



EOLEG OCT31 '14 PM 3:09

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

October 31, 2014

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Solid Waste Management Board Memorandum of Understanding**

Dear Honorable Members:

Enclosed please find a proposed resolution from the Erie County Department of Environment and Planning seeking authorization for the County Executive to execute a Memorandum of Understanding and accept funds from Erie County's two solid waste management boards for the purpose of providing continued contracted services for their member municipalities.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner Thomas R. Hersey in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:MW/cw  
Enclosure

Cc: Maria R. Whyte, Commissioner

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Solid Waste Management Board Memorandum of Understanding  
**Date:** October 31, 2014

---

### **SUMMARY**

The Erie County Department of Environment and Planning (ECDEP) is seeking authorization for the County Executive to enter into a two-year agreement to accept \$40,500 in funding from the two solid waste management boards representing 43 municipalities in Erie County.

The additional funding will allow the ECDEP to continue to provide administrative, logistical and technical support services to assist regulated municipalities in Erie County through the two solid waste management boards for 2015 and 2016. Approval for the 2013/2014 MOU was provided by the Erie County Legislature in COMM. 9E-11 (2013).

### **FISCAL IMPLICATIONS**

Separate agreements with the Northeast Southtowns Solid Waste Management Board (NEST) and the Northwest Solid Waste Management Board (NWSWMB) will provide \$40,500 over a two-year period. Funds will be incorporated into the NYS DEC Municipal Waste Reduction and Recycling Coordination grant (162WRRRCG-1215) to provide additional necessary local match funding.

### **REASONS FOR RECOMMENDATION**

Approval of this resolution will enable the ECDEP to provide essential services to 43 municipalities served by Erie County's two solid waste management boards. Each board has a Solid Waste Management Plan (SWMP) approved by the New York State Department of Environmental Conservation (NYSDEC). Each SWMP contains requirements that need to be addressed by each board to reduce solid waste generation and increase recycling rates.

Staff from the ECDEP has provided support to the NEST Board since the creation of its SWMP in 2000 and has assisted the NWSWMB since 2003. Contracted services for both boards have been provided since 2007. These services are supplemented by the municipal waste reduction and recycling (MWRR) grant from the NYSDEC which, as noted above, utilize these funds as part of the match to this grant.

### **BACKGROUND INFORMATION**

ECDEP provides municipalities, businesses, school districts and residents with assistance for solid waste management, disposal and recycling. Many programs target problematic and priority waste streams such as household hazardous waste, electronic waste, and organics waste management.

The two solid waste management boards in Erie County have requested support from ECDEP for implementation of their NYSDEC approved Solid Waste Management Plans by **Comm. 21E-17** Memorandum of Understanding (MOU). The MOUs outline a scope of services to **Page 2 of 5**

by ECDEP and provides funding to offset expenses associated with the ECDEP commitment. ECDEP will amend the current grant budget to offset expenses associated with waste reduction and recycling services. These services will be provided by the current grant-funded position which will retain responsibility for providing the agreed to scope of services.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without the requested authorization, Erie County will be unable to assist its 43 municipalities to meet the objectives set forth in the Solid Waste Management Plans. Erie County will forfeit \$40,500 in funding to support necessary services provided by ECDEP to continue to provide residents and municipalities with solid waste management and reduction assistance. Without the approval of these agreements the County would be unable to secure full reimbursement of the State grant resources supporting this effort.

### **STEPS FOLLOWING APPROVAL**

A Memorandum of Understanding with each solid waste board will be executed by the County Executive for outreach, education, and state mandated services associated with the two solid waste management boards in 2015 and 2016 and the waste reduction and recycling budget will be amended accordingly.

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING**

**RE: Solid Waste Management Board  
Memorandum of Understanding**

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

WHEREAS, the ECDEP has previously been contracted by the County's two solid waste management boards 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) for the ECDEP to provide the necessary administrative, logistical and technical assistance and services to comply with the approved SWMP; and

WHEREAS, execution of the MOU's provide \$40,500 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 County Executive or his designee is authorized to enter into separate two-year MOU agreements with the Northeast Southtowns Solid Waste Management Board (NEST) and the Northwest Solid Waste Management Board (NWSWMB) to provide services in 2015 and 2016 and accept the combined funds; and be it further

**RESOLVED**, that the current budget for the Waste Reduction and Recycling Coordination Grant (162WRRCG-1215), Fund 281 be revised as follows:

ACCOUNT	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
<b>REVENUE</b>				
409000	State Aid	(\$290,820)	-	(\$209,820)
420499	Other Local	(\$ 40,500)	(\$ 40,500)	(\$ 81,000)
<b>TOTAL REVENUE</b>		<b>(\$331,320)</b>	<b>(\$ 40,500)</b>	<b>(\$371,820)</b>
<b>APPROPRIATIONS</b>				
500000	Full Time Salaries	\$177,870	-	\$177,870
502000	Fringe Benefits	\$112,950	-	\$112,950
505000	Office Supplies	\$ 1,525	\$ 200	\$ 1,725
510000	Local Mileage	\$ 550	\$ 200	\$ 750
510100	Out of Area Travel	\$ 4,615	\$ 700	\$ 5,315
510200	Training & Education	\$ 1,850	\$ 1,000	\$ 2,850
516020	Prof Services	\$ 31,660	\$ 38,400	\$ 70,360

561420	Office Furn & Fixt	\$ 300	-	\$ 300
TOTAL		\$331,320	\$ 40,500	\$371,820
APPROPRIATIONS				

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to implement any budget amendments as required to comply with federal, state and other local source 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; Maria R. Whyte, Commissioner of the Department of Environment and Planning; Thomas R. Hersey, Jr., Deputy Commissioner of the Division of Environmental Compliance; and Paul B. Kranz, P.E. Associate Environmental Quality Engineer of Environmental Compliance Division.