MINUTES
ERIE COUNTY SEWER DISTRICT (ECSD) NO. 5
BOARD OF MANAGERS
APRIL 18, 2012 @ 2:30 PM
AMHERST TOWN HALL

MEMBERS PRESENT: Mr. James Callahan, Mr. Thomas Ketchum, Mr. Steven Sanders, Mr. Albert Schultz and Mr. Kevin Zynda

OTHERS PRESENT: Mr. Joseph Fiegl, Mr. Larry Krug, Mr. Roger Lalli, Mr. Joseph Latona, Ms. Kathryn Vergo and Ms.Brenda Rehac

ITEM NO. 1-CALL THE MEETING TO ORDER

Mr. Callahan called the meeting to order at 2:30 pm.

a. Welcome New Members

Mr. Steven Sanders was welcomed to the Board as the newest member. Mr. Fiegl briefed Mr. Sanders with the District No. 5 boundaries and responsibilities.

b. Election of Officers

Mr. Zynda stated the Secretary of the Board is typically held by a Division of Sewerage Management staff member; along with the Chairman represented by Clarence and the Vice Chairman represented by Amherst.

On a motion by Mr. Ketchum, seconded by Mr. Schultz, to elect Mr. Zynda Secretary; Mr. Callahan Chairman; and Mr. Ketchum Vice Chairman. The motion carried 5-0.

ITEM NO. 2 APPROVAL OF OCTOBER 19, 2011 MEETING MINUTES

On a motion by Mr. Schultz, seconded by Mr. Callahan the October 19, 2011 minutes were approved. The motion carried 5-0.

ITEM NO. 3 FROM THE PUBLIC

None

ITEM NO. 4 NEW BUSINESS

a. Approval of Payments

None

Item 2

Mr. Fiegl noted the Board is not responsible for the approval of payments. The DSM has been delegated to approve payments. Payment information will be made available on the agenda as information and if the Board has questions or concerns, they can contact the DSM and payments can be withheld until cleared by the Board. This will enable one less procedural step which will speed up the process. The Board agreed to have the payments on the agenda as an informational item.

ITEM NO. 5-OLD BUSINESS

a. Clarence Sewer Districts Service Agreement

Mr. Fiegl stated an agreement for operation and maintenance of the Town of Clarence Sewer Districts has been executed and will be effective January 2013. The agreement is very similar to those in the past.

b. Dodge Road Relief Sewer – Status/Harris Hill Pollution Abatement Corporation

Mr. Callahan stated the Towns of Amherst and Clarence held a meeting and is working on a concept which should be available in a couple of weeks. Mr. Callahan will then present the draft to the Towns.

c. Harris Hill Commons

Mr. Callahan suggested this item be removed from the agenda. No further action has been taken. In addition, Mr. Fiegl discussed some changes the DEC made related to subdivisions. The DEC may not allow or agree to an extension without a public entity responsible for funding future capital improvements. Preferably, several out of district customer agreements should be in place before the boundaries are extended.

d. Creekwood Meadows Subdivision

Discussed in item 5c.

e. Newhouse Acres Subdivision

Discussed with item 5c.

f. Woodland Hills Subdivion

Discussed with item 5c. Also, Mr. Fiegl stated a separate district or extension of a district could be created for the subdivisions, only with the Town Board's approval.

ITEM NO. 6-MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report – June, July, August, 2011(Handout)

Mr. Lalli stated Loch Lea pump station had a new "chopper" style pump installed to correct issues with clogged pumps. Also, Eastern Hill's back-up generator had issues that the contractor is working on, along with providing an upgrade. Mr. Lalli noted the problem should be resolved within the next two months.

b. Pretreatment Report

i. FOG

Mr. Zynda explained the FOG (fats, oils, and grease) program the DSM provides. Several food establishments in District 5 were inspected by the DSM staff for grease separators/traps for proper FOG removal.

c. Construction Report

Mr. Zynda noted roof replacements at Eastern Hills and Bryant & Stratton are ongoing.

d. Recent Articles

i. Buffalo News (Handout)

The Board received a copy of an article published in the Buffalo News regarding the high cost of infrastructure throughout the nation.

ii. Clear Water Articles

Two articles were published in the winter 2011 Clear Water edition one was written by a DSM staff member regarding worker safety.

e. Clean Water Advocate

The handouts were presented for the Board's review.

f. ECSD 5 and CSD 2 O&M Agreement

Mr. Zynda discussed the Inflow and Infiltration House Inpection Program currently being conducted in ECSD 5, Town of Clarence District 2. This is a service provided by ECSD 5.

g. ECSD No. 5 Water use Data (Handout)

A letter was presented for the Board's review.

