

**ERIE COUNTY SEWER DISTRICT NO. 8  
BOARD OF MANAGERS MEETING  
April 3, 2012  
300 Gleed Ave.  
Town of Aurora**

**MEMBERS PRESENT:** Susan Friess, Matthew Hoeh, Edward Paolini, Bryan Smith

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Joseph Fiegl, Kevin Kaminski, James Carr, Peter Sorgi and Laurie Gier

**ITEM NO. 1 – CALL MEETING TO ORDER**

Ed Paolini called the Meeting to order at 9:35 A.M.

a. **Election of Officers**

1. Mr. Paolini made a motion to nominate himself for Secretary. The motion was seconded by Bryan Smith. The motion carried 4-0.

2. Mr. Smith made a motion to nominate Ms. Friess for Chairperson. The motion was seconded by Mr. Paolini. The motion carried 4-0.

3. Mr. Paolini made a motion to nominate Mr. Hoeh for Vice Chairman. The motion was seconded by Mr. Smith. The motion carried 4-0.

Mr. Fiegl asked Mr. Hoeh if the Village had another representative in mind for the Board as he is the only Village representative. Mr. Hoeh indicated that he did not know of anyone.

**ITEM NO. 2 – APPROVAL OF OCTOBER 4, 2011 MEETING MINUTES**

On a motion by Mr. Smith, seconded by Mr. Hoeh, the Board voted to approve the minutes from the October 4, 2011 meeting. The motion carried 4-0.

**ITEM NO. 3 – ITEMS FROM THE PUBLIC**

There are no new items at this time.

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**ITEM NO. 4 – NEW BUSINESS**

a. **Approval of Payments**

There were no payments presented for approval at this time.

Mr. Fiegl informed the Board that Approval of Payments by the Board is not mandatory, but is done as a courtesy for the members. He inquired if the Board would allow for the Approval of Payments to be included as an informational item only. The Board agreed unanimously to move this item for future meetings to Miscellaneous/Informational Items section of the agenda.

**ITEM NO. 5 – OLD BUSINESS**

There is nothing to report at this time.

**ITEM NO. 6 – MISCELLANEOUS/ INFORMATIONAL ITEMS**

a. **Operational Reports**

Mr. Kaminski stated that there was nothing major to report. Due to the mild weather conditions, there hasn't been any major issues.

b. **Pretreatment Reports (Handout)**

This item was provided for the Boards information.

c. **Construction Reports**

Mr. Paolini advised the Board that there is no active construction in District No. 8 to report on at this time.

d. **Workers Safety Program (Handout)**

i. These articles (Buffalo News and Clear Waters) were provided for the Board's information.

e. **Geneva Road Proposed Sanitary Sewer – SEQR (Handout)**

The SEQR correspondence from the State was handed out for Board's information. Mr. Fiegl, advised the Board that plans for the Geneva Road project have been submitted to the State, and after the DEC approves them, the project will go out for Bid. Mr. Paolini handed out a copy of the ECDEP/DSM letter to DEC for Geneva.

There was a question as to whether to hold a meeting for residents of Geneva Road, but the Board decided that a letter sent to all concerned before construction commences would be sufficient. The Board members were all in agreement.

Mr. Smith asked that the ECDEP/DSM send the home owners letter to him for review before it is sent out.

f. Sewer District Extension – Reed Hill Heights (Handout)

This item was provided for the Boards information. Mr. Paolini reported that the Reed Hill Heights project is in process. Mr. Fiegl stated that the DEC requires the developer to obtain a variance. He also stated that the DEC requested that the County send a letter with a time frame for extension of the District boundaries. The Division of Sewerage Management will be sending the information to the DEC.

