

ECLEG SEP19'16 AM 9:48

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 16, 2016

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

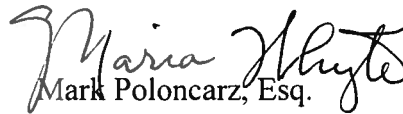
**RE: Erie County Sewer District No. 3
Town of Holland
Utility Work Agreement**

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 Town of Holland 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,


Mark Poloncarz, Esq.
Erie County Executive
Dpty County Executive

MCP:PJR: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 District No. 3
Town of Holland
Utility Work Agreement
Date: September 16, 2016

SUMMARY

Approval to enter into a Utility Agreement for the various scheduled improvements within the Town of Holland sections of right-of-way 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 Town of Holland in accordance with the Rules and Regulations governing the accommodations of utilities within the right-of-way.

REASONS FOR RECOMMENDATION

The Town of Holland is undergoing a construction project involving the adjustment of Erie County sanitary sewerage facilities, sewers, and/or manholes to meet the new sidewalk alignment and elevation.

BACKGROUND INFORMATION

The Town of Holland periodically schedules improvements requiring the adjustment of County sanitary facilities located within the right-of-way.

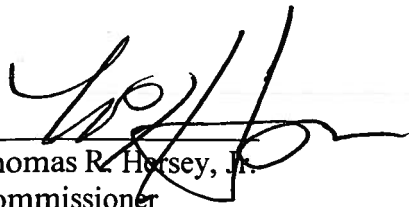
CONSEQUENCES OF NEGATIVE ACTION

The Town of Holland will cause Erie County to adjust its own sanitary sewer facilities at its own expense in advance of their construction work.

STEPS TO FOLLOW APPROVAL

The County of Erie will execute the Utility Work Agreement which will allow the Town of Holland to make all necessary adjustments to the Erie County sanitary sewer facilities during their construction project.

MAC



Thomas R. Hersey, Jr.
Commissioner

Encl.

CC: T. Hersey
J. Fiegl/0.11.0 Leg Ltr.
M. Salah/ 3.7.0 Municipal

I:\Sewerage Management\Administration\Documents\Courtney\Resolution\Ruffino\ECSD3 - TownHollandUtilityWork.docx

RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Erie County Sewer District No. 3
Town of Holland
Utility Work Agreement

WHEREAS, the Town of Holland has scheduled improvements within sections of right-of-way;
and

WHEREAS, these improvements require the adjustment of County sanitary sewer facilities located within the Town highway right-of-way at no cost to the County upon the review and approval of Erie County Sewer District No. 3; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that a 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 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 Utility Work Agreement for adjusting County sanitary sewer facilities located within the Town of Holland right-of-way at no cost to the County upon the individual approval of Erie County Sewer District No. 3; and be it further

RESOLVED, that the Commissioner of Environment and Planning is hereby authorized to sign the Utility Agreement allowing the Town of Holland to perform the necessary work required at no cost to the County; and be it further

RESOLVED, that the Commissioner of Environment and Planning is hereby authorized to sign the Utility Work Agreement with the understanding that the County will be obligated to maintain the Erie County Sewer District No. 3 facilities adjusted via the Town-let contract; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive 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.