

January 22, 2015

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 26M-3 (2014)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Cleanup Action Completed at Brownfield Site, Webster Block, 75 Main Street, Buffalo”
(6-0)
 - b. COMM. 26M-4 (2014)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Cleanup Action Completed At Brownfield Site, 822 Seneca Street, Buffalo”
(6-0)
 - c. COMM. 26M-5 (2014)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “NYSDEC Modifies Cleanup Plan For State Superfund Site, 100 Forest Avenue, Buffalo”
(6-0)
 - d. COMM. 1M-2 (2015)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Cleanup Action Completed at Brownfield Site - 129 Holden Street, Buffalo”
(6-0)
 - e. COMM. 1M-3 (2015)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Cleanup Action Completed at Brownfield Site - 979 Main Street, Buffalo”
(6-0)
 - f. COMM. 1M-4 (2015)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Cleanup Action Completed at Brownfield Site - Phase 3-5 - 2303 Hamburg Turnpike, Lackawanna”
(6-0)
 - g. COMM. 1M-5 (2015)

NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Cleanup Action Completed at Brownfield Site - Phase 3-6 - 2303 Hamburg Turnpike, Lackawanna”
(6-0)

- h. COMM. 1M-6 (2015)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Brownfield Cleanup Program Public Notice - Westwood Country Club Site, Town of Amherst”
(6-0)
 - i. COMM. 1M-7 (2015)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Cleanup Requirements Met at Brownfield Site - 154 South Ogden Street, Buffalo”
(6-0)
2. INTRO. 19-2 (2014)
BURKE, GRANT & MILLER-WILLIAMS AS AMENDED
WHEREAS, microbeads are a synthetic alternative ingredient to such natural materials as ground almonds, oatmeal and pumice, found in over one hundred personal cosmetic products, including facial cleansers, shampoos and toothpastes, pose a serious threat to New York's environment; and

WHEREAS, microbeads have been documented to collect harmful pollutants already present in the environment that harm fish and other aquatic organisms that form the base of the aquatic food chain; and

WHEREAS, microbeads have been recorded in New York's water bodies, and in particular, the waters of Lake Erie, with research suggesting that the majority of these microbeads are entering our water ways through disposal down household drains following the use of such personal cosmetic products; and

WHEREAS, plastics are a pollutant, dangerous to our waterways and aquatic life; and

WHEREAS, Lake Erie is a vital source of fresh drinking water for the people of Erie County; and

WHEREAS, Lake Erie is an invaluable part of the revitalization of Buffalo, New York and Erie County as a prime location for recreation and fishing; and

WHEREAS, significant public resources have already been committed to remediating Lake Erie and adding further pollutants would only add to the cost of future remediation.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature recognizes microbeads as a pollutant, endangering the valuable fresh water, fishing and recreational uses of our water ways; and be it further

RESOLVED, the Erie County Legislature urges the Legislature of New York State to take steps to enact the New York State Attorney General's proposed Microbead-Free Waters Act; and

RESOLVED, that the Clerk of this Legislature is directed to send a certified copy of this resolution to Senator Michael Ranzenhofer, Senator Marc Panepinto, Senator Patrick Gallivan, Senator Timothy Kennedy, Senator Rob Ortt, Assemblyman Robin Schimminger, Assemblywoman Crystal Peoples-Stokes, Assemblyman Michael Kearns, Assemblywoman Angela Wozniak, Assemblywoman Jane Corwin, Assemblyman John Ceretto, Assemblyman Raymond Walter, Assemblyman David DiPietro, Assemblyman Sean Ryan, The Majority Leader of the New York State Senate, Speaker of the New York State Assembly and the Governor.

(6-0)

3. COMM. 26E-1 (2014)
COUNTY EXECUTIVE

WHEREAS, Lake Erie provides a fresh water resource to New York State residents and visitors for drinking water, energy production, agriculture, industry, recreation and other uses that greatly affect the New York State economy and health of users; and

WHEREAS, this resource is threatened by point and non-point source pollutants within the Lake Erie watershed and along the shoreline within New York State; and

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, the Lake Erie Watershed Protection Alliance (LEWPA) formed as an alliance of municipal officials and concerned stakeholders in Erie, Cattaraugus, and Chautauqua counties wishing to alleviate the impacts of these point and non-point source pollutants in recognition of the fact that the watershed crosses multiple municipal boundaries; and

WHEREAS, these participants recognize the regional benefits of working collaboratively to save time, money, and energy in order to achieve the common goal of improved water quality and flood control; and

WHEREAS, DEP has coordinated LEWPA as an ad hoc committee since 2011 and there is a need to formalize the agreement between the member counties to establish an enduring organization that will collaborate on common watershed goals.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Intermunicipal Agreement with Cattaraugus and Chautauqua counties to formally establish the Lake Erie Watershed Protection Alliance, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the County Attorney; Maria R. Whyte, Commissioner of Environment and Planning; Thomas Hersey, Jr., Deputy Commissioner of Environment and Planning; Bonnie Lawrence, Coordinator – Pollution Prevention Program; Legislator John Mills and Legislator Lynne Dixon.
(6-0)

4. COMM. 1E-13 (2015)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry desires to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2014-2015 snowmobile season in the amount not to exceed \$180,180.00; and

WHEREAS, this agreement with the State shall pertain to such maintenance as performed by the individual Snowmobile Clubs of Erie County on club trails located outside County-owned lands as well as on trails located in Erie County Parks and Forestry lots.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$180,180.00 as pertains to snowmobile trail maintenance performed during the 2014-2015 snowmobile season; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the individual Snowmobile Clubs of Erie County for a total amount not to exceed \$180,180.00 for the purpose of snowmobile trail maintenance on club trails during the 2014-2015 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

Colden Trail Riders Inc.	\$20,160.00
Eden Trail Blazers Inc.	\$10,080.00
Grand Island Snowmobile Club Inc.	\$ 5,355.00
Hamburg Snowmobile Club Inc.	\$20,475.00
Holland Sno-Rascals Inc.	\$22,995.00

Marilla Sno-Mob Inc.	\$15,750.00
Northern Erie Snowseekers Inc.	\$19,215.00
Pioneer Sno-Surfers Inc.	\$12,285.00
Southern Tier Snowdrifters Inc.	\$21,735.00
WNY Snowmobile Club of Boston Inc.	<u>\$32,130.00</u>
	\$180,180.00

and be it further

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, cost center 1641010, account 409010, in the amount of \$180,180.00, as well as an increase in appropriations in the amount of \$180,180.00, in the Division of Parks, fund 110, cost center 1641010, account 516020, in order that funds may be available to make payment to the individual clubs of the Erie County Federation of snowmobile Clubs; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget and Management, the Office of the Erie County Comptroller and Assistant County Attorney, Kristen Walder, of the Law Department.

(6-0)

TED B. MORTON
CHAIR