, District personnel increased the frequency of maintenance measures with no appreciable difference. The DSM was also in contact with Steuben Foods (Steuben) on an almost daily basis during this timeframe to address the issue. A meeting was subsequently held on September 27, 2023 between the DSM and Steuben. At that meeting, Steuben stated it had gone through a major operational change involving odor control systems and noted equipment breakdowns which worsened the situation and led to discharges from their facility with high odor producing potential. Steuben committed to several operational and maintenance procedures to rectify the problem. Steuben also noted it would be implementing improvements to allow for better real-time monitoring to provide redundancy on key chemical feed system components.

Mr. Cozza inquired about potential mechanisms framed in Steuben's industrial discharge permit allowing for formal notification to prevent recurrence of similar violations in the future. Mr. Fiegl noted that Steuben is presently cooperating to resolve this matter but added he would prepare a letter advising Steuben that its actions could have been deemed a permit violation;

however, a formal notice of violation will not be issued as long as all permit parameters are upheld. Mr. Fiegl added that the DSM also plans to follow-up with the residents in the area.

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 2023.

On a motion by Mr. Rood, seconded by Mr. Cozza, the Board voted to approve the October 2023 payments. The motion carried, 5 – 0.

b. 2024 User Charge

i. Public Hearing Notice & Meeting Minutes (Handout)

The Board reviewed the Notice and the Minutes for the Public Hearing held on September 21, 2023 at the DSM Downtown offices for the proposed 2024 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.

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

ii. Approval of Resolution (Handout)

The Board considered a resolution to approve the proposed 2024 User Charge Rates.

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the resolution. The motion carried, 5 – 0.

c. 2024 Meeting Schedule (Handout)

The Board reviewed a copy of the proposed 2024 meeting schedule.

On a motion by Mr. Cozza, seconded by Mr. Millar, the Board voted to approve the proposed 2024 meeting schedule, as presented. The motion carried, 5 – 0.

Mr. Fiegl explained the current Board's term will be ending December 31, 2023. He asked if the Board Members would be interested in serving another term. The Board Members replied in the affirmative. Mr. Kasprzyk commented that succession planning for the Board will be important.

d. Confirmation of Email Poll – Approval for Enforcement Hearing (Handout)

The Board considered confirmation of the September 29, 2023 email poll to refer several property owners in ECSD No. 3 to a hearing with the DSM’s hearing officer who will evaluate violations of the “Rules and Regulations” and recommend a follow-up action. Written requests were mailed to the property owners on several occasions, without response, to complete a house inspection or correct a violation identified as part of the DSM’s Infiltration/Inflow inspection program.

On a motion by Mr. Cozza, seconded by Mr. Rood, the Board voted to confirm the September 29, 2023 poll referring the identified property owners in ECSD No. 3 to a hearing. The motion carried, 5 – 0.

e. Confirmation of Email Poll – Closeout of Contract No. 77 (Handout)

The Board considered confirmation of the June 28, 2023 email poll approving a resolution to close out Contract No. 77, with Hunting Valley Construction, Inc., for the Southtowns AWTF Clarifier No. 1 Concrete Repair Project. All work has been satisfactorily completed. The final change order for Contract 77 is a decrease of \$37,500.00 to the original contract amount of \$147,500.00, resulting in a final contract amount of \$110,000.00.

On a motion by Mr. Keding, seconded by Mr. Cozza, the Board voted to confirm the June 28, 2023 poll approving a resolution to close out Contract No. 77. The motion carried, 5 – 0.

f. Confirmation of Email Poll – Construction Inspection Services – Award Proposal (Handout)

The Board considered confirmation of the September 18, 2023 email poll approving a resolution to enter into an agreement with JMDavidson Engineering Group (JMDavidson) to provide construction inspection services for the Southtowns AWTF Influent Screening Replacement Project. Services will include monitoring daily construction activities, inspection of materials and equipment, project coordination activities, and preparation of inspection reports and contractor payment computations.

On a motion by Mr. Rood, seconded by Mr. Millar, the Board voted to confirm the September 18, 2023 email poll approving a resolution to enter into an agreement with JMDavidson. The motion carried, 5 – 0.

g. Trucker Discharge Permits (Handout)

i. 2023 Additional Applicant Requests (Handout)

The Board considered approval of waste hauler discharge permits to numerous applicants for the remainder of 2023. Waste Hauler Discharge permits are a requirement of Article VIII of the Erie County “Rules & Regulations” and are approved by the Board.

