



# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

June 3, 2014

Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

**RE: Fee and Permanent Easements**  
**Erie County to New York State Department of Transportation**  
**5813 Lakeshore Road, Hamburg, New York**  
**SBL No. 181.09-7-2.1**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the Fee and Permanent Easement to New York State Department of Transportation for drainage improvements along Lakeshore Road.

Should your Honorable Body require further information I, encourage you to contact Joseph L. Fiegl, P.E. in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz  
Erie County Executive

MCP/vb  
Enclosure

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Fee and Permanent Easements Erie County to New York State Department of Transportation 5813 Lakeshore Road, Hamburg, New York 14075 SBL No. 181.09-7-2.1  
**Date:** June 3, 2014

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### **SUMMARY**

The County of Erie will issue the New York State Department of Transportation a permanent easement to improve drainage along Lakeshore Road, in Hamburg, New York.

### **FISCAL IMPLICATIONS**

There are no adverse fiscal implications on the County's General Fund. The State Department of Transportation will pay for the easement in accordance with an upcoming appraisal for this action.

### **REASONS FOR RECOMMENDATION**

The easement will allow the New York State Department of Transportation to improve the drainage along Lakeshore Road, thus protecting the County's pumping station at said premises.

### **BACKGROUND INFORMATION**

The New York State Department of Transportation has plans to improve drainage along Lakeshore Road in the Town of Hamburg.

The new culvert and drainage ditch improvements will be along the south property line of the County of Erie parcel used for the Wanakah Pumping Station. The proposed easement will not affect the ability of the Erie County Sewer District to operate and maintain the nearby facilities.

### **CONSEQUENCES OF NEGATIVE ACTION**

If the Easement is not issued, the New York State Department of Transportation will not be able to improve the drainage along Lakeshore Road.

### **STEPS FOLLOWING APPROVAL**

The County of Erie will execute the easement documents and provide them to the New York State Department of Transportation.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Fee and Permanent Easements  
Erie County to New York State  
Department of Transportation  
5813 Lakeshore Road, Hamburg, New York  
SBL No. 181.09-7-2.1

WHEREAS, the New York State Department of Transportation has requested a permanent easement of County land, SBL No. 181.09-7-2.1 for drainage improvements located adjacent to the County property; and

WHEREAS, an easement will have no negative affect on the ability of Erie County Sewer District No. 3 to operate and maintain sewer and pumping station facilities; and

WHEREAS, the granting of this easement will bear no cost to the County.

NOW, THEREFORE BE IT

RESOLVED, that an easement for use of the southerly portion of Parcel SBL No. 181.09-7-2.1 be granted to New York State Department of Transportation; and be it further

RESOLVED, that the Commissioner of the Erie County Department of Environment and Planning, be authorized to execute this document subject to approval by the County Attorney; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie County Comptroller's Office, and Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning.