

May 16, 2013

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 9M-9 (2013)

NYS DEPT. OF AGRICULTURE & MARKETS: "Letter to Legislature Granting Extension Requests for Erie County Agricultural District Nos. 2, 4 & 15"
(6-0)

2. INTRO 9-2 (2013)

McCRACKEN

WHEREAS, Erie County is in the process of consolidation of the County's fourteen Agricultural Districts into four; and

WHEREAS, Section 303-a of the Agricultural Districts Law allows counties with multiple districts with review dates in any 12-month period, to petition the Commissioner of Agriculture and Markets to approve for good cause, an extension of up to four years for a district review; and

WHEREAS, the review anniversary for Agricultural District 5 falls on December 4, 2013 and the review anniversary for Agricultural District 15 falls on December 21, 2013; and

WHEREAS, the County's Consolidation plan is to combine the lands of Agricultural District 15 that lie within the Towns of North Collins and Collins with Agricultural Districts 2, 4, 8, and 9; and

WHEREAS, the County's Consolidation plan is to combine the lands of Agricultural District 15 that lie within the Towns of Concord, Boston, and Colden with Agricultural Districts 6 and 11.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature petitions the Commissioner of Agriculture and Markets to extend the review date of Agricultural District 15 to begin on October 13, 2016, and end the 300-day review period (anniversary) on August 9, 2017; and

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Erie County Department of Environment and Planning, and to Planner Rachel Chrostowski (95 Franklin Street, Room 1007).

(4-0) Chair Grant & Legislator Hogues not present for vote.

3. COMM. 9E-1 (2013)

COUNTY EXECUTIVE

WHEREAS, Erie County Department of Parks, Recreation and Forestry owns and operates two golf courses, Elma Meadows and Grover Cleveland Golf Courses; and

WHEREAS, it has been the longstanding policy of the County of Erie that the user fees collected at its golf courses be sufficient to pay for the cost of maintaining and operating the courses so that residents who do not utilize these facilities will be burdened with its costs; and

WHEREAS, the modest increase in user fees will help cover the cost of operating and maintaining the courses without burdening residents who do not utilize the golf courses; and

WHEREAS, golf course fees were last raised in 2009 and operating expenses have risen since then. The revenue the golf courses generate is now significantly less than the cost of maintaining and operating the courses; and

WHEREAS, the Commissioner of Parks, Recreation and Forestry is proposing a new fee schedule for Elma Meadows and Grover Cleveland Golf Courses in order to generate additional revenue; and

WHEREAS, the proposed fee schedule is in line with other comparable golf courses across the region; and

WHEREAS, the Commissioner of Parks, Recreation and Forestry plans on proposing a new fee schedule for season passes after the current golf season is complete.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, by two-thirds affirmative vote, hereby approves the following schedule of golf fees, effective on and after June 1, 2013:

Fees	Current Fee	Proposed Fee
Club Rental	\$10.00	\$11.00
Pull Carts	\$4.00	\$5.00
Range Balls	\$4.00	\$5.00
Gas Golf Cart (18 holes)	\$24.00	\$25.00
Gas Golf Cart (9 holes)	\$13.00	\$14.00
Grover Weekday Greens Fee	\$16.00	\$18.00
Grover Weekend & Holiday Greens Fee	\$18.00	\$21.00
Elma Weekday Greens Fee	\$18.00	\$20.00
Elma Weekend & Holiday Greens Fee	\$21.00	\$24.00
Twilight Greens Fee	\$11.00	\$12.00
Senior/ Youth Greens Fee	\$11.00	\$12.00

and be it further

RESOLVED, that authorization is hereby provided, by a two-thirds affirmative vote of the Erie County Legislature, to increase the annual golf season permits starting with the 2014 season, as follows:

Golf Season Permit	Current Fee	Proposed Fee
Grover Cleveland Regular	\$270	\$300
Grover Cleveland Senior/ Youth	\$210	\$230
Grover Regular with Tee Time	\$310	\$340
Grover Senior/ Youth with Tee Time	\$250	\$275
Elma Meadows/ Grover Regular	\$380	\$420
Elma/ Grover Senior/ Youth	\$290	\$320
Elma/ Grover Regular with Tee Time	\$420	\$460
Elma/ Grover Senior/ Youth with Tee Time	\$330	\$365

