

ERIE COUNTY SEWER DISTRICT NO. 6
BOARD OF MANAGERS MEETING
OCTOBER 7, 2014
LACKAWANNA CITY HALL

MEMBERS PRESENT: Mr. James Balcarczyk, Mr. James Carr, Mr. Tony Collareno

OTHERS PRESENT: Messrs Joseph Fiegl, Ms. Laurie Gier, Lawrence Krug, and William Strzeszynski

ITEM NO. 1 – CALL MEETING TO ORDER

Mr. Balcarczyk opened the meeting at 3:15 p.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING (Handout)

Mr. Balcarczyk moved, seconded by Mr. Collareno, to approve the minutes from the June 24, 2014 meeting. The motion carried 3-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no items from the public

ITEM NO. 4 – NEW BUSINESS

a. 2015 Meeting Schedule (Handout)

The proposed 2015 Meeting Schedule was distributed to the Board. The Board agreed to change the proposed July 14 meeting to July 7, 2015. Mr. Carr moved, seconded by Mr. Balcarczyk, the Board approved the amended schedule. The motion carried 3-0.

b. User Charges 2015 (Handout)

i. The Board received the minutes from the September 24, 2014 Public Hearing for the User Charges. The public was provided an opportunity to voice any concerns for or against the proposed rates. Mr. Carr noted that there were no comments from the public on the proposed 2015 User Charges.

Item 2

ii. Approval of Resolution (Handout)

The User Charge Resolution was distributed to the Board for adoption by the Board.

Mr. Carr moved, seconded by Mr. Balcarczyk, to approve the Resolution. The motion carried 3-0.

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

The Board received a recommendation from the Division to refer the following property owners to a Hearing Officer for violations to the Rules and Regulations of the Erie County Sewer District: 23 Seal Pl, 74 Modern Ave, and 31 Arnold Pl. Mr. Balcarczyk moved, seconded by Mr. Carr, to refer these properties to a Compliance Hearing. The motion carried 3-0.

d. Award of Contract 52 – Well Street Pump Station Roof Replacement (Handout)

Mr. Carr reported to the Board that there were 4 bidders for the Well Street Pump Station Roof Replacement. Progressive Roofing Inc. was the lowest responsible bidder with a bid of \$124,000.00. Mr. Carr reported that Progressive Roofing has successfully completed projects within the seven Districts and the Engineer recommended Award of Contract.

Mr. Carr moved, seconded by Mr. Collareno, to recommend award of the contract to Progressive Roofing. The motion carried 3-0.

e. Confirmation of Telephone Poll – Settlement Agreement – Niagara Winds (Handout)

Mr. Fiegl reported on the telephone poll he conducted on July 30, 2014, July 31, 2014, and August 1, 2014 whereby Mr. Carr, Mr. Collareno and Mr. Balcarczyk respectively voted to approve the Niagara Winds settlement and order on the windmills located on the former Bethlehem steel property. Mr. Fiegl informed the Board that the Erie County Department of Law believes that the settlement is in the best interest of ECSD No. 6. He further summarized that the previously challenged “benefit issue” will be discontinued. ECSD No. 6 will not be required to make any refunds as a result of the reduced assessments for previous years and the charge formula will not be altered.

Mr. Carr moved, seconded by Mr. Balcarczyk, to confirm the telephone poll. The motion carried 3-0.

f. CRA Infrastructure and Engineering Change Order No. 1 (Handout)

The Board received Change Order No. 1 to CRA Infrastructure and Engineering (CRA) to their agreement to complete the second phase of the feasibility study evaluation for the elimination of the Lackawanna WWTP. Change Order No. 1 will compensate CRA for completing additional work items outside of the original scope due to situation changes beyond their control, i.e.

extended flow monitoring period in Smokes Creeks, the new SPDES permit, and additional computer hydraulic modeling to reflect changes to the Buffalo Sewer Authority's long term control plan.

Mr. Balcarczyk moved, seconded by Mr. Carr to approve Change Order No. 1. The motion carried 3-0.

ITEM NO. 5 – OLD BUSINESS

- a. Notice of Petition – ISG Lackawanna LLC and Tecumseh Redevelopment Corporation – Bethlehem Steel – Article 78

There is nothing new to report.

- b. Niagara Winds Power – Summons (Article 78)

Mr. Fiegl reported that the settlement agreement with Niagara Winds will satisfy the Article 78 challenge and will be thus removed from the Agenda.

