

May 15, 2014

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 7

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

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 4M-3 (2014)
ROBERT JASON ENGEL: “Resignation Letter from EC Agriculture and Farmland Protection Board”
(6-0)

b. COMM. 10M-5 (2014)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Release of Trustee Groundwater Injury Determination Report”
(6-0)

c. COMM. 10M-6 (2014)
NYS DEPARTMENT OF AGRICULTURE AND MARKETS: “EC Agricultural District No. 5 Redistricting Plan”
(6-0)

d. COMM. 10M-7 (2014)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Remedy to Address Contamination for Former Doro Dry Cleaners”
(6-0)

e. COMM. 10M-8 (2014)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: “Record of Decision for Former Doro Dry Cleaners Site”
(6-0)
2. INTRO. 10-4 (2014)
MILLS
WHEREAS, the Chapter 523 of the Laws of 2003 did amend NYS Agricultural and Markets Law, which now requires the County Legislature to designate an annual thirty-day period within which a landowner may submit a request for inclusion on land which is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, on September 23, 2004, the Erie County Legislature designated November 1 through November 30 as the open enrollment period for Erie County; and

WHEREAS, the Erie County Department of Environment and Planning has concluded that the presence of several federal holidays surrounding the open enrollment period impedes adherence to review timeframes established in Section 303-b of NYS Agricultural District Law; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board unanimously approved this action at their meeting on May 1, 2014 and recommended to the Erie County Legislature that the annual open enrollment period be changed to September 1 through September 30; and

WHEREAS, the Erie County Department of Environment & Planning has consulted the New York State Department of Agriculture and Markets to confirm that changing the enrollment period is permissible and will facilitate a more manageable review process.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby designate the time period from September 1 to September 30 as the annual thirty-day time period within which a land owner may submit a request for inclusion on land which is predominantly viable agricultural land within a certified agricultural district; and be it further

RESOLVED, that this thirty-day period, as now designated, shall remain in effect for future years until it is changed by the County Legislature; and be it further

RESOLVED, that Department of Environment and Planning is authorized and directed to prepare the necessary forms to accommodate requests for inclusion into an agricultural district; 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; the Director of Erie County Real Property Tax Services, and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and be it further

RESOLVED, that the Clerk of the County Legislature is authorized to make notifications to the agricultural organizations, local governments, and the media of this thirty day period.
(6-0)

3. COMM. 10E-19 (2014)
COUNTY EXECUTIVE

WHEREAS, the County recognizes the need to properly train its employees to protect their health and well being, and to comply with applicable state and federal regulations; and

WHEREAS, Erie County's Division of Sewerage Management has applied for funds from the Western New York Council on Occupational Safety & Health through a New York State Department of Labor Hazard Abatement Board training grant.

NOW, THEREFORE, BE IT

RESOLVED, that an agreement between the County of Erie and the Western New York Council on Occupational Safety & Health to provide health and safety training to the Division of Sewerage Management and Sewer District employees is hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and as to content by the Commissioner of Environment and Planning; and be it further

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

TED B. MORTON
CHAIR