



ECLEG OCT10/14 11:30 AM

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

October 10, 2014

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

**RE: Erie County Sewer Districts 1-6 and 8
Section 270/271 Resolutions**

Honorable Members:

Enclosed please find an accompanying memorandum from the Department of Environment and Planning pertaining to the Erie County Sewer District Nos. 1-6 and 8 Section 270/271 Resolutions.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Poloncarz", is written over a circular blue stamp.

Mark Poloncarz, Esq.
Erie County Executive

MC/bp
Encs.

CC: J. Fiegl – Department of Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment & Planning
Date: October 10, 2014
RE: Erie County Sewer District Nos. 1-6 and 8
Section 270/271 Resolutions

SUMMARY

The Erie County Legislature is asked to receive and file the attached resolutions from the Boards of Managers for the various Sewer Districts concerning the applicable levies.

FISCAL IMPLICATIONS

None.

REASON FOR RECOMMENDATION

The attached resolutions are being submitted for the Legislature's information. Actions required under Section 270 and 271 of County Law have already been complied with by the Boards of Managers who represent the administrative heads for the respective sewer districts.

BACKGROUND INFORMATION

The Boards of Managers are required to levy a benefit assessment on the various parcels of land within the Erie County Sewer Districts in proportion to the benefit each receives. This has been accomplished through the Boards' approval of the attached Section 270 and 271 resolutions.

CONSEQUENCES OF NEGATIVE ACTION

There are no consequences of a negative action.

STEPS FOLLOWING APPROVAL

There are no additional steps necessary once this item has been received and filed.

JF:bp

Encl

C: 0.11.0 Leg Ltr
R. Ferber
Annual File
V:\Sewerage Management\Administration\Documents\Beth\LegislatureLetters\SEC270-2(2014).docx

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 1

WHEREAS, the Board of Managers for Erie County Sewer District No. 1 has prepared its budget for 2015 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service; and be it further

RESOLVED, that a footage charge be spread to all properties who are serviced by a sanitary sewer line not constructed but maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be used as a unit of assessment to determine flat charges for other types of structures other than single family dwellings; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that approximately 42%, 8 % and 50 % of the total sanitary sewer tax levy of \$6,450,748 shall be raised from the assessed value, footage and flat charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY Ms. MEEGAN

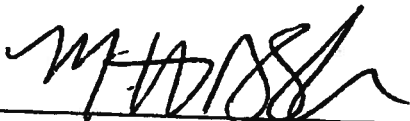
SECONDED BY Ms. HATZ

APPROVED/DISAPPROVED (5,0)

Flat Charge: \$ 200.00/UNIT

Footage Charge: \$ 0.70/FOOT

Dated: JUNE 20, 2014


MATT A. SALAH, P.E.
SECRETARY, ECSD NO. 1
BOARD OF MANAGERS

MAS:bp

06/14

c: 4.4.1.Budget By Yr.

BudgetBudresol.rev

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 2

WHEREAS, the Board of Managers for Erie County Sewer District No. 2 has prepared its budget for 2015 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service; and be it further

RESOLVED, that a footage charge be spread to all properties who are serviced by a sanitary sewer line not constructed but maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be used as a unit of assessment to determine flat charges for other types of structures other than single family dwellings; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that approximately 36%, 16% and 48% of the total sanitary sewer tax levy of \$ 6,613,945.00 shall be raised from the assessed value, footage and flat charges, respectively; and be it further

Budget Resolution – ECSD No. 2
Page 2

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

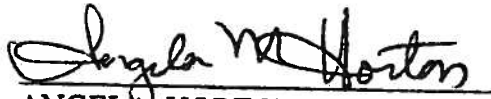
MOVED BY A. Knack

SECONDED BY A. Horton

APPROVED/DISAPPROVED 4/0

Flat Charge: \$280.00

Footage Charge: \$1.00/foot


ANGELA HORTON, P.E.
SECRETARY, ECSD NO. 2
BOARD OF MANAGERS

AH:bp
06/14
c: 2.4.1.Budget By Yr.

BudgetBudresol.rev

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 3

WHEREAS, the Board of Managers for Erie County Sewer District No. 3 has prepared its budget for 2015 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service; and be it further

RESOLVED, that a footage charge be spread to all properties who are serviced by a sanitary sewer line not constructed but maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be used as a unit of assessment to determine flat charges for other types of structures other than single family dwellings; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that approximately 35%, 11 % and 54% of the total sanitary sewer tax levy of \$ 14,268,505.00 shall be raised from the assessed value, footage and flat charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

CONFIRMATION OF JUNE 26, 2014 POLL

MOVED BY _____

SECONDED BY _____

APPROVED/DISAPPROVED _____

Flat Charge: \$ 220

Footage Charge: * 1.60/foot

Dated: _____

APPROVED VIA POLL

AYES: 9

NAYS: 0

DATE: JUNE 26, 2014

David C. Millar

SECRETARY, ECSD NO. 3 BOM

DAVID C. MILLAR, P.E.
SECRETARY, ECSD NO. 3
BOARD OF MANAGERS

DM:bp
06/14
c: 3.4.1.Budget By Yr.

