

**MINUTES
BOARD OF MANAGERS DISTRICT NO. 4
FEBRUARY 11, 2015 @ 3:30 PM
NORTHERN REGION CONFERENCE ROOM**

MEMBERS PRESENT: Mr. Gary Ambrose, Mr. Thomas Batt, Mr. Robert Harris,
Ms. Kristin McCracken and Mr. Jesse C. Nikonowicz, Sr.

OTHERS PRESENT Mr. Glenn Absolom, Mr. James Carr (3:50), Mr. Joseph Fiegl (3:45),
Mr. Richard Rehac, and Ms. Brenda Rehac

ITEM NO.1-CALL MEETING TO ORDER

Ms. McCracken called the meeting to order at 3:30 pm. Mr. Fiegl joined the meeting prior to his arrival via phone conference call.

ITEM NO.2-APPROVAL OF OCTOBER 8TH, MEETING MINUTES

Ms. McCracken moved, seconded by Mr. Batt to approve the October 8, 2014 meeting minutes. The motion carried 5-0.

ITEM NO.3-ITEMS FROM THE PUBLIC

There were no items from the public.

ITEM NO.4-NEW BUSINESS

- a. Garguilo v. ECSD No. 4 and ECSD No. 1 (Handout)

The Board received a copy of the letter from Mr. Dale Bauman, The Carey Firm, LLC, withdrawing the Notices of Claim previously served on Erie County Sewer Districts 1 and 4.

ITEM NO.5-OLD BUSINESS

- a. Town of Lancaster Dog Control Property (Handout)

Mr. Fiegl stated as noted in the handout, two options were presented to the Town of Lancaster regarding the purchase of the Lancaster Dog Control Property. Based on those options, the Town of Lancaster chose option No. 2; whereas the County agrees to purchase the property "as is" for \$50,000.00. In addition, the Town will be responsible for the removal of the large fill piles located on the property. Mr. Fiegl will have the County Attorneys prepare a formal real estate contract. The allocations for districts 1-4-5 will be presented at a future Board of Managers meeting.

Item 2

b. Contract 40R-Aurora North PS Elimination

i. Status and Bid Schedule (Handout)

The handout the Board received included the project status and bid schedule. Bids were advertised on January 27th and the bid opening is scheduled for February 27, 2015. During the week of March 2nd, the Board of Managers will be polled via email or phone for award of contract.

ii. Resident Informational Meeting (Handout)

The Board received a copy of the letter mailed on January 20, 2015 to homeowners regarding the Aurora North Pump Station Elimination Project. The informational meeting was held February 9, 2015. There were approximately twelve (12) homeowners present. Mr. Batt stated there were several questions posed by the homeowners and the meeting went well.

ITEM NO. 6-MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operation Reports for September-December(Handout)

Mr. Rezac updated the Board with the operational report for the months of September through December. During the extreme snowfall event in November, the district was able to have adequate staff on hand throughout the event. Staff worked around the clock for a couple of days clearing snow and maintaining access to the pump stations. The extreme melt off and rain event that followed kept staff again working around the clock. Sand bags were used at Bowmansville, Haskell and Pleasantville. Considering the magnitude of the storm effects, it was handled pretty well. There were no major pump station issues since the last meeting outside of normal maintenance items.

Mr. Fiegl also noted it is critical that the County has equipment such as portable pumps, generators, front end loaders, and supervisors with County vehicles for just such an event. Supervisor vehicles were particularly valuable as they were allowed to pass through most of the driving ban areas where others were being turned away. The County vehicles were able to pick up staff members for work who otherwise were unable to make it in. Though at times there were very trying conditions, Mr. Fiegl did not hear any complaints from the staff and he commended the field workers for their dedication. After the storm ended, Mr. Fiegl had an informative meeting with the supervisors to discuss lessons learned including the strengths and weaknesses they experienced during the storm.