Mr. Zynda moved, seconded by Mr. Sanders to receive and file items 6a-6g. The motion carried 5-0.

ITEM NO. 7-ADJOURNMENT & NEXT MEETING

Mr. Fiegl adjourned to Executive Session regarding a personnel issue at 3:00 pm and resumed the meeting at 3:05 pm. Mr. Callahan moved, seconded by Mr. Ketchum to adjourn the meeting at 3:05. The motion carried 5-0.

Respectfully submitted,

Kevin J. Zynda, P.E.
Secretary – Erie County Sewer District no.5
Board of Managers

*****NEXT MEETING*****
MONDAY, JUNE 25, 2012
2:30 PM
AMHERST TOWN HALL

KZ/br

MINUTES
ERIE COUNTY SEWER DISTRICT (ECSD) NO. 5
BOARD OF MANAGERS
JUNE 25, 2012
AMHERST TOWN HALL

MEMBERS PRESENT: Messrs. James Callahan, Thomas Ketchum, Steven Sanders and Kevin Zynda

OTHERS PRESENT: Messrs. Joseph Fiegl, Lawrence Krug, Roger Lalli, Timothy Lavocat, Steven Bengart, Robert Sackett, Ms. Maria Whyte and Ms. Brenda Rehac

ITEM NO 1-CALL THE MEETING TO ORDER

Mr. Callahan called the meeting to order at 2:35 pm.

ITEM NO. 2-APPROVAL OF April 18, 2012 MEETING MINUTES

On a motion by Mr. Sanders, seconded by Mr. Callahan, the April 18, 2012 minutes were approved. The motion carried 4-0.

ITEM NO. 3-ITEM FROM THE PUBLIC

None

ITEM NO. 4-NEW BUSINESS

a. Resignation of Al Schultz

Mr. Fiegl informed the Board that Mr. Schultz has elected to resign his position from the District No. 5 Board of Managers. The Town of Clarence can make a recommendation to the County Executive for his replacement.

b. 2012 Budget (Handout)

Mr. Fiegl introduced Ms. Whyte, Commissioner of Environment and Planning, to the Board. Ms. Whyte thanked the Board for their contributions as members. Ms. Whyte and Mr. Fiegl met with the Erie County Budget Office in preparation for the 2013 Division of Sewerage Management's Budget. Ms. Whyte explained that the County has been faced with substantial challenges due to the 2% tax cap.

Per Mr. Fiegl's discussions with each Board member in advance of this meeting, that due to the New York State 2% Property Tax Cap law there is less flexibility in this year's budget than in the past. However, Mr. Fiegl commented that he believes this draft budget is a responsible plan to protect the assets and ratepayers of ECSD No. 5.

Overall, the ECSD No. 5 appropriations or expenses are budgeted in 2013 to increase approximately $37,500. Due to an increase in anticipated revenues, the actual District tax levy is

Item 2 (a)

projected to decrease slightly, meaning that most ratepayers will realize total ECSD No. 5 charges that will be at or below 2012's charges.

ECSD No. 5 is one of three sewer districts that comprise the Division of Sewerage Management's "Northern Region." The Northern Region budget is developed based upon a Memorandum of Understanding dated 6/19/91. Essentially, the Memorandum of Understanding outlines which costs or expenses are shared items and which items are exclusive to individual districts and their respective budgets. In summary:

- Costs such as personnel, supplies, equipment, "Division-wide" expenses, etc. are shared based upon the ratio of units in each sewer district and the total units in Northern Region.
- Contractual treatment charges, debt service, revenues, fund balance, and capital reserve are exclusive to each sewer district.

