

December 14, 2017

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 18

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 23E-7 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the 2017 Assessment Rolls for Erie County Sewer District Nos. 1-6 and 8 describing each lot or parcel of land have been prepared by the Division of Sewerage Management; and

WHEREAS, the Division of Sewerage Management has also assessed the estimate of expenditures and proportioned them to the lots and parcels of land as nearly as may be to the benefit which each lot or parcel will derive therefrom; and

WHEREAS, the Clerk of the Legislature had a Notice of Public Hearing published in the official County newspapers prior to the date of the Public Hearing which informed the public that the Assessment Rolls would be open for public inspection; and

WHEREAS, said Public Hearing was held in the Chamber of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, New York, at 6:00 p.m., local time on November 1, 2017 and that all persons desiring to be heard were duly heard and that all objections have been heard and considered; and

WHEREAS, said Assessment Rolls, estimate of expenditures, and Public Hearing were carried out in accordance with Article 5A, Sections 270 and 271 of County Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby affirm and adopt the 2017 Assessment Rolls 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 send a certified copy of this resolution to the County Executive, Erie County Comptroller, Kristen Walder, Assistant County Attorney, and Joseph L. Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.  
(6-0)

2. COMM. 23E-8 (2017)

**COUNTY EXECUTIVE AS AMENDED**

WHEREAS, the Board of Managers for Erie County Sewer Districts Nos. 1, 2, 3, 4, 5, 6 and 8 have a system of Sewer District User Charges or Fees; and

WHEREAS, the Boards have requested and are desirous of collecting said User Charges or Fees in 2018 for properties in the same manner and fashion as the regular sewer district taxes as has been done in the past year.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to spread said 2018 Sewer District User Charges or Fees against properties within Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 & 8 liable therefore as provided by law; and be it further

RESOLVED, that the following amounts be collected:

Sewer District #1	\$ 4,791,740.39
Sewer District #2	\$ 3,586,039.52
Sewer District #3	\$ 9,349,809.24
Sewer District #4	\$ 4,972,866.42
Sewer District #5	\$ 1,038,498.00
Sewer District #6	\$ 1,898,363.72
Sewer District #8	\$ <u>835,289.00</u>
	\$26,472,606.29

and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Real Property Tax Services, the Director of Budget and Management, and Joseph L. Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.  
(6-0)

3. COMM. 23E-9 (2017)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is committed to supporting area businesses that are pursuing sustainability goals; and

WHEREAS, the United States Environmental Protection Agency (USEPA) provides grant assistance to support business sustainability; and

WHEREAS, the USEPA awarded Erie County a grant (SAP Grant Account 162WNYSBR1618) to provide support to the Western New York Sustainable Business Roundtable (WNYSBR); and

WHEREAS, the County executed a contract with USEPA with the term January 1, 2017 to September 30, 2018; and

WHEREAS, the USEPA grant to the County included a sub-award for the Rochester Institute of Technology's New York Pollution Prevention Institute (NYSP2I); and

WHEREAS, the County entered into a contract with NYSP2I with a term of January 1, 2017 to December 31, 2017; and

WHEREAS, the NYSP2I project tasks have not yet been completed and most funding has not yet been expended, necessitating the execution of a contract amendment between the County and NYSP2I.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or Deputy County Executive is hereby authorized to execute the necessary agreements to extend the NYSP2I Support for the WNYSBR Sub-award Contract – grant 162WNYSBR1618 for nine months (January 1, 2018 to September 30, 2018); 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 L. Lawrence, Deputy Commissioner of Environment and Planning; and P. Josh Wilson, Coordinator – Pollution Prevention Program.  
(6-0)

4. COMM. 23E-10 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP is committed to coordinate, oversee, and support work towards the delisting of the Buffalo River as a Great Lakes Area of Concern; and

WHEREAS, the United States Environmental Protection Agency (USEPA) Great Lakes Restoration Initiative (GLRI) provides grant assistance to municipalities to implement projects to improve the quality of the Great Lakes; and

WHEREAS, DEP provides technical assistance regarding the management of the Erie County Natural Habitat Parks; and

WHEREAS, the project has not yet been completed and the funding has not yet been expended, necessitating the execution of a no-cost contract amendment with the USEPA-GLRI; and