In addition to the handouts, Mr. Rezac discussed a plugged sewer at 156 Wendell St., in Lancaster on January 15th. The line was flushed and the blockage relieved. The line was surcharged again in the afternoon and evening. The homeowner informed the supervisor on site, there were road bores performed for two neighboring homes. Staff had reason to believe National Fuel Gas may have pushed a gas service through the sewer. Staff was called in to set up a pump and pump around the problem through the night. Mr. Rezac met with National Fuel gas and the drilling contractor the following morning. After investigating the UFPO (underground facilities protective organization), it was found that the UFPO was mishandled. A sewer repair crew was then mobilized and the repair was completed. There was a homeowner affected by the blockage that took in water in a below grade addition to his home. A claim against the County was put in by his insurance company with an estimate yet to be determined.

b. Pretreatment Report (Handout)

Initial inspections at Food Service Establishments in the district are near complete. 172 inspections have been completed.

c. Construction Status Report

Aurora North Elimination Project was discussed in Item 5b. Rehabilitation plans for the Iroquois and Broadway East Pump Stations are pending the bidding of the Aurora North project.

d. District Payments (Handout)

The Board received a copy of the payments to CRA and CMH. Mr. Batt will confirm the correct dates.

Mr. Fiegl discussed Salvatore Restaurant's plans for a hotel addition which will include a covered walk-way from the restaurant to the hotel with approximately an 18' clearance. The walk-way is directly over the sanitary sewer mainline. One option available for the developer would be to relocate the sewer with Erie County Sewer providing the materials and the developer responsible for the installation of the main. Should this option be pursued, the Board will be conferred with further.

Mr. Harris moved, seconded by Mr. Batt to receive and file the miscellaneous & informational items. The motion carried 5-0.

ITEM NO. 7 ADJOURNMENT & NEXT MEETING

Mr. Harris moved, seconded by Mr. Ambrose to adjourn the meeting at 3:55 pm. The motion carried 5-0.

*****NEXT MEETING***
Wednesday, April 15, 2015 @ 3:30 pm
Northern Region Admin Bldg.**

Respectfully submitted,



Thomas Batt, P.E.
Board of Managers Secretary

Motion to approve minutes of 2/11/15

Moved By: NIKONOWICZ

Seconded By: HARRIS

Approved/Disapproved: 5-0

Date: 4/15/15

Signature: Thomas Batt

TB:br

**MINUTES
BOARD OF MANAGERS DISTRICT NO. 4
APRIL 15, 2015
NORTHERN REGION CONFERENCE ROOM**

MEMBERS PRESENT: Mr. Gary Ambrose, Mr. Thomas Batt, Mr. Robert Harris,
Ms. Kristin McCracken and Mr. Jesse C. Nikonowicz, Sr.

OTHERS PRESENT Mr. Glenn Absolom, Mr. James Carr, Mr. Joseph Fiegl,
Mr. Richard Rehac, and Ms. Brenda Rehac

ITEM NO. 1-CALL MEETING TO ORDER

Ms. McCracken called the meeting to order at 3:30 pm.

ITEM NO. 2-APPROVAL OF FEBRUARY 11TH, 2015 MEETING MINUTES

Mr. Nikonowicz, Sr., moved, seconded by Mr. Harris to approve the February 11, 2015 meeting minutes. The motion carried 5-0.

ITEM NO. 3-ITEMS FROM THE PUBLIC

Mr. Fiegl discussed the ground settlement issues located at the west end of Eastport where it meets Walden Avenue. Sewer district staff televised the interior of the pipeline and no problems were found within the sewer. DSM staff met with Town officials to determine the cause of the settlement as the sewer pipe did not appear to be the problem. A possible theory was that the pipe bedding material was acting as a "French Drain". The DSM has concerns regarding installing clay dams as it may lead to unintended consequences. The DSM will continue to investigate, along with the Town of Lancaster. A letter regarding this topic will be on the agenda for the next Board meeting.

On a related issue, the Town of Lancaster reported a settlement on Avian Way in the Summerfield Subdivision. A Sewer Repair Supervisor visited the area on April 8, 2015, but did not observe where the settlement was. Mr. Harris noted that he could provide additional information, as the Town already completed repairs at the location. The DSM will continue to investigate this concern as well once additional details are known.

ITEM NO. 4-NEW BUSINESS

a. **I&I Approval for Compliance Hearing (Hearing)**

The Board received a copy of the ten (10) homeowners who have not completed their house inspection. The Division of Sewerage Management is recommending a Compliance Hearing. Ms. McCracken moved, seconded by Mr. Batt to move forward with a Compliance Hearing. The motion carried 5-0.

