



FILED JAN 13 2018 10:02

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

January 12, 2018

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Erie Community College STEM Building  
Town of Amherst Inflow and Infiltration (I&I) Reduction Program**

Dear Honorable Members:

This resolution is seeking authorization for the County Executive to issue a fixed payment into the Town of Amherst Sewer Remediation Trust Fund for the Town's Inflow and Infiltration (I&I) Reduction Program. The Town will apply this trust fund to its I&I mitigation projects within the Town's sanitary sewer system. A portion of the project will be reimbursed by New York State and partially funded by Erie Community College and Erie County.

Should your Honorable Body require further information, please contact Commissioner William E. Geary at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nt  
Enclosures

cc: William E. Geary, Commissioner of Public Works

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Erie Community College STEM Building  
Town of Amherst Inflow and Infiltration (I&I) Reduction Program  
**Date:** January 12, 2018

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### **SUMMARY**

This resolution is requesting authorization for the County Executive to issue a fixed payment into the Town of Amherst Sewer Remediation Trust Fund for the Town's Inflow and Infiltration (I&I) Reduction Program for an amount not to exceed \$9,500 (38 gallons per minute (gpm) x \$250/gpm). The Town will apply this trust fund to its I&I mitigation projects within the Town's sanitary sewer system.

### **FISCAL IMPLICATIONS**

Funds for the project are currently available from the approved, as adopted Erie County capital budgets, SAP projects as follows:

BA 122, Fund 480, Project E.12002 2012 ECC – New Academic Building

This project is 50% reimbursed by New York State, 25% funded by Erie Community College (ECC) and 25% funded by Erie County.

### **REASONS FOR RECOMMENDATION**

By paying into the Town of Amherst Sewer Remediation Trust Fund, the Town of Amherst can better effectively implement I&I reduction efforts within the Town's sanitary sewer system through properly engineered infrastructure I&I projects.

### **BACKGROUND INFORMATION**

All new construction projects with sanitary sewage flows greater than 2,500 gpd discharging to the Town of Amherst are required to obtain a sanitary sewer extension approval from the Town of Amherst and the NYSDEC/DOH. In addition, as a condition of the approval, the project owner must mitigate infiltration and inflow (I&I) within the Town of Amherst's Publicly Owned Treatment Works (POTW) at a rate of four times the peak flow of the project. For the STEM Building project, 38 gpm of sewage is required to be mitigated per Watt Engineering's report.

### **CONSEQUENCES OF NEGATIVE ACTION**


If this approval is not obtained, Erie County will have to implement a private lateral replacement program to engineer and mitigate I&I sources on the ECC North campus in order to comply with the Town of Amherst's I&I removal requirements. The cost for this lateral replacement program would be in excess of the fixed sum proposed by the Town of Amherst and will not result in tangible improvement to the problem.

## **STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive will issue a fixed payment into the Town of Amherst Sewer Remediation Trust Fund for the Town's Inflow and Infiltration (I&I) Reduction Program for an amount not to exceed \$9,500 (38 gpm x \$250/gpm).

**COMPTROLLER'S OFFICE REVIEW**

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.



GREGORY GACH

Deputy Comptroller  
Comptroller's Office

E.12002 STEM BUILDING

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Erie Community College – STEM Building  
Town of Amherst Inflow and Infiltration (I&I) Reduction Program

WHEREAS, all new construction projects with sanitary sewage flows greater than 2,500 gallons per day (gpd) discharging into the Town of Amherst are required to obtain a sanitary sewer extension approval from the Town of Amherst and the NYSDEC/DOH; and

WHEREAS, as a condition of the Town of Amherst’s approval for the STEM Building, 38 gallons per minute (gpm) of sewage is required to be mitigated, and

WHEREAS, in order to receive the Town of Amherst’s approval, Legislative authorization is necessary for the County Executive to issue a fixed payment into the Town of Amherst Sewer Remediation Trust Fund for the Town’s Inflow and Infiltration (I&I) Reduction Program for an amount not to exceed \$9,500 (38 gpm x \$250/gpm), and

WHEREAS, the Town of Amherst will apply this trust fund to its I&I mitigation projects within the Town’s sanitary sewer; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue a fixed payment into the Town of Amherst Sewer Remediation Trust Fund for the Town’s Inflow and Infiltration (I&I) Reduction Program for amount not to exceed \$9,500 (38 gpm x \$250/gpm); and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from SAP project :

<u>BA 122 Fund 480 Project E.12002</u>	<u>2012 ECC – New Academic Building</u>	<u>\$9,500</u>
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Total Payments Not To Exceed	\$9,500
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; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller, and one copy to Erie Community College of the Chief Administrative and Financial Officer.

TO: GREGORY GACH, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST  
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- |                       |  |
|-----------------------|--|
| 1. CONTRACTOR'S NAME  | Town of Amherst<br>Sewer Remediation Trust Fund  |
| 2. AMOUNT OF CONTRACT | \$9,500.00   |
| 3. PROJECT NUMBER     | BA 122 Fund 480      E.12002   |
| 4. PROJECT TITLE      | Erie Community College – STEM Building<br>Town of Amherst Inflow and Infiltration (I&I)<br>Reduction Program |
| 5. DEPARTMENT CONTACT | Funding questions: Natalie Tan, RA at x4954<br>Letter pickup: Diane Bukowski at x8301                        |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |                                    |                          |
|------------------------------------|--------------------------|
| 6. AVAILABILITY OF FUNDS           | \$ 4,138,244.92          |
| 7. PERFORMED BY                    | <i>Greg K. Minibelli</i> |
| Date Sent to Comptroller's Office: | December 28, 2017        |

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