

**ERIE COUNTY SEWER DISTRICT NO. 2 (ECSD 2)  
BOARD OF MANAGERS MEETING MINUTES  
FEBRUARY 13, 2014 @ 9:00 AM  
DISTRICT ADMINISTRATION BUILDING**

**MEMBERS PRESENT:** Mayor Howard Frawley, Angela Horton, Anna Knack, Gifford Swyers

**MEMBERS EXCUSED:** Mayor Vincent George

**OTHERS PRESENT:** Glenn Absolom, Patrick Breier, Joseph Fiegl, Nancy Forys, Lawrence Krug

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

Chairperson Knack opened the meeting at 9:04 a.m.

**ITEM NO. 2 – APPROVAL OF OCTOBER 10, 2013 MEETING MINUTES**

On a motion by Mayor Frawley, seconded by Mr. Swyers, the Board voted to approve the minutes from the October 10, 2013 meeting, as amended. The motion carried 4 – 0.

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

There were no new items from the public.

**ITEM NO. 4 – NEW BUSINESS**

a. II Approval for Compliance Hearing

The Board reviewed a list of homeowners recommended to be sent to a compliance hearing. The list is comprised of homeowners who have failed to allow a house inspection in accordance with the “Rules and Regulations for Erie County Sewer Districts” and included properties in North Collins at 2043 Spruce St, 2175 School St, 10535 High St, 10425 High St, 2012 Center St, and 2021 Brant Rd. On a motion by Mr. Swyers, seconded by Ms. Knack, the Board approved to move forward with the compliance hearings. The motion carried 4 – 0.

b. Materials Request – 7180 Lake Shore Road

The Board reviewed a proposal letter written by Sean Schoenborn, attorney on behalf of Mr. Stracick, in regards to the property at 7180 Lake Shore Road, Derby. Mr. Stracick would like to construct a single family home on this property and extend sanitary sewer service to it. He is willing to pay for the installation of 3,400 linear feet of 3 inch diameter pipe and his own low pressure grinder to service his proposed home. Mr. Stracick is requesting the 3,400 feet of 3 inch PVC-SDR 21 be provided by ECSD 2, with an estimated cost of materials for this extension of \$34,000. This extension could service a minimum of 14 other parcels within ECSD 2, so it is the Division of Sewerage Management’s (DSM) recommendation to approve his request to provide materials for this extension. The Board had some questions about this for which Ms. Horton and Mr. Fiegl provided answers during the ensuing discussions.

On a motion by Mr. Swyers, seconded by Mayor Frawley, the Board voted to approve the recommendation to supply the materials as requested by Mr. Stracick. The motion carried 3 – 1 with Ms. Knack voting against this.

**ITEM NO. 5 – OLD BUSINESS**

a. Confirmation of Telephone Polls

i. Three Year Term Agreement - Construction Inspection Services

During a telephone poll conducted by Ms. Horton on 11/19/13, the Board voted to approve the three year term agreements with DiDonato Associates, Greenman-Pedersen Inc., and William Schutt Associates for professional services associated with construction inspections for the DSM not to exceed \$150,000 each.

On a motion by Mayor Frawley, seconded by Ms. Knack, the Board voted to reaffirm the telephone poll approval by 4 – 0. The motion carried.

ii. Contract 79D Close Out, O’Connell Electric

During a telephone poll conducted by Ms. Horton on 11/19/13, the Board voted to approve the Close Out of Contract 79D in the final amount of \$488,126.19.

On a motion by Ms. Horton, seconded by Mayor Frawley, the Board voted to reaffirm the telephone poll approval by 4 – 0. The motion carried.

iii. Contract 90 – No Cost Change Order No. 1

During a telephone poll conducted by Ms. Horton on 11/19/13, the Board voted to approve the no cost Change Order No. 1 by NYS Environmental Facilities Corporation (EFC) to update the required date on the contract for NYS SRF funded projects to be effective October 1, 2013.

On a motion by Ms. Horton, seconded by Mr. Swyers, the Board voted to reaffirm the telephone poll approval by 4 – 0. The motion carried.

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

a. District Payments

There were no payments made since the last Board meeting on October 10, 2013.

b. Operational Report

Mr. Breier provided the Board with an update on the District activities which included the number of complaints received at the District; the status of completed projects as well as the upcoming projects; and a detailed summary of the wet weather events which occurred during the past eight weeks. He also provided a detailed explanation of District procedures currently in place in order to prepare for such events.

Mr. Fiegl commended National Grid on their immediate efforts to come out to the District to repair the transformer which was damaged during a wet weather event.

Mr. Fiegl also recognized the importance of the Board in the Sewer District response during adverse weather conditions. The Board has in the past budgeted for portable pumps, permanent and portable generators, four-wheel drive vehicles, 24/7 authorization for certain staff, overtime, etc. These items are integral to the Sewer District response and he thanked them for their support during Budget discussions so these wet weather events can be handled smoothly.

c. Pretreatment Report – There was nothing new to report at this time.

d. Construction Report

Contract 79A - LP Ciminelli (Lake St. and Point Breeze Pumping Stations): Mr. Fiegl advised the Board that they are in talks with the County to settle issues regarding a share in the additional engineering and project delay costs encountered by the County due to the project not completed on time. Once costs are agreed to, the contract will be closed out.