Item 2

ITEM NO. 5-OLD BUSINESS

a. Town of Lancaster Dog Control Property

Mr. Fiegl stated a draft agreement to purchase the property has been drafted and is at the County Attorney's Office for review. Upon review, the agreement will be forwarded to the Town of Lancaster's Attorney for the Town's review. Once the agreement is acceptable to both parties, it will be presented to the Boards for approval to purchase the property.

b. Contract 40R-Aurora North PS Elimination

i. Bid Analysis (Handout)

The Aurora North Pumping Station Elimination Project was bid on Friday February 27, 2015 and four (4) bids were received. The low bidder submitted unbalanced pricing for the some of the depth ranges within the pipe installation bid item. Due to this, a review of the estimated quantities for this item was performed and found that the quantities for some of the depths were not accurate. An analysis revealed that the bid could escalate considerably using the revised quantities putting the County at a large risk of a cost overrun and whether the bid was actually the lowest bid. Another bidder misunderstood the bore bid item and put a per foot cost in the bid instead of a lump sum, lowering that bid by over \$2M. Furthermore, the bids were at the top end of the estimate, causing a concern with the available money in the bond account. It was in the County's best interest to rebid the project.

Some changes to the contract were made in an effort to lower the overall project cost to help with the bond account restraints. The project was re-advertised and bids will be opened April 16, 2015. If the bids are acceptable, a poll will be conducted of the Board for contract award.

ii. Return of Bid Bond (Handout)

The Board received a copy of the letter sent to the (4) four contractors stating an error in the Proposal and that the Aurora North Pump Project will be rebid.

ITEM NO. 6-MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operation Reports for January & February (Handout)

Mr. Rezac updated the Board with the operational report for the months of January and February. DSM staff finished the replacement of #3 VFD at Depew. After level control failures at the Warner Rd. Pumping Station, the bubbler system was replaced with a pressure transducer level sensor. There have been no issues since and DSM staff is presently modifying Bowmansville in the same fashion. Staff also replaced the mechanical seal and seal housing and #1 pump at Haskell Pumping Station; reinstalled & tested. The winter portion of "our good neighbor" policy at 36 Michael Anthony is complete.

b. Pretreatment Report

None

c. Construction Status Report

None

d. Payments

None

Mr. Batt moved, seconded by Mr. Harris to receive and file the miscellaneous & informational items. The motion carried 5-0.

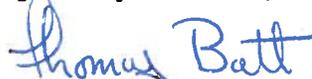
ITEM NO. 7 ADJOURNMENT & NEXT MEETING

Mr. Harris moved, seconded by Mr. Ambrose to adjourn the meeting at 3:47. The motion carried 5-0.

*****NEXT MEETING*****

**Wednesday, June 24, 2015 @ 3:00 pm
Combined Budget and Regular Meeting
Northern Region Admin Bldg.**

Respectfully submitted,



Thomas Batt, P.E.
Board of Managers Secretary

Motion to approve minutes of 4/15/15

Moved By: NIKONOWICZ

Seconded By: HARRIS

Approved/Disapproved: 4-0

Date: 6/24/15

Signature: Thomas Batt

TB:br

MINUTES
BOARD OF MANAGERS DISTRICT NO. 4
JUNE 24, 2015 @ 3:00 P.M.
NORTHERN REGION CONFERENCE ROOM

MEMBERS PRESENT: Messrs. Gary Ambrose, Thomas Batt, Robert Harris, and Jesse C. Nikonowicz, Sr.

MEMBERS EXCUSED: Kristin McCracken

OTHERS PRESENT Messrs. Glenn Absolom, Joseph Fiegl, Richard Rehac, Matt Salah, and Ms. Brenda Rehac

ITEM NO.1-CALL MEETING TO ORDER

Vice Chairman Ambrose called the meeting to order at 3:01.

ITEM NO.2-APPROVAL OF APRIL 15, 2015 MEETING MINUTES

Mr. Jesse C. Nikonowicz, Sr., moved, seconded by Mr. Harris to approve the April 15, 2015 meeting minutes. The motion carried 4-0.

