

June 9, 2011

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 8E-2 (2010)

GRANT: "Article Entitled "The Power of Transparency""
(5-0)

b. COMM. 11E-11 (2011)

COUNTY EXECUTIVE: "ECSD No. 2 - Change Order No. 1"
(5-0)

c. COMM. 11M-4 (2011)

NYSDEC: "Fact Sheet: Remedial Soil Excavation Activities to Begin at Greif Site in
Tonawanda"
(5-0)

2. COMM. 10E-9 (2011)

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. 1 and 3, Mineral Springs Old Metering Building Demolition and Magnetic Metering Building Replacement Contract 65 at 2:00 P.M. on June 2, 2011;

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 65	Pinto Construction Services, Inc. 1 Babcock Street Buffalo, New York 14210	\$97,412.50

and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Mineral Springs Old Metering Building Demolition and Magnetic Metering Building Replacement, Contract 65 be awarded to Pinto Construction Services, Inc. in the not-to-exceed amount of \$97,412.50; and be it further

RESOLVED, that the County Executive be, and is hereby 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; and be it further

RESOLVED, that the Comptroller and Director of Budget is authorized and directed to allocate \$28,365.00 from Erie County Sewer District No. 1 Capital Project C.00057 and \$69,047.50 from Erie County Sewer District No. 3 Capital Project C.00062 for a total of \$97,412.50 for this project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning and one certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Eric Ziobro, Assistant County Attorney.

(5-0)

3. COMM. 11E-4 (2011)

COUNTY EXECUTIVE

WHEREAS, household hazardous waste is being generated by the residents of Erie County; and

WHEREAS, improper disposal of household hazardous waste has the potential to contaminate the air, land and waters of Erie County; and

WHEREAS, continued storage of hazardous waste in the home constitutes a danger to the occupants and the community; and

WHEREAS, Erie County desires to partner with the Town of Amherst and the Northeast Southtowns Solid Waste Management Board (NEST) to hold two separate events in 2011, with both events open to all residents of Erie County; and

WHEREAS, the State of New York provides financial aid for household hazardous waste collections; and

WHEREAS, it is necessary for Erie County to submit a resolution authorizing the filing of an application and execution of an associated state assistance contract as part of the application package to apply for reimbursement of expenses associated with the collection and disposal of household hazardous waste.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to the Director of Budget and Management to make the following adjustments to the 2011 Budget in order to support two household hazardous waste collection events in Erie County in 2011:

2011 Budget - Fund 110 Fund Center 1331010 – Economic Development	
	Increase/(Decrease)
Appropriations	
Account 518092 Erie Niagara Regional Partnership	(\$16,000)

2011 Budget - Fund 110 Department of Environment and Planning Fund Center 16200 – Division of Environment & Planning	
	Increase/(Decrease)
Appropriations	
Account 517629 Hazardous Waste Days	\$16,000

and be it further

RESOLVED, that the filing of an application for State assistance for the expenses associated with the collection and disposal of household hazardous waste in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the County Executive is directed and authorized to enter into agreement and sign the resulting contract for partial reimbursement for expenses associated with the collection and disposal of household hazardous waste, if said application is approved by the State; and be it further

RESOLVED, that any revenues received from the State as reimbursement of expenses associated with household hazardous waste events will be recorded in Fund Center 162000, Account 409000, State Aid Revenue; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, Director of Budget and Management, Commissioner of Environment and Planning, the County Comptroller, and the County Attorney.

(5-0)

4. COMM. 11E-5 (2011)
COUNTY EXECUTIVE

WHEREAS, Erie County and its municipalities, businesses and residents can take advantage of incentives to invest in energy efficiency improvements to reduce energy use, realize cost savings and protect taxpayers and the environment from increased energy costs and pollution burdens; and

WHEREAS, Erie County residents and businesses that have previously paid taxes and Systems Benefit Charges on their utility bills will benefit from use of those incentives; and

WHEREAS, Erie County and its municipalities are well positioned to lead by example, invest in energy efficiency and provide information about energy efficiency and related incentives; and

WHEREAS, Erie County municipalities, residents and businesses can benefit from a web site that provides access to clean and renewable energy grants, incentives, credits and information; and

WHEREAS, Blue Spring Energy, LLC helps communities participate in clean energy programs; and

WHEREAS, Blue Spring Energy, LLC has established similar web sites for communities across New York State including Broome, Monroe, Onondaga, Ontario, Rockland, Wayne and Schenectady counties; and

WHEREAS, Blue Spring Energy, LLC has secured the domain name reneweriecounty.org and will design the web site and maintain and market content on the site for a three period at no cost to the County.

