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# COUNTY OF ERIE

**MARK C. POLONCARZ**
COUNTY EXECUTIVE

October 21, 2012

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

**RE: Solid Waste Management Board Memorandum of Understanding**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Erie County Department of Environment and Planning authorizing the County Executive to execute a Memorandum of Understanding and accept funds from Erie County's two solid waste management boards for the purpose of providing continued contracted services for their member municipalities. A current JG-7 position in the Department of Environment and Planning will assume responsibility for providing these services.

Should your honorable body require further information, I encourage you to contact Thomas R. Hersey, Jr. in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:MW/cw
Enclosure

cc: Maria R. Whyte, Commissioner, DEP
Thomas R. Heresy, Deputy Commissioner, DEP

# MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Solid Waste Management Board Memorandum of Understanding
Date: October 21, 2012

## SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Erie County Department of Environment and Planning (ECDEP) authorizing the County Executive to enter into a two-year agreement to accept $40,500 in funding from the two solid waste management boards representing 43 municipalities in Erie County.

The additional funding will allow the ECDEP to continue to provide administrative, logistical and technical support services to assist regulated municipalities in Erie County through the two solid waste management boards for 2013 and 2014. Responsibility for providing these services would be handled by the current JG-7 position in the ECDEP.

## FISCAL IMPLICATIONS

Separate agreements with the Northeast Southtowns Solid Waste Management Board (NEST) and the Northwest Solid Waste Management Board (NWSWMB) will provide $40,500 over a two-year period. A budget will be established for the funding to support ECDEP solid waste program activities.

## REASONS FOR RECOMMENDATION

Approval of this resolution will enable the ECDEP to provide essential services to 43 municipalities served by Erie County's two solid waste management boards. Each board has a Solid Waste Management Plan (SWMP) approved by the New York State Department of Environmental Conservation (NYSDEC). Each SWMP contains various requirements that need to be addressed by each board to reduce solid waste generation and increase recycling rates. These requirements must be met for each member municipality to have the authority to collect and dispose of residential generated solid waste.

Staff from the ECDEP has provided support to the NEST Board since the creation of its SWMP in 2000 and has assisted the NWSWMB for several years. Contracted services for both boards have been provided since 2007.

## BACKGROUND INFORMATION

ECDEP provides municipalities, businesses, school districts and residents with assistance for solid waste management, disposal and recycling. Many programs target problematic and priority waste streams such as household hazardous waste, waste electronics and pharmaceutical waste.

The two solid waste management boards in Erie County have requested support from ECDEP for implementation of their NYSDEC approved Solid Waste Management Plans by execution of a Memorandum of Understanding (MOU). The MOU's outline a scope of services to be provided by ECDEP and provides funding to offset expenses associated with the ECDEP commitment.

ECDEP will establish a budget for the funds provided by the MOU to offset expenses associated with a current JG-7 position which will retain responsibility for providing the agreed to scope of services.

## CONSEQUENCES OF NEGATIVE ACTION

Without the requested authorization, Erie County will be unable to assist its 43 municipalities to meet the objectives set forth in the Solid Waste Management Plans. Erie County will forfeit $40,500 in funding to support a JG-7 position in ECDEP to continue to provide residents and municipalities with solid waste management and reduction assistance.

## STEPS FOLLOWING APPROVAL

A Memorandum of Understanding with each solid waste board will be executed by the County Executive, funds will be accepted, a budget established for personnel and fringe expenses associated with the work plan, and services will be provided to the two solid waste management boards in 2013 and 2014 as specified in the MOU.

**A RESOLUTION SUBMITTED BY:**
**DEPARTMENT OF ENVIRONMENT AND PLANNING**

**RE: Solid Waste Management Board**
**Memorandum of Understanding**

**WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides technical assistance to municipalities to facilitate compliance with State Environmental regulations; and**

**WHEREAS, the ECDEP has previously been contracted by the County's two solid waste management boards to assist with compliance with the New York State Department of Environmental Conservation approved Solid Waste Management Plans (SWMP); and**

**WHEREAS, Erie County's two solid waste management boards have signed separate Memorandums of Understanding (MOU) for the ECDEP to provide the necessary administrative, logistical and technical assistance and services to comply with the approved SWMP; and**

**WHEREAS, a current JG-7 position in the ECDEP will continue to provide the assistance to the solid waste management boards upon execution of the MOU's.**

**NOW THEREFORE BE IT**

**RESOLVED, that the County Executive is authorized to enter into separate two year MOU agreements with the Northeast Southtowns Solid Waste Management Board (NEST) and the Northwest Solid Waste Management Board (NWSWMB) to provide services in 2013 and 2014 and accept the combined funds; and be it further**

**RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.**