

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY FEBRUARY 12, 2014
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

MEMBERS PRESENT: Chairman John Mills, David Kaczor, Gerry Kapsiak, Mike Kasprzyk, David Millar, Glenn Nellis, Karl Simmeth, John Wilson, and Don Witkowski

OTHERS PRESENT: Glenn Absolom, Steve Canestrari, Joseph Fiegl, Kevin Kaminski, Larry Krug, Mary Sweet

ITEM NO. 1 – CALL MEETING TO ORDER

Chairman Mills called the meeting to order at 8:02 a.m.

ITEM NO. 2 – APPROVAL OF DECEMBER 11, 2013 MEETING MINUTES

On a motion by Mr. Nellis, seconded by Mr. Millar, the Board voted to approve the minutes from the December 11, 2013 meeting. The motion carried 9 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None.

ITEM NO. 4 – NEW BUSINESS

a. Payments (Handout)

The Board reviewed the payment handout for the month of February. On a motion by Mr. Simmeth, seconded by Mr. Wilson, the Board voted to approve the February payments. The motion carried 9 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Steuben Foods

Mr. Fiegl summarized recent events involving Steuben Foods and the proposed Elma Pumping Station improvements that will provide redundant pumping capacity up to approximately 1.0 million gallons per day (mgd) at the station. Mr. Fiegl informed the Board that he had discussed with the County Attorney's office the possibility of developing an agreement to pay for construction and engineering costs in accordance with the recommendations of the Board from the December 2013 meeting and was informed that this funding arrangement would be acceptable. Mr. Fiegl added that Steuben Foods had reviewed and approved the proposed scope and budget for related engineering work to be performed by a consultant under the standing Engineering Services Term Agreement. The Division of Sewerage

Item 2

Management (DSM) will proceed with preparation of an Agreement with Steuben Foods, for the Board's approval, detailing the terms and conditions for repayment of construction and engineering costs associated with the proposed Elma Pumping Station improvements. The DSM will also retain Arcadis for the design phase services through a term contract assignment.

ITEM NO. 6 – MISCELLANEOUS & INFORMATIONAL ITEMS

a. Operational Report

Mr. Kaminski reported a problem with one of the main generators at the Southtowns facility which is currently out of service. Penn Power is on site repairing the generator. Mr. Kaminski also reported there have been equipment performance issues, specifically with frozen valves, concerning the Vacuum-Pressure Swing Adsorption (VPSA) oxygen generation system at the plant. A technician will be coming from Praxair to assist in the repair of the unit.

Mr. Canestrari reported on recent weather events, particularly rain/snow melt events during the weekends of 12/21/13 and 1/11/14 and the blizzard on 1/7/14. He noted that preparations were made in advance of these events in a proactive manner, including scheduling staff ahead of time to perform work around the clock, mobilizing equipment ahead of time, etc. He added the treatment plant had an unexpected visitor from the public spend the day at the Southtowns facility seeking shelter during the 1/7/14 blizzard.

Mr. Fiegl noted that the DSM appreciates the Board's support when it comes to budgeting for portable pumps, portable and permanent generators, four-wheel drive vehicles, 24/7 vehicle authorization for certain staff, overtime, cell phones, and similar items. These items are invaluable in making sure that the sewer district is responsive to our ratepayers and that our staff can provide service under adverse conditions.

Mr. Mills inquired about an issue in the vicinity of Sandy Rd. and Old Lake Shore Rd. during heavy rain events, as reported to him by a resident from that area. Mr. Fiegl responded that, if this is a sanitary sewer issue, the resident would be best served by reporting the problem to the Erie County Sewer District No. 2 office at 549-3161. Erie County Highways or the Town of Evans would be involved if it is a storm sewer issue.

b. Pretreatment Report

i. Industrial Waste Survey – 3rd Notice (Handout)

The Board reviewed a copy of the letter from the DSM to local businesses in the District requesting completion of an industrial waste survey as required by State Pollution Discharge Elimination System (SPDES) permit conditions. As this is the 3rd notification from the DSM to the respective recipients concerning the industrial waste information required by state and federal agencies, the letter notes the DSM will take appropriate action if the survey is not completed.

ii. Industrial Flows (Handout)

The Board reviewed a letter from the DSM to Moog, Inc. in response to its revised discharge permit application for the Conley Rd. facilities. Based on the application, an industrial discharge permit is not required. Moog will be responsible for an equity fee of \$605 related to the additional flows referenced in the application.

b. Construction Report

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

The Board reviewed a formal Notice to Proceed for 2014 Cured-In-Place Pipe Lining Term work in the District.

