

March 29, 2011

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR KOZUB.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 6E-20 (2011)
COUNTY EXECUTIVE: “ECSM - Engineering Service Agreement”
(4-0)

b. COMM. 6M-4 (2011)
NYSDEC: “Fact Sheet: Cleanup Action to Begin at Polymer Applications Site - Town of Tonawanda”
(4-0)
2. COMM. 6E-11 (2011)
COUNTY EXECUTIVE
WHEREAS, the Department of Parks, Recreation and Forestry is responsible for identifying and funding necessary capital projects at Chestnut Ridge Park; and

WHEREAS, the Chestnut Ridge Conservancy (CRC), a 501 c 3 corporation, wishes to contribute to the success of Chestnut Ridge Park; and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry and the CRC have agreed on a scope for the involvement of the CRC at Chestnut Ridge Park; and

WHEREAS, the taxpayers of Erie County will have a direct benefit of any help that the CRC can supply to Chestnut Ridge Park.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby authorizes the Commissioner of the Erie County Department of Parks, Recreation and Forestry and the County Executive to enter into an agreement (attached) with the Chestnut Ridge Conservancy; and be it further

RESOLVED, that certified copies of this resolution be delivered to the County Executive, the County Comptroller, the County Attorney, the Director of Budget and Management and to the Commissioner of the Department of Parks, Recreation and Forestry.
(4-0)
3. COMM. 6E-16 (2011)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Environment and Planning (DEP) provides technical assistance to municipalities to assist them in complying with environmental regulations; and

WHEREAS, the State of New York, through its Department of Environmental Conservation, provides financial aid for stormwater compliance assistance projects; and

WHEREAS, the State of New York, through its Department of Environmental Conservation, granted Erie County \$1,055,969 to commence the WNY Stormwater Coalition: MS4 Mapping Project; and

WHEREAS, the local match will be provided by Erie County DEP staff and the Western New York Stormwater Coalition membership in in-kind services; and

WHEREAS, it is necessary that a contract by and between the people of the State of New York, herein called the “State”, and Erie County be executed for such State aid; and

WHEREAS, the County of Erie herein called the “Municipality,” after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the “Project,” is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law (“ECL”) authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with the New York State Department of Environmental Conservation to accept and implement the WNY Stormwater Coalition: MS4 Mapping Project in an amount not to exceed \$1,055,969 in grant resources; and be it further

RESOLVED, that Chris Collins, County Executive, or such person’s successor in office, is the representative authorized to act on behalf of the Municipality’s governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality’s governing body in all matters related to the Project and to State assistance; and be it further

RESOLVED, that the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project’s field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and be it further

RESOLVED, that this Resolution take effect immediately; and be it further

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

4. COMM. 6E-18 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides technical assistance to private businesses to assist them in identifying ways to reduce waste and save money; and

WHEREAS, the New York State Department of Economic Development (NYSDED) granted Erie County \$230,501 to coordinate a Pollution Prevention, Reuse and Recycling Technical Assistance Program (P2R2TAP) for businesses in the seven Western New York counties; and

WHEREAS, as part of the P2R2TAP grant SAP# (162PP_ASSIST0709) work plan and contract with the NYSDDED, it is necessary for Erie County to enter into an agreement with API Heat Transfer, Inc., an identified project partner for up to \$30,000; and

WHEREAS, API Heat Transfer, Inc. will be required to work in accordance with a work plan approved by DEP and provide a 100 percent match.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an agreement with API Heat Transfer, Inc. for an amount not to exceed \$30,000 to conduct an engineering feasibility study; and be it further

RESOLVED, that this Resolution take effect immediately; and be it further

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

THOMAS J. MAZUR
CHAIR