The Developers Attorney, Mr. Sorgi, asked that the amended Out-of-District Agreement from the County be approved by the Board. Mr. Fiegl indicated that the Board approval of the Out of District Agreement would not be necessary, but the Board could acknowledge the changes. Mr. Paolini advised the Board that the changes to the agreement were to incorporate comments by the DEC.

g. NYS DOT – Rt 20A & 16/78 – Claims on Sanitary Sewer Infrastructure (Handout)

This item was provided for the Board's information. There was a discussion regarding issues with the manholes 'rattling' because that there was no adhesive/sealant used on the riser rings installed with the manhole frames. Mr. Carr stated there is no warranty on the DOT's contract work, but that he will be talking to the riser ring supplier. He also indicated there is no way to tell how many more manholes will be affected. Mr. Fiegl stated that even with these issues, incorporating the ECSD No. 8 sewer work into the DOT's project was of benefit to the District.

h. Town of Aurora Outstanding Deficits (Handout)

This item was printed for the Board's information. Mr. Smith had some questions about status of information regarding deficits/surpluses pertaining to the Town of Aurora Sewer District Merger Agreement, and settling the accounts. Ms. Friess and Mr. Fiegl indicated the Town is still working on the request and requested that this issue be kept on the agenda until the accounts are settled.

i. Clean Water Advocate

The October/November 2011 and the December 2011/January 2012 issues of the Clean Water Advocate were distributed to the Board as an informational item.

Ms. Friess made a motion to receive and file all informational items under Item No. 6. Mr. Hoeh seconded the motion. The motion carried 4-0.

**ITEM NO. 7 - ADJOURNMENT**

On a motion by Mr. Hoeh, seconded by Ms. Friess, the meeting was adjourned at 10:00 a.m. The motion carried 4-0.

Respectfully Submitted



Edward Paolini PE, Secretary  
ECSD No. 8 – Board of Managers

EP:lvg

**ERIE COUNTY SEWER DISTRICT NO. 8  
BOARD OF MANAGERS MEETING  
JUNE 26, 2012 – 9:30 A.M.  
VILLAGE OF EAST AURORA**

**MEMBERS PRESENT:** Susan Friess, Matthew Hoeh, Edward Paolini, and Bryan Smith

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Joseph Fiegl, Kevin Kaminski, Laurie Gier and Beth Salatka

**ITEM NO. 1 – CALL MEETING TO ORDER**

Susan Friess called the meeting to order at 9:33 a.m.

**ITEM NO. 2 – APPROVAL OF APRIL 3, 2012 MEETING MINUTES**

On a motion by Bryan Smith seconded by Susan Friess, the Board voted to approve the minutes from the April 3, 2012 meeting. The motion carried 4-0.

**ITEM NO. 3 – ITEMS FROM THE PUBLIC**

a. **Time Extension Request/New Service – Geneva Rd**

Mr. Paolini presented the Board with a letter from the Homeowner @ 100 Geneva Road asking that the requirement that they connect to the new sewer within 90 days after sewers become available be extended as long as possible because their septic system was replaced recently and is operating properly.

The Board discussed the connection requirements and was advised that the homeowners were advised in prior correspondence that they must connect to the new sewer within 90 days after the sewer becomes available, and that the 90 day period may be extended due to inclement weather. The Board also advised that in prior correspondence, the County stated that to accommodate relatively new septic systems, homeowners may be given up to 3 years to connect to the new sewer.

Joseph Fiegl asked the Board to allow the DSM to evaluate and grant extensions of the tie in period on a case by case basis on behalf of the Board. The DSM indicated they may utilize Erie County Health Department records, inspection and possible testing to verify the system as part of the time extension request evaluation. The Board would be advised if any extensions were granted, as an informational item at the scheduled meetings.

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Susan Friess made a motion to grant the DSM permission on a case by case basis, on behalf of the Board of Managers to grant time extensions, up to 3 years. Bryan Smith seconded the motion. The motion carried 4-0.

Regarding the specific request for 100 Geneva Road, the DSM will investigate and consider the extension based on the results of an investigation. The Erie County Health Department will be contacted to verify the type and age of the septic system at 100 Geneva Road.

#### ITEM NO. 4 – NEW BUSINESS

a. 2013 Budget

i. 2013 Proposed Budget

As 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. 8.

