

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSD No. 3)
BOARD OF MANAGERS MEETING MINUTES
WEDNESDAY, JANUARY 31, 2024
SOUTHTOWNS AWTF CONFERENCE ROOM

MEMBERS PRESENT: Chairman David Kaczor, Jason Cozza, Michael Kasprzyk, Kenneth Kostowniak, David Millar, David Rood, Vincent Vacco, Emery Wittmeyer

MEMBERS ABSENT: Jason Keding

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 8:00 a.m.

a. Nomination for Board Officers

On a motion by Mr. Cozza, seconded by Mr. Rood, the Board voted to appoint Mr. Kaczor as Chairman, Mr. Kasprzyk as Vice Chairman, and Mr. Millar as Secretary of the ECSD No. 3 Board of Managers for the new term. The motion carried, 8 – 0.

b. Welcome New Board Members

The Board welcomed new members Kenneth Kostowniak (Town of Hamburg) and Vincent Vacco (Town of Eden) to the ECSD No. 3 Board of Managers.

ITEM NO. 2 – APPROVAL OF DECEMBER 6, 2023 MEETINGS MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Cozza, the Board voted to approve the minutes from the December 6, 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 Advanced Wastewater Treatment Facility (AWTF) Phase 1 and Phase 2 Expansion Project (Expansion Project). A project kickoff meeting was held on December 7, 2023 with Kandey Company, Inc. (Kandey) to commence construction of the Phase 1 improvements. Kandey has requested payment of bonds and insurance, is mobilizing equipment to the site, and has initiated preconstruction utility investigations and relocations. Mr. Fiegl stated that earlier this month the New York State Department of Environmental Conservation (NYSDEC) approved the Preliminary Engineering Report for Phase 2 of the Expansion Project that was submitted for review at the end of July 2023. An updated cost estimate was received last week from Arcadis for Phase 2 improvements. It was noted the estimate has increased roughly 15% to \$125 million, but as this is at the 60% design phase a range of \$106 - \$150 million is noted. Mr. Fiegl explained there is still the potential to receive additional grant monies for this project and added the Phase 2 cost estimate will be refined as the design progresses. Mr. Fiegl anticipates discussing funding strategy and ratepayer impacts at the April 17, 2024 meeting of the Board.

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

i. Environmental Facilities Corporation Water Infrastructure Improvement Grant Award (Handout)

Mr. Fiegl informed the Board that a \$17 million Water Infrastructure Improvement Act (WIIA) grant was received to fund Phase 1 improvements. The Erie County Division of Sewerage Management (ECDSM) is compiling materials requested by the New York State Environmental Facilities Corporation (NYSEFC) necessary to execute a grant agreement. Mr. Fiegl noted the WIIA grant will fund up to 25% of the locally funded project costs and cautioned the Board the contract for Phase 1 construction is less than the grant application request amount and American Rescue Plan monies will be used to supplement local share of the project. As such, the actual WIIA grant amount realized for Phase 1 construction may be less than \$17 million. Mr. Fiegl added there is still the potential to receive an additional \$10 million for a NYSDEC Water Quality Improvement Project (WQIP) grant and another WIIA grant for up to 25% of Phase 2 project costs and stated the intent is to maximize the amount of grant funding for the Expansion Project. Chairman Kaczor inquired about additional grant sources to which Mr. Fiegl replied Erie County will be reaching out to the National Association of Counties to identify potential funding opportunities on the Federal level. Mr. Fiegl noted that, while some additions to the original project scope were made to address the capital needs of a 40+-year-old treatment facility and take advantage of economies of scale at this time, inflationary pressures are primarily driving cost increases for this project.

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 January 2024.

On a motion by Mr. Millar, seconded by Mr. Kasprzyk, the Board voted to approve the January 2024 payments. The motion carried, 8 – 0.

b. Award of Southtowns Incinerator Heat Exchanger Replacement Project – Contract No. 71 (Handout)

The Board considered approval of a resolution to award Contract No. 71, in the amount of \$1,493,000.00, to Hohl Industrial Services, Inc. (Hohl) for construction work associated with replacement of the heat exchangers for the incinerators at the Southtowns AWTF. Replacement is a maintenance initiative necessary to ensure proper operation and improve efficiency of the incinerators. The contractor has successfully completed projects for the ECDSM in the past and the ECDSM recommends award of this contract. The funding source would be capital reserves.

