

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

EMERGENCY ROAD RECONSTRUCTION IN HEATHER HILL SUBDIVISION (continued)

Town Engineer Steven Tanner stated some streets can be milled and resurfaced depending on the severity of the cracking, but Heather Hill Drive and Pamela Court require complete reconstruction. The sewers have already been lined in that neighborhood so that work does not need to be done, but they are checking if there is any water work needed and will not have that information until next week. Pamela Court and Heather Hill Drive have 3900' of roadway and the cost estimate for the project is \$1.4 million which will include curbs and approaches or \$1.7 million with sidewalks. Mr. Tanner further stated that typically a lot of the work gets done by the engineering staff, but it is not possible with their current workload so there will have to be conversations with the white collar union.

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize Town Engineer Steven Tanner to proceed with the necessary steps and request proposals for an emergency road reconstruction capital project for Heather Hill Drive and Pamela Court.

On the question, Councilman Hart stated he did not receive any emails on this issue until this week. He further questioned if any water work that is required could be charged to the \$8 million project they recently bonded. Mr. Tanner stated he will research that question.

Councilman Hanley also stated he did not receive an email regarding this issue until this week.

Ayes: All

Noes: None

Motion Carried

RECREATION DEPARTMENT UPDATES

Supervisor Meegan reported recreation updates from Youth Service Coordinator Lauren Masset. The Recreation Department is hosting a Teen Night on Friday, June 19th, 7 P.M. to 10 P.M. A new aquatics program, "Mommy & Me," will be held Tuesday's at 9:15 A.M for children 24 – 48 months. Four out of six weeks of summer day camp are full and a wait list has been started.

ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached resolution urging state representatives to amend the New York State Electronic Equipment Recycling and Reuse Act.

On the question, Supervisor Meegan noted the town is paying up to \$25,000 per year for these mandated costs that are still unfunded.

Ayes: All

Noes: None

Motion Carried

APPENDICES

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

WEST SENECA DEVELOPMENTAL CENTER

Supervisor Meegan stated the town has been notified that the DEC has taken over management of the wildlife area of the West Seneca Developmental Center. The town is not yet in receipt of the map. Assemblyman Kearns has reached out to Howard Zemsky requesting that Empire State Development revisit and prioritize plans concerning the remaining acres and 38 buildings that are listed on New York State's Surplus Properties website. He has requested a meeting with state and local officials regarding immediate plans to remedy the vacant structures that are impacting the neighborhood housing stock.

USE OF PARKING LOT AT HARLEM ROAD AND ORCHARD PARK ROAD

Town Engineer Steven Tanner referred to the NYS Department of Transportation project on Harlem Road and Orchard Park Road and stated a request was made for use of the municipal lot for overnight parking for the residents.

Supervisor Meegan responded the town maintains the lot, but it is actually owned by the NFTA.

UPCOMING PUBLIC MEETINGS

Councilman Hart announced the following upcoming meetings: West Seneca Environmental Commission at Burchfield Center, Tuesday, May 26th, Tree Ordinance subcommittee at 6 P.M., regular meeting at 7 P.M.; Comprehensive Plan meeting at Burchfield Center on June 10th; West Seneca Stakeholders meeting on June 16th, location to be determined

ISSUES OF THE PUBLIC

EMERGENCY ROAD RECONSTRUCTION IN HEATHER HILL SUBDIVISION

Frank Boncore expressed concern that the road reconstruction project for Heather Hill Subdivision will not start until October since surveying and design work takes 30 days.

Town Engineer Steven Tanner stated the reconstruction project can be handled and bid on an emergency basis with an emergency meeting called to award the bid. He referred to Commerce Parkway that was handled as an emergency project last year.

Tim Aguglia appreciated the response from the Town Board and offered to be the contact person for the neighborhood. He was happy that funding is being restored for the project and that it will be done the right way, but noted Theresa Court is also in disrepair.

Mr. Tanner did not believe Theresa Court was as bad as the other streets, but stated they will look at it for a future project. They cannot add on and expect to complete the project this year.

ISSUES OF THE PUBLIC

EMERGENCY ROAD RECONSTRUCTION IN HEATHER HILL SUBDIVISION (continued)

Councilman Hart questioned funding for the project and if there were funds available under the current outstanding bond.

Mr. Tanner thought there would be some funds available under the current bond, but they may have to do additional borrowing.

Greg Hall felt the damage on Theresa Court is as extensive as on Heather Hill Drive and the entire subdivision should be done rather than disrupt the neighborhood twice. He did not believe it made sense to stop at Theresa Court and not continue to Michael Road.

