

AGENDA
BOARD OF MANAGERS
ERIE COUNTY SEWER DISTRICT NO. 3
APRIL 10, 2013, 8:00 A.M.
SOUTHTOWNS TREATMENT PLANT OFFICES

1. Call the Meeting to Order
2. Approval of February 13, 2013 Meeting Minutes
3. Items from the Public
4. New Business
 - a. Payments (Handout)
 - b. Close Out of Contract
 - i. 43 PS-E – Electrical with Weydman Electric, Inc.
 - ii. 43 PS-G – General / Mechanical with STC Construction, Inc.
5. Old Business
 - a. Advanced Planning Bond Status
6. Miscellaneous & Informational Items
 - a. Operational Report
 - b. Pretreatment Report
 - c. Construction Report
 - i. Contract No. 40 – Resident Letter (Handout)
 - ii. Contract No. 12 ST-A – Change Order No. 1
 - d. Ltr. to NYSDEC - SPDES Facility Work Plan
 - e. Ltr. to NYSDEC – SPDES Permit Schedule of Compliance (Handout)
 - f. Blasdell WWTP – SPDES Compliance Inspection (Handout)
 - g. Holland WWTP – SPDES Compliance Inspection (Handout)
 - h. Ralph Wilson & Training Facilities Improvement Project – Negative Declaration
 - i. Sanitary Sewer Overflow – 4650 Southwestern Blvd.
 - j. Sewer Backup Claim Response – 187 Brookwood Drive
 - k. Basement Service Information Letter (Handout)
7. Adjournment & Next Meeting

Wednesday, June 19, 2013 @ 8:00 a.m.
Southtowns Sewage Treatment Plant

ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS MEETING
WEDNESDAY FEBRUARY 13, 2013
SOUTHTOWNS TREATMENT PLANT CONFERENCE ROOM

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

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Absolom, Joe Fiegl, Steve Canestrari, Jill Krafft, Larry Krug

ITEM NO. 1 – CALL MEETING TO ORDER

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

ITEM NO. 2 – APPROVAL OF MINUTES OF PREVIOUS MEETING

On a motion by Mr. Kasprzyk, seconded by Mr. Simmeth, the Board voted to approve the minutes from the December 12, 2012 meeting. The motion carried 9 – 0.

ITEM NO. 3 – ITEMS FROM THE PUBLIC

None

ITEM NO. 4 – NEW BUSINESS

a. Approval of Payments (Handout)

Mr. Millar presented the Payments on the handout for the month of February. On a motion by Mr. Kasprzyk, seconded by Mr. Simmeth, the Board voted to approve the February 2013 payments. The motion carried 9 – 0.

ITEM NO. 5 – OLD BUSINESS

a. Rush Creek Interceptor: Southtowns Upgrades

i. Response Ltr. to NYSDEC Concerns (Handout)

Item 2

Mr. Millar presented a copy of a summary letter written by Mr. Fiegl after a recent meeting held with the New York State Department of Environmental Conservation (DEC). The meeting, regarding the Rush Creek Interceptor project, took place on January 17, 2013. The DEC has committed to more timely responses, with said responses in writing. Consequently, Mr. Fiegl received a response to his Rush Creek Interceptor meeting letter within one week. Mr. Fiegl informed the Board that there will be several items in front of the Board for this project, such as consultant agreements for construction services, at the April meeting.

Mr. Fiegl discussed the potential use of Advanced Planning Bonds (APBs) for upcoming projects related to the new SPDES permit. APBs are issued by the County to fund engineering design services for capital projects. Cost estimates prepared during the project design phase are used to more accurately determine capital costs impacting the long-term bonding process. APB funds must be reimbursed by the sewer district to the County after design is complete. Mr. Fiegl briefly described anticipated projects that may take place at the WWTP and indicated much analysis will be required. He informed the Board that if APBs are not an available funding option, there may be a need to explore other options including possible use of the Capital Reserve Fund.

Mr. Kaczor inquired about the status of the 2% Property Tax Cap in regard to the 2014 Budget. Mr. Fiegl stated that there is an opportunity to adjust the current charge formula by redefining the existing unit charge as a usage charge which is classified differently under Tax Cap Law. Mr. Kaczor indicated that he would not support the same budget approach taken last year in regard to the 2% cap. Mr. Fiegl stated his focus is on what he can control including, for example, a strategy of balancing the collective Erie County Sewer District tax cap impacts. There have also been some discussions with the County Administration on this topic.

On a motion by Mr. Nellis, seconded by Mr. Kaczor, the Board voted to receive and file the response letter to the DEC. The motion carried 9 – 0.

ITEM NO. 6 – MISCELLANEOUS/INFORMATIONAL ITEMS

a. Operational Report

Mr. Absolom informed the Board that solids were removed from two aeration reactors at the treatment plant and added that cleaning of the final two reactors will require a re-bid to account for unexpected difficult nature of solids materials removed. In addition, incinerator feed system work is being finished.

b. Pretreatment Report

Mr. Absolom reported that a repair had to be made on the Elma force main in the vicinity of Jamison Road. He also informed the Board that Steuben Foods is changing the chemical used for odor control. The change will be made on a trial basis.

i. Industrial

Steuben Foods – The project to upgrade the wastewater pretreatment system is complete. The system went on-line on January 30, 2013.

Buffalo News Publication - During July of 2012, there were two industrial users who were in significant non-compliance; Hamburg Finishing Works and Precision Photo-Fab. These violations were corrected and the industrial users are now in compliance. The required notice was listed in the Buffalo News on January 16, 2013.

ii. Dental Amalgam Program

There are 49 dental offices in the ECSD No. 3. All have been inspected and are in compliance with the District's amalgam separator requirement.

c. Construction Report

Mr. Millar reported that the contract for the W. Quaker, S. Davis, and Roseview Sewer Rehabilitation Project, Contract 71, has been awarded to Hydrolawn of Buffalo. Construction will start in the spring. He also informed the Board of fuel tank replacement projects at the Rodger Road and Mt. Vernon pump stations. Additionally, the Elma pumping station wet-well piping project is 100% complete.

d. Village of Orchard Park Invoice – 2012 Inspection Fees (Handout)

Mr. Millar presented a copy of an invoice sent from the DSM to the Village of Orchard Park for sewer inspection fees. During 2012 there were 43 properties inspected. Inspection service invoices are sent to the Village of Orchard Park on an annual basis per the terms of the DSM/Village of Orchard Park merger agreement.

e. CIPP Lining Contract No. 70

- i. Notice to Proceed (Handout)
- ii. Work Order No. 1 (Handout)

Mr. Millar presented the above handouts to the Board. The Notice to Proceed and Work Order No. 1 were issued for the Cured-in-Place Pipe (CIPP) term lining contract. He informed the Board that, per the contract, work orders are issued in a minimum of \$100,000 increments. The contractor for this CIPP term lining contract project is United Survey, Inc.

f. Resolution – Amended budget for Mt. Vernon Sewer District (Handout)

The Board reviewed a copy of the legislative resolution adjusting the 2013 Budget to account for operation and maintenance appropriations related to the Mt. Vernon Commissioner District in the Town of Hamburg. The adjustment was approved at the previous Board meeting.

g. SEQRA Solicitation – Ralph Wilson Stadium Project (Handout)

The Board reviewed a copy of the State Environmental Quality Review Act (SEQRA) package from the Erie County Department of Public Works for the Ralph Wilson Stadium improvements project. Mr. Millar reported that the package contains a solicitation to all affected agencies to grant lead agency status to Erie County for review and coordination purposes pursuant to SEQRA. Erie County has made a preliminary determination that the proposed project will not have a significant impact on the environment.

