

ERIE COUNTY SEWER DISTRICT (ECSD) NO. 6
BOARD OF MANAGERS MEETING
OCTOBER 8, 2013
LACKAWANNA CITY HALL

MEMBERS PRESENT: Mr. James Balcarczyk, Mr. James Carr, and Mr. Anthony Collareno

OTHERS PRESENT: Messrs Steven Canestrari, Joseph Fiegl, & Lawrence Krug, and Ms. Laurie Gier

ITEM NO. 1 – CALL MEETING TO ORDER

Mr. Balcarczyk opened the meeting at 3:15 p.m.

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. Balcarczyk moved, seconded by Mr. Collareno, to approve the minutes from the June 25, 2013 meeting. The motion carried 3-0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

There were no items from the public.

ITEM NO. 4 – NEW BUSINESS

a. 2014 Meeting Schedule

The proposed meeting schedule for 2014 was distributed to the Board. Mr. Carr moved, seconded by Mr. Collareno, to approve the proposed 2014 schedule. The motion carried 3-0.

b. I/I Compliance Hearing

i. Approval for Compliance Hearing

The Board received a copy of the final inspection request for 19 Sunrise Drive. To date the violation has not been corrected. Mr. Carr moved, seconded by Mr. Balcarczyk, to send the owner(s) of 19 Sunset Drive to a compliance hearing. The motion carried 3-0.

ii. Approval for Fine Stages

A Compliance Hearing was held on August 14, 2013. The following properties were reviewed by the Hearing Officer: 29 Green St, 266 Center, 56 Modern, 59 Verel, and 47 Modern. The Hearing Officer recommended a "premium assessment" of \$100.00 be levied

for non-compliance with the "Rules and Regulations of Erie County Sewer Districts" unless the homeowner complies within 30 days. Mr. Balcarczyk moved, seconded by Mr. Collareno to enforce the Hearing Officers recommendation. The motion carried 3 – 0.

c. Notice of Public Hearing – 2013 Assessment Rolls

Mr. Carr distributed and reported that the Public Hearing on the Assessment Rolls will be held on November 1, 2013 in the Chambers of the Erie County Legislature. The Legislature will then be requested to adopt and affirm the assessment Rolls.

d. User Charges 2014

i. Minutes from Public Hearing

The Board received the minutes from the September 24, 2013 public hearing for the User Charges. The proposed user charge rates for the Erie County sewers for 2014 were presented and the public was provided an opportunity to express any concerns over the proposed rates. Mr. Carr noted that there were no comments on the proposed 2014 User Charges.

ii. Approval of Resolution

Mr. Carr presented to the Board the Erie County Sewer District No.6 User Charge Resolution for adoption by the Board. Mr. Carr moved, seconded by Mr. Collareno, to approve the User Charge Resolution for Erie County Sewer District No. 6. The motion carried 3-0.

e. Confirmation of Telephone Poll – 2013 Tax Bill Refund

The homeowner of 114 Victory requested a refund on his 2013 sewer tax bill. 114 Victory had a water leak in their water service line and was charged for 1,257,000 gallons of water. This resulted in a tax sum of \$3,613.00. He requested a reduction on his water usage from Erie County Water Authority and was ultimately billed for 300,000 gallons. The Division's Tax Department has researched this with the Erie County Water Authority and confirmed the charge and the reduction. The Board, on a motion by Mr. Carr, seconded by Mr. Collareno, voted to confirm the phone poll of July 11, 2013, and approve the refund as noted in the memo. The Motion carried 3-0.

ITEM NO. 5 – OLD BUSINESS

a. Notice of Petition – ISG Lackawanna LLC and Tecumseh Redevelopment Corporation – Bethlehem Steel – Article 78

Mr. Fiegl reported that Charles Alessi, the former Deputy Commissioner, was deposed on the Article 78, in particular, user rates, i.e. parcel changes and property assessment within Erie County Sewer District No.6.

b. Niagara Winds Power – Summons (Article 78)

Mr. Fiegl reported to the Board that our Attorneys are working to settle the Niagara Winds matter. Mr. Fiegl will update the Board as this item progresses.

ITEM NO. 6 - MISCELLANEOUS / INFORMATIONAL ITEMS

a. Operational Report

Mr. Canestrari highlighted several District projects:

District staff replaced 60 linear feet of 8 inch main at Pearl and Washington to facilitate lining of the remaining sewer. This project also involved taking down and installing a privacy fence and clearing and grubbing of overgrowth for access to the site.