For this year, Northern Region shares in approximately 46.5% of the Division-wide expenses. Within Northern Region, ECSD No. 5 is responsible for 13% of the costs.

Reviewing the Detail Summary for ECSD No. 5, the vast majority of appropriations increase in the 2013 budget is due to operation/maintenance expenses associated with the additional Town of Clarence sewer districts that ECSD No. 5 will now maintain by contract. As a result, the anticipated revenue for "Clarence Town #2, #6, #7, & #9" has been increased approximately $42,000. The fund balance allocation for ECSD No. 5 has been increased by approximately $37,000 to offset a budgeted decrease in user charge revenues. Observing recent trends on amount available and amount used, it is believed that this additional allocation of fund balance is prudent.

Looking at the 2012 and 2013 budget comparison for Northern Region ("pie charts"), most items remained relatively constant, with the percentage of debt service increasing the most.

As stated previously, the estimated impact to the typical ratepayer (single family home) in ECSD No. 5 is a $2 - $3 decrease for 2013 charges.

Fringe benefits for employees are at this point not anticipated to spike sharply this year. Expected increases in pension and medical insurance are not projected to be as high in past years, while items such as workers comp and unemployment are expected to decrease slightly.

The 2013 equipment line items represent $418,430 of the Northern Region budget. The major items includes the replacement of two (2) vehicles, replacement of a 1985 backhoe, replacement of two 40 year old pumps, replacement of variable frequency drives for energy and maintenance savings, and the Northern Region's standard unanticipated replacement item.

Mr. Fiegl presented additional details from the various accounts. An increase of $15,000 for maintenance and repairs was added to cover the cost of main line pipe patch repair which is much more economical vs. a traditional dig job. Fuel costs were estimated at $4.50/gallon. It was noted that generally individual line items are budgeted conservatively with the understanding that unused funds roll into Fund Balance and can be used as an offsetting revenue in subsequent budgets to offset rate increases. Rental fees were reduced $15,000 in part with the ability to do more in-house pipe patch repairs. Also, the utilities enterprise was budgeted less due to more energy efficient projects. Mr. Fiegl explained the Finance Services agreement with the Town of Amherst and Clarence under Professional Service Contract & Fees. Overall, the Northern Region budgeted appropriations have increased approximately 1%.

It is proposed once again that ECSD No. 5 contribute $300,000 to its capital reserve fund. This fund will be utilized to pay "cash" for future capital work in the sewer district.

Fund balance usage as an offsetting revenue is budgeted at 39%. The available district fund balance at 12/31/11 represents approximately 2.95 months of 2013 budgeted appropriations. After several years where the ECSD No. 5 fund balance was lower than desired, it is believed that this fund is now at a healthy level to protect the ratepayers of the district.

It is recommended for the 2013 Budget that the flat charge remain unchanged at $100.00 per unit and the footage charges in ECSD No. 5 remain at $1.00 / foot. At this time, the Board would be approving the budget for ECSD No. 5. At the Combined Budget Meeting on June 27th, the entire Northern Region budget is voted upon.

Mr. Ketchum moved, seconded by Mr. Sanders to approve the 2013 Budget. The motion carried 4-0.

i. 271 Resolution (Handout)

Mr. Fiegl presented the 271 Resolution to the Board for review and approval. Mr. Fiegl explained that the resolution spells out the rates used to calculate the tax levy, and is a necessary step in the budget approval process. Approximately 54%, 21%, and 25% of the sanitary sewer tax levy of $1,505,212 shall be raised from the assessed value, footage and flat charges, respectively.

Mr. Sanders moved, seconded by Mr. Callahan to approve Resolution 271 with a flat charge of $100.00 and footage charge of $1.00. The motion carried 4-0.

