

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY FEBRUARY 12, 2014
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, David Kaczor, Gerry Kapsiak, Mike Kasprzyk, David Millar, Glenn Nellis, Karl Simmeth, John Wilson, and Don Witkowski

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joseph Fiegl, Kevin Kaminski, Larry Krug, Mary Sweet

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:02 a.m.

ITEM NO. 2 – APPROVAL OF DECEMBER 11, 2013 MEETING MINUTES

On a motion by Mr. Nellis, seconded by Mr. Millar, the Board voted to approve the minutes from the December 11, 2013 meeting. The motion carried 9 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed the payment handout for the month of February. On a motion by Mr. Simmeth, seconded by Mr. Wilson, the Board voted to approve the February payments. The motion carried 9 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Steuben Foods

Mr. Fiegl summarized recent events involving Steuben Foods and the proposed Elma Pumping Station improvements that will provide redundant pumping capacity up to approximately 1.0 million gallons per day (mgd) at the station. Mr. Fiegl informed the Board that he had discussed with the County Attorney's office the possibility of developing an agreement to pay for construction and engineering costs in accordance with the recommendations of the Board from the December 2013 meeting and was informed that this funding arrangement would be acceptable. Mr. Fiegl added that Steuben Foods had reviewed and approved the proposed scope and budget for related engineering work to be performed by a consultant under the standing Engineering Services Term Agreement. The Division of Sewerage

Item 2

Management (DSM) will proceed with preparation of an Agreement with Steuben Foods, for the Board's approval, detailing the terms and conditions for repayment of construction and engineering costs associated with the proposed Elma Pumping Station improvements. The DSM will also retain Arcadis for the design phase services through a term contract assignment.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported a problem with one of the main generators at the Southtowns facility which is currently out of service. Penn Power is on site repairing the generator. Mr. Kaminski also reported there have been equipment performance issues, specifically with frozen valves, concerning the Vacuum-Pressure Swing Adsorption (VPSA) oxygen generation system at the plant. A technician will be coming from Praxair to assist in the repair of the unit.

Mr. Canestrari reported on recent weather events, particularly rain/snow melt events during the weekends of 12/21/13 and 1/11/14 and the blizzard on 1/7/14. He noted that preparations were made in advance of these events in a proactive manner, including scheduling staff ahead of time to perform work around the clock, mobilizing equipment ahead of time, etc. He added the treatment plant had an unexpected visitor from the public spend the day at the Southtowns facility seeking shelter during the 1/7/14 blizzard.

Mr. Fiegl noted that the DSM appreciates the Board's support when it comes to budgeting for portable pumps, portable and permanent generators, four-wheel drive vehicles, 24/7 vehicle authorization for certain staff, overtime, cell phones, and similar items. These items are invaluable in making sure that the sewer district is responsive to our ratepayers and that our staff can provide service under adverse conditions.

Mr. Mills inquired about an issue in the vicinity of Sandy Rd. and Old Lake Shore Rd. during heavy rain events, as reported to him by a resident from that area. Mr. Fiegl responded that, if this is a sanitary sewer issue, the resident would be best served by reporting the problem to the Erie County Sewer District No. 2 office at 549-3161. Erie County Highways or the Town of Evans would be involved if it is a storm sewer issue.

b. Pretreatment Report

i. Industrial Waste Survey – 3rd Notice (Handout)

The Board reviewed a copy of the letter from the DSM to local businesses in the District requesting completion of an industrial waste survey as required by State Pollution Discharge Elimination System (SPDES) permit conditions. As this is the 3rd notification from the DSM to the respective recipients concerning the industrial waste information required by state and federal agencies, the letter notes the DSM will take appropriate action if the survey is not completed.

ii. Industrial Flows (Handout)

The Board reviewed a letter from the DSM to Moog, Inc. in response to its revised discharge permit application for the Conley Rd. facilities. Based on the application, an industrial discharge permit is not required. Moog will be responsible for an equity fee of \$605 related to the additional flows referenced in the application.

b. Construction Report

i. Contract 70 – Notice to Proceed 2014 Work Orders (Handout)

The Board reviewed a formal Notice to Proceed for 2014 Cured-In-Place Pipe Lining Term work in the District.

Mr. Millar stated that work related to the Charlotte, Sherburn, McKinley Pump Station Elimination Project, Contract No. 40, is complete. The DSM is presently evaluating Contractor claims for alleged differing site conditions. When the claims are settled, the related Contract will be closed out. Mr. Witkowski stated the Village of Hamburg was pleased with all work completed under the several construction projects targeted to satisfy the terms of the Village's New York State Department of Environmental Conservation (NYSDEC) Order on Consent.

d. Letter to NYSDEC

i. Village of Hamburg – Order on Consent (Handout)

The Board reviewed a letter from the DSM to the NYDEC requesting close out of the Village of Hamburg Order on Consent (Order). The Village had entered into the Order prior to transferring ownership of its sanitary sewer assets to Erie County in 2005/2006. The County served as the Village's agent for engineering and construction work associated with the Order. Mr. Millar stated that all conditions of the Order had been satisfied including mitigation of several Sanitary Sewer Overflows (SSOs). No formal response to the letter has been received from the NYSDEC by the DSM at this time.

ii. NYSDEC – SSES Revised Work Plan (Handout)

The Board reviewed a copy of a transmittal letter from the DSM to the NYSDEC for submission of the revised Infiltration/Inflow (I/I) Analysis and Sewer System Evaluation Survey (SSES). Revisions to the original submittal included providing additional information regarding evaluation activities routinely performed on the collection system by the DSM.

e. Leg. Letter National Association of Clean Water Agencies (Handout)

The Board reviewed a copy of a Legislature Letter authorizing the DSM to issue a \$3,000 payment to the National Association of Clean Water Agency (NACWA) to support its legal challenge against the United States Environmental Protection Agency (USEPA) regarding new

rules and regulations pertaining to sewage sludge incinerators. The Legislature Letter is in response to the Board's action from the December 2013 meeting.

f. Local Law No. 4 – Hydraulic Fracturing (Handout)

The Board reviewed a copy of a new local law entitled "Banning of Hydraulic Fracturing on Land Owned by Erie County". The law bans hydraulic fracturing for natural gas (fracking) on county owned lands and prohibits acceptance of fracking waste at Erie County owned Sewage Treatment Facilities. Mr. Fiegl noted that the Division will be reviewing the "Rules and Regulations for Erie County Sewer Districts" to ensure compliance with this new law. He also stated that no County Treatment Facility has now, or in the past, ever accepted any hydraulic fracturing wastes.

g. NYWEA Collection System Safety Award (Handout)

The Board reviewed a copy of a notice citing that Erie County was selected by the New York Water Environment Association, Inc. (NYWEA) to receive its annual collection system safety award. This award is a reflection of the very good work done by all District personnel.

