

**REGULAR MEETING OF THE ADMINISTRATIVE BOARD
OF
NIAGARA COUNTY SEWER DISTRICT #1**

Held on the 26th day of February 2020 at the Water Pollution Control Center

PRESENT Commissioner Wright H. Ellis, Chairman
Commissioner Mark C. Crocker, Vice-chairman
Commissioner Steve Broderick
Commissioner Don MacSwan
Commissioner Lee Wallace

EXCUSED: Commissioner Joel M. Maerten

ALSO PRESENT: Thomas W. Blodgett, Administrative Director, NCSD #1
Donna Cody, NCSD #1
Aaron Earsing, Chief Operator, NCSD #1
Jason Lang, Maintenance Supervisor, NCSD #1
Joanne M. Teixeira, NCSD #1
Anthony J. Nemi, Liaison, Niagara County Legislature
P. Andrew Vona, Attorney for District
Robert P. Lannon, GHD Consulting Services
Teresa Misiti, GHD Consulting Services

Chairman Ellis called the meeting to order at 4:01 p.m.

Roll call was taken by Donna Cody.

Upon motion duly made by Lee Wallace and seconded by Don MacSwan, it was resolved that the minutes of the January 22, 2020 meeting be approved as presented. This motion was carried.

Upon motion duly made by Steve Broderick and seconded by Mark C. Crocker, it was resolved that the following vouchers be paid from their respective accounts:

FORWARDED

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Dig Safely	Digging Notifications	96.30
Irth Solutions	Digging Notifications (yearly)	1,200.00
Frontier	Mapleton Rd PS	59.81
National Fuel	Plant	3,619.78
National Fuel	Shawnee Rd PS (2 months)	203.06
National Fuel	Townline Rd PS (2 months)	426.33

National Grid	East Canal Rd PS	1,604.38
National Grid	Mapleton Rd PS	213.32
National Grid	Moyer Lift PS	122.44
National Grid	Plant	11,339.85
National Grid	Shawnee Rd PS	185.30
National Grid	Tonawanda Creek Rd PS	780.86
National Grid	Townline Rd PS	1,100.73
Niagara County Public Works	Elec Supply -Ton Creek Road (Nov. & Dec 2019)	659.04
Niagara County Public Works	Elec Supply - Mapleton PS (Dec 2019 & Jan 2020)	192.60
Niagara County Public Works	Elec Supply - East Canal PS (Dec 2019 & Jan 2020)	1,765.11
Niagara County Public Works	Elec Supply - Moyer Lift (Dec 2019 & Jan 2020)	86.38
Niagara County Public Works	Elec Supply - Shawnee Rd (Dec 2019 & Jan 2020)	120.91
Niagara County Public Works	Elec Supply - Townline Rd (Dec 2019 & Jan 2020)	948.71
Niagara County Public Works	Elec Supply - Plant (Dec 2019 & Jan 2020)	20,881.63
Niagara County Public Works	Elec Supply - Rapids Rd (Nov & Dec 2019)	354.47
NYSEG	Rapids Rd PS (2 months)	1,039.98
QLT	Townline Rd PS	13.35
Time Warner	Internet Service (2 months)	1,515.38
University of Texas at Dallas	On-line Bulk Storage Recording System	100.00
Verizon	East Canal	27.78
Verizon	Moyer Lift PS	28.11
Verizon	Plant	136.30
Verizon	Rapids Rd PS	27.13
Verizon	Shawnee Rd PS	28.11
Verizon	Townline Rd PS (2 months)	56.06
Verizon Wireless	Cellular Phone/Data	291.41

TOTAL

\$ 49,224.62

TO BE PAID

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
AAI	Maintenance Supplies	138.74
Alfa Laval	Grease	376.47
Alpha Analytical	Lab Analysis	1,292.70
Bison Laboratories	Sodium Hypochlorite	3,358.13
Blodgett, Thomas	Travel Mileage	33.35
Buffalo News	Ad for Wastewater Maintenance Person	395.00
Carrigan, Christopher	2A Wastewater Exam Fee Reimbursement	104.00
Chudy Paper	Cfold White Towels/Toilet Tissue	347.37
Cintas	Carpet Floor Protection	22.04
Cole-Parmer	Laboratory Supplies	227.73
Cooper Sign Company	4X6 U.S. Flags	81.90

