

APRIL 30, 2009

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 6

ALL MEMBERS PRESENT, EXCEPT KONST AND LOUGHRAN

1. RESOLVED, the following items are hereby received and filed:

- a. INTRO 10-3 (2008)  
**MARINELLI & WHYTE:** “Bolstering Our Economy by Recognizing the Value of the Olmsted Parks and the Foresight of the 21st Century Plan”  
(4-0)
- b. COMM. 13D-13 (2008)  
**COUNTY ATTORNEY:** “Letter to Mayor Brown Regarding Termination of the Intermunicipal Agreement for the Management and Operation of the Buffalo Parklands”  
(4-0)
- c. INTRO 26-3 (2008)  
**IANNELLO:** “Creating An Energy-Efficiency-Focused DPW Through A Ten-Hour, Four-Day Work Week”  
(4-0)
- d. COMM. 26E-1 (2008)  
**WHYTE:** “Letter to County Executive Concerning Intermunicipal Parks Agreement”  
(4-0)
- e. INTRO 2-8 (2009)  
**WHYTE, MARINELLI, REYNOLDS, IANNELLO, MAZUR, KOZUB, KENNEDY, MILLER-WILLIAMS, KONST, GRANT, WROBLEWSKI & LOUGHRAN:** “The Erie Niagara Framework for Regional Growth and the Strategic Development Act to Establish an Erie County Planning Board”  
(4-0)
- f. COMM. 5E-3 (2009)  
**MARINELLI, WHYTE & KOZUB:** “Copy of Letter to County Executive & Buffalo Mayor Concerning Intermunicipal Parks Agreement”  
(4-0)

- g. COMM. 5M-7 (2009)  
**ERIE COUNTY WATER AUTHORITY TREASURER:** “Letter to Chair Marinelli Concerning Reappointment to the ECWA Board of Commissioners”  
(4-0)
- h. COMM. 7E-4 (2009)  
**MARINELLI:** “Copy of Letter to Legislator Kozub Concerning Appointment of Commissioner to the Erie County Water Authority”  
(4-0)
- i. COMM. 7E-5 (2009)  
**MARINELLI:** “Copy of Letter to Legislature Clerk Concerning Appointment of Commissioner to the Erie County Water Authority”  
(4-0)
- j. COMM. 8E-24 (2009)  
**COUNTY EXECUTIVE:** “ECSD Nos. 2 & 6 - Engineer Term Agreement - DiDonato Associates”  
(4-0)
- k. COMM. 8M-10 (2009)  
**ANTHONY VITIELLO:** “Letter Expressing Interest in Position of Commissioner of EC Water Authority”  
(4-0)
- l. COMM. 8M-11 (2009)  
**SALVATORE J. LOTEMPIO:** “Letter Expressing Interest in Position of Commissioner of EC Water Authority”  
(4-0)
- m. COMM. 8M-12 (2009)  
**SYLVESTER HAROLD:** “Letter Expressing Interest in Position of Commissioner of EC Water Authority”  
(4-0)
- n. COMM. 8M-22 (2009)  
**ARTHUR J. GIACALONE:** “Creation of an EC Planning Board - Ways to Make a Great Idea More Effective”  
(4-0)

- o. COMM. 8M-23 (2009)  
**ANTHONY ARMSTRONG:** “Testimony Regarding Strategic Development Act”  
(4-0)
- p. COMM. 8M-24 (2009)  
**JOAN K. BOZER:** “Urging EC Legislature to Re-Establish the EC Planning Board”  
(4-0)
- q. COMM. 8M-25 (2009)  
**BUFFALO NIAGARA RIVERKEEPER:** “Urging EC Legislature to Support Strategic Development Act and Create EC Planning Board”  
(4-0)
- r. COMM. 8M-27 (2009)  
**NIAGARA DISTRICT COUNCILMEMBER RIVERA:** “Letter of Support for the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- s. COMM. 8M-28 (2009)  
**ASSEMBLYMEMBER HOYT:** “Statement Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- t. COMM. 8M-29 (2009)  
**EMPIRE STATE FUTURE:** “Letter Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- u. COMM. 8M-30 (2009)  
**HOWARD ZEMSKY:** “Written Statement Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- v. COMM. 8M-31 (2009)  
**COALITION FOR ECONOMIC JUSTICE:** “Letter Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)

- w. COMM. 8M-32 (2009)  
**CENTER FOR TRANSPORTATION EXCELLENCE:** “Letter Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- x. COMM. 8M-33 (2009)  
**KATY DUGGAN-HAAS:** “Written Statement Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- y. COMM. 8M-34 (2009)  
**CIMINELLI DEV. CO., INC.:** “Letter Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- z. COMM. 8M-35 (2009)  
**WNY APOLLO ALLIANCE:** “Letter Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- aa. COMM. 8M-36 (2009)  
**GEORGE R. GRASSER, PRESIDENT - PARTNERS FOR A LIVABLE WNY:** “Written Statement Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- bb. COMM. 8M-37 (2009)  
**MAX WILLIG:** “Letter Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- cc. COMM. 8M-38 (2009)  
**ANDREW J. RUDNICK, BUFFALO NIAGARA PARTNERSHIP:** “Letter Supporting the Strategic Development Act and the Creation of an EC Planning Board”  
(4-0)
- 2. COMM. 8E-17 (2009)  
**COUNTY EXECUTIVE**  
WHEREAS, Erie County has an enterprise-level Geographic Information System (GIS), and an important component of this GIS is the online mapping application that is used by County departments, County residents, and the local business community; and

WHEREAS, the current software is being phased out by the developer, and new enterprise GIS software has been acquired but has not yet been fully implemented; and

WHEREAS, the new online mapping software requires custom programming to maintain and to add to the functionality of the prior online mapping software; and

WHEREAS, acquiring Geocortex Essentials software will provide the programming tools for customizing the County's online mapping software to meet the needs of County staff, County residents, and the local business community; and

WHEREAS, half of the funding (\$8,250) for the acquisition of the Geocortex Essentials software (\$16,500) is available from the Division of Sewerage Management, Fund 220, General Ledger Account No. 561410 (Lab and Tech Equipment); and

WHEREAS, the additional funds for this acquisition will be available in Fund 110, Department of Environment and Planning budget as detailed below.

NOW, THEREFORE, BE IT

RESOLVED, that the acquisition of Geocortex Essentials software in an amount not to exceed \$16,500 is hereby approved; and be it further

RESOLVED, that 50 per cent of the funding (\$8,250) for the acquisition of the Geocortex Essentials software is available from the Division of Sewerage Management, Fund 220, General Ledger Account No. 561410 (Lab and Tech Equipment) as follows:

<u>Cost Center</u>	<u>Account</u>	<u>Amount</u>
1811010	561410 Lab and Tech	\$2,062.50
1821010	561410 Lab and Tech	2,062.50
1831010	561410 Lab and Tech	2,062.50
1861010	561410 Lab and Tech	<u>2,062.50</u>
		\$8,250.00

and be it further

RESOLVED, that the additional funds for this acquisition will be transferred within Fund 110 in the Department of Environment and Planning budget as follows:

<u>Cost Center</u>	<u>Account</u>	<u>Decrease</u>
16200	420270 GIS Receipts/Unanticipated Revenue	\$5,220

16200	516030 Maintenance Contracts	<u>3,030</u>
		\$8,250

		<u>Increase</u>
16200	561410 Lab and Tech	\$8,250

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive; the Director of Budget and Management; the Commissioner of Environment and Planning; and the County Comptroller. (4-0)

3. COMM. 8E-21 (2009)

**COUNTY EXECUTIVE**

WHEREAS, County of Erie entered into a lease agreement with the Town of Hamburg in 2008 for the operation and maintenance of several former Town of Hamburg Sewer Districts, including former Town Sewer District No. 4 (hereinafter referred to as the "Cloverbank Sewer District"); and

WHEREAS, Erie County Sewer District No. 3 is now responsible for operation, maintenance, and administration of the sewerage assets in the Cloverbank Sewer District; and

WHEREAS, wastewater originating in the Cloverbank Sewer District flows to the Mount Vernon Sewer District and is subsequently conveyed by sewers located within the Mount Vernon Sewer District; and

WHEREAS, the Mount Vernon Sewer District previously charged the Town of Hamburg for conveyance services associated with the wastewater originating in the Cloverbank Sewer District; and

WHEREAS, the Erie County Division of Sewerage Management and the Mount Vernon Sewer District are desirous of entering into an agreement to allow for payment of said conveyance services provided to the Erie County Sewer District No. 3.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with the Mount Vernon Sewer District for conveyance services provided to the County District, subject to approval as to content by the Department of Environment and Planning and approval as to form by the County Attorney's office; and be it further

RESOLVED, that the Clerk of the Legislature send two (2) certified copies of this resolution to Michael Quinn, P.E., Department of Environment and Planning, and one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, and Martin Polowy, Second Assistant County Attorney.

(4-0)

4. COMM. 8E-23 (2009)

**COUNTY EXECUTIVE**

WHEREAS, the County recognizes the need to properly train its employees to protect their health and well being, and to comply with applicable state and federal regulations; and

WHEREAS, Erie County's Division of Sewerage Management has applied for funds from the Western New York Council on Occupational Safety & Health through a New York State Department of Labor Hazard Abatement Board training grant.

NOW, THEREFORE, BE IT

RESOLVED, that the proposed agreement between the County of Erie and the Western New York Council on Occupational Safety & Health to provide health and safety training to the Division of Sewerage Management and Sewer District employees is hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send two certified copies of this resolution to Michael J. Quinn, P.E., Deputy Commissioner, Department of Environment and Planning, and one certified copy each to the County Executive, the Director of Budget and Management, Erie County Comptroller; and Martin Polowy, 2<sup>nd</sup> Assistant County Attorney.

(4-0)

**DANIEL M. KOZUB  
CHAIR**