

November 20, 2012

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 15M-18 (2012)
THE KNOER GROUP, PLLC: "Letter to Legislature Concerning Sheridan Park, Inc."
(5-0)
 - b. COMM. 19D-1 (2012)
COMMISSIONER OF ENVIRONMENT & PLANNING: "EC Environmental Management Council - 2012 State of the County Environment Report"
(5-0)

2. COMM. 18E-11 (2012)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides technical assistance to municipalities to facilitate compliance with State Environmental regulations; and

WHEREAS, the ECDEP has previously been contracted by the County's two solid waste management boards to assist with compliance with the New York State Department of Environmental Conservation approved Solid Waste Management Plans (SWMP); and

WHEREAS, Erie County's two solid waste management boards have signed separate Memorandums of Understanding (MOU) for the ECDEP to provide the necessary administrative, logistical and technical assistance and services to comply with the approved SWMP; and

WHEREAS, a current JG-7 position in the ECDEP will continue to provide the assistance to the solid waste management boards upon execution of the MOU's.

NOW THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into separate two year MOU agreements with the Northeast Southtowns Solid Waste Management Board (NEST) and the Northwest Solid Waste Management Board (NWSWMB) to provide services in 2013 and 2014 and accept the combined funds; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.
(5-0)

3. COMM. 18E-12 (2012)
COUNTY EXECUTIVE
WHEREAS, household hazardous waste is being generated by residents in Erie County; and

WHEREAS, improper disposal of household hazardous waste has the potential to contaminate the air, land, and waters of Erie County; and

WHEREAS, continued storage of hazardous household products in the home constitutes a danger to the occupants and the community; and

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste (HHW) Collection Program since 1988, servicing over 50,000 residents within Erie County; and

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Erie County HHW Program is dependent upon State Aid assistance for partial funding; and

WHEREAS, Erie County deems it to be in the public interest and benefit to file an application for State Aid; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York and Erie County be executed for such State Aid.

NOW, THEREFORE, BE IT

RESOLVED, that the filing of an application for State assistance for the Household Hazardous Waste Program in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the County Executive is directed and authorized enter into agreement and sign the resulting contract for partial reimbursement for expenses incurred conducting the County HHW Program if said application is approved by the State; and be it further

RESOLVED, that Erie County agrees that it will fund the cost of said HHW Program and will be reimbursed by the State for the State share of such costs; and be it further

RESOLVED, that five (5) certified copies of this resolution be prepared and sent to the NYSDEC together with a complete application; 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 Office of the Comptroller; Maria Whyte, Commissioner of Environment and Planning; Thomas Hersey, Deputy Commissioner of Environment and Planning; Paul Kranz, P.E., Associate Engineer, the County Comptroller and the County Attorney.
(5-0)

4. COMM. 19E-2 (2012)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry currently permits mountain biking on designated trails at Sprague Brook Park and Hunters Creek Park (AKA Sgt. Mark A. Rademacher Memorial Park); and

WHEREAS, the Department of Parks, Recreation & Forestry is finding it increasingly difficult to maintain biking trails due to the lack of staffing; and

WHEREAS, the Western New York Mountain Bicycling Association (WNYMBA) is willing to enter into agreements with the County to take over the maintenance aspect of these designated trails, including, but not limited to, repairs, signage, mapping and trail volunteer days.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into agreements with the WNYMBA for the purpose of permitting the maintenance of these designated trails located within the Erie County Park System; and be it further

RESOLVED, that certified copied of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation & Forestry and Assistant County Attorney, Kristen Walder, of the Law Department.
(5-0)

TERRENCE D. McCRACKEN
CHAIR