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Executive is hereby authorized to enter into a three year no cost agreement with Blue Spring Energy, LLC to establish and maintain reneweriecounty.org; 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.

(5-0)

5. COMM. 11E-6 (2011)
COUNTY EXECUTIVE

WHEREAS, beginning this summer, the Erie County Department of Health (ECDOH) has regulatory oversight of the operation of Woodlawn Beach by the Town of Hamburg; and

WHEREAS, the ECDOH has the responsibility to protect the health of bathers by assuring that the public beach is open only when conditions meet the standards of the New York State Department of Health Beach Sanitary Code; and

WHEREAS, at the request of the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), the Erie County Department of Health submitted a work plan to conduct stream sanitary survey of three streams (Blasdell Creek, Rush Creek and Foster Brook) that make major contributions to the bacterial contamination that is responsible for the frequent closing of swimming area at Woodlawn Beach State Park; and

WHEREAS, the NYSOPRHP has received a U.S. EPA GLRI Grant for the Woodlawn Beach Source Trackdown and Remediation Project including a sub-award contract with ECDOH for the stream sanitary surveys component of the project for three streams that impact Woodlawn Beach; and

WHEREAS, the ECDOH is under contract with the U.S. EPA GLRI Grant for Lake Erie Stream Sanitary Surveys Project that includes identical work on four streams that impact three of the public beaches that ECDOH regulates; and

WHEREAS, the concurrent implementation of both projects offers the ECDOH economies of scale and other efficiencies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract for a sub-award from the New York State Office of Parks, Recreation and Historic Preservation for the period January 1, 2011 through May 31, 2014 to be budgeted as follows:

NYSOPRHP – Stream Sanitary Surveys Project
1/1/11 – 5/31/14

SAP	REVENUE	AMOUNT
409000	State Aid	<u>\$67,200</u>
	TOTAL	<u>\$67,200</u>
EXPENSES		
516020	Prof. Services Contracts & Fees	\$54,960
561410	Lab and Technical Equipment	<u>12,240</u>
	TOTAL	<u>\$67,200</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner in the Department of Health, 9th Floor, Rath Building. (5-0)

6. COMM. 11E-12 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning administers Housing Programs for low/moderate income homeowners on behalf of the Erie County Community Development Block Grant Consortium and HOME Investment Partnership Consortium; and

WHEREAS, the federal Department of Housing and Urban Development has issued regulations pertaining to lead-based paint hazards in housing units assisted with federal funds; and

WHEREAS, said regulations were effective September 15, 2000 and require a variety of lead-based paint hazard assessments and clearance tests by federally certified inspectors on all housing units participating in the Erie County Housing Programs.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a lead-based paint hazard inspection agreement for an amount not to exceed \$110,000, with Stohl Environmental, LLC, funds being available in the Federal Community Development Block Grant and the HOME Investment Partnership Programs; and be it further

RESOLVED, that the source of funds shall be money available within the Erie County Community Development Block Grant, in Project J.00511.1.6; and be it further

RESOLVED, that the Clerk of the Legislature be directed to forward certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of the Department of Health; The County Comptroller; and the Director of the Division of Budget and Management. (5-0)

7. COMM. 11E-13 (2011)
COUNTY EXECUTIVE

WHEREAS, a Project for Ontario Street Boat Launch/Black Rock Canal Park improvements was awarded \$135,000 in New York State Power Authority (Greenway) monies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept \$135,000 in New York State Power Authority funding (Greenway) for improvements to the Ontario Street Boat Launch/Black Rock Canal Park; and be it further

RESOLVED, that authorization is hereby provided to complete the following budget adjustment to SAP Project #A.21016 within the Erie County Budget

Increase Revenue/Appropriations totaling \$135,000 as follows:

Revenue

Commitment Item #409010 (Other Local Source Revenue)	\$135,000
--	-----------

Appropriation

Commitment Item #516020 (Professional Services – Contractual Fees)	\$135,000
--	-----------

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into any necessary agreement with the New York State Power Authority to accept these funds; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with Federal, State, and New York State Power Authority funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.

(5-0)

THOMAS J. MAZUR
CHAIR