Mr. Fiegl notified the Board the recipient of this year's Frank E. Van Lare Award from NYWEA is Chairman John Mills. The honor is awarded annually, if a worthy candidate is identified, to a locally elected official at the County, City, Town, or Village level who has made a substantial and meaningful contribution to advancing effective water quality environment programs. Criteria for the award include support of local environmental projects, commitment of financial and personnel resources for improving the environment, promoting local laws to improve the environment, and promotion of environmental public education efforts. The Board congratulated this year's very deserving Frank E. Van Lare Award recipient, Chairman John Mills.

h. Electric Demand Increase January 2014 (Handout)

The Board reviewed a letter from the Erie County Commissioner of Public Works, John Lofreddo. Mr. Lofreddo stated that due to the extreme cold weather gripping much of the country, January's electric invoices will likely be 2 to 3 times higher than normal for the next few weeks. Mr. Fiegl noted that the Board and the DSM budgets conservatively; however, if this trend were to continue well into the year there could be some budgetary problems.

i. Buffalo News Article – Sewer Main Break (Handout)

The Board reviewed an article in the Buffalo News concerning a sewer main break in Lancaster, Erie County Sewer District No. 4, that resulted in a street collapse. Mr. Millar stated the sewer pipes involved with the collapse are Asbestos Cement Pipe (ACP) which are susceptible to degradation by hydrogen sulfide (H₂S). Mr. Fiegl noted that all the Districts have ACP pipe within their respective service areas and that the DSM is undertaking a project to

analyze the pipes that are most susceptible to H₂S degradation in an attempt to prevent future collapses.

On a motion by Mr. Kasprzyk, seconded by Mr. Millar, the Board voted to receive and file Miscellaneous/Informational Items 6.a. through 6.i. The motion carried 9 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Mills, seconded by Gerry Kapsiak the meeting was adjourned at 8:42 a.m. The motion carried 9 – 0.

Next meeting is scheduled for April 19, 2014 at 8:00 a.m.

Respectfully submitted,



Secretary
ECSD No. 3 Board of Managers

Motion to Approve the Feb. 12, 2014 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: GLENN NEELIS

App/Disapp: APPROVED 9-0

Date: 2/19/2014



David C. Millar, Secretary
ECSD No. 3 Board of Managers

DM:ms

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY APRIL 9, 2014
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, David Kaczor, Gerry Kapsiak, Michael Kasprzyk, David Millar, Glenn Nellis, Karl Simmeth, John Wilson, Don Witkowski

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Jim Carr, Legislator Lynn Dixon (8:20am), Joe Fiegl, Kevin Kaminski, Jill Krafft, and Larry Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:00 a.m.

ITEM NO. 2 – APPROVAL OF FEBRUARY 12, 2014 MEETING MINUTES (Handout)

On a motion by Mr. Kasprzyk, seconded by Mr. Nellis, the Board voted to approve the minutes from the February 12, 2014 meeting. The motion carried 9 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed the payment handout for the month of April. On a motion by Mr. Kaczor, seconded by Mr. Wilson, the Board voted to approve the April 2014 payments. The motion carried 9 – 0.

b. Permit Refund – 3056 Abbott Road (Handout)

The Board considered a request for refund of a duplicate permit fee for the property at 3056 Abbott Road. In this case, the general contractor originally obtained a permit. Roughly one year later his subcontractor, NFP & Sons, obtained another permit for the same property.

On a motion by Mr. Kaczor, seconded by Mr. Nellis, the Board voted to refund the duplicate permit fee of \$977.00 to NFP & Sons. The motion carried 9 – 0.

Item 2

c. Contract Close Out – Siemens Energy Performance Contract (Handout)

The Board considered a resolution to close out the Siemens Energy Performance Contract. The total value of the Contract was \$1,092,706.00, of which \$667,359.40 is allocated to work completed in Erie County Sewer District No. 3. Siemens Building Technologies was retained to implement energy saving improvements at the Southtowns Advanced Wastewater Treatment Facility. The improvements included replacement of 3 heating system boilers, replacement of the plant's potable hot water system, and installation of a new automatic glycol make-up unit.

Mr. Kasprzyk wanted to verify, given this project was jointly undertaken with another Erie County Sewer District, that the Division of Sewerage Management (DSM) was satisfied with the savings realized by the ECSD No. 3 portion of the project. Mr. Fiegl indicated yes.

On a motion by Mr. Wilson, seconded by Mr. Simmeth, the Board voted to approve close out of the Siemens Energy Performance Contract. The motion carried 9 – 0.

d. I/I Approval for Compliance Hearing (Handout)

The Board reviewed copies of the final violation notices from the DSM to several residents in District No. 3. Written requests were mailed to each resident on several occasions, without response, to complete a house inspection or correct a deficient condition found during the DSM's Inflow/Infiltration inspection program. As a result, these residents have been referred to the Board to be considered for a hearing with the Division's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Kaczor, seconded by Mr. Kasprzyk, the Board voted to approve the compliance hearing request. The motion carried 9 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Steuben Foods Update (Handout)

Mr. Millar discussed an informational item regarding Steuben Foods involving a scaling issue at the Elma Pump Station. Steuben has indicated the source of the problem is likely from its new treatment system and is proposing to conduct a study of possible causes. Steuben anticipates reporting preliminary study findings by mid-April.

Mr. Fiegl reported to the Board that design of pumping upgrades at the Elma Pump Station by ARCADIS is under way and currently on schedule. The next step for the Division of Sewerage Management is to coordinate the terms of an Agreement with Steuben Foods for repayment of capital project costs. The Agreement will be prepared prior to construction of the upgrades, which will likely commence early next year.

This is an informational item. No action is required by the Board.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported that the No. 1 generator at the plant is functional again and the on-site Vacuum Pressure Swing Adsorption (VPSA) oxygen generation system has been repaired. Mr. Kaminski added that the New York State Department of Environmental Conservation (NYSDEC) recently conducted its annual inspection of the Southtowns AWTF and that, while no follow-up letter has been received yet, the inspection seemed to go relatively well.

Mr. Canestrari reported a sewer repair on Clifton Parkway in the Town of Hamburg (former Mount Vernon Sewer District). The repair involved bypass pumping to complete the work.

Mr. Fiegl informed the Board that with all the recent wet weather and snow melt events the Southtowns AWTF has been processing higher than typical flow rates on a consistent basis. Furthermore, the plant has been treating more wastewater and diverting less to the ORF due to improvements implemented by the County. Because of the higher rate of flow treated, ECSD No. 3 will be required to submit a flow management plan to the NYSDEC after exceeding a regulatory threshold (95% of design capacity). Mr. Fiegl noted that the DSM has been proactive on this item and anticipates that the flow management plan will primarily include already completed or planned initiatives.

Mr. Wilson commented on a sanitary sewer repair in the Village of Orchard Park and complimented ECSD No. 3 staff for doing a great job.

b. Pretreatment Report (Handout)

The Board reviewed a copy of an industrial waste survey request sent to a new location at 4255 McKinley Parkway. This survey is a requirement of our SPDES permit.

c. Construction Report

i. Contract No. 50 – Award of Contract (Handout)

The Board reviewed a status memorandum for Contract 50. The project consists of the installation of approximately 383 linear feet of 8-inch diameter gravity sewer pipe, installation of a new manhole, and abandonment in place of 94 linear feet of 8-inch diameter gravity sewer pipe. The goal of the project is to mitigate the Sanitary Sewer Overflow (SSO) that ECSD No. 3 took over in 2008 at the corner of Robin Lane and Big Tree Road. The project was bid through the Purchasing Department and will be awarded within the next two weeks. Mr. Fiegl noted that significant effort has been directed at resolving the Robin Lane SSO issue.

d. Ltr. to NYSDEC – Southtowns AWTF & Blasdell Annual Report (Handout)

