

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: _____

Seconded by: _____

App/Disapp: _____

Date: _____

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