On a motion by Mr. Millar, seconded by Mr. Kasprzyk, the Miscellaneous/Informational Items 6.a. through 6.g. were received and filed. The motion carried, 9 – 0.

ITEM NO. 7 – ADJOURNMENT & NEXT MEETING

Mr. Kapsiak informed that Board that Mr. Fiegl had received the 2012 Technical and Management Innovation Award from the American Public Works Association – Western New York Branch. This awarded is given for the development and implementation of creative ideas, devices, or processes that enhance the goals of public works and protecting the environment.

On a motion by Mr. Kapsiak, seconded by Mr. Wilson, the meeting was adjourned at 8:36 a.m. The motion carried 9 – 0.

Next meeting is scheduled for Wednesday April 10, 2013 at 8:00 a.m.

Respectfully submitted



Secretary

ECSD No. 3 – Board of Managers

DM:jk

Motion to Approve Feb. 13, 2013 Minutes

Moved By: _____

Seconded By: _____

App./Disapp.: _____

Date: _____

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

**TABULATION OF PAYMENTS
TO BE APPROVED BY ECSD # 3
BOARD OF MANAGERS**

April 10, 2013

<u>DATE</u>	<u>BOND ACC</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
4/10/13	C.00015	MPI	Business Case Study Inv 507409	2,283.37
4/10/13	C.00073	Weydman	Crescent Ave PS Relocation Inv 1103705	3,379.50
4/10/13	C.00012	URS	Rushcreek Interceptor Inv 55408315	13,805.44

MOVED BY :

SECONDED BY

APPROVED/DISAPPROVED

DATE

SECRETARY

Handwritten signature/initials

COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMNT
**** MEMORANDUM ****

TO: David Millar, P.E., Secretary ECSD No. 3 Board of Managers
FROM: Edward A. Paolini, P.E., Senior Sanitary Engineer
DATE: February 25, 2013
RE: Erie County Sewer District No. 3
Contract No. 43PS-E Electrical
Close Out – Weydman Electric, Inc.



Attached for the District No. 3 Board of Manager's action is a suggested resolution for the close out of the Cresent Ave Pumping Station Project, Contract No. 43PS-E Electrical in the final amount of \$ 208,636.12 which includes Change Order No. 1(final) a decrease of \$1,863.88. Please present this at the next Board of Managers meeting. All work has been satisfactorily completed.

Should you require anything further on this matter, please let me know.

EAP;ms

Encl.

CC: J.Carr/J.Mallory/J.Russell/S.Tirone/3.3.3.43PS-E (w/encl.)

Item 4(b)(i)

RESOLUTION
ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS

WHEREAS, the Erie County Sewer District No. 3 Board of Managers has been advised that the Cresent Ave Pumping Station Project, Contract No. 43PS-E Electrical, has been satisfactorily completed; and

WHEREAS, the Erie County Department of Environment and Planning, recommends the final acceptance of the Cresent Ave Pumping Station Project, Contract No. 43PS-E Electrical, in the final contract amount of \$208,636.12 together with Change Order No. 1 (final) a decrease of \$1,863.88; and

WHEREAS, the Erie County Department of Environment and Planning further recommends final payment to Weydman Electric, Inc. at the final contract amount of \$208,636.12.

NOW, THEREFORE, BE IT

RESOLVED, that the Cresent Ave Pumping Station Project, Contract No. 43PS-E Electrical, between Erie County and Weydman Electric, Inc., be finally accepted in the final contract amount of \$208,636.12; and be it further

RESOLVED, that the Erie County Sewer District No. 3 Board of Managers hereby recommends that the Erie County Legislature move to direct the Erie County Comptroller to make final payment for the Cresent Ave Pumping Station Project, Contract No. 43PS-E Electrical, to Weydman Electric, Inc., at the final contract amount of \$208,636.12.

Respectfully submitted,

David Millar, P.E.
Secretary to Board of Managers
Erie County Sewer District No. 3

Moved by:
Seconded by:

Ayes: Nayes:

Date:

File: 3.3.3.43PS-E

COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMNT
**** MEMORANDUM ****

TO: David Millar, P.E., Secretary ECSD No. 3 Board of Managers
FROM: Edward A. Paolini, P.E., Senior Sanitary Engineer
DATE: February 25, 2013
RE: Erie County Sewer District No. 3
Contract No. 43PS-G General/Mechanical
Close Out – STC Construction, Inc.



Attached for the District No. 3 Board of Manager's action is a suggested resolution for the close out of the Cresent Ave Pumping Station Project, Contract No. 43PS-G General/Mechanical, in the final amount of \$ 299,175.00 which includes Change Order No. 1(final) a decrease of \$29,327.00. Please present this at the next Board of Managers meeting. All work has been satisfactorily completed.

Should you require anything further on this matter, please let me know.

EAP;ms

Encl.

CC: J.Carr/J.Mallory/D.Skowronski/S.Tirone/3.3.3.43PS-G (w/encl.)

Item 4(b)(ii)

**RESOLUTION
ERIE COUNTY SEWER DISTRICT NO. 3
BOARD OF MANAGERS**

WHEREAS, the Erie County Sewer District No. 3 Board of Managers has been advised that the Crescent Ave Pumping Station Project, Contract No. 43PS-G General/Mechanical has been satisfactorily completed; and

WHEREAS, the Erie County Department of Environment and Planning, recommends the final acceptance of the Crescent Ave Pumping Station Project, Contract No. 43PS-G General/Mechanical, in the final contract amount of \$299,175.00 together with Change Order No. 1 (final) a decrease of \$29,327.00; and

WHEREAS, the Erie County Department of Environment and Planning further recommends final payment to STC Construction, Inc. at the final contract amount of \$299,175.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Crescent Ave Pumping Station Project, Contract No. 43PS-G General/Mechanical between Erie County and STC Construction, Inc., be finally accepted in the final contract amount of \$299,175.00; and be it further

RESOLVED, that the Erie County Sewer District No. 3 Board of Managers hereby recommends that the Erie County Legislature move to direct the Erie County Comptroller to make final payment for the Crescent Ave Pumping Station Project, Contract No. 43PS-G General/Mechanical, to STC Construction, Inc., at the final contract amount of \$299,175.00.

Respectfully submitted,

David Millar, P.E.
Secretary to Board of Managers
Erie County Sewer District No. 3

Moved by:
Seconded by:

Ayes: Nayes:

Date:

File: 3.3.3.43PS-G



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF ENVIRONMENT & PLANNING

MARIA R. WHYTE
COMMISSIONER

JOSEPH L. FIEGL, P.E.
DEPUTY COMMISSIONER

March 22, 2013

Resident/Homeowner

Re: Erie County Sewer District No. 3
Charlotte/Sherburn/McKinley Pumping Station Elimination
and Brookwood Pumping Station Demolition Project
Contract No. 40
Cherry Place Sanitary Sewer Replacement

Dear Resident:

On Monday, March 25, 2013, Milherst Construction Inc. under Contract with the County of Erie will begin installing replacement mainline sanitary sewers on Cherry Place. Installation will start at the north end of Cherry Place and progress south towards Clark Street.

