

December 10, 2020

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 15

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 20M-2 (2020)  
**EC AGRICULTURAL & FARMLAND PROTECTION BOARD:** “2020 Agricultural & Farmland Protection Board Report”  
(Chair’s Ruling)
  - b. COMM. 21M-1 (2020)  
**NYSDEC:** “Invitation for Public Comment - Brownfield Cleanup Proposed Remedy for 1951 Hamburg Turnpike, Lackawanna”  
(Chair’s Ruling)
  - c. COMM. 21M-4 (2020)  
**NYSDEC:** “Invitation for Public Comment - No Further Action at 140 Chandler St., Buffalo”  
(Chair’s Ruling)
  - d. COMM. 21M-5 (2020)  
**NYSDEC:** “Invitation for Public Comment - No Further Action at 3100 Clinton St., West Seneca”  
(Chair’s Ruling)
  - e. COMM. 21M-6 (2020)  
**NYSDEC:** “Fact Sheet - Completion of Brownfield Cleanup Program at 301 Connecticut St., Buffalo”  
(Chair’s Ruling)
  - f. COMM. 21M-7 (2020)  
**NYSDEC:** “Invitation for Public Comment - Draft Investigation Work Plan for 1200 Jefferson Ave., Buffalo”  
(Chair’s Ruling)
  - g. COMM. 21M-8 (2020)  
**NYSDEC:** “Invitation for Public Comment - Draft Investigation Work Plan for 1100 Michigan Ave., Buffalo”  
(Chair’s Ruling)

- h. COMM. 23E-8 (2020)  
**COUNTY EXECUTIVE:** “ECSD No. 3 - Engineering Term Contract Agreement”  
(Chair’s Ruling)
  - i. COMM. 23E-11 (2020)  
**COUNTY EXECUTIVE:** “ECSD No. 8 - Engineering Term Contract Agreement”  
(Chair’s Ruling)
  - j. COMM. 23E-24 (2020)  
**COMPTROLLER:** “Letter to Parks Commissioner Regarding Whistleblower Hotline Concern”  
(Chair’s Ruling)
2. COMM. 16E-20 (2020)  
**COUNTY EXECUTIVE** **AS AMENDED**  
WHEREAS, the Board of Managers for Erie County Sewer Districts Nos. 1, 2, 3, 4, 5, 6 and 8 have a system of Sewer District User Charges or Fees; and

WHEREAS, as has been done in past years, the Boards have requested and are desirous of collecting said User Charges or Fees in 2021 for properties in the same manner and fashion as the regular sewer district taxes.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to spread said 2021 Sewer District User Charges or Fees against properties serviced by Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 & 8 as provided by law; and be it further

RESOLVED, that the following amounts be collected:

Sewer District No. 1	\$ 5,098,012.84
Sewer District No. 2	\$ 3,629,122.32
Sewer District No. 3	\$ 9,764,641.56
Sewer District No. 4	\$ 5,064,651.93
Sewer District No. 5	\$ 994,227.00
Sewer District No. 6	\$ 2,319,189.59
Sewer District No. 8	\$ 912,717.00

and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Real Property Tax Services, the Director of Budget and Management, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

(5-0) Chair Baskin not present for vote.

3. COMM. 23E-7 (2020)

**COUNTY EXECUTIVE**

WHEREAS, pursuant to Legislative Comm. 6E-34 (2020), Contract 43 was awarded to Skanex Pipe Services, Inc. to construct the Indian Church Road Cured In Place Pipe Lining Project, in Erie County Sewer District No. 1; and

WHEREAS, the Erie County Division of Sewerage Management has advised that additional contract time is needed to complete contract work (with no cost implications); and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Change Order No. 1 to extend contract time 180 days.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 43 between the County of Erie and Skanex Pipe Services, Inc. (753 Rowley Road, Victor, NY 14564) be amended to add 180 days of Contract Time; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.  
(6-0)

4. COMM. 23E-12 (2020)

**COUNTY EXECUTIVE**

WHEREAS, the 2020 Assessment Rolls for Erie County Sewer District Nos. 1-6 and 8 describing each lot or parcel of land have been prepared by the Division of Sewerage Management; and

WHEREAS, the Division of Sewerage Management has also assessed the estimate of expenditures and proportioned them to the lots and parcels of land as nearly as may be to the benefit which each lot or parcel will derive therefrom; and

