

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: DAVID ROOD

Seconded by: EMERY WITTMAYER

App./Disapp.: APPROVED 7-0

Date: APRIL 17, 2024



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 17, 2024
SOUTHTOWNS AWTF CONFERENCE ROOM

MEMBERS PRESENT: Jason Cozza, Michael Kasprzyk, Jason Keding, David Millar,
David Rood, Vincent Vacco, Emery Wittmeyer

MEMBERS ABSENT: Chairman David Kaczor, Kenneth Kostowniak

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

ITEM NO. 1 – CALL MEETING TO ORDER

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

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

On a motion by Mr. Rood, seconded by Mr. Wittmeyer, the Board voted to approve the minutes from the January 31, 2024 meeting. The motion carried, 7 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

None.

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of April 2024.

On a motion by Mr. Keding, seconded by Mr. Cozza, the Board voted to approve the April 2024 payments. The motion carried, 7 – 0.

Item 2

b. Sewer Agency Report (Handout)

Mr. Fiegl presented the Sewer Agency Report (SAR), prepared for the Board's consideration, calling for an Increase and Improvement of Facilities in the amount of \$215 million to fund capital improvements associated with the Southtowns Advanced Wastewater Treatment Facility (AWTF) Expansion Project (Project), noting the SAR serves as the Map and Plans report required under New York State County Law. This second undertaking to obtain bond authorization for the Project is the result of cost escalations presently experienced across the construction industry. Mr. Fiegl summarized the updated cost information identified in the SAR including contracted costs to construct Phase 1 improvements, estimated costs to construct Phase 2 improvements, along with additional elements to be considered including an escalation factor to account for Phase 2 construction cost uncertainty and an item for non-regulatory additional needs. Mr. Fiegl noted the non-regulatory additional needs costs primarily address failing electrical equipment. That equipment has been well-maintained for roughly 45 years but is now at the end of useful service life and will only be more expensive to replace in the next 5 to 10 years. Mr. Fiegl also noted several other improvements were identified during the additional the needs assessment task of design but are not being advanced as part of the Project at this time due to cost concerns.

Mr. Fiegl informed the Board the annual rate increase resulting from the anticipated bond account, calculated as part of the analysis required by New York State and detailed in the SAR, would be approximately \$221/ratepayer. This value is conservative. The rate increase is based upon a \$215 million borrowing over 30-years through New York State Environmental Facilities Corporation (NYSEFC) using their current subsidized interest rate, with no grant funding or offsetting monies. Mr. Fiegl then discussed several opportunities to mitigate the rate increase as noted in Item 5.b.i (Southtowns AWTF Expansion Project Potential Financial Plan memo), including:

- \$12 million in American Rescue Plan Act funding obligated for Phase 1 construction,
- The \$17 million New York State Water Infrastructure Improvement Act (WIIA) grant awarded for Phase 1 construction to cover up to 25% of net eligible costs,
- Additional grants and other outside funding sources potentially including a Federal congressionally directed spending request, as well as New York State WIIA and Water Quality Improvement Project (WQIP) grants for Phase 2 construction,
- The expiration of approximately \$420,000 of existing annual bond debt payments roughly at the time Project improvements are completed, and
- The potential to decrease the \$2.1 million capital reserve allocation presently budgeted as new debt is realized.

Mr. Kasprzyk inquired about the New York State Comptroller's Office approval of the proposed borrowing if other outside funding sources were not available to which Mr. Fiegl replied we would have to submit for the full anticipated bond account amount and show the corresponding rate increase would not constitute an undue burden to District ratepayers. Mr. Fiegl then discussed potential opportunities to phase in cost impacts over time by adjusting

annual capital reserve allocations. Mr. Fiegl concluded his remarks by noting Mr. Millar and he spoke with Chairman Kaczor the previous day and Mr. Kaczor fully supports the proposed SAR, as presented, recognizing the work that will be required in the future to address the proposed rate increase.

Mr. Keding inquired about contacting local municipalities to provide letters of support for a Federal congressionally directed spending request. Mr. Cozza stated he agreed that municipal letters of support would be helpful. Mr. Fiegl offered to author a template letter to be distributed to municipalities within the District for their use. Mr. Fiegl also replied that he has been interacting with congressional offices within the last week to discuss this and other topics. Mr. Cozza then inquired about the possibility of dividing proposed Phase 2 Project construction work into multiple phases to provide potential funding and logistical advantages. Mr. Fiegl responded that this strategy was debated with the project's engineering consultant (Arcadis) and it was determined that associated additional challenges would result in higher project costs. The Division of Sewerage Management (DSM) and Arcadis continue to evaluate means to minimize Project cost impacts to the greatest extent possible, but the majority of the costs are driven by the sheer size and magnitude of the improvements.

After further discussions, on a motion by Mr. Rood, seconded by Mr. Wittmeyer, the Board voted to approve the resolution to accept and adopt the subject SAR, recommend that the SAR be submitted to the Erie County Legislature for further consideration and action pursuant to Article 5A of New York State County Law, and direct the Erie County Sewer Agency to pursue an Increase & Improvement of Facilities (2024), in the amount of \$215,000,000.00. The motion carried, 7 – 0.

i. Southtowns AWWTF Expansion Project Potential Financial Plan (Handout)

Mr. Fiegl discussed the content of this item in his previous remarks. This is a receive and file item; no action is required by the Board.

c. Out of District Customer Request (Handout)

The Board reviewed a request for an Out of District Customer Agreement for a parcel in Erie County Sewer District No. 2 (ECSD No. 2), along Lake Shore Road in the Town of Hamburg, corresponding to SBL No. 180.20-1-13. Existing sewers in ECSD No. 2, in the vicinity of this parcel, are not practically accessible and the closest feasible service option is installation of a low-pressure grinder pump and force main with discharge to a nearby sewer in ECSD No. 3.

On a motion by Mr. Keding, seconded by Mr. Cozza, the Board voted to approve an Out of District Customer Agreement for a parcel in ECSD No. 2, corresponding to SBL No. 180.20-1-13. The motion carried, 7 – 0.

