

July 16, 2012

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 9

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 12M-6 (2012)
PRESIDENT, EC FARM BUREAU INC.: “Letter Concerning Proposed County Local Law 1-2012”
(5-0)
 - b. COMM. 13E-17 (2012)
COUNTY EXECUTIVE: “ECSD No. 2 - Proposed Modification of Plans - EC Sewer Agency Report”
(5-0)
 - c. COMM. 13D-2 (2012)
EC HEALTH COMMISSIONER & EC PARKS COMMISSIONER: “Letter of Response to INTRO 9-9 (2012)”
(5-0)
 - d. COMM. 13M-4 (2012)
NYSDEC: “Fact Sheet: National Fuel Gas - Buffalo Service Center Update: Focused Excavation in Former Wilkenson Slip June - September, 2012”
(5-0)
 - e. COMM. 13M-5 (2012)
NYSDEC: “Fact Sheet: 132 Dingens St. Site Update: Draft Investigation/Interim Remedial Measures Work Plan for Brownfield Site & Public Comment Period 7/10/2012 - 8/10/2012”
(5-0)
2. COMM. 9E-26 (2012)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 3, Charlotte, Sherburn, McKinley Pumping Station Elimination and Brookwood Pumping Station Demolition Project, Contract No. 40 at 2:00 P.M. on June 27, 2012.

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract No. 40	Milherst Construction Inc. 10025 County Road Clarence Center, New York 14032-0430	\$958,598.60

and

WHEREAS, in accordance with a merger agreement with the Village of Hamburg, the Village will reimburse Erie County Sewer District No. 3 the full amount of this contract; and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management recommends award of the contract to the aforementioned lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Charlotte, Sherburn, McKinley pumping station elimination and Brookwood pumping station demolition Project, Contract No. 40 be awarded as follows:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract No. 40	Milherst Construction Inc. 10025 County Road Clarence Center, New York 14032-0430	\$958,598.60

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder subject to approval as to form by the County Attorney and certification of availability of funds by the Comptroller’s Office; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget is directed to increase estimated revenue (417030 other local match) and appropriations (516020 Professional Services) \$958,598.60 in Erie County Sewer District No. 3 capital project C.00062.

RESOLVED, that the Erie County Comptroller is authorized and directed to allocate \$958,598.60 from Sewer Capital, Erie County Sewer District No. 3, Account C.00062 for Contract No. 40; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, Director of Budget, Comptroller's Office, Kristen Walder, Assistant County Attorney and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(5-0)

3. COMM. 11E-13 (2012)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bids for the Erie County Sewer District No. 8, Geneva Road Pumping Station and Sanitary Sewer Extension Project, Contract No. 11A General / Mechanical and 11D Electrical, at 11:00 A.M. on June 25, 2012.

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 11A General / Mechanical	J.D. Northrup Construction Inc. P.O. Box 669 Ellicottville, NY 14731	\$488,566.45
Contract No. 11D Electrical	Weydman Electric Inc. 747 Youngs Street Tonawanda, NY 14150	\$43,700.00
	For a Total Project Cost of	\$532,266.45

WHEREAS, the aforementioned lowest responsible bidders have successfully performed similar work in Erie County; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management recommends award of the contracts to the aforementioned lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the Geneva Road Pumping Station and Sanitary Sewer Extension Project, Contract No.11 A and 11D be awarded to the lowest responsible bidders as follows:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract No. 11A General / Mechanical	J.D. Northrup Construction Inc. P.O. Box 669 Ellicottville, NY 14731	\$488,566.45
Contract No. 11D Electrical	Weydman Electric Inc. 747 Youngs Street Tonawanda, NY 14150	\$ 43,700.00
	For a Total Project Cost of	\$532,266.45

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidders subject to approval as to form by the County Attorney and certification of availability of funds by the Comptroller's Office; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget is directed to allocate \$532,266.45 from Sewer Capital, Erie County Sewer District No. 8, Account C.00071 for Contract 11A and Contract 11D; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, Director of Budget, Comptroller's Office, Kristen Walder, Assistant County Attorney and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(5-0)

4. COMM. 13E-15 (2012)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation and Forestry recently announced it was implementing a "smoke-free parks" policy; and

WHEREAS, the Erie-Niagara Tobacco-Free Coalition has offered to donate up to 150 anti-smoking signs to be installed at County parks, beaches and forestry, and the Department of Parks wishes to accept; and

WHEREAS, the cost per sign is approximately \$20 and would carry the message "Breathe Easy" or "Young Lungs at Play"; and

WHEREAS, pursuant to County Law, donations must be approved and accepted by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the acceptance, from the Erie-Niagara Tobacco-Free Coalition, of up to 150 anti-smoking signs to be installed at County parks, beaches and forestry; and be it further

RESOLVED, that certified copies of this resolution be sent to the office of the Erie County Executive Mark Poloncarz, Commissioner of the Department of Parks Recreation & Forestry Troy Schinzel, Erie-Niagara Tobacco-Free Coalition, and the Erie County Attorney.
(5-0)

5. COMM. 13E-16 (2012)
COUNTY EXECUTIVE

WHEREAS, the Buffalo Niagara Partnership “Who Does What” Commission’s Niagara County Study conducted in 2003 recommended that Niagara County implement a county-wide GIS system and in addition recommended that Niagara County would be best served by entering into an Intermunicipal Agreement with Erie County for GIS services; and

WHEREAS, Erie County has an existing enterprise-level GIS system, consisting of significant investments in computer hardware, software, communications, staff, and applications (such as an Internet Mapping System); and

WHEREAS, Erie and Niagara Counties entered into a five-year Intermunicipal Agreement for Shared GIS Services in 2008, which will expire at the end of 2012; and

WHEREAS, Erie and Niagara Counties desire to continue the mutually beneficial IMA for Shared GIS Services for another five-year term covering the period 2013 - 2017; and

WHEREAS, Niagara County has agreed to compensate Erie County for GIS services rendered in support of the proposed Intermunicipal Agreement; and

WHEREAS, sharing of GIS services between Erie and Niagara Counties will avoid duplication of GIS services in the future between the two counties and will promote cost savings in the provision of these services.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Executive is authorized to enter an Intermunicipal Agreement for Shared GIS Services between Erie and Niagara for a five-year term covering the period 2013 - 2017; and be it further

RESOLVED, that Erie County will receive annual payments from Niagara County for GIS services for the five-year term in the amounts of: Year 1 - \$25,620, Year 2 - \$26,902, Year 3 - \$28,247, Year 4 - \$29,659, Year 5 - \$31,142. These revenues, totaling \$141,570, shall be recorded in commitment item 420270 (GIS Services-Other Governments); and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the County Attorney; the Commissioner of the Department of Environment and Planning; the Director of Data Processing; the County Comptroller; and the Director of the Division of Budget and Management.
(5-0)

TERRENCE D. McCracken
CHAIR