ITEM NO.3-ITEMS FROM THE PUBLIC

None

ITEM NO.4-NEW BUSINESS

On a motion by Mr. Nikonowicz, Sr., moved, seconded by Mr. Ambrose to interrupt the regular District No., 4 meeting at 3:02 for the Combined Budget meeting. The motion carried 4-0. The regular District No. 4 Board meeting reconvened at 3:32.

a. Presentation and Approval of 2014 Budget

i. Proposed 2016 Budget (Handout)

The 2016 Budget was presented by Mr. Fiegl to the Board during the Combined Budget Meeting. Mr. Nikonowicz, Sr. moved, seconded by Mr. Harris to approve the 2016 budget as proposed. The motion carried 4-0.

ii. 271 Resolution (Handout)

After the Combined Budget Meeting, Mr. Fiegl presented the 271 resolution to the Board for review and approval. Approximately 32%, 7%, and 61 % of the total sanitary sewer tax levy of \$6,023,129 shall be raised from the assessed value, footage and flat charges, respectively.

Item 2

Mr. Harris moved, seconded by Mr. Nikonowicz, Sr., to approve Resolution 271 with a flat charge of \$180.00 (\$180.75 in the Village of Depew) and footage charge of \$.60. The motion carried 4-0.

b. Hidden Meadows Subdivision (Handout)

Mr. Batt discussed the letter provided to the Board regarding the Hidden Meadows Subdivision. The developer, 5980 Armor Duells Road, LLC, has requested the District 4 Board of Managers consider Erie County to provide materials for a section of Aurora North sanitary sewer trunk line. Mr. Batt suggested the item be tabled awaiting further discussions with the contractor for the Aurora North Pump Station Elimination Project. On a motion by Mr. Nikonowicz, Sr., seconded by Mr. Harris, to table item 4b. The motion carried 4-0 to table item 4b.

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

The Board reviewed a copy of the property owner at 15 Maple Drive in Bowmansville that has not completed their house inspection and requires a Compliance Hearing. Mr. Batt moved, seconded by Mr. Harris to move forward with a Compliance Hearing. The motion carried 4-0.

ITEM NO.5-OLD BUSINESS

a. Town of Lancaster Dog Control Property (Handout)

The Town of Lancaster has accepted the County of Erie's offer to purchase the Lancaster Dog Control Property which is located directly adjacent to Erie County's Northern Region Offices for \$50,000 "as is", with closing costs not to exceed \$10,000. District No. 4's contribution towards the purchase price and closing costs are 50%.

On a motion by Mr. Nikonowicz, Sr., seconded by Mr. Batt, the ECSD No. 4 Board of Managers recommended that the Division of Sewerage Management proceed with the purchase of the Lancaster Dog Control Property SBL#104.08-7-7.1. The motion carried 4-0.

b. Contract 40RB-Aurora North PS Elimination (Handout)

Contract 40RB bids were opened on April 16, 2015 and Concrete Applied Technologies Corp. dba Catco was the low bidder with a bid of \$7,833,515.00. The Board was previously polled on the award and voted unanimously to award to Catco. On a motion by Mr. Nikonowicz, Sr., seconded by Mr. Harris, the ECSD No. 4 Board confirmed the poll recommending that Contract 40RB, Aurora North Pump Station Elimination Sanitary Sewer Project be awarded to Concrete Applied Technologies Corp. dba Catco. The motion carried 4-0.

ITEM NO. 6-MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operation Reports (Handout)

Mr. Rehac updated the Board with the operation reports for the months of March, April and May. In May the facilities staff set up and ran a rather complicated bypass of Iroquois Pump Station in order to replace a broken suction valve on the #2 pump. The District is presently

putting specifications together for an upgrade to the Broadway East Pump Station involving new VFD's and a new PLC for level control and to control the discharge valves.

Earlier in the year ECSD No. 4 had plugged sewers, in different sections but affecting the same resident at 5723 Genesee St., within a span of two months. The staff followed up on this by flushing the entire system down to the Pleasantview Pumping Station. They removed the likely culprits, a couple of pieces of plywood, but encountered a bigger problem. At the Stony Road crossing just south of Ellicott Creek, the District could not get a flusher through the 12" crossing from either direction. Shortly thereafter, the CMTV crew televised the line and discovered a badly deformed piece of PVC pipe. A contract is being bid that would replace 137' of PVC inside the casing pipe. The section is 25 + feet deep. Further investigation by downtown engineering determined that the PVC pipe was manufactured by Carlon, used for a fairly short period of time in the construction industry. CMTV just returned to the Northern Region and they were given work orders to televise all the road crossings that were installed under this contract as well as the creek crossing on Stony Road under Ellicott Creek.

b. Pretreatment Report

None

c. Construction Status Report

i. Stony Rd Sanitary Sewer Repair Contract No. 49-Bid Schedule (Handout)

