ERIE COUNTY SEWER DISTRICT NO. 1
BOARD OF MANAGERS
FEBRUARY 8, 2013 9:30 AM
CHEEKTOWAGA TOWN HALL

MEMBERS PRESENT: Mr. Daniel Higgins, Ms. Mary Holtz, Ms. Sheila Meegan, Mr. William Pugh and Mr. Matt Salah

OTHERS PRESENT: Mr. Joseph Fiegl, Mr. Larry Krug, Mr. Roger Lalli and Ms. Brenda Rehac

ITEM NO.1-CALL MEETING TO ORDER

Ms. Holtz called the meeting to order at 9:32 am.

ITEM NO.2-APPROVAL OF MEETING MINUTES

a. October 5, 2012 Meeting Minutes

Mr. Salah asked if there were any comments then Ms. Holtz moved, seconded by Ms. Meegan to approve the October 5, 2012 meeting minutes. The motion carried 5-0.

ITEM NO.3-ITEMS FROM THE PUBLIC

None

ITEM NO.4-NEW BUSINESS

a. Confirmation of Telephone Poll-Engineering Term Agreements (Handouts)

The Board received the handout which was previously approved via electronic mail in October 2012. The resolution outlines the three year term agreement for engineering services when requested by the Division of Sewerage Management to Arcadis/Malcolm Pirnie; Conestoga-Rovers & Associates; DiDonato Engineering and Design Professionals; URS Corporation; and Audubon Acrhitecture, Engineering, Surveying & Landscape Architecture, P.C. (Wendel Companies). Ms. Meegan moved, seconded by Ms. Holtz to approve the resolution. The motion carried 5-0.

b. I/I Compliance Hearing (Handout)

The Board received copies of the final inspection request letters sent to property owners of 1417 Borden Rd., 1338 Como Park Blvd., West Seneca; and 75 Penwood Drive, Cheektowaga. Ms. Meegan moved, seconded by Mr. Higgins to move forward with scheduling a hearing for non-compliance. The Hearing Officer will then make a recommendation to the Board for consideration. The motion carried 5-0.

ITEM NO.5-OLD BUSINESS

a. Mr. Fiegl briefed the Board about the elimination of the Aurora North Pumping Station project as half of this project will be constructed along Losson Road in Cheektowaga. The bids received in 2012 had all been rejected and URS was retained to re-evaluate the project and make recommendations. The recommendations will be presented at the next District No. 4 Board of Managers meeting. Mr. Fiegl expects a bidding process to begin later this year and will keep the Board abreast of any new developments. Mr. Pugh asked for an update on the Storm Water Pollution Prevention Plan (SWPPP) for this project to be provided at a later date.

b. Mr. Fiegl discussed the merger potential with West Seneca. A tour of West Seneca sewer District's pumping stations will be scheduled.

Item 2

c. Mr. Pugh questioned what regulations, if any, the DEC has promulgated under the new "NYS Sewage Pollution Right to Know" law which takes effect May 1, 2013. Mr. Fiegl stated that he attended a NYWEA conference on February 5th where the DEC presented on this topic. As of now the DEC does not have any rules and regulations or guidelines for the public notification requirement and it seemed unlikely that DEC would have anything finalized by May 1st. Mr. Fiegl will update the Board members at the April 2013 meeting.

ITEM NO.6-MISCELLANEOUS &INFORMATIONAL ITEMS

a. Operational Report- September- December 2012 (Handout)

The Board received copies of the Northern Region Operational Reports. Mr. Lalli stated a leaking gasket at the Mineral Springs Flow Meter was discovered the last week in December. A repair was attempted on January 29th. However, due to the storm surge, it was postponed until February 10th.

b. Pretreatment Report

None

c. Construction Report

Mr. Salah stated that the improvements on Scrivner Drive have not started yet, but the work on and Empire Drive is now complete.

d. District Payments (Handout)

The Board received a copy of the payment made to Visone on February 8, 2013 for invoice # 20126 (Empire/Scrivner Drive) in the amount of $4,908.84.

e. CIPP Lining Contract-Notice to Proceed (Handout)

The Board received a copy of the "Notice to Proceed" letter to United Survey. Effective December 12, 2012, United Survey, Inc., received a 2-yr term agreement for Cured-In-Place Lining for District No.'s 1-6 & 8.

f. Leg. Ltr.-2013-2015 Engineering Term Agreements (Handout)

The Board received a copy of the memorandum from the Department of Environment and Planning to the Erie County Legislature pertaining to proposed agreements to perform engineering services over a three year term for the County Sewer Districts.