Mr. Tanner responded the Town Board will have to decide if they want to include Theresa Court, but the project will not be completed this year if they do the entire subdivision. They would have to suspend work in November and finish it next year. Mr. Tanner stated they could use two contractors, but then there are problems with ingress/egress along with a coordination problem and a big disruption to the neighborhood.

Dennis Jakes supported including Theresa Court in the reconstruction project. He commented on emergency projects and questioned if the town has a long term plan for road reconstruction and if there is any information available on the town website.

Supervisor Meegan responded there is a five year capital plan in place and this is discussed at Town Board meetings, but the information could be made available on the town website.

Councilman Hart questioned if an emergency project has to be bid.

Mr. Tanner responded they can get quotes, but he plans to bid the project because that is the way to get the best price.

Mr. Boncore suggested scraping the asphalt off on Heather Hill Drive and putting stone down as they did on Pamela Court.

Mr. Tanner stated that would be a question for Highway Supt. Matthew English, but he could not see spending money on that when it will soon be torn up.

Mr. Hall commented if they only get bids for Heather Hill Drive and Pamela Court, they need to find out exactly what the contractor is going to do because it may be more cost effective to do it once and include Theresa Court.

Councilman Hanley stated Mr. Tanner has a very impressive spreadsheet that itemizes every item on a bid.

ISSUES OF THE PUBLIC

TREE ORDINANCE AMENDMENTS

Barb Lipiew requested clarification on the Tree Ordinance public hearing.

Councilman Hart responded the Tree Ordinance subcommittee will meet Tuesday, May 26th at 6 P.M. at the Burchfield Center to finalize and organize a presentation for the public hearing to be held June 1st at 7 P.M. Both meetings are open to the public. Several changes are being proposed including banning clear cutting for non-agricultural purposes and a requirement that a tree survey be performed by an arborist to mark trees impacted by a project.

Mrs. Lipiew questioned if the arborist requirement will apply to the work that is to be done on Reynolds Road, Azalea Drive, Rosewood Drive and Brianwood Drive. She further questioned why these streets could not be an emergency reconstruction project.

Town Engineer Steven Tanner stated with a complete road reconstruction project an arborist comes out to determine if the trees can be saved. If they can, they are left in. The arborist will mark which trees need to be removed if he thinks the digging will disturb the roots. Every resident also gets offered a new tree or more if they have more. Mr. Tanner stated there is sewer work that needs to be done in that area and possibly some water work also. The road reconstruction project was postponed because of this and they anticipated the sewer work would be done by now. They don't want to break up a new road with the heavy equipment.

ETHICS COMMITTEE RECOMMENDATION

Susan Kims questioned the status of the Ethics Committee recommendation. Supervisor Meegan responded the issue has not come to a conversation in executive session due to other priorities. The public will be advised when the board members have that conversation.

RURAL METRO CONTRACT

Susan Kims questioned the status of the Rural Metro contract and how long it is for.

Town Attorney John Fenz stated he reviewed the previous rfp and is looking to revise it to expand the scope of respondents. Rural Metro's response times have been a big issue in Buffalo recently, but Mr. Fenz had spoken with Paul Notaro, an attorney for a number of fire districts, and they have the ability to transport patients if necessary. Mr. Fenz stated the contract was for a set term and then renewed annually thereafter, but it was not renewed.

Supervisor Meegan stated they will be looking for a renewal in perpetuity which will afford the town the opportunity to cancel in 30 days if they need to go in a different direction. Being under contract is important to the town, especially if the Public Safety Dispatchers are dispatching the ambulance, so there is a liability concern. They will try to expedite this, but in the best interest of the town.

ISSUES OF THE PUBLIC

SENECA PLACE

Susan Kims requested an update on Seneca Place.

Town Attorney John Fenz stated the board members wanted to look at the financial feasibility and market demand for the proposed sports arena and community facility. An rfp was sent to several national firms that handle this and after three days of interviews a consulting group was selected that has very strong local knowledge and knowledge of the type of project. Mr. Fenz received a return on the proposed agreement with the consulting firm this date and will review this with the board members. The local law adopted last year will make this cost an obligation of the developer.

QUASAR

Susan Kims questioned the status of the Quasar issue with sewer sludge.

Town Engineer Steven Tanner stated their permits are very specific with regard to what Quasar is permitted to bring in. If they do bring in human waste, it must have already gone through a portion of the treatment process. It is not solids; it is pre-digested material.

Karen Lucachik stated there is a lot of debate on equate and questioned if any exploration was done while the moratorium was in effect, noting other towns have signed that they don't want it used as a fertilizer in their town.

Supervisor Meegan responded the application for reuse would have to be presented to the board and the DEC so the town would know prior to it happening.

Councilman Hart stated it was indicated it was not profitable to spread the waste product in West Seneca. They want to charge for it and do so in other states.