The Board reviewed a copy of a transmittal letter from the DSM to the NYSDEC for submission of the Annual Capacity, Management, Operation, and Maintenance (CMOM) Report. The Annual CMOM Report is a SPDES permit requirement and this was the first submission of that report.

e. Ltr. to NYSDEC – Title V Application Submittal (Handout)

The Board reviewed a copy of a transmittal letter from the DSM to the NYSDEC for submission of the Title V permit application required as part of the new air regulations affecting the Southtowns AWTF incinerators. Mr. Fiegl noted that there are now less than two years to implement necessary changes to the incineration system identified in the Title V application. He also noted that there may be discussions to complete related engineering services through a standing term contract and added that he will keep the Board informed of the status of this project as it progresses.

f. NYSDEC Annual Compliance Inspection – Holland WWTF (Handout)

The Board reviewed the annual inspection results letter from the NYSDEC regarding the Holland WWTF. The letter states the plant is considered to be well operated and maintained and is generally in compliance with all SPDES permit effluent limits.

g. WIVB Article – Seneca Mortgage (Handout)

The Board reviewed a copy of an article posted on the WIVB website announcing expansion of Seneca Mortgage Investments into the Jamison Business Park Facility, which is the former Motorola Facility. The projected flow rate from the facility, based on the approximate numbers of occupants identified in the article, will be less than the 30,000 gallons per day and below the maximum allowable under the Elma force main agreement.

On a motion by Mr. Wilson, seconded by Mr. Kaczor, the Board voted to receive and file the above items. The motion carried 9 – 0.

Chairman Mills continued the meeting by discussing his attendance at this year's Greater Buffalo Environmental Conference. Chairman Mills was recognized for being the recipient of this year's New York Water Environment Association (NYWEA) Frank E. Van Lare Award at the event. Chairman Mills extended his thanks to Mr. Fiegl for his very complimentary remarks about the District 3 Board of Managers at the conference.

Mr. Carr updated the Board about the status of close out of the Charlotte/ Sherburn/ McKinley Pumping Station elimination project with Millhurst Construction. He noted that there have been several meetings with the Contractor to resolve a dispute over compensation

for purported differing site conditions. Mr. Fiegl stated that he believes the County is dealing fairly with the Contractor. The Board will be kept informed on this item.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Millar, seconded by Mr. Kapsiak, the meeting was adjourned at 8:34 a.m. The motion carried 9 – 0.

Next meeting is scheduled for Wednesday June 18, 2014 at 8:00 a.m.

Respectfully submitted



David C. Millar, P.E.
Secretary

ECSD No. 3 – Board of Managers

Motion to Approve the April 9, 2014 Meeting Minutes

Moved by: GLENN NEELIS

Seconded by: JOHN WILSON

App/Disapp: APPROVED 8-0

Date: 6/18/2014



David C. Millar, Secretary
ECSD No. 3 Board of Managers

DM:jk

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY JUNE 18, 2014
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, David Kaczor (8:10 a.m.), Gerry Kapsiak, Michael Kasprzyk, David Millar, Glenn Nellis, Karl Simmeth, John Wilson, Don Witkowski

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joe Fiegl, Kevin Kaminski, Jill Krafft, Larry Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:02 a.m.

ITEM NO. 2 – APPROVAL OF APRIL 9, 2014 MEETING MINUTES

On a motion by Mr. Nellis, seconded by Mr. Wilson, the Board voted to approve the minutes from the April 9, 2014 meeting. The motion carried 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed the payment handout for the month of June 2014. On a motion by Mr. Simmeth, seconded by Mr. Millar, the Board voted to approve the June 2014 payments. The motion carried 9 – 0.

b. Resolution for Close Out of CRA Engineering Agreement (Handout)

The Board considered a resolution to close out the Agreement with Conestoga Rovers & Associates (CRA) for engineering services related to the Crescent Avenue Pump Station project, Contracts 43 PS G and E. The project was constructed to eliminate the South Buffalo Pump Station and corresponding Sanitary Sewer Overflow (SSO) through an inter-municipal agreement with the Village of Hamburg. The DSM recommends formal closeout of the CRA Agreement in the final amount of \$240,000.00, which includes Change Order No. 1, an increase of \$7,208.00. The increase represents additional inspection time necessary to monitor construction activities as the project took longer than anticipated when providing the original scope and budget for the inspection services task.

*Item
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On a motion by Mr. Millar, seconded by Mr. Kapsiak, the Board voted to approve the resolution formally closing out the Engineering Agreement with CRA Engineers in the final amount of \$240,000. The motion carried 9 – 0.

c. I & I Approval for Compliance Hearing (Handout)

The Board reviewed copies of final violation notices from the DSM to several property owners in District No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection or correct a deficient condition found during the DSM's Inflow/Infiltration inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the Division's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Witkowski, seconded by Mr. Wilson, the Board voted to approve the referral for Compliance Hearing. The motion carried 9 – 0.

d. Influent PS and ORF Improvements

The Influent Submersible Pump Station and Overflow Retention Facility (ORF) Improvements Project, Contract No. 37STP-A (General), Contract No. 37STP-B (HVAC), and Contract No. 37STP-D (Electrical) is currently out for bid. Bids for the project are due Friday, June 27, 2014. This project is one of two that comprise the Rush Creek Interceptor concept for which the District has received a \$5-million Water Quality Improvements Grant from the New York State Dept. of Environmental Conservation (NYSDEC) to construct. A phone poll will be conducted for approval to award contracts to the lowest responsible bidders after bids have been received and recommendations have been made by the Engineer. The phone poll is necessary to expedite and submit this matter to the Legislature for approval prior to Summer 2014 recess.

On a motion by Mr. Millar, seconded by Mr. Nellis, the Board voted to receive and file the Influent PS and ORF Improvements item. The motion carried 9 – 0.

e. Award of Contract – SSI Emission Control Upgrades (Handout)

The Board reviewed a resolution to award an Agreement to GHD Consulting Services, Inc. (GHD) to design upgrades and provide construction phase services for controls needed to comply with new United States Environmental Protection Agency (USEPA) emission control standards. The Division issued a Request for Proposals and received and reviewed four proposal packages for this project. The proposals were rated using a consistent scoring matrix to select the firm being recommended. This project involves a very tight deadline and upgrades must be operational in less than two years. The total amount of the proposed contract with GHD for this project is a not-to-exceed amount of \$300,000.00.

On a motion by Mr. Kaczor, seconded by Mr. Nellis, the Board voted to approve the resolution awarding an agreement to GHD Consulting Services, Inc. to provide engineering services associated with the Southtowns AWTF Sewage Sludge Incinerator Emission Control Upgrades in a not-to-exceed amount of \$300,000.00. The motion carried 9 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Steuben Foods Update (Handout)

The Board reviewed a copy of a correspondence between the DSM and Steuben Foods in regard to the Elma Pumping Station and forcemain. During the month of June the forcemain experienced two leaks. The first occurred on June 4, 2014 and was the result of a failed repair clamp previously installed in January 2013. The second leak occurred on June 6, 2014, at a different location, and was the long-term result of the forcemain's PVC pipe material bearing directly on rock (an improper installation). Both leaks were repaired by the District and the forcemain is functional. The correspondence noted that an engineering consultant was retained in 2013 to analyze and assess the condition of the forcemain and the results of that effort did not indicate any systemic issues. The correspondence also noted that design of the Elma Pump Station improvements design is on schedule and progressing.