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Director of Budget & Management, County Attorney, Commissioner of Parks and Recreation and County Comptroller.
(6-0)

4. **COMM. 9E-2 (2013)**
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the reappointments/appointments of the following individuals to the Environment Management Council for a term ending 5/31/ 2015:

AT-LARGE APPOINTMENTS

George Besch
39 Lake Avenue
Lancaster NY 14086

Lauren Makeyenko
115 Mariner Street
Buffalo, NY 14201

Don Stribick
147 Hybank Drive
West Seneca, NY 14224

Paul Fuhmann
Ecology and Environment, Inc.
368 Pleasant View Drive
Lancaster, NY 14086

Carrie Merrit
295 Auburn Avenue
Buffalo, New York 14213

Tim Vaeth
5985 Wexford Manor
Clarence Center, NY 14032

Rosa A. Gonzalez
8 Lakewood Drive
Orchard Park, NY 14127

James Simon
11 Chenango Street
Buffalo, NY 14213

Brenda Young
9402 Douglas Fir Ct.
Clarence Center, NY 14032

David Hahn-Baker
440 Lincoln Parkway
Buffalo New York 14216

Laurie Stillwell
484 Getzville Road
Amherst, NY 14226

Sarah Bishop
144 Allen Street
Buffalo New York 14201

MUNICIPAL APPOINTMENTS

Douglas Bartlebaugh
11830 Walden Avenue
Alden, N.Y. 14004

(T) Alden

Conn Keogh
22 Carriage Hill
Williamsville, NY 14221

(T) Amherst

Don Owens
1865 Hubbard Road
East Aurora, N.Y. 14052

(T) Aurora

Richard Lee
5975 Old Orchard Drive
Hamburg, N.Y. 14075

(T) Boston

Leonard Pero
Supervisor
Town of Brant
P.O. Box 100
Brant, New York 14027

(T) Brant

Dennis Sutton
Office of Strategic Planning
920 City Hall
Buffalo, NY 14202

(C) Buffalo

Elizabeth Meunier
4919 Ledge Lane
Williamsville, NY 14221

(T) Clarence

Ronald Fraser
7744 Center Street
West Falls, NY 14170

(T) Colden

Mr. Lamont Beers
2880 Wood Spirit
Eden, NY 14057

(T) Eden

Fred Streif
130 Streif Road
Elma, New York 14059

(T) Elma

David Mosher
9155 Meadow Lange
Angola, NY 14006

(T) Evans

Jere Hoisington
570 Commercial
Farnham, NY 14061

(V) Farnham

Mr. Sam Akinbami
2227 West River Road
Grand Island, NY 14072

(T) Grand Island

William Kolacki
9292 Savage Road
Holland, NY 14080

(T) Holland

Ms. Melanie Hamilton
4277 Linwood Avenue
Hamburg, NY 14219

(T) Hamburg

Adrienne Punturiero
11 Dudley Avenue
Hamburg, NY 14075

(V) Hamburg

Mr. Ralph Miranda
714 Ridge Road
Lackawanna, NY 14218

(C) Lackawanna

Mr. Julius McCann
33 Burwell Avenue
Lancaster, NY

(T) Lancaster

Ms. Beth Ackerman
11174 Bullis Rd
Marilla, NY 14102

(T) Marilla

Mr. Lewis Tandy
13678 Main Road
Akron, NY 14001

(T) Newstead

Ms. Anne Bergantz
320 Stonehedge Drive
Orchard Park, NY 14127

(T) Orchard Park

Mr. Gene Parczyk
11203 Matteson Corners Road
Holland, NY 14080

(T) Sardinia

Kevin Burd
292 Knowlton Avenue
Tonawanda, N. Y. 14217

(T) Tonawanda

Mr. Peter M. Tarnawskij
5716 Vermont Hill Road
South Wales, NY 14139

(T) Wales

Ms. Evelyn Hicks
276 Seneca Creek Road
West Seneca, NY 14224
(6-0)

(T) West Seneca

5. COMM. 9E-6 (2013)
COUNTY EXECUTIVE

WHEREAS, the County of Erie/Erie County Sewer District No. 4 initiated the rehabilitation of the existing sanitary sewers on Parkdale and Glendale Roads and Broadway located in the Town of Lancaster; and

