

MARCH 22, 2007

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT. CHAIRMAN MARINELLI PRESENT AS EX -OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-19 (2007)
MILLS: Correspondence from the Army Corp of Engineers and the NYS DOT
(5-0)
 - b. COMM. 5M-5 (2007)
BUFFALO COMMON COUNCIL: Copy of Certified Resolutions: "Completing the Formation of a Parks Advisory Board" and "Opposition to Olmsted Conservancy Imposing Fees Upon Youth Sports Organization"
(5-0)
 - c. COMM. 5M-6 (2007)
TOWN OF COLDEN: Support for an Ice Skating/Roller Skating Rink Located in Erie County's Sprague Brook Park
(5-0)
 - d. COMM. 6E-17 (2007)
COUNTY EXECUTIVE: ECSD No. 2 - Engineering Agreement Dated 8/29/02 - URS Corp. - Change Order No. 6
(5-0)
 - e. COMM. 6E-18 (2007)
COUNTY EXECUTIVE: Sewerage Management - Engineering Service Agreement - URS-7, Leg. Comm. 21E-33
(5-0)
 - f. COMM. 6E-19 (2007)
COUNTY EXECUTIVE: Sewerage Management - Engineering Service Agreement - URS-8, Leg. Comm. 21E-33
(5-0)
 - g. COMM. 6E-20 (2007)
COUNTY EXECUTIVE: ECSD No. 3 - Professional Services Agreement w/ CRA Infrastructure and Engineering, Inc.

(5-0)

2. COMM. 4E-16 (2007)
COUNTY EXECUTIVE
WHEREAS, in accordance with recommendations from residents of the County of Erie, the Commissioner of Parks, Recreation and Forestry would like to initiate a new Twilight Greens Fee at Elma Meadows and Grover Cleveland Golf Courses, and

WHEREAS, the study shows that most pay as you play golf courses offer a twilight greens fee to increase revenue and better serve the patrons of their establishment, and

WHEREAS, increases in the minimum wage, the restoration of staffing levels and rising expenses related to maintaining the golf courses has forced the department to seek out ways to cover these rising expenses with a minimal impact to taxpayers, and

WHEREAS, implementing an \$11.00 Twilight Greens Fee at Elma Meadows and Grover Cleveland starting at 5:30 p.m. could enhance revenue with no added cost to the payroll.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, by a two-thirds affirmative vote, hereby establishes and imposes, effective opening day of the 2007 golf season, a Twilight Greens Fee for Elma Meadows and Grover Cleveland Golf Courses in the amount of \$11.00 for all play after 5:30 p.m., and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Parks, Recreation & Forestry, the Erie County Executive, the Office of the Comptroller, and the Division of Budget, Management and Finance.
(5-0)

3. COMM. 6E-13 (2007)
COUNTY EXECUTIVE
WHEREAS, the County of Erie/Erie County Sewer District No. 6 has initiated plans to undertake the rehabilitation of the existing sanitary sewer in Holland, Wilson and Wilmuth Avenues in the City of Lackawanna; and

WHEREAS, the Erie County Water Authority intends to replace the existing water main located in Holland Avenue; and

WHEREAS, the Erie County/Erie County Sewer District No. 6 and the Erie County Water Authority desire to enter into a Cooperative Agreement to coordinate and facilitate the sanitary sewer rehabilitation project and the water main replacement project in order to achieve cost containment and efficiency and to minimize inconvenience to the public; and

WHEREAS, the Erie County/Erie County Sewer District No. 6 and the Erie County Water Authority desire to enter into a Cooperative Agreement to utilize an Inspector and Engineer for General Services During Construction in order to minimize costs and provide efficiency.

NOW, THEREFORE, BE IT

RESOLVED, that a Cooperative Agreement between the County, on behalf of Erie County Sewer District No. 6 and the Erie County Water Authority to combine the water main replacement in Holland Avenue with the Erie County Sewer District No. 6. Holland Avenue sanitary sewer rehabilitation project is hereby approved; and be it further

RESOLVED, that the Cooperative Agreement between the County, on behalf of Erie County Sewer District No. 6 and the Erie County Water Authority to utilize the Erie County Water Authority's Consultant Engineer (TVGA) for General Services and Inspection at a cost not to exceed \$50,000, for the sanitary sewer rehabilitation and the water main replacement is hereby approved; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate, not to exceed \$50,000 for engineering services from Sewer Capital, Erie County Sewer District No. 6 Account C.00064, and be it further

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

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this Resolution to Thomas J. Whetham, P.E., Department of Environment and Planning and one certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Gregory Dudek, Assistant County Attorney.
(5-0)

4. COMM. 6E-14 (2007)
COUNTY EXECUTIVE

WHEREAS, Erie County has undertaken a Commercial Center Improvement Program through the federally funded Community Development Block Grant; and

WHEREAS, the objective of the Program is to financially assist owners of commercial properties operating retail/business establishments within city, village, and hamlet retail centers located in Erie County Community Development Consortium communities; and

WHEREAS, in order to successfully carry out the Program professional architectural services are required to complete certain technical components of the Commercial Center Improvement Program.

