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# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

July 10, 2012

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Erie County Sewer District No. 2  
Proposed Modification of Plans  
Erie County Sewer Agency Report**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, pertaining to an Erie County Sewer Agency Report for Erie County Sewer District No. 2.

Should your honorable body require further information, I encourage you to contact Joseph L. Fiegl, P.E. in the Division of Sewer Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/sm  
Enclosure

cc: Maria R. Whyte, Department of Environment and Planning  
Joseph F. Fiegl, P.E., Division of Sewer Management

# MEMORANDUM

To: Honorable Members of the Erie County Legislature  
From: Division of Sewerage Management  
Re: Erie County Sewer District No. 2  
Proposed Modification of Plans  
Erie County Sewer Agency Report  
Date: June 28, 2012

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## **SUMMARY**

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's proposed Modification of Plans and attached Erie County Sewer Agency Report.

## **FISCAL IMPLICATIONS**

There are no fiscal implications with the recommended action of receiving and filing the enclosed Erie County Sewer Agency Report.

## **REASONS FOR RECOMMENDATION**

The Erie County Sewer Agency Report is being submitted to the Legislature - so that it will be on file for public review. In this way, should the public or any elected official wish to review the subject project, the Erie County Sewer Agency Report will be on file in the Legislative Chambers. It is also a requirement of County Law, Article 5A to have Erie County Sewer Agency Reports on file with the Legislature prior to holding a Public Hearing on the matter.

## **BACKGROUND INFORMATION**

The Erie County Legislature in 2002 approved a \$3.0 million Bond Resolution to make improvements in Erie County Sewer District No. 2. Many of the original improvements were constructed below the projected engineers' estimates. As a result, the Board would like to utilize these funds for future improvements as necessary within the Sewer District. On June 19, 2012, the Board of Managers approved a Sewer Agency Report (enclosed) recommending this Modification of Plans pursuant to Article 5A of County Law.

## **CONSEQUENCES OF A NEGATIVE ACTION**

This is a receive and file item.

## **STEPS FOLLOWING APPROVAL**

This is a receive and file item.

**ERIE COUNTY SEWER AGENCY REPORT  
ERIE COUNTY SEWER DISTRICT NO. 2  
FOR A MODIFICATION OF PLANS (2012)**

**GENERAL**

Erie County Sewer District No. 2 (ECSD No. 2) was established on February 21, 1961, by an order of the Erie County Board of Supervisors, now the Erie County Legislature. ECSD No. 2 is located in the southwestern portion of Erie County and provides wastewater collection services for most of the populated portions of the Towns of Evans and Eden; the Villages of Angola, North Collins and Farnham; and parts of the Towns of Hamburg, North Collins and Brant (Exhibit A). The wastewater collected is then treated at the Big Sister Creek Wastewater Treatment Plant (WWTP) and discharged into the Big Sister Creek.

**BACKGROUND**

In 2002, an Increase and Improvement of Facilities for \$3,000,000 was approved to rehabilitate sanitary sewers on Route 5, Lakecrest Gardens, Utica Trunk and numerous I/I Projects.

Since the approval of original Erie County Sewer Agency Report, many of these existing sewer projects fell below the original engineers estimates thus causing a surplus. As a result, these funds that are remaining can be utilized to make additional improvements within the Sewer District.

Currently, there is \$677,514 in unused authorization (Exhibit B) available and it is proposed to modify the 2002 Project to use the remaining funds for capital repairs to the existing pumping stations, sanitary sewers and treatment plant facilities. The funds would also be available for any engineering, easements, financing costs and maintenance that would be required within the existing infrastructure.

### **SERVICE AREA**

The service area for the project is the entire Sewer District as shown in Exhibit A.

### **PROJECT COSTS**

Currently, the Sweetland Road pumping station will require an engineering study to determine the future improvements to the pump station at an estimated cost of \$100,000. Also, the Aeration System and Blowers at the treatment plant may need to be replaced at an estimated cost of \$400,000. The remaining funds will be used to improve the Sewer Districts aging infrastructure and any issues/problems that could arise.