On a motion by Mr. Keding, seconded by Mr. Cozza, the Board voted to approve Waste Hauler's Discharge permits for the remainder of 2023 to Septech, Top Notch Sewer & Drain Cleaning, Macken Services, and Atlas Comfort Cabins pending application and insurance approvals. The motion carried, 5 – 0.

ii. 2024 Requests (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. Rood, seconded by Mr. Millar, the Board voted to approve Waste Hauler's Discharge permits to Delo Drain & Septic Service, Modern Portable Toilets, United Rentals, the Town of Orchard Park, Septech, Top Notch Sewer & Drain Cleaning, Macken Services, and Atlas Comfort Cabins pending application and insurance approvals. The motion carried, 5 – 0.

h. Electrical Substation & Plant-Wide Generator Equipment Procurement Contract No. 74P-R Time Extension Change Order (Handout)

The Board considered a resolution to approve a no-cost time extension Change Order No. 1 for Contract No. 74P-R to increase the number of days for various interim milestones and extend the final completion date of the contract to September 12, 2025. The additional time is required for the receipt of essential equipment due to unanticipated manufacturing delays beyond the control of the Contractor.

On a motion by Mr. Rood, seconded by Mr. Cozza, the Board voted to approve the no-cost time extension Change Order No. 1 for Contract No. 74P-R. The motion carried, 5 – 0.

i. Award of Contract No. 74C

The Board considered a resolution to award Contract No. 74C to Kandey Company, Inc. (Kandey) in the amount of \$54,961,545.00 for construction of the Southtowns AWTF Phase 1 Expansion Project. The Project includes construction of a new final effluent pump station, chlorine contact tank, and electrical substation, improvements to the existing dechlorination system, overflow retention facility effluent piping, and outfall piping in Lake Erie. Two (2) bids were received for Contract No. 74C on October 12, 2023, with Kandey being the low bidder. The engineering consultant for this project, Arcadis, reviewed and determined Kandey's bid to be fair and competitive. Kandey has successfully completed projects for the DSM in the past. Included in Contract No. 74C is the assignment of Contract No. 74P-R for the Southtowns AWTF Electrical Substation and Plant-Wide Generator Procurement for Phase 1 with O'Connell Electric. Contract No. 74C will be performed using a Project Labor Agreement (PLA). Furthermore, funding is required for Arcadis to provide general administration services during construction for the electric substation and plant-wide generator installation including submittal review, updated studies, witness testing, and coordination with the electrical utility. Additional funding is also required for engineering tasks completed outside the original scope of services,

during the Expansion Project Phase 1 design period, necessary to expedite the project. The additional funding for Arcadis is in an amount not-to-exceed \$483,000.00.

Mr. Fiegl informed the Board that he and Mr. Millar discussed award of Contract No. 74C with Chairman Kaczor during a conference call, yesterday. During that call, Chairman Kaczor fully endorsed award of this contract to Kandey and was apologetic for not being able to personally attend today's Board meeting.

On a motion by Mr. Rood, seconded by Mr. Keding, the Board voted to approve award of Contract No. 74C, for construction of the Southtowns AWTF Phase 1 Expansion Project in the amount of \$54,961,545.00, and additional funding for Arcadis to provide necessary additional services for the project in an amount not-to-exceed \$483,000.00. The motion carried, 5 – 0.

#### ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

##### a. Operational Report

Mr. Horne presented the following report for operations:

- *Southtowns AWTF Roof Replacement Project:* This project is close to completion and will be finished soon, weather depending.
- *Southtowns AWTF Screw Pump Replacement Project:* Construction of this project is close to complete.
- *Southtowns AWTF Incinerator Scrubber Replacement Project:* Construction of this project is ongoing.
- *Mt. Vernon EPA Audit:* The Town of Hamburg had a United States Environmental Protection Agency (USEPA) audit and inspection of the Mt. Vernon Commissioner District collection system. District staff provided access to both pumps stations servicing that area and answered USEPA and NYSDEC operational questions at the site.

Mr. Hojnacki presented the following report for collections:

- *Town and Village of Hamburg:* Completed six (6) sanitary sewer sport repairs on Wabash Ave., South Park Ave., Harrison Ave., South Meadow Dr., Long Ave., and Big Tree Rd.
- *Town of Holland:* Conducted grinder pump preventative maintenance activities.
- *Village of Orchard Park (SW portion of the Village):* House inspection activities are ongoing with video inspections to resume in the fall/winter.