Daboll, Daniel	2020 Clothing Allowance	400.00
Empire Scale Corporation	Annual Cleaning & Testing of Spectrophotometer & Cleaning & Calibration of Balances	525.00
Evoqua	Lab Grade Water	405.02
FedEx	Product Return	51.16
Fisher Scientific	Laboratory Supplies	1,299.71
GHD	Monthly Retainer	750.00
GHD	Misc. Project Assistance & SCADA support Project #630191	4,090.00
GHD	Sewer Collection System Inspection	5,044.00
GHD	2020 O&M Project #11205045	53,579.87
Greater Niagara Newspapers	Ad for Wastewater Maintenance Person	210.00
Gui's Lumber	Maintenance Supplies	33.97
John's Motor & Transmission Shop	Vehicle Maintenance on 2015 Ford F-250	221.29
JP Industrial Supply	Maintenance Supplies	1,717.75
JWC Environmental	Programmable Controller	313.90
Kemira	Ferrous Chloride	2,245.32
Lock City Supply Inc.	Maintenance Supplies	195.36
Martech	Calibration of Gas Detectors	600.00
Modern Corporation	Sludge/Dumpsters	18,298.22
MTEK Inc.	Laboratory Supplies	1,894.28
Musial, Gene (Ryan's Exterminating Co)	Spray Filter Building	160.00
National Vacuum Environmental Ser	Sampling Collection and analytical	250.00
NOCO	Fuel for generators at Ton. Creek, East Canal, Plant	4,998.40
North Central Laboratories	Laboratory Supplies	299.06
NSI Lab Solutions	Laboratory Supplies	775.50
NYWEA	B. Barnes (3A Application Fee) & C. Carrigan (2A Application Fee), G. Dolata Membership Fee	425.00
O'Connell Electric	Primary Breaker Testing - Aeration Building	3,484.00
Praxair	Maintenance Supplies	122.84
Republic Services	Recycling Service	48.45
Riverside Chemical Company	Rock Salt	395.35
Ronco	Maintenance Agreement/Phone System	367.50
Sampson Cleaning Services	January 26, February 2, 9, 16	280.00
Solution Air	Electrical Supplies	300.00
Staples	Office Supplies	293.07
STC Construction	2019 O&M Project #11190922	176,177.50
Superior Lubricants	Maintenance Supplies	760.80
Town of Lockport	2019 I/I Reimbursement	18,250.38

Town of Wheatfield	2019 I/I Reimbursement	17,948.47
Vona, P. Andrew	Legal Retainer	2,500.00
WW Grainger	Maintenance Supplies	1,655.48
Watson Marlow	Maintenance Supplies	2,052.40
Wendt's Propane	Propane	70.47
Western Chapter NYWEA	GBEC Conference Registration fees for: T. Blodgett, D. Flanders, E. Knaebe, R. Kwiatkowski, E. Lesold	550.00
Xylem	Maintenance Supplies	459.00
Zep Sales & Service	Maintenance Supplies	96.64
TOTAL		\$ 330,972.59

TOTAL FORWARDED	\$ 49,224.62
TOTAL APPROVED O&M	330,972.59
GRAND TOTAL APPROVED	\$ 380,197.21

This motion was carried.

Review of the January 2020 Financial Report showed an Operation and Maintenance balance of \$6,453,179.02.

Upon motion duly made by Mark C. Crocker and seconded by Don MacSwan, it was resolved that the Sewer District's January 2020 Financial Report be approved as presented. This motion was carried.

Communications:

a. 2020 Meeting Dates Letter - Mr. Blodgett presented correspondence sent to all Commissioners regarding scheduled meeting dates for 2020 District Administrative Board Meetings. The letter emphasized the importance of attendance so that a quorum is established to conduct District business.

b. Crown Castle Cell Tower Correspondence – Mr. Blodgett shared the correspondence sent to James Baker of The Lyle Company regarding the District's response to their company's offer of a buy-out of the lease currently in place with Crown Castle. Mr. Vona expressed the Board's decision to reject the offer.

Old Business:

There is nothing new to report this month.

Chief Operator's Report:

a. NYSDEC Communication Update - Mr. Earsing stated he recently received an email from Denine Jackson of the NYSDEC. Mr. Earsing stated the conversation primarily focused on whether the District successfully allocated funding for the clarifier replacement project and a general update regarding how the plant was doing.

b. Ferrous Chloride Contract – Mr. Earsing reported that the District is currently in a one year contract extension with Kemira Water Solutions, Inc. and the current contract expires on June 30, 2020. As per the original bid documents, at this time Mr. Earsing is requesting authorization to accept a second one year extension from Kemira Water Solutions to the ferrous chloride contract with a newly negotiated price of \$0.565/lb. Fe. for the contract period of July 1, 2020 to June 30, 2021.

