



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

OPEN

January 20, 2012

The Honorable
Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, NY 14202

ECLEG JAN24'12 AM 9:05

Re: Western New York Stormwater Coalition: MS4 Assistance Project Grant Budget Revisions – “Immediate Consideration Requested”

Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning (DEP) to authorize a budget revision for the *Western New York Stormwater Coalition: MS4 Assistance Project (162WNYSCEID0810)*. These budget revisions are necessary to match the revised project grant budget approved by the granting agency to complete the remaining work outlined in our original agreement. The revision also includes an additional \$42,000 in revenue provided by the Western New York Stormwater Coalition for the purpose of a cash match on the grant funds.

I respectfully request immediate consideration of this matter to allow timely execution of deliverables associated with this grant-funded project. At this point, the project is on a very tight time schedule as the funding period closes on March 31, 2012.

Should your honorable body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

MARK C. POLONCARZ
Erie County Executive

ZE-20

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Western New York Stormwater Coalition: MS4 Assistance Project Grant Budget Revisions
Date: January 12, 2012

SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Department of Environment and Planning (DEP) to authorize a budget revision for the *Western New York Stormwater Coalition: MS4 Assistance Project*. The budget revision is in accordance with the current project work plan and contractual requirements set forth by the granting agency, the New York State Department of Environmental Conservation. The \$42,000 in additional revenue comes from the Western New York Stormwater Coalition annual dues to provide a cash match on the State grant funds.

FISCAL IMPLICATIONS

There will be no impact on County resources. The \$42,000 in additional revenue comes from the Western New York Stormwater Coalition.

REASONS FOR RECOMMENDATION

Approval of this resolution will allow Erie County to complete current project obligations according to the current work plan and contractual requirements set forth by the granting agency, the New York State Department of Environmental Conservation.

BACKGROUND INFORMATION

In 2002, the Erie County Department of Environment and Planning (DEP) initiated a regional strategy to assist local municipal governments in Erie and Niagara County in understanding and complying with the U.S. Environmental Protection Agency's Phase II Stormwater regulations. This strategy included formation of the WNYSC, a group consisting of representatives from Erie County, Niagara County, several local and state government agencies, 43 regulated entities and environmental consultants. For the past nine years, the members of the WNYSC have met on a monthly basis to collaborate on a comprehensive Stormwater Management Program that complies with State and Federal regulations. The Phase II Stormwater requirements include training and education for municipal staff and widespread public education and outreach. The *Western New York Stormwater Coalition: MS4 Assistance Project* is structured to assist the WNYSC membership with these aspects of their programs.

CONSEQUENCES OF NEGATIVE ACTION

Without the requested authorization, Erie County will be unable to fulfill its contractual obligations with the New York State Department of Environmental Conservation.

STEPS FOLLOWING APPROVAL

The grant budget will be revised as indicated.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Western New York Stormwater Coalition: MS4 Assistance Project Grant Budget Revisions

WHEREAS, the Erie County Department of Environment and Planning (DEP) coordinates the activities of the Western New York Stormwater Coalition (WNYSC); and

WHEREAS, the DEP has assumed the role of lead agency and has pursued grant funding to support the work of the WNYSC since its inception; and

WHEREAS, the New York State Department of Environmental Conservation granted DEP \$479,200 to assist 43 municipal entities in Erie and Niagara Counties in their efforts to comply with the state's Phase II Stormwater requirements; and

WHEREAS, the Erie County Legislature authorized the County Executive to enter into an agreement with the New York State Department of Environmental Conservation and establish the existing grant budget (Comm. 20E-10, Dated November 15, 2007); and

WHEREAS, it is necessary to revise the existing budget in accordance with the current project work plan and contractual requirements set forth by the granting agency.

NOW, THEREFORE, BE IT

RESOLVED, that the grant budget for the Western New York Stormwater Coalition: MS4 Assistance Project is hereby revised in the Department of Environment and Planning, Business Area 162, as follows:

Western New York Stormwater Coalition: MS4 Assistance Project
(Grant Period: 01/01/11-03/31/12), SAP Grant Account #162WNYSCPEID0810

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
409000	State Aid Revenue – New York State Department of Environmental Conservation	\$479,200	\$0	\$479,200
420499	Other Local Source Revenue – Western New York Stormwater Coalition	\$0	\$42,000	\$42,000
TOTAL REVENUE				\$521,200

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
500000	Personnel Services	\$145,000	\$54,817	\$199,817
502000	Fringe Benefits	64,800	35,800	100,600
505000	Office Supplies	0	2,000	2,000
505800	Medical/Health	114,925	(29,925)	85,000
510000	Local Travel & Mileage	500	-	500
510200	Training/Education	75	-	75
530000	Other Expenses	12,000	23,855	35,855
561410	Lab and Technical	12,500	(1885)	10,615
516020	Professional Service Contract	<u>129,400</u>	<u>(42,662)</u>	<u>86,738</u>
		\$479,200	\$42,000	\$521,200
TOTAL APPROPRIATIONS				\$521,200

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 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.