- *Town and Village of Hamburg*: Completed smoke testing in the Forest Glenn portion of the Village and Town of Hamburg with video inspections to resume in the fall/winter.

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, needed for maintenance and improved operation of the incinerators, are also being completed. On-site construction has started with the air pollution control replacement scheduled to start next month. The completion date is February 9, 2024. This project was funded with ARP monies.
- Contract 71 (Southtowns Incinerator Natural Gas Conversion) – This contract previously contained the conversion of the incinerators to natural gas. Because conversion is not required or critical to operation, and due to budget concerns, the natural gas portion of this project is on hold until funding can be determined. The portion of this project pertaining to the heat exchanger replacement will proceed because it is a maintenance item that needs to be completed to ensure proper operation. This project is expected to be bid before the end of 2023.
- Contract 72 (Southtowns Influent Screw Pumps Replacement) – Contract Nos. 72-A, under Hohl Industrial Services, and 72-D, under CIR Electrical, are expected to be substantially complete by the end of October 2023 with all three screw pumps in full operation. This project was funded through ARP monies and recently recognized with a press conference by the County Executive.
- Contract 73 (Southtowns Influent Screening Replacement) – Hohl Industrial Services has begun preliminary work for Contract 73-A. CIR Electrical, under Contract 73-D, expects to begin running electrical conduits sometime this fall. Significant on-site work is scheduled to begin in December 2023 with a completion date of October 24, 2024. This project was funded through ARP monies supplemented with funding from the District.
- D3 Contract 76 (Roof and HVU Replacements) – The roof of the main building at the Southtowns AWTF is nearly complete. Existing HVU demolition is complete and the new HVUs are expected to arrive at the end of October 2023 for installation.
- Contract 77 (Southtowns Clarifier No. 1 Grouting) – Closeout of this Contract was requested via email poll and confirmed under Item 5.e., above.
- Contract 79 (Open Cut Contract) (Visone) – Work Orders 53, 54, & 55 were completed by Visone Construction. These work orders included replacement of seven (7) sanitary manhole frames and covers in high traffic NYSDOT and County roadways including

Southwestern Blvd. in Town of Hamburg, Lake Street in Village of Hamburg, Camp Road in Town of Hamburg.

- Contract 86 (Sanitary Sewer Open Cut Repair) (Kandey Company) –
  - Work Order 19 (Bayview Rd.) was issued in August consisting of a sanitary spot repair to repair a sagging PVC pipe which was preventing CIPP lining. The repair is about 75 linear feet from an active railroad crossing. Kandey Company is working on traffic control plans and permitting.
  - Work Orders 20 & 21 (Abbott Road near Lakeview) were issued in September and consists of three (3) spot repairs to fix broken/cracked/sagging pipe in preparation for County Highway’s paving project in 2024. Highway permits have been secured and the work is anticipated to be completed in late October 2023, weather depending.
- Contract 89 (Various Sanitary Sewer Replacements) (Kandey Company) – This is a multi-district sanitary sewer replacement project which includes work in both District 1 and District 3. The scope of work in District 3 includes replacement of undersized mainline sewers on Hugo Pl. in the Village of Blasdell and Ockler Ave/Oakland Pl. in the Town of Hamburg. Notice to Proceed was issued on July 7, 2023. Sewer replacement on Hugo Pl. was completed in late September 2023 and restoration is anticipated to be completed this month. Sewer replacement on Ockler/Oakland is in progress and is expected to be completed this month.
- Contract 95 (CIPPL Term Contract) (USI/Kenyon Pipeline) – United Survey completed preparation work in District 3 under Work Order 1U including sewerlines on Abbott Road in the Towns of Hamburg and Orchard Park. Kenyon completed prep work on sewerlines on Big Tree Road and Bayview Road in the Town of Hamburg, and sewers on various streets in the Village of Hamburg (including Maple, Pleasant, Hawkins, Union, and Linwood). Lining work is in progress in the Village of Hamburg.

