ERIE COUNTY SEWER DISTRICT NO 4 (ECSD NO. 4) BOARD OF MANAGERS MEETING WEDNESDAY, JANUARY 31, 2024 NORTHERN REGION CONFERENCE ROOM

MEMBERS PRESENT: Mr. Adam Dickman, Mr. Kevin Peterson, Mr. Edward Schiller,

Mr. William Schutt and Ms. Nadine Wetzel

OTHERS PRESENT: Mr. Joseph Fiegl, Ms. Brenda Rehac and Mr. William Strzeszynski

ITEM NO. 1 – CALL THE MEETING TO ORDER

Mr. Fiegl called the meeting to order at 3:30 pm.

a. Nomination of Board Officers

On a motion by Mr. Schutt, seconded by Mr. Dickman, the Board voted to appoint Mr. Schiller as Chair, Mr. Peterson as Vice-Chair and Ms. Wetzel as Secretary. The motion carried 5-0.

b. Welcome New Board Members

Mr. Schiller welcomed Mr. Dickman and Mr. Schutt as the new Board Members.

ITEM NO. 2 – APPROVAL OF OCTOBER 4, 2023 MEETING MINUTES

On a motion by Mr. Peterson, seconded by Ms. Wetzel, the Board voted to approve the minutes from the October 4, 2023 meeting. The motion carried 5-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None

ITEM NO. 4 – OLD BUSINESS

Mr. Fiegl briefed the new Board Members on the status of the Order of Consent for the ECSD No. 4 Overflow Retention Facility (ORF). In January the Division of Sewerage Management (DSM) sent the New York State Department of Conservation (NYSDEC) an updated wet weather operating plan for the ORF, for their review. NYSDEC comments on the required flow monitoring report are presently being addressed.

ITEM NO. 5 – NEW BUSINESS

a. Amendment to June 2000 Memo of Understanding (Handout)

Ms. Wetzel reviewed the memo regarding the Amendment to the June 2000 Memorandum of Understanding detailing a bulkhead removal at 416 Cayuga Creek Road, affecting six (6) properties located in ECSD #1 which will now be tributary to ECSD #4. It was recommended the previous Memorandum of Understanding be amended to include these (6) properties. On a motion by Mr. Schutt, seconded by Mr. Schiller, the Board voted to approve the amendment, which will take effect in the 2025 Budget year. The motion carried 5-0.

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b. <u>Award of Depew Pumping Station Forcemain Replacement-Contract No. 60A-General</u> (Handout)

Ms. Wetzel discussed the bids which were opened on January 10, 2024 for the second phase of the Depew Pumping Station Forcemain Replacement. Two bids were received for the General Construction contract; one which was determined to be non-responsive due to a contractual requirement missing at bid. Award to the lowest responsible bidder, CATCO was recommended. Mr. Fiegl noted the bid was lower than the Engineer's Estimate, which was included in the handout. It was discussed that zero responsive bids were received for the Electrical contract. On a motion by Mr. Peterson, seconded by Ms. Wetzel, the Board voted to recommend Contract No. 60A be awarded to Concrete Applied Technologies Corp. dba CATCO. The motion carried 5-0.

c. <u>Confirmation of Email Poll-Award of Engineering Agreement Order on Consent Compliance Assistance</u> (Handout)

On a motion by Mr. Schutt, seconded by Mr. Schiller, the Board voted to confirm the previously approved email poll to recommend Arcadis of New York, Inc. to perform professional services regarding the "Order on Consent Compliance Assistance". The motion carried 5-0.

ITEM NO. 6 MISCELLANEOUS &INFORMATIONAL ITEMS

a. <u>Operation Report (September-December)</u>

Mr. Strzeszynski updated the Board with the operational report.

Since the last Board meeting, crews completed cleaning the majority of sewers (approximately 4,600 linear feet (LF)) in the Summerfield Farms Subdivision; excluding the sewers that run through the backlot areas. Upon improved ground conditions later this year, the backlot work will be resumed. Staff are currently working through the area formerly known as Lancaster Town District #2. Crews also raised or repaired several manholes which were identified as having deficiencies during recent manhole inspections.

