

February 11, 2016

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MORTON.

- 1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 3E-10 (2016)  
**COUNTY EXECUTIVE:** "EC Sewer District No. 3 - Engineer Term Contract Agreement - Work Order: CRA-8"  
(4-0)
- 2. COMM. 3E-8 (2016)  
**COUNTY EXECUTIVE**  
WHEREAS, the County of Erie awarded a professional services contract #14-785-EP to CHA Consultants, Inc. (also known as CHA) for the amount of \$108,000.00 for design and engineering services at Bailey Peninsula Natural Habitat Park for the Buffalo River Area of Concern (AOC) Remedial Action Plan (RAP) Habitat Restoration through a US EPA Assistance Agreement #GL00E011050-0; and

WHEREAS, out-of-scope design and engineering services were required from CHA at a cost of \$5,434.00 as a result of an inter-municipal parkland transfer between City of Buffalo and County of Erie to accommodate the NYS Department of Transportation Bailey Bridge Relocation Project through Erie County's Bailey Peninsula Natural Habitat Park; and

WHEREAS, the Department of Environment & Planning (DEP) has funds available under the existing US EPA Assistance Agreement #GL00E011050-0 under Professional Services to offset the out-of-scope engineering and design work as a result of shared cost savings with the City of Buffalo and NYS Department of Transportation construction bidding and construction implementation activities.

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Environment & Planning be authorized to submit and pay CHA invoices in the amount of \$5,434.00 for additional design and engineering services related to the Bailey Bridge Reconstruction Project and City of Buffalo/Erie County inter-municipal land transfer from the Department of Environment and Planning's Professional Services account; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an agreement amendment with CHA Consultants, Inc., 2200 Main Place Tower, Buffalo, New York 14202 for professional services associated with the additional design and engineering of the Bailey Peninsula Natural Habitat Park AOC habitat restoration in the amount of \$5,434.00; and be it further

RESOLVED, that the Clerk of the Legislature send certified copies of this resolution to Thomas R. Hersey, Jr., Division of Environmental Compliance; the County Executive; the Erie County Comptroller; the Commissioner of the Department of Environment & Planning; the Erie County Director of the Division of Budget and Management; and Kristen M. Walder, Assistant County Attorney.  
(4-0)

- 3. COMM. 3E-9 (2016)  
**COUNTY EXECUTIVE**  
WHEREAS, Erie County's two solid waste management boards have signed separate Memorandums of Understanding (MOU) with the DEP to provide the necessary administrative, logistical and technical assistance and services to comply with the approved Solid Waste Management Plan (SWMP); and

WHEREAS, execution of the MOU's provides \$20,250 in local source funding from each of the two Solid Waste Management Boards, for a total of \$40,500 and was accepted by Erie County in Comm. 21E-17 passed on November 25, 2014; and

WHEREAS, in 2013 Erie County received a three-year grant from the New York State Department of Environmental Conservation (NYSDEC) Municipal Waste Reduction and Recycling Coordination (MWRR) Grant of \$290,820 and has received a one-year extension of this grant.

NOW, THEREFORE, BE IT

RESOLVED, the total additional funding of \$40,500 from Erie County's Solid Waste Boards be split evenly between the NYSDEC MWRR program grant, which has been granted a one-year extension, and the 2016 DEP general fund budget; and be it further

RESOLVED, that the grant budget and project period for the NYSDEC MWRR program in Fund 281, Business Area 162, SAP will be amended as follows:

Department of Environment and Planning  
162WRRCG1215  
Grant extension end date – December 31, 2016

Account	Description	Current Budget	Revision	Revised Budget
<u>REVENUE</u>				
409000	State Aid Revenue	(\$290,820)	\$0	(\$290,820)
420499	Other Local Source Revenue	(\$40,500)	(\$20,250)	(\$60,750)

TOTAL REVENUE	(\$331,320)	(\$20,250)	(\$351,570)
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APPROPRIATIONS

500000	Full Time Salaries	\$177,870	\$0	\$177,870
502000	Fringe Benefits	\$112,950	\$0	\$112,950
505000	Office Supplies	\$1,525	\$0	\$1,525
510000	Local Mileage Reimbursement	\$550	\$0	\$550
510100	Out of Area Travel	\$4,615	\$0	\$4,615
510200	Training and Education	\$1,850	\$0	\$1,850
516020	Professional Services	\$31,660	\$20,250	\$51,910
561420	Office Furniture & Fixtures	\$300	\$0	\$300
TOTAL APPROPRIATIONS		\$331,320	\$20,250	\$351,570

and be it further

RESOLVED, that the 2016 DEP revenues and appropriations in the general fund 110, funds center 16200 be increased by the remaining \$20,250 in funding from Erie County's Solid Waste Boards as follows:

Account	Description	Increase
<u>REVENUE</u>		
420499	Other Local Source Revenue	(\$20,250)
<u>APPROPRIATIONS</u>		
516020	Professional Services	\$20,250

and be it further

RESOLVED, that 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; the Commissioner of the Department of Environment and Planning; and the Deputy Commissioner of the Division of Environmental Compliance.

(4-0)

**JOSEPH C. LORIGO**  
**VICE-CHAIR**

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