The cured in place pipe (CIPP) lining contract has been completed for 2013. The 2014 contract work is anticipated to begin again in the spring and include sewerlines in Eden, Evans, Angola & North Collins.

Mr. Fiegl spoke about the recent sewer collapse issues experienced in the Northern Region. The sewerline material was asbestos cement pipe (ACP) and the repair caused the road closure for three days. It has been noted that deterioration is typically more prevalent when the ACP pipe is downstream of a pumping station. It was noted that ECSD 2 has the most ACP pipe downstream of a pumping station of all the Sewer Districts, and these are possible candidates for the CIPP lining. The DSM would like to address this in a proactive manner.

Ms. Horton advises that ACP evaluations in ECSD 2 would begin when weather permits.

i. Contract 70 CIPP – Notice to Proceed 2014 Work Orders (Handout)

Ms. Horton presented the formal “Notice to Proceed” effective 2/3/14 for work orders issued in 2014 for the CIPP lining two-year term agreement. The contract expires on November 19, 2014. She noted that we were able to accomplish three budget years (2012, 2013, 2014) in the two-year contract.

ii. Contract 90 Energy Performance – Notice to Proceed (Handout)

Ms. Horton presented the formal Notice to Proceed for the Big Sister Creek Energy Performance Project which was issued to Wendel Energy Services. There was a \$750,000 grant for this project.

e. Property Owners Letters – North Main Street LP Grinder Sewers (Handout)

Ms. Horton explained that letters were sent to two (2) properties in Eden currently on septic advising them that they needed to connect to the sanitary sewer. Both have contacted the ECSD 2 office and said they will comply.

f. Compliance Hearing Properties –Premium Assessment Letters Sent Nov. 1, 2013 to 9415 Streffi Drive & 49 Orchard Ave., Angola (Handout)

Ms. Horton advised that letters were sent to the properties in ECSD 2 who failed to allow a house inspection and did not appear at the Compliance Hearing nor respond to the Hearing letters. Starting December 1, 2013, they are now receiving the premium assessment penalty of \$100 per month to their County property tax bill until they comply.

g. Local Law Intro. No. 4 – Hydraulic Fracturing (Handout)

A local law was recently passed regarding Hydraulic Fracturing activities on County owned land and the storage, disposal, or treatment of natural gas waste and fracturing wastes at any wastewater treatment facility owned or operated by Erie County. Mr. Fiegl focused on Section 6 – which states that all Erie County Sewer Districts must develop policies to carry out the requirements of this new law. Mr. Fiegl wanted it to be clear that the County has not previously accepted any of the above mentioned wastes.

Pursuant to the local law, the DSM will be evaluating its "Rules and Regulations" in the near future to ensure compliance and Mr. Fiegl will keep the Board apprised.

h. NYWEA Collection System Safety Award (Handout)

On February 6, 2014, Mr. Fiegl accepted the 2013 NYWEA Collection System Safety Award for Erie County. He noted that due to additional safety training, awareness, and equipment upkeep, the rate of incidents has dropped 75% over the last decade.

i. Erie County Utilities Aggregation (Handout)

A letter from the Commissioner of Public Works was received outlining expected increases to the utility bills due to the extreme temperatures experienced in the Northeast. Mr. Fiegl explained that we budget conservatively when it comes to utilities, but depending on conditions the rest of the year, we may need additional funds.

j. Buffalo News Article on America's Infrastructure (Handout) - Presented as informational

Mr. Fiegl informed the Board that he and Mayor George have been discussing issues relative to three grinders located at the Southwest corner of the Village of North Collins. These grinders are connected to each other, do not meet our DSM standards, and were installed by the Village long before our District took over the sewer system in North Collins. One owner made repairs to one of those grinders and is looking to be reimbursed. At this point, it is uncertain who exactly is responsible for such repairs and maintenance of these grinders.

Mayor Frawley brought back some information for energy and utilities. Mr. Fiegl noted he would pass that on to Public Works.

On a motion by Ms. Knack, seconded by Mr. Swyers, the Miscellaneous/Informational Items listed above were all received and filed. The motion carried 4 – 0.

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

On a motion by Ms. Knack, seconded by Mayor Frawley the meeting was adjourned at 10:06 a.m. The motion carried 4 – 0.

Next meeting is scheduled for Thursday, April 10, 2014 at 9:00 a.m.

Respectfully submitted,



Angela M. Horton, P.E.

Secretary - ECSD No. 2 - Board of Managers

Approval of Minutes:

Motioned By: Angela M. Horton

Seconded By: B. Swyers

Approved/Disapproved: 4/0

Date: 4/10/14

Signed: Angela M. Horton