Draft Minutes Pending Board Approval

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

MEMBERS PRESENT: James Balcarczyk, Mark Kuwik, Garry Pecak

OTHERS PRESENT: Joseph Fiegl, David Hojnacki, Carl Horne, Sandra Kocic, Matt Riggi, William Strzeszynski

ITEM NO. 1 – CALL THE MEETING TO ORDER

Mr. Balcarczyk called the meeting to order at 3:12 PM.

ITEM NO. 2 – APPROVAL OF JUNE 9, 2026 MEETING MINUTES

On a motion by Mr. Balcarczyk, seconded by Mr. Kuwik, the Board voted to approve the minutes from the June 9, 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

i. Sweet Life: Request for Extension – Evaluation Report (Handout)

The Board received a copy of correspondences including: SweetLife (Sucro Sourcing) LLC's letter dated July 9, 2026 requesting a time extension of two weeks for the completion of their evaluation report pursuant to the Compliance Order issued by the Board at the April 14, 2026 meeting, as well as the Division of Sewerage Management's (DSM's) response granting the extension until July 27, 2026. SweetLife submitted their preliminary report by that date, and the DSM's comment letter dated August 26, 2026 indicated conditions of the Compliance Order were not met, and SweetLife was required to submit a revised report 30 days thereafter on September 25, 2026.

ii. Notice of Violation: Manufacturing Process Report August 26, 2026 Letter (Handout)

In consideration of the preliminary report and subsequent correspondence the Board opened the floor for Mr. Fiegl on behalf of DSM and Mr. Riggi on behalf of SweetLife to clarify their positions regarding the Compliance Order.

Mr. Fiegl noted that the DSM received SweetLife's September 25, 2026 correspondence, but that it does not comply with the requirements of the April 17, 2026 Compliance Order. The Order states: "*The DSM will issue written comments on the report, after which the engineer retained by SweetLife shall have 30 days to revise the report to address the DSM's comments, unless an extension is granted in writing by the DSM. The final report shall be stamped by a licensed professional engineer in New York State.*" SweetLife's September 25, 2026 submittal was not a revised report prepared by its retained engineer, nor was it stamped by a New York State licensed professional engineer. Instead, the response was signed by a SweetLife employee and presented in a format typically used for 'response to comments' letters, rather than an engineer-revised report as required.

The DSM identified several concerns regarding the corrective actions outlined in SweetLife's September 25, 2026 correspondence. Mr. Fiegl addressed Corrective Actions 3 and 11 in particular:

- Corrective Action 3 confuses the SPDES permit violation at ECSD No. 6's Lackawanna WRRF that was caused by SweetLife's discharges with a violation at SweetLife's own facility.
- Corrective Action 3 also stated that the ECDSM was "*disingenuous at best*" in expressing concern that SweetLife may be intending to have a prolonged evaluation period, yet SweetLife's July 27, 2026 report repeatedly indicated that additional time would be needed, including the following statement in the cover letter: "*Sweet Life LLC will continue these sampling and operational efforts until a representative and technically satisfactory report can be developed for ECSD No. 6 review.*"
- Corrective Action 3 also alleges "*various incorrect information and assertions presented in this comment letter from the County*" and, without noting what was incorrect, then presents new information that the ECDSM/County would have no knowledge of because it was not included in the July 27, 2026 report. Examples include:
    - The September 25, 2026 correspondence includes four (4) sanitary sewer discharges that were not listed in the July 27, 2026 report: two (2) sinks, a Truck Wash Bay, and a Cooling Tower.
    - The September 25, 2026 correspondence includes four (4) procedures implemented in June 2026 to address condensate water that were not noted as corrective actions in the July 27, 2026 report.
- Corrective Action 11 noted the SweetLife "*rebuts*" the following statement made by the ECSD No. 6 "*the reality is sugar or other high strength wastes are being discharged into sanitary sewers.*" ECSD No. 6 based this conclusion on data collected between March 11 and May 17, 2026, which showed high BOD and TSS concentrations from SweetLife's discharges. This finding is factual and supported by the data. The data does not indicate a zero discharge at all times, which is why the compliance order required an evaluation by a third party.

Mr. Riggi informed the Board that he was advised by his engineering consultant, Golden Cresent Consulting (GCC) that the response letter was sufficient to meet the requirements of the Compliance Order. Further, Mr. Riggi stated that corrective measures at the facility were identified and have already been implemented to mitigate the risks of further

violations. Mr. Riggi noted that he was confident all the necessary work has been completed, and it just needs to be documented in a different form.

The Board Members inquired regarding how it could be confirmed that the discharges from SweetLife complied with the Rules and Regulations for Erie County Sewer Districts (Rules and Regulations). There were subsequent discussions about additional sampling. The participants debated whether the sampling should occur after submission of a revised report or with the report itself.

After deliberation and additional questions from the Board that Mr. Riggi and Mr. Fiegl addressed, it was agreed that the completed improvements should be confirmed by GCC and testing at the effluent lift station should be conducted prior to submission of a revised report, to verify the improvements were successful in addressing the high strength loadings of concern. The Board concluded that the terms of the original Notice of Violation and fine abeyance were not met, however considering the purported improvements implemented by SweetLife, a time extension to submit the report is warranted.

On a motion by Mr. Kuwik, seconded by Mr. Balcarzyk, the Board voted to grant an extension with the following terms:

- SweetLife will be granted an extension of 60 days from the date of the October 6, 2026 Board meeting to update and complete the mandated report. The new deadline is December 6, 2026.
- The report shall address all previous comments from the DSM and include a summary of test results at SweetLife's lift station to confirm that discharges to the municipal sewer system are in compliance with Rules and Regulations.
- The report shall be stamped by a Professional Engineering registered in New York State.
- SweetLife and their consultants may contact Mr. Pecak with any questions of requests for clarification on requirements.
- Failure to comply will result in assessment of the remaining $7,500 fine held in abeyance per the April 17, 2026 Notice of Violation letter, along with other potential actions by the Board.