For the Boards information, a copy of the bid schedule was provided for the Stony Road Sanitary Sewer Repair. Bid opening is scheduled for July 15, 2015. A phone poll is scheduled for July 16, 2015 with confirmation at the October 7, 2015 meeting.

ii. Sewer Manhole Rehabilitation Project-Bid Schedule (Handout)

For the Boards information, a copy of the bid schedule for Contract No. 74 was provided. The bid will be advertised in the Buffalo News on July 3, 2015 and the opening of bids is scheduled for July 17, 2015.

d. Payments (Handout)

Three (3) invoices were paid to CRA totaling \$12,858.13 for Vanderbilt PS Flows.

e. (T) Lancaster Correspondence (Handout)

i. Ground Settlement Issues (Handout)

The Board received a copy of Supervisor Fudoli's letter regarding settlement issues on Walden Ave., at the intersection at the west end of Eastport and Walden Avenue and Ripa's Restaurant on the corner of Walden and Pavement. Supervisor Fudoli has also requested the Division of Sewerage Management investigate sanitary sewer trench settlement in the Summerfield Farms Subdivision on Avain Way. A copy of the follow up letters from Mr. Fiegl was provided to the Board. It appears that from the CCTV footage, the sanitary sewer near Ripa's Restaurant is in very good condition and the settlement most likely was due to the extreme winter conditions causing frost upheaval in the pavement. The settlement concerns on Avian Way were

investigated by a DSM Sewer Repair Supervisor. Again, it was suggested due to the harsh weather conditions, it may have been due to frost upheaval. Mr. Harris agreed there were unprecedented problems caused by last year's winter. Mr. Fiegl noted, the soil conditions and groundwater information did not conclude why the settlement occurred in the past at Eastport and Walden Avenue. Mr. Fiegl suggested the Town of Lancaster, along with the DSM continue to monitor Eastport.

f. (V) Depew-Thank You Letter (Handout)

The Board received a copy of the thank you letter from the Village of Depew's Mayor, Mr. Nikonowicz, Sr., for the departments help in providing assistance with a high manhole at the baseball diamond at Firemen's Park.

Mr. Ambrose made a motion to receive and file items 6a-f. Mr. Harris seconded the motion. The motion carried 4-0.

ITEM NO. 7 ADJOURNMENT & NEXT MEETING

With the passage of the budget, Mr. Nikonowicz, Sr., moved, seconded by Mr. Harris to approve the motion and cancel the July 15th meeting and schedule for the following meeting on October 7, 2015. The motion carried 4-0.

On a side note, Mr. Fiegl commented on the 2% Tax Cap with respect to the recently passed budgets. As the sewer district levies are part of the County's overall tax cap calculation, there is additional coordination required prior to finalization. If any changes are necessary, the Board of Managers will be informed.

On a motion by Mr. Ambrose, seconded by Mr. Batt to adjourn the meeting at 3:51. The motion carried 4-0.

*****NEXT MEETING*****

**Wednesday, October 7, 2015 @ 3:30 pm
Northern Region Admin Bldg.**

Respectfully submitted,



Thomas Batt, P.E.
Board of Managers
Secretary District 4

Motion to approve minutes of 6/24/15

Moved By: NIKONOWICZ

Seconded By: AMBROSE

Approved/Disapproved: 4-0 3-0 TMB (McCRACKEN ABSTAINED)

Date: 10/7/15

Signature Thomas Batt

TB:br

**MINUTES
BOARD OF MANAGERS DISTRICT NO. 4
OCTOBER 7, 2015
NORTHERN REGION CONFERENCE ROOM**

MEMBERS PRESENT: Mr. Gary Ambrose, Mr. Thomas Batt, Ms. Kristin McCracken and Mr. Jesse C. Nikonowicz, Sr.

MEMBERS ABSENT: Mr. Robert Harris

OTHERS PRESENT Mr. Glenn Absolom, Mr. Joseph Fiegl, Mr. Richard Rehac, and Ms. Brenda Rehac

ITEM NO.1-CALL MEETING TO ORDER

Ms. McCracken called the meeting to order at 3:30 pm.

ITEM NO.2-APPROVAL OF JUNE 24, 2015 MEETING MINUTES

Mr. Nikonowicz, Sr., moved, seconded by Mr. Ambrose to approve the June 24, 2015 meeting minutes. Ms. McCracken abstained from voting as she was absent at the June 24, 2015 meeting. The motion carried 3-0.