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

The Board receive 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. The hearing was held on November 2, 2012 and required by Article 5A of County Law and is an opportunity for the public to voice objections regarding assessments. There were no objections to the ECSD No. 1 portion of the rolls.

h. November 29, 2012 Update Memo (Handout)

The Board received a memo from Mr. Fiegl updating the Board members on various items.

Ms. Holtz moved, seconded by Ms. Meegan to received and file the informational handouts under items 6a-h. The motion carried 5-0.

ITEM NO.7-ADJOURNMENT & NEXT MEETING

Ms. Holtz moved, seconded by Ms. Meegan to adjourn the meeting at 9:55 am. The motion carried 5-0.

*****NEXT MEETING*****
Friday, April 12, 2013 @ 9:30 AM
BURCHFIELD NATURE & ARTS CENTER

Respectfully submitted,

Matt Salah, P.E.
Secretary-ECSD No. 1
Board of Managers

Moved By: HOLTZ
Seconded By: PUGH
Approved/Disapproved: 3-0
Date: 4/12/13

ON BEHALF OF M. SALAH

MS:br

ERIE COUNTY SEWER DISTRICT (ECSD) NO. 1
BOARD OF MANAGERS
APRIL 12, 2013 - 9:30 AM
BURCHFIELD NATURE & ARTS CENTER

MEMBERS PRESENT: Hon. Mary Holtz, Hon. Sheila Meegan, and Mr. William Pugh

MEMBERS ABSENT: Mr. Daniel Higgins and Mr. Mutasem Salah

OTHERS PRESENT: Mr. Joseph Fiegl, Mr. Lawrence Krug, Mr. Roger Lalli, Mr. Garry Pecak, and Ms. Brenda Rehac

ITEM NO.1-CALL MEETING TO ORDER

Ms. Holtz called the meeting to order at 9:40 am.

ITEM NO.2-APPROVAL OF MEETING MINUTES

a. February 8, 2013 Meeting Minutes

Ms. Holtz moved, seconded by Mr. Pugh to approve the February 8, 2013 meeting minutes. The motion carried 3-0.

ITEM NO.3-ITEMS FROM THE PUBLIC

None

ITEM NO.4-NEW BUSINESS

a. I/I Compliance Hearing (Handout)

The Board received copies of the final inspection request letters sent to property owners of 51 Freemont Avenue and 5162 Transit Road. Ms. Holtz moved, seconded by Ms. Meegan, to forward both properties to the next scheduled hearing for non-compliance. The motion carried 3-0.

ITEM NO.5-OLD BUSINESS

a. Mr. Fiegl briefed the Board concerning the elimination of the Aurora North Pumping Station. A portion of the sewer goes through ECSD No. 1. The County is currently investigating one last option to decrease the cost associated with the project.

b. Mr. Fiegl updated the Board on the "New York State Sewage Pollution Right to Know" law that takes effect May 1, 2013. The New York State Department of Environmental Conservation has not finalized their Rules and Regulations.

c. Mr. Fiegl noted that Commissioner Maria Whyte would likely be contacting the Town of West Seneca to setup a meeting to discuss the Town's infrastructure and planned projects. Ms. Holtz stated that she would like to be notified of when the meeting is scheduled.

Item 2

ITEM NO.6-MISCELLANEOUS &INFORMATIONAL ITEMS

a. Operational Report-January and February (Handout)

Mr. Lalli reported in early March there was a break in at Old Cayuga storage facility. It did not appear that anything had been taken; however, a police report was filed. A heavier door has since been installed, along with better lighting and a surveillance camera. The police department is looking into the matter.

In addition, Mr. Lalli stated on Friday April 5, 2013 a manhole cover on Union Road was dislodged and consequently damaged three vehicles. The District was notified by Town of West Seneca police and a crew was called to road plate the manhole until subsequent repairs could be completed on Monday, April 8th. On Saturday April 6th, a Supervisor checked the area and discovered that the road plate had been stolen. It was then decided to call in additional staff to replace the manhole frame and cover immediately. The stolen road plate was discovered at a nearby business. Town of West Seneca police were called and with pictures which had been taken prior, it was confirmed the road plate belonged to the sewer district. Considering the public safety concerns, the Board recommended that charges be pursued for the stolen road plate.

b. Pretreatment Report

None

c. Construction Report

Mr. Fiegl stated 10 of the 11 sewer sections slated for cured in place pipe lining in 2012 have been completed, with the last section to be done this month. Another work order for 2013 sections is anticipated to be executed later this year.

d. District Payments

None

Ms. Meegan moved, seconded by Mr. Pugh, to receive and file the informational handouts presented under Item No. 6. The motion carried 3-0.

ITEM NO.7-ADJOURNMENT & NEXT MEETING

Ms. Holtz moved, seconded by Ms. Meegan to adjourn the meeting at 10:03 am. The motion carried 3-0.

