



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 18, 2014

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

**RE: Erie County Sewer District No. 2 Capital Project Account C.00004**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the proposed transfer of Capital Reserve Funds to Capital Project Account C.00004.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Mark C. Poloncarz", with a long, sweeping tail extending to the right.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/vb  
Enclosure

cc: Maria R. Whyte

## **MEMORANDUM**

To: Honorable Members of the Erie County Legislature  
From: Department of Environment and Planning  
Re: Erie County Sewer District No. 2  
Capital Project Account C.00004  
Date: February 18, 2014

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### **SUMMARY**

It is requested that the Erie County Legislature approve the transfer of \$30,000.00 from ECSD (ECSD) No. 2's Capital Reserve Account to ECSD No. 2 Capital Project Account C.00004.

### **FISCAL IMPLICATIONS**

There will be no fiscal impact on the County's General Fund. Funds for this project are included in ECSD No. 2, Capital Account C.00004 and ECSD No. 2 Capital Reserve Account C.00008.

### **REASONS FOR RECOMMENDATION**

ECSD No. 2 Capital Project Account C.00004 is presently funded at \$10.9 million dollars. Currently, there are two (2) open contracts that are at/near the closeout stage. To ensure that sufficient funds are available to meet the estimated obligations, a transfer of \$30,000.00 is requested.

### **BACKGROUND INFORMATION**

The work completed with funding provided through ECSD No. 2 Capital Project Account C.00004 allowed for the rehabilitation/replacement of five (5) pumping stations, various force mains, and other appurtenant work. As a result, the infrastructure in ECSD No. 2 was upgraded and a higher level of service has been provided. During this time, the sewer district has completed various borrowings through either the County or New York State Environmental Facilities Corporation. The amount borrowed was based on estimates developed prior to loan issuance (most recently June 2011). The Division of Sewerage Management has two (2) open contracts that are at/near the closeout stage and it is estimated an additional allocation of \$30,000.00 into Capital Account C.00004 will be necessary to meet the final obligations. There are sufficient funds in the ECSD No. 2 Capital Reserve Account to allow for this action.

### **CONSEQUENCES OF NEGATIVE ACTION**

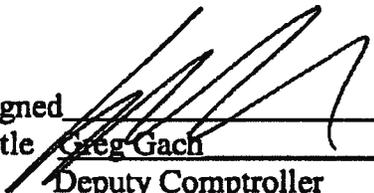
ECSD No. 2 may need to find other funding options to closeout the remaining open contracts.

### **STEPS FOLLOWING APPROVAL**

The County will execute and process the transfer.

**COMPTROLLER'S REVIEW**

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriation for the action proposed.

Signed  Date 2/14/14  
Title Greg Gach  
Deputy Comptroller

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

**RE: Erie County Sewer District No. 2 Capital Project Account C.00004**

**WHEREAS**, the County of Erie on behalf of the Erie County Sewer District No. 2 entered in various agreements for the upgrade and improvement of five (5) pumping stations in Erie County Sewer District No. 2; and

**WHEREAS**, the final total project costs may exceed the amount available in Erie County Sewer District No. 2 Capital Account C.00004; and

**WHEREAS**, the Erie County Sewer District No. 2 has adequate cash in its capital reserve account C.00008 to fund this project; and

**WHEREAS**, the Department of Environment and Planning, Division of Sewerage Management recommends the approval of the transfer of funds to Erie County Sewer District No. 2 Capital Project Account C.00004.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Director of Budget and Management and the County Comptroller be authorized to increase the appropriations and estimated revenues in Erie County Sewer District No. 2 Capital Project Account C.00004 by \$30,000.00, and be it further

**RESOLVED**, that the County Director of Budget and Management and the County Comptroller be authorized to transfer \$30,000.00 from Erie County Sewer District No. 2 Capital Reserve Account C.00008 to Erie County Sewer District No. 2 Capital Project Account C.00004; and be it further

**RESOLVED**, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the County Director of Budget and Management, the County Comptroller, 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.