

**MINUTES  
ERIE COUNTY SEWER DISTRICT (ECSD) NO. 5  
BOARD OF MANAGERS  
FEBRUARY 20, 2013  
CLARENCE TOWN HALL**

**MEMBERS PRESENT:** Messrs. James Callahan, Thomas Ketchum, Timothy Lavocat, Steven Sanders (2:37) and Kevin Zynda

**OTHERS PRESENT:** Messrs., Joseph Fiegl, Larry Krug, Roger Lalli, and Ms. Beth Salatka

**ITEM NO. 1-CALL THE MEETING TO ORDER**

Mr. Callahan called the meeting to order at 2:34 pm.

**ITEM NO. 2 APPROVAL OF OCTOBER 17, 2012 MEETING MINUTES**

On a motion by Mr. Ketchum, seconded by Mr. Zynda, the October 17, 2012 minutes were approved. The motion carried 4-0.

**ITEM NO. 3 FROM THE PUBLIC**

There were no items from the public.

**ITEM NO. 4 NEW BUSINESS**

a. **Welcome New Member**

The Board welcomed Mr. Timothy Lavocat as the newest member. Mr. Fiegl advised the Board that Mr. Lavocat was recommended by the Town Supervisor and subsequently appointed by the County Executive and confirmed by the County Legislature.

b. **I/I Compliance Hearing (Handout)**

Mr. Zynda informed the Board of two properties that had failed to address violations noted for their property during a house inflow/infiltration (I/I) inspection. The property owners had been sent four (4) letters informing them to correct the violation and have not responded. It is the County's recommendation that the Board refer the two properties to a Compliance Hearing.

Mr. Ketchum inquired how the compliance hearing procedure works. Mr. Fiegl explained to the Board the inspection, administrative follow-up, and the compliance hearing processes should a violation not be corrected. It was noted that in this instance, the residents are being cited for a violation of the local "Rules and Regulations of Erie County Sewer Districts." Non-compliance with the "Rules and Regulations of Erie County Sewer Districts (as adopted by the County Legislature) is termed a "violation" and the Board has the authority to levy penalties. Mr. Fiegl was unsure what "class" of violation these items are.

*Item 2*

On a motion by Mr. Zynda, seconded by Mr. Lavocat, the Board approved to refer these two properties to a Compliance Hearing. The motion carried 4-0.

c. Spaulding Lake

Mr. Fiegl informed the Board of an article that surfaced in the newspaper in regard to this privately owned treatment plant being eliminated.

Mr. Lavocat advised the Board that the plant has been placed under a consent order with the New York State Department of Environmental Conservation. A treatment plant elimination project will likely be introduced by the Homeowners Association to the Town Board sometime next week. Mr. Fiegl noted that the County met with Town of Clarence officials to discuss the potential of eliminating the ECSD No. 5 Clarence Research Park treatment facility if the Spaulding Lakes project progresses. Also, if the Spaulding Lakes area becomes part of a Town Sewer District, it would likely be operated and maintained by ECSD No. 5.

**ITEM NO. 5-OLD BUSINESS**

a. Dodge Road Relief Sewer – Status/Harris Hill Pollution Abatement Corporation

Nothing new to report at this time.

b. Creekwood Meadows Subdivision

Nothing new to report at this time.

c. Newhouse Acres Subdivision

Nothing new to report at this time.

**ITEM NO. 6-MISCELLANEOUS/INFORMATIONAL ITEMS**

a. Operational Report – November 2012 through January 2013 (Handout)

The Board received copies of the Northern Region Operational Reports. Mr. Lalli stated the previously mentioned force main failures near the Eastern Hills Mall had been evaluated by a specialized vendor. The vendor found acidic soil corrosion to be the source of the problem. Recommendations to remedy the problem have been made by the vendor and are currently being reviewed by the Division of Sewerage Management (DSM).

b. Construction Report

Nothing new to report at this time.

c.. Pretreatment Report

i. FOG (Handout)

The Board received copies of a letters sent by the DSM to business owners along Main Street. Mr. Zynda informed the Board that letters were sent to business owners upstream of the grease blockage informing them of an inspection to be conducted on their oil/grease separators. This blockage had caused an overflow on Main Street. The inspections were completed on February 6, 2012 and letters on the findings of these inspections are to be sent to the business owners today. Of the businesses inspected, one will be informed that their separator needed to be cleaned more frequently and one will be informed that they are missing a grease separator.

d. December 2012 Update Memo (Handout)

The Board received a memo from Mr. Fiegl updating the Board members on various items as the December meeting was cancelled.

e. Woodland Hills Subdivision – Response Letter to Mr. Wopperer (Handout)

The Board received a copy of the response letter sent to Mr. Wopperer by Mr. Fiegl. Mr. Fiegl discussed the content of the letter with officials from the Towns of Clarence and Amherst prior to issuance. Mr. Callahan stated that the Town of Clarence planning board was discussing the Harris Hill Commons subdivision at their meeting this evening and the Town Board may consider creating / extending a town district at a later date (also including the Woodland Hills subdivision) should the developers agree to incorporate into their projects infrastructure that can later service the Harris Hill area.

f. Minutes from Public Hearing – 2012 Assessment Rolls (Handout)

The Board received a copy of the minutes from the 2012 Public Hearing for the sewer district. The 2012 Assessment Rolls minutes were available as an informational item to the Board members.

g. CIPP Lining Contract – Notice to Proceed (Handout)

The Board received a copy of the “Notice to Proceed” letter to United Survey. Mr. Fiegl explained that the Towns of Amherst and Clarence could utilize this contract for similar projects. Mr. Zynda stated that he would forward copies of the contract to Mr. Ketchum and Mr. Lavocat for their use.