Mr. Millar stated that work related to the Charlotte, Sherburn, McKinley Pump Station Elimination Project, Contract No. 40, is complete. The DSM is presently evaluating Contractor claims for alleged differing site conditions. When the claims are settled, the related Contract will be closed out. Mr. Witkowski stated the Village of Hamburg was pleased with all work completed under the several construction projects targeted to satisfy the terms of the Village's New York State Department of Environmental Conservation (NYSDEC) Order on Consent.

d. Letter to NYSDEC

i. Village of Hamburg – Order on Consent (Handout)

The Board reviewed a letter from the DSM to the NYDEC requesting close out of the Village of Hamburg Order on Consent (Order). The Village had entered into the Order prior to transferring ownership of its sanitary sewer assets to Erie County in 2005/2006. The County served as the Village's agent for engineering and construction work associated with the Order. Mr. Millar stated that all conditions of the Order had been satisfied including mitigation of several Sanitary Sewer Overflows (SSOs). No formal response to the letter has been received from the NYSDEC by the DSM at this time.

ii. NYSDEC – SSES Revised Work Plan (Handout)

The Board reviewed a copy of a transmittal letter from the DSM to the NYSDEC for submission of the revised Infiltration/Inflow (I/I) Analysis and Sewer System Evaluation Survey (SSES). Revisions to the original submittal included providing additional information regarding evaluation activities routinely performed on the collection system by the DSM.

e. Leg. Letter National Association of Clean Water Agencies (Handout)

The Board reviewed a copy of a Legislature Letter authorizing the DSM to issue a \$3,000 payment to the National Association of Clean Water Agency (NACWA) to support its legal challenge against the United States Environmental Protection Agency (USEPA) regarding new

rules and regulations pertaining to sewage sludge incinerators. The Legislature Letter is in response to the Board's action from the December 2013 meeting.

f. Local Law No. 4 – Hydraulic Fracturing (Handout)

The Board reviewed a copy of a new local law entitled “Banning of Hydraulic Fracturing on Land Owned by Erie County”. The law bans hydraulic fracturing for natural gas (fracking) on county owned lands and prohibits acceptance of fracking waste at Erie County owned Sewage Treatment Facilities. Mr. Fiegl noted that the Division will be reviewing the “Rules and Regulations for Erie County Sewer Districts” to ensure compliance with this new law. He also stated that no County Treatment Facility has now, or in the past, ever accepted any hydraulic fracturing wastes.

g. NYWEA Collection System Safety Award (Handout)

The Board reviewed a copy of a notice citing that Erie County was selected by the New York Water Environment Association, Inc. (NYWEA) to receive its annual collection system safety award. This award is a reflection of the very good work done by all District personnel.

Mr. Fiegl notified the Board the recipient of this year's Frank E. Van Lare Award from NYWEA is Chairman John Mills. The honor is awarded annually, if a worthy candidate is identified, to a locally elected official at the County, City, Town, or Village level who has made a substantial and meaningful contribution to advancing effective water quality environment programs. Criteria for the award include support of local environmental projects, commitment of financial and personnel resources for improving the environment, promoting local laws to improve the environment, and promotion of environmental public education efforts. The Board congratulated this year's very deserving Frank E. Van Lare Award recipient, Chairman John Mills.

h. Electric Demand Increase January 2014 (Handout)

The Board reviewed a letter from the Erie County Commissioner of Public Works, John Lofreddo. Mr. Lofreddo stated that due to the extreme cold weather gripping much of the country, January's electric invoices will likely be 2 to 3 times higher than normal for the next few weeks. Mr. Fiegl noted that the Board and the DSM budgets conservatively; however, if this trend were to continue well into the year there could be some budgetary problems.

i. Buffalo News Article – Sewer Main Break (Handout)

The Board reviewed an article in the Buffalo News concerning a sewer main break in Lancaster, Erie County Sewer District No. 4, that resulted in a street collapse. Mr. Millar stated the sewer pipes involved with the collapse are Asbestos Cement Pipe (ACP) which are susceptible to degradation by hydrogen sulfide (H₂S). Mr. Fiegl noted that all the Districts have ACP pipe within their respective service areas and that the DSM is undertaking a project to

analyze the pipes that are most susceptible to H₂S degradation in an attempt to prevent future collapses.

On a motion by Mr. Kasprzyk, seconded by Mr. Millar, the Board voted to receive and file Miscellaneous/Informational Items 6.a. through 6.i. The motion carried 9 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

On a motion by Mr. Mills, seconded by Gerry Kapsiak the meeting was adjourned at 8:42 a.m. The motion carried 9 – 0.

Next meeting is scheduled for April 19, 2014 at 8:00 a.m.

Respectfully submitted,



Secretary
ECSD No. 3 Board of Managers

Motion to Approve the Feb. 12, 2014 Meeting Minutes

Moved by: MIKE KASPRZYK

Seconded by: GLENN NEELIS

App/Disapp: APPROVED 9-0

Date: 2/19/2014



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

DM:ms