Upon motion duly made by Lee Wallace and seconded by Don MacSwan , it was resolved that the Administrative Board of Niagara County Sewer District #1 hereby approves Mr. Earsing's request to accept a second one year extension from Kemira Water Solutions to the ferrous chloride contract with a newly negotiated price of \$0.565/lb. Fe. for the contract period of July 1, 2020 to June 30, 2021. This motion was carried.

Administrative Director's Report:

a. 2020 Direct Billed Rates - Mr. Blodgett reviewed his memo which contained four options in which to establish rates to be used for 2020 direct billed customers. The District uses these rates to bill significant users on a monthly, quarterly, or annual basis. These rates are for industrial and/or commercial businesses that are direct-billed based on flow readings (customers not billed based on water usage or typical Equivalent Dwelling Units (EDU's)). Upon brief discussion of the options presented, Mr. Blodgett recommended that the Board increase current rate consistent with the increase of the 2019 US Inflation Rate. Mr. Blodgett requested Board approval to establish rates to be used for 2020 direct

billed customers at an increase to the current rate consistent with the 2019 Average Annual US Inflation Rate @ 1.81% = \$4.23/thousand gallons.

Upon motion duly made by Mark C. Crocker and seconded by Steve Broderick, it was resolved that the Administrative Board of Niagara County Sewer District #1 hereby approves Mr. Blodgett's request to establish rates to be used for 2020 direct billed customers at an increase to the current rate consistent with the 2019 Average Annual US Inflation Rate @ 1.81% = \$4.23/thousand gallons. This motion was carried.

b. Summer Employment - Mr. Blodgett stated three summer employees are needed and budgeted for in the District's 2020 budget. Applicants must be 18 years of age with a valid driver's license, with the pay of \$12.50/hour, and 40 hours/week (Monday – Friday 6:30 a.m. to 3:00 p.m.). The seasonal employees begin around mid-May and work through mid to late August. Job duties include general maintenance activities such as lawn care, painting, tank cleaning, general labor, etc. Mr. Blodgett stated that it is a seasonal summer job and if the Commissioners know anyone interested in the summer positions to contact the District for additional information and an application.

c. 2020 Town I/I Projects - Mr. Blodgett reminded the Commissioners to submit their individual 2020 Town I/I Projects to the District as soon as possible for approval. He stated if any of the Member Town Sewer Departments need assistance with project ideas to contact him, or Mr. Lannon of GHD Consulting Services.

d. New Maintenance Position Posting - Mr. Blodgett stated the position was recently advertised in the Buffalo News and Niagara Gazette, and the deadline to apply for the position with Niagara County Human Resources is February 28, 2020. Mr. Blodgett stated District staff would be conducting interviews and hoped to recommend a candidate to the Board at the March Administrative Board meeting.

e. Industry Pretreatment Noncompliance/Fines – Executive Session – Chairman Ellis requested this item be tabled to the end of the meeting to be discussed in executive session.

Engineering Report:

1. General Retainer (GHD Project No. 630191)
 - Miscellaneous requests/reviews/assistance ongoing under Phase 40 and SCADA support services.
 - Continuing to monitor storm sewer system for diesel fuel. Plan submitted to NYSDEC – awaiting response.
 - Wheatfield Crossing DSCA – performing analysis
 - Pendleton Trail/Canal Corp/Wetland Restoration – ACP impacts – in discussion with Canal Corp. Requested copies of ACOE/NYSDEC Wetland permits – none provided
 - **BOARD ACTION REQUESTED – Execution of Contract**

Mr. Lannon presented the new contract for GHD Consulting Services which is for the same monthly retainer fee as the previous contract, and contained a new hourly rates schedule from their previous contract for hourly project billings. Mr. Lannon requested approval for the contract for GHD Consulting Services to provide engineering services to the District under said contract for the period January 1, 2020 thru the re-organizational meeting in January 2022.

Upon motion duly made by Steve Broderick and seconded by Mark C. Crocker, it was resolved that the Administrative Board of Niagara County Sewer District #1 hereby approves of the contract of GHD Consulting Services to provide engineering services to the District for the period January 1, 2020 thru the re-organizational meeting in January 2022. This motion was carried.