WHEREAS, the Clerk of the Legislature had a Notice of Public Hearing published in the official County newspapers prior to the date of the Public Hearing which informed the public that the Assessment Rolls would be open for public inspection; and

WHEREAS, said Public Hearing was held in the Chamber of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, New York, at 4:00 p.m., local time on November 5, 2020 and that all persons desiring to be heard were duly heard and that all objections have been heard and considered; and

WHEREAS, said Assessment Rolls, estimate of expenditures, and Public Hearing were carried out in accordance with Article 5A, Sections 270 and 271 of County Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby affirm and adopt the 2020 Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and be it further

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

5. COMM. 23E-13 (2020)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Parks, Recreation & Forestry is requesting authorization to accept the possible donation of a parcel of land to be converted into Seneca Bluffs Natural Habitat Park within the department; and

WHEREAS, said parcel consists of 0.07-acre of an undeveloped lot located in the City of Buffalo, which is currently within the boundaries of, and landlocked by Seneca Bluffs Natural Habitat Park.; as depicted on Attachment A; and

WHEREAS, the County's Land Advisory Review Committee ("ARC") has reviewed the request and recommended that this dedication request be granted.

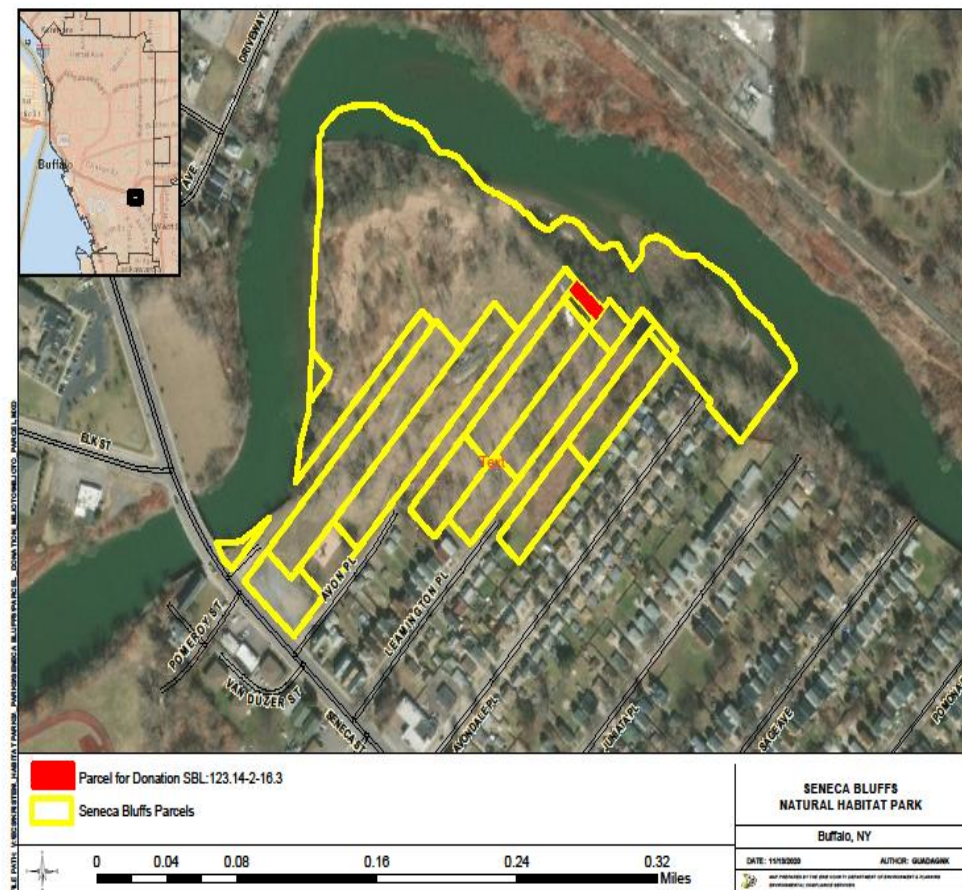
NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie does hereby dedicate the land described herein as County parkland; and be it further

RESOLVED, that the County Executive and/or Deputy County Executive is hereby authorized to execute any and all appropriate documents as may be necessary for the dedication of said land as parkland and its incorporation into Seneca Bluffs Natural Habitat Park; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Erie County Executive's Office, The Department of Parks, Recreation & Forestry and the Erie County Division of Law.

Attachment A



(6-0)

**TIMOTHY J. MEYERS  
CHAIR**