

ERIE COUNTY SEWER DISTRICT NO. 6 (ECSD NO. 6)
BOARD OF MANAGERS MEETING MINUTES
TUESDAY, APRIL 14, 2026 @ 3:15 PM
LACKAWANNA CITY HALL

MEMBERS PRESENT: James Balcarczyk, Mark Kuwik and Garry Pecak

MEMBERS ABSENT: None

OTHERS PRESENT: Joseph Fiegl, David Hojnacki, Sandra Kocic, Matthew Riggi, and Shannon Schultz

ITEM NO. 1 – CALL THE MEETING TO ORDER

Mr. Balcarczyk called the meeting to order at 3:14 PM.

ITEM NO. 2 – APPROVAL OF FEBRUARY 10, 2026 MEETING MINUTES

On a motion by Mr. Balcarczyk, seconded by Mr. Kuwik, the Board voted to approve the minutes from the February 10, 2026 meeting. The motion carried 3-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no items from the public.

ITEM NO. 4 – OLD BUSINESS

a. Odor Complaints

Mr. Fiegl spoke about the previous odor complaints due to the operations at SweetLife LLC. There have been no new complaints since our last meeting.

ITEM NO. 5 – NEW BUSINESS

a. Notice of Violation – High-Strength Waste Discharges (Handout)

Mr. Fiegl went over the details of the Notice of Violation Letters that have been sent to SweetLife LLC, as part of Item 5.b.

b. Enforcement Hearing: Sucro/SweetLife LLC

On a motion by Mr. Kuwik, seconded by Mr. Balcarczyk, the Board voted to open an enforcement hearing at 3:15 pm regarding SweetLife / Sweet Life, LLC – Lackawanna Refinery's (SweetLife's) alleged violations of the Rules and Regulations of Erie County Sewer Districts, Section 501 – Prohibited Discharges and Section 503 – Discharge of Abnormal (Surchargeable) Strength Sewage. The motion carried 3-0.

The enforcement hearing follows Article XI, Section 1103 of the Rules and Regulations for Erie County Sewer Districts (Rules and Regulations):

- SweetLife was served a Notice of Hearing via a letter dated March 13, 2026.

- The Notice of Hearing stated the time and place designated for the hearing was April 14, 2026 at 3:15pm in the Council Chambers of Lackawanna City Hall. The Notice of Hearing also noted the particulars of the violations charged, namely Sections 501 and 503 of the Rules and Regulations.
- The ECSD No. 6 Board of Managers conducted the hearing.

Starting first, Mr. Fiegl presented evidence from the Erie County Division of Sewerage Management (DSM). Mr. Fiegl noted that SweetLife was previously issued Notice of Violation letters on November 1, 2023 and February 11, 2025 due to violations of the Rules and Regulations, Article V, Section 501.d - Prohibited Discharges: “Any noxious or malodorous liquid, gas, or solid which either singly or by interaction with other substances or waste is sufficient to create a public nuisance”. During an April 2025 hearing held by the ECSD No. 6 Board of Managers, a premium assessment of \$3,500.00 was issued to SweetLife by the Board based on the magnitude of impact of the violations on the people of ECSD No. 6, SweetLife’s past violation record, and the financial impact to ECSD No. 6.

The 2023 and 2025 violation letters pertained to issues related to odors from SweetLife’s discharges. The March 13, 2026 notice of violation letter, which is the subject of this enforcement hearing, relates to high-strength waste discharges from the SweetLife facility. As the March 13, 2026 letter notes, ECSD No. 6 staff noted atypical influent wastewater at the Lackawanna Water Resource Recovery Facility (WRRF) during February 2026. Source track down work identified SweetLife as a probable source. Samples were taken from the SweetLife wastewater pumping station on two separate dates, and the laboratory results were > 21,750 milligrams per liter (mg/L) and >5,400 mg/L for five-day biochemical oxygen demand (BOD) – confirming the SweetLife facility as the source. For reference, typical influent BOD values for the Lackawanna WRRF are in the range of 100-150 mg/L.

