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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

December 11, 2015

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

Re: Federal Emergency Management Agency (FEMA) Advancement to Newton Abbott Fire Department

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Emergency Services seeking authorization for the County Executive to advance Newton Abbott Fire Department FEMA (75%), and possible State (25%) reimbursements for curb damage from the November 2014 Winter Storm Knife.

Should your Honorable Body require further information, I encourage you to contact Commissioner Dan Neaverth at the Department of Emergency Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mc
Enclosure

cc: Commissioner Dan Neaverth, Department of Emergency Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Emergency Services
Re: Federal Emergency Management Agency (FEMA) Advancement to Newton
Abbott Fire Department
Date: December 11, 2015

SUMMARY

The Department of Emergency Services is seeking authorization for the County Executive to advance the 75% FEMA aid reimbursement, along with the possible 25% State reimbursement to the Newton Abbott Fire Department from the November 2014 Winter Storm Knife. Newton Abbott Fire Dept. had extensive curb damage in the amount of \$9,500.00 and is unable to pay upfront for the repairs out of their operating budget.

FISCAL IMPLICATIONS

There will be no fiscal impact on the County.

REASONS FOR RECOMMENDATION

The Volunteer Fire Departments that assisted Erie County during the 2014 November Storm disaster incurred costs that FEMA aid will cover. FEMA aid covers 75% of the allowable claimed expenditures. The State may also cover the additional 25% of allowable claimed expenditures. By accepting the available aid and distributing it to the participating Volunteer Fire Departments, they can be made whole for their storm related expenses.

BACKGROUND INFORMATION

During November 2014, record amounts of snow fell in Western New York over a five day period. Erie County found it difficult to keep up with these record amounts. Many Volunteer Fire Departments assisted Erie County during this time and incurred expenses which Erie County submitted to FEMA on their behalf. FEMA is reimbursing allowable expenditures at 75% and the State may reimburse the remaining 25% of the allowable expenditures.

CONSEQUENCES OF NEGATIVE ACTION

The Newton Abbott Fire Department will not be able to complete their curb repair that the original FEMA reimbursement was intended for.

STEPS FOLLOWING APPROVAL

The County Executive will advance the funds to the Newton Abbott Fire Department.

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF EMERGENCY SERVICES**

**RE: Federal Emergency Management
Agency (FEMA) Advancement to
Newton Abbott Fire Department**

WHEREAS, FEMA aid was made available to Erie County for the November 2014 winter storm Knife disaster on behalf of various Fire Departments throughout the county (COMM.14E-6 (2015)) at 75% of the total storm expenditures, along with the possibility of the remaining 25% being reimbursed by the State; and

WHEREAS, Fire Departments are required to submit to the County invoices and proof of payment for their allowable claims consistent with FEMA guidelines prior to receiving their FEMA and possible State reimbursements; and

WHEREAS, the Newton Abbott Fire Department had extensive curb damage which they are unable to repair under their current budget and are requesting an advance of their 75% FEMA reimbursement, and their possible 25% State reimbursement if the County should receive that, based on the three quotes provided to the County; and

WHEREAS, the Newton Abbott Fire Department will be required to submit invoices and proof of payment once the work is completed; and

WHEREAS, the Newton Abbott Fire Department is solely responsible for subsequent FEMA audits and compliance issues and not the County of Erie; and

WHEREAS, the Newton Abbott Fire Department will be responsible for repaying any reimbursements, repayments or liabilities subsequently identified by any audit, with no liability accruing to Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to advance the FEMA funds for the curb replacement at the Newton Abbott Fire Hall for an amount not to exceed 75% of \$9,500.00, and possibly the additional 25% State aid, to the Newton Abbott Fire Department; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to advance the funds from GL account 212100, fund 251, business area 167; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Emergency Services, c/o Melissa Calhoun, the County Comptroller and the County Attorney.