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

The Board reviewed copies of final notices from the DSM 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 DSM's infiltration/inflow (I/I) inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with a hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Wittmeyer, seconded by Mr. Millar, the Board voted to approve the referrals to an enforcement hearing. The motion carried, 7 – 0.

e. Time of Sale & Focus Area House Inspection Comparison (Handout)

The Board reviewed a memorandum, prepared by the DSM at the Board's request during its previous meeting, to investigate the feasibility, related costs, and procedures necessary to require DSM I/I house inspections across all ECSDs at the time of property transfer.

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

f. Contract Closeout – Southtowns Influent Pumps Replacement Project (Handout)

The Board considered a resolution for the closeout of Contract No. 72-A, Southtowns Influent Pumps Replacement Project, General Construction in the final amount of \$2,959,187.95 together with Change Order No. 2 (final), a decrease of \$140,812.05, and Contract No. 72-D, Electrical Construction in the final amount of \$277,637.07. All work for this project has been satisfactorily completed and the DSM recommends closing out the contracts.

On a motion by Mr. Keding, seconded by Mr. Millar, the Board voted to approve the closeout of Contract No. 72-A and Contract No. 72-D. The motion carried, 7 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Horne presented the following report for operations:

- *Southtowns AWTF Expansion Project Phase 1:* Excavations for new facilities are ongoing. Several new parking lots have been constructed and new signage has been posted throughout the plant. The Contractor for the project, Kandey Company, Inc., has been coordinating logistical matters with plant personnel.
- *Southtowns AWTF Mono-media Filter Maintenance:* Plant operators are re-sealing all filter seams to prevent media loss.

- *Southtowns Incinerators:* Completed stack testing in March with results pending.

Mr. Hojnacki presented the following report for collections:

- *Town of Holland:* Grinder preventative maintenance tasks are ongoing to clean up tanks and replace existing tank lids.
- *CCTV Inspections Town/Village of Hamburg and Village of Orchard Park:* These inspections have been completed. The new focus area will be the Forest Glen portion of the Village of Hamburg.
- *District-wide Manholes:* Approximately 12 damaged manholes were repaired in the District.

b. Construction Status Report

Contract 68 (Southtowns Incinerator Scrubber Replacements and Jib Crane Installation) – The Southtowns AWTF incinerator exhausts containing air pollution control equipment have been replaced, and concrete repairs and jib crane installation are also complete. Work on drain replacements, steel infill, and maintenance platforms and equipment is in progress and will be complete in May. This project uses ARP funding.

Contract 71 (Southtowns Incinerators Heat Exchanger Replacement) – This project was awarded to Hohl Industrial Services, Inc. Replacement is a maintenance item that needs to be completed to ensure proper operation and improve efficiency of the incinerators. Shop drawings are being reviewed. This project was designed by Ramboll through the Term Engineering Contract.

Contract 72 (Southtowns Influent Screw Pumps Replacement) – The final walk through was performed on January 29th. Formal closeout of Contract Nos. 72-A under Hohl Industrial Services and 72-D under CIR Electrical has been requested at this meeting. This project was completed under budget and will be returning funds to the ARP account.

Contract 73 (Southtowns Influent Screening Replacement) – This equipment is original to the facility and is in need of replacement. Hohl Industrial Services, under Contract 73-A, expects to be back on-site in early May. CIR Electrical, under Contract 73-D, is running electrical conduits and setting up power for when the equipment is installed. The completion date is October 24, 2024. This project is partially funded with ARP monies.

Contract 74-C (Southtowns Expansion Phase 1) – This Contract was awarded to Kandey Company. On-site work began in February and is progressing well. Site work and temporary facilities such as parking, staging and Contractor trailer placement have been completed. Large excavations for all structures have been completed with foundation walls poured for the electrical substation. Foundation piles for the chlorine contact tank and effluent building will be installed in April. Electrical and other specialty work is also progressing.

Contract 75 (Southtowns Expansion Phase 2) – This project is presently at the 90% design stage with Arcadis.

Contract 86 – Sanitary Sewer Open Cut Repair Term Contract (Kandey Company) – Lawn restoration work for Work Order 19 (Bayview Rd) will be completed this spring and the project will be closed out.

Contract 95 (CIPPL Term Contract) (USI/Kenyon Pipeline) – Kenyon Pipeline completed the Cured-in-place pipe lining (CIPPL) work for Work Order 1K. Work Order 5K is anticipated to be issued to Kenyon Pipeline this month and will include the lining of approximately 3,000 linear feet of 8-inch diameter VTP in the Village of Hamburg on Sandra Place and Charlotte Ave, and approximately 520 linear feet of 8-inch diameter truss pipe on Wright Place in the Town of Hamburg.

Upcoming Design/Evaluations

- Boston Valley – 18” diameter pipe exposed in Eighteenmile Creek – Erdman Anthony was issued a work order for additional survey and soil bores, as well as a work order for preliminary design and environmental permitting. The additional survey work has been completed. The DSM is also pursuing conversations with Erie County Soil and Water Conservation District (ECSWCD) to determine if repair by ECSWCD is an alternative option.
- The DSM requested a proposal from Labella for an engineering work order for the design of the replacement of a portion of the existing 12-inch diameter sewer along Milestrip Road in the Town of Hamburg.
- 95% Design plans for a sanitary sewer replacement on Westview Place in the Village of Orchard Park were sent to the NYSDEC for review in February. The scope of work consists of replacement of approximately 104 LF of sanitary sewer on Westview Place. Pending approval, the replacement is anticipated to be issued under the term open cut contract.
- The DSM is finalizing specifications for an inspection and televising contract to evaluate and inspect approximately 4,100 LF of 21-inch and 30-inch diameter trunkline sewer located in backlots with difficult access between Abbott Road and Lake Street, referred to the Newton Abbott trunkline. Inspection work is anticipated to be advertised for bid in late April/early May.

