

January 19, 2012

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 1

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 22E-7 (2011)  
**COUNTY EXECUTIVE:** "ECSD No. 3 - Engineer Term Agreement - Clough-Harbour Associates"  
(5-0)
  - b. COMM. 22M-3 (2011)  
**NYSDEC:** "Public Notice: Application from Fredric LoFaso for a Site Known as 285-295 Niagara Street"  
(5-0)
  - c. COMM. 22M-4 (2011)  
**CATTARAUGUS COUNTY DEPUTY CLERK:** "Copy of Resolution Concerning Free Hunting, Fishing & Trapping Licenses to NYS Residents who are Active Duty Members of the United States Armed Services"  
(5-0)
  - d. COMM. 22M-5 (2011)  
**NYSDEC:** "Public Notice: Buffalo Green Code - Planning Day in Buffalo - Meeting to be Held 10/29/2011"  
(5-0)
  - e. COMM. 23M-3 (2011)  
**NYSDEC:** "Public Notice: Inactive Hazardous Waste Disposal Site Delist Notice - Tiff Farm Nature Preserve"  
(5-0)
  - f. COMM. 23M-4 (2011)  
**NYSDEC:** "Public Notice: Inactive Hazardous Waste Disposal Site Classification Notice - PVS Chemicals, Inc."  
(5-0)
  - g. COMM. 24E-14 (2011)  
**COUNTY EXECUTIVE:** "ECSD Nos. 1-6 & 8 - User Charge Rates"  
(5-0)
  - h. COMM. 24M-3 (2011)  
**AURORA TOWN CLERK:** "Copy of Resolution Requesting the Extension of ECSD No. 8 to Include the Area Known as "Reed Hill Heights""  
(5-0)
  - i. COMM. 27M-2 (2011)  
**NYSDEC:** "Fact Sheet: NYSDEC Certifies Cleanup Requirements Achieved at 2137 Seneca Street - Former Pizza Hut Site in Buffalo"  
(5-0)
  - j. COMM. 1E-27 (2012)  
**COUNTY EXECUTIVE:** "Reappointment of EC Deputy Commissioner of Sewerage Management"  
(5-0)
  - k. COMM. 1D-9 (2012)  
**DEPARTMENT OF ENVIRONMENT & PLANNING:** "Rush Creek Interceptor Project - SEQR Notification"  
(5-0)
  - l. COMM. 1M-1 (2012)  
**NYSDEC:** "Brownfield Cleanup Program Application from Strickler Development Group, LLC for a Site Known as the 129 Holden Street Redevelopment"  
(5-0)
  - m. COMM. 1M-2 (2012)  
**NYSDEC:** "Fact Sheet: NYSDEC Certifies Cleanup Requirements Achieved at 2137 Seneca Street - Former Pizza Hut Site in Buffalo"  
(5-0)
  - n. COMM. 1M-3 (2012)  
**NYSDEC:** "Fact Sheet: Cleanup Activities Begin at the Former Buffalo China Brownfield Site"  
(5-0)

o. COMM. 1M-4 (2012)  
**NYSDEC:** “Fact Sheet: Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced”  
(5-0)

2. INTRO 23-2 (2011)  
**MAZUR**  
WHEREAS, the United States Department of Energy and the New York Independent System Operator have identified New York State electric transmission lines as being aged and unable to deliver adequate capacity, a condition known as “transmission congestion,” and

WHEREAS, there is a growing demand for electricity in the New York City area, but because of the inadequate transmission system in New York State, specifically the “choke points” for electrical transmission from Utica going east, and Albany going south, plants in Upstate New York that have abundant available power, NRG Huntley included among them, cannot get their product to this demand market; and

WHEREAS, as a result of this “transmission congestion,” New York City pays significantly more for power, and is currently moving forward on a plan to import power from New Jersey with an \$800 million subsidy from New York State Power Authority to address New York City Power needs; and

WHEREAS, a Canadian developer has approached the New York State Public Service Commission with plans to build a 385 mile, 1,000 MW cable from Quebec to New York City, by-passing New York State transmission lines and denying New York power generators any chance to compete in the marketplace; and

WHEREAS, there are a number of reasons why importing power is bad for New York State, not the least of which are the lost opportunity for our WNY power generation facilities having the ability to compete and retain good paying jobs; New York State losing its fuel diversity and energy independence, placing us at the mercy of supply and demand price spikes; and the abandonment of renewable energy projects that could create a significant number of green jobs; and

WHEREAS, several plants in Upstate New York are facing uncertain economic futures and the owners of one facility have put that facility up for sale because of its inability to compete; and

WHEREAS, the ability to move abundant, available power from these plants in Western New York to the downstate area would have a positive effect on these struggling facilities, saving hundreds of jobs, and significant tax base for all of WNY; and

WHEREAS, tens of thousands of jobs in transmission construction and power generation, including renewable energy, will occur from investing in New York State’s energy infrastructure.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature goes on record requesting that the State of New York make needed investment in upgrading of New York State’s electric transmission line infrastructure by using existing mechanisms for funding transmission upgrades that would hold the ratepayers harmless, and will go a long way in stabilization employment at existing power plants, while creating enormous opportunities in renewable energy development; and be it further

RESOLVED, that copies of this resolution be forwarded to the Honorable Andrew M. Cuomo, Governor of the State of New York; the members of the Western New York State Delegation and Gil C. Quinions, Acting President and CEO, New York State Power Authority.  
(5-0)

3. COMM. 24E-15 (2011)  
**COUNTY EXECUTIVE AS AMENDED**  
WHEREAS, the Board of Managers for Erie County Sewer Districts Nos. 1, 2, 3, 4, 5, 6 and 8 have a system of Sewer District User Charges or Fees; and

WHEREAS, the Boards have requested and are desirous of collecting said User Charges or Fees in 2012 for properties in the same manner and fashion as the regular sewer district taxes as has been done in the past year.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to spread said 2012 Sewer District User Charges or Fees against properties within Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 & 8 liable therefore as provided by law; and be it further

RESOLVED, that the following amounts be collected:

Sewer District #1	\$ 1,052,061.01
Sewer District #2	\$ 164,537.41
Sewer District #3	\$ 942,782.92
Sewer District #4	\$ 682,659.52
Sewer District #5	\$ 288,859.20
Sewer District #6	\$ 1,369,758.50
Sewer District #8	\$ <u>568,516.00</u>
	\$ 5,069,174.56

and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Real Property Tax Services, the Director of Budget, the County Attorney and Joseph L. Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

(5-0)

4. COMM. 1E-12 (2012)

**COUNTY EXECUTIVE**

RESOLVED, the Erie County Legislature hereby confirms the appointment of Maria Whyte as Erie County Commissioner of Environment & Planning.

(5-0)

5. COMM. 1E-17 (2012)

**COUNTY EXECUTIVE**

RESOLVED, the Erie County Legislature hereby confirms the appointment of Troy Schinzel as Erie County Commissioner of Parks & Recreation.

(5-0)

**TERRENCE D. MCCRACKEN  
CHAIR**