### **FEDERAL AND STATE AID**

Federal and/or State grant assistance for construction projects are currently not available. However, low interest loans are available through New York State's Revolving Loan Fund Program (SRF). For eligible projects, the program provides a low interest rate for bonds and zero percent interest for temporary financing (BANS) during construction. Often times, when grant funding is available, agencies look for "shovel ready" projects. Therefore, it is in the best interest of Erie County Sewer District No. 2 to be ahead of the curve – particularly with the potential Sweetland Pumping Station study.

### **ANNUAL COST TO TAXPAYERS**

This project is a Modification of Plans; thus, there is no increase in cost to the amount of the original bond authorization. Therefore, there will be no increase from the estimates presented in the original approved Erie County Sewer Agency Report.

**NEW YORK STATE AUDIT AND CONTROL**

Submittal of an application to NYS Audit and Control for approval is not required as this is a Modification of Plans pursuant to Article 5A, Section 253-b, County Law and there will be no additional increase in cost.

**BOARD OF MANAGERS REVIEW**

The project has been discussed with the Board of Managers of Erie County Sewer District No. 2. Based on these discussions and review of this Sewer Agency Report, the Board approved this Erie County Sewer Agency Report on June 19, 2012 (Exhibit C) and requests the Erie County Legislature approve a Modification of Plans pursuant to Article 5A, County Law.

**RECOMMENDATIONS**

The Erie County Sewer Agency and the Department of Environment and Planning recommendations are that the Erie County Legislature:

1. Accept and adopt this Sewer Agency Report which calls for needed improvements to the sanitary sewer lines, pumping stations and treatment plant facilities;
2. Adopt the necessary resolution for a Modification of Plans pursuant to Article 5A of County Law;
3. Adopt the necessary resolution calling for a Public Hearing;