- i. Southtowns Incinerator Tray Scrubbers Replacement & Crane Installation Project– Change Order No. 3 (Handout)

The Board reviewed a Change Order for the Southtowns Tray Scrubbers Replacement and Crane Installation Project. This is a receive and file item; no action is required by the Board.

c. Industrial Waste Survey (Handout)

As a requirement of the Southtowns WRRF State Pollutant Discharge Elimination System (SPDES) permit, an industrial waste survey was sent to all businesses tributary to the facility having the potential for an industrial wastewater discharge. The survey is conducted every five years.

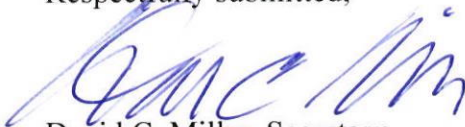
On a motion by Mr. Keding, seconded by Mr. Cozza, the Board voted to receive and file the informational items. The motion carried, 7 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Rood, seconded by Mr. Millar, 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 5, 2024.

Respectfully submitted,



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

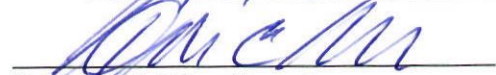
Motion to Approve the April 17, 2024 Meeting Minutes

Moved by: JASON KEDING

Seconded by: DAVID ROOD

App./Disapp.: APPROVED, 8-0

Date: 6/12/24



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

ERIE COUNTY SEWER DISTRICT NO. 3 (ECSD No. 3)
BOARD OF MANAGERS MEETING MINUTES
WEDNESDAY, OCTOBER 9, 2024
SOUTHTOWNS AWTF CONFERENCE ROOM

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

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 8:01 a.m.

ITEM NO. 2 – APPROVAL OF June 12, 2024 MEETINGS MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the minutes from the June 12, 2024 meeting. The motion carried, 9 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns AWTF Expansion Project

Mr. Fiegl discussed the recent progress of the Southtowns Advanced Wastewater Treatment Facility (AWTF) Phase 1 and Phase 2 Expansion Project (Expansion Project). The Phase 1 construction project is presently on schedule, with roughly a third of the work complete. The progress thus far includes:

- Electrical substation: approximately 75% of the building structure is complete; the majority of the conduits and duct banks to the substation installed; long-lead time items such as the generator, switchgear, and other equipment have been ordered (with some already delivered).
- Effluent submersible pumping station: excavation has been performed and temporary sheeting/shoring systems installed; the majority of below grade concrete structures have been completed and tested; long-lead time items such as the pumps and associated equipment have been ordered; discharge piping is onsite and ready to be installed.
- Chlorine contact tank: excavation has been performed, all support piles have been installed; approximately 50% of the concrete floor slab and the effluent chamber walls have been poured; steel rebar and concrete form work for the remainder of the structure is in progress.

Item 2

- Effluent piping: major structures have been ordered and are onsite; interconnections between existing 66" diameter piping and new piping have been excavated and prepared for installation; outfall diffuser repairs within the lake are complete.
- Site work: access roads, site grading, and other features completed throughout the site.

Chairman Kaczor inquired about the opportunity to expand the Southtowns AWTF property north into New York State Park land to which Mr. Fiegl replied in the negative. Mr. Cozza inquired about the impact of cold weather conditions on the progress of Expansion Project construction to which Mr. Fiegl replied progress will be a function of the severity of potential cold weather events, which is unpredictable. Mr. Fiegl added he will provide a link, via email, to the Board of recent drone footage of construction activities.

i. Additional Engineering Services – Phase 2 (Handout)

For Phase 2 services, there have been several additional engineering scope items required including analyses to address increased costs, extra electrical upgrades, addressing the former onsite landfill, and more. Item 4.a.i presents details on all this work. As a reminder, this was in part expected as next steps coming out of the "Additional Needs Assessment". The Division of Sewerage Management (DSM) intends on proceeding with an amendment to Arcadis's engineering services agreement by re-scoping under the current budget and increasing the authorization under the agreement when Phase 2 construction commences. Mr. Fiegl provided an overview of the major additional engineering scope items comprising the amendment.

Mr. Cozza inquired about the reallocation of the current engineering services budget to which Mr. Fiegl explained that presently included under Arcadis' Agreement is scope and budget for Phase 2 construction administration and construction inspection which would be moved into the design phase budget to pay for the additional work identified in the amendment. When the construction phase commences, authorization for a change order will be necessary to pay for the Phase 2 construction administration and construction inspection services. Mr. Cozza then inquired about the magnitude of the amendment relative to the initial Agreement with Arcadis to which Mr. Fiegl replied that he did not have the exact figures at that moment, but that the costs of the additional services is consistent with anticipated costs for this type of work. Mr. Fiegl added that throughout the Phase 2 design process Arcadis and DSM collaborated on each additional item, performed in good faith by Arcadis to maintain progress, with the understanding an amendment would be necessary.

Mr. Fiegl continued his report by stating there have been no updates from the New York State Department of Environmental Conservation (NYSDEC) regarding a new State Pollutant Discharge Elimination System (SPDES) permit. The NYSED was last contacted on this topic in August 2024 and the DSM plans to reach out again in the coming weeks. Phase 2 construction cannot commence until a new SPDES permit is issued. As was noted during the last Board meeting, the Southtowns AWTF is presently listed as #2 in the NYSED's environmental benefit permit strategy rankings.

There have been various communications between the DSM, its bond counsel, the New York State Environmental Facilities Corporation (NYSEFC) regarding its short-term financing application and the New York State Water Infrastructure Improvement Act (WIIA) grant award. Indications are that the DSM is 'close' to complete in satisfying the NYSEFC's information needs. The DSM applied for a \$10 million Water Quality Improvement Project grant for the Southtowns AWTF expansion project through the Consolidated Funding Application (CFA) process.