WHEREAS, the USEPA-GLRI awarded Erie County a \$1,948,464 grant – 162BRRPM0916 to complete the USEPA-GLRI Buffalo River RAP Management: Bailey/Smith Habitat Restoration Delisting project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the necessary agreements to extend the USEPA-GLRI Buffalo River RAP Management: Bailey/Smith Habitat Restoration Delisting grant 162BRRPM0916 for two years (October 1, 2017-December 31, 2019); 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; and Bonnie L. Lawrence, Deputy Commissioner of Environment and Planning.  
(6-0)

5. COMM. 23E-11 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP is committed to coordinate, oversee, and support work towards the delisting of the Buffalo River as a Great Lakes Area of Concern; and

WHEREAS, the United States Environmental Protection Agency (USEPA) Great Lakes Restoration Initiative (GLRI) provides grant assistance to municipalities to implement projects to improve the quality of the Great Lakes; and

WHEREAS, DEP provides technical assistance regarding the management of the Erie County Natural Habitat Parks; and

WHEREAS, the project has not yet been completed and the funding has not yet been expended, necessitating the execution of a no-cost contract amendment with the USEPA-GLRI; and

WHEREAS, the USEPA-GLRI awarded Erie County an \$831,000.00 grant – 162BRRPMPH21516 to complete the USEPA-GLRI Buffalo River Habitat Restoration –Erie County: NFTA-61 Smith Street project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the necessary agreements to extend the USEPA-GLRI Buffalo River Habitat Restoration –Erie County: NFTA-61 Smith Street grant contract 162BRRPMPH21516 for one year beginning January 1, 2018 through December 31, 2018; 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; and Bonnie L. Lawrence, Deputy Commissioner of Environment and Planning.  
(6-0)

6. COMM. 23E-31 (2017)  
**COUNTY EXECUTIVE AS AMENDED**

WHEREAS, the County Executive has made appointments to the Erie County Sewer District Boards of Managers pursuant to the power vested to him by Article 5-A of the County Law and Section 2204 of the County Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the following appointments to the Erie County Sewer District Boards of Managers are hereby confirmed:

<u>Erie County Sewer District No. 1</u>	<u>Term Expires</u>
Hon. Diane Benczkowski (Reappointment) Supervisor, Town of Cheektowaga 3301 Broadway Cheektowaga, NY 14227	12/31/19
Mr. Patrick Bowen, P.E. (Reappointment) Town Engineer Town of Cheektowaga  275 Alexander Avenue	12/31/19

Cheektowaga, NY 14211

Hon. Sheila M. Meegan (Reappointment)  
Supervisor, Town of West Seneca 12/31/19

1250 Union Road  
West Seneca, NY 14224

Mr. William P Hanley, Jr. (Appointment)  
Councilman, Town of West Seneca 12/31/19  
1250 Union Road  
West Seneca, NY 14224

Mr. Mutasem Salah, P.E. (Reappointment)  
Sr. Coordinator Construction Projects 12/31/19

Department of Environment & Planning  
95 Franklin Street, Room 1034  
Buffalo, NY 14202

Erie County Sewer District No. 2 Term Expires

Ms. Anna M. Knack (Reappointment)  
2505 W. Church Street 12/31/19  
Eden, NY 14057

Mr. Gifford M. Swyers (Reappointment) 12/31/19  
50 Terrylynn Drive  
Angola, New York 14006

Hon. Howard Frawley (Reappointment) 12/31/19  
Mayor, Village of Angola  
41 Commercial Street  
Angola, NY 14006

Hon. Vincent George (Reappointment) 12/31/19  
Mayor, Village of North Collins  
10543 Main Street  
P.O. Box 459  
North Collins, New York 14111

