

## Millar, P.E., David

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**From:** Millar, P.E., David  
**Sent:** Thursday, February 26, 2015 4:48 PM  
**To:** David Kaczor; Donald Witkowski; Gerard Kapsiak; Glenn Nellis; John Mills; Karl Simmeth; Michael Kasprzyk  
**Cc:** Fiegl, P.E., Joseph L.; Mallory, John  
**Subject:** Sewer Agency Report  
**Attachments:** DOC.Mod.of.Plans#3\_20150226144452.PDF

Dear Board:

Attached for your review and consideration is a Sewer Agency Report (SAR) for a Modification of Plans in Erie County Sewer District No. 3. The related bond account will be used to complete the Rush Creek Interceptor (RCI) Project. As discussed at our February 11, 2015 meeting, the DSM was put in the position of having to accept withdrawal of the apparent low bid for the General/Mechanical Contract 17A of the RCI Project, originally bid February 3, 2015. The project is presently being rebid. Due to the timing of the rebid, the existing Bond Authorization (Exhibit B of the attached) will expire (May 2015) before we can use it to construct the RCI. Consequently, the attached SAR has been sent to you for consideration at this time, rather than including it in the April 2015 Dist. No. 3 meeting materials, to expedite the Board's review of this important issue. The purpose of the SAR is to extend the original bond authorization. The amount of the authorization will not be increased.

I would also like to inform the Board that, due to the timing issues related to rebidding the RCI Project Contract 17A, I will be sending another email poll for award of that contract slightly after the March 18, 2015 bid opening. Thank you, in advance, for your cooperation with this process.

With this email, I respectfully request that you reply to me with your approval, or non-approval, of the proposed SAR, or with any questions you have. If you prefer I contact you via telephone, please reply stating such and I will gladly call at your convenience.

Thank you,

Dave

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David Millar, P.E. | Assistant Deputy Commissioner  
Erie County | Div. of Sewerage Management  
95 Franklin St., Room 1034 | Buffalo, NY 14202  
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**ERIE COUNTY SEWER AGENCY REPORT  
ERIE COUNTY SEWER DISTRICT (ECSD) NO. 3  
MODIFICATION OF PLANS (2015)**

**GENERAL**

Erie County Sewer District No. 3 was established in the early 1960's by an order of the Erie County Legislature. The Sewer District is located in central Erie County (Exhibit A) and provides wastewater collection and conveyance services for the Villages of Blasdell, Hamburg and Orchard Park, as well as portions of the Towns of Boston, Eden, Hamburg, Holland, Orchard Park and West Seneca.

**BACKGROUND**

In 2005, an Increase and Improvement of Facilities was approved for \$9.1 million in bonding authorization which provided for connection of the Village of Blasdell service area to the Southtowns Advanced Wastewater Treatment Facility and thus eliminating the Blasdell Wastewater Treatment Plant. Since the original increase, the Rush Creek Interceptor Project has seen numerous delays in Project approval, thus resulting in the bond authorization nearing its expiration date.

The Southtowns Advanced Wastewater Treatment Facility will require improvements to handle the additional flows from the Village of Blasdell, plus a new interceptor sewer to make the connection between the two treatment plants.

**PROJECT COSTS**

The existing bond authorization, (Exhibit B) will be utilized to complete the Rush Creek Interceptor Project. Also, there will be engineering, administration or finance costs that will incur as a result of the project. Any remaining funds, if available, will be utilized where best needed to complete new and existing sewer projects within the Sewer District.

**FEDERAL AND STATE AID**

The Division of Sewerage Management has obtained a \$5.0 million dollar grant to be used towards the upgrade of the Southtowns Treatment Plant and interceptor sewer. Also, the

Division has obtained low interest financing, (50% subsidy on the interest rate) from New York State (NYS) Environmental Facilities Corporation for this project.

### **ANNUAL COST TO TAXPAYERS**

This project is a Modification of Plans; thus, there is no increase to the amount of the original bond authorization that was approved in 2005 for \$9.1 million. Therefore, there will be no new costs to the residents within the Sewer District from the estimates presented in the original Erie County Sewer Agency Report of 2005, but rather an extension of the bond authorization to complete this project. The project with its \$5.0 million grant and low interest financing will actually be less costly to the taxpayers of ECSD #3 from its original authorization.