Mr. Fiegl informed the Board that the DSM hosted a tour of the Southtowns AWTF for Legislators Gilmore and Mills, along with Legislative staff. The tour went well, and all seemed supportive of the project. The Legislature received/filed the Sewer Agency Report for the \$215 million bond authorization in July 2024 and subsequently called for a public hearing. The public hearing was held in September 2024, and no one spoke in opposition. The next step is for the Legislature to consider passing an approving resolution, after which an application to the Office of the State Comptroller will be made.

b. Steuben Foods

Mr. Fiegl informed the Board of an ongoing study to update a 2018 report recommending infrastructure alternatives to service Steuben Foods, Inc. (Steuben). The report update will evaluate the potential to replace and possibly expand capacity of the Elma Forcemain and will include costs and a realistic schedule to integrate design, land acquisition, regulatory approvals, and construction of recommended improvements. A draft of the report update will be completed by the end of October 2024 and will be shared with Steuben once final (likely end of the year). Steuben is building a business case to substantiate support for the necessary infrastructure upgrades. Mr. Fiegl noted two separate pipe repairs recently performed on the Elma Forcemain. The first repair was the result of deteriorating pipe condition and the second involved a utility pole installation conflict. Mr. Fiegl then informed the Board that Moog, Inc. is requesting consideration for potential flows generated from its Jamison Road facility in the report update.

Chairman Kaczor inquired about the Town of Elma's involvement with sanitary sewer service for businesses in the Seneca Street corridor to which Mr. Fiegl stated that approaching the Town of Elma would be appropriate when the report update is complete, and the scope and magnitude of costs have been identified.

ITEM NO. 5 – NEW BUSINESS

a. 2025 User Charge

i. Public Hearing Notice & Meeting Minutes (Handout)

The Board reviewed the Notice and the Minutes for the Public Hearing held on September 25, 2024 at the DSM Downtown offices for the proposed 2025 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 2025 User Charge Rates. On a motion by Mr. Wittmeyer, seconded by Mr. Keding, the Board voted to approve the resolution. The motion carried, 9 – 0.

b. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of October 2024. On a motion by Mr. Kasprzyk, seconded by Mr. Vacco, the Board voted to approve the October 2024 payments. The motion carried, 9 – 0.

c. Confirmation of Email Polls

i. Award of Eighteenmile Creek Sewer Line Stabilization Mitigation Project (Handout)

The Board considered confirmation of the June 17, 2024 email poll approving a resolution to amend an existing municipal agreement with the Erie County Soil and Water Conservation District (ECS&WCD) to facilitate the Eighteenmile Creek Sewer Line Stabilization Mitigation Project. This arrangement will allow the ECS&WCD and the ECSD No. 3 to prepare engineering plans and secure regulatory permits to perform stream stabilization, as well as repair the pipe encasement of the 18-inch diameter sanitary trunk sewer that has become exposed within Eighteenmile Creek in the Town of Boston. The total amount of this project is in not-to-exceed \$400,000.

On a motion by Mr. Keding, seconded by Mr. Kostowniak, the Board voted to confirm the June 17, 2024 poll approving a resolution to amend the existing municipal agreement with ECS&WCD. The motion carried, 9 – 0.

ii. Closeout Contract No. 70 Blasdell Sewage Treatment Plant Decommissioning (Handout)

The Board considered confirmation of the August 26, 2024 email poll approving a resolution to closeout of Contract No. 70 with E&R Construction for the Blasdell Sewage Treatment Plant Decommissioning Project. The final change order for Contract 70 is a decrease of \$14,655.71, resulting in a final contract amount of \$777,344.29.

On a motion by Mr. Rood, seconded by Mr. Wittmeyer, the Board voted to confirm the August 26, 2024 poll approving a resolution to close out Contract No. 70. The motion carried, 9 – 0.

iii. Blasdell Real Estate Agreement- Collection System Maintenance Facility
(Handout)

The Board considered confirmation of the September 10, 2024 email poll approving a resolution to enter into a real estate agreement with the Village of Blasdell (Village) to facilitate the transfer of land and/or garage facilities in the vicinity of the former Blasdell Water Resource Recovery Facility.

On a motion by Mr. Kasprzyk, seconded by Mr. Cozza, the Board voted to confirm the September 10, 2024 poll approving a resolution to enter into a real estate agreement with the Village. The motion carried, 9 – 0.

iv. Wastehauler Permit Additional Applicant (Handout)

The Board considered confirmation of the September 10, 2024 email poll approval of waste hauler discharge permit to Pinto Services, Inc. (Pinto) for the remainder of 2024. 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. Wittmeyer, seconded by Mr. Rood, the Board voted to approve Waste Hauler’s Discharge permits for the remainder of 2024 to Pinto pending application and insurance approvals. The motion carried, 9 – 0.

d. 2025 Meeting Schedule (Handout)

The Board reviewed a copy of the proposed 2025 meeting schedule. On a motion by Mr. Cozza, seconded by Mr. Kostowniak, the Board voted to approve the proposed 2025 meeting schedule, as presented. The motion carried, 9 – 0.

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

The Board reviewed copies of final notices from the ECDSM to several property owners in ECSD No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection or correct a violation identified during 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. Millar, seconded by Mr. Wittmeyer, the Board voted to approve the referral to an enforcement hearing. The motion carried, 9 – 0.

f. Proposed Updates to “Rules and Regulations for Erie County Sewer Districts”
(Handout)

The Board reviewed a copy of the proposed changes to the “Rules and Regulations for Erie County Sewer Districts”. The edits were posted to the DSM’s website. The Board members posed several questions, with the DSM representatives providing clarification on the proposed changes. It was noted that County Attorney and SEQR review are the next steps.

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the resolution for recommended updates to the existing “Rules and Regulations for Erie County Sewer Districts”. The motion carried, 9 – 0.

g. 2025 Wastehauler Permits (Handout)

The Board considered approval of waste hauler discharge permits to numerous applicants for 2025. Waste Hauler Discharge permits are a requirement of Article VIII of the Erie County “Rules & Regulations”, are approved by the Board on an annual basis, and can be amended or revoked for non-compliance with the permit’s terms.

On a motion by Mr. Wittmeyer, seconded by Mr. Kostowniak, the Board voted to approve Waste Hauler’s Discharge permits to Delo Drain & Septic Services, Modern Portable Toilets, United Rentals, The Town of Orchard Park, Septech, Top Notch Sewer & Drain Cleaning, Macken Services, Atlas Comfort Cabins, Pinto Site Services Inc. and Lakeshore Septic Services pending application and insurance approvals. The motion carried, 9 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Horne presented the following report for operations:

- *Southtowns AWTF Bar Screens*: New bar screen number 1 went into service on September 24, 2024.
- *Southtowns AWTF Bio Clarifiers*: Drained and inspected Bio Clarifier nos. 1 and 2.
- *Southtowns AWTF Landfill*: Incinerator ash was hauled from the landfill to the Modern disposal site.
- *Southtowns AWTF Thickener Tanks*: Drained and inspected thickener tank no. 1.