While the new mainline sanitary sewer is being installed on Cherry Place, residents will not be able to drive past the immediate work area because the replacement sewer will be installed in the same trench as the original sewer which is located in the middle of the road and large equipment is necessary to excavate and install the new sewer.

The new mainline sanitary sewer installation on Cherry Place will take approximately two weeks to complete. While the new sanitary sewer replacement work commences south on Cherry Place towards Clark Street, temporary access to Cherry Place will be provided through a temporary access road installed on the north end of Cherry Place to the Hamburg Town Hall parking lot. When the mainline sanitary sewer work on Cherry Place is completed, the temporary access road will be removed.

After the mainline new sewer is installed, a new sanitary sewer lateral and clean out will be installed to the Right of Way in front of your property, and your house sewer will be re-connected to the new sewer through the new sanitary sewer lateral. This work will not affect vehicle traffic on Cherry Place.

Home to the City

Please call the person at the number listed below if you have any particular questions and/or concerns regarding the project. Please do not call the Town or Village of Hamburg as this is an Erie County/Erie County Sewer District No. 3 project.

- **Construction Inspector – Bill Bernacik** – Phone # 777-2453
- **Construction Supervisor – Jim Russell** – Phone #858-8386
- **Project Manager – Edward A. Paolini, P.E.** – Phone #858-7407
- **Contractor – Milherst Construction Inc.** – Phone #688-9098
- **Emergencies** – In case the above-mentioned individuals cannot be reached, please contact the Central Region, Erie County Sewer District No. 3 Office at 823-8188. If any evening or weekend emergencies occur, please call our Southtowns Treatments Plant's 24-hour number at 823-8188.

Thank you for your continued cooperation in this matter.

Sincerely,



Edward A. Paolini, P.E.
Senior Sanitary Engineer

EAP: bs

Cc: Board of Managers, ECSD No. 3
G. Kapsiak (T) Hamburg
M. Shuttleworth (V) Hamburg DPW
Milherst Construction Inc.
J. Fiegl / J. Carr / J. Russell / B. Bernacik / 3.3.3.40 (w/Cherry Place address list)
S. Canestrari, ECSD No. 3 (w/address list)
G. Absolom
V:\Sewerage Management\Project Files\Construction\District 3\40\ResidentLtr_CherryPl-March.docx

**COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT**

FROM: TMB Thomas M. Batt, P.E., Senior Sanitary Engineer
TO: David C. Millar, P.E., Assistant Deputy Commissioner
DATE: March 14, 2013
RE: Erie County Sewer District No. 3 Board of Managers
Dewatered Sludge Pump Replacement
Contract 12ST-A, General – Change Order No. 1
John W. Danforth Company

Attached for the next District No. 3 Board of Manager's meeting is a copy of Change Order No. 1 for Contract 12ST-A, General, Dewatered Sludge Pump Replacement Project, with John W. Danforth Company.

This change order is for changing from ductile iron fittings to stainless steel fittings on process piping on Sludge Pump X at a cost of \$17,764 and on Sludge Pump Y at a cost of \$16,869. Repairing concrete around the openings of Press X at a cost of \$2,606 and Press Y at a cost of \$1,362. Providing and installing eccentric reducers on process piping for Sludge Pumps X and Y at a cost of \$5,250. Total Change Order No. 1 amount is \$43,851. A no cost time extension to February 28, 2013 was also part of the change order.

During the project, it was determined that the piping connecting the instrumentation and equipment had to be fabricated from stainless steel, as well as, providing additional pipe reducers, to accommodate the various different pipe configurations. Concrete was found to be bad around the equipment and had to be repaired. This change order compensates the contractor to perform this work.

Please present this as a Receive & File item to the Board.

Enc.

CC: J. Carr/J. Russell/3.3.3.12ST-A (w/enc)

Here to (e)(ii)



DEPARTMENT OF ENVIRONMENT AND PLANNING
DIVISION OF SEWERAGE MANAGEMENT
CONSTRUCTION CONTRACT CHANGE FORM

Date: January 16, 2013

Change Order No. 1 Amount \$43,851.00 Bond Account C.00067

Contract No. 12ST-A – General File No. 3.3.3.12ST-A

Project Dewatered Sludge Pump Replacement

Contractor's Name John W. Danforth Company

Contractor's Address 300 Colvin Woods Parkway, Tonawanda, New York 14150

Description of Change to Contract:

Change from ductile iron fittings to stainless steel fittings on process piping on Sludge Pump X at a cost of \$17,764 and on Sludge Pump Y at a cost of \$16,869. Repair concrete around the openings of Press X at a cost of \$2,606 and Press Y at a cost of \$1,362. Provide and install eccentric reducers on process piping for Sludge Pumps X and Y at a cost of \$5,250. Total Change Order No. 1 amount is \$43,851. Time extension to February 28, 2013.

Reason for Modification:

Stainless steel fittings were required to accommodate the different flange ratings of the adjoining equipment and provide the necessary connection to the various sized pipes and alignments that ductile iron fitting could not provide. Concrete patching was required at the press openings that were not evident until the hoppers were removed. Proper connection of the process piping to the pumps required eccentric reducers to be provided and installed.

Time Extension:

A no cost time extension from September 28, 2012 to February 28, 2013 is necessary to provide time for plant to process sludge to allow contract work to be performed.

Indirect Costs:

There are no indirect costs associated with this change order.

Additional Engineering Costs:

There are no additional engineering costs associated with this change order.



RECEIVED



JAN 17 2013



JOHN W. DANFORTH CO.

Contract Cost Summary:

Original Contract	\$1,798,000.00
Change Order No. 1	<u>43,851.00</u>
Revised Contract Amount	\$1,841,851.00

Authorization:

Contractor

John W. Danforth Company

Date 2/13/2013

Engineer

GHD Consulting Engineers, L.L.C.

Date 3/1/13

County of Erie

Joseph L. Fiegl, P.E. - Deputy Commissioner DSM

Date 3/13/13

Erie County Legislature, Receive & File

Comm # _____

Date _____

Erie County Sewer District No. 3 Board of Managers, Receive & File

Date _____



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF ENVIRONMENT & PLANNING

MARLA R. WHYTE
COMMISSIONER

JOSEPH L. FIEGL, P.E.
DEPUTY COMMISSIONER

February 25, 2013

Jeffrey A. Konsella, P.E.
New York Department of Environmental Conservation (NYSDEC)
Regional Water Engineer, Region 9
270 Michigan Avenue
Buffalo, New York 14203-2999

Re: State Pollutant Discharge Elimination System (SPDES) Permit NY0095401
Southtowns Advanced Wastewater Treatment Facility (AWTF)
Facility Report Work Plan – SPDES Permit Schedule of Compliance

Dear Mr. Konsella:

The Erie County Division of Sewerage Management (ECDSM) has prepared the below facility report work plan for the Southtowns AWTF in accordance with the schedule of compliance listed in SPDES Permit NY0095401. The specific intent of this work plan is to detail the steps the ECDSM will take to “conduct an evaluation of all flows and recommend(s) how Erie County will provide adequate capacity needed to convey and treat all existing peak flows to meet all SPDES permit requirements and limitations.”