On a motion by Mr. Millar, seconded by Mr. Nellis, the Board voted to receive and file the Steuben Foods Update. The motion carried 9 – 0.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski informed the Board the influent flume weir replacement and gate modifications at the head of the plant have facilitated treatment of greater wastewater flows at the Southtowns AWTF while also routing less to the ORF. He added that this was a successful project completed in-house.

b. Pretreatment Report

None.

c. Construction Report

Design of the Elma Pumping Station upgrade is 30% complete.

Design work for replacement of underground storage tanks at the Hamburg Master, Mt. Vernon No. 2 and Wanakah Pumping Stations is progressing.

The Contractor for the Charlotte, Sherburn, McKinley Pumping Station elimination project, Contract 40, is completing final punch list items. The DSM is in negotiations with the Contractor to settle construction claims brought during the course of the project.

i. Contract No. 50 – Robin Lane Notice to Proceed (Handout)

The Board reviewed a copy of the Notice to Proceed letter, issued May 8, 2014, to the Occhino Corporation for the Robin Lane Sanitary Improvement Project, Contract No. 50, in the Town of Hamburg. During the initial stage of construction activities unforeseen piping conflicts were

identified. As a result, the proposed piping alignment and profiles were modified by the DSM. Those revisions were approved by the NYSDEC and the project is progressing.

ii. Contract No. 70 – CIPP Lining Work Order No. 9 (Handout)

The Board reviewed a copy of Work Order No. 9 for the Cured-In-Place Pipe (CIPP) lining contract with United Survey, Inc., Contract No. 70, issuing projects to be completed in the District under the 2014 budget allocation. The related work will commence within the next couple of weeks with televising/investigative activities being completed first, followed by the installation of CIPP.

d. NYSDEC – SPDES Permit Compliance Inspection for Blasdell

i. NYSDEC Letter (Handout)

The Board reviewed a copy of a letter from the NYSDEC detailing results of the annual compliance inspection of the Blasdell Wastewater Treatment Plant (WWTP) as a requirement of the State Pollution Discharge Elimination System (SPDES) permit.

ii. DSM Response (Handout)

The Board reviewed a copy of a response letter from the DSM regarding the Blasdell WWTP Compliance Inspection letter from the NYSDEC.

e. NYSDEC SPDES Annual SSO Report – Southtowns & Blasdell (Handout)

The Board reviewed a copy of a transmittal letter that accompanied the 2013 Annual Sanitary Sewer Overflow (SSO) Report for the District submitted, in accordance, with the new SPDES permit.

f. NYSDEC SPDES Nine Month Progress Report – Southtowns & Blasdell (Handout)

The Board reviewed a copy of the Nine Month Progress Report submitted to the NYSDEC to satisfy the related schedule of compliance condition listed in SPDES Permit NY0095401.

g. Basement Bathroom Facilities (Handout)

The Board reviewed an informational letter sent to property owners in the district whose properties were inspected under the house inspection program. These properties were not found in violation of the County's Rules and Regulations; however, the related sewer connections do not meet current DSM standards making them susceptible to basement backups. This letter was sent as a courtesy to our affected ratepayers. Mr. Fiegl informed the Board that many residents are not necessarily aware of the risks involved with basement facilities. This letter also informs them that the DSM is not responsible for issues resulting from said facilities.

h. Lateral Interest Letter (Handout)

The Board reviewed a copy of a letter sent to several property owners in the district to solicit participation in the DSM's lateral replacement program. Laterals at the related properties were found deficient during recent inflow and infiltration investigatory activities.

On a motion by Mr. Kasprzyk, seconded by Mr. Wilson the Board voted to receive and file the above items. The motion carried 9 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Millar, seconded by Mr. Simmeth, the meeting was adjourned at 8:39 a.m. The motion carried 9 – 0.

Next meeting is the combined budget meeting, scheduled for Wednesday June 25, 2014 at 8:00 a.m.

Respectfully submitted,



David C. Millar, P.E.

Secretary, ECSD No. 3 Board of Managers

DM:jk

Motion to Approve the June 18, 2014 Meeting Minutes

Moved by: DAVID KACZAR

Seconded by: JOHN WILSON

App/Disapp: APPROVED 5-0

Date: 10/1/2014



David C. Millar, Secretary

ECSD No. 3 Board of Managers

**BOARD OF MANAGERS
ERIE COUNTY SEWER DISTRICT NO. 3 & 8
JUNE 25, 2014
SOUTHTOWNS SEWAGE TREATMENT PLANT
BUDGET MEETING**

MEMBERS PRESENT: Chairman John Mills, David Kaczor, Gerry Kapsiak, Michael Kasprzyk, David Millar, Glenn Nellis, Edward Paolini (District 8), Karl Simmeth, John Wilson, Don Witkowski

OTHERS PRESENT: Steve Canestrari, Joe Fiegl, Kevin Kaminski, Jill Krafft Larry Krug,

MEMBERS ABSENT: None

1. Open Meeting

Chairman Mills called the District No. 3 meeting to order at 8:02 a.m.

2. Items from the Public

Mr. Fiegl discussed a June 24, 2014 article from the Buffalo News entitled, "UB Study Helps Explain Why Area Beaches Stay Closed for Days or More" and noted that the article may perpetuate misconceptions about the role of the Southtowns AWTF in Woodlawn Beach closings.

Adjournment

On a motion by Mr. Simmeth, seconded by Mr. Nellis, the ECSD No. 3 Board of Managers meeting was procedurally adjourned at 8:06 a.m. in order to conduct the combined ECSD No. 3 and No. 8 budget meeting. The motion carried 9 – 0.

3. New Business

2014 Combined Budget Meeting

Chairman Mills called the combined budget meeting of ECSD Nos. 3 and 8 to order at 8:06 a.m.

a. Presentation and Approval of 2015 Budget

i. Proposed 2015 Budget (Handout)

*Items
a.b*

Mr. Fiegl presented the proposed ECSD No. 3 and 8 Budget to the Board. Overall, the impact to the typical ratepayer in 2015 is a projected increase on average 4%. Mr. Fiegl noted that Mr. Paolini is in attendance at this meeting to represent ECSD No. 8. The ECSD No. 8 Board unanimously passed its portion of this budget on June 24, 2014.

Mr. Nellis inquired about the impact of the New York State 2% Property Tax Cap on this budget. Mr. Fiegl replied that the tax cap applies to the County as a whole in aggregate. With the Division of Sewerage Management budgets, as proposed, the County should be in compliance with the tax cap.

Mr. Kapsiak asked if the other County Sewer Districts would see the same increase as ECSD No. 3. Mr. Fiegl responded by stating that increases are District dependent as each has its own projects, capital reserves, and other items that affect the levy.

ECSD No. 3 is part of the combined ECSD Nos. 3 and 8 budget. The ECSD Nos. 3 and 8 budget is developed based upon a Memorandum of Understanding dated 6/17/08. 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 supplies, equipment, "District-wide" expenses, etc. are shared based upon the ratio of units in each sewer district and the total units in the ECSD Nos. 3 and 8 service area.
- Debt service, revenues, fund balance, and capital reserve are exclusive to each sewer district.

