

APRIL 7, 2009

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT.

CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO 3-2 (2009)  
**KENNEDY, WHYTE, MILLER-WILLIAMS & GRANT:** “Directing County Executive to Develop an Emergency Action Plan to Ensure that Vital Preventative Service Programming Will Be Available in the Event that Funding for the Community Optional Preventative Services (COPS) Program is Eliminated”  
(7-0)
  - b. COMM. 6D-7 (2009)  
**COMMISSIONER OF ENVIRONMENT & PLANNING:** “Negative Declaration - Proposed Rules & Regulations for Sanitary Sewers for ECSD Nos. 1, 2, 3, 4, 5, 6 & 8”  
(7-0)
  - c. COMM. 6M-1 (2009)  
**NYS DEC:** “Fact Sheet Concerning Leica Site in Town of Cheektowaga”  
(7-0)
  - d. COMM. 6M-4 (2009)  
**NYS DEC:** “Fact Sheet - Environmental Investigation & Cleanup Plan - 1132 & 1146 Seneca St. Site, Bflo. - Available for Public Comment”  
(7-0)
  - e. COMM. 6M-8 (2009)  
**NYS FISH & WILDLIFE MANAGEMENT BOARD:** “Agenda Items for Region 9 Board Meeting Held 3/12/09”  
(7-0)
  - f. COMM. 6M-11 (2009)  
**TOWN OF BOSTON TOWN BOARD:** “Copy of Certified Resolution Opposing Establishment of an Erie County Planning Board”  
(7-0)

- g. COMM. 6M-12 (2009)  
**EC SOIL & WATER CONSERVATION DISTRICT:** “2009 Budget Plan”  
(7-0)
  - h. COMM. 6M-13 (2009)  
**WNY AREA LABOR FEDERATION:** “Copy of Article, Entitled "Conclusions And Policy Options" Concerning Green Initiatives”  
(7-0)
  - i. COMM. 6M-16 (2009)  
**BUFFALO NIAGARA PARTNERSHIP:** “Copy of Letter to Majority Leader Maria R. Whyte Concerning Proposed Erie County Planning Board”  
(7-0)
2. COMM. 6E-4 (2009)  
**COUNTY EXECUTIVE**  
WHEREAS, the Erie County Legislature had awarded Contract No. 61PSB to DV Brown & Associates for HVAC improvements at 3 existing pumping stations in Erie County Sewer District No. 2; and  
  
WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and  
  
WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 61PSB, Herr Road, Buffalo Beach and Shore Cliff Pumping Stations Modifications, in the final contract amount of \$131,617.00 which includes Change Order No. 1 (final), a decrease of \$11,183.00 and approval for final payment.  
  
NOW, THEREFORE, BE IT  
  
RESOLVED, that Contract No. 61PSB, Herr Road, Buffalo Beach and Shore Cliff Pumping Station Modifications between the County of Erie and DV Brown & Associates, 567 Vickers Street, Tonawanda NY 14150 is accepted in the amount of \$131,617.00 which includes (final), Change Order No. 1, a decrease of \$11,183.00 and is allocated in Erie County Sewer District No. 2, Bond Account C.00002; and be it further  
  
RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning, and one certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Martin A. Polowy, Second Assistant, Erie County Attorney.  
(7-0)

3. COMM. 6E-10 (2009)

**COUNTY EXECUTIVE**

RESOLVED, the Erie County Legislature confirms the appointment/reappointment of the following individuals to the Erie County Fisheries Advisory Board for the terms stated:

Appointment

Name

Term Expires

Mr. Richard Davenport  
208 Walter Ave.  
Tonawanda, NY 14150

December 31, 2009

Mr. Joseph Jemiolo  
4898 Lanford Rd.  
North Collins, NY 14111

December 31, 2010

Mr. Paul Stoos  
1845 Clinton St.  
Buffalo, NY 14206

December 31, 2011

Reappointment

Name

Term Expires

Mr. Anthony Scime  
242 Southwood Dr.  
Buffalo, NY 14223

December 31, 2011

Mr. Gerald May, Sr.  
5858 Lakecrest Dr.  
Lakeview, NY 14085

December 31, 2011

(7-0)

**DANIEL M. KOZUB  
CHAIR**