Mr. Fiegl noted that Resolution 271 has been passed under the assumption that the combined budget for the Northern Region will remain unchanged after the upcoming ECSD No. 4 Board of Managers meeting on June 27th. It is noted that if there are any modifications necessary, the Budget and this resolution may need to be amended at the already scheduled July 18th ECSD No. 5 meeting.

c. Ranch View, LLC-Request for refund (Handout)

The Board reviewed a memo from Mr. Salah, of the DSM stating the County and Town of Clarence decided as of April 27, 2012, sewer permits for projects within the bounds of Town Districts be issued only by the Town. On April 23, 2012 the County issued two sewer permits for two lots in a subdivision known as Ranch View Estates in Clarence Town district 6 for a total of $1004.00. As a result, Ranch View ended up paying the town for the same sewer permits.

On May 31, 2012, the County received a request from Ranch View, requesting a refund of the $1004.00. The Board received a copy of the request from Mr. Joseph Rubino. On a motion by Mr. Zynda, seconded by Mr. Callahan, the Board approved the requested refund of $1004.00. The motion carried 4-0.

ITEM NO. 5-OLD BUSINESS

a. Dodge Road Relief Sewer-Status/Harris Hill Pollution Abatement Corporation

There was nothing new to report.

b. Creekwood Meadows Subdivision

There was nothing new to report.

c. Newhouse Acres Subdivision

There was nothing new to report.

d. Woodland Hills Subdivision

Individuals representing the Town of Clarence stated that this subdivision along with the proposed Harris Hill Commons Subdivision will be discussed further at future Town Board meetings.

ITEM NO. 6-MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report-March- May 2012 (Handout)

Mr. Lalli stated there are ongoing issues with the Eastern Hills generator with gas pressure. Sewer televising will begin in July in the areas of Clarence Center and Goodrich Roads. Clarence Research Park is currently in the design phase for replacement of the existing building.

b. Construction Report

Mr. Zynda reported that the roof replacements at Eastern Hills and Bryant Stratton are now complete.

c. Hollows at Loch Lea Handout (Handout)

A signed letter from The Hollows Development regarding the proposed 20-lot subdivision was available for the Board's review. The agreement states their intention to contribute $20,000.00 ($1,000.00 per lot) towards the replacement of the existing pump station on Roll Rd.

d. NYS Sewage Right to Know Act

Mr. Fiegl discussed the NYS Sewage Right to Know Act Law which was recently passed. The law will now expand further current levels of public notification for SSO's and CSO's. Once the law takes effect, the DEC will promulgate rules and regulations.

Mr. Zynda moved, seconded by Mr. Callahan to receive and file the informational handouts under items 6a-d.

ITEM NO. 7-ADJOURNEMNT AND NEXT MEETING

On a motion by Mr. Ketchum, seconded by Mr. Callahan the meeting was adjourned at 3:20. The motion carried 4-0.

Budget Meeting, Wednesday, June 27, 2012 @ 2:30 p.m.
Northern Region Administration Building

Regular meeting, Wednesday, July 18@ 2:30 p.m.
Amherst Engineering Department

Respectfully submitted,

Kevin J. Zynda, P.E.
Secretary-ECSD No.5
Board of Managers

KJZ:blr

MOVED BY Stokes
SECONDED BY Zynda
APP / DIS 4-0
DATE 10/17/12

ERIE COUNTY SEWER DISTRICT NO 4
BOARD OF MANAGERS
COMBINED BUDGET MEETING DISTRICTS NO. 1 ,4, &5
JUNE 27, 2012
NORTHERN REGION CONFERENCE ROOM

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

OTHERS PRESENT Mr. Glenn Absolom, Mr. Joseph Fiegl, Mr. Larry Krug, Mr. Roger Lalli, Mr. Matt Salah, Mr. Donald Symer, Mr. Kevin Zynda and Ms. Brenda Rehac

Ms. McCracken called the meeting to order at 3:06 p.m.

Mr. Salah was present representing the Board of Managers for District #1 and Mr. Zynda was representing the Board of Managers for District #5.

Mr. Fiegl presented the Board with the 2013 Combined Budget for 2013. Per Mr. Fiegl's discussions with each Board member in anticipation of this meeting, the Board has been advised that due to the New York State 2% Property Tax Cap law, there is less flexibility in this year's budget than in the past. However, Mr. Fiegl commented that he believes this draft budget is a responsible plan to protect the assets and ratepayers of ECSD No. 4.

