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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 17, 2012

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

RE: Erie County Soil and Water Conservation District Agreement Technical Services and Stream Bank Maintenance, Bridge and Culvert Scour Maintenance Program

Dear Honorable Members:

In previous years, the County has entered into an Agreement with the Erie County Soil and Water Conservation District for the purpose of performing various technical services and the Stream Bank Maintenance Program.

The County is requesting once again approval from your Honorable Body to enter into another contract to continue the necessary work to reduce erosion, scour, and localized flooding related risks to roads, bridges, culverts and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting the natural flow of streams. Therefore, this resolution seeks authorization to enter into an agreement with the Erie County Soil and Water Conservation District in an amount not to exceed $100,000.00 to perform the work.

Should your Honorable Body require further information, I encourage you to contact Commissioner John C. Loffredo of the Department of Public Works. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/CD/dab

cc: John C. Loffredo, Department of Public Works
Charles A. Sickler, P.E, Interim Deputy Commissioner-Highways

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Erie County Soil and Water Conservation District Agreement – Technical Services and Stream Bank Maintenance, Bridge and Culvert Scour Maintenance Program
Date: September 5, 2012

SUMMARY

We are requesting approval to renew the contract between the County and the Erie County Soil and Water Conservation District to continue the necessary work to reduce erosion and localized flood-related risk to roads, bridges, culverts and rights-of-way by removing the gravel bars and vegetative debris obstructing and diverting the natural flow of streams and to provide various technical services at various locations throughout Erie County.

FISCAL IMPLICATIONS

The attached, proposed resolution requests that an amount of $100,000.00 be allocated from Business Area 123, Fund 210, Account 516020 – Professional Services, for this work. Funding is available in the adopted 2012 Budget of the Division of Highways.

REASONS FOR RECOMMENDATION

It is necessary that this approval be granted so that the Erie County Soil and Water Conservation District can continue to perform the stream bank maintenance program and various technical services within Erie County that protect our infrastructures from damage and deterioration.

BACKGROUND INFORMATION

The Erie County Soil and Water Conservation District has offered to provide technical services and a Countywide Stream Maintenance Program with the Erie County Highway Department in an effort to identify and reduce problems related to erosion, scour and flooding of our roads, bridges, culverts and rights-of-way. Their expertise in DEC permitting and environmental codes is required in order for the County to protect its bridges and culverts from further deterioration.

CONSEQUENCES OF NEGATIVE ACTION

If authorization is not granted, we will not be able to continue with the Stream Maintenance Program work performed by the Erie County Soil and Water Conservation District for flood prevention work within Erie County. Erie County Bridges and Culverts will suffer from

damages and deterioration due to soil erosion, water and debris.

STEPS FOLLOWING APPROVAL

Approval of this resolution will allow the Department of Public Works, Division of Highways to renew an agreement with Erie County Soil and Water Conservation District for work performed by the Erie County Soil and Water Conservation District to identify and reduce erosion, scour and flood risk to our roads, bridges, culverts and rights-of-way.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS

RE: Erie County Soil and Water Conservation District Agreement
Technical Services and Stream Bank Maintenance, Bridge and Culvert Scour Maintenance Program

WHEREAS, the County of Erie had previously entered into a contract with the Erie County Soil and Water Conservation District who have the necessary expertise and personnel to perform the necessary inspections and evaluations as well as to carry out administrative responsibilities related to the delivery of various technical services including stream bank maintenance, bridge and culvert scour maintenance; and

WHEREAS, it has become necessary to implement the County-wide Stream Maintenance Program to continue to reduce erosion and localized flood-related risk to roads, bridges, culverts and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting the natural flow of streams, repair bridge and culvert scour or prevention of same; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipalities and districts to contract to perform together that which each public entity is authorized to perform individually; and Article 5, Section 99-R of the same General Municipal Law authorizes Erie County and the District to contract by direct negotiations for services of government not regularly provided to the public as part of general government services; and

WHEREAS, the Legislative Body of Erie County and the Board of Directors of the Erie County Soil and Water Conservation District have previously authorized a municipal agreement on October 6, 2011, at Meeting Number 20, Communication Number 18E-30 for the purpose of performing a County-wide Stream Maintenance Program.

NOW, THEREFORE, BE IT

RESOLVED, that the Agreement between the County of Erie and the Erie County Soil and Water Conservation District be renewed in an amount of $100,000.00 to be allocated from the Division of Highways, Business Area 123, Fund 210, Account 516020 – Professional Services, for technical services to reduce erosion, scour and localized flooding related risks to roads, bridges, culverts and rights-of-way at various locations; and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget, Management and Finance, and the Office of the Comptroller.