Overall, the ECSD No. 8 appropriations or expenses are budgeted in 2013 to increase approximately \$120,000. Due to an increase in anticipated revenues, the actual District tax levy is projected to decrease slightly. All told, when considering water use charges, the typical ECSD No. 8 ratepayer will have annual sanitary sewer charges that will be only 1% higher than fiscal year 2012.

ECSD No. 8 is part of the combined ECSD Nos. 3 and 8 budget. The ECSD Nos. 3 and 8 budget is developed based upon a Memorandum of Understanding dated 6/17/08. 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 supplies, equipment, "District-wide" expenses, etc. are shared based upon the ratio of units in each sewer district and the total units in the ECSD Nos. 3 and 8 service area.
- Debt service, revenues, fund balance, and capital reserve are exclusive to each sewer district.

For this year, ECSD Nos. 3 and 8 share in approximately 39.6% of the Division-wide expenses. Within this region, ECSD No. 8 is responsible for 9% of the costs.

Reviewing the detailed summary for ECSD No. 8, the vast majority of the appropriations increase in 2013 is due to an additional capital reserve allocation of \$75,000. On the revenue side, the five-year "Intradistrict Adjustment" expires in 2012

removing the negative \$56,100 "revenue" accounted for in past budgets. The use of fund balance has increased approximately \$96,000 when compared to 2012. 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 ECSD Nos. 3 and 8 ("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. 8 is a \$5 increase for annual 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 \$962,500 of the ECSD Nos. 3 and 8 budget. The major items include the replacement of grinder pump units, replacement of two (2) 30 year old portable pumps, three (3) vehicle replacements, various wastewater treatment plant solids handling improvements, laboratory equipment replacements, and the ECSD Nos. 3 and 8's standard unanticipated replacement item.

Mr. Fiegl presented additional details from the various accounts. Some highlights include:

- A 5.3% decrease in utilities.
- An increase in clothing supplies due to going over budget last year.
- An increase in quantity cost for diesel fuel.
- An increase was made in I&I Services.
- Increases in hauling services.

Overall, the ECSD Nos. 3 and 8 budgeted appropriations have increased approximately 1.6%. It is proposed that ECSD No. 8 contribute a total of \$150,000 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 50% of available balance. The available district fund balance at 12/31/11 represents approximately 2.6 months of 2013 budgeted appropriations. After several years where the ECSD No. 8 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 \$25.00 per unit and the footage charges in ECSD No. 8 remain at \$1.50 /

foot. Considering comments from the Board during the 2012 budget meeting, it is recommended that the water usage charge be increased to \$3.50 / 1,000 gallons, which will result in a slight decrease in the assessed valuation charge. At this time, the Board would be approving the budget for ECSD No. 8. At the Combined Budget Meeting on June 27<sup>th</sup>, the entire ECSD Nos. 3 and 8 budgets are voted upon.

Following a discussion by the Board, Ms. Friess made a motion to approve the proposed budget. The motion was seconded by Mr. Hoeh. The motion carried 4-0.

ii. 271 Resolution

The Board was advised that with the approval of the Erie County Sewer District No. 8 2013 Budget, the Board must also specify how the sewer tax levy will be raised. This is accomplished through approval of a 271 Resolution where the components of the tax (not including water usage charges) are listed. Per the 271 Resolution, the levy shall be raised from the assessed value, footage charge and flat charge.

For purposes of the 2013 Budget, the ECSD No. 8 levy shall be raised using 68% from assessed value, 26% from the footage charge and 6% from the flat charge.

On a motion by Mr. Smith and seconded by Mr. Paolini, the Board voted to approve the 271 resolution. The motioned carried 4-0.

b. 431 Quaker Road – Out-of-District Customer Request

Mr. Paolini indicated that Melissa Dispensa is requesting to be allowed connection to ECSD#8 as an Out-of-District customer. The property is located at 431 Quaker Road. The property is adjacent to the Reed Hill Subdivision and Ms. Dispensa is proposing to connect to ECSD#8 via the sewer system being installed for the Reed Hill Subdivision. There is sufficient excess capacity available in the Reed Hill Subdivision Sewer system according to DSM and Mr. Fiegl.

