



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

June 30, 2015

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

**RE: Erie County Sewer Districts
NYSDOT
Public Utility Work Agreement**

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 New York State Department of Transportation (NYSDOT) Public Utility Work Agreement with the County of Erie.

Should your 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 black ink, appearing to read "Mark Poloncarz", is written over a faint, larger version of the same signature.

Mark Poloncarz, Esq.
Erie County Executive

MCP:MAS:cs

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer Districts
NYSDOT
Public Utility Work Agreement
Date: June 30, 2015

SUMMARY

Approval to enter into a NYSDOT Public Utility Agreement for the various NYSDOT projects is requested.

FISCAL IMPLICATIONS

There will be no fiscal impact to the County's General Fund. Work performed on the Erie County sewers and manholes will be paid for by the NYSDOT in accordance with the Rules and Regulations governing the accommodations of utilities within the State right-of-way.

REASONS FOR RECOMMENDATION

The NYSDOT various highway reconstruction projects involve the adjustment of Erie County sanitary sewerage facilities, sewers, and/or manholes to meet the new highway alignment and elevation.

BACKGROUND INFORMATION

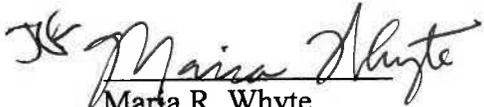
The NYSDOT periodically schedules the improvement of sections of State Highway requiring the adjustment of County sanitary facilities located within the State highway right-of-way.

CONSEQUENCES OF NEGATIVE ACTION

The NYSDOT will cause Erie County to adjust its own sanitary sewer facilities at its own expense in advance of highways of highway reconstruction.

STEPS TO FOLLOW APPROVAL

The County of Erie will execute the NYSDOT Public Utility Work Agreement which will allow the NYSDOT contractor for a specific project to make all necessary adjustments to the Erie County sanitary sewer facilities at NYSDOT expense.


Maria R. Whyte
Commissioner

Encl.

CC: Maria R. Whyte
J. Fiegl/0.11.0 Leg Ltr.
M. Salah/ 0.1.6 DOT

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RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Erie County Sewer Districts
NYSDOT
Public Utility Work Agreement

WHEREAS, the NYSDOT periodically schedules the improvements of sections of State Highways; and

WHEREAS, these improvements require the adjustment of County sanitary sewer facilities located within the State highway right-of-way at no cost to the County upon the individual review and approval of the Board of Managers of the sewer districts; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that a NYSDOT Public Utility Work Agreement is ready to be entered into; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended to the Legislature that Erie County enter into the NYSDOT Public Utility Work Agreement.

NOW, THEREFORE BE IT

RESOLVED, that the Legislature approve the Erie County Department of Environment and Planning, Division of Sewerage Management entering into NYSDOT Public Utility Work Agreement for adjusting County sanitary sewer facilities located within the State highway right-of-way at no cost to the County upon the individual approval of the Board of Managers of the sewer districts; and it be further

RESOLVED, that the Erie County Executive is hereby authorized to sign the NYSDOT Public Utility Work Agreement allowing the NYSDOT to perform the necessary required and at no cost to the County; and it be further

RESOLVED, that the Erie County Executive is hereby authorized to sign NYSDOT Public Utility Agreements with the understanding that the County will be obligated to maintain Erie County Sewer District facilities adjusted via State-let contracts; 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. .

COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMNT
**** MEMORANDUM ****

TO: Maria Whyte, Deputy County Executive *MAS*
FROM: Matt A. Salah, Sr. Coord. Sewer Construction Projects
DATE: June 8, 2015
RE: Erie County Sewer Districts
NYSDOT
Public Utility Work Agreement

Please find enclosed for your review and signature is a Legislative Communication pertaining to the New York State Department of Transportation (NYSDOT) Public Utility Work Agreement with the County of Erie.

Should you have any questions or should the communication be ready for pick-up please call ext. 8383.