*****NEXT MEETING*****
Friday, June 21, 2013 @ 9:30 A.M.
CHEEKTOWAGA TOWN HALL

Respectfully submitted,

4/26/13

Joseph Fiegl, P.E.
Deputy Commissioner

Motion to approve minutes of Apr. 12, 2013

Moved By: Ms Meegan

Seconded By: Mr Pugh

Approved/Disapproved: (4,0)

Date: 6/21/13

JF:br

ERIE COUNTY SEWER DISTRICT NO. 1
BOARD OF MANAGERS
JUNE 21, 2013-9:30 AM
CHEEKTOWAGA TOWN HALL

MEMBERS PRESENT: Mr. Daniel Higgins, Ms. Sheila Meegan, Mr. William Pugh and Mr. Matt Salah

MEMBERS ABSENT: Ms. Mary Holtz

OTHERS PRESENT: Mr. Glenn Absolom, Mr. Joseph Fiegl, Mr. Larry Krug, Mr. Roger Lalli and Ms. Brenda Rehac

ITEM NO.1-CALL MEETING TO ORDER

Ms. Meegan called the meeting to order at 9:32 am.

ITEM NO.2-APPROVAL OF MEETING MINUTES

a. April 12, 2013 Meeting Minutes

Ms. Meegan moved, seconded by Mr. Pugh to approve the April 12, 2013 meeting minutes. The motion carried 4-0.

ITEM NO.3-ITEMS FROM THE PUBLIC

None

ITEM NO.4-NEW BUSINESS

a. i. Presentation and Approval of 2014 Budget

ECSD No. 1 Budget Discussions

Mr. Fiegl presented the proposed ECSD No. 1 Budget to the Board. Overall, the 2014 ECSD No. 1 appropriations or expenses are budgeted to increase approximately 3.8%. Due to an increase in anticipated revenues, the actual District tax levy is projected to increase by slightly less (3.15%). It is important to note that in the 2013 budget, the District tax levy actually decreased slightly.

ECSD No. 1 is one of three sewer districts that comprise the Division of Sewerage Management's "Northern Region." The Northern Region budget is developed based upon a Memorandum of Understanding dated 6/19/91. Essentially, the Memorandum of Understanding outlines which costs or expenses are shared items and which items are exclusive to individual districts and their respective budgets. In summary:

- Costs such as personnel, supplies, equipment, "Division-wide" expenses, etc. are shared based upon the ratio of units in each sewer district and the total units in Northern Region.
- Contractual treatment charges, debt service, revenues, fund balance, and capital reserve are exclusive to each sewer district.

Item 2

For this year, Northern Region shares in approximately 46.5% of the Division-wide expenses. Within Northern Region, ECSD No. 1 is responsible for approximately 36% of the costs.

Reviewing the Detail Summary for ECSD No. 1, total appropriations are projected to increase almost $258,000 when compared to 2013, with most of that increase is attributed to a $200,000 increase in the allocation to capital reserves. On the revenue side, "user charges" are projected to increase, while the ECSD No. 1 fund balance allocation has been decreased when compared to the 2013 budget. Observing recent trends on amount available and amount used, it is believed that this allocation of fund balance is prudent.

As stated previously, the estimated impact to the typical ratepayer (single family home) in ECSD No. 1 is approximately a 3% increase for 2014, or around $12 when compared to 2013 budget.

Fringe benefits for employees are being calculated at 67% in this budget. Actual numbers are not available at this time. Increases in pension and medical insurance are projected, influencing the change from the 2013 budget.

The 2013 equipment line items represent $258,000 of the Northern Region budget. The major items includes the replacement of two (2) vehicles, purchase of a trailer to reuse a generator, and the Northern Region's standard unanticipated replacement item.

Before going into specific details of the budget line codes, Mr. Fiegl explained that the budgets are developed conservatively, with the understanding that monies left over at year end are transferred to fund balance and utilized as a revenue to offset future rate impacts. Items listed in the budget as "DSM" are expenses for the Downtown office. Northern Region contributes 46.5% of these Downtown office expenses.

A review of the individual budget codes was provided. Specific items highlighted included the budgeting on fuel, the $100,000 increase in I&I repair, costs associated with contractual conveyance and treatment, AVL monitoring fees, utility cost decreases, and personnel costs.

Fund balance usage as an offsetting revenue is budgeted at 55%. The available district fund balance at 12/31/12 represents approximately 2.4 months of 2014 budgeted appropriations.