Overall, the ECSD No. 4 appropriations or expenses are budgeted in 2013 to increase approximately $171,000. Due to an increase in anticipated revenues, the actual District tax levy is projected to increase only approximately $68,000, meaning that most ratepayers will realize total ECSD No. 4 charges that will be on average slightly higher than fiscal year 2012.

ECSD No. 4 is one of three sewer districts that comprise the Division of Sewerage Management's "Northern Region." The Northern Region budget is developed based upon a Memorandum of Understanding dated 6/19/91. The Memorandum of Understanding outlines which costs or expenses are shared items and which items are exclusive to individual districts and their respective budgets. In summary:

- Costs such as personnel, supplies, equipment, "Division-wide" expenses, etc. are shared based upon the ratio of units in each sewer district and the total units in Northern Region.
- Contractual treatment charges, debt service, revenues, fund balance, and capital reserve are exclusive to each sewer district.

For this year, Northern Region shares in approximately 46.5% of the Division-wide expenses. Within Northern Region, ECSD No. 4 is responsible for 51% of the costs.

Reviewing the Detail Summary for ECSD No. 4, total appropriations are projected to increase $171,000 when compared to 2012, with the vast majority of this increase due to over $230,000 in additional debt service payments associated with recent projects (such as the Vanderbilt/Depew Pumping Station (PS) and Overflow Retention Facility project) and the proposed 2012/2013 Aurora North PS Elimination project. On the revenue side, fund balance and user charges are budgeted to increase while all other revenue sources are projected to

Item 2(b)

decrease. Observing recent trends on amount available and amount used, it is recommended that an additional allocation of almost $117,500 of fund balance be made when compared to 2012. It is important to note that $48,000 less revenue is anticipated from the "State/County/T. Alden" due to anticipated closings in that service area.

Looking at the 2012 and 2013 budget comparison for Northern Region ("pie charts"), most items remained relatively constant, with the percentage of debt service increasing the most.

As stated previously, it is estimated that the average impact to the typical ratepayer (single family home) in ECSD No. 4 is a slight increase for annual 2013 charges when compared to 2012.

Fringe benefits for employees are at this point not anticipated to spike sharply for next year. Expected increases in pension and medical insurance are not projected to be as high as in past years, while items such as workers comp and unemployment are expected to decrease slightly.

The 2013 equipment line items represent $418,430 of the Northern Region budget. The major items includes the replacement of two (2) vehicles, replacement of a 1985 backhoe, replacement of two 40 year old pumps, replacement of variable frequency drives for energy and maintenance savings, and the Northern Region's standard unanticipated replacement item.

Mr. Fiegl presented additional details from the various accounts. An increase of $15,000 for maintenance and repairs was added to cover the cost of main line pipe patch repair which is much more economical and reduces the need for a traditional dig job requiring restoration work. Subsequently, rental equipment was reduced by $15,000. Utilities were estimated lower for 2013, partially due to lower natural gas prices and energy efficiency projects. Fuel costs were budgeted conservatively at $4.50/gallon. Any unused funds will be moved to the fund balance. Under finance services, BSA charges were budgeted slightly lower for district #4. Page 25 illustrates the capital reserve balance for the last 4 years. Page 30 illustrates the available fund balance/percentage used which has remained stable at 60%. Page 41 lists the proposed projects for 2013. An itemized list of available vehicles and conditions are on page 44. Overall, the Northern Region budgeted appropriations have increased approximately 1%.

Fund balance usage as an offsetting revenue is budgeted at 60%. The available district fund balance at 12/31/11 represents approximately 2.6 months of 2013 budgeted appropriations.

Mr. Harris questioned if the Aurora Pumping Station elimination project was included in the 2013 budget; which Mr. Fiegl stated it was in the budget. Mr. Symer asked Mr. Fiegl if former Town District #2 was on the same rate schedule as the rest of the district. Mr. Fiegl stated the rates are the same as the rest of the ratepayers in the Town of Lancaster. Mr. Symer asked when the Town District #2 will be dissolved; which Mr. Fiegl replied he does not have an exact schedule at this time.