On a motion by Mr. Wittmeyer, seconded by Mr. Kostowniak, the Board voted to approve a resolution to award Contract No. 71 to Hohl, in the amount of \$1,493,000.00. The motion carried, 8 – 0.

c. Sanitary Sewer Replacements Project – Contract No. 89 Closeout (Handout)

The Board considered a resolution for the closeout of Contract 89 with Kandey for construction work involved with the Various Sanitary Sewer Replacements Project. This was a multi-district project including work in ECSD Nos. 1 and 3. The final amount of the contract was \$930,930.36 which represents a decrease of \$117,489.14 to the original contract. The scope of work in ECSD No. 3 consisted of installation of 185 linear feet of 8-inch diameter sanitary sewer pipe on Hugo Place in the Village of Blasdell and 225-linear feet on Oakland Place in the Town of Hamburg. The value of work estimated in ECSD No. 3 was \$416,292.90 and the final amount was \$357,744.90, a decrease of \$58,548.00. All work for this project has been satisfactorily completed and the ECDSM recommends closeout of this contract.

On a motion by Mr. Rood, seconded by Mr. Wittmeyer, the Board voted to approve closeout of Contract 89. The motion carried, 8 – 0.

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

The Board reviewed a package of hearing summaries from the Compliance Hearing held at the Southtowns AWTF on November 15, 2023. At that hearing, a Compliance Officer evaluated and recommended premium assessments to 11 property owners in the District for violating the “Rules and Regulations of Erie County Sewer Districts.” Property owners who do

not correct violations within 30 days of notification will receive a recommended premium assessment in the amount of \$100.00 per month (up to \$10,000.00).

A discussion took place concerning the merits of requiring ECDSM Inflow/Infiltration (I/I) house inspections as part of the home closing process. Chairman Kaczor suggested that Mr. Fiegl investigate feasibility, related costs, and procedures necessary to require house inspections across all Erie County Sewer Districts at the time of property transfer.

On a motion by Mr. Millar, seconded by Mr. Kasprzyk, the Board voted to approve recommended premium assessments for the listed properties. The motion carried, 8 – 0.

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

The Board reviewed copies of final notices from the ECDSM to several property owners in ECSD No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection as part of ECDSM's I/I inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the ECDSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

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

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Horne presented the following report for operations:

- *Southtowns AWTF Incinerator Project:* The base has been installed on the Y Incinerator scrubber and the top portion will be installed, today.
- *Southtowns AWTF Plant Expansion Project Phase 1:* Test bores and traffic plans are being developed by Kandey for this project.
- *Southtowns AWTF Laboratory:* The Environmental Laboratory Approval Program (ELAP), under the New York State Department of Health, conducted the second of a four (4) step audit of ECDSM's wastewater sampling program for the purpose of maintaining its New York State accreditation.

Mr. Hojnacki presented the following report for collections:

- *Town and Village of Holland:* Grinder preventative maintenance tasks are ongoing (completed 20).

- Grinder lid damaged by a plow was repaired (23 on N. Main Street).
- *Village of Orchard Park:* While replacing a grinder pump at 18 Green Meadow (Town) it was determined the tank wall flange required replacement.
- *Town of Hamburg:* Video inspections have resumed in the Town of Hamburg.
- *Village of Hamburg:*
 - Close circuit television inspections are ongoing in the Southwest portion of the Village.
 - One (1) emergency sanitary sewer spot repair was completed on Central Ave.
 - Five (5) manhole frames and covers were replaced due to plow damage.

