

November 14, 2019

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 22M-3 (2019)
NYSDEC: “Fact Sheet – Brownfield Cleanup Program Application for Ketry RE LLC – City of Buffalo”
(Chair’s Ruling)
 - b. COMM. 22M-6 (2019)
CHAIR, EC AGRICULTURAL & FARMLAND PROTECTION BOARD: “2019 Agriculture & Farmland Protection Board Report”
(Chair’s Ruling)

2. COMM. 19E-10 (2019)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning through its Division of Sewerage Management has the responsibility to operate and maintain over 1,100 miles of sewers, close to 100 pumping stations, five (5) overflow retention facilities, and six (6) wastewater treatment plants; and

WHEREAS, due to the age, condition, and complexity of the existing Erie County Sewer District facilities, numerous problems arise that require engineering solutions; and

WHEREAS, the Erie County Sewer Districts also face regulatory requirements that necessitate detailed engineering evaluation and study; and

WHEREAS, it is not practical to issue proposals for each and every small engineering project; and

WHEREAS, it is further recognized that there is the need to have engineering assistance on standby for time critical projects; and

WHEREAS, the Division of Sewerage Management issued a request for proposals for engineering assistance on a term contract basis and received sixteen (16) timely responses from engineering firms; and

WHEREAS, in accordance with Section 19.08 of the Erie County Administrative Code, an evaluation committee scored all responses using a consistent rating matrix; and

WHEREAS, the top seven (7) ranked firms submitting proposals have been recommended by the Division of Sewerage Management to perform the requested services.

NOW, THEREFORE, BE IT

RESOLVED, that agreements for engineering term contract services with AECOM, (257 West Genesee Street, Suite 400, Buffalo, New York 14202); Arcadis of New York, Inc., (50 Fountain Plaza, Suite 600, Buffalo, New York 14202); CHA Consulting, (2200 Main Place Tower, Buffalo, NY 14202); DiDonato Engineering and Design Professionals, (689 Main Street, Buffalo, New York 14203); GHD Consulting Services, Inc., (285 Delaware Ave, Suite 500, Buffalo, New York 14202); LaBella Associates, (300 Pearl St., Suite 130, Buffalo, NY 14202); and Ramboll/O’Brien & Gere Engineers, Inc., (400 Andrews St., Harro East Building, Suite 710, Rochester, NY 14604) in an amount not to exceed \$250,000.00 each over a three (3) year period are hereby approved; and be it further

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

RESOLVED, that no individual work order assignment issued under these agreements be greater than \$75,000.00; and be it further

RESOLVED, that the County Comptroller be authorized to allocate an amount not to exceed \$250,000.00 for each agreement to fund individual work order assignments; and be it further

RESOLVED, that individual work orders may be funded from any Sewer Capital Project in Fund 430 and/or the Sewer Operating Fund 220 (including business areas 181, 182, 183, and 186, Account 516020 (Professional Service Contracts)), as determined by the Deputy Commissioner of the Division of Sewerage Management; and be it further

RESOLVED, that the Division of Sewerage Management shall notify the Legislature when a work order is assigned to an engineering firm under this resolution; and be it further

RESOLVED, that when a Sewer Capital Project is selected as the funding source for a work order assignment, the Division of Sewerage Management shall include in its notice to the Legislature that the County Comptroller has reviewed and certified the availability of sufficient capital appropriations to fund the work order assignment; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.

(5-0)

3. COMM. 20E-20 (2019)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 65 at 10:00 a.m. on October 24, 2019:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 65	Patterson-Stevens, Inc. 400 Sawyer Ave. Tonawanda, NY 14150	\$160,195

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed projects for the Division of Sewerage Management in the past; and

WHEREAS, the Division of Sewerage Management has determined that this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law; and

WHEREAS, there is adequate funding available in Erie County Sewer District No. 3 Capital Project C.00062.