The ECSD Nos. 1 and 5 Boards had approved 271 resolutions for their respective sewer districts at their previous meetings with the draft budget as presented. Both Boards proceeded

with the understanding that if the combined budget did not pass, the meetings already scheduled in July would be held to present any revisions and subsequent re-approvals.

It is recommended for the 2013 Budget that the typical flat charge remain unchanged at $170.00 per unit and the footage charges in ECSD No. 4 remain at $0.60 / foot.

Actual approval of the budget will be done during the regular District No. 4 Board meeting with the passage of the 271 resolution.

Respectfully submitted,

Matt Salah, P.E.
Secretary, ECSD No.1
Board of Managers

Thomas M. Batt, P.E.
Secretary, ECSD No. 4
Board of Managers

Kevin J. Zynda, P.E.
Secretary, ECSD No. 5
Board of Managers

Attachments:
Excerpt from District 1 Board Meeting June 20, 2012
Excerpt from District 5 Board Meeting June 25, 2012

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MINUTES
ERIE COUNTY SEWER DISTRICT (ECSD) NO. 5
BOARD OF MANAGERS
OCTOBER 17, 2012
CLARENCE TOWN HALL

MEMBERS PRESENT: Messrs. James Callahan, Thomas Ketchum, Steven Sanders and Kevin Zynda

OTHERS PRESENT: Messrs. Corey Auerbach, Steven Bengart, Joseph Fiegl, Robert Geiger, David Hartzell, Larry Krug, Roger Lalli, Tim Lavocat, Albert Schultz, Jay G. Wopperer, and Ms. Brenda Rehac

ITEM NO. 1-CALL THE MEETING TO ORDER

Mr. Callahan called the meeting to order at 2:33 pm.

ITEM NO. 2 APPROVAL OF JUNE 25, 2015 MEETING MINUTES

a. Approval of June 25, 2012 Meeting Minutes

On a motion by Mr. Sanders, seconded by Mr. Zynda, the June 25, 2012 minutes were approved. The motion carried 4-0.

b. Combined budget Meeting Minutes-June 27, 2012

Received and file item for the Board's information.

ITEM NO. 3 FROM THE PUBLIC

a. Letter from Mr. Wopperer

The Board received a copy of Mr. Wopperer's letter regarding his opposition to the District #5 sewer extension which would include the Woodland Hills sub-division. Mr. Fiegl stated the Division of Sewerage Management will issue a response which will provide additional information and clarify certain items in his letter.

ITEM NO. 4 NEW BUSINESS

a. 2013 Meeting Schedule (Handout)

Mr. Zynda presented the proposed 2013 meeting schedule. In addition, Mr. Zynda noted an error on the April date and should have been April 17th. Mr. Zynda moved, seconded by Mr. Callahan to approve the 2013 meeting schedule. The motion carried 4-0.

Item (2)

a. User Charges

i. Notice of Public Hearing (Handout)

A public hearing was held on August 16, 2012. The proposed 2013 user charge rates were included on the handout.

ii. Minutes from the Public Hearing (Handout)

The Board of Managers received a copy of the minutes from the public hearing for the 2013 user charges for Erie County Sewer Districts No's 1-6 and 8, held on August 16, 2012. Mr. Zynda noted that there is an increase from $4.20 to $4.25 per 1,000 gallons of flow from last year. 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.

iii. Approval of Resolution (Handout)

Mr. Sanders moved, seconded by Mr. Zynda to approve the resolution. The motion carried 4-0.

c. Erie County Sewer Agency Report-Woodland Hills Subdivision Extension (Handout)

The Board reviewed a copy of the Erie County Sewer Agency Report for the extension of ECSD No. 5 boundaries to the proposed Woodland Hills subdivision in the Town of Clarence.