Staff replaced 6 existing catch basins and installed 2 new catch basins; and also installed 250 ft. of 8 inch storm main on Lincoln Ave.

Staff investigated sinkholes at 96 Della, 288 South Shore and Center & Krakow Streets and after ascertaining that that cause was due deficiencies in the County's infrastructure, completed the repairs. This included the assistance of an outside contractor for the repairs on Della and Center/Krakow.

On Sharon Pkwy the District's TV camera became stuck in the sewer in Sharon Pkwy. Staff had to excavate the sewer main to retrieve the camera. This resulted in the replacement of approximately 7 feet of sewer main.

b. Pretreatment Report

i. Letter to Local Businesses – Industrial Waste Survey

The Board received a copy of the 2nd Notice letter sent to the 4 industries who have not returned the Industrial Waste survey.

c. Construction Report

i. Contract No. 70 – Work Order No. 5

Mr. Carr distributed a copy of the Work Order No. 5 for United Survey Inc. The work order for lining the sanitary sewers in sections of: Washington Street, Pearl Street, Baker, Wilkesbarre, Wintergreen, and Electric Street.

ii. Contract No. 70 – Contract Extension for 2014-2015

Mr. Carr distributed copies of his memo recommending an extension of the

contract with United Survey Inc. for two additional years, 2014 and 2015 and United Survey's letter agreeing to hold their 2012 bid prices for the two-year extension. The Purchasing Department has agreed to extend the contract with United Survey Inc. an additional 2 years.

d. Payments

The Board received and filed a payment of \$28,064.28 for legal fees to Hodsson Russ for the Niagara Winds Lawsuit.

e. Letter to NYSDEC

i. Flow Meter Installation SPDES Permit Schedule of Compliance

The Board reviewed a copy of a letter to the DEC regarding a new flow meter location at the Lackawanna Wastewater Treatment Plant (WWTP). This meter will measure primary effluent bypass flow and is in accordance with the Schedule of Compliance listed in the SPDES permit.

ii. SPDES Permit Schedule of Compliance – 9 Month Progress Report

The Board reviewed a copy of Mr. Fiegl's letter sent to the DEC outlining the 9 Month Progress for the schedule of compliance listed in the SPDES Permit.

iii. I/I and SSES Work Plan Response

The Board reviewed Mr. Fiegl's letter regarding the August 1, 2013 meeting with the NYSDEC. The meeting was a follow up for clarification on the NYSDEC perspective on the I/I and SSES Work Plans. The Division and the NYSDEC agreed to formally document the collection system work previously completed and the NYSDEC requested the Division review its records and propose a schedule for resubmission of the work plans. The Division committed to submit these updated work plans by January 1, 2014.

f. District Chemical Spill

The Board was informed about a trouble call on August 8, 2013 for a strong odor of gasoline in the basement at 258 Steelawanna Ave. ECSD No. 6 staff along with Lackawanna Fire Department, the County Hazmat team, and the NYSDEC were called in and assisted with successfully resolving the problem.

g. New Environmental Bond Act

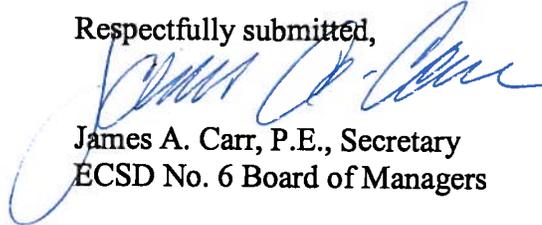
Mr. Fiegl reported to the Board that he went to Albany to speak about the condition of and the need for continued improvements to the sanitary sewer infrastructure. Albany is considering a five billion dollar environmental bond program, two billion dollars that would specifically be for water and sewer infrastructure. If the Senate and Assembly approve the Environmental Bond Act would be on the ballot in 2014 for voters' approval.

Mr. Balcarczyk moved, seconded by Mr. Collareno to receive and file the informational items on the agenda. The motion carried 3-0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Mr. Balcarczyk moved, seconded by Mr. Carr, to adjourned the meeting. The motion carried 3-0.

Respectfully submitted,



James A. Carr, P.E., Secretary
ECSD No. 6 Board of Managers

Motion to approve minutes of October 8, 2013

Moved By: _____

Seconded By: _____

Approved/Disapproved: _____

Date: _____