Ms. Freiss indicated that Ms. Dispensa's request has been approved by the Town of Aurora Board.

Mr. Paolini advised the Board that ECSD#8 is in the early stages of extending boundaries to include the Reed Hill Subdivision and with approval as an Out-of-District customer, Ms. Dispensa's property will also be included in the extension. Further, approval of the agreement will generate \$6,400.00 for the District in equity and inspection fees.

On a motion by Mr. Smith, seconded by Mr. Hoeh, the Board voted to approve the Out-of-District customer request. The motion carried 4-0.

d. Geneva Road Bid Results

Mr. Paolini reported that bids were opened on Monday June 25, 2012 for the Geneva Project, noting that J.D. Northrup Construction was the low bidder at \$488,566.45 for the General Contract. The Engineer's estimate for the General Contract was \$540,000.

The Electrical Contract had only one bidder, Weydman Electric for \$61,000. The Engineer's estimate was \$38,800. Mr. Paolini reported that because there was only one bidder DSM is allowed to renegotiate the bid, provided there was no change in the scope of work and DSM was in negotiations with Weydman this morning, and Weydman will be providing a revised quote.

Mr. Fiegl mentioned a bid informality in that JD Northrup failed to properly complete a proposal section regarding the apprenticeship program. JD Northrup has since provided additional information. DSM is discussing the situation with the County Attorney's Office. It is anticipated that the informality will be waived.

Mr. Paolini requested that Board approve contract award to JD Northrup at \$488,566.45 and Weydman at a contract amount not to exceed \$61,000.00.

On a motion by Susan Friess, seconded by Matthew Hoeh, the Board voted to award Contract 11A to J.D. Northrup Construction at \$488,566.45 and Contract 11D to Weydman Electric at an amount not to exceed \$61,000.00. The motion carried 4-0.

On a related note, Ms. Friess expressed concern over residents calling the Town wanting to know some sort of project schedule of when they will need to connect. Ms. Friess suggested sending a brief letter to residents indicating the current project schedule and anticipated connection date of Spring 2013. Mr. Paolini indicated that DSM will distribute a letter to the residents to address this concern.

ITEM NO. 5 – OLD BUSINESS

There are no old business items to discuss at this time.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Approval of Payments

Nothing new to report.

b. Operational Reports

Nothing to report at this time.

c. Pretreatment Reports

i. FOG Program Report

Nothing to report at this time.

d. Construction Reports

Mr. Paolini advised the Board that there were no active construction projects in ECSD No. 8 to report on at this time.

e. Compliance Inspection – SPDES Permit # NY-0028936

Mr. Fiegl advised the board that the New York State Department of Environmental Conservation inspected the Sewage Treatment Plant and the District is in compliance. The DSM has drafted a response to NYSDEC's inspection report findings. DSM's response will be provided to the Board at a future meeting as an informational item.

f. Geneva Road Sanitary Sewer Extension & Pumping Station Project

Mr. Paolini informed the Board that the following items have been developed and secured for the project:

i. Negative Declaration

ii. NYSDEC Approval Correspondence – DEC approval of the project

iii. Bid Schedule

g. Town of Aurora Outstanding Deficits – Joseph Fiegl advised the Board that this item is not yet resolved, and may result in some revenue to ECSD#8.

h. NYS Sewage Right to Know Act

Mr. Fiegl advised the Board that the above referenced Act was passed by the Senate last Thursday. If the law takes effect, the NYSDEC will promulgate rules and regulations. Mr. Fiegl and Mr. Smith provided additional history on how the proposed law came to be and what the law may require of wastewater service providers such as Erie County.

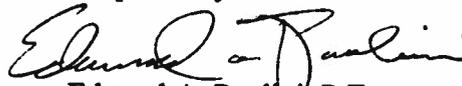
Ms. Friess made a motion to receive and file the informational and miscellaneous items under Item No. 6. Mr. Paolini seconded the motion. The motion carried 4-0.