NOW, THEREFORE, BE IT

RESOLVED, that the Southtowns Solids Handling Area Repairs, Erie County Sewer District No. 3, Contract No. 65 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 65	Patterson-Stevens, Inc. 400 Sawyer Ave. Tonawanda, NY 14150	\$160,195

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the County Comptroller is authorized and directed to allocate \$160,195 from Erie County Sewer District No. 3, Capital Project C.00062 for Contract No. 65; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

(5-0)

4. COMM. 21E-19 (2019)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning through its Division of Sewerage Management is responsible for the inspection of construction work completed in the Erie County Sewer Districts; and

WHEREAS, the Division of Sewerage Management is limited in the number of staff available to perform construction inspection for various projects; and

WHEREAS, the Division of Sewerage Management issued a request for proposals for construction inspections services on a term contract basis and received ten (10) timely responses from engineering firms; and

WHEREAS, in accordance with Section 19.08 of the Erie County Administrative Code, an evaluation committee scored all responses using a consistent rating matrix; and

WHEREAS, the top four (4) ranked firms submitting proposals have been recommended by the Division of Sewerage Management to perform the requested services.

NOW, THEREFORE, BE IT

RESOLVED, that agreements for construction inspection term contract services with DiDonato Engineering & Architectural Professionals (689 Main St., Buffalo, New York 14203), Greenman-Pedersen, Inc. (4950 Genesee Street, Suite 165, Buffalo, New York 14225), Nussbaumer & Clarke, Inc. (3556 Lake Shore Rd, Buffalo, New York 14219), and Wm. Schutt and Associates (37 Central Avenue, Lancaster, NY 14086) in an amount not to exceed \$200,000.00 each over a three (3) year period are hereby approved; and be it further

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

RESOLVED, that no individual assignment issued under these agreements be greater than \$50,000.00; and be it further

RESOLVED, that the County Comptroller be authorized to allocate an amount not to exceed \$200,000.00 for each agreement to fund individual work order assignments; and be it further

RESOLVED, that individual work orders may be funded from any Sewer Capital Project in Fund 430 and/or the Sewer Operating Fund 220 (including business areas 181, 182, 183, and 186, Account 516020 (Professional Service Contracts)), as determined by the Deputy Commissioner of the Division of Sewerage Management; and be it further

RESOLVED, that the Division of Sewerage Management shall notify the Legislature when a work order is assigned to an engineering firm under this resolution; and be it further

RESOLVED, that when a Sewer Capital Project is selected as the funding source for a work order assignment, the Division of Sewerage Management shall include in its notice to the Legislature that the County Comptroller has reviewed and certified the availability of sufficient capital appropriations to fund the work order assignment; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.
(5-0)

5. INTRO. 22-2 (2019)

BASKIN AS AMENDED

WHEREAS, pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303-b(1) the Erie County Legislature adopted Intro 20-15 (2004) on September 23, 2004; and

WHEREAS, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which applicants may submit requests to include predominantly viable agricultural land into any existing certified agricultural district outside of the established eight-year review period; and

WHEREAS, during the 2019 thirty-day open enrollment period twenty-four applicants requested that forty-four parcels of land be included in existing agricultural districts; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine if each includes “viable agricultural land” as defined in Agriculture and Markets Law Section 301(7); and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine whether the inclusion of such land would serve the public interest and maintain a viable agricultural industry within the district; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature adopt the inclusion of twenty-nine parcels listed below in an existing agricultural district:

PARCEL(S)	ACRE(S)	ADDRESS	TOWN	APPLICANT	DISTRICT
127.04-3-17	1.10	7201 Clinton St.	Elma	Gregory Owczarek	Elma 13
127.04-3-10.1	12.60	0 Clinton St.	Elma	Gregory Owczarek	Elma 13
172.00-1-42	0.53	California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-20.11	6.49	California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-20.12	8.34	California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-37	4.00	4550 California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-43	0.45	4570 California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-38	2.08	4611 California Rd.	Orchard Park	Scott D. Smith	Southwest 8
198.00-3-2.21	10.73	6075 Benning Rd.	Orchard Park	Linda Welch	Elma 13
42.00-1-50.1	3.04	1875 Dodge Rd.	Amherst	Christopher Buscaglia	Amherst 17
154.00-3-17	58.60	7180 Seneca St.	Elma	Roy Offhaus & Mary Siler	Elma 13
347.08-2-15.1	30.99	206 Elk St.	Springville (Village)	J. Peter Dygert	Southeast 15
198.00-2-1.111	37.98	5996 Benning Rd.	Orchard Park	R+R Tuttle Farms	Elma 13
265.00-1-12	35.90	Lake Shore Rd.	Brant	T. Shaffer Farm LLC	Southwest 8
265.04-1-5.1	13.05	Lake Shore Rd.	Brant	T. Shaffer Farm LLC	Southwest 8

241.00-1-38	44.57	5639 Rice Rd.	Boston	Andrew Thiel	Southwest 8
241.00-1-39	4.90	5639 Rice Rd.	Boston	Andrew Thiel	Southwest 8
259.00-4-1.23	17.73	8462 Murray Hill Rd.	Colden	Claire Alles Nelligan	Southeast 15
236.00-1-6	74.90	1417 Eden Evans Center Rd.	Evans	Carol Sager	Southwest 8
272.00-1-35	64.67	0 Belcher Rd.	North Collins	James Gardner	Southwest 8
61.00-2-4	21.90	0 Main Rd.	Newstead	Newstead Park Associates / Gregory Schmidt	Clarence Newstead 14
269.15-2-17	9.30	0 School St.	North Collins (Village)	Howard & Marilyn Purdy	Southwest 8
269.00-5-8	37.90	0 Gowanda State Rd.	North Collins (Town)	Howard & Marilyn Purdy	Southwest 8
50.00-3-11	43.10	0 Love Rd.	Grand Island	George DeGlopper	Amherst 17
50.00-3-12	41.20	0 Love Rd.	Grand Island	George DeGlopper	Amherst 17
240.00-4-28.1	68.80	8627 Feddick Rd.	Boston	Ernest & Gary Rauch	Southwest 8
16.00-5-25.1	13.28	10850 Transit Rd.	Amherst	Michael Badding	Amherst 17
17.13-1-28	3.26	10820 Transit Rd.	Amherst	Michael Badding	Amherst 17
207.00-1-31.1	45.96	7501 Versailles Plank Rd.	Eden	BD+K LLC	Southwest 8

and

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature reject the inclusion of four parcels listed below in an existing agricultural district:

PARCEL(S)	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT
67.63-2-9	0.19	608 Niagara Falls Blvd.	Tonawanda	Rosemary Harrison	Amherst 17
50.04-2-31	3.15	2507 Fix Rd.	Grand Island	Walter & Melissa Yanicki	Amherst 17

206.00-4-67.121	16.92	1492 Wisconsin Rd.	Evans	Dennis Burgasser	Southwest 8
51.02-1-15	2.19	1322 Staley Rd.	Grand Island	Geoffrey & Michelle Giambra	Amherst 17

and

WHEREAS, the Erie County Agricultural and Farmland Protection Board acknowledges that the following eleven parcels are already included in the Erie County Agricultural District program and that no action is required:

PARCEL(S)	ACRE(S)	ADDRESS	TOWN	APPLICANT	DISTRICT
229.00-1-44	83.25	8064 Bleistein Rd.	Colden	William F. Gersitz	Southeast 15
317.00-4-3.11	116.9	12777 Quaker St.	North Collins (T)	Howard & Marilyn Purdy	Southwest 8
316.00-1-18.11	22.83	0 Gowanda State Rd.	North Collins (T)	Howard & Marilyn Purdy	Southwest 8
316.00-1-17.2	55.02	12650 Quaker Rd.	North Collins (T)	Howard & Marilyn Purdy	Southeast 15
302.00-6-4.1	27.33	0 Ketchum Rd.	North Collins (T)	Howard & Marilyn Purdy	Southeast 15
302.00-2-16	57.61	0 Ketchum Rd.	North Collins (T)	Howard & Marilyn Purdy	Southeast 15
329.00-1-39.3	23.25	0 NYS Route 62	Collins	Howard & Marilyn Purdy	Southwest 8
316.00-3-3	186.17	12758 Quaker St.	Collins	Howard & Marilyn Purdy	Southwest 8
317.00-1-6	49.57	0 Quaker Rd.	North Collins (T)	Howard & Marilyn Purdy	Southeast 15
17.00-3-19.2	11.51	8855 Wolcott Rd.	Clarence	Michael Badding	Clarence Newstead 14
17.00-1-11.2	16.84	8030 Westphalinger Rd.	Clarence	Michael Badding	Clarence Newstead 14

and

WHEREAS, the Erie County Agricultural and Farmland Protection Board acknowledges that application number twenty-three, submitted by Daniel Lewandowski, provided no parcel information and is therefore incomplete, and that no action is required; and

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-b(2)(b) and 303-b(3) the Erie County Legislature gave the required public notice and set a public hearing for November 4, 2019; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-b(3)(b) the Erie County Legislature published a public hearing notice in a newspaper having general circulation within the County and notified in writing those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district; and

WHEREAS, a public hearing was held at 6:00 p.m. on November 4, 2019 at the Dard Hunter Hall, 21 S. Grove Street in East Aurora, New York to consider the 2019 Open Enrollment period requests and recommendations of the Erie County Agricultural and Farmland Protection Board; and

WHEREAS, the Erie County Legislature reviewed the requests pursuant to the NYS Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature adopts the inclusion of the following thirty parcels into an adjacent existing agricultural district:

PARCEL(S)	ACRE(S)	ADDRESS	TOWN	APPLICANT	DISTRICT
127.04-3-17	1.10	7201 Clinton St.	Elma	Gregory Owczarek	Elma 13
127.04-3-10.1	12.60	0 Clinton St.	Elma	Gregory Owczarek	Elma 13
172.00-1-42	0.53	California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-20.11	6.49	California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-20.12	8.34	California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-37	4.00	4550 California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-43	0.45	4570 California Rd.	Orchard Park	Scott D. Smith	Southwest 8
172.00-1-38	2.08	4611 California Rd.	Orchard Park	Scott D. Smith	Southwest 8

198.00-3-2.21	10.73	6075 Benning Rd.	Orchard Park	Linda Welch	Elma 13
42.00-1-50.1	3.04	1875 Dodge Rd.	Amherst	Christopher Buscaglia	Amherst 17
154.00-3-17	58.60	7180 Seneca St.	Elma	Roy Offhaus & Mary Siler	Elma 13
347.08-2-15.1	30.99	206 Elk St.	Springville (Village)	J. Peter Dygert	Southeast 15
198.00-2-1.111	37.98	5996 Benning Rd.	Orchard Park	R+R Tuttle Farms	Elma 13
265.00-1-12	35.90	Lake Shore Rd.	Brant	T. Shaffer Farm LLC	Southwest 8
265.04-1-5.1	13.05	Lake Shore Rd.	Brant	T. Shaffer Farm LLC	Southwest 8
241.00-1-38	44.57	5639 Rice Rd.	Boston	Andrew Thiel	Southwest 8
241.00-1-39	4.90	5639 Rice Rd.	Boston	Andrew Thiel	Southwest 8
259.00-4-1.23	17.73	8462 Murray Hill Rd.	Colden	Claire Alles Nelligan	Southeast 15
236.00-1-6	74.90	1417 Eden Evans Center Rd.	Evans	Carol Sager	Southwest 8
272.00-1-35	64.67	0 Belcher Rd.	North Collins	James Gardner	Southwest 8
61.00-2-4	21.90	0 Main Rd.	Newstead	Newstead Park Associates / Gregory Schmidt	Clarence Newstead 14
269.15-2-17	9.30	0 School St.	North Collins (Village)	Howard & Marilyn Purdy	Southwest 8
269.00-5-8	37.90	0 Gowanda State Rd.	North Collins (Town)	Howard & Marilyn Purdy	Southwest 8
50.00-3-11	43.10	0 Love Rd.	Grand Island	George DeGlopper	Amherst 17
50.00-3-12	41.20	0 Love Rd.	Grand Island	George DeGlopper	Amherst 17
240.00-4-28.1	68.80	8627 Feddick Rd.	Boston	Ernest & Gary Rauch	Southwest 8
16.00-5-25.1	13.28	10850 Transit Rd.	Amherst	Michael Badding	Amherst 17
17.13-1-28	3.26	10820 Transit Rd.	Amherst	Michael Badding	Amherst 17
207.00-1-31.1	45.96	7501 Versailles Plank Rd.	Eden	BD+K LLC	Southwest 8

