

JUNE 19, 2008

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 22D-1 (2007)  
**PARKS, RECREATION & FORESTRY:** Japanese Garden at Emery Park  
(5-0)
  - b. INTRO. 8-17 (2008)  
**MILLS & RATH:** Renegotiation of City and County Parks Agreement  
(5-0)
  - c. COMM. 11M-4 (2008)  
**NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION:** Steelfields Ltd. Project  
Bulletin - Cleanup Activities Complete  
(5-0)

2. COMM. 11E-16 (2008)  
**COUNTY EXECUTIVE**  
WHEREAS, National Fuel Gas Distribution Corporation has requested use of a ten feet area of County land, SBL 193.04-3-34.12 for replacement of existing gas line by insertion along County property; and

WHEREAS, a Revocable Permit is recommended for National Fuel Gas Distribution Corporation to use the property; and

WHEREAS, this Revocable Permit will have no negative effect on the ability of Erie County Sewer District No. 2 to operate and maintain sewer related operations; and

WHEREAS, the Advisory Review Committee has approved the issuance of the requested ten feet area in the form of a Revocable Permit; and

WHEREAS, the granting of this Revocable Permit will bear no cost to the County.

NOW, THEREFORE, BE IT

RESOLVED, that a Revocable Permit for use of an area being 10' in width immediately adjacent to the northerly highway bounds of North Creek Road and the easterly highway bounds of Versailles Road of Parcel SBL No. 193.04-3-34.12 be granted to National Fuel Gas Distribution Corporation; and be it further

RESOLVED, that the County Executive be authorized to sign said Revocable Permit subject to approval by the County Attorney; 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's Office and Gregory Dudek, Assistant County Attorney.  
(5-0)

3. COMM. 11E-17 (2008)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management needs to retain an Engineer to performed services associated with Phase II of the feasibility study evaluating elimination of the Lackawanna Wastewater Treatment Plant and transmitting all flows to the Buffalo Sewer Authority for treatment; and

WHEREAS, New York State Shared Municipal Services Incentives has awarded Erie County and Erie County Sewer District No. 6 a grant for this feasibility study; and

WHEREAS, the Selection Committee of representatives from the Department of Environment and Planning and Buffalo Sewer Authority has recommended the firm of CRA Infrastructure and Engineering, Inc. be awarded the assignment; and

WHEREAS, CRA Infrastructure and Engineering, Inc. has successfully completed the analyses associated with Phase I of the feasibility study; and

WHEREAS, a new agreement must be executed to retain CRA Infrastructure and Engineering, Inc. for Phase II of the feasibility study.

NOW, THEREFORE, BE IT

RESOLVED, that the engineering firm of CRA Infrastructure & Engineering, Inc. be retained at a cost not to exceed \$375,000 to complete Phase II of the feasibility study; and be it further

RESOLVED, that the Agreement with CRA Infrastructure & Engineering, Inc. be structured so that the work be authorized on an item by item basis; and be it further

RESOLVED, that the County Executive, be and hereby is, authorized to execute an Agreement with the firm of CRA Infrastructure & Engineering, Inc., 285 Delaware Avenue Suite 500, Buffalo, New York 14202, to provide the needed consultant services subject to approval as to form by the County Attorney's Office and approval as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that Erie County Sewer District No. 6 accept the remainder of the grant from New York State Shared Municipal Services; and be it further

RESOLVED, that the County Director of Budget and the County Comptroller be authorized to modify the Erie County Sewer District No. 6 capital and operating fund budgets and establish budget in capital project C.00069 in Erie County Sewer District No. 6 in the amount of \$375,000 and transfer \$55,000 for the agreement from Erie County Sewer District No. 6 operating fund to the Erie County Sewer District No. 6 capital project as follows:

| Erie County Sewer District No. 6 – Cost Center 1861010 |                 |
|--|-----------------|
| <u>Account</u>   | <u>Increase</u> |
| Operating Fund 220                                     |                 |
| 402190 Use of Fund Balance                             | \$55,000        |
| 570000 Trans-Out                                       | \$55,000        |
|  |                 |
| Erie County Sewer District No. 6 – Cost Center 1861010 |                 |
| <u>Account</u>   | <u>Increase</u> |
| Capital Fund 430 (C.00069)                             |                 |
| 516020 Contract. Srvs.                                 | \$375,000       |
| 486000 Trans-In  | \$55,000        |
| 405070 NYSDOS  | \$265,000       |
| 420499 Other Local Source (BSA)                        | \$55,000        |

and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of the resolution to the County Executive, the County Comptroller, the County Director of Budget, Gregory Dudek, Esq. – Assistant County Attorney; and two (2) certified copies to Michael J. Quinn, P.E., Deputy Commissioner, Department of Environment and Planning.

(5-0)

**DANIEL M. KOZUB**  
**CHAIR**