At the District facilities, routine maintenance was primarily performed. LED lighting upgrades were completed at the Warner Road and Bowmansville Pump Stations. Conduit and wiring installation for pump station alarms was performed at a few of the District facilities.

b. <u>Construction Status Report</u>

Ms. Wetzel updated the Board with the following construction status report.

<u>Contract 95 (CIPPL Term Contract)</u> - United Survey completed lining under Work Order 1U in District 4, which consisted of 3,200 LF of 15-inch diameter asbestos cement pipe (ACP) on Transit Road in the Town of Lancaster to United Survey.

Contract 58 (Warner Road and Bowmansville Pumping Stations Valve Improvements) –Access platforms were added to this project and delivery has been delayed. Installation is anticipated in February or March. Once the platforms are installed, this project will be closed out as all the original design work for valve installation is complete and operational.

<u>Borden Road reconstruction project</u> (Erie County Department of Public Works project, Contractor – CATCO) - Sanitary sewer work under this project has been completed. It is anticipated that the project will be closed out soon.

Contracts No. 60A & 60D - Depew Pumping Station Forcemain Replacement at Cayuga Creek - On January 10th, 2024 bids were received for Contracts No. 60A & 60D. One responsive bid was received for the general contract. One bid for the general contract and one bid for the electrical contract were deemed non-responsive due to a contractual requirement missing at bid. Summer construction is anticipated. dependent on material lead times. This item was also discussed under item 5b and approved by the Board.

Contract 51 (Vanderbilt Force Main Valve Replacement and Cleaning) - Under the Term Engineering Contract, GHD is designing the replacement of a drain valve and assessing the blockage from the low point of Vanderbilt Force Main. This design is in progress and is planned to be bid later in 2024.

Contract 61 (Depew Pumping Station Electrical Upgrades and Valves Replacement) -GHD, under the Term Engineering Contract, is completing the design of electrical upgrades and check valve replacements based on recommendations from the design report completed earlier this year. The 90% design was delayed and is now expected in February. Bid is expected in late spring or summer of 2024.

Contract 96 (multi-district) - Sanitary Sewer Open Cut Repair Term Contract (2024-2026) - Bids were received through Purchasing 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 contract was recommended to be awarded to the low bidder, CATCO, and contract execution is underway by Purchasing.

Payments (Handout) c.

Ms. Wetzel reviewed the payments made to CATCO, Bergman Construction, CHA, Wendel, Arcadis, GHD, STC Construction, WM Schutt, Greenman-Pederson, Inc., and United Survey.

On a motion by Ms. Wetzel, seconded by Mr. Peterson, the Board voted to receive and file the informational items. The motion carried 5-0.

7. ADJOURNMENT & NEXT MEETING

On a motion by Mr. Dickman, seconded by Mr. Peterson, the Board voted to adjourn the meeting at 3:53 pm. The motion carried 5-0.

> **Next Meeting** Wednesday, April 17, 2024 @ 3:30 pm Northern Region Admin Offices

> > Respectfully submitted,

Nadine R. Wetzel, Secretary ECSD No. 4 Board of Managers

NW:br

Motion to Approve the January 31, 2024 Meeting Minutes

Moved by:

E. Schiller

Seconded by:

App./Disapp.:

Date:

Signed:

ERIE COUNTY SEWER DISTRICT NO 4 (ECSD NO. 4) BOARD OF MANAGERS MEETING MINUTES WEDNESDAY, JUNE 12, 2024 NORTHERN REGION CONFERENCE ROOM

MEMBERS PRESENT:

Mr. Adam Dickman, Mr. Kevin Peterson, Mr. Edward Schiller,

Mr. William Schutt and Ms. Nadine Wetzel

OTHERS PRESENT:

Mr. Joseph Fiegl, Mr. Kevin Kaminski, Mr. William Strzeszynski

and Ms. Lynn Sullivan

ITEM NO. 1 – CALL THE MEETING TO ORDER

Mr. Schiller called the meeting to order at 3:33 pm.