Chairman Mills made reference to proposed equipment purchases on pages A8 and A9 and inquired whether or not the District is attempting to catch up on satisfying its equipment needs. Mr. Fiegl responded that, relative to the age of the facilities, this is not an alarming number of items adding that previous budgets typically have included a similar number of proposed items. The Division continually evaluates its equipment and facilities and attempts not to run to failure.

For this year, Central Region shares in approximately 39.3% of the Division-wide expenses which are paid through this budget. Within Central Region, ECSD No. 3 is responsible for 90.25% of the ECSD Nos. 3 and 8 costs (excluding debt service).

Reviewing the overall summary for ECSD No. 3, total appropriations are projected to increase \$963,000 when compared to 2014. The major components of this increase include \$400,000 in additional allocation to capital reserves, a \$200,000 increase in debt service for the Rush Creek Interceptor and other ECSD No. 3 projects, the \$100,000 increase in cured-in-place pipe lining, and the \$100,000 increase in utilities in the Central Region budget. Revenues are projected to increase approximately \$253,000, with increases in user charges, contracting communities, fund balance, and Steuben Foods making up the majority of the increase.

The typical ratepayer (single family home) in ECSD No. 3 would pay 3-5% higher (\$13- \$19 annually) when compared to 2014 budget. This equates to approximately \$1.10 - \$1.60 more per month.

Personnel, including some DSM reorganization, were discussed. Fringe benefits for employees are being calculated at 69.5% in this budget. Actual numbers are not available at this time, but the County's budget office believes this is a conservative estimate. There are factors outside the County's control that influence the rate. The County's Administration has attempted to address the rising fringe benefit costs with recent Union Contract proposals. Chairman Mills stated that the fringe benefit percentage is too high. Chairman Mills and Mr. Kaczor both inquired about the total charge back fee from the District to the County. Mr. Fiegl informed the Board that if fringe benefits are over-budgeted, the remaining monies are rolled back into fund balance and used as an offsetting revenue in the next year. Mr. Fiegl added that Inter Department expenses, representing charge back fees, are preliminarily budgeted at 2014 levels and that the actual 2014 budget for these charges was lower than the previous year.

The 2015 equipment line items represent over \$692,000 of the Central Region budget. The major items includes various treatment plant equipment replacements throughout the Region, a replacement of the Region's camera system, replacement of a portable bypass pump, replacement of a backhoe, three (3) vehicles, and the Central Region's standard unanticipated replacement item.

Chairman Mills inquired about the amount the District is paying for fuel. 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 revenue to offset future rate impacts. As an example, Mr. Fiegl noted that the District has conservatively budgeted \$4.50/gallon over the last several years as a safeguard against market volatility.

Items listed in the budget as "DSM" are expenses for the Downtown office. Central Region contributes 39.3% of these Downtown office expenses.

A review of the individual budget codes was provided. It was noted that certain items such as "Air Filers - HVAC" were increased, but there was a corresponding decrease elsewhere in the budget ("H&V Filters" in this instance). Cost codes were shifted around for consistency with other District budgets and to conform to the County's accounting system (SAP) and the DSM's centralizing of these types of services. Specific items highlighted included the various changes in Maintenance and Repair supply codes, the \$100,000 increase in I&I repair, breakdown on capital reserve allocation (\$1.4M total for ECSD No. 3), utility costs, and personnel costs.

Mr. Kapsiak inquired about the proposed increase in material group 287 for electric supplies (page A12). Mr. Fiegl responded by stating that older electrical equipment such as switch gear, motor control centers, etc. are becoming more difficult to maintain and procure spare parts. As a result, the District is emphasizing replacement of that equipment at this time.

Fund balance usage as an offsetting revenue is budgeted at 55%. The available district fund balance at 12/31/13 represents approximately 3.5 months of 2015 budgeted appropriations. Observing recent trends on the amount available and the amount used, it is believed that this allocation of fund balance is prudent.

It was recommended for the 2015 Budget that the flat charge be increased to \$220.00 per unit and the base footage charge be increased to \$0.65/foot.

Mr. Kaczor inquired about reducing the draft 2015 budget increase from 4% to 3.5%. After discussion, the Board requested that Mr. Fiegl make the necessary Budget modifications to meet a goal of a 3.5% average increase. After conferring with the Board, it was the general consensus that additional fund balance utilization may be prudent in lieu of decreasing capital reserves or affecting the operation/maintenance budget. Once complete, modifications to the proposed Budget will be sent to the entire Board for review and a poll will be conducted to determine the action to be taken on this item.

The 2014 Combined Budget meeting was closed and the District No. 3 Board of Managers meeting resumed.

ii. 271 Resolution (Handout)

A poll will be conducted by Mr. Millar to determine the Board's action on the 271 Resolution after modifications are completed by Mr. Fiegl on the proposed Budget.

4. Old Business

Bids for the Influent Submersible Pump Station and Overflow Retention Facility (ORF) Improvements Project, Contract No. 37STP-A (General), Contract No. 37STP-B (HVAC), and Contract No. 37STP-D (Electrical) will be opened June 27, 2014. A poll will be conducted for approval to award contracts to the lowest responsible bidders after bids have been received and recommendations have been made by the Engineer.

5. Adjournment and Next Meeting

The next regularly scheduled meeting is July 9, 2014. Should the Board approve the 271 Resolution via poll, as modified to reduce the proposed 2015 Budget increase to 3.5%, the July 9, 2014 meeting will not be necessary and the meeting will be cancelled. The next regularly scheduled Board of Managers Meeting would then be Wednesday, October 1, 2014 at 8:00 a.m. at the Southtowns AWTF.

On a motion by Chairman Mills, seconded by Mr. Millar the meeting was adjourned at 9:52 a.m. The motion carried 9 – 0.

**The next Board of Managers Meeting is
Wednesday, July 9, 2014 at 8:00 am
Southtowns Treatment Plant**

Respectfully submitted



David C. Millar, P.E.
Secretary
ECSD No. 3 – Board of Managers

DM:jk

Motion to Approve June 25, 2014 Budget Meeting Minutes

Moved By: DAVID KACZOR

Seconded By: JOHN WILSON

App./Disapp.: APPROVED 5-0

Date: 10/1/2014



David C. Millar, Secretary
ECSD No. 3 Board of Managers

ERIE COUNTY SEWER DISTRICT (ECSD) NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY OCTOBER 1, 2014
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, David Kaczor, Gerry Kapsiak (at 8:05 a.m.),
David Millar, Glenn Nellis (at 8:07 a.m.), Karl Simmeth, John
Wilson, Don Witkowski (at 8:07 a.m.)

MEMBERS ABSENT: Michael Kasprzyk

OTHERS PRESENT: Glenn Absolom, Joe Fiegl, Kevin Kaminski, Jill Krafft, Larry
Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:02 a.m.

ITEM NO. 2 – APPROVAL OF MEETING MINUTES

- a. June 18, 2014
- b. June 25, 2014

On a motion by Mr. Kaczor, seconded by Mr. Wilson, the Board voted to approve the minutes from the June 18, 2014 and June 25, 2014 meetings. The motion carried 5 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None

ITEM NO. 4 – NEW BUSINESS

- a. Payments (Handout)

The Board reviewed the payments handout for the month of October. On a motion by Mr. Simmeth, seconded by Mr. Millar, the Board voted to approve the October 2014 payments. The motion carried, 5 – 0.