Ms. Angela M. Horton, P.E. (Secretary) Department of Environment and Planning Coord. Sewer Construction Projects 95 Franklin Street – Room 1034 Buffalo, NY 14202	12/31/19	59 North Lincoln Orchard Park, NY 14127	12/31/19
<u>Erie County Sewer District No. 3</u>	<u>Term Expires</u>	Mr. David Millar, P.E. (Reappointment) Assistant Deputy Commissioner Dept. of Environment & Planning 95 Franklin Street, Room 1034 Buffalo, NY 14202	12/31/19
Hon. John Mills (Reappointment) Erie County Legislator 80 Highland Avenue Orchard Park, NY 14127	12/31/19	<u>Erie County Sewer District No. 4</u>	<u>Term Expires</u>
Mr. Karl J. Simmeth, Jr. (Reappointment) 6678 Meadowbrook Drive Boston, New York 14025	12/31/19	Mr. William Cansdale (Reappointment) Department of Public Works – Lancaster 5200 Broadway Lancaster, New York 14086	12/31/19
Hon. Michael Kasprzyk (Reappointment) Supervisor, Town of Holland 47 Pearl Street Holland, NY 14080	12/31/19	Hon. Jesse C. Nikoniwicz, Sr. (Reappointment) Mayor – Village of Depew 138 Grant Street Depew, New York 14043	12/31/19
Hon. Melissa Hartman (Reappointment) Supervisor, Town of Eden 2795 East Church Street Eden, NY 14057	12/31/19	Ms. Kristin McCracken (Reappointment) 41 Bloomfield Avenue Depew, NY 14043	12/31/19
Mr. David R. Kaczor (Reappointment) 23 Silent Meadow Orchard Park, NY 14127	12/31/19	Mr. Edward Shiller, P.E. (Appointment) Engineering Department Wm. Schutt & Associates, P.C. 37 Central Avenue Lancaster, New York 14086	12/31/19
Mr. Donald Witkowski (Reappointment) Village Administrator Village of Hamburg 100 Main Street Hamburg, NY 14075	12/31/19	Ms. Nadine Wetzel, P.E., (Reappointment) Department of Environment & Planning Sanitary Engineer 95 Franklin Street – Rm. 1034 Buffalo, NY 14202	12/31/19
Mr. David A. Rood (Reappointment)		<u>Erie County Sewer District No. 5</u>	<u>Term Expires</u>

Mr. James Callahan (Reappointment)  
Town of Clarence  
Director of Community Development 12/31/19  
One Town Place  
Clarence, NY 14031

Mr. Timothy Lavocat, P.E. (Reappointment)  
Town Engineer 12/31/19  
Town of Clarence  
6221 Goodrich Road  
Clarence Center, NY 14032

Mr. Brian Armstrong (Reappointment)  
Town of Amherst Engineering 12/31/19  
  
1100 N. Forest Road  
Williamsville, NY 14221

Mr. Jeffrey Burroughs, P.E. (Reappointment)  
Town of Amherst Engineering 12/31/19  
  
1100 N. Forest Road  
Williamsville, NY 14221

Mr. Kevin Zynda, P.E. (Reappointment)  
Sanitary Engineer 12/31/19  
Department of Environment & Planning  
95 Franklin Street, Room 1034  
Buffalo, NY 14202

Erie County Sewer District No. 6 Term Expires

Mr. James E. Balcarczyk (Reappointment)  
59 Michelle Drive 12/31/19  
Lackawanna, NY 14218

Mr. Anthony DeSantis (Reappointment) 12/31/19  
Commissioner of Public Works - Lackawanna

714 Ridge Road  
Lackawanna, NY 14218

Mr. Garry S. Pecak, P.E. (Reassignment)  
Sr. Sanitary Engineer 12/31/19  
Department of Environment & Planning  
95 Franklin Street – Room 1034  
Buffalo, NY 14202

Erie County Sewer District No. 8 Term Expires

Hon. Susan Friess (Reappointment)  
Councilwoman, Town of Aurora 12/31/19  
7 Ravine Court  
East Aurora, New York 14052

Mr. Matthew Hoeh (Reappointment)  
Superintendent of Public Works  
Village of East Aurora 12/31/19  
571 Main Street  
East Aurora, New York 14052

Mr. Bryan Smith (Reappointment)  
Town of Aurora  
Town Engineer 12/31/19  
21 Westgate  
East Aurora, NY 14052

Mr. Bryan Gazda (Appointment)  
Village of East Aurora Administrator 12/31/19  
571 Main Street  
East Aurora, New York 14052

Ms. Mary L. Plesh, P.E. (Appointment)  
Sanitary Engineer  
Department of Environment & Planning 12/31/19  
95 Franklin Street – Room 1034  
Buffalo, NY 14202

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the appointees, and Joseph Fiegl, Deputy Commissioner of the Department of Environment and Planning.  
(6-0)

**TED B. MORTON**  
**CHAIR**