NOW, THEREFORE, BE IT

RESOLVED, that the source of funds is money available within the Erie County Department of Environment and Planning Budget, Project J.00506.2.28, Façade Program – Commercial; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute a contract with Clinton Brown Company Architecture, P.C. for commercial façade architectural services in an amount not to exceed \$45,000; and be it further

RESOLVED, that the Clerk of the Erie County Legislature be directed to forward certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget, Management, and Finance; the County Attorney; and the Erie County Comptroller.
(5-0)

5. COMM. 6E-15 (2007)
COUNTY EXECUTIVE

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA), through an agreement with the U. S. Department of Energy Rebuild America Program, has been charged with organizing community-based regional partnerships to promote energy-efficient products and services throughout New York State; and

WHEREAS, NYSERDA has identified Western New York as an initial pilot region for Rebuild and has solicited proposals from organizations to locally coordinate the Rebuild Western New York regional network; and

WHEREAS, through Legislative resolution (Comm. 6E-21) dated April 13, 2000, the Department of Environment and Planning (DEP) has accepted this role and successfully coordinated the Rebuild Partnership in Western New York; and

WHEREAS, through Legislative resolutions (Comm. 14E-33, Comm. 12E-19, Comm. 15E-44, Comm. 14E-13, Comm. 13E-22) dated July 5, 2001, June 20, 2002, July 8, 2004, June 2, 2005, and July

27,2006, the DEP accepted from NYSERDA a total of \$416,088 in grant resources to continue to coordinate the Rebuild Partnership into the year 2007; and

WHEREAS, as a result of the DEP's success, NYSERDA made an additional \$45,189.23 in grant resources available to maintain the existing staff and continue to coordinate the Rebuild Partnership through April 2007.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to execute the agreements necessary to accept a grant of \$45,189.23 from NYSERDA to continue to coordinate the Rebuild Western New York Partnership, and be it further

RESOLVED, that the new revenue from the NYSERDA program is hereby appropriated in the grant as follows:

Grant validity date; 10/1/06 – 4/30/07

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
500000	Salaries	73,101.15	31,557.85	104,659
502000	Fringe Benefits	30,110.62	13,631.38	43,742
505000	Office Supplies	500		500
510000	Local Mileage			
	Reimbursement	300		300
510100	Out of Area Travel	2,700		2,700
510200	Training & Education	876		876
516020	Professional Service			
	Contract & Fees	2,500		2,500
530000	Other Expenses	0		0
561410	Lab & Technical	500		500
	Equipment			
561420	Office Equipment	500		500
TOTAL APPROPRIATIONS:		\$111,087.77	\$45,189.23	\$156,277

and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance; Andrew M. Eszak, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; the Commissioner of Personnel; and the County Attorney.
(5-0)

6. COMM. 6E-16 (2007)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides technical assistance to municipalities to assist them in complying with environmental regulations; and

WHEREAS, the New York State Department of Environmental Conservation granted Erie County \$328,000 to establish the Western New York Stormwater Coalition Local Ordinance Project; and

WHEREAS, the Western New York Stormwater Coalition membership provided the required local match in cash and in-kind services; and

WHEREAS, it is necessary to enter into agreements with the Village of Alden, Town of Alden, Town of Amherst, Buffalo Sewer Authority, Town of Cheektowaga, Town of Clarence, Town of Eden, Town of Lancaster, Town of West Seneca, Town of Cambria, Niagara Falls Water Board and Town of Wheatfield to permit access to grant funds to implement ordinances and funding mechanisms to support their Stormwater Management Programs; and

WHEREAS, the Village of Alden, Town of Alden, Town of Amherst, Buffalo Sewer Authority, Town of Cheektowaga, Town of Clarence, Town of Eden, Town of Lancaster, Town of West Seneca, Town of Cambria, Niagara Falls Water Board and Town of Wheatfield will be required to work in accordance with a workplan approved by DEP.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into agreements with the Village of Alden, Town of Alden, Town of Amherst, Buffalo Sewer Authority, Town of Cheektowaga, Town of Clarence, Town of Eden, Town of Lancaster, Town of West Seneca, Town of Cambria, Niagara Falls Water Board and Town of Wheatfield; and be it further

RESOLVED, that this Resolution take effect immediately; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Director of Budget, Management and Finance; Andrew M. Eszak, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.
(5-0)

THOMAS A. LOUGHRAN
CHAIRMAN