Budget\Budresol.rev

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 4

WHEREAS, the Board of Managers for Erie County Sewer District No. 4 has prepared its budget for 2015 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service; and be it further

RESOLVED, that a footage charge be spread to all properties who are serviced by a sanitary sewer line not constructed but maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be used as a unit of assessment to determine flat charges for other types of structures other than single family dwellings; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that approximately 30 %, 8 % and 62 % of the total sanitary sewer tax levy of \$5,833,727 shall be raised from the assessed value, footage and flat charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY HARRIS

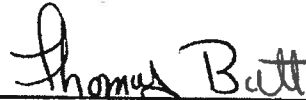
SECONDED BY AMBROSE

APPROVED/DISAPPROVED 5-0

Flat Charge: \$180.00

Footage Charge: \$0.60

Dated: 6/25/14



THOMAS M. BATT, P.E.
SECRETARY, ECSD NO. 4
BOARD OF MANAGERS

TMB:bp
06/14
c: 4.4.1.Budget By Yr.

Budget\Budresol.rev

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 5

WHEREAS, the Board of Managers for Erie County Sewer District No. 5 has prepared its budget for 2015 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service; and be it further

RESOLVED, that a footage charge be spread to all properties who are serviced by a County-owned sanitary sewer line maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be used as a unit of assessment to determine flat charges for other types of structures other than single family dwellings; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that approximately 53, 22, and 25 percent of the total sanitary sewer tax levy of \$ 1,563,958.00 shall be raised from the assessed value, footage and flat charges, respectively; and be it further

Budget Resolution – ECSD No. 5
Page 2

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY SANDERS

SECONDED BY CALLAHAN

APPROVED/DISAPPROVED 5/0

Flat Charge: \$100.00

Footage Charge: \$1.00

Dated: 6/23/14

Kevin Zynda
KEVIN ZYNDA, P.E.
SECRETARY, ECSD NO. 5
BOARD OF MANAGERS

KZ:bp
06/14
c: 5.4.1.Budget By Yr.

Budget\Budresol.rev

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 6

WHEREAS, the Board of Managers for Erie County Sewer District No. 6 has prepared its budget for 2015 determined the amount which must be assessed on the lots and parcels of land within the District; and

WHEREAS, as permitted by Section 266 of County Law, the District has chosen to raise a portion of the cost for operation and maintenance of the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Sections 270 and 271, Article 5A of County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel; and

NOW, THEREFORE, BE IT

RESOLVED, that the cost of sanitary sewer operation and maintenance and debt service, pursuant to Section 271, be assessed on a parcel charge and an assessed value charge to all parcels in the District; and be it further

RESOLVED, that for the drainage or storm sewer system and pursuant to Section 270 of County Law, an assessed value charge be spread to all lots or parcels within the District; and be it further

RESOLVED, that a single parcel be used as a unit of assessment to determine parcel charges; and be it further

RESOLVED, that one parcel charge be assessed for each residential tax account; for each non-residential tax account, one parcel charge be assessed for each tax account less than one acre; and each non-residential account one acre or more in size be assessed five parcel charges per acre; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that the 271 Resolution approximately 13 % and 87 % of the sanitary sewer tax levy shall be raised from the assessed value and parcel charges, respectively; and be it further

Item 4(a)(ii)

Budget Resolution - ECSD No. 6
Page Two

RESOLVED, that 100% of the drainage tax levy shall be raised from assessed value; and be it further

RESOLVED, that sewer charges be assessed to the out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that certain costs of the sewage treatment plant operation and maintenance be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266.

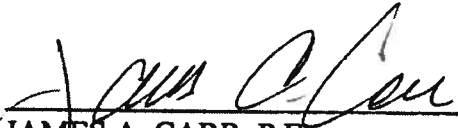
RESOLVED, that this resolution along with the proposed budget, proposed assessment roll and proposed rate be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a public hearing as required by Sections 270 and 271 of County Law.

MOVED BY Tony Collareno

SECONDED BY J. Carr

APPROVED/DISAPPROVED 3-0

Parcel Charge \$88.⁰⁰



JAMES A. CARR, P.E.
SECRETARY, ECSD No. 6
BOARD OF MANAGERS

JAC:bp
06/14

c: 6.4.1.Budget By Yr.

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RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 8

WHEREAS, the Board of Managers for Erie County Sewer District No. 8 has prepared its budget for 2015 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for operation and maintenance of the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that flat charge and water usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service; and be it further

RESOLVED, that a footage charge be spread to all properties who are serviced by a sanitary sewer line not constructed but maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be used as a unit of assessment to determine flat charges for other types of structures other than single family dwellings; and be it further

RESOLVED, that footage and/or a flat charge shall be levied prior to the actual date sewer service is available; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewage treatment plant operation and maintenance be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266; and be it further

RESOLVED, that approximately 64%, 26% and 10% of the total sanitary sewer tax levy of \$ 1,316,763.00 shall be raised from the assessed value, footage and flat charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

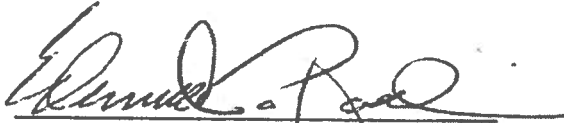
Moved By: Bryan Smith

Seconded By: Sue F. Lewis

Flat Charge: \$40.00/UNIT

Footage Charge: \$1.50/LF

Dated: 6/24/14


EDWARD A. PAOLINI, P.E.
SECRETARY – ECSD NO. 8
BOARD OF MANAGERS

EAP:bp
06/14
c: 8.4.1. Budget By Yr.

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