The facility report work plan has evolved based upon recent meetings and correspondences with the NYSDEC. Specifically, the NYSDEC’s latest letter dated January 29, 2013 has been used as the basis behind the various elements listed in the work plan. As this is the case, the comments presented in said letter are listed below with a brief ECDSM response provided. The required work plan follows.

Response to Comments – January 29, 2013 NYSDEC Letter

NYSDEC Comment #1: The present scope of work is a significant change from what was evaluated in the previously submitted Southtowns Facilities Report Addendum. The current proposal must be similarly evaluated, and must be supported with flow diagrams, schematics, and hydraulic profiles for both design average and design peak hourly flow. The evaluation must include sufficient detail to demonstrate that the proposed project will meet all SPDES Permit conditions and limitations and applicable design criteria.

ECDSM Response #1: the deliverable from Part A of the facility report work plan will provide additional detail describing how Water Quality Improvement Project (WQIP) 2010WQI10057 – Rush Creek Interceptor and associated Southtowns AWTF improvements – is the first phase in the upgrades to be completed at the Southtowns AWTF. As noted in the ECDSM’s January 22, 2013

Wen 6/1/13

letter to the NYSDEC, the proposed WQIP is based upon – and hence can be easily incorporated into – the recommended alternative from the Southtowns AWTF “Basis of Design” report (Stearns and Wheler, LLC, July 2005) should said alternative be approved by the NYSDEC at a later date. The deliverable from Part A will provide details regarding the WQIP’s ability to be integrated into future upgrades.

The deliverable from Part C of the facility report work plan will provide the evaluation requested in *NYSDEC Comment #1* and will include final recommendations for the next phase of Southtowns AWTF improvements to be completed after the WQIP has been implemented.

NYSDEC Comment #2: The Southtowns ORF (Overflow Retention Facility) upgrade report titled “Southtowns Sewage Treatment Agency Advanced Wastewater Treatment Facility Chlorine Contact Time and ORF Capacity Evaluation” report, prepared by URS Corporation, is based on a maximum design flow to the ORF of 58 MGD. An updated report or addendum must be prepared, which indicates how the ORF will effectively handle the proposed changes to the design flows. This must include, at a minimum, revised evaluations and calculations for: freeboard in the ORF, head loss through the stationary screens, ORF effluent upflow velocities at the weir, overflow chamber and weir length sizing, and detention time.

ECDSM Response #2: this comment will be addressed in the deliverable from Part A of the facility report work plan.

NYSDEC Comment #3: Please note that 12 inches of freeboard must typically be provided in tankage at treatment facilities with design capacities under 1 MG. For larger facilities or at tanks subject to high velocity wind currents, additional freeboard not less than 18 inches must be provided. Operation of the ORF under the present flow rates sometimes results in the overtopping of floatable material. Any proposed design modifications to the ORF must prevent the overtopping of floatables under all conditions.

ECDSM Response #3: this comment will be addressed in the deliverable from Part A of the facility report work plan. Please be advised that the ORF upgrades will adhere to the design considerations listed in Chapter 70 of “10 State Standards” (Settling), while maximizing the effective volume of the tankage.

NYSDEC Comment #4: The Southtowns ORF upgrade report recommended the demolition of the overflow weir troughs. These troughs were installed as recommended in the NYSDEC approved report titled “Final Engineering Report for Southtowns Sewage Treatment Agency Wastewater Treatment Plant Modifications for Abatement of Wastewater Treatment Plant Floatable.” The purpose was to reduce ORF effluent velocities that were allowing floatables to escape capture and enter Lake Erie. A maximum design flow of 32 MGD was used in this report. The SPDES permit prohibits the discharge of any floatable material under all flow conditions. Please explain and address the design of ORF controls to prevent the release of floatables within the effluent.

ECDSM Response #4: this comment will be addressed in the deliverable from Part A of the facility report work plan.

NYSDEC Comment #5: The County has stated that the ORF will be capable of providing primary treatment, even with the change from a gravity feed to a pumped flow condition. However, inflow velocity must be controlled to prevent re-suspension of settled solids in the ORF. Typically this control is achieved by use of influent baffling. The ORF improvements do not appear to include provisions for influent baffling. The County must provide information to demonstrate that the ORF can provide acceptable primary treatment of the proposed increased flow under the pumping configuration.

ECDSM Response #5: this comment will be addressed in the deliverable from Part A of the facility report work plan.

NYSDEC Comment #6: The "Basis of Design Report" for the Southtowns Advanced Wastewater Treatment Facility (AWTF), Phase II Expansion was based on the recommendations found in Addendum 1 and 2 to the Facilities Report prepared by Stearns & Wheler, LLC, dated July 2005. This report must be revised to reflect your proposed changes. Revisions must include, at a minimum, unit sizing, flow diagrams that include all critical flow scenarios, recycle and return flows, the wastewater operating plan, the operation and maintenance manual, the project schedule, treatment during construction discussion, and the construction and startup plan.

ECDSM Response #6: this comment will be addressed in the deliverable from Part C of the facility report work plan.

Part A, Part B, and Part D of the work plan below detail the next steps to implement the WQIP. Part C of the work plan demonstrates the ECDSM's commitment to re-evaluate the recommended alternative from the "Basis of Design" report (Stearns and Wheler, LLC, July 2005) in the framework of the new SPDES permit. Ultimately the deliverable from Part C of the facility report work plan will be an approvable report with a schedule for design and implementation.

Facility Report Work Plan

- A. Southtowns AWTF Influent Pumping and ORF Technical Memorandum: the ECDSM will retain GHD Consultant Engineers, LLC to develop a technical memorandum (as a supplement to the August 26, 2011 addendum developed by GHD) to:
- Better clarify the proposed WQIP influent pumping configuration. The proposed influent pumping improvements will be described in the context of the recommended improvements to the secondary treatment system as described in the Southtowns AWTF "Basis of Design" report (Stearns and Wheler, LLC, July 2005).
 - Address Comments #2 - #5 from the NYSDEC's January 29, 2013 letter by clarifying the ORF design parameters.

The ECDSM has targeted April 30, 2013 for this Technical Memorandum to be transmitted to the NYSDEC for review / approval. It is anticipated with the technical details provided in the Part A deliverable along with the commitments provided in Part C concerning additional future improvements, the NYSDEC will have sufficient information to approve of the Southtowns AWTF upgrades listed in the WQIP work plan and therefore, allow the ECDSM to proceed to final design and construction.

The WQIP initiative will satisfy several SPDES permit requirements. First -- the influent pumping upgrades meet the intent of the compliance action listed in the SPDES permit for "Emergency Bypass Through Slots Between Influent and Effluent Wet Well Wall." Second -- the proposed ORF upgrades will assist in meeting the final total residual chlorine limitation and disinfection requirements. Finally -- the WQIP will also aid in meeting Schedule of Compliance items listed in the Blasdell Wastewater Treatment Plant SPDES permit (NY0020681).

