



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

June 5, 2015

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 4
Revocable Permit
Owner of SBL No. 103.12-12-3**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning pertaining to a revocable permit.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/MAS:cs
Enclosure

cc: J. Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 4
Revocable Permit
Owner of SBL No. 103.12-12-3
Date: June 5, 2015

SUMMARY

The Department of Environment and Planning is seeking the approval of a Revocable Permit with the owner of SBL No. 103.12-12-3 to use and maintain part of a County owned parcel known as SBL No. 103-2-6-22.41 in Depew, New York.

FISCAL IMPLICATIONS

This is no cost associated with this agreement.

REASONS FOR RECOMMENDATION

The Revocable Permit will allow the owner of SBL No. 103.12-12-3 to use and maintain part of adjacent County owned parcel. There is no cost associated with this action and subject area is presently outside of the County's fence line.

BACKGROUND INFORMATION

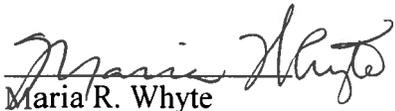
The westerly fence line for the Erie County District No. 4 Vanderbilt Pumping Station (SBL No. 103.12-6-22.41) does not extend to the property line. The property owner at 63 Vanderbilt Ave has requested use of the portion of the County's property directly behind parcel SBL No. 103.12-12-3. The revocable permit is the best means to terminate this arrangement should the County need the area outside the fence line in the future.

CONSEQUENCES OF NEGATIVE ACTION

If the Revocable Permit is not executed, the County will have to continue maintaining the area outside the fence.

STEPS TO FOLLOW APPROVAL

The County of Erie will execute the Revocable Permit with the owner of SBL No. 103.12-12-3.

JUE 
Maria R. Whyte
Commissioner

Encl.

CC: J. Fiegl/0.11.0 Leg Ltr.

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A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Erie County Sewer District No. 4
Revocable Permit
Owner of SBL No. 103.12-12-3

WHEREAS, Bonnie J. Cloutier (hereinafter "Cloutier"), is the current owner of 63 Vanderbilt Avenue, Depew, New York 14043, also known as SBL 103.12-12-3; and

WHEREAS, the County of Erie (hereinafter "County"), currently owns the entire parcel located behind 63 & 67 Vanderbilt Avenue, Depew New York 14043 (SBL No. 103.12-6-22.41); and

WHEREAS, Cloutier desires to use and maintain part of the County's premise (SBL No. 103.12-6-22.41, filed in the Erie County Clerk's Office under Liber 11263 Page 6008) that is behind 63 Vanderbilt Avenue and outside of the fence line for the County's Pumping Station.

NOW, THEREFORE BE IT

RESOLVED, that a Revocable Permit for use of an approximately seventeen feet by forty feet area of Parcel SBL No. 103-12-6-22.41 be granted to Bonnie J. Cloutier; and be it further

RESOLVED, that the County Executive be authorized to sign said Revocable Permit subject to approval by the County Attorney; and be it further

RESOLVED, that (1) certified copy each of this resolution to the County Executive and Kristin Walder, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.