#### **Upcoming Design/Evaluations**

- Evaluation of the Milestrip Road Sewer is still in progress by C&S Engineers. A revised report is anticipated to be submitted to the DSM in mid-September. It is anticipated that the report will be finalized this fall and sent to NYSDEC.
  - An engineering work order is in progress with Erdman Anthony to prepare an alternatives analysis report to address an existing 18-inch diameter sanitary interceptor sewer that has become exposed within Eighteenmile Creek in the Town of Boston. Survey was completed this summer. Preparation of mapping and an engineering report, with design alternatives, are currently in progress.
- c. NYSDEC Letter Response – Notice of Violation DMR Submittal (Handout)

The Board reviewed a Notice of Violation letter from the NYSDEC regarding quarterly sampling activities.



d. Notice of Violation – 3780/3782 Hoover Road (Handout)

Mr. Hojnacki discussed a shared lateral connection issue that resulted in the issuance of a Notice of Violation from the DSM to a homeowner who violated Section 310 of the Rules and Regulations of Erie County Sewer Districts. The issue was subsequently resolved by the homeowner.

e. Invasive Species Management Letter (Handout)

The Board reviewed the results of an Invasive Species Survey Summary for the Southtowns AWTF by the Partnership for Regional Invasive Species Management (PRISM). The DSM publicly acknowledged its appreciation of the assistance of PRISM for this work and informed the Board members of the process to request the help of PRISM.

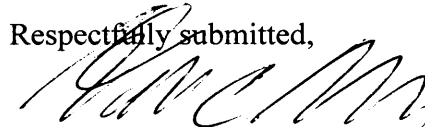
On a motion by Mr. Cozza, seconded by Mr. Keding, the Board voted to receive and file the above informational items. The motion carried, 5 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Rood, seconded by Mr. Cozza, the meeting was adjourned at 9:17 a.m. The motion carried, 5 – 0.

**Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, December 6, 2023.**

Respectfully submitted,



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

Motion to Approve the October 18, 2023 Meeting Minutes

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

App./Disapp.: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
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, DECEMBER 6, 2023  
SOUTHTOWNS AWTF CONFERENCE ROOM

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

MEMBERS ABSENT: None

OTHERS PRESENT: Steve Canestrari, Joseph Fiegl, David Hojnacki, Carl Horne, 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 OCTOBER 18, 2023 MEETINGS MINUTES

On a motion by Mr. Millar, seconded by Mr. Rood, the Board voted to approve the minutes from the October 18, 2023 meeting. The motion carried, 7 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

a. Keller Road Resident Letters (Handout)

Mr. Millar informed the Board that, in response to an informational letter from the Town of Boston dated September 28, 2023 gauging interest for a potential sewer extension on Keller Road, two responses were received by ECSD No. 3, both stating strong opposition to the proposal. No petitions have yet been received in support of a sewer extension on Keller Road.

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

ITEM NO. 4 – OLD BUSINESS

a. Southtowns Facility Upgrades (Handout)

Mr. Fiegl discussed the recent progress of the Southtowns AWTF Phase 1 and Phase 2 Expansion Project (Expansion Project). After the Board approved award of the contract to construct Phase 1 improvements during its last meeting, the Erie County Legislature approved award of same. Contracts are being executed with Kandey Company, Inc. for this project and a pre-construction meeting has been scheduled to formally commence work activities. Mr. Fiegl then noted comments were received from the New York State Department of Environmental Conservation (NYSDEC) addressing the Preliminary Engineering Report for Phase 2 of the Expansion Project, submitted for review at the end of July 2023. The Division of Sewerage

Item 2

Management (DSM) and its engineering consultant, Arcadis, are preparing responses to those comments to address various issues communicated by NYSDEC. Mr. Fiegl added that design drawings for the Phase 2 improvements are at the 60% completion stage and a meeting is planned with Arcadis to review those drawings. Mr. Fiegl continued by stating awards for the two separate grant applications submitted in August 2023 to fund the Expansion Project, one for a NYSDEC Water Quality Improvement Project grant of potentially up to \$10-million and the other for a New York State Environmental Facilities Corporation (NYSEFC) Water Infrastructure Improvement grant for potentially up to 25% of the cost of the Phase 1 Expansion Project construction, will be announced in the near future. The results of those awards will inform bond authorization amounts necessary to construct the Phase 2 portion of the Expansion Project. Mr. Fiegl then noted the DSM is moving ahead with an NYSEFC financing application to potentially leverage NYSEFC's superior bonding rates.

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

b. Elma Forcemain & Milestrip Road Gravity Sewer (Handout)

Mr. Fiegl discussed two letters prepared to address odor control requirements involving Steuben Foods, Inc. (Steuben). The first, dated October 30, 2023, was sent to Steuben to recount numerous odor complaints received from residents in the vicinity of Milestrip Road in the Town of Orchard Park, during the months of August 2023 and September 2023, stemming from malodorous liquid discharges. The letter acknowledges Steuben's recent efforts to address operational protocols that led to this problem noting maintenance of odor control devices as a provision of its Industrial Wastewater Discharge Permit. The second letter, dated November 6, 2023, is an informational communication sent to update affected residents along Milestrip Road of measures taken by the DSM and Steuben to remediate the nuisance odors.