- B. Submission of Final Design Documents –WQIP: the NYSDEC has already approved the engineer's report and addendum for the Rush Creek Interceptor project (those items outside of the Southtowns AWTF site). It is anticipated after submission of the deliverable for Part A of this work plan, the engineering concept for the Southtowns AWTF upgrades associated with the WQIP will be approved. At that time and in accordance with the schedule listed in the WQIP grant work plan, the ECDSM will proceed with finalizing the design documents. Assuming NYSDEC approval of Part A of this work plan by May 31, 2013, final design documents will be submitted to the NYSDEC by September 20, 2013 (16 weeks) for review. The actual schedule for submission is dependent upon the date in which NYSDEC provides approval of the deliverable from Part A. The Rush Creek Interceptor final design documents will be submitted for review/approval prior to this date.
- C. Southtowns AWTF Facility Report Update: in July 2013, the ECDSM will issue a request for proposals (RFP) to update the "Basis of Design" report (Stearns and Wheler, LLC, July 2005) for Southtowns AWTF. This RFP will solicit assistance to evaluate the recommended alternative as noted in the "Basis of Design" report within the context of the latest Southtowns AWTF SPDES permit.

The RFP will be issued with the understanding that the WQIP upgrades will be constructed as presently proposed. As previously noted, the Southtowns AWTF improvements listed in the WQIP would be the first step in implementing the recommended alternative from the "Basis of Design" report. The ORF and influent pumping at the Southtowns AWTF would require upgrades regardless, the WQIP improvements concentrate on immediate concerns, and the infrastructure constructed as part of the WQIP can be easily adapted to satisfy the future needs of the facility.

The Southtowns AWTF Facility Report Update will address Comments #1 and #6 from the NYSDEC's January 29, 2013 letter. The Facility Report Update will provide the necessary flow diagrams, schematics, unit sizing, and hydraulic profiles for proposed average and peak flows. A full analysis of the recommended alternative from the "Basis of Design" report and its ability to meet the SPDES permit limitations will be conducted. This will include evaluation of total residual chlorine, ammonia, and phenolics/cyanide loadings.

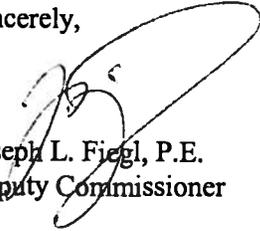
The due date for this effort will be November 1, 2014 to satisfy the deadlines for the "Total Residual Chlorine (TRC) Study," "Ammonia Study," and "Phenolics and Cyanide Study" listed as compliance actions in the SPDES permit. Within the Southtowns AWTF Facility Report Update will be an approvable schedule detailing when design will be completed, when construction may commence, and the estimated construction period.

- D. Commence Construction – WQIP Project: using the timeframes set forth in the WQIP Work Plan, the following is the expected schedule:
- a. 11/1/13: NYSDEC Approval of Design Documents (6 weeks after design submission)
 - b. 12/6/13: Project Bid (5 weeks after NYSDEC Approval due to Thanksgiving holiday)
 - c. 1/17/14: Project Award (6 weeks after Bid)
 - d. 2/14/14: Notice to Proceed (4 weeks after Project Award)

Note that this schedule may be shifted slightly to allow for this project to be advertised in more favorable bidding market conditions. Furthermore, this schedule is contingent upon the NYSDEC's review and approval being provided in the timeframes set forth. The dates will be adjusted accordingly based on these factors.

The ECDSM trusts that this work plan submission will meet with the NYSDEC's approval. If you have any questions, please contact me at (716) 858-7537.

Sincerely,



Joseph L. Fiegl, P.E.
Deputy Commissioner

Cc: **Erie County Sewer District No. 3 Board of Managers**
Bureau of Water Permits – NYSDEC Albany
D. Judd – NYSDEC Region 9
M. Whyte – Commissioner
G. Absolom/K. Kaminski
J. Carr/D. Millar/M. Salah/7.2.3.SPDES Sanitary
P. McGarvey – GHD



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF ENVIRONMENT & PLANNING

MARIA R. WHYTE
COMMISSIONER

JOSEPH L. FIEGL, P.E.
DEPUTY COMMISSIONER

February 27, 2013

Jeffrey A. Konsella, P.E.
New York Department of Environmental Conservation (NYSDEC)
Regional Water Engineer, Region 9
270 Michigan Avenue
Buffalo, New York 14203-2999

Re: State Pollutant Discharge Elimination System (SPDES) Permit NY0095401
Southtowns Advanced Wastewater Treatment Facility (AWTF)
Infiltration/Inflow (I/I) Analysis and Sewer System Evaluation Survey (SSES) Work Plan
SPDES Permit Schedule of Compliance

Dear Mr. Konsella:

The Erie County Division of Sewerage Management (ECDSM) has prepared the enclosed work plan for Erie County Sewer District (ECSD) No. 3 in accordance with the schedule of compliance listed in SPDES Permit NY0095401. The specific intent of this work plan is to detail the procedures under which the ECDSM will perform I/I analyses and SSES work in the areas tributary to the Southtowns AWTF and the Blasdell Wastewater Treatment Plant (SPDES Permit NY 0020681).

This work plan has been developed in general conformance with the guidelines listed in the SPDES permit. It is important to note that the efforts to be completed as part of the I/I analysis and SSES work plan will:

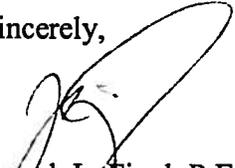
- Build upon past work completed in ECSD No. 3. ECDSM staff have completed numerous collection system analyses over the last few years and wants to limit the duplication of efforts. Therefore, the schedule set forth has prioritized mini systems with documented or suspected I/I issues for which most tasks listed in the work plan have not yet been completed. Please be advised that remedial work will continue in those areas that the ECDSM has already completed I/I analyses prior to this work plan submission. Said remedial work will be documented in annual reports.

Went to

- Be sustainable. The ECSDM is of the opinion that this effort will be most successful if the work is performed in a tactical manner using in-house resources with the necessary expertise and institutional knowledge. This has been the strategy utilized in the I/I efforts required in the ECSD No. 2 Big Sister Creek Wastewater Treatment Plant SPDES permit. Therefore, it has been proposed that analysis of a mini system per year be completed as part of this work plan. Outside resources will be brought in where required.
- Be a long-term initiative. The first few years of priorities has been set, with the intention that the next set of priorities be updated in subsequent annual reports to be submitted to the NYSDEC.
- Compliment the "Collection System Program for the Erie County Sewer Districts." The "Collection System Program for the Erie County Sewer Districts" was previously submitted to the NYSDEC on September 11, 2012 to address the compliance action described by the NYSDEC as a "Capacity, Management, Operation, and Maintenance (CMOM) Program." All reporting and updates for the I/I analyses and SSES efforts will be documented in the "Collection System Program for the Erie County Sewer Districts" annual reports.
- Allow for the continuation of improvements in the ECSD No. 3 collection system and the furtherance of the ECDSM's goals regarding protection of public health and the environment.

The ECDSM trusts that this work plan submission will meet with the NYSDEC's approval. If you have any questions, please contact me at (716) 858-7537.

Sincerely,



Joseph L. Fiegl, P.E.
Deputy Commissioner

Encl.