ITEM NO. 2 – APPROVAL OF JANUARY 31, 2024 MEETING MINUTES

On a motion by Mr. Schutt, seconded by Ms. Wetzel, the Board voted to approve the minutes from the January 31, 2024 meeting. The motion carried 5-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

a. Constituent Letter - 46 Oxford - Village of Lancaster Sewer Invoice (Handout)

The Board reviewed a constituent letter from the property owner at 46 Oxford Avenue in the Village of Lancaster. Village of Lancaster is aware of the property owner's complaints regarding sewer issues on Oxford Ave and it was discussed that the Village has hired a consultant engineer to investigate.

ITEM NO. 4 – OLD BUSINESS

None

ITEM NO. 5 – NEW BUSINESS

- a. Presentation and Approval of the 2025 Budget (Handout)
 - i. Proposed 2025 Budget (Handout)

Mr. Fiegl presented the proposed ECSD No. 4 Budget to the Board.

ECSD No. 4 is one of three sewer districts that comprise the Division of Sewerage Management's "Northern Region." The Northern Region 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 personnel, supplies, equipment, "Division-wide" expenses, etc. are shared based upon the ratio of units in each sewer district and the total units in Northern Region.
- Contractual treatment charges, debt service, revenues, fund balance, and capital reserve are exclusive to each sewer district.

For this year, Northern Region shares in the following percentages of Division-wide expenses:

- 3.0% of Centralized Laboratory Expenses based on the volume of laboratory work.
- 26.8% of Centralized Vehicle Expenses based on the ratio of the number of vehicles serviced for the Northern Region to the total number serviced Division-wide.
- 47.6% of Centralized Division of Sewerage Management expenses based on the ratio of units served by the Northern Region to the total units served by all Districts.

Within Northern Region, ECSD No. 4 is responsible for approximately 48.7% of the costs.

Reviewing the Detail Summary for ECSD No. 4, total appropriations have increased approximately \$1,364,000 or 10.1%. By far the largest component is the additional \$1,200,000 budgeted for Buffalo Sewer Authority bills. Total revenues are expected to increase when compared to 2024, mostly due to approximately \$241,000 more fund balance utilization, increased interest earned, and revenues from entities serviced by ECSD No. 4. Considering the proposed appropriations and anticipated revenues, the proposed budget is such that charges for the typical ECSD No. 4 ratepayer (single family home) is projected to increase \$22-30 in 2025.

Personnel costs are increasing this year, primarily due to contractual raises. Fringe benefits for employees are being conservatively calculated at 60% based on discussions with the County's Budget Department.

The 2025 equipment line items represent over \$850,000 of the Northern Region budget. The major items include: shared purchases amongst all of the Erie County Sewer Districts, buildout of the Region's CCTV vehicle, replacement of equipment at various facilities, two (2) vehicle replacements, and Northern Region's 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, Northern Region contributes approximately 47.6% of these Downtown office expenses.

A review of the individual budget codes was provided. Specific items highlighted included budgeting for fuel, reimbursements for centralized services, various adjustments in Account 506200, training/education, increases in treatment service bills, discussions on debt service and capital reserves, utility costs, and personnel costs. Mr. Fiegl went into detail about the impacts Buffalo Sewer Authority charges are having on the Northern Region budget.

Fund balance usage as an offsetting revenue is budgeted at 64%. The available district fund balance at 12/31/23 represents approximately 4.0 months of 2024 budgeted appropriations. As always, this will be monitored in future years and adjustments will be made as warranted.

It is recommended for the 2025 Budget that the flat usage charge increase to \$242.00 per unit and the footage charges in ECSD No. 4 remain at \$1.00 / foot. At this time, the Board would be voting on the budget for ECSD No. 4. The ECSD No. 5 Board approved their portion of the budget during their June 10 2024 meeting. If any changes impacting ECSD No. 4 are proposed by the ECSD No. 1 Board of Managers during their meeting later in the week, said changes would be presented and discussed at a future combined budget meeting.

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.

