

FEBRUARY 12, 2009

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 2

ALL MEMBERS PRESENT, EXCEPT LEGISLATORS KOZUB & MILLS.  
CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO 11-9 (2008)  
**MARINELLI, WHYTE, REYNOLDS, LOUGHRAN, IANNELLO, GRANT & MAZUR:**  
The Erie Niagara Framework for Regional Growth and the Establishment of an Erie County Planning Board  
(5-0)
  - b. COMM. 2E-20 (2009)  
**IANNELLO:** Letter to Chair Marinelli Regarding Establishment of Green Actions Community Subcommittee  
(5-0)
  - c. COMM. 2E-26 (2009)  
**COUNTY EXECUTIVE:** Semi-Annual Attendance Records - Board of Managers - EC Sewer Districts  
(5-0)
  - d. COMM. 3E-4 (2009)  
**COUNTY EXECUTIVE:** EC Sewer Dist. No. 3 - Engineer Term Agreement - Liro Engineers, Inc.  
(5-0)
  - e. COMM. 3E-7 (2009)  
**IANNELLO:** Green Actions Community Committee - Sample Letter  
(5-0)
  - f. COMM. 3E-14 (2009)  
**COUNTY EXECUTIVE:** Erie County Sewer Dist. No. 4 - Engineer Term Agreement - URS, Corp. - Work Order URS - 2  
(5-0)

- g. COMM. 3M-1 (2009)  
**BUFFALO URBAN DEV. CORP. & NYS DEPT. OF ENVIRONMENTAL CONSERVATION:** Fact Sheet and Public Meeting Notice on Cleanup Plan Proposed for Buffalo Lakeside Commerce Park  
(5-0)
- h. COMM. 3M-7 (2009)  
**FEDERAL RESERVE BANK OF NEW YORK:** Current Issues in Economics and Finance: Second District Highlights  
(5-0)
2. COMM. 2E-17 (2009)  
**COUNTY EXECUTIVE**  
WHEREAS, the Erie County Department of Environment and Planning has secured the services of O'Brien & Gere Engineers, Inc. to provide engineering services for Erie County Sewer District Nos. 2, 3, 4 & 6; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that engineering services have been completed; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the formal close-out of the Engineering Agreement with O'Brien & Gere Engineers, Inc., dated September 19, 2005 at the final contract amount of \$96,740.92.

NOW, THEREFORE, BE IT

RESOLVED, that the Engineering Agreement dated September 19, 2005 between the County of Erie/Erie County Sewer District Nos. 2, 3, 4 & 6 and O'Brien & Gere Engineers, Inc., be formally closed-out in the final contract amount of \$96,740.92 as follows:

ECSO No. 2	Sewer Capital Fund No. C.00028	\$24,475.45
ECSO No. 3	Sewer Capital Fund No. C.00038	45,178.00
ECSO No. 4	Sewer Capital Fund No. C.00030	19,057.98
ECSO No. 6	Sewer Capital Fund No. C.00037	<u>8,029.49</u>
	Total	\$96,740.92

and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to formally close-out the Engineering Agreement between the County of Erie/Erie County Sewer District Nos. 2, 3, 4 & 6 and O'Brien & Gere Engineers, Inc., dated September 19, 2005; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, 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 Martin Polowy, 2<sup>nd</sup> Assistant County Attorney.  
(5-0)

3. **COMM. 2E-18 (2009)**  
**COUNTY EXECUTIVE**

WHEREAS, the County of Erie has secured the services of Greenman-Pederson, Inc. to complete various inspection services throughout Erie County Sewer Districts; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all engineering service work orders are now completed; and

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated January 1, 2005 with Greenman-Pederson, Inc. in the amount of \$24,229.65.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to close-out any remaining contract encumbrances in the various Erie County Sewer Districts Capital Bond Accounts relating to the A/E Agreement dated January 1, 2005, between the County of Erie and Greenman-Pederson, Inc.; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one (1) certified copy each to the County Executive, the County Comptroller and Martin Polowy, 2<sup>nd</sup> Assistant County Attorney.  
(5-0)

4. **COMM. 2E-19 (2009)**  
**COUNTY EXECUTIVE**

WHEREAS, the County of Erie has secured the services of Greenman-Pederson, Inc. to complete various design services throughout Erie County Sewer Districts; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all engineering service work orders are now completed; and

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated January 1, 2005 with Greenman-Pederson, Inc. in the amount of \$179,170.82.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated January 1, 2005 between the County of Erie and Greenman-Pederson, Inc. be formally closed-out in the final amount of \$179,170.82; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to close-out any remaining contract encumbrances in the various Erie County Sewer Districts Capital Bond Accounts relating to the A/E Agreement dated January 1, 2005, between the County of Erie and Greenman-Pederson, Inc.; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one (1) certified copy each to the County Executive, the County Comptroller, and Martin Polowy, 2<sup>nd</sup> Assistant County Attorney.  
(5-0)

5. **COMM. 2E-21 (2009)**  
**COUNTY EXECUTIVE**

WHEREAS, the County of Erie has secured the services of Malcolm Pirnie, Inc. to complete various design services throughout Erie County Sewer Districts; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all engineering services are now completed; and

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated January 1, 2005 with Malcolm Pirnie, Inc. in the amount of \$195,760.59.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated January 1, 2005 between the County of Erie and Malcolm Pirnie, Inc. be formally closed-out in the final amount of \$195,750.59; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to close-out any remaining contract encumbrances in the various Erie County Sewer Districts Operating and Capital Bond Accounts relating to the A/E Agreement dated January 1, 2005, between the County of Erie and Malcolm Pirnie, Inc.; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one (1) certified copy each to the County Executive, the County Comptroller, and Martin Polowy, 2<sup>nd</sup> Assistant County Attorney.

(5-0)

**DANIEL M. KOZUB**  
**CHAIR**