

FEBRUARY 8, 2007

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR MILLS. CHAIRPERSON MARINELLI
PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3E-24 (2007)
COUNTY EXECUTIVE: Semi-Annual Attendance Records – Board of Managers - ECSDs
(4-0)
 - b. COMM. 3M-1 (2007)
ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL: EC EMC Meeting
Notice & Agenda for Meeting Held 1/16/07
(4-0)
2. COMM. 3E-25 (2007)
COUNTY EXECUTIVE
WHEREAS, the Erie County Legislature had awarded Contract No. 66STP-D, Electrical, to
O’Connell Electric Company for the disinfection improvements at the Big Sister Creek Sewage Treatment
Plant; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that
all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the
acceptance of Contract No. 66STP-D, Electrical, in the final contract amount of \$119,625.28 which
includes Change Order No. 1 (final), a decrease of \$20,374.72 in the Erie County Sewer District No. 2
Bond Account C.00013, and approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 66STP-D, Electrical, between the County of Erie and O’Connell
Electric Company, 830 Phillips Road, Victor, New York 14564 is accepted in the amount of \$119,625.28,
which includes Change Order No. 1 (final), a decrease of \$20,374.72 in the Erie County Sewer District
No. 2 Bond Account C.00013, and release of retention is approved; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize
Contract No. 66STP-D, Electrical, between the County of Erie and O’Connell Electric Company in the
amount of \$119,625.28 and release all retention; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this
resolution to the Department of Environment and Planning and one certified copy to the County
Executive, the Erie County Comptroller, Gregory Dudek, Assistant County Attorney and the Director of
Budget and Management.
(4-0)

3. COMM. 3E-26 (2007)
COUNTY EXECUTIVE
WHEREAS, Erie County was awarded a \$582,185 Federal grant from the New York State
Department of Transportation for construction of the Sherwood Greenway Bicycle/Pedestrian Path in the
Town of Tonawanda; and

WHEREAS, the 2003 Erie County Capital Budget includes \$313,485 as a local match for the
project; and

WHEREAS, the design plans for the project require execution of certain occupancy permits with
the New York State Thruway Authority allowing construction, operation, and maintenance of the
Sherwood Trail on NYSTA right-of-way between Sheridan Drive and Kenmore Avenue in the Town of
Tonawanda.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute all necessary occupancy permits
and related agreements with the New York State Thruway Authority for the Sherwood Greenway Trail in
the Town of Tonawanda; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the
Commissioner of the Erie County Department of Environment and Planning; the Commissioner of the Erie
County Department of Parks, Recreation and Forestry; the County Attorney; the County Comptroller; and
the Director of the Erie County Division of Budget, Management and Finance.
(4-0)

4. COMM. 3E-27 (2007)
COUNTY EXECUTIVE

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides grant assistance to local governments to implement projects to reduce solid waste in New York State; and

WHEREAS, the NYSDEC awarded \$160,530 on May 18, 2000, to implement a Solid Waste Reduction project; and

WHEREAS, since the inception of the project, the NYSDEC has provided supplemental funds; and

WHEREAS, the additional funding expanded the scope of the project and extended the grant period for the NYSDEC Recycling Program to December 31, 2007; and

WHEREAS, Erie County has submitted a preliminary work plan and application for said Program with a projected total budget of \$253,145 for a three-year program, and

WHEREAS, the work plan identifies \$126,573 in in-kind services to provide local matching funds as required by the NYSDEC, and

WHEREAS, Erie County has been offered the opportunity to formally apply for State grant funding for reimbursement of 50 per cent of the total Program expenses through the NYSDEC Municipal Waste Reduction and Coordination/Education Grant Program, and

WHEREAS, the Erie County Recycling Education and Outreach 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 Recycling Education and Outreach 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 to enter into agreement and sign the resulting contract for partial reimbursement for expenses incurred conducting the Erie County Recycling Education and Outreach Program, if said application is approved by the State; and be it further

RESOLVED, that Erie County agrees to fund the cost of said Recycling Education and Outreach Program; 50 per cent of this cost to be reimbursed by the State; 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 the Director of Budget, Management and Finance is hereby authorized to implement any budget adjustments as required to comply with Federal and State approved funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; Andrew M. Eszak, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; and the County Comptroller.
(4-0)

**THOMAS A. LOUGHRAN
CHAIRMAN**