

January 30, 2014

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 2

ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 2E-12 (2014)  
**COUNTY EXECUTIVE:** "Erie County Sewer District No. 4, Engineering Agreement Dated June 20, 2011, Wendell - Change Order No. 1"  
(6-0)
2. COMM. 2E-10 (2014)  
**COUNTY EXECUTIVE**  
WHEREAS, Erie County is planning to construct the Lake Shore Shoreline Trail Multi-Use Pathway Phase 2 trail; and  
  
WHEREAS, National Grid Electric Company in-conjunction with the Lake Shore Shoreline Multi-Use Pathway Trail Phase 2 must relocate several utility poles onto E.C./ECSD No.2's property as part of the project, and is requiring that the County grant National Grid access through a utility easement; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management recommends that the utility easement be granted to National Grid; and

WHEREAS, the Erie County Advisory Review Committee has reviewed the easement request and recommends to the County Legislature and County Executive that the utility easement be granted, and the easement be executed by the County Executive, subsequent to Legislative approval, and approval as to form by the County Attorney.

NOW, THEREFORE BE IT

RESOLVED, that the easement for access to services and relocation of utility poles be granted to National Grid; and be it further

RESOLVED, that the County Executive and/or the Commissioner of Environment and Planning on the County Executive's behalf is authorized to execute the utility easement with National Grid, subject to approval as to form by the County Attorney; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this Resolution to the County Executive; Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph Fiegl, P.E., Department of Environment and Planning, Division of Sewerage Management, Rath Building, 10<sup>th</sup> Floor.  
(6-0)

3. COMM. 2E-11 (2014)  
**COUNTY EXECUTIVE**  
WHEREAS, the County of Erie desires to eliminate the Blasdell Wastewater Treatment Plant, several pumping stations, and sanitary sewer overflows by constructing the Rush Creek Interceptor; and

WHEREAS, Erie County and CSX Transportation, Inc., Norfolk Southern Railway Company, and the Erie County Industrial Development Agency must have license agreements to allow for the Rush Creek Interceptor to cross under the railroad right of ways; and

WHEREAS, the County of Erie and CSX Transportation, Inc., Norfolk Southern Railway Company, and the Erie County Industrial Development Agency will negotiate lump sum payments for the costs associated with each agreement, which may include administration fees, Railroad Protective Liability Insurance, and annual rent.

NOW, THEREFORE, BE IT

RESOLVED, that license agreements between the County of Erie, on behalf of Erie County Sewer District No. 3, and CSX Transportation, Inc., Norfolk Southern Railway Company, and the Erie County Industrial Development Agency in an amount not-to-exceed \$12,000 each are hereby approved for the Rush Creek Interceptor project; and be it further

RESOLVED, the County Executive be, and hereby is authorized to, execute the necessary agreements with CSX Transportation, Inc., Norfolk Southern Railway Company, and the Erie County Industrial Development Agency for the Rush Creek Interceptor project, subject to approval as to form by the County Attorney and as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that the Erie County Comptroller is directed to allocate \$36,000.00 from Erie County Sewer District No. 3 Account C.00012 for payment of said agreements; and be it further

RESOLVED, that the Clerk of the Legislature send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Division of Sewerage Management.

(6-0)

4. COMM. 2E-13 (2014)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Parks, Recreation & Forestry desires to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2013-2014 snowmobile season in the amount not to exceed \$179,865; and

WHEREAS, this agreement with the State shall pertain to such maintenance as performed by the individual Snowmobile Clubs of Erie County on club trails located outside County-owned lands as well as on trails located in Erie County Parks and Forestry lots.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$179,865 as pertains to snowmobile trail maintenance performed during the 2013-2014 snowmobile season; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the individual Snowmobile Clubs of Erie County for a total amount not to exceed \$179,865.00 for the purpose of snowmobile trail maintenance on club trails during the 2013-2014 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

Colden Trail Riders Inc.	\$20,160.00
Eden Trail Blazers Inc.	\$ 9,450.00
Grand Island Snowmobile Club Inc.	\$ 5,355.00
Hamburg Snowmobile Club Inc.	\$20,475.00
Holland Sno-Rascals Inc.	\$23,940.00
Marilla Sno-Mob Inc.	\$15,750.00
Northern Erie Snowseekers Inc.	\$19,215.00
Pioneer Sno-Surfers Inc.	\$11,655.00
Southern Tier Snowdrifters Inc.	\$21,735.00
WNY Snowmobile Club of Boston Inc.	<u>\$32,130.00</u>
	\$179,865.00

and be it further

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, cost center 1641010, account 409010, in the amount of \$179,865, as well as an increase in appropriations in the amount of \$179,865, in the Department of

Parks, fund 110, cost center 1641010, account 516020, in order that funds may be available to make payments to the individual clubs of the Erie County Federation of snowmobile Clubs; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget and Management, the Office of the Erie County Comptroller and Assistant County Attorney Kristen Walder of the Department of Law.

(6-0)

5. COMM. 2E-14 (2014)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Parks, Recreation and Forestry requests legislative authorization to delete a vacant General Crew Chief position and create a Park Superintendent position to help provide management oversight and supervision of blue collar Parks employees by a white collar position; and

WHEREAS, the creation of this new position and deletion of the vacant position will result in savings to the County budget in 2014 due to the lower cost of the Park Superintendent title compared to the existing General Crew Chief salary of \$59,543.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Parks, Recreation and Forestry is hereby authorized to delete General Crew Chief position 51006955 (JG 11), and to create a Park Superintendent JG 11 position as noted in B-100 #7642; and be it further

RESOLVED, that the Commissioner of Parks, Recreation and Forestry, Commissioner of Personnel, and Division of Budget and Management are hereby authorized to make the necessary budgetary and personnel adjustments to effectuate this action; and be it further

RESOLVED, that the Clerk of the Legislature send certified copies of this resolution to the County Executive's Office, the Commissioner of Personnel, the Director of Budget and Management and the Department of Parks, Recreation and Forestry.

(6-0)

**Ted B. Morton  
CHAIR**