Mr. Hojnacki presented the following report for collections:

- *Town of Hamburg, Mount Vernon*: Completed smoke testing in the Mount Vernon tributary area.

- *Town of Boston*: Grinder preventative maintenance tasks are ongoing.
- *Village of Hamburg*: Completed routine flushing activities and house inspections are ongoing.
- *Village of Hamburg*: Completed three (3) sanitary sewer spot repairs on S. Lake St. and Central Ave. which included the replacement 17 linear feet of broken main.
- *Elma Forcemain*: Completed an emergency repair to Elma FM at N. Davis Creek crossing.

b. Construction Status Report

Contract 71 (Southtowns Incinerators Heat Exchanger Replacement) – This project is being performed by Hohl Industrial Services, Inc. Replacement is a maintenance item that needs to be completed to ensure proper operation and improve efficiency of the incinerators. Ramboll designed this project through the Term Engineering Contract, and funding is through the capital reserve account. Equipment has been ordered and is expected to be received in early 2025. On-site work will begin when the delivery date is set.

Contract 73 (Southtowns Influent Screening Replacement) – This equipment is original to the facility and needs replacement and improvement. Hohl Industrial Services, under Contract 73-A, installed Screen No. 1 and has completed testing. Screen No. 1 is fully operational and Hohl is now completing installation of Screen No. 3 equipment. CIR Electrical, under Contract 73-D, completed installation of most electrical conduits and is connecting power and control lines. The completion date is October 24, 2024 but will be postponed due to previous equipment delays. Both contracts will be requesting a no-cost change order to extend the completion date to the end of 2024 or early 2025. GHD is the project engineer, and this project uses ARP funding supplemented with funding from the District.

Contract 74-C (Southtowns Expansion Phase 1) – This contract is being performed by Kandey Company. On-site work is progressing well. The electrical substation building is close to completion and the foundations and support for the effluent submersible pump station (ESPS) progressed significantly. The chlorine contact tank foundations are progressing. Buried chambers have been installed and other piping is in progress. Electrical and other specialty work is progressing. Substation electrical equipment and ESPS large diameter wastewater piping will be installed within the next couple of months. This project was designed by Arcadis. This project is funded by ARP monies and NYS grants, with the remainder of funding from the District.

Contract 75 (Southtowns Expansion Phase 2) – This project is currently in design with Arcadis. 90% design documents have been received and drawing comments returned. 100% design documents are expected by December 2024 or January 2025. This project is expected to bid in 2025.

Contract 78 (Newtown Abbott Trunkline Sewer Inspection) – A project to inspect and televise 4,200 LF of 21-inch and 30-inch diameter trunkline sewer referred to as the Newton Abbott trunkline was awarded to Red Zone Robotics. The project area is located in backlots with difficult access between Abbott Road and Lake Street in the Town of Hamburg. The inspection work was successfully performed on September 30, 2024 and DSM is awaiting the contractor's deliverables including CCTV and other measurements and data collected.

Contract 81 (Southtowns Expansion Pre-Phase 2 Electrical Upgrades) – This project is needed to purchase and install electrical upgrades needed for Phase 2. This work was separated and is being bid in advance to ensure that the electrical needs for Phase 2 are available and do not delay other construction. This project is currently in design with Arcadis. 100% design documents are expected this month (October). This project is expected to bid in December 2024 or January 2025.

Contract 82 (Southtowns Landfill Reclamation) – This project is needed to provide site availability for excavation materials during Phase 2 construction. The landfill has been closed for many years and contains only inert ash materials from the incineration process. Reclaiming this area by removing the landfill and stored materials to a larger permanent landfill off-site will reduce permitting requirements for the facility, as well as provide staging and permanent soil deposit areas. This project is currently in design with Arcadis and Arcadis is assisting with approvals from regulatory agencies. 60% design documents are expected this month. The project is expected to bid in early 2025.

Contract 87 (Multi-District) (On-Call Sewer Repair Contract) (CATCO) – On September 22, 2024, CATCO was directed to perform an emergency repair to an 8-inch diameter forcemain in the Town of Elma near N. Davis Road and Conley Road following reports of a SSO into the tributary to Cazenovia Creek. On 9/23, CATCO performed excavation and assisted sewer district staff in the repair along a creek bank. A hole was found in the forcemain and a repair approximately 2.5 LF in length was made.

Contract 95 (Multi-District) (CIPPL Term Contract) (USI/Kenyon Pipeline) – Kenyon Pipeline completed lining work on Work Order 5K, which consisted of 3,000 linear feet of 8-inch diameter VTP in the Village of Hamburg on Sandra Place and Charlotte Ave., and 520 linear feet of 8-inch diameter truss pipe on Wright Place in the Town of Hamburg.

Contract 96 (Multi-District) Sanitary Sewer Open Cut Repair Term Contract (CATCO) – CATCO completed Work Order No. 1 consisting of replacement of approximately 104 LF

of sanitary sewer on Westview Place in the Village of Orchard Park, which was completed prior to the Village's paving work on this road this summer.

Upcoming Design/Evaluations

- Eighteenmile Creek Sewer Line Stabilization (Boston Valley Trunkline 18-inch diameter sewer pipe exposed in Eighteenmile Creek) – An amendment to an existing agreement between Erie County Soil and Water Conservation District (ECS&WCD) and Erie County was approved by the EC Legislature, to allow for ECS&WCD to proceed with a project to stabilize the creek and secure DSM's exposed pipe crossing. ECS&WCD has prepared design plans and submitted regulatory permit applications for the proposed repairs. Upon securing the regulatory permits, the plans will be bid for construction by ECS&WCD.
- LaBella Associates commenced design work for the replacement of approximately 2,800 LF of existing 12-inch diameter sewer along Milestrip Road in the Town of Hamburg. 50% plans were received and reviewed by DSM in September. 90% design is tentatively anticipated later this year.