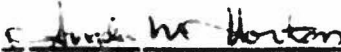


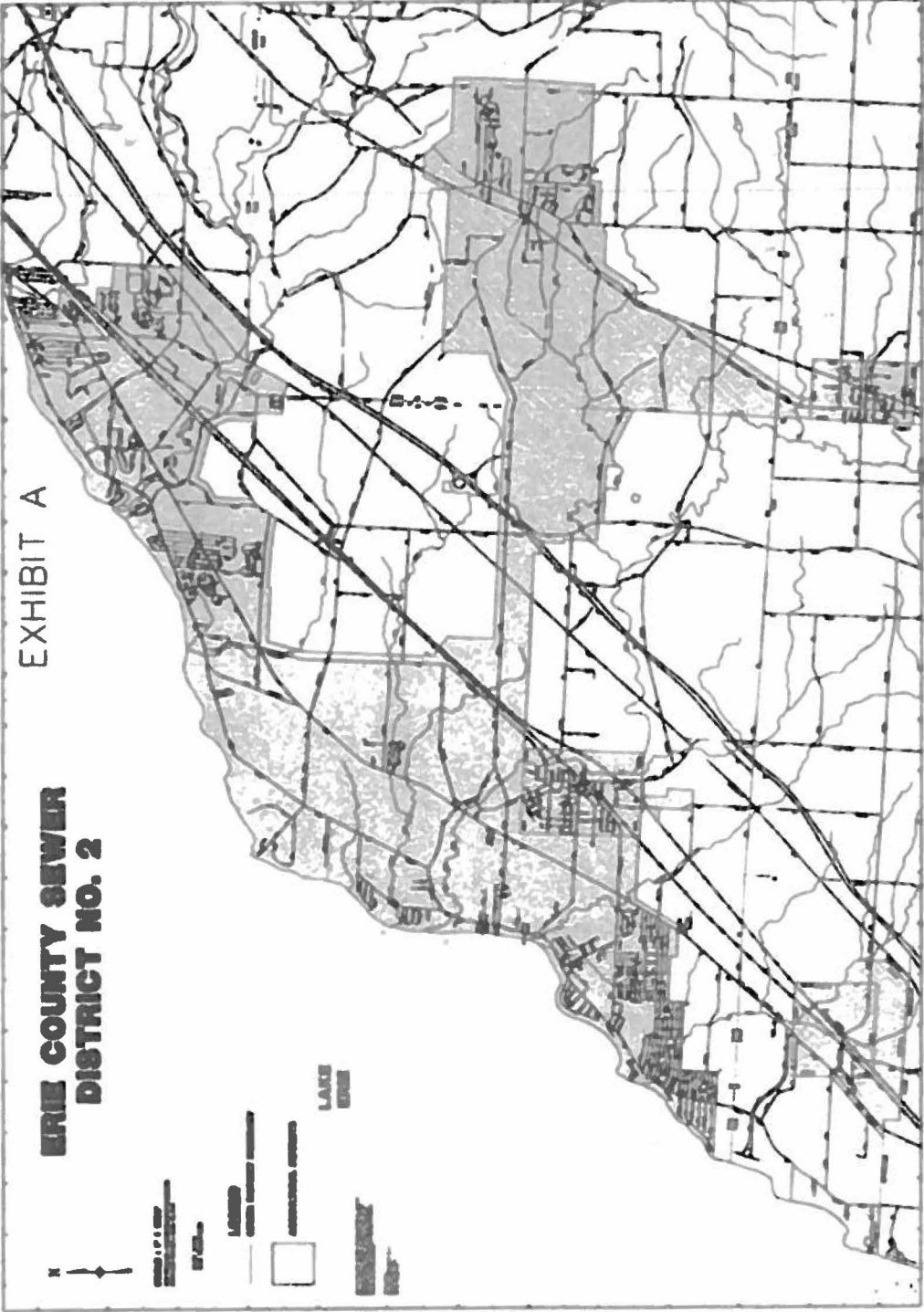
4. Approve the Modifications of Plans & finance the cost of the improvements to the sanitary sewers, pumping stations and treatment plant facilities.

Date: 6/9/12

  
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Joseph L. Pugh, A.E.  
Deputy Commissioner  
Erie County Department of  
Environment & Planning  
Asst Erie County Sewer Agency

  
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William M. Knack, Chairman  
Erie County Sewer District No. 2  
Board of Managers

  
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A. John M. Barton, P.E., Secretary  
Erie County Sewer District No. 2  
Board of Managers





**BOND ACCOUNT FORECAST  
 ERIE COUNTY SEWER DISTRICT NO. 2  
 BOND ACCOUNT NO. C.00011  
 (430-340)**

**Contract : Collection System Rehab (Pipeline & Pump Station), Lagoon 5&6V/H (Sewer Rehab and Replacement), Utica Trunk, Lake Street & OLS Force Main Rehab**

Original Bond Authorization	\$3,000,000.00
Additional Bonding Authorization	\$0.00
Total Authorization	\$3,000,000.00
Adjustment to Authorization ( L.O.C.)	\$0.00
Total Adjustment to Authorization ( a )	\$3,000,000.00
Allocated	\$2,322,488.00
Unallocated	\$677,514.00
Expenditures	\$2,287,697.03
Total Projected Expenditures ( b )	\$2,322,488.00
Projected Additional Allocation	\$0.00
Projected Authorization Status ( a - b )	\$677,514.00

Bond Account Expires July 6, 2012

**Bonds Sold to Date:**  
 Local \$212,000 (June,2003)  
 SRF 6646-10 \$688,781(March,04)  
 SRF 6646-09 \$1,092,986.92(August,07)  
 SRF 6646-08 -1 \$349,481.47(June,11)

June-2012

Exhibit "B"