ITEM NO.3-ITEMS FROM THE PUBLIC

There were no items from the public.

ITEM NO.4-OLD BUSINESS

a. **Contract 40-Aurora North PS Elimination**

Mr. Batt discussed Aurora North PS Elimination project. The Contractor, Catco, is expected to begin digging in the next two weeks. Delivery of the pipe and manholes are expected next week. Due to the material being more specialized, the delivery time was longer than normal. The alignment has been staked out and cut sheets prepared. Field office has been outfitted, photos have been taken and the sign has been made, but not up. Letters to the property owners along Losson will be delivered this week. The contractor has verbally proposed moving the sewer into William Street once it crosses Transit. It would shorten the very long difficult bore across Transit and eliminate two other bores and potentially provide a benefit to the District. DOT approval would be necessary. Once a written proposal is obtained from the Contractor, it will be reviewed by DSM to weigh the benefits to the District.

Item 2

ITEM NO.5-NEW BUSINESS

a. **Amended Proposed 2016 Budget Resolution-Confirmation of Telephone Poll**
(Handout)

The Board received a copy of a resolution for the amended 2016 proposed budget that was previously approved by an Email/phone poll. The County's Budget Office has ascertained that a 3% reduction in the fringe benefit rate could be applied to the 2016 budget. The result of this reduction in the fringe benefit rate would be a decrease of \$48,599 to the overall ECSD No. 4 budget, which would decrease the impact to the typical ratepayer from 3.1% to 2.5% when compared to the budget passed in June. The amendment also includes a re-classification of the unit charge that has no bearing on the impact to the typical ratepayer. It is the DSM's recommendation that the previously approved 2016 budget be adjusted and these savings be passed along to the ECSD No 4 ratepayers. Mr. Ambrose moved, seconded by Mr. Nikonowicz, Sr. to confirm the Email/phone poll. The motion carried 4-0.

b. **Contract No. 49 Stony Road Sanitary Sewer Rehab Project**

i. **Award of Contract-Confirmation of Telephone Poll (Handout)**

The Board received a copy of a resolution to award the Contract No. 49 Stony Road Sanitary Sewer Rehab Project to Yarussi Construction that was previously approved by an Email poll. Bids were opened for Contract No. 49 on July 15, 2015. Yarussi Construction, Inc. was the lowest responsible bidder with a bid of \$215,000.00. A resolution for formal approval was presented to the Board based on the previously approved Email poll. Ms. McCracken moved, seconded by Mr. Batt to confirm the Email poll for the award of Contract No. 49 to Yarussi Construction, Inc. The motion carried 4-0.

ii. **Notice to Proceed (Handout)**

The Board received a copy of the Notice to Proceed letter submitted to Yarussi Construction, Inc. regarding Contract No. 49. The contract requires all work to be completed by November 27, 2015.

iii. **Resident Letter (Handout)**

The homeowners on Stony Road in the area of the construction received an informational letter regarding Contract No 49. The letter includes names and telephone numbers of County personnel and Yarussi's superintendent associated with the project should they have any questions or concerns.

c. **ECSD No. 4 Sewer Agency Report-Sewer Agency Report-Sewer District Ext.**
(Handout)

Mr. Fiegl discussed a proposed extension of ECSD No. 4 that would include areas that are currently serviced as out of district customers. The handout in Exhibit A&B included the description boundary and maps of the proposed properties. Mr. Fiegl read through the resolution prior to the Board's vote. On a motion by Ms. McCracken, seconded by Mr. Ambrose, the motion was approved 4-0.

d. I/I Compliance Hearing-Approval for Fine Stages (Handout)

A Compliance Hearing was held on May 20, 2015. The resident at 5345 Genesee Road, Bowmansville, to date has not scheduled an inspection. It has been recommended by the hearing officer, if the violation is not corrected within 30 days of the notification letter being sent, this property will receive a \$100 premium assessment. For each month following non-compliance a \$100/month premium assessment will be applied. Mr. Batt moved, seconded by Mr. Nikonowicz, Sr., the motion was approved 4-0.

e. User Charges 2016

i. Minutes from Public Hearing (Handout)