51.02-1-15	2.19	1322 Staley Rd.	Grand Island	Geoffrey & Michelle Giambra	Amherst 17
------------	------	-----------------	--------------	-----------------------------	------------

and be it further

RESOLVED, that the Erie County Legislature rejects the inclusion of the following three parcels into an existing agricultural district:

PARCEL(S)	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT
67.63-2-9	0.19	608 Niagara Falls Blvd.	Tonawanda	Rosemary Harrison	Amherst 17
50.04-2-31	3.15	2507 Fix Rd.	Grand Island	Walter & Melissa Yanicki	Amherst 17
206.00-4-67.121	16.92	1492 Wisconsin Rd.	Evans	Dennis Burgasser	Southwest 8

and be it further

RESOLVED, that the Erie County Legislature has complied with the requirements of the New York State Environmental Quality Review Act and hereby determines that the requested parcel additions to the Agricultural Districts noted above will not have a significant adverse environmental impact and therefore an environmental impact statement will not be required; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Director of Real Property Tax Services, the Chair of the Erie County Agricultural and Farmland Protection Board, and the Supervisors of the Towns of Amherst, Boston, Brant, Colden, Eden, Elma, Evans, Grand Island, Newstead, North Collins, Orchard Park, and Tonawanda, and the Mayors of the Villages of North Collins and Springville; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution along with the Erie County Agricultural and Farmland Protection Board report and maps for each parcel of land to be included in an existing agricultural district to the Commissioner of New York State Department of Agriculture and Markets for certification and immediate inclusion into existing agricultural districts.

(5-0)

6. **COMM. 22E-12 (2019)**
COUNTY EXECUTIVE
WHEREAS, Erie County has fifty-eight high-pressure sodium streetlights in NYSEG territory; and

WHEREAS, newer street-lighting technology, such as LED streetlights, provide an equivalent amount of light while using a quarter to half as much energy as their traditional counterparts; and

WHEREAS, energy costs will continue to increase making energy-efficiency upgrades increasingly important; and

WHEREAS, NYSEG will provide the design, installation, and maintenance of all converted streetlights at a cost not to exceed \$2,096.20.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amendments with NYSEG for the design, installation and maintenance of LED streetlights at a cost not to exceed \$2,096.20; and be it further

RESOLVED, that the Comptroller's Office is authorized to make payments for this project from the Buildings and Grounds 2019 O&M Budget, GL Account 515000 – Utility Charges, Fund 110, Funds Center 12220; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive; the Division of Budget and Management; the Office of the Comptroller; and the Department of Public Works.
(5-0)

7. **COMM. 22E-13 (2019)**
COUNTY EXECUTIVE
WHEREAS, the County of Erie had previously entered into a contract with the Erie County Soil and Water Conservation District who have the necessary expertise and personnel to perform the necessary inspections and evaluations, as well as to carry out administrative responsibilities related to the delivery of various technical services including stream bank maintenance, bridge, and culvert scour maintenance; and