### **CONNECTION FEES**

There will be no additional costs to properties serviced by the Sewer District for items such as connection charges or fees or the need to pay for connections to the sewer system.

### **NEW YORK STATE AUDIT AND CONTROL**

Submission of an application to NYS Audit & Control for approval is not required as this is a Modification of Plans pursuant to Article 5A, Section 253-b, County Law and there will be no increase in cost as a result of the proposed action. Pursuant to Chapter 397 of the New York Laws of 1995, application to the NYS Comptroller is not required for a Modification of Plans as the determination of the cost to the typical property was determined during the original Increase and Improvement of Facilities in 2005.

### **BOARD OF MANAGERS REVIEW**

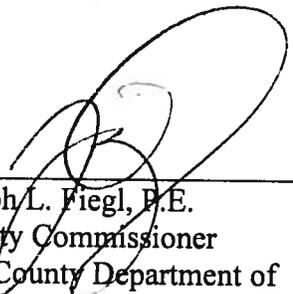
This project has been discussed with the Board of Managers of Erie County Sewer District No. 3. Based on these discussions and review of the Sewer Agency Report, the Board approved this Erie County Sewer Agency Report on FEB. 17, 2015 (Exhibit C) and requests the Erie County Legislature approve a Modification of Plans pursuant to Article 5A, County Law.

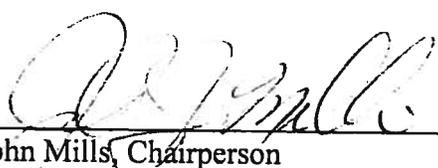
**RECOMMENDATIONS**

The Erie County Sewer Agency and the Department of Environment and Planning recommendations are that the Erie County Legislature:

1. Accept and adopt this Sewer Agency Report which calls for needed improvements at the Southtowns Advanced Wastewater Treatment Facility and implementation of the Rush Creek Interceptor Project;
2. Adopt the necessary resolution for a Modification of Plans pursuant to Article 5A of County Law;
3. Adopt the necessary resolution calling for a Public Hearing;
4. Approve the Modification of Plans to finance the cost of the improvements to the infrastructure of the Sewer District;
5. Adopt a Bond Resolution to extend the bond authorization to complete the Approved Project.

Date: 3/26/15

  
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Joseph L. Fiegl, P.E.  
Deputy Commissioner  
Erie County Department of  
Environment & Planning And  
Erie County Sewer Agency

  
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John Mills, Chairperson  
Erie County Sewer District No. 3  
Board of Managers

  
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David C. Millar, P.E., Secretary  
Erie County Sewer District No. 3  
Board of Managers

Exhibit A  
Service Area Map  
Erie County Sewer District No. 3

# ERIE COUNTY SEWER DISTRICT NO. 3



DATE LAST REVISED: JULY 24, 2014  
CADFILENAME: V:\DSM\ACTIVE\DISTRICTS\ECS3.DWG  
SCALE: 1" = 2000'

ERIE COUNTY  
DEPARTMENT OF ENVIRONMENT AND PLANNING  
DIVISION OF SEWERAGE MANAGEMENT  
85 FRANKLIN ST. BUFFALO, N.Y. 14202