A public hearing was held on September 24, 2015 for Erie County Sewer District Nos. 1-6 & 8. Now that the public hearing was held, the next step is for the individual Boards of Managers to adopt the rates. A Notice of Adoption will be published in the Buffalo News and the County's official papers.

ii. Approval of Resolution (Handout)

The Board reviewed a copy of the User Charge Resolution. Mr. Batt noted that the rates remain the same as last years with the exception of the flow rate which decreased by ten cents from \$2.55 to \$2.45/1000 gallons. Ms. McCracken moved, seconded by Mr. Ambrose to approve the resolution. The motion carried 4-0.

f. 2016 Proposed Meeting Schedule (Handout)

Mr. Batt moved, seconded by Ms. McCracken to approve the 2016 meeting schedule. The motion carried 4-0.

Mr. Fiegl asked if the existing Board members would like to consider serving another term. The existing terms end at the end of the year. All members in attendance indicated that they would not be opposed.

g. Construction Inspection Term Agreement-Change Order No. 1 (Handout)

The Division of Sewerage Management recommends the approval of Change Order No.1 in the amount of \$50,000.00 each for DiDonato Associates, Wm. Schutt Associates, and Greenman-Pederson, Inc. for construction inspection services. The amount for each term agreement was set for \$150,000.00. The agreements will terminate on December 31, 2016 and there is not enough money to provide the necessary inspection services through that time period. The monies are often times recovered by means of inspection fees collected at the time of permit issuance. The inspection services are for all Districts and only when work is provided to District No. 4 would the District be charged. The DSM recommends the approval of Change Order No.1 in the amount of \$50,000.00 for each of the firms for a revised contract amount of \$200,000.00. Mr. Nikonowicz, Sr., moved, seconded by Mr. Ambrose to approve Change Order No.1. The motion carried 4-0.

ITEM NO. 6-MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operation Reports-(June-August)

Mr. Rehac updated the Board with the operational reports for the months of June, July and August. As Mr. Batt previously stated, the project on Stony Road will be started shortly. Due to the defect in the pipe for this road crossing, Central Maintenance camera crew televised the nine (9) other road crossings that were installed at the same time and found no defects. Additional televising will be done on other associated downstream sections after the construction project has been completed. The Board was updated on CMTV's activities including root-cutting, pipe patches, and the abandonment of a stub on Ronald.

There were no major pump station issues outside of normal maintenance. As mentioned in prior meetings, the District will be upgrading the Broadway Pump Station. The motor drives and control systems have worked through the purchasing process and delivery should be imminent.

b. Pretreatment Report

None

c. Construction Status Report

There was nothing new to report. See Old Business for Aurora North construction update.

d. Payments

None

e. Section 428 Proposed Fiscal year 2016 Appropriation Bill (Handout)

The Board received letters Mr. Fiegl submitted to Senator Schumer and Senator Gillibrand outlining the Division of Sewerage Management's concerns regarding the Proposed Fiscal year (FY) 2016 Appropriations Bill.

f. NYSDEC-Sewage Pollution right to Know Act-Comments (Handout)

Mr. Fiegl discussed the letter submitted to the NYSDEC regarding the Sewage Pollution Right to Know (SPR TK) Act; proposed Rulemaking to 5 NYCRR Parts 750 and 621. The Division of Sewerage Management submitted their comments on the proposed rulemaking to 6 NYCRR parts 750 and 621, intended to implement the requirements of the SPR TK Act. The letter also includes the correspondence by the NYWEA regarding said rulemaking.

Mr. Ambrose moved, seconded by Mr. Batt to receive and file the miscellaneous and informational items. The motion carried 4-0.

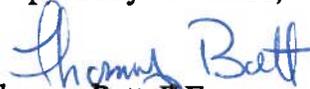
ITEM NO. 7 ADJOURNMENT & NEXT MEETING

Ms. McCracken moved, seconded by Mr. Nikonowicz, Sr. to adjourn the meeting at 4:01. The motion carried 4-0.

*****NEXT MEETING*****

**Wednesday, December 9, 2015 @ 3:30 @ 3:00 pm
Northern Region Admin Bldg.**

Respectfully submitted,



Thomas Batt, P.E.

Board of Managers Secretary

Motion to approve minutes of 10/7/15

Moved By: BATT

Seconded By: NIKONOWICZ

Approved/Disapproved: 5-0

Date: 2/3/16

Signature: Thomas Batt

TB:br