

July 9, 2015

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 12

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 13D-5 (2015)

CLERK OF THE LEGISLATURE: “NYS DEC Documents Received”
(6-0)

2. COMM. 13E-9 (2015)

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 an 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 one certified copy each to the County Executive, the Director of Budget and Management, Erie County Comptroller, and Kristen Walder, County Attorney; and two certified copies of this resolution to Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.
(6-0)

3. COMM. 13E-11 (2015)

COUNTY EXECUTIVE

WHEREAS, the Erie County Sewer Agency and the Erie County Department of Environment and Planning caused a report entitled *Erie County Sewer Agency Report - Erie County Sewer District No. 6 Modifications of Plans (2015)* (the “Report”) to be prepared, which Report recommends a modification of a plan originally approved in 2005 (the “2005 Plan”) to include within the 2005 Plan certain additional improvements within Sewer District No. 6 (“District No. 6”), including but not limited to, improvements to the Wilmoth/Well St. Pumping Station, including engineering costs associated with those improvements, and the replacement of, and improvements to, existing sewers and pumping stations (the “Modification of Plans”); and

WHEREAS, on May 13, 2015, the Board of Managers of the Erie County Sewer District No. 6 accepted and adopted the Report and recommended that the Report be submitted to the County Legislature for consideration and action; and

WHEREAS, the Report serves as the written report required by § 253-b of Article 5A of County Law of the State of New York; and

WHEREAS, the Modification of Plans will not result in any increase in the cost of the 2005 Plan; and

WHEREAS, an application to the New York State Audit and Control for approval is not required as the Modification of Plans constitutes a modification to plans pursuant to § 253-b of Article 5A of the County Law of the State of New York; and

WHEREAS, the County Legislature desires to call for a Public Hearing to solicit public comment; and

WHEREAS, prior to the publication of the notice of public hearing, the Report will be filed in the Office of the County Clerk of Erie County;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The County Legislature of County of Erie, New York shall meet at the *92 Franklin Street, 4th Floor in Buffalo, New York on the 29th day of July, 2015 at 1:30 o'clock p.m.* for the purpose of conducting a Public Hearing on the proposed Modification of Plans specified above, at which time and place persons interested in the subject thereof may be heard concerning same.

Section 2. The Clerk of the County Legislature is hereby directed to public at least once the attached Notice of Public Hearing, in full, in the *Challenger Newspaper* and the *Amherst Bee*, the official

newspapers of the County, said publication to be not less than ten or more than twenty days before the date of such public hearing.

NOTICE OF PUBLIC HEARING
ON THE PROPOSED MODIFICATION OF PLANS OF
ERIE COUNTY SEWER DISTRICT NO. 6

Notice is hereby given that a public hearing pursuant to Section 253-b of the County Law of the State of New York (the "Act"), will be held by the County Legislature of the County of Erie, New York (the Erie County Legislature), on the 29th day of July, 2015 at 1:30 p.m., local time, at *92 Franklin Street, 4th Floor in Buffalo, New York* in connection with a proposed modification (the "Modification of Plans") of Erie County Sewer District No. 6 (the "District No. 6"):

The Modification of Plans will modify the existing Increase and Improvement of Facilities plan adopted in 2005 to approve additional improvements within the District No. 6, including, but not limited to, improvements to the Wilmuth/Well St. Pumping Station, including engineering costs associated with those upgrades, as more fully described in the report and estimate of cost pursuant to a written report dated May 14, 2015 (the "Report"), prepared by the County Engineers (Erie County Department of Environment & Planning), which Report has been approved by the Erie County Sewer Agency. A copy of the Report has been filed with the Erie County Legislature.

The maximum estimated cost of the Modification and Plans as described in the Report will not increase the cost to property owners within District No. 6 and there will be no additional cost to properties serviced by District No. 6 for items such as connection charges or fees or the need to pay for connection to the sewer system due to said proposed Modification of Plans.

Dated: Buffalo, New York
July, 2015

BY ORDER OF THE COUNTY LEGISLATURE
OF THE COUNTY OF ERIE, NEW YORK

(6-0)

**TED B. MORTON
CHAIR**