Mr. Tanner stated municipal waste water facilities have been doing this for years. He further stated Quasar will be producing energy, but they have to be able to remove what is in the tanks first.

KIWANIS BUILDING

Karen Lucachik questioned if and when the Kiwanis building is being demolished.

Supervisor Meegan responded they are moving the staff to the Mill Road building, but the Kiwanis building will not be demolished at this time. They may structurally change it or expand the library to include recreation.

ISSUES OF THE PUBLIC

KIWANIS BUILDING (continued)

Councilman Hart stated it was decided to continue to use the Kiwanis building and make minor repairs until a plan is in place to replace the building.

Town Engineer Steven Tanner stated \$400,000 is required to repair the building, but that still does not make the building ADA compliant.

TOWN HALL PARKING LOT

Karen Lucachik referred to the proposal to resurface the parking lot and commented that it doesn't appear to have any problems.

Supervisor Meegan responded money from Senator Gallivan's office is being used to pay for the parking lot and they are making it green with regard to the flow of water. They also need a sidewalk on the hill for safety and as part of the plan to make a walkable community.

Town Engineer Steven Tanner stated the project only involves milling and paving and should last 10 to 15 years. It is being paid for with money from the Dormitory Authority of the State of New York (DASNY) which can't be spent on a residential road project and must be spent on a building used by the entire community. A turning lane will be added to the driveway along with a sidewalk and lighting.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 4:25 P.M. to discuss an employee issue.

The board members returned from executive session at 5:00 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 5:00 P.M.

Ayes: All

Noes: None

Motion Carried

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Town of West Seneca			
Name of Action or Project: Local Law 2015-05 - Modification to Chapter 110 of the Town of West Seneca Code: Tree Conservation			
Project Location (describe, and attach a location map): Town of West Seneca			
Brief Description of Proposed Action: The purpose of the proposed modification is to regulate the removal of multiple trees, the planting of new trees, maintain tree diversity, the preservation of existing trees and the controlled harvesting of these natural resources while preserving opportunities for business development. The modification of Chapter 110 sets forth regulations for: trees removal(s) associated with site plan, subdivision and special permit applications before the Town; establishes restrictions for the removal of trees not associated with applications for site plan review, subdivisions or special permit; and, regulates certain activities with respect to the harvesting of trees. This is not an amendment to any portion of the Town Code which pertains to zoning regulations.			
Name of Applicant or Sponsor: Town of West Seneca		Telephone: (716) 674-5600	
		E-Mail: smeegan@twsny.org	
Address: 1250 Union Road			
City/PO: West Seneca		State: New York	Zip Code: 14224
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	NO	YES
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	NO	YES
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	NO	YES
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		



PROFESSIONAL
INVESTIGATION

1900 Ridge Road Suite 228
West Seneca, NY 14224
(716) 677-9300
(716) 677-9301

GDY Professional Investigation Client Service Agreement

Legal Client Name:		Town of West Seneca	
Type of Entity (check one):			
<input type="checkbox"/> Corporation <input type="checkbox"/> LLC/LLP/PC <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Other municipality			
Address:	1250 Union Road		
City:	West Seneca	State:	NY ZIP: 14224
Phone:	716-558-3202	Fax:	
Contact:	Emily Josefiak	Title:	Secretary to the Supervisor
Website:	www.twsny.org	Email:	
Type of Business:		Fed ID:	

Agreement:

1. **Terms of Agreement.** This GDY Professional Investigations Agreement ("Agreement") is entered into between GDY Professional Investigations ("GDY Inc."), located in West Seneca, New York; and the Company identified above ("Client"). The Agreement shall continue until terminated in accordance with its provisions.
2. **Service Effective Date.** GDY Inc. will commence particular service on May 11, 2015. GDY Inc. assumes no responsibility for services prior to the Service Effective Date.
3. **Services to be Performed.** GDY Inc. will administer the process of Background Check Services, as well as Drug Testing Services, for an established list of Client employees as well as prospective employees. GDY agrees to:
 - a) Comply with all applicable laws in the preparation and transmission of the reports for employment purposes as defined in 15 USC-1681 as regulated by the Federal Trade Commission.
 - b) Follow reasonable procedures to assure maximum possible accuracy of information reported subject to paragraph 2-c below, and to re-verify if requested by Client or their applicant, with no additional charge if original information was inaccurate.
 - c) Maintain all information on each background check for a period of not less than two years as required by law.