Cc: ECSD No. 3 Board of Managers (w/out encl.)
Bureau of Water Permits – NYSDEC Albany
D. Judd – NYSDEC Region 9
M. Whyte – Commissioner (w/out encl.)
G. Absolom/K. Kaminski/S. Canestrari
L. Krug
J. Carr/D. Millar/M. Salah/7.2.3.SPDES Sanitary
A. Horton/C. Fiume/3.2.2.I&I

New York State Department of Environmental Conservation
Division of Water, Region 9
270 Michigan Avenue, Buffalo, New York, 14203-2915
Phone: (716) 851-7070 • FAX: (716) 851-7009
Website: www.dec.ny.gov



Joe Martens
Commissioner

March 20, 2013

Mr. Joseph L. Fiegl, P.E.
Deputy Commissioner
Erie County Department of
Environment and Planning
95 Franklin Street
Buffalo, New York 14202

Dear Mr. Fiegl:

SPDES Permit Compliance Inspection
Erie County Sewer District No. 3
Blasdell Wastewater Treatment Plant
SPDES Permit No. NY-0020681

On March 5, 2013 I met with Mr. Paul Sawicki to conduct a State Pollutant Discharge Elimination System (SPDES) permit compliance inspection of the Erie County Sewer District No. 3, Blasdell Wastewater Treatment Plant and pumping stations. The purpose of this inspection was to evaluate the facility for compliance with the conditions and limitations of your SPDES permit. The results of this inspection are as follows:

- SPDES permit violations for Flow occurred during the months of January, February, October, and December during the year 2012. Please provide a written description of all work that has been completed to eliminate sources of infiltration and inflow entering the sanitary sewer system tributary to this facility during 2012. Please include the estimated volume of infiltration and inflow that has been removed from the system as a result of this work and a schedule outlining your proposed work plan for the year 2013 to eliminate sources of infiltration and inflow entering this sanitary sewer system.
- Several railings around tankage at this facility are severely corroded, some completely through. This is considered a safety hazard and need to be addressed as soon as possible.
- The doors into the sodium hypochlorite storage building are rusted through at the bottom and need to be repaired or replaced.

Item 6(f)

Mr. Joseph L. Fiegl, P.E.

March 20, 2013

Page 2

- The comminutor at the Milestrip Road Pumping Station is out of service. Please identify when repair or replacement of this unit will be completed.
- It was learned during the inspection that the No. 1 pump at the Milestrip Road Pumping Station needs the check valve and the isolation valve rebuilt. Please identify when work on these valves will commence and your anticipated completion date.
- The Electric Avenue Pumping Station drywell was recently flooded as a result of a discharge pipe failure on one of the wastewater pumps. This drywell should be steam cleaned to remove all sewage residual that is presently on the walls and equipment.

Please submit a written response to this office within thirty days of receipt of this letter, addressing the items described above.

If you should have any questions regarding this letter, I can be reached at 851-7070.

Sincerely,



Daniel J. Judd, P.E.
Environmental Engineer 2

DJJ/jm

cc: Mr. Jeffrey Konsella, NYSDEC, Regional Water Engineer

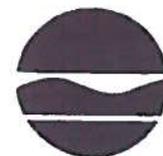
cc: Mr. Glenn Absolom, Chief Treatment Plant Supervisor, EC Southtowns AWF
Mr. Paul Sawicki, Supervising Operator, ECSD No. 3

RECEIVED
COUNTY OF ERIE

MAR 21 2013

SEWERAGE MANAGEMENT
CENTRAL REGION OFFICE

New York State Department of Environmental Conservation
Division of Water, Region 9
270 Michigan Avenue, Buffalo, New York, 14203-2915
Phone: (716) 851-7070 • FAX: (716) 851-7009
Website: www.dec.ny.gov



Joe Martens
Commissioner

March 19, 2013

Mr. Joe L. Fiegl, P.E.
Deputy Commissioner
Erie County Department of
Environment and Planning
95 Franklin Street
Buffalo, New York 14202

Dear Mr. Fiegl:

Erie County Sewer District # 3
Holland (T) Wastewater Treatment Facility
Annual Compliance Inspection
SPDES Permit # NY 0108103

The annual inspection of the Town of Holland Wastewater Treatment Facility was performed by a representative of this Department on March 18, 2013. The purpose of the inspection was to evaluate the facility for compliance with the rules and regulations of the facility's State Pollutant Discharge Elimination System (SPDES) permit.

The wastewater treatment plant is considered to be well operated and maintained. The operators are to be commended for their efforts. Our review of monthly operating reports submitted to this Office during 2012 indicates the facility's effluent is generally in compliance with all SPDES permit effluent limitations.

If you have any questions regarding this inspection, please call me at 851-7070.

Sincerely,

James M. Vogel
Environmental Program Specialist

JMV/jm

cc: Mr. Pat Hall, Operator, Holland (T) WWTF
Mr. Glenn Absolom, Chief Treatment Plant Supervisor
Mr. Michael Kasprzyk, Supervisor, Town of Holland

RECEIVED
COUNTY OF ERIE

MAR 20 2013

SEWERAGE MANAGEMENT
CENTRAL REGION OFFICE

Hernandez



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

JOHN C. LOFFREDO, P.E.
COMMISSIONER

February 12, 2013

David Millar, P.E., Secretary of the Board
Erie County Sewer District #3 Board of Managers
Erie County Division of Sewerage Management,
95 Franklin Street, Room 1034
Buffalo, NY 14202

Re: Ralph Wilson Stadium and Associated Support Facilities Capital Improvement Project
1 Bills Drive, Orchard Park, NY 14127

Dear Mr. Millar:

Please be advised that Erie County, acting through the Department of Public Works (DPW) and in its role as lead agency, has issued the enclosed Negative Declaration – Notice of Determination of Non-Significance on February 12, 2013. The document pertains to the action entitled 'Ralph Wilson Stadium and Associated Support Facilities Capital Improvement Project' to be undertaken at 1 Bills Drive, Orchard Park, NY 14127. This project has also been referred to as 'Ralph Wilson Stadium and Training Facilities Improvement Project' in the request for lead agency determination issued on January 10, 2013.

In the event you have any questions concerning this matter, please contact Erie County Deputy Commissioner of Planning and Economic Development, Thomas J. Dearing, at (716) 858-7256 or Thomas.Dearing@erie.gov.

Sincerely,


JOHN C. LOFFREDO, P.E.
Commissioner

cc Thomas J. Dearing
Rachel E. Chrostowski

Item (d/h.)

**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Lead Agency: Erie County, Acting through the Department of Public Works

Dated: February 12, 2013

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Erie County Department of Public Works has reviewed the proposed Ralph Wilson Stadium and Associated Support Facilities Capital Improvement Project, which involves various capital improvements to the existing stadium and associated facilities, and has determined that the proposed action will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Ralph Wilson Stadium and Associated Support Facilities Capital Improvement Project

Location of Action: One Bills Drive, Orchard Park, NY 14127

SEQR Status: Type I (based on land disturbance of potentially more than 5 acres)

Conditioned Negative Declaration: No

Description of Action:

The proposed Ralph Wilson Stadium and Associated Support Facilities Capital Improvement Project (the "Project") will involve the renovation of portions of Ralph Wilson Stadium and the renovation and expansion of associated support facilities. Specifically, the proposed improvements will include construction of three new buildings: a retail Team Store located near Abbott Road; a Commissary Building; and an Operations Building, both located at the east end of the existing stadium complex. The existing Training Facility building, situated between the Administration Building and Field House, will be expanded.