These high-strength wastes caused an interference in the operation of the Lackawanna WRRF, leading to a violation of the facility’s State Pollutant Discharge Elimination System (SPDES) permit during the month of February 2026. This constitutes a violation of Section 501.p of the Rules and Regulations. Further, the discharge of wastes above 250 mg/L without a permit constitutes a violation of Section 503.b of the Rules and Regulations. Please note – ECSD staff have been sampling the SweetLife wastewater pumping station for approximately the last month and the sample results are consistently above 250 mg/L.

SweetLife did respond to the March 13, 2026 Notice of Violation in a March 30, 2026 letter. This response was provided within 20-days of SweetLife’s receipt of the Notice of Violation. In the letter, included for the Board’s consideration were details regarding their findings, corrective actions, and their plan for preventing further violations in the future.

Mr. Riggi of SweetLife was present at the hearing to provide additional information. Mr. Riggi explained that they had discovered in their ion exchange system that there has been a discharge within an old pipeline that ultimately discharged to their wastewater pumping station. Attached to this pipeline, they found a valve that had a deteriorating seal. Once found, they cut and capped the line and removed it from the system. Mr. Riggi further described their process, the operation of their facility, and their discharges. He noted that SweetLife is committed to complying with ECSD No. 6 requirements.

The Board members asked several questions of Mr. Fiegl and Mr. Riggi. After a discussion period for the Board Members to deliberate and ask questions, the floor was turned back to Mr. Fiegl on behalf of ECSD No. 6 to present enforcement recommendations.

It is the DSM's view that SweetLife was indeed in violation of the Rules and Regulations, Article V, Sections 501 and 503. Because of the repeated offenses of Article V of the Rules and Regulations and in consideration of the SPDES permit issues for the Lackawanna WRRF, it is the DSM's recommendation that a compliance order be issued, and penalties be assessed.

It is recommended that a compliance order be issued requiring SweetLife to retain the services of a licensed professional engineer in New York State to complete an evaluation and issue a report. This report shall review SweetLife's manufacturing process, identify all piping, drains, sewers, pumping stations, chemical dosing, and related infrastructure, evaluate all current and potential contributions to the ECSD No. 6 system, and recommend improvements that will ensure SweetLife's compliance with the Rules and Regulations. The evaluation shall consider the recent violations of Sections 501.p and 503.b of the Rules and Regulations, as well as past violations of Section 501.d of the Rules and Regulations related to malodorous discharges. The evaluation shall include a schedule for implementation of recommendations.

The evaluation report shall be submitted to the DSM within 90 days of this hearing, or July 13, 2026, unless an extension is granted by the DSM. The DSM will issue comments on the report, after which the professional engineer retained by SweetLife shall have 30 days to revise the report to address the DSM's comments, unless an extension is granted by the DSM. The schedule for implementation of recommendations included in the evaluation report, once approved by the DSM, shall become enforceable.

Further, Section 1104 of the Rules and Regulations notes that violations of Article V will be subject to a premium assessment not to exceed a maximum of ten thousand dollars (\$10,000) for each violation. Each day a violation exists constitutes a separate violation. Considering the nature of the violations, the magnitude of impact of the violations on the operation of the Lackawanna WRRF, SweetLife's past violation record, the testimony Mr. Riggi provided on behalf of SweetLife, and SweetLife's responsibilities to complete the evaluation report under the compliance order, the DSM recommended that a premium assessment be levied.

After further discussion and deliberation regarding the amount and structure of the premium assessment, Mr. Balcarczyk moved, seconded by Mr. Kuwik, to vote to approve issuing a compliance order for the engineering evaluation report and issuing a penalty in the form of a premium assessment in the amount of \$10,000.00. The immediate premium assessment will be \$2,500.00, which will be added to SweetLife's 2027 County property tax bill. The remaining \$7,500.00 will be held in abeyance but will be assessed if SweetLife does not follow the compliance order, including the enforceable schedule in the evaluation report. The motion carried 3-0. The Secretary was authorized to send the compliance order and enforcement letter to SweetLife on behalf of the Board.

