

October 13, 2016

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 16

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 19E-8 (2016)
COUNTY EXECUTIVE

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and

WHEREAS, notice of said Public Hearing shall be published at least once in the official County newspapers prior to holding the Public Hearing.

NOW, THEREFORE, BE IT

RESOLVED, that the Sewer District assessment rolls be open for public inspection after October 1, 2016 in the offices of the Division of Sewerage Management, 95 Franklin Street, Buffalo, New York 14202; and be it further

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, NY, at 2:30 p.m., local time, on November 9, 2016 for the purpose of meeting to hear and consider any objections which may be made to the 2016 Sewer District Assessment Rolls (2017 Levy) for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing no later than the week of October 24, 2016; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the County Comptroller, Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

2. COMM. 19E-9 (2016)
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 5E-15 (2015) Contract No. 86 was awarded to DJM Contracting, Inc. for installation of a low pressure grinder pump system to service existing homes located at 7815-7939 Lakeshore Road in Erie County Sewer District No. 2; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 86, in the final contract amount of \$212,538.05.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 86 between the County of Erie and DJM Contracting, Inc. (1128 Jamison Road, Elma, NY 14059) is accepted in the final contract amount of \$212,538.05 which includes Change Order No. 1 (final), a decrease of \$18,009.95, and is allocated in Erie County Sewer District No. 2 Bond Account C.00011; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 86 to DJM Contracting, Inc. for a total contract amount of \$212,538.05; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(6-0)

3. COMM. 19E-10 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides support to the Northwest and the Northeast-Southtowns Solid Waste Management Boards for solid waste and recycling planning; and

WHEREAS, DEP is committed to coordinate, oversee, and support the development of local solid waste management plans for all Erie County planning units; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides grant assistance to municipalities to implement projects to reduce solid waste in New York; and

WHEREAS, DEP provides technical assistance to municipalities, businesses and residents to help address their waste management needs; and

WHEREAS, the NYSDEC awarded Erie County a recycling grant of \$268,521.37 to complete a three-year Municipal Waste Reduction and Recycling Coordination Program; and

WHEREAS, Erie County’s two solid waste management boards have signed separate Memorandums of Understanding (MOU) for the DEP to provide the necessary administrative, logistical and technical assistance and services to comply with approved Solid Waste Management Plans; and

WHEREAS, the MOU’s with each Solid Waste Management Board were executed by Erie County and provide \$20,250.00 annually in local source funding from the two Solid Waste Management Boards; and

WHEREAS, the addition of this solid waste recycling initiative necessitates the execution of a grant contract with the NYSDEC, the adoption of a grant budget and the creation of an Environmental Compliance Specialist (JG-09) position within the DEP.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$268,521.37 from the New York State Department of Environmental Conservation for the purpose of establishing a three-year Municipal Waste Reduction and Recycling Coordination Program; and be it further

RESOLVED, that the grant budget and project period for the NYSDEC Waste Reduction and Recycling Coordination Program is hereby created in the Department of Environment and Planning, Business Area 162, Fund 281, as follows:

New York State Department of Environmental Conservation Waste Reduction and Recycling Coordination Grant (Grant Period: 10/1/2016 – 9/30/2019)
SAP Grant Account #162WRRCG1619

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
402499	Other Local Source Revenue	(\$60,750.00)
409000	State Aid Revenue	(\$268,521.37)
479000	County Share Contribution	(\$20,100)
TOTAL REVENUE		(\$349,371.37)

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Regular Full Time Wages	\$158,974.03
502000	Fringe Benefits	\$130,272.34
505000	Office Supplies	\$525.00
510100	Out of Area Travel	\$3,500.00
510200	Training	\$3,600.00
516020	Professional Services	\$46,500.00
530000	Other (Promotional)	\$6,000.00
TOTAL APPROPRIATIONS:		\$349,371.37

and be it further

RESOLVED, that the following position, for which sufficient NYSDEC grant funding for personal services and fringe benefits exists, will be created in the above grant:

Environmental Compliance Specialist (JG-09)
B-100 No. 000 000 8803
Budgeted Annual Salary: \$50,363.00

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Bonnie Lawrence, Deputy Commissioner of Environment and Planning; Paul Kranz, P.E., Associate Engineer; and three (3) copies to Andrew Goldstein, Environmental Compliance Services, 10th Floor, Edward A. Rath County Office Building.
(5-1) Legislator Lorigo voted in the negative.

TED B. MORTON
CHAIR