WHEREAS, it has become necessary to implement the County-wide Stream Maintenance Program to continue to reduce erosion and localized flood-related risk to roads, bridges, culverts, and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting the natural flow of streams, repair bridge and culvert scour or prevention of same; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipalities and districts to contract to perform together that which each public entity is authorized to perform individually; and Article 5, Section 99-R of the same General Municipal Law authorizes Erie County and the District to contract by direct negotiations for services of government not regularly provided to the public as part of general government services; and

WHEREAS, the Legislative Body of Erie County and the Board of Directors of the Erie County Soil and Water Conservation District have previously authorized a municipal agreement on October 6, 2011, at Meeting Number 20, Communication Number 18E-30 for the purpose of performing a County-wide Stream Maintenance Program.

NOW, THEREFORE, BE IT

RESOLVED, that the Agreement between the County of Erie and the Erie County Soil and Water Conservation District be renewed in the amount of \$125,000 to be allocated from Capital Project B.19017 - As Directed General Civil and Geo Technical – Construction, Fund 420, Funds Center 123 for technical services to identify drainage improvements, reduce erosion, embankment failure, scour, and localized flooding related risks to roads, bridges, culverts, and rights-of-way at various locations; and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(5-0)

8. COMM. 22E-16 (2019)
COUNTY EXECUTIVE

WHEREAS, tree maintenance is needed due to the significant impact of the Emerald Ash Borer in many Erie County Parks, especially Akron Falls and Como Lake Parks; and

WHEREAS, conducting a tree inventory will assist the Parks Department in assessing the issues at Ellicott Creek Park; and

WHEREAS, the New York State Department of Conservation has issued a Request for Applications for the 2019 Urban and Community Forestry (UCF) Grants Program; and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry is applying to the New York State Department of Environmental Conservation for two reimbursement project grants under the UCF Program to be located at three County Parks sites located within the territorial jurisdiction of this Legislature; and

WHEREAS, as a requirement of the UCF program, said Department must obtain the approval/endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of Erie County hereby does approve and endorse the applications of the Erie County Department of Parks, Recreation and Forestry for grants under the Urban and Community Forestry Program for two projects known as “The Tree Maintenance Project at Akron Falls and Como Lake Parks” and The Tree Inventory of Ellicott Creek Park” located within this community; and be it further

RESOLVED, that certified copies of this resolution shall be provided for the County Executive; the County Attorney; and Troy Schinzel, Commissioner of Parks, Recreation and Forestry.
(5-0)

9. COMM. 22E-21 (2019)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services is responsible for providing public safety through comprehensive emergency management planning, preparedness, training, response and coordination of emergency services resources in Erie County during actual or potential disaster events; and

WHEREAS, the US Department of Homeland Security, Federal Emergency Management Agency with administration of the funds through the New York State Division of Homeland Security & Emergency Services has agreed to provide funding in the amount of \$5,172 to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, a 25% local match in the amount of \$1,293 is required; and

WHEREAS, these matching funds are available in Fund 110, Account 516020 – Professional Services Contracts in the Erie County Department of Homeland Security & Emergency Services Operating Budget; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept \$5,172 in Federal resources to provide funding for training personnel to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract and accept funds from the US Department of Homeland Security, Federal Emergency Management Agency administered through the New York State Division of Homeland Security & Emergency Services in the amount \$5,172 with a required 25% local match for the Erie County Department of Homeland Security & Emergency Services; and be it further

RESOLVED, that this project, under the Erie County Department of Homeland Security & Emergency Services, will meet the goals and objectives; and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish new funding in Fund 110, as follows:

Erie County Department of Homeland Security & Emergency Services
Funds Center 16700

Revenue	Increase
Account 414000 - Federal Revenue	\$5,172
Appropriation	Increase
Account 516020 – Professional Services Contracts	\$5,172

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to county share amounts; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.
(5-0)

TIMOTHY MEYERS
CHAIR