



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF ENVIRONMENT & PLANNING

MARIA R. WHYTE
COMMISSIONER

JOSEPH L. FIEGL, P.E.
DEPUTY COMMISSIONER

November 1, 2013

VIA U.S. MAIL AND CERTIFIED MAIL

David and Donna Kloc
131 Crescent Avenue
Hamburg, NY 14075

RE: Compliance Hearing Recommendations
Erie County Sewer District No. 3, Mini System 21
Failure to Correct Violation at 131 Crescent Avenue, Hamburg

Dear David and Donna Kloc:

As a result of your failure to comply with several notifications to correct a violation found at 131 Crescent Avenue to *locate and raise (buried) vent 6 inches above grade and install a mushroom cap*, you were referred by the Erie County Sewer District No. 3 (ECSD 3) Board of Managers (BOM) to an enforcement hearing. The hearing took place on August 14, 2013 with Feldman Kieffer, LLP presiding as the appointed Hearing Officer. A copy of the Hearing Officer's recommendation, dated September 25, 2013, is enclosed.

In the event the violation is not corrected within 30 days, by December 1, 2013, a premium assessment of \$100.00 per month will be added to your County property tax bill in accordance with the Hearing Officer's recommendation. If the violation is corrected before the 30 day period, the fine will be suspended. Should the violation remain uncorrected, the premium assessment fine of \$100.00 per month will continue, pursuant to Section 1104 of the Rules and Regulations for Erie County Sewer Districts, to a maximum penalty of \$10,000.00. If the fine is not paid, a lien on the real property will be assessed through County taxes. A copy of the Rules and Regulations for Erie County Sewer Districts is also enclosed for your information and may also be viewed at www.erie.gov/dsm.

Please call Steve Canestrari, District Manager of ECSD 3, at 716-823-8188 to schedule a reinspection when the violation has been corrected. If you have any questions on this matter, I can be reached at 858-6499.

Sincerely,

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

Encs.

cc: K. Walder, Assistant County Attorney
ECSD 3 Board of Managers
J. Fiegl / A. Horton / B. Pfalzer / 3.2.2 I&I
G. Absolom, S. Canestrari, L. Krug

AMH:V:\Sewerage Management\I&I Program\House Inspection Program\Hearings 8-14-13\FineLetters\131Crescent_FineltrViol-11-1-13.doc

Item
(1/2)



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November 1, 2013

VIA U.S. MAIL AND CERTIFIED MAIL

Jerome and Kathleen Noworyta
4950 Chestnut Ridge Road
Orchard Park NY 14127

RE: Compliance Hearing Recommendations
Erie County Sewer District No. 3, Mini System 21
Failure to Correct Violation at 41 Crescent Avenue, Hamburg

Dear Jerome and Kathleen Noworyta:

As a result of your failure to comply with several notifications to correct a violation found at **41 Crescent Avenue** to *raise low lying vent 6 inches above grade and install a mushroom cap*, you were referred by the Erie County Sewer District No. 3 (ECSD 3) Board of Managers (BOM) to an enforcement hearing. The hearing took place on August 14, 2013 with Feldman Kieffer, LLP presiding as the appointed Hearing Officer. A copy of the Hearing Officer's recommendation dated, September 25, 2013, is enclosed.

In the event the violation is not corrected within 30 days, by December 1, 2013, a premium assessment of \$100.00 per month will be added to your County property tax bill in accordance with the Hearing Officer's recommendation. If the violation is corrected before the 30 day period, the fine will be suspended. Should the violation remain uncorrected, the premium assessment fine of \$100.00 per month will continue, pursuant to Section 1104 of the Rules and Regulations for Erie County Sewer Districts, to a maximum penalty of \$10,000.00. If the fine is not paid, a lien on the real property will be assessed through County taxes. A copy of the Rules and Regulations for Erie County Sewer Districts is also enclosed for your information and may also be viewed at www.erie.gov/dsm.

Please call Steve Canestrari, District Manager of ECSD 3, at 716-823-8188 to schedule a reinspection when the violation has been corrected. If you have any questions on this matter, I can be reached at 858-6499.

Sincerely,

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

Encs.

cc: K. Walder, Assistant County Attorney

ECSD 3 Board of Managers

J. Fiegl / A. Horton / B. Pfalzer / 3.2.2 I&I

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AMH:\Sewerage Management\I&I Program\House Inspection Program\Hearings 8-14-13\FineLetters\41 Crescent_FineltrViol-11-1-13.doc