Coordination Projects

- Abbott Road/ Willet Road rehabilitation project (EC DPW project - D&H). DPW's project commenced earlier this year. Approximately 16 sanitary frames and covers were recommended for replacement on Abbott Road and were added to DPW's project scope. The DSM is coordinating with DPW during construction of these improvements. This is at the boundary of D3 and D6.

c. Resident Letter – Low Pressure Grinder System (Handout)

Mr. Hojnacki reviewed a notification letter involving a structure constructed over the low-pressure grinder tank on the property at 3809 Windover Drive in the Town of Hamburg.

d. Proposed Amendment to County Law 253-b (Handout)

Mr. Fiegl reviewed a memorandum from the Erie County Attorney's office regarding a proposed amendment to County Law 253-b that would allow individual property owners to have their parcels of land removed from existing sewer districts and then be relieved from all future sewer charges. The memorandum will be provided to New York State Senator Gallivan's office for further consideration. Mr. Fiegl added he will provide a link, via email, to the Board for information about the partial refund of septage disposal at a County facility.

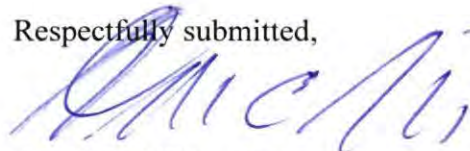
On a motion by Mr. Wittmeyer, seconded by Mr. Rood, the Board voted to receive and file the informational items. The motion carried, 9 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Keding, seconded by Mr. Cozza, the meeting was adjourned at 9:52 a.m. The motion carried, 9 – 0.

Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, December 4, 2024.

Respectfully submitted,



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


Motion to Approve the October 9, 2024 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: DAVID ROOD

App./Disapp.: APPROVED 7-0

Date: DEC. 4, 2024



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 4, 2024
SOUTHTOWNS AWTF CONFERENCE ROOM

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

ABSENT: Vincent Vacco, Emery Wittmeyer

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 8:01 a.m.

ITEM NO. 2 – APPROVAL OF OCTOBER 9, 2024 MEETINGS MINUTES

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to approve the minutes of the October 9, 2024 meeting. The motion carried, 7 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

a. Moog Letter (Handout)

The Division of Sewerage Management (DSM) is scheduled to meet with representatives from Moog on December 16th to discuss this letter and their potential service needs.

ITEM NO. 4 – OLD BUSINESS

a. Southtowns AWTF Expansion Project

Mr. Fiegl discussed the recent progress of the Southtowns Advanced Wastewater Treatment Facility (AWTF) Phase 1 and Phase 2 Expansion Project (Expansion Project).

The Phase 1 construction project remains on schedule, with progress approaching the 50% completion milestone. The major items completed since the last Board meeting include:

- Electrical substation: except for some doors, the exterior of the building structure is complete; equipment pads were poured and some major items delivered; foundation work commenced for the backup generator; the duct bank between the power pole and substation was installed; temporary power to the building has been provided; various support/hanger, conduit, cable, lighting, and similar work completed.

- Effluent submersible pumping station: slab-on-grade poured; removal of temporary sheeting/forms/scaffolding; flow meter vault walls were formed/poured; structural steel framing for the building commenced; installation of pump discharge piping and supports has continued.
- Chlorine contact tank: steel rebar and form work for the remainder of the structure floor was completed and the floor poured.
- Effluent piping: a major tie-in was completed for the 66-inch diameter discharge, including bypass setup and line shutdown; outfall cleaning in the lake is on-hold until next year.

There is the potential some Phase 2 scope work (the relocation of influent piping for the ORF) may be shifted to Phase 1 construction. Mr. Fiegl explained why this may occur and the potential benefits, but details need to be figured out. This could be a change order to Contract 74C or a separate bid.

For Phase 2 services, the amendment to Arcadis's engineering services agreement was executed. Arcadis is finalizing the design of the closed landfill reclamation and pre-Phase 2 electrical work for 2025 bid. The rest of the Phase 2 design work is close to complete, with the present focus on maintenance of operations during construction.

The New York State Environmental Facilities Corporation (NYSEFC) has provided draft final paperwork for short-term financing and the New York State Water Infrastructure Improvement Act (WIIA) grant award. The DSM received word it will not receive funding through the Water Quality Improvement Project program for this round of applications; we will reapply in 2025.

The County Legislature approved the submission of an application to the Office of the State Comptroller for the \$215 million bond authorization. The County's bond counsel is presently finalizing the application, which should be completed this month.

b. Steuben Foods

Mr. Fiegl informed the Board that the DSM received the draft report for the evaluation of infrastructure to service the expansion of Steuben Foods. Comments on the report will be submitted to the consultant, AECOM, later this month to finalize the report. Steuben Foods is separately retaining the services of a consultant to complete a downstream capacity analysis (DSCA), which will include evaluation of buildout of ECSD No. 3 within the corridor of the infrastructure servicing flows from Steuben Foods.

Depending on discussions with Moog later this month, further coordination may be required with AECOM to confirm the proposed force main has sufficient capacity to include flows from Moog. It will need to be determined if a separate DSCA for Moog will be necessary.

Chairman Kaczor inquired about approaching the Town of Elma to create a new sewer district for parcels along the Elma force main corridor. Mr. Fiegl replied the DSM intends to contact the Town of Elma about this issue after the force main report has been finalized by AECOM. Mr. Kasprzyk inquired about the possibility of including Erie County Sewer District

No. 8 to which Mr. Fiegl replied that the option to send flows to the East Aurora Water Resource Recovery Facility was eliminated from consideration, during a 2017/2018 study that evaluated options to service Steuben Foods, as the magnitude of necessary upgrades was not cost effective.

