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# COUNTY OF ERIE

**MARK C. POLONCARZ**
COUNTY EXECUTIVE

October 22, 2012

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

**RE: State Assistance Application and Contract Execution**
**Household Hazardous Waste Collection Program**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning pertaining to the Household Hazardous Waste Collection Program. The resolution authorizes the Department to apply for financial assistance from the New York State Department of Environmental Conservation (NYSDEC). In addition, the resolution authorizes the County Executive to enter into contract with the NYSDEC to accept partial reimbursement for expenses incurred conducting household hazardous waste collection events.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/cw
Enclosure

cc: Maria R. Whyte, Commissioner, DEP

# MEMORANDUM

**To:** Honorable Members of the Erie County Legislature
**From:** Environment and Planning
**Re:** State Assistance Application and Contract Execution
Household Hazardous Waste Collection Program
**Date:** October 11, 2012

## SUMMARY

Approval of a resolution to authorize the Erie County Department of Environment and Planning to apply for State financial assistance from the NYSDEC to offset costs associated with the Household Hazardous Waste (HHW) Collection Program. The resolution also authorizes the County Executive to execute a contract to enter into agreement with the NYSDEC for State reimbursement for HHW expenses.

## FISCAL IMPLICATIONS

Erie County would realize a fiscal benefit from partial up to fifty percent State reimbursement for expenses associated with the collection and disposal of household hazardous waste.

## REASONS FOR RECOMMENDATION

The Erie County Household Hazardous Waste Collection Program provides residents with the opportunity for proper disposal of unwanted household chemicals. The Program protects the environment and improves home safety. Application for State assistance increases the fiscal sustainability of the program.

## BACKGROUND INFORMATION

Erie County has provided Household Hazardous Waste Collection events to the residents since 1988. Over 50,000 residents have attended 71 collection events since the inception of the program. The NYSDEC offers partial reimbursement for costs associated with disposal of waste materials along with other operating and education expenses.

As specified by the NYSDEC, as part of the application package to apply for reimbursement funding, Erie County must pass and submit a resolution authorizing the filing of the application and execution of the associated State Assistance Contract.

## CONSEQUENCES OF NEGATIVE ACTION

Erie County would forfeit the State Aid funding available to offset costs associated with the Household Hazardous Waste Collection Program.

## STEPS FOLLOWING APPROVAL

The Erie County Department of Environment and Planning will apply for State Aid and the County Executive will execute the contract to allow for partial State reimbursement of HHW Program expenses.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: State Assistance Application and
Contract Execution – Household
Hazardous Waste Collection Program

WHEREAS, household hazardous waste is being generated by residents in Erie County; and

WHEREAS, improper disposal of household hazardous waste has the potential to contaminate the air, land, and waters of Erie County; and

WHEREAS, continued storage of hazardous household products in the home constitutes a danger to the occupants and the community; and

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste (HHW) Collection Program since 1988, servicing over 50,000 residents within Erie County; and

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Erie County HHW Program is dependent upon State Aid assistance for partial funding; and

WHEREAS, Erie County deems it to be in the public interest and benefit to file an application for State Aid; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York and Erie County be executed for such State Aid.

NOW, THEREFORE BE IT

RESOLVED, that the filing of an application for State assistance for the Household Hazardous Waste Program in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the County Executive is directed and authorized enter into agreement and sign the resulting contract for partial reimbursement for expenses incurred conducting the County HHW Program if said application is approved by the State; and be it further

RESOLVED, that Erie County agrees that it will fund the cost of said HHW Program and will be reimbursed by the State for the State share of such costs; and be it further

RESOLVED, that five (5) certified copies of this resolution be prepared and sent to the NYSDEC together with a complete application; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Office of the Comptroller; Maria Whyte, Commissioner of Environment and Planning; Thomas Hersey, Deputy Commissioner of Environment and Planning; Paul Kranz, P.E., Associate Engineer, the County Comptroller and the County Attorney.