**BOND ACCOUNT FORECAST  
 ERIE COUNTY SEWER DISTRICT NO. 2  
 BOND ACCOUNT NO. C.00011  
 (439-340)**

	Allocated \$2,322,486.00	Expenditures \$2,287,697.03	Projected Additional Allocations \$0.00	WBS
<b>Construction</b>	<b>\$2,080,260.53</b>	<b>\$2,048,405.53</b>	<b>\$0.00</b>	
Sicer 58EVH Lake Crest/Rt 5&CO#1	\$607,760.90	\$607,760.90	\$0.00	11.1
58EVH Rt 5 & CO#1	\$162,220.90	\$162,220.90	\$0.00	11.1
Utica Trunk CMH	\$765,128.07	\$765,128.07	\$0.00	11.3.20
Highways Bridge DPW Brasch	\$327,189.19	\$327,189.19	\$0.00	11.2.20
DPW Highway Restoration Lake Shore	\$284,108.47	\$284,108.47	\$0.00	11.5.20
Pinehurst Bypass Pinto	\$33,855.00	\$0.00	\$0.00	11.6.20
Aeration and Blower	\$0.00	\$0.00	\$400,000.00	
Oakgrove Drive	\$0.00	\$0.00	\$0.00	
<b>Engineering</b>	<b>\$161,504.47</b>	<b>\$160,570.50</b>	<b>\$0.00</b>	
Soil Borings (P&I for 58EVH -part.)	\$5,542.50	\$5,542.50	\$0.00	11.1
Persons PES 5 Lake St Pt Brecoz	\$12,898.97	\$12,898.97	\$0.00	11.1.81
S & W Capacity Analysis	\$129,265.00	\$129,265.00	\$0.00	11.4.10
S & W CO#1	\$13,800.00	\$12,898.03	\$0.00	
Sweetland PS	\$0.00	\$0.00	\$0.00	
Miscellaneous Eng.	\$0.00	\$0.00		
<b>Salaries &amp; Fringe Benefits</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	
DSM (Year 2003)	\$0.00	\$0.00		
<b>Miscellaneous</b>	<b>\$80,721.00</b>	<b>\$80,721.00</b>	<b>\$0.00</b>	<b>11.1</b>
SRF Iss. Costs (8846-10)	\$9,791.00	\$9,791.00	\$0.00	
SRF Iss. Costs (8846-09)8/07	\$15,348.00	\$15,348.00	0	11.1.85
SRF Iss. Costs (8846-09-1)7/11	\$65,373.00	\$65,373.00	0	11.1.86

**RESOLUTION  
BOARD OF MANAGERS  
ERIE COUNTY SEWER DISTRICT NO. 2**

WHEREAS, the Erie County Sewer Agency and the Erie County Department of Environment and Planning have prepared a Sewer Agency Report for consideration by the Erie County Sewer District No. 2 Board of Managers calling for a Modification of Plans (2012) pursuant to Section 253-b, Article 5A, County Law; and

WHEREAS, the aforementioned Sewer Agency Report describes certain improvements needed by the District to improve the sanitary sewer service to the residents of Erie County Sewer District No. 2 which includes but is not limited to the improvements of sanitary sewers, pumping stations, and treatment plant facilities and related necessary appurtenances; and

WHEREAS, the Department of Environment and Planning has provided information relative to the project's costs and the project's impact on the tax structure to the people of Erie County Sewer District No. 2.

NOW THEREFORE, BE IT

RESOLVED, that the Erie County Sewer District No. 2 Board of Managers does hereby accept and adopt this subject Sewer Agency Report, and further recommends this report be submitted to the Erie County Legislature for further consideration and action pursuant to Article 5A, County Law; and be it further

RESOLVED, that the Erie County Sewer Agency be directed to pursue a Modification of Plans (2012) pursuant to Section 253-b, Article 5A of County Law.



Angela M. Horton, P.E.  
Secretary, Board of Managers  
Erie County Sewer District No. 2

Moved by: ANGELA HORTON

Seconded by: ANNA KNACK

Approved: 5-0

Date: 6/19/12

Exhibit "C"