- b. Approval of 2015 Meeting Schedule (Handout)

The Board considered the proposed 2015 meeting schedule for approval. On a motion by Mr. Mills, seconded by Mr. Simmeth, the Board voted to approve the proposed 2015 meeting schedule. The motion carried, 6 – 0.

Item 2

c. I & I Approval for Compliance Hearing (Handout)

The Board reviewed copies of final violation notices from the Division of Sewerage Management (DSM) to several property owners in District No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection or correct a deficient condition found during the DSM's Inflow/Infiltration inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the DSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Kaczor, seconded by Mr. Wilson, the Board voted to approve the referral for a Compliance Hearing. The motion carried 8 – 0.

d. Brookview Apartments – I&I Agreement

The Board considered a request to enter into an agreement to take ownership of a proposed 4" diameter forcemain that will serve the second phase of the proposed Brookwood Apartments on Southwestern Boulevard in the Town of Hamburg. This proposed project is within the bounds of Erie County Sewer District No. 3. A private pumping station is required to service this project and the New York State Department of Transportation would not allow a private forcemain to be located in the Right of Way of a State road. Consequently, the developer of the apartment complex, Mr. Glenn Wetzel, has requested that the DSM take ownership of the forcemain. In return, the developer, or future owner of the related property, will pay the DSM a premium assessment for the next 25-years in the amount equal to replacement value of the pipe (in addition to Erie County Sewer District No. 3's standard sewer charges). The developer will also agree to complete twice the amount of Inflow and Infiltration (I&I) reduction work required by the DSM's I&I exchange program for sewerage system extensions.

On a motion by Mr. Millar, seconded by Mr. Kapsiak, the Board voted to approve the Brookview Apartments I&I Agreement. The motion carried 8 – 0.

e. User Charges 2015

i. Minutes from Public Hearing (Handout)

The Board reviewed a copy of the Minutes from the Public Hearing held on September 24, 2014 in Legislative Chambers regarding proposed 2015 User Charge Rates. The hearing is a requirement of County Law. No comments were received from the public at the hearing.

On a motion by Mr. Millar, seconded by Mr. Nellis, the Board voted to receive and file the Minutes from the September 24, 2014 public hearing. The motion carried 8 – 0.

ii. Approval of Resolution (Handout)

The Board considered a resolution to approve the proposed 2015 User Charge Rates. User charges apply to non-residential customers and businesses that contribute high strength or high volume wastewater to the Erie County Sewer District No. 3 treatment system.

On a motion by Mr. Kaczor, seconded by Mr. Wilson, the Board voted to approve the 2015 User Charges. The motion carried 8 – 0.

f. 271 Resolution – Confirmation of Poll (Handout)

The Board considered confirmation of the June 26, 2014 telephone/email poll approving the 271 Resolution that was discussed at the June 25, 2014 Budget Meeting. The Resolution states that approximately 35%, 11% and 54% of the total sanitary sewer tax levy of \$14,268,505 shall be raised from the assessed value, footage and flat charges, respectively. The total tax levy reflects an average increase of approximately 3.5% to the typical District 3 ratepayer.

On a motion by Mr. Millar, seconded by Mr. Simmeth, the Board voted to confirm the June 26, 2014 poll. The motion carried 8 – 0.

g. Award of Contract 37 STP – Confirmation of Poll (Handout)

The Board considered confirmation of the June 30, 2014 telephone/email poll approving award of the General, HVAC, and Electrical Contracts for the Southtowns Influent Pump Station and ORF Improvements Project at the Southtowns AWTF as follows:

| | | |
|-------------------------------|------------------------|-----------------|
| Contract 37STP-A, General | Kandey Company, Inc. | \$7,327,777.00 |
| Contract 37STP-B, HVAC | Quackenbush Co., Inc. | \$448,000.00 |
| Contract 37 STP-D, Electrical | South Buffalo Electric | \$1,752, 500.00 |

On a motion by Mr. Wilson, seconded by Mr. Nellis, the Board voted to confirm the June 30, 2014 poll. The motion carried 8 – 0.

h. Sewer Agency Report – Southtowns AWTF Incinerator Upgrades (Handout)

The Board reviewed a Sewer Agency Report prepared for approval to address funding necessary to complete capital improvements at the Southtowns AWTF and in particular, for controls needed to comply with new United States Environmental Protection Agency (USEPA) Sewage Sludge Incinerator regulations. Controls are required to reduce hydrogen chloride and mercury concentrations in stack emissions. At this time, the exact costs are not known. By approving the corresponding Resolution, the Board accepts and adopts the Sewer Agency Report and recommends submittal to the Erie County Legislature for further consideration, including pursuing an increase and improvement of facilities in the amount of \$5-million.

On a motion by Mr. Millar, seconded by Mr. Witkowski, the Board voted to approve the Resolution accepting and adopting the Sewer Agency Report. The motion carried 8 – 0.

i. Industrial Wastehaulers Permit Approval (Handout)

Waste Hauler's Discharge permits are a requirement of Article VIII of the Erie County "Rules & Regulations" and are approved by the Board on an annual basis. Permits are valid for one year and can be amended or revoked for non-compliance with the permit's terms.

On a motion by Mr. Wilson, seconded by Mr. Kaczor, the Board voted to approve Waste Hauler's Discharge permits to Delo Drain & Septic, JB Enterprises, Modern Portable Toilets, and Crescent Moon pending application and insurance approvals. The motion carried 8 – 0.

j. Closeout – Contract No. 40 (Handout)

The Board considered a resolution to close out the contract with Milherst Construction for the Charlotte, Sherburn, McKinley Parkway Pumping Station Elimination and Brookwood Pumping Station Demolition Project, Contract No. 40. The project involved a couple of notable claims that were the result of unforeseen conditions. All work has been satisfactorily completed and the DSM recommends close out of this project in the final amount of \$1,081,979.99, which includes change order No. 1, an increase of \$123,381.39.

On a motion by Mr. Nellis, seconded by Mr. Kapsiak, the Board voted to closeout Contract No. 40. The motion carried 8 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Steuben Foods Update

Mr. Fiegl informed the Board that design of the Elma Pumping Station Upgrades will be at the 90% complete stage this month. Steuben Foods has been included in the design as it has progressed. Mr. Fiegl also noted that the DSM has received several odor complaints from property owners the vicinity of the sanitary sewer on Milestrip Road in the Town of Orchard Park. The DSM and Steuben Foods are attempting to identify the source of the odors and as a precaution, the DSM has performed addition maintenance on the forcemain and downstream gravity sewer piping.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported that the Chief Operator for the Southtowns AWTF recently retired and his position was filled by Mr. Joseph Orzechowski. Mr. Kaminski also reported that a reactor cleanout project is currently ongoing at the plant. Reactor cleaning is a maintenance initiative that has improved treatment performance at the plant and will involve two tanks every year in the future. This year the associated cost is \$30,000 per tank.

Mr. Absolom reported that Division's staffing level is presently sufficient and he does not anticipate a significant number of staff retirements in the near future. Mr. Absolom noted the

challenge he faces with staffing is finding skilled labor for maintenance positions. He suggested that the Division may need to pursue internal training programs to fill this need. Mr. Fiegl agreed noting that Electronics Technicians are especially challenging to find.

b. Pretreatment Report

Mr. Millar reported that, as a requirement of the new SPDES permit, an Industrial Waste Survey was sent to all businesses tributary to the Southtowns and Blasdell Treatment Plants having the potential for an industrial wastewater discharge.

