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COUNTY OF ERIE

CHRIS COLLINS
COUNTY EXECUTIVE

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May 2, 2011

The Honorable
Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Ontario Street Boat Launch/Black Rock Canal Park – New York State Power Authority Funding (Greenway)

Honorable Members:

Enclosed please find a suggested resolution and accompanying memorandum authorizing acceptance of \$135,000 in grant funds from the New York State Power Authority through the Niagara Relicensing Settlement Agreement. The monies will be used to further improvements at the County's Ontario Street Boat Launch aka Black Rock Canal Park.

Should your honorable body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

CHRIS COLLINS,
Erie County Executive

11E-13

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Ontario Street Boat Launch/Black Rock Canal Park – New York State Power Authority
Funding (Greenway)
Date: May 2, 2011

SUMMARY

The resolution authorizes the County Executive to receive \$135,000 in New York State Power Authority (Greenway) monies for improvements to the County's Ontario Street Boat Launch /Black Rock Canal Park in the City of Buffalo. The park is located along the Niagara River at the intersection of Niagara and Ontario Streets.

FISCAL IMPLICATIONS

County matching funds are not required to receive the New York State Power Authority monies.

REASONS FOR RECOMMENDATION

In order to properly account for the New York State Power Authority funds, adjustments are necessary to SAP Project # A.21016 within the Erie County Budget.

BACKGROUND INFORMATION

The grant funds allow for the continuation of Black Rock Canal Park improvements as proposed by the Erie County Department of Environment and Planning in conjunction with the Black Rock Canal Park Advisory Committee. The improvements will primarily focus on improved entry/egress and road enhancement.

CONSEQUENCES OF NEGATIVE ACTION

Erie County would forego an opportunity to obtain \$135,000 for needed park improvements.

STEPS FOLLOWING APPROVAL

A revenue increase in the amount of \$135,000 will be made to the Erie County Department of Environment and Planning SAP Project # A.21016 within the Erie County Budget. It will be noted as "Other Local Source Revenue". Appropriations will be increased accordingly.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Ontario Street Boat Launch/ Black
Rock Canal Park – New York State
Power Authority Funding (Greenway)

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.

April 21, 2011

The Honorable
Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

**RE: New York State Office of Parks, Recreation and Historic Preservation
(NYSOPRHP) Stream Sanitary Surveys Project**

Honorable Members:

Beginning this summer, the Erie County Department of Health (ECDOH) will have the regulatory oversight of operation of Woodlawn Beach by the Town of Hamburg and has the responsibility to protect the health of bathers by assuring that the public beach is open only when conditions meet the beach water quality standards.

The New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) has received a Great Lakes Restoration Initiative (GLRI) Grant from the U.S. EPA for the Woodlawn Beach Pollution Source Trackdown and Remediation Project that includes the sanitary surveys of three streams.

At the request of NYSOPRHP, the ECDOH submitted a work plan to conduct stream sanitary surveys of the three streams that contribute to the bacterial contamination that is responsible for the frequent closing of swimming areas at Woodlawn Beach State Park. This project continues the ECDOH work related to improve water quality at public beaches.

The NYSOPRHP offered a sub award to the ECDOH to conduct the three stream sanitary surveys in the amount of \$67,200 over the period January 1, 2011 through May 31, 2014.

Should your honorable body require further information, I encourage you to contact the Health Department. Thank you for your consideration on this matter.

Sincerely,

CHRIS COLLINS
Erie County Executive

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Health Department
Re: NYSOPRHP – Stream Sanitary Surveys Project
Date: April 21, 2011

SUMMARY

To authorize acceptance of a sub-grant award from the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) in the amount of \$67,200 for the period 1/1/11 – 5/31/14.

FISCAL IMPLICATIONS

Fully funded by the NYSOPRHP in the amount of \$67,200.

REASONS FOR RECOMMENDATION

This summer, the Erie County Department of Health (ECDOH) will have regulatory oversight of the operation of Woodlawn Beach by the Town of Hamburg and has the responsibility to protect the health of bathers by assuring that the public beach is open only when conditions meet the water quality standards of the New York State Public Health Code.

At the request of the NYSOPRHP, the ECDOH submitted a work plan to conduct stream sanitary survey of three streams that make major contributions to the bacterial contamination that is responsible for the frequent closing of the swimming area at Woodlawn Beach State Park. Identification of the source of bacterial contamination is the initial step leading to the remediation of the problem.

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 Blasdell Creek, Rush Creek and Foster Brook that impact Woodlawn Beach.

Further, 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 the ECDOH regulates. Concurrently conducting both projects offers the ECDOH economies of scale and other efficiencies.

BACKGROUND INFORMATION

In 2007, the ECDOH received grants from the U.S. Department of Environmental Protection Agency (USEPA). The work under this grant verified that the high bacterial contamination levels at the swimming areas of two public beaches, after rain events, were linked to the transport of

bacterial contamination to the lake by the neighboring streams, and identified the flush-out from outfalls of storm sewers as the primary sources of increased bacterial contamination concentrations to the streams.

CONSEQUENCES OF NEGATIVE ACTION

The stream sanitary surveys will not be undertaken unless ECDOH accepts the sub award. The NYSOPRHP will abandon the project. The NYSOPRHP will no longer face the negative consequences of closing the beach. Any negative publicity will reflect on the Town of Hamburg and by association ECDOH.

STEPS FOLLOWING APPROVAL

The Health Department will follow appropriate steps to implement the provisions of the sub-grant award.

A RESOLUTION SUBMITTED BY:
HEALTH DEPARTMENT

RE: New York State Office of Parks,
Recreation and Historic
Preservation – Stream Sanitary
Surveys Project

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.