**ITEM NO. 7 – ADJOURNMENT AND NEXT MEETING**

On a motion by Susan Friess seconded by Edward Paolini, the Erie County Sewer District No. 8 Board of Managers meeting was adjourned at 10:44 a.m. The motion carried 4-0.

Mr. Paolini suggested that upon passage of the budget, to cancel the July 3<sup>rd</sup> meeting. On a motion by Susan Friess seconded by Matthew Hoeh, the July 3<sup>rd</sup> meeting was canceled provided that ECSD No. 3's portion of the budget passes at their June 27, 2012 meeting. The next ECSD No. 8 meeting is scheduled for October 3, 2012.

Respectfully submitted



Edward A. Paolini, P.E.  
Secretary, ECSD No. 8  
Board of Managers

EAP:bs

**ERIE COUNTY SEWER DISTRICT NO. 8  
BOARD OF MANAGERS MEETING  
October 9, 2012  
Village of East Aurora**

**MEMBERS PRESENT:** Chairperson Susan Friess, Secretary Edward Paolini, Bryan Smith

**MEMBERS ABSENT:** Matthew Hoeh

**OTHERS PRESENT:** Joseph Fiegl, Laurie Gier, and Kevin Kaminski

**ITEM NO. 1 – CALL MEETING TO ORDER**

Chairperson Susan Friess called the Meeting to order at 9:31 a.m.

**ITEM NO. 2 – APPROVAL OF JUNE 26, 2012 MEETING MINUTES**

On a motion by Mr. Smith, seconded by Ms. Friess, the Board voted to approve the minutes from the June 26, 2012 meeting. The motion carried 3-0.

**ITEM NO. 3 – ITEMS FROM THE PUBLIC**

Mr. Fiegl informed the Board of a few anonymous phone calls made to the Division about the Geneva Road project, voicing their objections to the project. Ms. Friess also stated that the East Aurora Town Hall had also received similar anonymous phone calls.

**ITEM NO. 4 – NEW BUSINESS**

a. **2013 Meeting Schedule** (Handout)

The 2013 Meeting Schedule was distributed to the Board. On a motion by Mr. Smith, seconded by Ms. Friess, the Board approved the meeting schedule. The motion carried 3-0.

b. **User Charges**

i. **Notice of Public Hearing** (Handout)

Mr. Paolini informed the Board that this item is the formal notice Public Hearing notice regarding the proposed 2013 User Charge rates and that the rates are the same as last year with the exception of the flow rate which

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increased from \$3.25 per 1,000 gallons to \$3.50 per 1,000 gallons for 2013.

ii. Minutes from Public Hearing (Handout)

The minutes from the public hearing on August 16, 2012 were distributed to the Board. Mr. Paolini informed the Board that there were no objections to the proposed User Charges for 2013 and the next step is for the Board to adopt the User Charges by approving the User Charge Resolution item "b iii" below.

iii. Approval of Resolution (Handout)

On a motion by Ms. Friess, seconded by Mr. Smith, the Board voted to adopt the User Charges through approval of the User Charge resolution. The motion carried 3-0.

c. Erie County Sewer Agency Report – Reed Hill Subdivision Extension

The Sewer Agency Report for the extension of the Sewer District for the Reed Hill Subdivision was distributed to the Board. Mr. Paolini advised the Board that the Board must approve the Sewer Agency Report as part of the extension process. The Board's approval also includes the request that the County Legislature approve the Extension, Report and adopt necessary resolutions, including calling for a public hearing, and permissive referendum on the extension in accordance with applicable County Law. Mr. Fiegl advised the Board that the entire process will likely be completed by the spring of 2013.

On a motion by Mr. Smith, seconded by Ms. Friess, the Board voted to approve the Sewer Agency Report. The motion carried 3-0.

The Sewer Agency Report was then signed by ECSD No. 8 Board of Managers Chairperson Friess.

**ITEM NO. 5 – OLD BUSINESS**

There is nothing to report at this time.