ITEM NO. 5 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed a copy of the payments on a handout for the month of December 2024. On a motion by Mr. Keding, seconded by Mr. Kostowniak, the Board voted to approve the December 2024 payments. The motion carried, 7 – 0.

b. Confirmation of Email Poll – Award of Central Region Sewer Collection System Facility Contract No. 80 (Handout)

The Board considered confirmation of the November 8, 2024 email poll approving a resolution to award Contract No. 80 for the Central Region Sewer Collection Facility Project. The project involves construction of an approximately 20,000 square foot (sf) prefabricated steel fleet maintenance building and a 5,000 sf employee facility at the former site of the Blasdell Water Resource Recovery Facility, 3595 Jeffrey Boulevard in Blasdell. The General Contract includes construction of the building and site development inclusive of utilities, site work, fencing, paving, and concrete foundation and flat work. The mechanical contract includes HVAC systems inclusive of new equipment, ducting, diffusers, registers, and associated connections. The plumbing contract includes facility water distribution, sanitary sewers, plumbing fixtures and controls, gas service, floor drainage, and grease separator. The electrical contract includes facility electrical service, distribution, lighting fixtures, electrical devices, and a new site generator.

The Erie County Department of Environment and Planning recommends award of Contract No. 80, in the total amount of \$8,862,000, as follows:

- Contract 80-A, General Construction: Resetarits Construction: \$5,899,000
- Contract 80-B, HVAC/Mechanical Construction: Quackenbush Co.: \$ 784,000
- Contract 80-C, Plumbing Construction: MKS Plumbing: \$ 635,000
- Contract 80-D, Electrical Construction: CIR Electrical Construction Co. \$1,544,000

Mr. Kasprzyk inquired about the difference between the engineer's estimate and the bid costs, specifically for the electrical contract. Mr. Fiegl explained that post-bid the DSM received additional information indicating the engineering consultant underestimated the cost for equipment and labor. Mr. Cozza inquired about the difference between the low and second bidders for the general contract, asking if perhaps the low bid had underestimated the work. Mr. Fiegl noted all contractors were contacted post-bid to ensure they understood the full scope and were comfortable with their bids/

On a motion by Mr. Kasprzyk, seconded by Mr. Rood, the Board voted to confirm the November 8, 2024 poll approving a resolution to award Contract No. 80 for the Central Region Sewer Collection Facility Project. The motion carried, 7 – 0.

c. Out of District Customer Request – 4414 Southwestern Blvd (Handout)

The Board considered the approval of an Out-of-District Customer Agreement for the property at 4414 Southwestern Blvd., Hamburg, New York. This property includes three (3) structures: 1.) A building consisting of four (4) apartments connected to the sanitary sewers along S. Park Ave., 2.) A twenty-two (22) bedroom motel known as Stadium View Inn, and 3.) A single-family home. Both the motel and home are currently connected to a failing septic tank. Half of this property is situated within the ECSD No. 3 boundary and the other half is outside. Full Assessed Valuation (AV) taxes have already been received from this property; therefore, the DSM recommends waiving the equity fee.

On a motion by Mr. Kostowniak, seconded by Mr. Cozza, the Board voted to approve an Out-of-District Customer Agreement for this parcel and waive the associated equity fee. The motion carried, 7 – 0.

d. Out of District Customer Request – Dato Development (Handout)

The Board considered the approval of Out-of-District Customer Agreements for three (3) project properties located in the vicinity of Rogers Road and Southwestern Boulevard: 1.) Brierwood Apartments, 2.) The People Inc. multi-family project, and 3.) A mixed-use development consisting of offices and apartments. The area comprising the three (3) properties consists of sixteen (16) sublots, one of which is completely outside the ECSD No. 3 boundary, and eight (8) that are partially outside. To continue receiving sewer taxes for these properties in a legal manner, an Out-of-District Customer Agreement must be executed with each project owner. Full AV taxes have already been received from these properties; therefore, the DSM recommends waiving the equity fee for each.

Mr. Kostowniak inquired about Inflow/Infiltration (I/I) remediation efforts completed downstream of the project properties to which Mr. Millar responded that the DSM requires a downstream capacity analysis and subsequent lateral replacements, as suitable to provide sewer capacity, prior to granting project approval. Mr. Fiegl stated the DSM will develop a summary of I/I activities in the area and convey those findings to Mr. Kostowniak.

On a motion by Mr. Keding, seconded by Mr. Kasprzyk, the Board voted to approve Out-of-District Customer Agreements for the three (3) properties located in the vicinity of Rogers Road and Southwestern Boulevard and waive the equity fee for each. Mr. Kostowniak abstained from the vote. The motion carried, 6 – 0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Horne presented the following operational report:

- *Southtowns AWTF Bar Screens:* New bar screen number 3 went into service on December 3, 2024. Both bar screen numbers 1 and 3 are now operational.

- *Southtowns AWTF Thickener Tank No. 2:* Tank was inspected and returned to service.
- *Southtowns AWTF Ferrous Tank No. 2:* 5-year tank inspection was completed.
- *Southtowns AWTF Phosphate Stripper Tank Nos. 1, 2, 3, 4:* Tanks were inspected.
- *Southtowns AWTF Filter X Press:* Filter cloth was replaced.

Mr. Hojnacki presented the following collections report:

- *Village of Hamburg, Pine St.:* Assisted the Village of Hamburg Department of Public Works with efforts to locate the source of e. coli discharging from a storm water pipe on Pine Street. To date, efforts have not been successful.

b. Construction Status Report

Contract 71 (Southtowns Incinerators Heat Exchanger Replacement) – This project is being performed by Hohl Industrial Services, Inc. Replacement is a maintenance item that needs to be completed to ensure proper operation and improve efficiency of the incinerators. Ramboll designed this project through the Term Engineering Contract, and funding is through the capital reserve account. Equipment has been ordered and is expected to be received in December 2024. On-site work is scheduled to commence in late January 2025.

Contract 73 (Southtowns Influent Screening Replacement) – The three screens are original to the facility and need replacement and improvement. GHD is the design engineer, and JM Davidson is providing construction inspection. Hohl Industrial Services, under Contract 73-A, installed two screens. Screen Nos. 1 and 3 are now operational. CIR Electrical, under Contract 73-D, completed installation of electrical conduits and connections for all equipment. The completion date for this project is postponed to January 22, 2024 due to previous equipment delays.