Following a question and answer period, on a motion by Mr. Peterson, seconded by Mr. Schiller, the Board voted to approve the Budget. The motion carried 5-0.

ii. Resolution (Handout)

Mr. Fiegl presented the Budget Resolution to the Board for approval. It was resolved that approximately 70% and 30% of the total sanitary sewer tax levy of \$2,740,460 shall be raised from the assessed value and footage charges, respectively. On a motion by Mr. Schutt, seconded by Mr. Dickman, the Board voted to approve the resolution with a flat charge of \$242 and a footage charge of \$1.00. The motion carried 5-0.

b. Out of District Customer Request – 6374 Transit Rd (Handout)

Ms. Wetzel reviewed a memo regarding an Out of District customer request from Carmina & Wood Design to connect a proposed car dealership via a pumping station and force main into the existing ECSD No. 4 sanitary sewer system located on the other side of Transit Road. The pumping station and forcemain will remain privately owned, operated, and maintained by the owner of the parcel. On a motion by Mr. Schutt, seconded by Mr. Peterson, the Board voted to approve the Out of District request. The motion carried 5-0.

c. <u>Contract Closeout – Warner Road & Bowmansville Pumping Station Valve Installations</u> (Handout)

All of the work required by the contract documents has been satisfactorily completed. As a result, it is the Department's recommendation to finalize the contract. On a motion by Mr. Schiller, seconded by Ms. Wetzel, the Board voted to approve the Contract Closeout. The motion carried 5-0.

ITEM NO. 6 MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operation Report (January-April)

Mr. Strzeszynski updated the Board with the Operations Report. Since the last Board meeting, crews have completed the cleaning of sewers in the neighborhoods tributary to Central Avenue and previously known as Town District #2. Cleaning operations were routine. A manhole bench requiring repair was identified on Ronald Avenue.

The Board has previously been notified about concerns regarding obstructions and reduced capacity in the 60-inch diameter District No. 4 Trunkline, specifically the portion that runs through Houghton Park. District personnel have scheduled a first attempt to remove obstructions from the trunkline for this coming Friday. It is anticipated that additional attempts will be required.

Operation and maintenance tasks at District No. 4 facilities have been routine in recent months, with the exception of the completion of work on the Broadway Wet Weather Pump Station stand-by generator repair. A repaired control board has been installed and tested. The rental unit has been disconnected and removed. The rental charge was approximately \$25,000.

b. Construction Status Report

Ms. Wetzel updated the Board with the following construction status report.

Contract 58 (Warner Road and Bowmansville Pumping Stations Valve Improvements): All work has been completed on this project. A final walk-through was performed on March 12th and punch list items, that were delayed due to deliveries and weather, are being addressed. Closeout of this project was requested earlier in this meeting.

<u>Creek (Contractor – CATCO)</u> - The contract for Contracts No. 60A (general) was executed and a pre-construction meeting was held in March. Tree removals occurred in March. There are instream work restrictions in place until June 30th. It is anticipated that work will begin in July or August, under lower creek flow conditions – the DSM is awaiting a construction schedule from CATCO.

Contract 96 (Multi-District) - Sanitary Sewer Open Cut Repair Term Contract - Contracts have been signed for this two-year, multi-district repair contract, and a preconstruction meeting with CATCO was held in early June. Sewer repair or replacement work orders may be assigned under this contract based on the individual district's needs and available budget.

Borden Road reconstruction project (Erie County Highways project) - It is anticipated that the Erie County DPW project will be closed out soon. The DSM is waiting on final invoices from the DPW and as-builts from the design engineer.

Contract 51 (Vanderbilt Force Main Valve Replacement and Cleaning): GHD is designing the replacement of a drain valve and assessing the blockage from the low point of Vanderbilt Force Main. The 90% bid documents are being reviewed.