A new Industrial Wastewater Discharge Permit will be issued to Sci-Dent, Inc. who will be moving to a new location in the District on Centre Drive in the Town of Orchard Park.

There is a scaling issue at the Elma Pump Station. Arcadis has completed a study for Steuben Foods to address the issue which made recommends reducing the amount of CO₂ used for disinfection purposes by the addition of sulfuric acid as a pH adjustment chemical. A one week trial with sulfuric acid and an evaluation will take place.

i. Ltr. to Business Owner – Grease Blockage (Handout)

Mr. Millar informed the Board that on June 11, 2014, a grease blockage occurred on West Lane in Hamburg. The DSM traced the blockage to J&M's West End Inn and Cozy Thai restaurants, neither of which have a grease control device. Letters were sent to both on June 27, 2014. Both restaurants have indicated that a grease control device will be installed, but neither has submitted the waiver application nor completed the installation of a grease trap as of yet.

ii. Industrial Wastewater Survey – 2nd Notice (Handout)

The Board reviewed a copy of 2nd notice letter from the DSM to Worldwide Protective Products in the Town of Orchard Park requesting completion of an industrial waste survey as required by SPDES permit conditions.

c. Construction Report

i. Contract No. 37 – Southtowns Influent PS & ORF Improvements Notice to Proceed (Handout)

The Board reviewed copies of Notice to Proceed letters, dated September 15, 2014, to the three prime contractors for the Southtowns Influent Pump Station and ORF Improvements Project.

d. NYSDEC Ltr. SPDES Permit NY 0095401 – Flow Management Plan (Handout)

The Board reviewed a copy of a Flow Management Plan sent to the New York State Department of Environmental Conservation (NYSDEC). The Plan was required by the NYSDEC because the annual average flow at the Southtowns AWTF exceeded 95% of design. Mr. Millar informed the Board that the Plan is essentially a summary of existing and ongoing DSM programs.

- e. i. GHD – RFP – Southtowns Sludge Incinerator Emission Control Upgrades (Handout)

The Board reviewed a copy of a letter to GHD Consulting Services, Inc. informing them that they have been selected by the DSM for design work involving SSI Upgrades at the Southtowns AWTF. The upgrades were previously discussed as part of Item 4. H.

- ii. NYSDEC Ltr. Incinerator Emission Control Upgrades (Handout)

The Board reviewed a copy of an update letter sent to the DEC identifying activities the DSM has pursued to comply with conditions of the Southtowns AWTF Title V Air Permit since that Permit was submitted in March 2014.

- f. Elma Forcemain – SmartBall Inspection

Mr. Millar informed the Board the DSM will conduct an evaluation of the Elma Forcemain using a technology called Smartball Inspection. This effort is being undertaken to address pipe breaks that occurred at the beginning of the summer on the Elma Pump Station forcemain. The evaluation will identify existing pipe leaks and air pocket locations, using an acoustic sensor, to establish a better understanding of the operational capability of the forcemain.

- g. Mt. Vernon – Clifton Parkway Pipe Repairs (Handout)

Mr. Millar discussed an informational item regarding repair work completed by the DSM on a pipe segment on Clifton Parkway in the Mount Vernon Sewer District.

- h. Grinder Tank Relocation (Handout)

The Board reviewed a copy of a letter from the DSM to a homeowner in the Town of Orchard Park regarding a grinder pump unit found under a raised pool deck. A permanent easement existed prohibiting installation of any permanent structure around the tank and the homeowner was informed that, per the DSM's Rules and Regulations, relocation of the grinder tank must be completed at his expense. Should he relocate the tank, the DSM would install pumps and controls.

On a motion by Mr. Kaczor, seconded by Mr. Wilson the Board voted to receive and file the above Items 6. a. through 6. h. The motion carried 8 – 0.

Mr. Fiegl discussed the status of the Facility Report Update as it relates to the long term viability of the Southtowns AWTF. He noted that there will be expensive work necessary to meet limitations under the new SPDES permit. Mr. Fiegl added that he would like to discuss funding options when we have a better understanding of the necessary treatment plant upgrades. Chairman Mills questioned whether or not federal funding was an option for this project to which Mr. Fiegl noted that large Federal grant programs are not available. Southtowns AWTF was constructed with 87.5% grant funding but the Federal programs now support low interest loans instead. That being said, grants on the State and Federal will come about from time to time and the DSM is always looking out for

programs that meet the needed criteria. The Water Quality Improvement Program grant for Rush Creek Interceptor is a good example.

Mr. Absolom informed the Board that he received a call from the New York State Office of Parks inquiring as to why the SSO's have decreased so dramatically over the last ten years. The Parks Office discovered the SSO reduction while preparing a report regarding Woodlawn Beach closures for the EPA. Mr. Fiegl added that New York State Parks is evaluating from 2004 to present; 2004 is when ECSD No. 3 took over the Blasdell system and therefore there is a very positive narrative of what was done.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Kaczor, seconded by Mr. Kapsiak, the meeting was adjourned at 9:04 a.m. The motion carried 8 – 0.

Next meeting is scheduled for Wednesday, December 10, 2014 at 8:00 a.m.

Respectfully submitted,



David C. Millar, P.E.

Secretary

ECSD No. 3 – Board of Managers

DM:jk

Motion to Approve the October 1, 2014 Meeting Minutes

Moved by: GLENN MELLIS

Seconded by: DAVE KACZOR

App/Disapp: APPROVED 8-0

Date: 12/10/14



David C. Millar, Secretary

ECSD No. 3 Board of Managers

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY DECEMBER 10, 2014
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, David Kaczor, Gerry Kapsiak, Michael Kasprzyk, David Millar, Glenn Nellis, Karl Simmeth, Don Witkowski

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Jim Carr, Joe Fiegl, Kevin Kaminski, Jill Krafft, Larry Krug

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:02 a.m.

a. Board Member Mayor John Wilson

The Board paid tribute to recently departed Erie County Sewer District No. 3 (District) Board of Managers member John B. Wilson. Mr. Wilson was a genuine advocate for the Village of Orchard Park, and the District, and he will be greatly missed.

ITEM NO. 2 – APPROVAL OF OCTOBER 1, 2014 MEETING MINUTES

On a motion by Mr. Nellis, seconded by Mr. Kaczor, the Board voted to approve the minutes from the October 1, 2014 meeting. The motion carried 8 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – NEW BUSINESS

a. Sewer Permit Refund – 6386 Boston State Road (Handout)

The Board reviewed a permit refund request for the property at 6386 Boston State Road in the Town of Hamburg. Both the general contractor, CBL Snyder Corporation, and the subcontractor, Greenauer Development, obtained a sewer permit for the same parcel. The duplicate permit was issued as a result of confusion created by assignment of an address to the property. The proposed refund is in the amount of \$452.00 which represents the original fee of \$502.00 less a \$50.00 administration fee. Mr. Simmeth inquired about the procedure for expired permits to which Mr. Absolom replied that expired permits may be renewed for a \$2.00 fee.