Contract 74-C (Southtowns Expansion Phase 1) – This contract is being performed by Kandey Company. On-site work is progressing well. The electrical substation building structure is complete and the Effluent Submersible Pump Station (ESPS) building is progressing swiftly. Additional chlorine contact tank foundations were poured on November 21st. Some buried piping has been replaced and other pipe installations are in progress. Electrical and other specialty work is progressing. Substation electrical equipment and ESPS large diameter piping will be installed during the next few months. Equipment will be installed in the ESPS once the building is sealed. This project was designed by Arcadis. This project is partially funded by ARP funding and partially funded with NYS grants, with the remainder of funding from the District.

Contract 75 (Southtowns Expansion Phase 2) – This project is currently in design with Arcadis. 90% design documents have been received and drawing comments returned. 100% design documents are expected by December 2024 or January 2025. This project is expected to bid in 2025.

Contract 78 - Newton Abbott Trunkline Sewer Inspection (Red Zone Robotics) – A project to inspect and televise the Newton Abbott trunkline was completed by Red Zone Robotics on 9/30/24. This project consisted of inspection of 4,200 LF of 21-inch and 30-inch diameter trunkline sewer located in backlots with difficult access between Abbott Road and Lake

Street. Preliminary review of the CCTV and inspection materials indicates deterioration and defects that will be recommended for rehabilitation. No significant root intrusion was observed on this trunkline. The results of the inspection indicated there is minimal sediment/debris buildup, with exception of one location near Lake Avenue that District staff will follow up on. A contract to install a fiberglass liner on this trunkline is in development and is anticipated for 2025 construction.

Contract 81 (Southtowns Expansion Pre-Phase 2 Electrical Upgrades) – This project is required to complete electrical upgrades necessary for Phase 2. This project is currently in design with Arcadis. 100% design documents have been reviewed and comments were returned to Arcadis. This project is expected to bid in early 2025.

Contract 82 (Southtowns Landfill Reclamation) – This project is required to provide site availability for excavated materials during Phase 2 construction. The landfill has been closed for many years and contains only inert ash materials from the incineration process. Reclaiming the landfill will reduce permitting requirements and provide staging and permanent soil deposit areas. Arcadis is assisting with design and regulatory approvals. The project is expected to bid in early 2025.

Contract 96 (Multi-District) - Sanitary Sewer Open Cut Repair Term Contract (Visone Construction) – A work order has been issued to Visone Construction to address a defect in the existing 8-inch diameter mainline sanitary sewer at the intersection of Martha Place and Robert Street in the Village of Hamburg. The existing sewer bends sharply to avoid an existing 18-inch diameter stormwater pipe that is in direct conflict and functions like a plumbing trap. The work consists of abandonment of 30 linear feet of the existing sanitary sewer and re-routing of the flow to an existing 27-inch diameter reinforced concrete pipe (RCP) sanitary sewer located on the western side of Martha Place. Work is anticipated to take about one week and will be performed in spring/summer of 2025. Nearby residents will be notified ahead of the work.

Upcoming Design/Evaluations - Eighteenmile Creek Sewer Line Stabilization (Boston Valley Trunkline 18-inch diameter sewer pipe exposed in Eighteenmile Creek) – Earlier this year, an amendment to an existing agreement between Erie County Soil and Water Conservation District (ECS&WCD) and Erie County was approved by the EC Legislature, to allow for ECS&WCD to proceed with a project to stabilize the creek and secure DSM's exposed pipe crossing. The regulatory permits were approved for this work and ECS&WCD bid a project for this work in October. Two bids were received (low bidder \$196,673 and second bidder \$577,000). Ultimately, ECS&WCD did not accept either of the bids for the work and plans to re-bid in the spring under drier weather conditions. ECS&WCD was able to negotiate a modified scope with the low bidder to install stone in the creek to stabilize the pipe for the winter. This work is anticipated for the first week of December.

Milestrip Road Pipe Replacement – LaBella Associates commenced design work for the replacement of approximately 2,800 LF of existing 12-inch diameter sewer along Milestrip Road in the Town of Hamburg. 50% plans were received in September. 90% design is tentatively anticipated later this year.

Coordination Projects - Abbott Road/ Willet Road Rehabilitation Project – ECDPW's project was completed and final walkthrough was scheduled. Replacement of 16 sanitary frame and covers in the roadway was added to ECDPW's project scope via change order and was funded by DSM. This project was at the boundary of ECSD Nos. 3 and 6 and included work in both Districts.

c. Septage Disposal Letter (Handout)

The Board reviewed a copy of a letter sent to permitted waste haulers soliciting assistance with educating septic system homeowners within ECSD No. 3 about the DSM's program that provides a partial refund of paid sewer charges when disposing of septage in DSM treatment facilities.

d. Air Permit Assistance Project – Change Order No. 1 (Handout)

The Board reviewed an informational memo concerning a no-cost change order issued to Ramboll Engineering extending the air permitting services contract for an additional two (2) years.

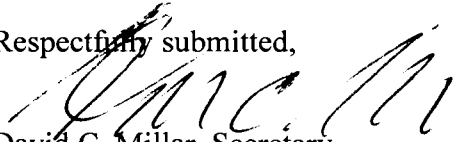
On a motion by Mr. Cozza, seconded by Mr. Keding, the Board voted to receive and file the informational items. The motion carried, 7 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Chairman Kaczor, seconded by Mr. Rood, the meeting was adjourned at 9:06 a.m. The motion carried, 7 – 0.

Next meeting of the Board is scheduled for 8:00 a.m., Wednesday, January 29, 2025.

Respectfully submitted,


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

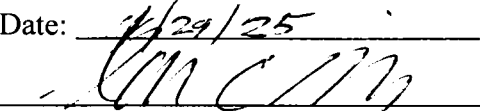
Motion to Approve the December 4, 2024 Meeting Minutes

Moved by: YASON KEDING

Seconded by: VINCENT VARECO

App./Disapp.: APPROVED, 6-0

Date: 12/29/25


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