Contract 61 (Depew Pumping Station Electrical Upgrades and Valves Replacement): GHD, under the Term Engineering Contract, is completing the design of electrical upgrades and check valve replacements based on recommendations from the design report completed earlier this year. The DSM is waiting on 90% design documents and will determine funding and bidding options once the design is completed.

c. Payments (Handout)

Ms. Wetzel reviewed the payments made to CATCO, Bergman Construction, Wendel, Arcadis, GHD, STC Construction, Greenman-Pederson, Kandey Company, Brown and Caldwell, Visone Construction, and United Survey.

d. 2023 Annual Report Submission (Handout)

Ms. Wetzel presented a copy of a letter sent to the NYSDEC as required by reporting requirements related to the Order on Consent in District No. 4.

On a motion by Ms. Wetzel, seconded by Mr. Schutt, the Board voted to receive and file the informational items. The motion carried 5-0.

ADJOURNMENT & NEXT MEETING 7.

On a motion by Mr. Peterson, seconded by Mr. Schutt, the Board voted to adjourn the meeting at 4:30 pm. The motion carried 5-0.

NEXT MEETING - Wednesday, October 9, 2024 @ 3:30 pm **Northern Region Admin Offices**

Respectfully submitted,

Nadine Wel

Nadine R. Wetzel, Secretary ECSD No. 4 Board of Managers

NW:ls

Motion to Approve the June 12, 2024 Meeting Minutes

Moved by:

Seconded by:

App./Disapp.:

Date:

Signed:

ERIE COUNTY SEWER DISTRICT NO 4 (ECSD NO. 4) BOARD OF MANAGERS MEETING MINUTES WEDNESDAY, OCTOBER 9, 2024 NORTHERN REGION CONFERENCE ROOM

MEMBERS PRESENT: Mr. Adam Dickman, Mr. Kevin Peterson (3:43), Mr. Edward

Schiller, Mr. William Schutt (3:42) and Ms. Nadine Wetzel

OTHERS PRESENT: Mr. Joseph Fiegl, Ms. Brenda Rehac and Mr. William Strzeszynski

ITEM NO. 1 – CALL THE MEETING TO ORDER

Mr. Schiller called the meeting to order at 3:34 pm.

ITEM NO. 2 – APPROVAL OF JUNE 12, 2024 MEETING MINUTES

On a motion by Ms. Wetzel, seconded by Mr. Dickman, the Board voted to approve the minutes from the June 12, 2024 meeting. The motion carried 3-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

Mr. Schiller discussed some recent issues concerning the North Forest Properties, LLC property located at the southwest corner of Wehrle Drive and Harris Hill Road. It was reported that drainage issues at the site have contributed to the pump station being submerged underwater following wet weather events. Mr. Strzeszynski will investigate the pumping station located at the site and report back to the Board.

ITEM NO. 4 – OLD BUSINESS

Mr. Fiegl briefed the Board Members on the Order of Consent for the ECSD No. 4 Overflow Retention Facility (ORF). The Division of Sewerage Management (DSM) has received comments from the New York State Department of Conservation (NYSDEC) regarding the wet weather operation plan and is preparing a response to the comments. The flow monitoring and infiltration/inflow analysis is awaiting final approval by the NYSDEC.

ITEM NO. 5 – NEW BUSINESS

a. 2024 User Charge

i. Public Hearing Notice & Meeting Minutes (Handout)

The Board received a copy of the public hearing notice and related meeting minutes for the 2025 User Charges. The hearing was held on September 25, 2024 and no comments were received from the public. Ms. Wetzel reviewed individual rates for District 4.

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Now that the public hearing was held, the next step is for the individual Boards of Managers to consider the 2025 rates. The rates would take effect January 1, 2025.

ii. <u>Approval of Resolution</u> (Handout)

The Board considered a copy of the User Charge Resolution. On a motion by Mr. Dickman, seconded by Mr. Schiller, the Board voted to approve the 2024 User Charge Rates for ECSD No. 4. The motion carried 3-0.

b. <u>Proposed Updates to "Rule and Regulations for the Erie County Sewer District"</u> (Handout)

The Board received a copy of the proposed changes to the existing "Rules and Regulations for Erie County Sewer Districts," which were last revised in 2009. The proposed edits were posted to the DSM's website for review by the Board members. The Board members posed questions, with the DSM representatives providing clarification on the proposed changes. A minor edit was recommended to provide a clarifying definition for an extension. It was noted County Attorney and SEQR review is the next step.