Mr. Fiegl gave the new Board members a general overview of sewer service arrangement for Steuben Foods, Inc. (Steuben). Mr. Kaminski noted there have been recent issues with grease accumulating in the Elma Forcemain, the downstream gravity sewer on Milestrip Road in the Town of Orchard Park, and even at the Southtowns AWTF. Steuben has identified, and is addressing, mechanical problems involving the grease/oil trap located at its facility upstream of the Elma Pump Station. Mr. Fiegl informed the Board he has been in communication with the Erie County Industrial Development Agency and they will be reaching out to Steuben to discuss future expansion plans.

b. Construction Status Report

- Contract No. 68 (Southtowns Incinerator Scrubber Replacements and Jib Crane Installation) – Replacement of Incinerator X Scrubber is complete and operational, the JIB crane has been installed, and some concrete work completed. The replacement of Incinerator Y Scrubber is in progress. The completion date for this project was scheduled for February 9, 2024 but will likely need to be extended. This project uses ARP funding.
- Contract 71 (Southtowns Incinerators Heat Exchanger Replacement) – Included in the agenda for this meeting is the award of this project to Hohl Industrial Services, Inc.
- Contract 72 (Southtowns Influent Screw Pumps Replacement) – Contract Nos. 72-A, under Hohl Industrial Services, and 72-D, under CIR Electrical, are substantially complete and all three screw pumps are fully operational. The final walk through took place on January 29, 2024 with minor repair issues noted.
- Contract 73 (Southtowns Influent Screening Replacement) – Hohl Industrial Services, under Contract 73-A, has begun work in the Channel for Screen No. 1. CIR Electrical, under Contract 73-D, has begun running electrical conduits. The completion date for this project is October 24, 2024.

- Contract 74-P (Southtowns Expansion Procurement Contract) – This Contract was awarded to O’Connell Electric. This project has been assigned to Kandey Company, Inc. under Contract 74-C.
- Contract 74-C (Southtowns Expansion Phase 1) – Notice to Proceed was issued on December 18, 2024. Additional on-site work is expected to commence in February, weather permitting.
- Contract 75 (Southtowns Expansion Phase 2) – This project is currently in design with Arcadis. 90% design documents are expected in February 2024.
- Contract 86 – Sanitary Sewer Open Cut Repair Term Contract (Kandey Company) – Lawn restoration work for Work Order 19 (Bayview Rd.) will be completed in Spring 2024. This is one of the final punch list items remaining on this contract.
- 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 ECSD No. 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 complete. Closeout was recommended earlier in this meeting.
- Contract 94 - Southtowns Roof and HVU Replacement – Roof restoration is nearly complete to be followed by a final walkthrough inspection. Heating/ventilation unit (HVU) work expected completion is 3-4 months. Sourcing sheet metal has resulted in unexpected delays.
- Contract 95 (CIPPL Term Contract) (USI/Kenyon Pipeline) – United Survey completed work on Work Order 1U including cured-in-place pipe (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. It is anticipated that this work will be completed early this year.
- Contract 96 (multi-district) - Sanitary Sewer Open Cut Repair Term Contract (2024-2026) – Bids were received through Erie County’s Purchasing Department on January 12th for a term contract for open cut excavation spot repairs to be issued on a work order basis. The contract will be in place for two years. The bids are still being reviewed.

Upcoming Design/Evaluations

- A draft report was prepared by Erdman Anthony that included an alternatives analysis to address an exposed 18-inch diameter sanitary interceptor sewer within 18-Mile Creek in the Town of Boston. The report is being reviewed by the ECDSM and design and environmental permitting is anticipated to proceed later this winter.

- It is anticipated that an engineering work order will be issued later this year for the design of the replacement of a portion of the existing 12-inch diameter sewer along Milestrip Road in the Town of Hamburg.
 - i. Southtowns Influent Pump Replacement Contract 72D – Change Order No. 2 (Handout)

The Board reviewed a Change Order for the Southtowns Influent Pump Replacement Contract. This change order was needed to power lubrication pumps and was not included in the original design. This is a receive and file item.

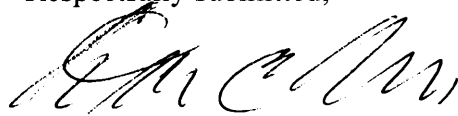
On a motion by Mr. Cozza, seconded by Mr. Wittmeyer, the Board voted to receive and file the informational items. The motion carried, 8 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Rood, seconded by Mr. Kostowniak, the meeting was adjourned at 9:02 a.m. The motion carried, 8 – 0.

Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, April 17, 2024.

Respectfully submitted,



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

Motion to Approve the January 31, 2024 Meeting Minutes

Moved by: _____

Seconded by: _____

App./Disapp.: _____

Date: _____

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