It is recommended for the 2014 Budget that the flat charge remain unchanged at $200.00 per unit and the footage charges in ECSD No. 1 remain at $0.60 / foot. At this time, the Board would be approving the revenues for ECSD No. 1. At the Combined Budget Meeting on June 26th, the entire Northern Region budget is voted upon. If at that time any changes are proposed by either the ECSD No. 4 or ECSD No. 5 Board of Managers, said changes will be presented and discussed at the July 2013 ECSD No. 1 Board of Managers meeting. Mr. Salah moved, seconded by Ms. Meegan to approve the 2013 Budget. The motion carried 4-0.

ii. <u>271 Resolution</u>

Mr. Fiegl presented the 271 resolution to the board for review and approval. Approximately 41%, 8%, and 51% of the total sanitary sewer tax levy of $6,326,583 will be raised from the assessed value, footage and flat charges, respectively.

Mr. Salah moved, seconded by Ms. Meegan, to approve Resolution 271 with a flat charge of $200.00 and footage charge of $0.60. The motion carried 4-0.

Mr. Fiegl noted that Resolution 271 has been passed under the assumption that the combined budget for the Northern Region will remain unchanged after the upcoming combined budget meeting on June 26th. It was reiterated that if there are any modifications necessary, the budget and this resolution may need to be amended at the already scheduled July 5th ECSD No. 1 meeting.

b. I/I Compliance Hearing (Handout)

The Board received a copy of the final violation notice sent to 7 Autumn Lane, 1425 Como Park and 1449 Como Park Blvd. The Division of Sewerage is recommending a Compliance Hearing. Ms. Meegan moved, seconded by Mr. Higgins to move forward with the Compliance Hearing. The Hearing Officer will then make a recommendation for the consideration to the Board. The motion carried 4-0.

ITEM NO.5-OLD BUSINESS

Mr. Fiegl briefed the Board concerning the County's agreement with the Frank Lloyd Wright Boathouse Corporation. The Buffalo Boathouse has requested some flexibility with the final payment for the capital development. Mr. Fiegl will discuss the matter with the County Attorney and will follow up with Board.

ITEM NO.6-MISCELLANEOUS &INFORMATIONAL ITEMS

a. Operational Report-March and April (Handout)

Mr. Lalli stated in an item related to 4b., he was contacted by the homeowner of 1425 Como Park Blvd., who felt her property was not in violation and would contact the County Executive's office regarding the matter. Mr. Lalli met with the homeowner, along with Mr. Leonard Williams representing Mr. Poloncarz's office. Mr. Lalli explained the necessary steps to comply, which included raising the low lying vent six (6) inches. The homeowner agreed to rectify the violation, but would require additional time to take care of the matter. Mr. Lalli agreed to extend the time allowed for correction until August 1, 2013. If action has not taken place by that noted date, her property will continue to move forward with the Compliance Hearing stage.

Mr. Lalli informed the Board the replacement of the VFD's at the Industrial Park Pumping Station is in the hands of the County's purchasing department.

Mr. Lalli updated the staff with the theft of a road plate which took place on Union Road.

b. Pretreatment Report

None

c. Construction Report

Mr. Salah stated the Scrivner Road project is 75% complete with a few set- backs.

d. District Payments

June payment to Visone for the Empire Drive, Scrivner Road project was completed.

e. Compliance Hearing & Retainer Agreement (Handout)

The Board received a copy of the memo regarding the Retainer Agreement between the County and Feldman Kieffer, LLP, which will act as a hearing officer for compliance hearings in response to violating the Rules and Regulations for ECSDs. A compliance hearing has been set for Wednesday, August 14, 2013.

f. Sewage Pollution Right to Know Act

Mr. Fiegl briefed the Board on the Right to Know Act which went into effective May 1, 2013. During the last rain even, district #1 reported 1 ½" to 2" in a 24 hour period with no SSO's. The Division of Sewerage Management has developed protocols to be in compliance with the new Law.

Mr. Salah moved, seconded by Ms. Meegan, to receive and file the informational handouts presented under Item No. 6. The motion carried 4-0.

ITEM NO.7-ADJOURNMENT & NEXT MEETING

The Board discussed Mr. Salah attending and representing the Board on their behalf at the Combined budget meeting.

On a motion by Mr. Salah, seconded by Ms. Meegan the meeting was adjourned at 10:23. The motion carried 4-0.

Budget Meeting, Wednesday, June 26, 2013 @ 3:00 p.m.
Northern Region Administration Building

Regular meeting, July 5, 2013 @ 9:30 a.m.
Burchfield nature & Arts Center

Respectfully submitted,

Matt Salah, P.E.
Secretary-ECSD No.1
Board of Managers

Motion to approve minutes of 6/21/13

Moved By: Ms HOLTZ

Seconded By: Mr SALAH

Approved/Disapproved: (4,0)

Date: 10-4-2013

Signed:

MS:br