Site improvements will include the development of a pedestrian-oriented West Plaza located along the Abbott Road frontage, improvements to existing entry plazas, vehicular security fencing, and parking modifications. Improvements to the interior of the stadium structure will include consolidation of commissary (food preparation and distribution) operations; renovations to event staff concurrent meeting facilities and sideline stair and projecting merchandise; broadcast booths reconfiguration and upgrades; sideline plaza improvements; efficiency improvements and upgrades to the Dugout suites; maintenance improvements to the Corner Clubs; writing Press box relocation; scoreboard video display and signage reconfigurations and additions; East End Zone Main Concourse (former Administration Building) concession and toilet room improvements; North and South Sidelines Upper Concourse concession and

toilet room improvements; field level improvements, including a Post-Game interview room with a separate Green Room area, toilet facilities, separate Mascot and Jills locker rooms, and a Photographer's Room and storage; and tunnel level improvements, including ADA ramps and landings and general enhancements of the tunnel surfaces.

Reasons Supporting this Determination:

Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form to assess potential adverse environmental impacts and compared to the criteria for determining significance identified in 6 NYCRR §617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below in the discussion of each criterion specified in 6 NYCRR §617.7(c)(1), the proposed Project will not have a significant adverse impact on the environment.

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

The proposed Project will not create a substantial adverse change in existing ground or surface water quality or quantity and will not increase the potential for erosion, flooding, leaching and drainage problems. Construction-related erosion and sediment controls will be implemented in accordance with a SPDES General Permit for Storm Water Discharges from Construction Activity and associated Stormwater Pollution Prevention Plan to protect nearby surface water resources, including Smokes Creek. A reduction in post-construction stormwater runoff is anticipated from the proposed improvements due to the addition of vegetated, pervious areas (and resulting overall reduction in impervious surfaces) throughout the site. The Project site is served by a public water supply system and, therefore, no significant increases in public water usage or impacts to groundwater resources are anticipated as part of the Project.

The Project will not create a substantial adverse change in existing air quality or noise levels, as impacts from construction are expected to be minimal and temporary, consistent with typical site work and building construction activities. Professional football games and other recreational and entertainment events already occur in and around the stadium complex which will continue to take place in the future, both during and following completion of construction activities. Proposed improvements will not increase the seating capacity of the stadium and, therefore, noise levels are not expected to increase above current levels during events.

Proposed improvements are intended to improve pedestrian traffic circulation through sidewalk and crosswalk improvements, along with lighting, landscaping, and wayfinding (signage) enhancements. Traffic capacity and all lane geometry along Abbott Road will remain unchanged. Some curb cut locations will be modified on the east side of Abbott Road to enhance parking lot access, but these modifications are not expected to result in the significant alteration of present traffic patterns. Some minor increases in vehicular traffic will occur during construction activities but are not expected to be significant. A minor reduction in the number of parking spaces will be necessary to accommodate the proposed site improvements and maintain the same number of handicapped accessible parking spaces

currently available to stadium patrons. However, this reduction will be minimal compared to the number of parking spaces that will be maintained and, therefore, will not result in significant parking-related issues. Overall, the Project will not result in a significant increase in traffic levels or adversely impact existing traffic patterns.

While the Project will generate solid waste during construction, primarily in the form of construction and demolition debris generated from project renovations, these waste materials will be transported and disposed/recycled off-site in accordance with applicable laws. No significant increase in solid waste production is anticipated to result from Project construction or operations.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

The areas of the Project site where improvements are proposed are currently developed as parking areas, athletic facilities, and other support buildings, and no mature forests or locally important vegetation has been identified on-site. As such, the Project will not involve the removal or destruction of large quantities of vegetation or fauna. The Project area does not contain significant habitat area, and the Project will not have a substantial adverse impact on threatened or endangered species of animals or plants, or the habitat of such a species, or have significant impacts to natural resources. It is noted that the Project improvements will include a net increase in landscaped vegetation throughout the site.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

The Project site is not located in a designated Critical Environmental Area, and, therefore, there will be no impact to environmental characteristics of any Critical Environmental Areas.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The Project will not create conflict with the community's current plans or goals as officially approved or adopted. The Project site has been utilized as a sports stadium for decades and no change in the existing land use is proposed. The Project's proposed capital improvements are intended to improve visitors' experiences, enhance safety, and improve site aesthetics on and adjacent to the existing site.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

According to the State Historic Preservation Office's GIS database, the Project site is located in an area of archaeological sensitivity. However, no State or National Register of Historic Places-listed buildings or sites (or locally-designated architecturally significant buildings or sites) are located within or contiguous to the Project site. To determine whether the Project may have an adverse impact on cultural resources,

Erie County initiated consultation with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). In correspondence dated January 22, 2013, the OPRHP concluded that "... it is the OPRHP's opinion that [the] project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places given the extensive ground disturbance associated with the original construction of the stadium complex." Given the lack of historical and architectural resources within and contiguous to the Project area and the OPRHP's aforementioned opinion of No Impact, the Project will not impair the character or quality of important historical, archeological, architectural, or aesthetic resources.

Regarding community and neighborhood character, the Project will enhance the aesthetic qualities within and around the Project site through various site improvements, including significant enhancements to a new pedestrian-oriented West Plaza. While the Project will include the construction of new buildings and the expansion of another, these improvements are not anticipated to create a demand for additional community services.

(vi) a major change in the use of either the quantity or type of energy;

Although the Project will result in slight increases in energy use during construction, no major long-term change in the quantity of energy required for operation of the site is anticipated and the Project will not affect the community's sources of energy supply. Many proposed improvements (e.g., gas and electric) are anticipated to improve energy efficiencies throughout the site.

(vii) the creation of a hazard to human health;

The Project consists of improvements to upgrade the existing stadium and associated support facilities. Site enhancements are intended to improve visitors' safety, including additional site lighting, security fencing, pedestrian walkways, and improvements to ingress and egress locations. These improvements will reduce hazards to pedestrians during events and therefore improve overall safety.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

The stadium and associated facilities have existed on the site for decades in a developed area of the Town. No agricultural resources are contiguous to the Project site. The proposed improvements are designed to enhance the stadium complex and surrounding facilities, resulting in an improved recreational resource important to the community. The West Plaza improvements will also create an open space area not currently utilized by the community. The proposed improvements do not include an increase in the stadium's capacity; therefore, no increase in the intensity of use of the site is anticipated.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

The Project site is the location of an existing stadium that attracts visitors for sports recreation and entertainment events. There is no proposed increase in the capacity of the stadium or support facilities and

therefore improvements will not result in an increased number of visitors to the site during game-day events.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

The Project consists of renovations and upgrades to the existing stadium and support facilities and will not create the material demand for any other actions that would result in one of the above consequences.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

The Project will not result in changes in two or more elements of the environment which, when considered together, would result in substantial adverse impact on the environment.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

The proposed Project, which includes improvements to the existing stadium including new buildings, expansion of existing facilities, enhanced landscaping and modifications to parking and pedestrian and vehicular facilities throughout the site have been reviewed together and do not meet any of the above criteria.