**ITEM NO. 6 – MISCELLANEOUS/ INFORMATIONAL ITEMS**

a. Payments

There are no payments to be approved at this time.

b. Operational Reports

Mr. Kaminski reported that the #1 tank is still down for maintenance. He explained that the concrete is in poor condition, and that the plan is to top the tank rim with stainless steel to prevent concrete spalling and wear. The County is currently bidding out the work.

Mr. Kaminski also advised the Board that an overall evaluation of the STP is ongoing.

c. Pretreatment Report

Mr. Kaminski reported that there have been a few instances where the District had to offload and store radioactive sludge. The radioactive sludge is from an unknown source but most likely from radioactive tracers used in medical testing of persons. The landfill will not accept the sludge, so it has to be kept at the plant in bins until the radioactivity dissipates. Mr. Fiegl reported that the radioactive materials (Iodine-131) has a half-life of about 8 days and the County has coordinated with numerous agencies to reconfirm our understanding that it presents no harm to treatment plant workers.. ECSD No. 8 is in the process of procuring a radioactivity meter to prevent the unnecessary expense of shipping of radioactive sludge to the landfill because in the past it was taken to the landfill but not accepted because the levels were too high and, had to be returned to the plant and stored. With the meter, all sludge will be tested and taken to the landfill after the level dissipates.

d. Construction Report

i. Contract 11A & 11D – Notice of Award (Handout)

A copy of the Notice of Award letter that was sent to J.D. Northrup Construction and Weydman Electric was distributed to the Board.

ii. Contract 11A and 11D – Notice to Proceed (Handout)

A copy of the Notice to Proceed letter that was sent to J.D. Northrup Construction and Weydman Electric was distributed to the Board.

iii. Contract 11A and 11D – Resident Letter (Handout)

A copy of the resident letter dated 7-31-2012 to update homeowners on the status of the Geneva Road project was distributed to the Board.

iv. Contract 11A and 11D – Resident Letter – Start of Construction (Handout)

A copy of the letter sent to homeowners providing contact phone numbers and informing them of the start of construction was distributed to the Board.

e. Memo – Olean Road Sewer Extension (Handout)

A copy of a memo from Mr. Salah to Mr. Fiegl outlining the costs to provide sewer service for the Properties on Olean Road south of South street was distributed to the Board. Ms. Friess stated that at a Town Board Meeting, some property owners wanted to know why they are paying for services when they still don't have sewers.

Mr. Fiegl explained to the Board that one potential option would be to install a low pressure system that included a forcemain sewer and individual grinder pump systems for each residence. However, the homeowner would be responsible to connect to the grinder pump, and for the electrical costs associated with the grinder pump system serving their residence. Furthermore, the Board was advised that this could be costly and this must be balanced with the other needs of the Sewer District.

Ms. Friess indicated she would be setting up a meeting with the interested property owners and asked if ECDEP/DSM representatives would attend to explain the details associated with the project. Mr. Fiegl indicated that the ECDEP/DSM representatives would be available to attend the meeting.

f. STP Compliance Inspection – SPDES Permit No. 0028936 (Handout)

A copy of a letter sent by Mr. Absolom to the DEC on June 18, 2012 was distributed to the Board. In the letter, Mr. Absolom addresses the comments generated by the NYSDEC during the most recent STP inspection.

g. Legislature Letter – 2013 Assessment Rolls – Notice of Public Hearing (Handout)

A copy of the notice of public hearing regarding the 2013 Assessment Rolls was distributed to the Board. The public hearing is scheduled for November 2, 2012 to present the Assessment Rolls for 2013. If there are no comments received at the hearing, the charges will be adopted and used for fiscal year 2013.

Ms. Friess made a motion to receive and file the informational items on the Agenda. Mr. Smith seconded the motion. The motion carried 3-0.

**ITEM NO. 7 - ADJOURNMENT**

The meeting was adjourned at 10:15 a.m.

Respectfully Submitted



Edward Paolini PE, Secretary  
ECSD No. 8 – Board of Managers

EP:ljj

MOTION TO APPROVE 10/09/2012 meeting minutes.

Moved By: Matt Hoek

Seconded By: B. Smith

Approved/Disapproved: 4/0

Date: 2/14/2013