On a motion by Mr. Kasprzyk, seconded by Mr. Kapsiak, the Board voted to approve the sewer permit refund. The motion carried 8 – 0.

b. I & I Approval for Compliance Hearing (Handout)

The Board reviewed copies of final violation notices from the Division of Sewerage Management (DSM) to several property owners in District No. 3. Written requests were mailed to each property owner on several occasions, without response, to complete a house inspection or correct a deficient condition found during the DSM's Inflow/Infiltration inspection program. As a result, these property owners have been referred to the Board to be considered for a hearing with the DSM's hearing officer who will evaluate violations of the "Rules and Regulations" and recommend a follow-up action.

On a motion by Mr. Witkowski, seconded by Mr. Kaczor, the Board voted to approve the referral for a Compliance Hearing. The motion carried 8 – 0.

c. Payments (Handout)

The Board reviewed the payments handout for the month of December. On a motion by Mr. Simmeth, seconded by Mr. Nellis, the Board voted to approve the December 2014 payments. The motion carried, 8 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Steuben Foods Update/Elma Forcemain Update

Mr. Fiegl gave the Board a brief update of several items pertaining to Steuben Foods and the Elma Forcemain. First, the 90% design plans and specifications for the Elma Pump Station Upgrade Project have been reviewed by the DSM and discussed with the design engineer. A finalized set of design plans and specifications is expected by mid-January 2015. Second, a rough draft of an agreement, detailing the terms of financing the Elma Pump Station Upgrades, will be sent to Erie County Department of Law for review in December 2014. Mr. Fiegl will discuss the final terms of the agreement with the Board prior to execution. Third, the Industrial Wastewater Discharge Permit for Steuben Foods will expire May 14, 2015. The DSM is investigating a potential extension of the permit considering that the Elma Pump Station Improvements Project will be bid in 2015. Fourth, the Elma Forcemain was recently inspected using an assessment technology called SmartBall. This technology is an in pipe inspection system used to detect and locate very small leaks, gas pockets, and structural defects in pipelines. The DSM anticipates receiving a report of the inspection results in the month of December. Fifth, and finally, Mr. Fiegl discussed recent odor issues involving Steuben Foods and the Elma Forcemain. Steuben Foods believes it has identified the causes for the odor issues that were related to equipment breakdowns. Steuben has addressed both causes and no subsequent odor complaints have been received.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported that a reactor cleanout project was just completed at the Southtowns plant. Reactor cleaning is a maintenance initiative that has improved treatment

performance and will involve two tanks every year in the future. Reactor tanks 3 and 4 were cleaned this year. Mr. Kaminski also reported that all four clarifiers have been drained, cleaned, and repaired as needed.

Mr. Canestrari reported on logistical efforts required to deal with the significant snow storm that took place the week of November 17. District staff removed snow at critical locations in preparation for bypass pumping activities necessary during the snow melt phase of the event that occurred later in the week. Mr. Canestrari noted that numerous manhole frames and covers had been damaged throughout the District by snow removal equipment.

Mr. Fiegl continued the discussion about the snow storm noting the event involved two phases; first was the massive accumulation of snow at the beginning of the week and, second, the rapid melting of that snow at the end of the week. During the snow accumulation phase, the District was challenged with driving bans and transporting staff to facilities. Mr. Fiegl added that there was some frustration with police not allowing essential District staff passage to treatment facilities during enforcement of driving bans. District personnel worked professionally, were dedicated to keeping facilities operating, and should be commended for their efforts. During the snow melt phase, the District was challenged with clearing snow at critical overflow locations and setting up pumps. The Southtowns AWTF experienced prolonged high flows at levels which have almost never been experienced.

Mr. Absolom reported that the Milestrip Pump Station in Blasdell experienced a broken discharge pipe during the snow melt and the entire dry well portion of the station flooded. District staff were able to make the pump station operational within 22 hours of the pipe failure. Mr. Fiegl noted that “lessons learned” meetings will be held in each region to discuss what went well and to determine how the DSM can be better prepared for similar events in the future.

b. Pretreatment Report

None.

c. Construction Report

Mr. Millar reported that the Robin Lane project is substantially complete with minor punch list items still outstanding. The project, which effectively moved a local flow restriction downstream to a deeper manhole, was tested during the snow melt phase of the recent storm. Historically, a wet weather event of this magnitude would have required two pumps at the Robin Lane location. Only one pump was used for the event. The District will continue to monitor and evaluate the effectiveness of the Robin Lane project.

Mr. Millar informed the Board that construction of the Southtowns AWTF Influent Submersible Pump Station and ORF Improvements Project has begun noting that staging areas and access roads have been constructed at the treatment plant. Yard piping installation will begin in the next few days. Mr. Millar also informed the Board that the second phase of the Rush Creek Interceptor Project (portions outside of the Southtowns site) received final approval from the New

York State Dept. of Environmental Conservation (NYSDEC) and that project will be bid in the near future. Construction is anticipated to commence in April.

d. SSI Upgrades – Update

Mr. Millar reported that the DSM is moving ahead with necessary upgrades for the Sanitary Sludge Incinerator Project on a fast-track basis to meet the short regulatory deadline. A procurement specification for mercury control equipment has been prepared and will be bid through the Erie County Purchasing Department while, simultaneously, the design phase of the project takes place. All equipment for this project must be installed by November 2015. Mr. Fiegl commented that capital reserves will be the source of funding for this project.

e. Mt. Vernon Sewer District – NYSDEC Consent Order

i. Town of Hamburg Cost Estimated (Handout)

The Board reviewed a copy of a cost estimate from the Town of Hamburg for remaining work in the Mt. Vernon Sewer District under NYSDEC Order on Consent No. R9-2001110275.

ii. DSM Response (Handout)

The Board reviewed a copy of a letter from the DSM to the Town of Hamburg in response to the Mt. Vernon Consent Order cost estimate describing services the County would be able to provide to assist the Town with Consent Order compliance.

f. NYSDEC SPDES Permit NY0095401

i. Request for Extension – Ammonia Study (Handout)

The Board reviewed a copy of the letter from the DSM to the NYSDEC requesting a two month time extension for submission of the Ammonia Study required in the SPDES Permit Schedule of Compliance for the Southtowns AWTF. The extension was necessary to address unexpected findings revealed during the study.

ii. Permit Schedule of Compliance – TRC & Phenolics & Cyanide Studies (Handout)

The Board reviewed a copy of a transmittal letter for the Total Residual Chlorine (TRC) and Phenolics & Cyanide Studies that were submitted to the NYSDEC as a requirement of the SPDES Permit Schedule of Compliance for the Southtowns AWTF.

On a motion by Mr. Kasprzyk, seconded by Mr. Simmeth, the Board voted to receive and file the above items. The motion carried 8 – 0.

Mr. Kasprzyk discussed the potential for the DSM to take advantage of New York State's projected surplus of \$4.8 billion and suggested that the Board send a letter to the New York State Legislature requesting funds from that surplus for shovel-ready infrastructure upgrade projects in Erie County's sanitary sewer system. Chairman Mills indicated that he would sign the letter on behalf of the Board.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Kasprzyk, seconded by Mr. Kaczor, the meeting was adjourned at 8:45 a.m. The motion carried 8 – 0.

Next meeting is scheduled for Wednesday February 11, 2015 at 8:00 a.m.

Respectfully submitted,



Secretary
ECSD No. 3 – Board of Managers

DM:jk

Motion to Approve the December 10, 2014 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: GLENN NELLIS

App/Disapp: APPROVED 5-0

Date: FEB. 11, 2015



David C. Millar, Secretary
ECSD No. 3 Board of Managers