

May 2, 2013

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 8E-1 (2013)
COUNTY EXECUTIVE: "Appointment to the Buffalo Society of Natural Sciences Board"
(6-0)
 - b. COMM. 8M-5 (2013)
NYSDEC: "Public Notice: Inactive Hazardous Wasted Disposal Site Classification Notice for Site Known as Alltift Landfill - 302 Abby Street, Buffalo, NY 14202"
(6-0)
2. INTRO 8-2 (2013)
HARDWICK
WHEREAS, on March 28, 2013, a guilty verdict was reached in the United States District Court for the Western District of New York against Tonawanda Coke Corporation for numerous violations of the Clean Air Act; and

WHEREAS, as a result of the criminal actions of Tonawanda Coke Corporation, the neighborhoods in the immediate area of the plant have suffered specific harms and measurable environmental damage as a result of the release of pollutants; and

WHEREAS, there is great concern regarding the impact of the release of pollutants by Tonawanda Coke Corporation on the health of residents of the Tonawandas; and

WHEREAS, Tonawanda Coke Corporation faces up to \$200 million in fines when sentenced later this year.

NOW, THEREFORE, BE IT

RESOLVED, that this body urges the Court to direct that all fines levied against Tonawanda Coke Corporation be utilized within the City of Tonawanda and Town of Tonawanda to address residents' health concerns and environmental problems caused by Tonawanda Coke Corporation; and be it further

RESOLVED, that certified copies of this resolution be conveyed to United States District Court Judge William M. Skretny and United States Attorney William J. Hochul, Jr.
(4-0) Legislators Lorigo and Mills not present for vote.

3. COMM. 8E-8 (2013)
COUNTY EXECUTIVE
WHEREAS, the Department of Parks, Recreation and Forestry currently permits disc golf on designated courses at several Erie County Parks; and

WHEREAS, the Department of Parks, Recreation and Forestry is finding it increasingly difficult to maintain disc golf courses due to lack of staffing; and

WHEREAS, the Niagara Frontier Disc Golf (NFDG) is willing to enter into agreements with the County to take over the maintenance aspect of these disc golf courses, including, but not limited to, repairs, signage, mapping and course volunteer days.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with NFDG for the purpose of permitting the maintenance of these disc golf courses located within the Erie County Parks System; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry and Assistant County Attorney, Kristen Walder, of the Law Department.
(6-0)

4. COMM. 8E-13 (2013)
COUNTY EXECUTIVE
WHEREAS, Erie County on behalf of Erie County Sewer District No. 3 submitted a grant application to the Water Quality Improvement Project program for the Rush Creek Interceptor project; and

WHEREAS, the Erie County had been notified that the Rush Creek Interceptor Project was awarded a \$5,000,000 grant through the Water Quality Improvement Project program; and

WHEREAS, per Legislative Comm. 3E-25 (2011) Erie County has entered into a grant agreement with New York State; and

WHEREAS, Capital project C.00012 needs to be increased for the anticipated appropriations and establish the Water Quality Improvement Project grant revenue.

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller and Director of Budget are authorized to increase the appropriations and estimated grant revenue in capital project C.00012 by \$5,000,000.00; and be it further

RESOLVED, that the Clerk of the Legislature send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Division of Sewerage Management.

(6-0)

TERRENCE D. McCracken
CHAIR