

December 13, 2018

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 18

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR BURKE.
CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 23E-1 (2018)
LORIGO: "Letter to Commissioner of EC Dept. of Parks & Recreation Regarding EC Fall Festival Locations"
(Chair's Ruling)

2. COMM. 20E-22 (2018)
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, the Boards have requested and are desirous of collecting said User Charges or Fees in 2019 for properties in the same manner and fashion as the regular sewer district taxes as has been done in past years.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to spread said 2019 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 #1	\$ 4,866,638.92
Sewer District #2	\$ 3,616,934.51
Sewer District #3	\$ 9,437,730.22
Sewer District #4	\$ 4,970,926.58
Sewer District #5	\$ 985,568.20
Sewer District #6	\$ 2,109,968.00
Sewer District #8	\$ <u>929,901.50</u>
	\$26,917,667.93

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 L. Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.
(5-0)

3. COMM. 23E-6 (2018)
COUNTY EXECUTIVE
WHEREAS, pursuant to Legislative Comm. 7E-28 (2018), Contract 50 was awarded to Kandey Company, Inc. to construct the Abbott Road Inverted Siphon Replacement Project in Erie County Sewer District No. 6; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now complete; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 50 in the final contract amount of \$225,622.38 which includes Change Order No. 1 (final), a decrease of (\$14,926.62), and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 50 between the County of Erie and Kandey Company, Inc. (19 Ransier Drive, West Seneca, New York 14224) is accepted in the final contract amount of \$225,622.38 which includes Change Order No. 1 (final), a decrease of (\$14,926.62) and is allocated in Erie County Sewer District No. 6 Capital Project C.00064; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 50 to Kandey Company, Inc. for a total contract amount of \$225,622.38; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning, Division of Sewerage Management.
(5-0)

4. COMM. 23E-8 (2018)

COUNTY EXECUTIVE

WHEREAS, the 2018 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 6:00 p.m., local time on November 8, 2018 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 2018 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, Erie County Comptroller, Kristen Walder, Assistant County Attorney, and Joseph L. Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.
(5-0)

5. COMM. 23E-14 (2018)

COUNTY EXECUTIVE

WHEREAS, the County of Erie advertised for and received responses to a Request for Proposals to perform professional services associated with the Erie County Sewer District (ECSD) No. 5 and Clarence Town Sewer District (CTSD) Nos. 2, 4, 6, 7, 9, & 10 – Flow Monitoring and I/I Quantification Project; and

WHEREAS, this flow monitoring and I/I quantification project will assist ECSD No. 5 and CTSD No. 2, 4, 6, 7, 9, & 10 in making informed decisions relative to future collection system work; and

WHEREAS, a review committee was established to evaluate all responses to the County's Request for Proposals for this project, using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends Arcadis of New York, Inc. (Arcadis) to complete the requested consulting services; and

WHEREAS, the Division of Sewerage Management has determined that this proposed project is a Type II action in accordance with 6 NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body approves of Arcadis being retained to perform professional services associated with the ECSD No. 5 and CTSD No. 2, 4, 6, 7, 9, & 10 – Flow Monitoring and I/I Quantification Project; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with Arcadis, 50 Fountain Plaza, Suite 600, Buffalo, New York 14202 in an amount not to exceed \$160,000.00, subject to approval as to content by the Commissioner of the Department of Environment and Planning, and approval as to form by the County Attorney's Office; and be it further

RESOLVED, that authorization is hereby provided for the partial closure of up to \$160,000 from ECSD No. 5 Capital Reserve Project C.00005 to fund this project; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to process a residual equity transfer of up to \$160,000 from ECSD No. 5 Capital Reserve Project C.00005 to ECSD No. 5 Capital Project C.18502 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to increase the allocation in Erie County Sewer District No. 5 Capital Project C.18502 for this project by \$160,000; and be it further

RESOLVED, that any unused funds be returned to the capital reserve project and the budget be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature shall send one (1) certified copy each to the County Executive, the Erie County Director of Budget and Management, the Erie County Comptroller, Kristen Walder, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph Fiegl, P.E., Division of Sewerage Management.
(5-0)

JOHN BRUSO
CHAIR