

January 25, 2018

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 2

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

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 14-6 (2017)
BURKE: "Opposition to the Proposed National Grid Rate Increase"
(Chair's ruling)
 - b. COMM. 2E-17 (2018)
COUNTY EXECUTIVE: "Erie County Sewer District No. 4 - Engineer Term Contract Agreement"
(Chair's ruling)
2. COMM. 2E-7 (2018)
COUNTY EXECUTIVE
WHEREAS, Park Shelters 6, 7, and 9 at Ellicott Creek Park are original to the Works Progress Administration (WPA) era of the 1930s; and

WHEREAS, these shelters are dilapidated structures and require rehabilitation including but not limited to stone masonry restoration, foundation and concrete slab replacement, and structural wood replacement; and

WHEREAS, the Erie County Department of Public Works received A/E professional design service proposals for the Ellicott Creek Park – 2017 Reconstruction and Repair of Shelter No.'s 6, 7, & 9 project on July 6, 2017; and

WHEREAS, the County Executive requests authorization to enter into an Agreement with the firm of LaBella Associates, D.P.C. to provide professional architectural and engineering design and construction administration services for the Ellicott Creek Park – 2017 Reconstruction and Repair of Shelter No.'s 6, 7, and 9 project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement with the firm of LaBella Associates, D.P.C. to provide professional architectural and engineering design and construction administration services for the Ellicott Creek Park – 2017 Reconstruction and Repair of Shelter No.'s 6, 7,

and 9 project for an amount not to exceed \$44,000, including reimbursable costs and contingency; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the SAP project as follows:

A.16013 – 2016 Countywide Parks Improvements	\$ 44,000
Total not to exceed:	\$ 44,000

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, the Office of the Comptroller, and the Department of Parks, Recreation, and Forestry.
(5-0)

3. COMM. 2E-23 (2018)
COUNTY EXECUTIVE
WHEREAS, the State of New York through its DEC and EFC provides financial assistance through the Engineering Planning Grant program; and

WHEREAS, the State of New York has awarded Erie County a maximum of \$100,000.00 to commence the ECSD No. 2 Flow Monitoring and Infiltration/Inflow (I/I) Quantification Project; and

WHEREAS, a 20% minimum local match is required for the grant award; and

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to review under the Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie hereby determines that the proposed Flow Monitoring and I/I Quantification Project is a Type II action in accordance with 6 NYCRR Section 617.5 (c) (18) and (21) and therefore is not subject to further review under 6 NYCRR Part 617; and be it further

RESOLVED, that the County Executive is authorized to execute a Grant Agreement with the DEC or EFC for the project; and be it further

RESOLVED, that the Deputy Commissioner in the Division of Sewerage Management or their designee is authorized to execute all other contracts, documents and instruments with the DEC or EFC to bring about the Project and to fulfill the obligations under the Engineering Planning Grant Agreement; and be it further

RESOLVED, that a minimum of 20% local match as required by the Engineering Planning Grant Program for the project will be provided through ECSD No. 2 Accounts; and be it further

RESOLVED, that upon award of an Engineering Agreement for the project and a determination of final scope and budget, the grant budget shall be adjusted with the understanding that the local match share shall be at a minimum 20%; 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 County Comptroller, the Director of the Division of Budget and Management, Kristen Walder, Assistant County Attorney, Joseph L. Fiegl, P.E., Deputy Commissioner of the Department of Environment and Planning, and the Albany offices of the New York State DEC and EFC.
(5-0)

4. COMM. 2E-28 (2018)
COUNTY EXECUTIVE

WHEREAS, during preparatory survey work for the Springville (Scoby) Dam Ecosystem Restoration Project it was discovered that all of the property intended to be transferred from the Village of Springville to the County for the establishment of Scoby Dam Park was in fact not transferred; and

WHEREAS, the properties not transferred are described by the following deeds in the County Clerk's Office:

- Liber 835, Page 464 – 1.910 acres
- Liber 1595, Page 14 – 43,450 sq. ft. +/-
- Liber 947, Page 299 – 373 sq. ft. +/-

and

WHEREAS, both the Village of Springville and the County desire to complete the originally intended property transfer; and

WHEREAS, the transfer will be at no cost to the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie hereby approves the transfer of the subject properties at no cost to the County; and be it further

RESOLVED, that the County Executive be authorized to execute all the necessary documents to complete the transfer, as approved by the County Attorney; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Parks, Recreation and Forestry, Office of the Commissioner, two (2) copies to the Department of Public Works, Office of the Commissioner and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.
(5-0)

JOHN BRUSO
CHAIR