N.Y.D.O.T. BASE MAP

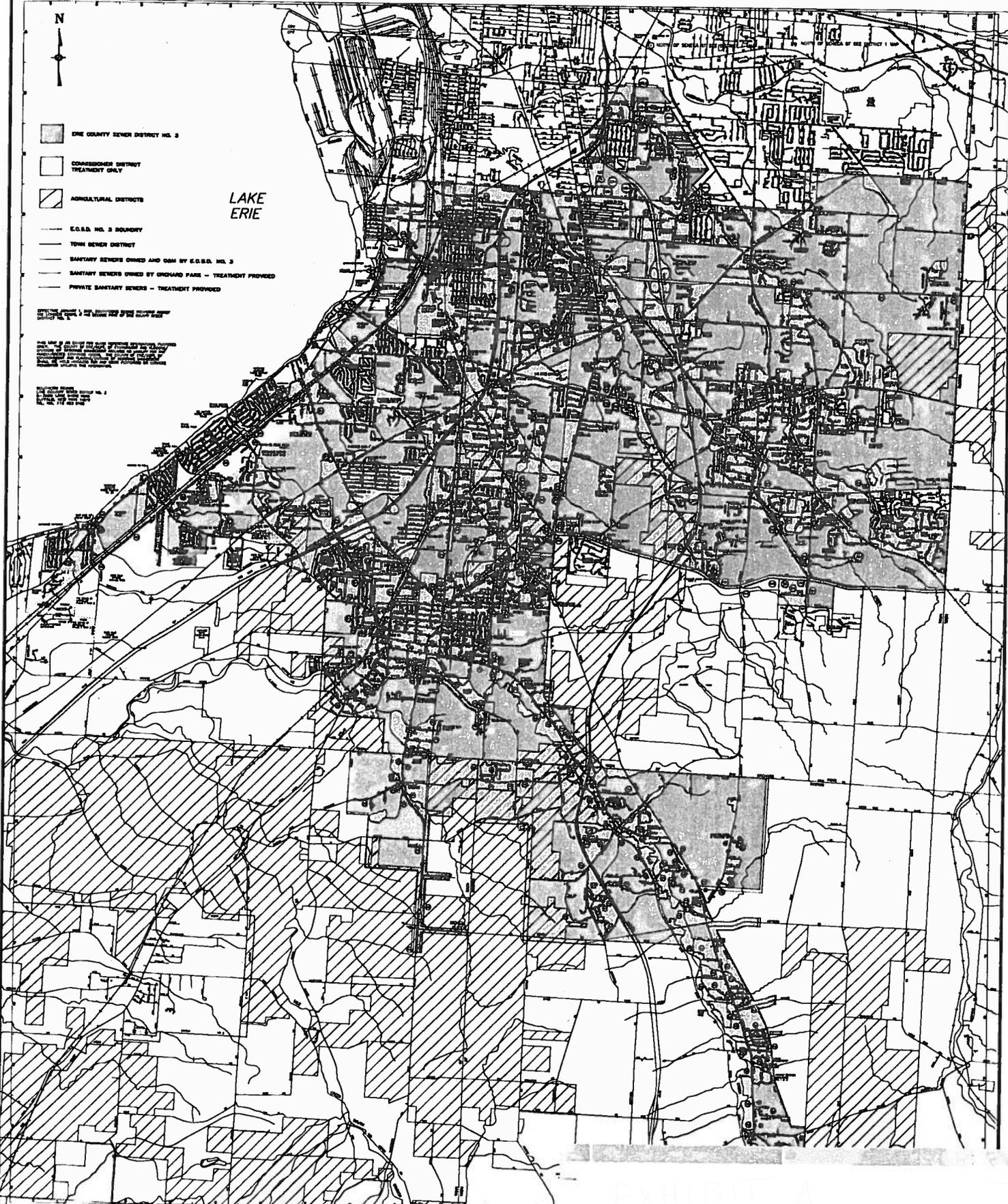


Exhibit B  
Original Bond Account

**BOND ACCOUNT FORECAST**  
**ERIE COUNTY SEWER DISTRICT NO. 3**  
**(Blasdell Connection)**  
**BOND ACCOUNT NO. C.00012**  
**(430-374)**

**Contract : Blasdell Connection / Rush Creek Interceptor (Design)**

Original Bond Authorization	\$1,200,000.00
Additional Bonding Authorization	\$7,900,000.00
Total Authorization	\$9,100,000.00
Adjustment to Authorization ( L.O.C.)	\$5,750,000.00
Total Adjustment to Authorization ( a )	\$14,850,000.00
Allocated	\$11,657,423.70
Unallocated	\$3,192,576.30
Expenditures	\$1,325,506.13
Total Projected Expenditures ( b )	\$16,907,423.70
Projected Additional Allocation	\$5,250,000.00
Projected Authorization Status ( a - b )	(\$2,057,423.70)

Expiration Date May 19, 2015

Modification of plans planned in 2015 ?