Mr. Kasprzyk inquired if Steuben has provided any recent updates concerning expansion plans to which Mr. Fiegl replied in the negative but added that a meeting may be scheduled with the Erie County Industrial Development Agency (ECIDA), Steuben, and the DSM to address this issue. Chairman Kaczor inquired about the capacity of the sanitary sewer in the vicinity of Milestrip Road as related to potential development of lands in that area. Mr. Fiegl provided a history of the Milestrip Road sanitary sewer and the Elma Forcemain, noting the Town of Orchard Park contributed to the cost to construct the existing gravity sewer in anticipation of future development, with certain limitations. Mr. Fiegl then stated that, at this time, troubles in the vicinity of Milestrip Road are related to odors, not capacity. Mr. Kasprzyk noted the Elma Forcemain is getting old and expanded capacity of that line may soon be necessary. Mr. Fiegl stated Steuben has been advised by the DSM, as recently as May 2023, that the forcemain is reaching the end of its service life and replacement will take many years to complete.

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of December 2023.

On a motion by Mr. Kasprzyk, seconded by Mr. Keding, the Board voted to approve the December 2023 payments. The motion carried, 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Horne presented the following report for operations:

- *Southtowns AWTF Clarifier No. 3:* Operational staff replaced the gearbox for the center rake of Clarifier No. 3.
- *Southtowns AWTF 480 V Main Breaker:* Ferguson Electrical replaced the main 480 V service breaker at the treatment facility under a maintenance contract.
- *Southtowns AWTF Chemical and Petroleum Bulk Storage Tanks:* The NYSDEC conducted inspections of chemical and petroleum bulk storage tanks at the treatment facility and results are pending.
- *Southtowns AWTF IT Infrastructure:* Operational staff have been installing new signal wire to upgrade network infrastructure at the treatment facility.

Mr. Hojnacki presented the following report for collections:

- *Town and Village of Hamburg:* Completed one (1) sanitary sewer spot repair on Highview Pkwy. Hamburg to remove a large root mass.
- *Town of Holland:* Conducted grinder pump preventative maintenance activities. This is a multi-year project with roughly three-quarters completion, to date.
- *Village of Orchard Park (SW portion of the Village):* House inspection activities are ongoing.
- *Village of Hamburg:* Video inspections have resumed in the Village of Hamburg.
- *Elma Forcemain:* Unusually large quantities of grease have been discharging from the Elma Forcemain to the gravity sewer on Milestrip Road in the Town of Orchard Park for roughly the last two (2) weeks. The DSM contacted Steuben to inquire about recent process changes to which Steuben responded in the negative. District field staff have employed measures to prevent surcharging in the gravity sewer resulting from excessive grease blockages. Further coordination with Steuben is ongoing.

b. Construction Status Report

i. Sanitary Sewer Open Cut Repair Term Contract Bid Schedule (Handout)

The Board reviewed a copy of the bid schedule for the Sanitary Sewer Open Cut Repair Term Contract.

ii. Southtowns Incinerator Heat Exchanger Replacement Project Bid Schedule (Handout)

The Board reviewed the bid schedule for the Southtowns Incinerator Heat Exchanger Replacement Project.

- Contract 68 (Southtowns Solids Handling Area Improvements) – Sections of the Southtowns AWTF incinerator 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. Replacement of Incinerator X Scrubber is in progress, the JIB crane has been installed, and some concrete work completed. The scheduled completion date for this work is February 9, 2024.
- Contract 71 (Southtowns Incinerator Heat Exchanger Replacement) – Replacement of the incinerator heat exchangers is a significant maintenance item necessary to ensure proper operation and improve efficiency. Ramboll has designed this project, through the Term Engineering Contract. Approval for the award of a contract to construct this work will likely be through phone poll due to the material lead times and the critical timeline for this project.
- Contract 72 (Southtowns Influent Screw Pumps Replacement) – Contract Nos. 72-A with Hohl Industrial Services and 72-D with CIR Electrical are substantially complete and all three screw pumps are fully operational. A final walk through is scheduled for the end of December 2023.
- Contract 73 (Southtowns Influent Screening Replacement) – Work has commenced in the channel for Screen No. 1 and electrical conduit installation will take place during December 2023. The scheduled completion date for this project is October 24, 2024.
- Contract 74-P (Southtowns Expansion Procurement Contract) – This Contract was awarded to O’Connell Electric and has subsequently been assigned to Kandey Company, Inc. (Kandey) under Contract 74-C. All paperwork and reporting will be through that Contract.
- Contract 74-C (Southtowns Expansion Phase 1) – This Contract was awarded to Kandey. The formal Notice to Proceed date for this project is December 18, 2023. On-site work will commence as early as January 2024 or February 2024.