WHEREAS, the Town of Lancaster requested that Erie County include its gravity sewer rehabilitation project within the Town's road rehabilitation of Glendale and Parkdale Roads; and

WHEREAS, per Legislative Communication 18E-8 (2009) Erie County/Erie County Sewer District No. 4 and the Town of Lancaster entered into an intermunicipal agreement to coordinate and facilitate the sanitary sewer rehabilitation project and the road rehabilitation project in order to achieve cost containment and efficiency and to minimize inconvenience to the public at a cost for Erie County Sewer District No. 4 not to exceed \$657,000; and

WHEREAS, the intermunicipal agreement with the Town of Lancaster states any increase or decrease to the projects total cost allocation may be amended only by a written instrument approved by the Town Board, Erie County Legislature and the Erie County Sewer District No. 4 Board of Managers; and

WHEREAS, final cost allocation for the gravity sewer portion of the agreement is \$629,757.98, a reduction of \$27,242.02; and

WHEREAS, the Department of Environment and Planning recommends closing out the intermunicipal agreement with the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approve an amendment of the intermunicipal agreement between the County of Erie/Erie County Sewer District No. 4 and the Town of Lancaster for rehabilitation of sanitary sewers and the roadway on Glendale and Parkdale Roads to decrease the cost share for Erie County Sewer District No. 4; and be it further

RESOLVED, that the agreement be closed out at a total cost for Erie County Sewer District No. 4 of \$629,757.98; and be it further

RESOLVED, that the Comptroller is authorized and directed to return the unused funds to Sewer Capital, Erie County Sewer District No. 4, Account C.00063; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning
(6-0)

6. COMM. 9E-11 (2013)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides technical and administrative assistance to municipalities to facilitate compliance with New York State environmental regulations; and

WHEREAS, the ECDEP has previously been contracted by the County's two solid waste management boards (SWMB) to assist with compliance with the New York State Department of Environmental Conservation approved Solid Waste Management Plans (SWMP); and

WHEREAS, Erie County's two solid waste management boards have signed separate Memorandums of Understanding (MOU's) for the ECDEP to provide the necessary administrative, logistical and technical assistance and services to comply with the approved SWMP; and

WHEREAS, the MOU's with each Solid Waste Management Board were executed by Erie County according to the resolution COMM.18E-11 passed November 29, 2012; and

WHEREAS, execution of the MOU's provide \$40,500.00 in local source funding from the two Solid Waste Management Boards; and

WHEREAS, an appropriate and efficient use of these funds made available through the MOU's would require placement within the Waste Reduction and Recycling Coordination Grant budget established by resolution on February 21, 2013 (COMM. 3E-17).

NOW, THEREFORE, BE IT

RESOLVED, that the current budget for the Waste Reduction and Recycling Coordination Grant (162WRRCG-1215) be revised as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>		
		Current	Revision	Revised
<u>REVENUE</u>				
409000	State Aid Revenue	(\$290,820)	\$0	(\$290,820)
402499	Other Local Source Revenue	<u>\$0</u>	<u>(\$40,500)</u>	<u>(\$40,500)</u>
TOTAL REVENUE		(\$290,820)	(\$40,500)	(\$331,320)
<u>APPROPRIATIONS</u>				
Account	Description	Current	Revision	Revised
5000000	Regular Full Time Wages	\$177,870	\$0	\$177,870
502000	Fringe Benefits	\$112,950	\$0	\$112,950
505000	Office Supplies	\$0	\$1,525	\$1,525

510000	Local Mileage Reimb	\$0	\$550	\$550
510100	Out of Area Travel	\$0	\$4,615	\$4,615
510200	Training	\$0	\$1,850	\$1,850
516020	Pro Svcs Cnt and Fees	<u>\$0</u>	<u>\$31,960</u>	<u>\$31,960</u>
TOTAL APPROPRIATIONS		\$290,820	\$40,500	\$331,320

and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Comptroller; the County Attorney; Maria R. Whyte, Commissioner of the Department of Environment and Planning; Thomas R. Hersey, Deputy Commissioner of the Division of Environmental Compliance; and Paul B. Kranz, P.E. Associate Environmental Quality Engineer of Environmental Compliance Division.
(6-0)

TERRENCE D. McCRACKEN
CHAIR