ITEM NO. 6 - MISCELLANEOUS / INFORMATIONAL ITEMS

- a. Operational Report

Mr. Strzeszynski gave an update on the District's activities, including routine flushing and inspections; replacement and repairs of drainage inlets relative to the City's Electric Avenue paving project; annual root treatment; and six sanitary repairs and one storm repair.

Mr. Carr updated the Board on the Step II Digester at the District 6 Wastewater Treatment Plant. He reported that a smoke test revealed a small hole breach in the cover. DiDonato Engineering has been assigned a Work Order to develop a plan for repair and estimate the cost for the repair. The Division will then determine the long term status of the Step II digester.

- b. Pretreatment Report

- i. Industrial Wastewater Survey – 3rd Notice (Handout)

Mr. Carr reported that 5 additional Industrial Wastewater Surveys were mailed out to industries not included in the original 30 surveys. At the time of the meeting none of these surveys have been returned.

Mr. Fiegl reported to the Board on an issue with a chlorine residual problem which occurred during a temporary discharge from the former Bethlehem Steel site. The situation was closely monitored and when the discharge was completed the chlorine residual was back to normal.

- c. Construction Report

There is nothing to report at this time.

d. Payments

There was one payment for our outside counsel, Hodgson Russ, in the amount of \$28,064.84 regarding the Niagara Winds Lawsuit.

e. NYSDEC – Annual Inspection SPDES #0022136 (Handout)

The Board received a letter from Mr. Bruce Wager of the NYSDEC, dated September 2, 2014, regarding the NYSDEC's annual inspection of the WWTP. Mr. Wager commended DSM staff, Mr.'s Michael Walker, Matthew Weaver and Michael Dembski for their cooperation and complimented the same for their knowledge and continued up keep of the WWTP. Mr. Wager stated that ECSD No. 6 facilities were in compliance with the SPDES Permit.

f. NYS DOT – TAP Application (Handout)

A copy of a letter from Mr. Fiegl to the New York State Department of Transportation was distributed to the Board. The letter affirms Erie County Division of Sewerage Management's support for the proposed multiuse trail along the former Bethlehem Steel site. The proposed trail would include a 50-foot wide right-of-way, which would enable the installation of sewer force main in the event that ECSD No. 6 would eliminate their wastewater treatment plant and send the flows to the Buffalo Sewer Authority. This right-of-way would minimize construction costs and the disruption to drivers on Route 5.

g. Correspondence from Legislator Dixon (Handout)

In response to correspondences from Legislator Lynne Dixon regarding roadway problems in the City of Lackawanna, a copy of a letter sent to Mayor Szymanski from Mr. Fiegl was distributed to the Board. The purpose of the letter was to re-establish communication protocol regarding complaints/issues within the district; and also to inform the Mayor of the County's findings and demonstrates the Sewer Districts' responsiveness. Mr. Fiegl emphasized that anyone may call the Central Region Office 24-hours a day, 7 days a week to report any problems/concerns, and staff will be dispatched accordingly to investigate. He reiterated that the response will be the same whether they call their Legislator or the Central Region Office, but calling the Central Region Office will ensure a more immediate response.

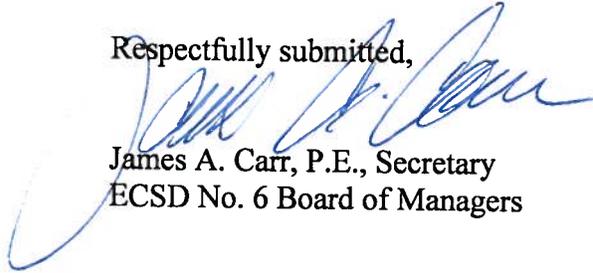
Mr. Fiegl noted that the DSM met with Mayor Symanski and other from the City on September 11, 2014 to discuss the letter. It was Mr. Fiegl's opinion that the meeting went well. There is some follow-up required regarding the County's CDBG program and lateral insurance programs.

Mr. Balcarczyk moved, seconded by Mr. Collareno, voted to receive and file the above informational items. The motion carried 3-0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Mr. Carr moved, seconded by Mr. Balcarczyk, to adjourn the meeting at 4:00 p.m. The motion carried 3-0.

Respectfully submitted,



James A. Carr, P.E., Secretary
ECSD No. 6 Board of Managers

*****Next Meeting***
December 2, 2014 – 3:15 p.m.
Lackawanna City Hall**

Motion to approve minutes of October 7, 2014

Moved By: _____

Seconded By: _____

Approved/Disapproved: _____

Date: _____

Signed: _____