Includes increase in Authorization Grant \$5,000,000

Includes increase in Authorization capital Reserve \$750,000

Bonds Sold to Date:

\$600,000 County (Dec 2005)

February-2015

**BOND ACCOUNT FORECAST  
 ERIE COUNTY SEWER DISTRICT NO. 3  
 BOND ACCOUNT NO. C.00012  
 (430-374)**

	Allocated	Expenditures	Projected Additional Allocations	WBS	1st PMT	Last PMT
	<b>\$11,657,423.70</b>	<b>\$1,325,506.13</b>	<b>\$5,250,000.00</b>			
<b>Construction</b>	<b>\$9,528,277.00</b>	<b>\$386,605.34</b>	<b>\$5,250,000.00</b>			
Rush Creek Int Phase	\$0.00	\$0.00	\$5,250,000.00			
Rush Creek PS & ORF Kandey	\$7,327,777.00	\$386,605.34	\$0.00	12.3.20		
Rush Creek PS & ORF Quackenbush	\$448,000.00	\$0.00	\$0.00	12.3.30		
Rush Creek PS & ORF S Buff Elect	\$1,752,500.00	\$0.00	\$0.00	12.3.50		
	\$0.00	\$0.00	\$0.00			
<b>Engineering</b>	<b>\$2,097,446.70</b>	<b>\$907,200.79</b>	<b>\$0.00</b>			
URS Blasdell Cons. Inc CO 1 - 4	\$562,350.29	\$562,350.29	\$0.00	12.1.10		
Revised Scope 1	\$172,388.51	\$172,388.51	\$0.00			
Revised Scope 2	\$105,465.58	\$105,465.58	\$0.00			
URS CO#5 & Revised Scope 3	\$521,713.80	\$17,840.10	\$0.00	12.1.11		
URS - 5 Electric ave PS	\$4,145.30	\$1,358.13	\$0.00			
URS - 3 Milestrip PS	\$3,983.22	\$3,983.22	\$0.00	12.1.91		
GHD Rush Creek Const SVS & CO#1	\$727,400.00	\$43,814.96	\$0.00			
<b>Miscellaneous</b>	<b>\$31,700.00</b>	<b>\$31,700.00</b>	<b>\$0.00</b>			
Ford Property	\$16,500.00	\$16,500.00	\$0.00	12.1.70		
Railroad Easements Rush Creek	\$15,200.00	\$15,200.00	\$0.00			
SRF Iss. Costs	\$0.00	\$0.00	\$0.00			

Exhibit C  
Resolution  
Board of Managers  
Erie County Sewer District No. 3

**A RESOLUTION SUBMITTED BY:  
BOARD OF MANAGERS  
ERIE COUNTY SEWER DISTRICT NO. 3**

WHEREAS, the Erie County Sewer Agency and the Erie County Department of Environment and Planning have prepared a Sewer Agency Report for consideration by the Erie County Sewer Districts No. 3 Board of Managers calling for a Modification of Plans (2015) pursuant to Section 253-b, Article 5A, County Law; and

WHEREAS, the aforementioned Sewer Agency Report describes improvements to the existing Southtowns Advanced Wastewater Treatment Facility infrastructure and the Rush Creek Interceptor Project as described in the Sewer Agency Report; and

WHEREAS, the Department of Environment and Planning has provided information relative to the project's costs and the project's impact on the tax structure to the ratepayers of Erie County Sewer District No. 3.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sewer District No. 3 Board of Managers does hereby accept and adopt this subject Sewer Agency Report, and further recommends this report be submitted to the Erie County Legislature for further consideration and action pursuant to Article 5A, County Law; and be it further

RESOLVED, that the Erie County Sewer Agency be directed to pursue a Modification of Plans (2015) pursuant to Section 253-b, Article 5A of County Law.

Respectfully submitted,

  
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David C. Millar, P.E.  
Secretary, Board of Managers  
Erie County Sewer District No.3

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved: B-O, via email poll

Date: 2/3/2015