- Contract 75 (Southtowns Expansion Phase 2) – This project is currently in design with Arcadis. 60% design drawings have been received and are under review.
- Contract 86 – Sanitary Sewer Open Cut Repair Term Contract (Kandey Company) - Work Order 19 (Bayview Rd) was completed in November by Kandey. The work consisted of a spot repair to replace a previous sagging PVC spot repair in order to facilitate Cured-in-Place-Pipe Lining (CIPPL) under Contract 95. Work Orders 20 & 21 (Abbott Road near Lakeview) were completed in November 2023 and consisted of sanitary spot repairs to facilitate CIPPL under Contract 95.
- Contract 89 (Various Sanitary Sewer Replacements (Kandey Company))- This project is a multi-district sanitary sewer replacement project which includes work in Erie County Sewer District Nos. 1 and 3. The scope of work in District 3 included replacement of undersized mainline sewers on Hugo Place in the Village of Blasdell and Ockler Ave/Oakland Pl in the Town of Hamburg. All work is now completed on this project. A final walkthrough was held on November 15, 2023. Contract closeout is now in progress.
- Contract 95 (CIPPL Term Contract) (USI/Kenyon Pipeline)- United Survey continued work on Work Order 1U including CIPP lining of sewerlines on Abbott Road in the Towns of Hamburg and Orchard Park. Kenyon continued work on Work Order 1K including CIPP lining of sewerlines in the Town of Hamburg and the Village of Hamburg.

#### **Upcoming Design/Evaluations**

- The evaluation study of the Milestrip Road Sewer (in Hamburg) was completed by C&S Engineers and a final report received by DSM in November 2023. Upon appropriate notification to the NYSDEC, it is the DSM's intention to proceed with design of the replacement of 2,800 LF of the Milestrip Road sewer.
- An engineering work order is in progress with Erdman Anthony to prepare an analysis of alternatives to augment an exposed 18-inch diameter sanitary interceptor sewer within Eighteenmile Creek in the Town of Boston. A draft engineering report with alternatives analysis is expected to be ready for review by the end of December 2023.

Mr. Cozza informed the Board his Cub Scout pack recently toured the Southtowns AWTF noting plant staff were friendly and helpful. Chairman Kaczor requested that Mr. Fiegl extend, on behalf of the Board, thanks to all DSM staff for doing a tremendous job meeting the needs of the community this year. Chairman Kaczor then inquired about expiration of Board member terms to which Mr. Fiegl replied current appointments will end at the end of 2023. Mr. Fiegl added the Board member appointment process is under way, that the current Board members' names have been submitted for consideration, and the Erie County Legislature will need to confirm recommended appointments. A recommendation has been made by the Town of Eden and a request has been made of the Town of Hamburg to recommend a Board member for

the next term. Mr. Rood asked that Mr. Fiegl contact the Board of Ethics to request distribution of this year's annual financial disclosure forms on a timelier basis. Several Board members noted issues with violation notices resulting from last year's changes to this process. Mr. Fiegl stated he will address this issue with the Board of Ethics.

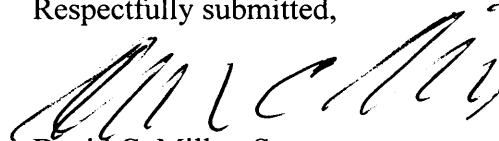
On a motion by Mr. Wittmeyer, seconded by Mr. Cozza, the Board voted to receive and file the informational items. The motion carried, 7 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Keding, seconded by Mr. Millar, the meeting was adjourned at 8:44 a.m. The motion carried, 7 – 0.

**Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, January 31, 2024.**

Respectfully submitted,



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

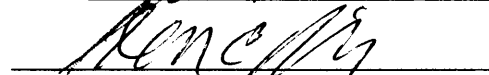
Motion to Approve the December 6, 2023 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: JASON COZZA

App./Disapp.: APPROVED 8-0

Date: 1/31/24

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