Contact Information:

Name: John C. Loffredo, Commissioner

Address: Erie County Department of Public Works
95 Franklin Street
14th Floor
Buffalo, New York 14202

Phone: 716-858-8300



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

MARIA R. WHYTE
COMMISSIONER

DEPARTMENT OF ENVIRONMENT & PLANNING

JOSEPH L. FIEGL, P.E.
DEPUTY COMMISSIONER

March 5, 2013

Mr. Richard Depczynski, Facilities Manager
Autumn View Health Care Facility
4650 Southwestern Blvd.
Hamburg, NY 14075

RE: Sanitary Sewer issue

Dear Mr. Depczynski,

While responding to a sanitary sewer complaint from Nottingham Terrace on Monday, February 18, 2013 district staff discovered that paper like towel products were emanating from your facilities sanitary sewer. These products were the cause of a sewer backup that created a Sanitary Sewer Overflow that was reported to the NYSDEC. Additional investigation by district personnel with you at your facility determined that your grinder unit was inoperable therefore allowing these products to be discharged into the sanitary sewer system.

The District understands that the unit has been sent for repairs and will be put back in service as soon as possible. Once the unit is back in service, I would like to meet with you and discuss the future operation of your grinder unit and how you will ensure it stays in operation.

Considerable time and expense is involved when rectifying this type of issue as well as impact on residential customers in the area. The rules and regulations for Erie County Sewer Districts specifically prohibit the introduction of floating solids to the sewer system (Article IV, section E). I have enclosed a copy of the regulations for your use.

Please be advised that if future incidents occur the District will have no recourse but to bill the facility for the time and material involved in relieving the blockage and possible enforcement actions by the Sewer District Board of Managers.

Please contact me to schedule the meeting and discuss any questions or comments you may have. I can be reached at 716-823-8188 X 264 daily between 8:00am and 4:00 pm.

(Item 6/13)

RECEIVED
WATER & SEWERAGE DIV.

2013 MAR -6 PM 3:04

Sincerely,



Steven J. Canestrari Sr.
District Manager

Enclosure

Cc: G. Absalom/K. Kaminski
J. Fiegl/D. Millar/M. Salah/2.2.2.O&M
L. Surdej
L. Krug
Board of Managers
File/Autumn View Health Care Facility



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF ENVIRONMENT & PLANNING

MARIA R. WHYTE
COMMISSIONER

JOSEPH L. FIEGL, P.E.
DEPUTY COMMISSIONER

March 5, 2013

Ms. Virginia Mount
187 Brookwood Drive
Hamburg, New York 14075

Re: Erie County Sewer District No. 3 – Hamburg
Sewer Backup Claim at 187 Brookwood Drive

Dear Ms. Mount:

The Division of Sewerage Management (DSM) is in receipt of your February 21, 2013 claim regarding sewer backup at your residence on February 10, 2013 and reimbursement for damage to your basement caused by a sewer backup.

Please note that your claim was filed with the Erie County Water Authority (ECWA). In turn Mr. Anthony Alessi of ECWA, scanned and forwarded your claim to this office.

Sewer backup is an unfortunate incident and one which the Sewer District has no control over. The Sewer District's response to the complaint call was appropriate and timely. District personnel dispatched to the scene found the public sewer blocked, and flushed the line clean. The Sewer District was not negligent in this matter. Sanitary sewers are a utility that cannot guarantee service to any system user since it is impossible to predict blockages or monitor what is being flushed into the sewer that may cause a blockage.

Contacting your insurance carrier for resolution of any damage or loss claims is the proper course of action to take in this type of situation.

Should you have any questions, please call me at 858-6990.

Sincerely,

Matt A. Salah, P.E.

Sr. Coor. Sewer Construction Projects

Cc: District 3 – Board of Managers
J.Fiegl/3.4.5.Claims (w/encl)
S. Canestrari

V:\Sewerage Management\Administration\Documents\Mary\Matt\claim - mount.doc

Mem 6(j)

March 4, 2013

«OWNER1»
«OWNER2»
«OWNER_STREET»
«OWNER_CITY_ZIP»

Re: Erie County Sewer District No. «District», Mini-system «MiniSys»
Sanitary Sewer Inspection at: «ADDNUM» «ADDNAME»

The Erie County Division of Sewerage Management (ECDSM) inspected your property located at «ADDNUM» «ADDNAME» on «DateInspected». The following sanitary sewer connections were observed at this property during the inspection:

X Basement Bathroom containing the following facilities hooked to under the floor plumbing:

«BsmtSinkNo» Sink(s)
«BsmtToiletNo» Toilet(s)
«BsmtShowerNo» Shower(s)

X Basement floor drain connected to the sanitary.

Although these connections may not be in violation of the Rules and Regulations for Erie County Sewer Districts, they are currently not permitted for new installations as they do not meet ECDSM Construction Standards.

Please be advised that these types of connections may provide a pathway for sanitary sewer basement backups. If this were to occur, the Erie County Sewer Districts will take no responsibility as the ECDSM does not guarantee basement service.

Item to (K.)

March 4, 2013

«OWNER1»
«OWNER2»
«OWNER_STREET»
«OWNER_CITY_ZIP»

Re: Erie County Sewer District No. «District», Mini-system «MiniSys»
Sanitary Sewer Inspection at: «ADDNUM» «ADDNAME»

The Erie County Division of Sewerage Management (ECDSM) inspected your property located at «ADDNUM» «ADDNAME» on «DateInspected». The following sanitary sewer connections were observed at this property during the inspection:

N/A Basement Bathroom containing the following facilities hooked to under the floor plumbing:

«BsmtSinkNo» Sink(s)
«BsmtToiletNo» Toilet(s)
«BsmtShowerNo» Shower(s)

X Basement floor drain connected to the sanitary.

Although these connections may not be in violation of the Rules and Regulations for Erie County Sewer Districts, they are currently not permitted for new installations as they do not meet ECDSM Construction Standards.

Please be advised that these types of connections may provide a pathway for sanitary sewer basement backups. If this were to occur, the Erie County Sewer Districts will take no responsibility as the ECDSM does not guarantee basement service.

March 4, 2013

«OWNER1»
«OWNER2»
«OWNER_STREET»
«OWNER_CITY_ZIP»

Re: Erie County Sewer District No. «District», Mini-system «MiniSys»
Sanitary Sewer Inspection at: «ADDNUM» «ADDNAME»

The Erie County Division of Sewerage Management (ECDSM) inspected your property located at «ADDNUM» «ADDNAME» on «DateInspected». The following sanitary sewer connections were observed at this property during the inspection:

Basement Bathroom containing the following facilities
hooked to under the floor plumbing:

«BsmtSinkNo» Sink(s)
«BsmtToiletNo» Toilet(s)
«BsmtShowerNo» Shower(s)

Although these connections may not be in violation of the Rules and Regulations for Erie County Sewer Districts, they are currently not permitted for new installations as they do not meet ECDSM Construction Standards.

Please be advised that these types of connections may provide a pathway for sanitary sewer basement backups. If this were to occur, the Erie County Sewer Districts will take no responsibility as the ECDSM does not guarantee basement service.

The Rules and Regulations for Erie County Sewer Districts can be accessed online at www.erie.gov/dsm/rules_regs.asp. Should you have any questions please contact me at (716) 823-8188 Ext. 264.

Sincerely,



Steven J. Canestrari Sr.
Sewer District Manager

cc: Board of Managers – D. Millar
J. Fiegl / M. Salah / A. Horton / 3.2.2.I&I / 6.2.2.I&I / 8.2.2.I&I
G. Absolom / K. Kaminski
R. Rehac / B. Strzeszynski / C. Baldwin
C. Kurtz / J. Krafft / L. Bier