Mr. Fiegl provided a brief history of the proposed Woodland Hills Subdivision district extension. He noted that this extension has been discussed for approximately 10 years and an out of district customer had previously been approved by the sewer board. The Town of Clarence approved of the proposed subdivision through a SEQR Negative Declaration. The SEQR Negative Declaration was conditioned on a capacity analysis certified by the New York State DEC and ECSD No 5 along with the extension of ECSD No. 5. The capacity analysis was completed and it was determined that there is sufficient sewage conveyance and treatment capacity. The review of this Sewer Agency Report is the next step required in the SEQR Negative Declaration. The extension would have no adverse fiscal impact as the infrastructure would be completed by the developer and additional revenues would exceed additional expenses.

Mr. Callahan stated that he would not vote for the Woodland Hills extension at this time unless the extension worked towards other higher priorities in the Town of Clarence sewer master plan.

Mr. Sanders expressed concerns over delaying this extension any further especially since there is no adverse fiscal impact to Sewer District No. 5.

Mr. Ketchum expressed concerns about the potential connection of a public sewer to a private sewer.

Ultimately the item was tabled.

d. I/I Compliance Hearing (Handout)

The Board received copies for five (5) property owners who have failed to schedule an I&I inspection. Mr. Zynda explained the process to move forward with a compliance hearing. Mr. Sanders moved, seconded by Mr. Callahan, to move forward with a compliance hearing for the five property owners. The motion carried 4-0.

e. 3 year-Engineering Term Agreement (Handout)

Enclosed in the handout were five qualified engineering firms to assist the DSM on stand-by for various engineering projects. Mr. Fiegl explained the selection process using a rating matrix. The five engineering firms recommended are CRA, DiDonato, Arcadis/Malcolm Pirnie, URS and Wendel Engineering. After discussions regarding the manner in which these engineers may be used in the 3-year term, Mr. Sanders moved, seconded by Mr. Zynda, to approve the Engineering Term Agreements. The motion carried 4-0.

ITEM NO. 5-OLD BUSINESS

a. Dodge Road Relief Sewer – Status/Harris Hill Pollution Abatement Corporation

Mr. Zynda noted this-currently referred to as the Dodge Road Relief Sewer-will be labeled to as the "Parallel Peanut Line" on future agendas. There was nothing new to report.

b. Creekwood Meadows Subdivision

Nothing new to report.

c. Newhouse Acres Subdivision

Nothing new to report.

ITEM NO. 6-MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report – June, July, August, & September 2012(Handout)

Mr. Lalli discussed a force main failure at the Bryant and Stratton pumping station due to a corrosion issue possibly from another utility. An outside firm was hired to evaluate the cause. Eastern Hill Pumping Station's generator is now operational and in service. The Keller Road pumping station, elimination project will start the week of October 22nd with an anticipated completion date of mid-November. Clarence Research Treatment Plant preliminary drawings and designs are complete and it is anticipated that we will proceed with the replacement of the old structure.

b. Construction Report

Mr. Zynda stated that Mr. Lalli covered construction items in item 6a.

c.. Pretreatment Report

i. FOG (Handout)

The Board received copies of two letters from the Town of Amherst to two food establishments on Transit regarding a grease blockage on June 26, 2012. The letter outlines the Town of Amherst's corrective measures necessary to prevent a violation.

d. Notice of Public Hearing-2012 Assessment Roll (2013 Levy) (Handout)

The Erie County Legislature will hold a Public Hearing on the 2012 Assessment Rolls on November 2, 2012 in the Legislature Chambers. The Notice of Public hearing will be published in the official papers.

Mr. Callahan moved, seconded by Mr. Zynda to approve the receive and file the informational items on the agenda. The motion carried 4-0.

ITEM NO. 7-ADJOURNMENT & NEXT MEETING

Mr. Callahan moved to adjourn the meeting at 3:17 p.m., seconded by Mr. Sanders. The motion carried 4-0.

Respectfully submitted,

Kevin Zynda

Kevin Zynda, P.E.
Secretary – Erie County Sewer District no.5
Board of Managers

*****NEXT MEETING*****
DECEMBER 19, 2012
2:30 PM
AMHERST TOWN HALL

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