On a motion by Mr. Pecak, seconded by Mr. Balcarczyk, the Board voted to conclude the hearing at 3:54 pm. The motion carried 3-0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Hojnacki provided the following Operational Report for ECSD No. 6

ECSD No. 6 Collection Systems:

- Completed an emergency sewer repair on Weber where the sewer district's camera fell out of the bottom of a damaged sewer main and became stuck. A tree was removed by a contractor for staff to perform the repair. The tree was between the sidewalk and curb (confirmed to be on City of Lackawanna property),
- A collapsed sanitary sewer was repaired on Norfred where 23 linear feet of pipe was replaced along with a lateral service connection
- Televising of the 2025/2026 focus area (MS9S) - Ongoing
- Stom Basin Cleaning/Evaluation Program - Ongoing

ECSD No. 6 Facilities:

- Lackawanna Water Resource Recovery Facility (WRRF) - replaced methane gas line gas trap
- Lackawanna WRRF - Replaced Step 3 recirculation pump
- Wilmuth Pumping Station - Replaced the packing of sanitary pump #1

b. Construction Report

Mr. Pecak presented the following construction update for the Board:

Contract 68 - Lackawanna Open Cut Excavation Sanitary Sewer Replacements (Contractor – Visone Construction) - This project was recommended for closeout at the last Board of Managers meeting. Lawn restoration of all the project areas will be checked in the spring for grass establishment.

Contract 95 (Multi-District) -CIPPL Term Contract (Kenyon Pipeline and United Survey) – Kenyon Pipeline continued work on WO 16K which includes 10,089 linear feet of cured-in-place pipe lining (CIPPL) for various sewers in the City of Lackawanna, including in the Ridgewood Village neighborhood, various locations on Abbott Road, and various lines on Adrian Avenue, Warsaw Street, Kirby Avenue, Reddon Street, and South Shore Boulevard . Lining work is in progress. United Survey continued work on WO 9U which includes 1,975 linear feet of various sewers in the City of Lackawanna, including sewers on Maple Grove Avenue, Electric Avenue and South Shore Boulevard. Lining work is in progress.

Contract 96 (Multi-District) - Sanitary Sewer Open Cut Repair Term Contract (Contractors – CATCO, Visone Construction) - A work order was issued to Visone Construction to replace a manhole at the intersection of Maple Grove and Victory Avenue in the City of Lackawanna. The work was completed in early April. A work order was issued to Visone Construction to perform multiple sanitary sewer repairs on Abbott Road prior to an upcoming road project anticipated by Erie County Highways for 2027. Work is anticipated to commence this summer, pending road permits.

Contract 101(Multi-District) - On – Call Sewer Repair Contract (2026-2028) (Visone Construction)
- A pre-construction meeting was held in February for this two-year multi-district on-call/emergency repair contract. Sewer repair work orders may be assigned under this contract on an as needed basis.

c. Payments (Handout)

The Board reviewed payments made to consultants and contractors since the last board meeting.

d. Lackawanna Collection System & Sanitary Sewer Overflow Annual Report (Handout)

Mr. Pecak informed the Board that the DSM submitted its annual Collection System Program and Sanitary Sewer Overflow report to the New York State Department of Environmental Conservation (NYSDEC) in accordance with the annual reporting requirement for State Pollutant Discharge Elimination System (SPDES) Permit.

e. Lackawanna Resource Recovery Facility – Capital Projects Summary (Handout)

Mr. Pecak reviewed a summary of Capital Projects for Lackawanna Water Resource Recovery Facility completed since 2020.

On a motion by Mr. Pecak, seconded by Mr. Kuwik, the board voted to receive the informational items on the agenda. The motion was carried 3-0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Balcarczyk, seconded by Mr. Pecak, the meeting was adjourned at 4:02 PM. The motion was carried 3-0.

The next meeting is scheduled for Tuesday, June 9, 2026 at Lackawanna City Hall.

Respectfully submitted,



Garry S. Pecak, Secretary
ECSD No. 6 Board of Managers

GSP:sk
Motion to Approve the April 14, 2026 Meeting Minutes

Moved by: _____
Seconded by: _____
App./Disapp.: _____
Date: _____
Signed: _____