

February 9, 2023

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 3E-11 (2023)  
**COUNTY EXECUTIVE:** “ECSD No. 8 – East Aurora WRRF Control Building Improvements Project”  
(Chair’s Ruling)
  - b. COMM. 3E-20 (2023)  
**COUNTY EXECUTIVE:** “ECSD No. 3 – Engineering Term Contract Agreement”  
(Chair’s Ruling)
2. COMM. 3E-12 (2023)  
**COUNTY EXECUTIVE**

WHEREAS, Erie County has a Household Hazardous Waste (HHW) Collection Program to provide residents with a safe, effective, and cost-free opportunity to dispose of household generated hazardous waste; and

WHEREAS, New York State Department of State (DOS) provides competitive funding for Local Government Efficiency Grants for local government to better consolidate and share services; and

WHEREAS, Erie County received a DOS award for \$1,000,000 in funding to support an implementation project to improve the HHW Collection Program and establish a permanent HHW site(s) for the County; and

WHEREAS, through this Household Hazardous Waste Implementation Project the County has established a hybrid system of events and a voucher program that better serve our residents and municipalities; and

WHEREAS, additional opportunities have been identified to create efficiencies regarding waste in Erie County; and

WHEREAS, in order to complete the project an extension of the grant is necessary, as well as a change in positions associated with the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or Deputy County Executive is authorized to execute a contract to extend the grant project period to March 31, 2025; and be it further

RESOLVED, that the following position be eliminated, which is funded under the Household Hazardous Waste Implementation Project grant #162HHWIP1823, business area 162, fund 281:

Junior Environmental Compliance Specialist (JG-07)  
B-100 (11643)  
Budgeted Annual Salary: \$39,555

and be it further

RESOLVED, that the following position be created, which is funded by the Household Hazardous Waste Implementation Project grant #162HHWIP1823, business area 162, fund 281:

Senior Environmental Compliance Specialist (JG-12)  
B-100 (13569)  
Budgeted Annual Salary: \$64,138.55

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 the grantor 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; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.  
(5-0)

3. COMM. 3E-14 (2023)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning (DEP) has a New York State Energy Research and Development Authority (NYSERDA) funded project named the Erie County Low Income Program for Sustainable Energy (ECLIPSE) that is developing a program to reduce energy burden and increase access to renewable energy in the community; and

WHEREAS, currently the ECLIPSE grant funds an Administrative Assistant (JG 9) position in the Department of Social Services (DSS); and

WHEREAS, DEP and DSS have determined that operational efficiencies and cost savings will be achieved by eliminating the Administrative Assistant position in DSS, and creating a new position, Junior Administrative Assistant (JG 7), in DEP; and

WHEREAS, grant budget must be revised to cover these staff position changes; and

WHEREAS, the NYSERDA ECLIPSE grant contract allows for the changes; and

WHEREAS, whereas Erie County Legislature authorization is required to eliminate and add the positions and revise the grant budget.

NOW, THEREFORE, BE IT

RESOLVED, that the following position, which is funded by grant SAP #162ECLIPSE1922 in Fund 281, will be eliminated in the Department of Social Services:

Administrative Assistant (JG-9)  
B-100 No. 9711  
Budgeted Annual Salary: \$66,217

and be it further

RESOLVED, that the following position will be created in the Department of Environment and Planning and funded by grant SAP# 162ECLIPSE1922 in Fund 281:

Junior Administrative Assistant (JG-7)  
B-100 No. 13585  
Budgeted Annual Salary: \$58,531

and be it further

RESOLVED, that the grant budget for the Erie County Low Income Program for Sustainable Energy project is hereby revised in the DEP, Business Area 162, as follows:

Erie County Low Income Program for Sustainable Energy project  
(Grant Period: 11/12/19 – 3/31/2025), SAP Grant Account #162ECLIPSE1922

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
409000	State Aid Revenue	<u>(\$1,500,000)</u>
TOTAL REVENUE		<u>(\$1,500,000)</u>

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
500000	Full time Salaries	\$257,284	\$158,458	\$415,742
502000	Fringe Benefits	\$131,362	\$72,726	\$204,088
516020	Professional Service	\$617,076	\$0	\$617,076
561410	Lab & Technical Equipment	\$9,750	\$0	\$9,750
561420	Office Furniture and Fixtures	\$500	\$0	\$500
510100	Out of Area Travel	\$15,000	\$0	\$15,000
510000	Local Mileage Reimbursement	\$5,000	\$0	\$5,000
505000	Office Supplies	\$7,500	\$0	\$7,500
505400	Food and Kitchen Supplies	\$7,500	\$0	\$7,500
530000	Other Expenses	\$10,000	\$0	\$10,000
916400	ID Social Services	\$439,028	(\$231,184)	<u>\$207,844</u>
TOTAL APPROPRIATIONS				\$1,500,000

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 shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Daniel R. Castle, Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(5-0)

4. COMM. 3E-19 (2023)  
**COUNTY EXECUTIVE**

WHEREAS, the County of Erie must maintain countywide facilities that fall under New York State Department of Environmental Conservation (NYSDEC) and Environmental Protection Agency (EPA) regulations; and

WHEREAS, to maintain compliance and avoid fines and penalties, the Department of Public Works must hire a qualified consultant to assist in design and construction remedies; and

WHEREAS, the County previously entered into an agreement through the Department of Public Works standard consultant selection process with Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for professional services for the 2020 Environmental Compliance Term Amendment per COMM. 10E-15 (2020); and

WHEREAS, the existing funds associated with the contract to maintain NYSDEC compliance have been expended and the original base term agreement is active September 18, 2020 through September 17, 2023 with the option of two (2) one (1)-year renewals, potentially through September 17, 2025 per the terms of the contract at the discretion of the Department of Public Works; and

WHEREAS, Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. has continually shown the necessary expertise and manpower to provide professional design and construction services for the Project to maintain NYSDEC compliance avoiding potential violations and fines from the NYSDEC; and

WHEREAS, the County Executive requests authorization to enter into an Agreement Amendment to increase their existing contract by \$250,000 including a \$50,000 design contingency for a total of \$475,000 with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for providing Professional Architectural/Engineering Services for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. under DPW Contract No. 20-693-PW to increase their Professional Architectural/Engineering Services fee for the Project by an amount not to exceed \$250,000, including a \$50,000 design contingency for a total of \$475,000 specific to the contract for NYSDEC Environmental Compliance; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments for all the above from Fund 410, Funds Center 122 as follows:

A.23051 - DPW (Buildings and Grounds) – Environmental Protection Agency (EPA) Regulatory Compliance	\$ 250,000
Total Payment not to Exceed:	\$ 250,000

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.  
(5-0)

**TIMOTHY J. MEYERS**  
**CHAIR**