



ECLES JUL 18 2018 10:09 AM

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 18, 2018

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, NY 14202

**Re: Erie County Sewer District Nos. 4 and 5
Partial Closures of Capital Reserve Funds**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning requesting the partial closure of the Capital Reserve Funds for Erie County Sewer District Nos. 4 and 5.

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 blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

Enclosure

Cc: J. Fiegl, Deputy Commissioner – DEP/DSM

Comm. 15E-5
1 of 8

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District Nos. 4 and 5
Partial Closures of Capital Reserve Funds
Date: July 18, 2018

SUMMARY

The Department of Environment and Planning is requesting authorization for the partial closure of capital reserve projects for Erie County Sewer District (ECSD) Nos. 4 and 5 to facilitate final accounting of monies collected to partially fund construction work advanced in the ECSDs.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's general fund. Residual equity transfers will be processed to move the funds from the ECSD capital reserve projects to sewer district capital and/or operating accounts.

REASONS FOR RECOMMENDATION

Developers contributed funds towards construction work to be completed in the sewer districts. The monies paid were deposited in ECSD capital reserve projects and now that the construction work has been finished, these transfers provide final accounting for the monies collected.

BACKGROUND INFORMATION

New developments in the ECSDs are required to comply with the "Rules and Regulations for Erie County Sewer Districts", including Article IV – Infiltration/Inflow Remedial Work Mandate. In most ECSDs developers comply with this mandate by participating in a private lateral replacement program; however, due to limited private lateral candidates in ECSD No. 5, monies have been received to reimburse the sewer district for I/I removal construction projects. This construction work has been completed through the County's cured-in-place pipe lining program, funded by the ECSD operating account.

In ECSD No. 4, certain developments required sewer system modifications to advance projects in the southern portion of the Town of Lancaster. In lieu of developers constructing new infrastructure to only address their needs, they contributed to the more comprehensive elimination of the Aurora North Pumping Station. This construction project was recently completed and was funded through Capital Project C.00072.

CONSEQUENCES OF NEGATIVE ACTION


Final accounting of monies collected for these specific purposes (contributions towards I/I removal projects and the Aurora North Pumping Station Elimination Project) would not occur.

STEPS TO FOLLOW APPROVAL

The residual equity transfer of funds from the capital reserve projects to the ECSD capital and/or operating accounts will be completed.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to Capital Reserve accounts for which there are sufficient funds available for the action proposed.

Signed  Date 7/12/14
Gregory Gach
Deputy Comptroller

**Eric County Sewer District Nos. 4 and 5
Partial Closures of Capital Reserve Funds**

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District Nos. 4 and 5
Partial Closures of Capital Reserve Funds

WHEREAS, new developments in the Erie County Sewer Districts (ECSDs) are required to comply with the “Rules and Regulations for Erie County Sewer Districts” and must demonstrate there is sufficient capacity to advance their projects; and

WHEREAS, some projects have contributed monies towards construction work in the ECSDs to meet these requirements; and

WHEREAS, various payments totaling \$137,499.83 have been received between 2/19/2009 and 2/8/2017 toward the Aurora North Pumping Station Elimination Project in ECSD No. 4; and

WHEREAS, those payments were deposited into ECSD No. 4 Capital Reserve Project C.00034; and

WHEREAS, ECSD No. 4 has completed construction of the Aurora North Pumping Station Elimination Project; and

WHEREAS, funding for the Aurora North Pumping Station Elimination Project has previously been authorized from ECSD No. 4, Capital Project C.00072; and

WHEREAS, various payments totaling \$60,000.00 have been received between 4/10/2014 and 6/12/2018 to perform infiltration/inflow (I/I) remedial work in ECSD No. 5; and

WHEREAS, those payments were deposited into ECSD No. 5 Capital Reserve Project C.00005; and

WHEREAS, ECSD No. 5 has completed collection system renewal and I/I remediation through cured-in-place pipe lining construction projects; and

WHEREAS, funding for the cured-in-place pipe lining has previously been authorized from ECSD No. 5, Funds Center 181, Fund 220, Account 516020 – Professional Services Contracts & Fees.

NOW, THEREFORE BE IT

RESOLVED, that authorization is hereby provided for the partial closure of \$137,499.83 from ECSD No. 4 Capital Reserve Project C.00034; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$137,499.83 from ECSD No. 4 Capital Reserve Project C.00034, Funds Center 181, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to Capital Project C.00072, Funds Center 181, Fund 430, GL 486000 – Inter-fund Revenue Subsidy; and be it further

RESOLVED, that authorization is hereby provided for the partial closure of \$60,000 from ECSD No. 5 Capital Reserve Project C.00005; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$60,000 from ECSD No. 5 Capital Reserve Project C.00005, Funds Center 181, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to ECSD No. 5, Funds Center 1811050, Fund 220, Account 486010 – Residual Equity Transfer-In; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate these transfers; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive, the County Comptroller, and the Director of Budget and Management; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management.

PROJECT TITLE: C.00034 E.C.S.D.#4 CAP. RESERVE 12/96

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>2,778,607.73</u>
Total Project Appropriations	\$ <u>2,776,677.00</u>
Less: Total Expenditure To Date	\$ <u>1,233,634.41</u>
Total Commitments	\$ <u> -</u>
Available Appropriations As Of Date Of Request	\$ <u>1,543,042.59</u>
Less: Transfer Amount	\$ <u>137,499.83</u>
Net Available Appropriations	\$ <u><u>1,405,542.76</u></u>

Comments: \$1,544,973.32 cash is in the project. This is a partial closure. The resolution requests a transfer to project C.00072.

Request Approved: 

Request Denied: _____

Date: 7/12/18

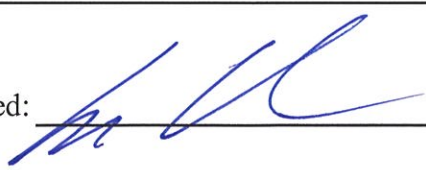
PROJECT TITLE: C.00005 E.C.S.D.#5 CAP.RESERVE EST '00

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>2,519,590.39</u>
Total Project Appropriations	\$ <u>2,501,355.00</u>
Less: Total Expenditure To Date	\$ <u>800,517.90</u>
Total Commitments	\$ <u> -</u>
Available Appropriations As Of Date Of Request	\$ <u>1,700,837.10</u>
Less: Transfer Amount	\$ <u>60,000.00</u>
Net Available Appropriations	\$ <u><u>1,640,837.10</u></u>

Comments: \$1,716,072.49 cash is in the project. This is a partial closure. The resolution requests a transfer to the sewer operating fund (220).

Request Approved: 

Request Denied: _____

Date: 7/12/18