

MINUTES
PUBLIC HEARING
USER AND UTILIZATION CHARGES
ERIE COUNTY SEWER DISTRICT NOS. 1-6 & 8
SEPTEMBER 24, 2026

PRESENT: David Millar and Joseph Fiegl of the Erie County Department of Environment & Planning.

Mr. Millar opened the hearing at 10:05 A.M. at 95 Franklin St., Buffalo, NY. He then stated the purpose of the hearing is to present the proposed user and utilization charge rates for the Erie County Sewer Districts (ECSDs) for 2027 and to hear all interested members of the public regarding any concerns over the proposed rates.

Mr. Millar then reviewed the rates published in the Buffalo News and the official County newspapers. Mr. Millar read the Notice, and it is attached to these Minutes.

It was explained, by Mr. Millar, how the utilization fees/charges are applied and how the users are surcharged on the basis of water usage and pollutant loadings. Historical cost data from the appropriate treatment plants is used to estimate the actual cost the Districts will incur for treating high strength or high-volume wastewater.

Actual sewage flow may be used if it is materially different from water use and it can be otherwise measured or determined. The burden, however, is on the property owner to justify that water consumption is not a reasonable and cost-effective means to describe sewage flow.

Mr. Millar commented further those residential users in ECSD No. 1, 2, 3, 4, 5 and 8 will be subject to a charge shown as flat usage charge in the 4th row of the table below. Non-Residential users in ECSD No. 1, 2, 3, 4 and 5 exceeding 91,250 gallons per year will be subject to an additional flow charge for that amount greater than 91,250 gallons. The rate for this additional flow is shown in the 5th row of the table below. For ECSD Nos. 6 & 8 all users are charged based on flow (water use). (Water use is used in lieu of sewage flow unless the property owner(s) can substantiate actual sewage volume.)

Regarding wastehaulers, ECSD Nos. 2 and 3 (Southtowns) are the only Districts that accept septage from wastehaulers. The charges for wastehaulers will be \$60/1,000 gallons for septage from parcels outside County Sewer Districts and \$30/1,000 gallons for septage from parcels within any County Sewer District. Note – the \$30/1,000 gallons and \$60/1,000 gallons are minimum charges, with rates applied as fractions thereof above 1,000 gallons.

Hen 5(a)(ii)

	COUNTY SEWER DISTRICT NOS.	1	2	3	4	5	6	8
1	Biochemical Oxygen Demand 5 day (BOD ₅) \$ per lb. ⁽¹⁾	\$0.1967	\$0.13	\$0.06	\$0.1967	N/A	\$0.14	\$0.05
2	Suspended Solids (SS) \$ per lb.	\$0.2912	\$0.08	\$0.23	\$0.2912	N/A	\$0.10	\$0.06
3	Phosphorous (as P) \$ per lb. ⁽²⁾	\$0.0517	\$0.63	\$1.67	\$0.0517	N/A	\$1.12	\$0.53
4	Flat usage charge	\$300.00	\$355.00	\$358.00	\$315.00	\$220.00	N/A	\$165.00
5	Flow (water use) \$ per 1000 gallons ⁽³⁾	\$4.40	\$4.70	\$4.20	\$4.10	\$4.55	\$5.56	\$3.50
6	Wastehaulers\$/1000 gal. (or fraction thereof, from parcels outside County Sewer District) ⁽⁵⁾	N/A	\$60.00	\$60.00	N/A	N/A	N/A	N/A
7	Wastehaulers\$/1000 gal. (or fraction thereof, from parcels within any County Sewer District) ^(4, 5)	N/A	\$30.00	\$30.00 ⁽⁵⁾	N/A	N/A	N/A	N/A

(N/A means not applicable)

- (1) Based on Carbonaceous BOD Data
- (2) Based on total phosphate for ECSD Nos. 1 and 4
- (3) Based on Water Usage, see below
- (4) Properties located within a County Sewer District which in 2027 have septage disposed of by a waste hauler may apply to the District Office (call (716) 858-8383 or email DSM@erie.gov for information) for a partial rebate of the waste hauler charges, up to one half of the actual District sewer taxes paid. In 2027, rebate requests will be honored for septage disposal that has yet to receive a rebate during 2027, 2026 and 2025. Only one rebate request can be made in a calendar year.
- (5) Disposal in ECSD No. 3 is only at the Southtowns Advanced Wastewater Treatment Facility.

Mr. Millar noted that user charges may be collected annually with the regular County Sewer (special) District charges.

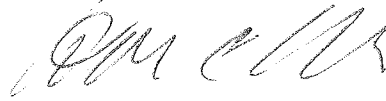
It was then explained by Mr. Millar the next step is for the individual Boards of Managers for the ECSDs to adopt the rates. After this step and subsequent publication in the official County newspapers and the Buffalo News, property owners have 30 days to appeal the adopted schedule of utilization fees, rates and charges to the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, New York.

The effective date of the rates is January 1, 2027.

Mr. Millar asked if anyone else was present to speak for or against adoption of said User and Utilization Charge Rates. No one else spoke.

The Public Hearing closed at 10:10 A.M.

Respectfully submitted, .

A handwritten signature in dark ink, appearing to read 'D. C. Millar', written in a cursive style.

David C. Millar, P.E.
Asst. Deputy Commissioner

DM:bp

Encl.

Cc: D. Millar/0.4.2.User Charge 2027 (w/encl)
0.8.0. Public Hearings, Affid. & Advert. (w/encl)
Boards of Managers 1-6 & 8

NOTICE OF PUBLIC HEARING
USER AND UTILIZATION CHARGES
ERIE COUNTY SEWER DISTRICT NOS. 1, 2, 3, 4, 5, 6 & 8

Erie County Sewer District (ECSD) Nos. 1, 2, 3, 4, 5, 6 and 8 will hold a Public Hearing on their proposed user charge rates on September 24, 2026, at 10:00 A.M. local time in the Conference Room of the Department of Environment and Planning, 95 Franklin Street – Room 1004, Buffalo, NY 14202. At that time, the following information will be considered:

Charges for ratepayers in ECSD Nos. 1, 2, 3, 4, 5, 6 and 8 are based on a combination of unit/usage, parcel, assessed valuation, and footage charges. In addition, a system of user charges for high strength or high-volume wastewaters has been in place since 1981 in order to meet Federal mandates for user charges and more accurately apportion the cost of sewerage service to the ratepayers. The 2027 schedule of charges are available for review at <https://www.erie.gov/dsm>.

If adopted by the ECSD Boards of Managers, property owners will have thirty (30) days from the date of publication of the notice of adoption to appeal this schedule of rates and charges to the Erie County Legislature. Appeals should be sent to the Erie County Legislature, 92 Franklin Street, Buffalo, NY 14202, Attention: Clerk of the Legislature.

The aforesaid schedule of charges may be collected annually with the regular County Sewer (Special) District charges. Those user charges are due and payable on the same date and time as the general County taxes. Late payment penalties will be assessed in the same manner as the penalties for late payment of the general County taxes.

EFFECTIVE DATE - January 1, 2027

Joseph Fiegl, P.E., BCEE
Erie County Sewer Agency

Dated: 8/27/26
Published 9/9/26