The motion carried 3-0.

As a final comment, Mr. Figel stated that the DSM has the goal to support the growth of businesses like SweetLife in ECSD No. 6. SweetLife building its facility in the City of Lackawanna is important to economic development, supporting local jobs, and more. ECSD No. 6's issuance of a compliance order is not a common occurrence, but it was necessary to uphold the Rules and Regulations – which were developed to protect the community as a whole. He reiterated that the DSM is willing to meet with SweetLife and its consulting engineer to clarify any of the comments and streamline the process of SweetLife meeting the requirements of the compliance order.

ITEM NO. 5 – NEW BUSINESS

a. 2027 User Charge

i. Public Hearing Notice & Meeting Minutes (Handout)

The Board received a copy of the public hearing minutes for the 2027 User Charges. The meeting was held on September 24, 2026, and no comments were received from the public. The next step is for the individual Boards of Managers to adopt the 2027 rates. The rates will take effect January 1, 2027.

ii. Approval of Resolution (Handout)

On a motion by Mr. Balcarczyk, seconded by Mr. Kuwik, the Board voted to approve the Resolution to adopt the 2027 User Charge Rates. The motion carried 3-0.

b. 2027 Meeting Schedule (Handout)

The Board reviewed the proposed 2027 meeting schedule. On a motion by Mr. Pecak, seconded by Mr. Kuwik, the Board voted to approve the 2027 Meeting Schedule. The motion carried 3-0.

c. Request for Proposals for Technical Services – Controls Systems (Handout)

The Board considered approval of a resolution to award a Professional Services 3-year term Agreement for Control Systems Technical Services with Black Rock Controls. This will be a Work Order based agreement that each District can utilize as needed for the specialized services to assist with review and design of automated control systems.

On a motion by Mr. Balcarczyk, seconded by Mr. Pecak, the Board voted to approve the Resolution to recommend award of the term agreement to Black Rock Controls. The motion carried 3-0.

d. Confirmation of Email Poll – Contract 80 Blasdell Collections Facility Closeout (Handout)

The Board considered confirmation of the June 18, 2026 email poll approving a resolution to closeout the Blasdell Collections Facility Contract No. 80.

On a motion by Mr. Pecak, seconded by Mr. Kuwik, the Board voted to confirm the closeout Resolution for the Blasdell Collection Facility Project. The motion was carried 3-0.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

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

D6 Collections:
- Staff have moved into the new Collections Facility as of 9/11.
- Completed a sanitary sewer repair on Seal St. where 12' of damaged pipe was replaced to facilitate cured-in-place pipe (CIPP) lining.
- Completed a sanitary sewer repair on Anthony Dr. where 4' of damaged pipe was replaced.
- Completed a sanitary sewer repair on Weber Rd. where 5' of damaged pipe was replaced in response to a sinkhole complaint.
- 3317 S. Park Notice of Violation Discharge of Sanitary Sewage to Storm System - 60-day extension granted. New due date is 10/26/26.
- Repaired/Replaced five catch basins (S. Park, S. Shore, Kennedy, Ridgewood)

D6 Facilities:
- Water Resource Recovery Facility (WRRF) - Repaired South Screw pump.
- WRRF - Replaced Heat pumps. Lab and Upstairs Restroom.
- WRRF - Repaired Chlorine building Sump pumps.

All other tasks were routine in nature.

b. Construction Report

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

Contract 95 (Multi-District) -CIPPL Term Contract (Kenyon Pipeline and United Survey) – WO 16K with Kenyon Pipeline was completed and closed out. The work included 10,089 linear feet of various sewers in the City of Lackawanna, including in the Ridgewood Village neighborhood, various locations on Abbott Road, Adrian Ave, Warsaw St, Kirby Ave, Reddon St, and South Shore Blvd. WO 9U with United Survey is in the process of closeout. The work included 1,975 linear feet of various sewers in the City of Lackawanna, including sewers on Maple Grove Avenue, Electric Avenue and South Shore Blvd. WO 11U with United Survey is complete, with the exception of one sewerline on Martin Road that requires a manhole to be installed under Contract 96.

Contract 96 (Multi-District) - Sanitary Sewer Open Cut Repair Term Contract (Contractors – CATCO, Visone Construction) - Visone Construction completed a work order consisting of multiple sanitary sewer repairs on Abbott Road. There is DPW road project anticipated to start in approximately 2027. WO 12 was issued to Visone Construction to install a new manhole on Martin Road, west of the railroad tracks and near Maryknoll Drive. The manhole is the replace a missing/buried manhole and facilitate CIPP lining under Contract 95. Work is anticipated to be scheduled this fall. A detour is anticipated during the work.

Contract 93 - Sewer Manhole Rehabilitation (Camden Group) - Work Order 7 was completed by Camden Group and is in the process of closeout. The work order consisted of rehabilitation of 27 manholes (six (6) manholes on Center Street, and the remaining 21 in Ridgewood Village.)

c. Payments (Handout)

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

On a motion by Mr. Pecak, seconded by Mr. Balcarczyk, 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 3:58 PM. The motion was carried 3-0.

The next meeting is scheduled for Tuesday, December 1, 2026 at Lackawanna City Hall.

Respectfully submitted,

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

GSP:sk
Motion to Approve the October 6, 2026 Meeting Minutes

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