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# COUNTY OF ERIE

**CHRIS COLLINS**

COUNTY EXECUTIVE

August 3, 2011

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

**RE: Erie County Soil and Water Conservation District Agreement -  
Technical Services and Stream Bank Maintenance,  
Bridge and Culvert Scour Maintenance Program**

Honorable Members:

In previous years, the County of Erie has entered into an agreement with the Erie County Soil and Water Conservation District for the purpose of performing various technical services and the Stream Bank Maintenance Program. It will be necessary to enter into another contract to continue the necessary work to reduce erosion, scour, and localized flooding related risks to roads, bridges, culverts and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting natural flow of streams. This work is directed by the Erie County Department of Public Works.

Therefore, this resolution seeks authorization to enter into a new agreement with the Erie County Soil and Water Conservation District in the amount of \$50,000.00 to perform their work.

Should your honorable body require further information, I encourage you to contact the Department of Public Works, Office of the Commissioner. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Collins", is written over a faint, larger version of the signature.

CHRIS COLLINS  
Erie County Executive

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works, Office of the Commissioner  
**Re:** Erie County Soil and Water Conservation District Agreement -  
Technical Services and Stream Bank Maintenance,  
Bridge and Culvert Scour Maintenance Program  
**Date:** August 3, 2011

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### **SUMMARY**

This resolution seeks authorization to enter into an agreement between the County of Erie and the Erie County Soil and Water Conservation District to continue the necessary work to reduce erosion and localized flooding related risk to Erie County's roads, bridges, culverts, and rights-of-way by removing gravel bars and vegetative debris obstructing, diverting natural flow of streams, or providing various technical services at various locations throughout Erie County.

### **FISCAL IMPLICATIONS**

The attached proposed resolution requests that the amount of \$50,000.00 be allocated from the Department of Public Works, Cost Center 1231010, Fund 210, Account 516020 – Professional Services for this work.

### **REASONS FOR RECOMMENDATION**

It is necessary that this approval be granted so that the Erie County Soil and Water Conservation District can continue to perform the Stream Bank Maintenance Program and various technical services within Erie County that protect our infrastructure from damage and deterioration, as directed by DPW.

### **BACKGROUND INFORMATION**

The Erie County Soil and Water Conservation District has provided technical services and a Countywide Stream Bank Maintenance Program with the Erie County Highway Department in an effort to identify and reduce problems related to erosion, scour, and flooding of our roads, bridges, culverts and rights-of-way. Their expertise in DEC permitting and environmental codes is required in order for the County to protect its bridges and culverts from further deterioration.

### **CONSEQUENCES OF NEGATIVE ACTION**

If authorization is not granted, we will not be able to continue with the Stream Bank Maintenance Program work performed by the Erie County Soil and Water Conservation District for flood prevention work within Erie County. Erie County bridges and culverts will suffer from damages and deterioration due to soil erosion, water, and debris.

## **STEPS FOLLOWING APPROVAL**

Approval of this resolution will allow the County of Erie to enter into a new agreement with Erie County Soil and Water Conservation District to continue work performed by the Erie County Soil and Water Conservation District to identify and reduce erosion, scour and flood risk to our roads, bridges, culverts and rights-of-way.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

RE: Erie County Soil and Water Conservation  
District Agreement - Technical Services  
and Stream Bank Maintenance, Bridge and  
Culvert Scour Maintenance Program

WHEREAS, the County of Erie, through its Public Works Department previously entered into an agreement with the Erie County Soil and Water Conservation District, who has the necessary expertise and personnel to perform the necessary inspections, evaluations and carry out administrative responsibilities related to the delivery of various technical services including stream bank maintenance and bridge and culvert scour maintenance; and

WHEREAS, it has become necessary to continue the County-wide Stream Bank Maintenance Program to reduce erosion and localized flood related risk to Erie County's roads, bridges, culverts and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting natural flow of streams, repair bridge and culvert scour or prevention of same; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipalities and districts to contract to perform together that which each public entity is authorized to perform individually; and Article 5, Section 99-R of the same General Municipal Law authorizes Erie County and the Erie County Soil and Water Conservation District to contract by direct negotiations for services of government not regularly provided to the public as part of general government services; and

WHEREAS, the Legislative Body of Erie County and the Board of Directors of the Erie County Soil and Water Conservation District have previously authorized a municipal agreement on June 11, 2009 via Communication Number 10E-10 and October 14, 2010, via Communication Number 15E-23 for the purpose of performing a County-wide Stream Bank Maintenance Program.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive is authorized to enter into an agreement with the Erie County Soil and Water Conservation District be executed in the amount of \$50,000.00 to be allocated from the Department of Public Works, Cost Center 1231010, Fund 210, Account 516020 – Professional Services, for technical services to reduce erosion, scour, and localized flooding related risk to roads, bridges, culverts, and rights-of-way at various locations; and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.