Mr. Callahan moved, seconded by Mr. Sanders to received and file the informational handouts under items 6a-g. The motion carried 5-0.

**ITEM NO. 7-ADJOURNMENT & NEXT MEETING**

Mr. Callahan moved to adjourn the meeting at 2:55 p.m., seconded by Mr. Sanders.  
The motion carried 5-0.

**\*\*\*NEXT MEETING\*\*\*  
APRIL 17, 2013, @ 2:30 PM  
AMHERST TOWN HALL**

Respectfully submitted,



Kevin Zynda, P.E.  
Secretary – Erie County Sewer District No. 5  
Board of Managers

Motioned By: S. SANDERS

Seconded By: K. ZYND

Approved/Disapproved: 5-0

Date: 4/17/13

KZ/bs

**MINUTES**  
**ERIE COUNTY SEWER DISTRICT (ECSD) NO. 5**  
**BOARD OF MANAGERS**  
**APRIL 17, 2013**  
**AMHERST TOWN HALL**

**MEMBERS PRESENT:** Messrs. James Callahan, Thomas Ketchum, Timothy Lavocat, Steven Sanders and Kevin Zynda

**OTHERS PRESENT:** Messrs. Steven Bengart, Joseph Fiegl, Larry Krug, Roger Lalli, and Ms. Brenda Rehac

**ITEM NO. 1-CALL THE MEETING TO ORDER**

Mr. Callahan called the meeting to order at 2:34 pm.

**ITEM NO. 2 APPROVAL OF JUNE 25, 2015 MEETING MINUTES**

- a. Approval of February 20, 2013 Meeting Minutes (Handout)

On a motion by Mr. Sanders, seconded by Mr. Zynda, the February 20, 2013 minutes were approved. The motion carried 5-0.

**ITEM NO. 3 FROM THE PUBLIC**

There were no items from the public.

**ITEM NO. 4 NEW BUSINESS**

- a. I/I Compliance Hearing (Handout)

The Board received a copy of the final violation letter sent to the homeowner at 9210 Clarence Center Rd., requesting them to correct the violation and the homeowner has not responded. Mr. Ketchum questioned when the Hearing will take place. Mr. Fiegl explained all the information regarding non-compliant homeowners throughout the Districts is then grouped together and sent on to the Compliance Hearing which is scheduled for the summer. The results of the compliance hearing would be brought forth to the Board for an ultimate decision on a fine. Mr. Fiegl stated the violation "class" is considered a civil violation, not a misdemeanor. Mr. Callahan moved, seconded by Mr. Sanders to move forward with the Compliance Hearing.

**ITEM NO. 5-OLD BUSINESS**

- a. Dodge Road Relief Sewer – Status/Harris Hill Pollution Abatement Corporation

Mr. Zynda noted there was nothing new to report.

*Item 2*

b. Creekwood Meadows Subdivision

Mr. Zynda stated there was nothing new from Erie County. Mr. Lavocat inquired as to where the project currently stands. Mr. Fiegl explained they are now waiting to hear from the developer.

c. Newhouse Acres Subdivision

Mr. Fiegl updated the Board regarding the Newhouse Acres Subdivision. A new pumping station would be required to move forward with both the Creekwood Meadows and Newhouse Acres Subdivisions. The nearby Loch Lea pumping station would be eliminated with the construction of the new pumping station.

d. Spaulding Lake Subdivision

This project is currently under SEQR lead agency review.

**ITEM NO. 6-MISCELLANEOUS/INFORMATIONAL ITEMS**

a. Operational Report – February (Handout)

Mr. Lalli discussed recurring pump failures at Bryant and Stratton. The Bryant and Stratton pumping station is currently back on line. Originally it was suspected the pump failed due to faulty check valves. The check valves were replaced and the problems persisted. DSM and manufacturing engineers are looking into the issue to find the cause of the problem.

b. Construction Report

There was nothing new to report.

c.. Pretreatment Report

i. FOG Inspection Findings-Business on Main (Handout)

The Board received copies of six letters sent to establishments on Main Street, Clarence. FOG inspections were conducted due to a recent grease blockage and sanitary sewer overflow along Main Street near the six businesses. A waiver application was requested for one business which does not currently have a grease separator.

d. Payments

None

e. Lateral Replacement Program (Handout)

The Board received a copy of the letter sent to homeowners on Roseville Lane in Clarence explaining the DSM's Lateral Replacement Program. The Lateral Replacement Program will require developers of new projects which will add sanitary sewage flow to the ECSD sewer system to remove I&I by replacing deficient laterals. The developer will cover the cost of the materials and installation costs of the lateral. The restoration work will be completed by the homeowner. Roseville Lane has been identified with older laterals installed

with clay tile which may cause excessive storm water and groundwater entering the sanitary sewer system.

Mr. Zynda moved, seconded by Mr. Callahan to receive and file items 6a-e. The motion carried 5-0.

**ITEM NO. 7-ADJOURNMENT & NEXT MEETING**

Mr. Callahan moved seconded by Mr. Zynda to adjourn the meeting at 2:55 p.m. The motion carried 5-0.

**\*\*\*NEXT MEETING\*\*\*  
Monday, June 24<sup>th</sup>, 2013 @ 2:30 p.m.  
CLARENCE TOWN HALL**

Respectfully submitted,



Kevin Zynda, P.E.  
Secretary – Erie County Sewer District no.5  
Board of Managers

Motion to approve minutes of 4/17/13

Moved By: S. SANDERS

Seconded By: K. ZYNDA

Approved/Disapproved: 5-0

Date: 6/29/13

KK/br