On a motion by Mr. Schutt, seconded by Mr. Schiller, the Board voted to approve the resolution. The motion carried 5-0.

c. <u>2025 Meeting Schedule</u> (Handout)

The Board reviewed the proposed 2025 meeting schedule. On a motion by Ms. Wetzel, seconded by Mr. Schutt, the Board voted to approve the 2025 meeting schedule as submitted. The motion carried 5-0.

ITEM NO. 6 MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operation Report (May-August)

Mr. Strzeszynski updated the Board with the operational report. At the Depew Pump Station, solenoids and associated wiring on the discharge check valve system were replaced. A leak was repaired on the forcemain to the Overflow Retention Facility (ORF). The operator was replaced on the Buffalo Sewer Authority valve. At the Bowmansville Pump Station, pump #1 was replaced with a spare so the repairs could be made to that pump and check valve #1 was rebuilt. At the Warner Road Pump Station, a transducer was replaced. At the Zoeller Road Pump Station a spare pump was rebuilt.

For the Collection System, over several attempts, staff successfully removed large, heavy debris from the trunkline located in the backlots of Houghton Park. Staff plan to make one more attempt to remove any remaining debris. This was a significant amount of effort and District staff did a great job.

b. <u>Construction Status Report</u>

Ms. Wetzel updated the Board with the following construction status report.

- Contract No. 60A Depew Pumping Station Forcemain Replacement at Cayuga Creek (Contractor CATCO) This is a project to replace approximately 450 linear feet of 30-inch diameter sanitary sewer forcemain along the east side of Borden Road and crossing Cayuga Creek in the Village of Depew. Work commenced onsite in July. CATCO performed work to install the pipe crossing under the creek within the regulatory window for in-stream work activities. Approximately 131 LF of pipe has been installed and tested to date. Pipe material and fittings were also delivered to site, stored and secured. The Contractor has demobilized to another project and plans to be back later this fall. The Division of Sewerage Management (DSM) is awaiting a schedule for this work.
- Contract 51 (Vanderbilt Force Main Valve Replacement and Cleaning) Under the Term Engineering Contract, GHD is designing the replacement of a drain valve and assessing the blockage from the low point of Vanderbilt Force Main. 90% bid documents have been received and are being reviewed.
- Contract 61 (Depew Pumping Station Electrical Upgrades and Valves Replacement) GHD, under the Term Engineering Contract, is completing the design of electrical upgrades and check valve replacements based on recommendations from the design report completed earlier this year. The DSM is waiting for the 90% design documents and will determine funding and bidding once the design is completed.

i. <u>Closeout of Borden Road Forcemain Replacement</u> (Handout)

Ms. Wetzel reviewed the handout provided regarding the closeout of a joint capital construction project awarded by Erie County DPW which included scope of work funded by ECSD Nos. 1 and 4 and referred to as the Borden Road Sanitary Sewer Forcemain Replacement project. The project has been satisfactorily completed by the Contractor, CATCO. The final cost of construction and engineering services was \$5,979,731.14, a decrease of \$400,268.86. This is an informational item as the closeout is being finalized by Erie County DPW.

c. Payments (Handout)

Ms. Wetzel reviewed with the Board the payments made to CATCO, Wendel Engineers, Arcadis, STC Construction Greenman-Pederson, Wm Schutt and Brown and Caldwell.

On a motion by Ms. Wetzel, seconded by Mr. Dickman to receive and file the informational items. The motion carried 4-0 (Mr. Schutt abstained).

7. <u>ADJOURNMENT & NEXT MEETING</u>

Mr. Schiller moved, seconded by Mr. Dickman to adjourn the meeting at 4:02 pm. The motion carried 5-0.

Next Meeting
Wednesday, December 4, 2024 @ 3:30 pm
Northern Region Admin Offices

Respectfully submitted,

Nadine R. Wetzel, Secretary ECSD No. 4 Board of Managers

NW:br

Motion to Approve the October 9, 2024 Meeting Minutes