2. CIP Phase 1 Map and Plan and Financial Analysis (GHD Project No. 11110253)
 - Draft Map and Plan to be finalized in early 2020
 - BOARD ACTION REQUESTED – None
3. 2019 O&M Project (GHD Project No. 11188625)
 - Project underway
 - BOARD ACTION REQUESTED – None
4. 2020 O&M Project - Clarifier Rehabilitation (GHD Project No. 11205045)
 - Project underway.
 - BOARD ACTION REQUESTED – None

Mr. Lannon presented the contract for the 2020 O&M Clarifier Rehabilitation Project. Mr. Lannon requested Board approval to execute the contract from STC Construction, Inc., in the total bid amount (Base and Alternate 2A) of \$1,200,000.00, contingent upon availability of project funding and review by the District's legal counsel.

Upon motion duly made by Lee Wallace and seconded by Steve Broderick, it was resolved that the Administrative Board of Niagara County Sewer District #1 hereby authorizes executing the 2020 Operation & Maintenance Project, Contract No. 1 – General, to STC Construction, Inc., in the total bid amount (Base and Alternate 2A) of \$1,200,000.00, contingent upon availability of project funding and review by the District's legal counsel. This motion carried.

5. 2019 SPDES Annual Compliance Updates (GHD Project No. 630191)
 - Project underway. CMOM Annual Update Report submitted to NYSDEC. MMP Update Report being developed.
 - BOARD ACTION REQUESTED – None
6. Enforcement Response Plan Update and Compliance Fee Structure Assistance (GHD Project No. 630191)
 - Proposal for Professional Engineering Services
 - **BOARD ACTION REQUESTED – Discuss/consider authorization for proposal**

Mr. Lannon presented GHD's proposal to provide services to update the Industrial Pretreatment Enforcement Response Plan (ERP), which has not been revised since being prepared in 1992, and updating the industrial user compliance fee structure, as well as certain other general sewer fees, as suggested by a representative of the United States Environmental Protection Agency during a recent plant visit. Mr. Lannon requested Board approval to provide professional services to update the Industrial Pretreatment Enforcement Response Plan (ERP) and updating the industrial user compliance fee structure, as well as certain other general sewer fees for a lump sum fee of \$14,700.00.

Upon motion duly made by Mark C. Crocker and seconded by Don MacSwan, it was resolved that the Administrative Board of Niagara County Sewer District #1 hereby approves Mr. Lannon's proposal to provide professional services to update the Industrial Pretreatment Enforcement Response

Plan (ERP) and updating the industrial user compliance fee structure, as well as certain other general sewer fees for a lump sum fee of \$14,700.00. This motion was carried.

Attorney's Report:

Mr. Vona stated he submitted his professional services agreement with the District which contained no cost increases from his previous contract. Mr. Vona requested Board approval for the contract to provide legal services to the District under said contract for the period January 1, 2020 thru the re-organizational meeting in January 2022.

Upon motion duly made by Steve Broderick and seconded by Lee Wallace, it was resolved that the Administrative Board of Niagara County Sewer District #1 hereby approves of the contract of P. Andrew Vona, Esq. to provide legal services to the District for the period January 1, 2020 thru the re-organizational meeting in January 2022. This motion was carried.

New Business:

Mr. Blodgett presented a letter from Commissioner Maerten requesting Board approval for the Town of Pendleton to construct one eight inch diameter core drilled sanitary sewer connection into Niagara County Sewer District Manhole No. 12-53 on Mapleton Road. Mr. Blodgett stated the District will review the technical information that has been submitted for the connection prior to issuing the final approval.

Upon motion duly made by Don MacSwan and seconded by Lee Wallace, it was resolved to grant approval to the Town of Pendleton to construct one eight inch diameter core drilled sanitary sewer connection into Niagara County Sewer District Manhole No. 12-53 on Mapleton Road. This approval is contingent upon the District's approval of the technical requirements for said connection. This motion was carried.

Upon motion duly made by Lee Wallace and seconded by Mark C. Crocker, it was resolved that the Board adjourn to executive session to discuss the Industry Pretreatment Non-Compliance/Fines issue and potential litigation. This motion was carried.

Upon motion duly made by Mark C. Crocker and seconded by Lee Wallace, it was resolved that the Board adjourn from executive session and re-open the regular meeting. This motion was carried

Adjournment:

Upon motion duly made by Lee Wallace and seconded by Don MacSwan, the meeting adjourned at 5:02 p.m.