

May 17, 2012

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 14M-10 (2011)
NATIONAL FUEL ACCOUNTABILITY COALITION: “Letter to Chair Miller-Williams Concerning National Fuel Gas Conservation Incentive Program”
(6-0)
 - b. COMM. 9E-25 (2012)
COUNTY EXECUTIVE: “ECSD No. 4 - Professional Services Agreement with CRA - Infrastructure & Engineering, Inc. - Vanderbilt Pumping Station, Depew Pumping Station & Overflow Retention Facility Upgrades”
(6-0)
 - c. COMM. 9D-4 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Copy of SEQR Application for Site Known as USCG Property Along the Buffalo River - 1 Fuhrman Boulevard, Buffalo, NY”
(6-0)
 - d. COMM. 9D-5 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Geneva Road Sanitary Sewer Extension - SEQR Notification”
(6-0)
 - e. COMM. 9D-8 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Aurora Street Pump Station Elimination Project - SEQR Notification”
(6-0)
 - f. COMM. 9M-3 (2012)
NYSDEC: “Fact Sheet: Draft Investigation Work Plan for Brownfield Site Known as 4630 River Road - Tonawanda, NY”
(6-0)

- g. COMM. 9M-5 (2012)
NYS DEPARTMENT OF AGRICULTURE & MARKETS: “Letter to Clerk of Legislature Concerning EC Agricultural District No. 14”
(6-0)
 - h. COMM. 9M-8 (2012)
NYSDEC: “Fact Sheet: Cleanup Action Completed at State Superfund Site Known as Polymer Applications - Tonawanda, NY”
(6-0)
 - i. COMM. 9M-15 (2012)
NYSDEC: “Fact Sheet: Draft Investigation Work Plan for Brownfield Site Known as 129 Holden Street Development, Buffalo, NY”
(6-0)
2. INTRO 9-9 (2012)
**MAZUR, HOGUES, LOUGHRAN,
McCRACKEN & LORIGO**
WHEREAS, the United States Surgeon General has determined that there is no safe level of secondhand smoke; and

WHEREAS, waste from tobacco use – including cigarette butts – is one of the largest sources of litter in our community, casting blight on public areas such as sidewalks and adding to the level of solid waste contaminating our water supply through run-off; and

WHEREAS, the outdoor environment is shared by smokers and non-smokers alike, necessitating the development of a public policy that protects Erie County residents from secondhand smoke -- whether they are in indoor or outdoor public spaces; and

WHEREAS, recently, New York State government took the bold step of declaring playgrounds and recreations areas in the State parks system to be smoke-free; and

WHEREAS, there is ample precedent for local governments in Erie County to move in the direction of a healthier, less polluted community, as demonstrated by smoke-free initiatives launched by the city of Lackawanna; towns of Alden, Amherst, Clarence, Eden Colden, Lancaster, Orchard Park and Tonawanda; the villages of Angola, East Aurora, Kenmore, North Collins, Springville and Williamsville; and

WHEREAS, it is fitting and proper for the Erie County Legislature to encourage the designation of the parks, beaches, playgrounds, golf courses and other recreation areas owned by Erie County government to be smoke-free and family-friendly.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature convey its support for a smoke-free environment throughout the Erie County system of parks and recreational areas; and be it further

RESOLVED, that representatives of the Erie County Department of Parks and Recreation, the Department of Environment & Planning, the Erie County Health Department, and the Tobacco-Free Coalition of Roswell Park Cancer Institute be invited to attend an upcoming meeting of the Health & Human Services Committee to discuss the next steps for Erie County to proceed in addressing this very important public health issue; and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to convey certified copies of this resolution to the above listed stakeholders, as well as the Erie County Executive.
(5-1) Chair Grant voted in the negative.

3. COMM. 9E-24 (2012)
COUNTY EXECUTIVE

WHEREAS, the County recognizes the need to properly train its employees to protect their health and well being, and to comply with applicable state and federal regulations; and

WHEREAS, Erie County's Division of Sewerage Management has applied for funds from the Western New York Council on Occupational Safety & Health through a New York State Department of Labor Hazard Abatement Board training grant.

NOW, THEREFORE, BE IT

RESOLVED, that the proposed agreement between the County of Erie and the Western New York Council on Occupational Safety & Health to provide health and safety training to the Division of Sewerage Management and Sewer District employees is hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send two certified copies of this resolution to Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and

Planning, and one certified copy each to the County Executive, the Director of Budget and Management, Erie County Comptroller; and County Attorney.
(6-0)

4. COMM. 9E-31 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of the following individual to the EC Environmental Management Council for a term expiring 5/31/2013:

Tim Kelly
89 Church Road
Lancaster, NY 14086

(6-0)

TERRENCE D. McCracken
CHAIR