The Client agrees to:

- a) Keep all reports, whether oral or written, strictly confidential, and except as required under 15 USC-1681d, shall not divulge the information to any other person, except the person whose duty requires him to participate in the decision for the transaction for which the report was ordered.
- b) To request no information, especially Consumer Credit Reports for use other than for employment purposes and to obtain and retain a proper signed release and authorization from each applicant.
- c) To recognize that information in reports is secured from and processed by fallible sources (human and otherwise) and that for the fee charged, GDY cannot be an insurer or guarantor of the accuracy of the information reported, but that GDY will provide the maximum degree of accuracy possible, under the circumstances. Client hereby releases GDY and its affiliates, officers, agents, employees and contractors from liability from claims arising out of inaccuracy and/or incompleteness of the information reported and any errors and omissions that may occur in the processing of the information.

- d) That GDY is not rendering a decision of whether to employ applicant or not. That decision is solely based on the Client's own criteria.
- e) Make every reasonable effort to safeguard and secure all information provided by GDY, as well as all supporting documentation.

4. **Payment of Fees.** Client shall pay the fees for all GDY Inc. services per month and the setup fees when due (collectively "Fees").
5. **Termination.** The initial term of the Agreement is one (1) year from the Service Effective Date. After the initial one-year term, except as otherwise provided, either party may terminate the Agreement upon thirty (30) days prior written notice. Termination of the Agreement shall not relieve Client of any obligations set forth herein, including, but not limited to, its payment obligations for services received.
6. **Indemnification.** Each Party shall indemnify and hold harmless the other Party and its affiliates, directors, officers, employees, partners, contractors or agents, from and against any and all claims, actions, causes of action, demands, or liabilities of whatsoever kind and nature, including judgments, interest, reasonable attorneys' fees, and all other costs, fees, expenses, and charges (collectively, "Claims") to the extent that such Claims arise out of or were caused by the negligence, gross negligence, or willful misconduct of the indemnifying Party or from any breach of the Agreement by the indemnifying Party.
7. **Fax signature.** The parties agree that Client's signature on this Agreement may be transmitted to GDY Inc. via facsimile, or e-mail, and that such faxed copy(ies), or e-mail(s), shall have the same force and effect as if the original signature had been provided and received.
8. **Miscellaneous.** The Agreement contains the entire understanding of the parties. Neither party shall be responsible for any delay or failure to perform obligations specified in the Agreement due to causes beyond the party's reasonable control. Client acknowledges that there have been no representations or warranties made by GDY Inc. or Client which are not set forth in the Agreement. If any provision of the Agreement or any portion thereof shall be held to be invalid, illegal, or unenforceable, the validity, legality, or enforceability of the remainder of the Agreement shall not in any way be affected or impaired. Sections 3-24 shall survive the termination of the Agreement.

Pricing:

Background Checks

National Background Check to include a nationwide check as well as up to 3 Counties in New York State....\$50.00

- Each additional county check is an additional \$10.00.

National Background Check to include a nationwide check as well as ALL counties in New York State..... \$90.00

Drug Testing

10 Panel Drug Test.....\$47.50

10 Panel drug test tests for the following:

- Amphetamines
- Barbiturates
- Benzodiazepines
- Cocaine
- Opiates
- Marijuana (Cannabinoid)
- Methadone
- Methaqualone
- Phencyclidine (PCP)
- Propoxyphene

Should drug test be Positive, fee for additional lab work.....\$50.00

Method of Payment:

Check ACH Other _____

Payroll

* Billing occurs monthly

Client

GDY Inc.

By: _____

By: _____

Name: _____

Name: Ronald Wishman

Title: _____

Title: Executive Vice President

Date: _____

Date: 04-17-15

RESOLUTION URGING STATE REPRESENTATIVES TO AMEND THE NEW YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT

WHEREAS, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) were to assist local governments with managing the fast-growing electronics waste stream by relying on electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs, and;

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs), and;

WHEREAS, the consequence, specifically following the January 2015 Disposal Ban, is significant as a growing number of municipalities such as ERIE County are faced with bearing more of the financial responsibility for continued e-scrap collection in their communities, and;

WHEREAS, the Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state, and

WHEREAS, once manufacturers have met their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to unexpected, cash-strapped local governments, and;

WHEREAS, the issue is worsened by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage, and;

WHEREAS, this has resulted in many local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale.

RESOLVED, that the Legislature of the County of ERIE does hereby call upon Governor Cuomo, the New York State Assembly, the New York State Senate and the State Department of Environmental Conservation to improve the current law intended to build toward the long-term goals of creating a more stable and comprehensive, manufacturer implemented electronics recycling infrastructure by implementing actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of the Proposed Statutory Changes to the Act to provide for year round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations—that help alleviate the immediate financial pressures faced by local governments, and be it further

RESOLVED, that I Supervisor Sheila M. Meegan of the Town of West Seneca in the County of ERIE shall forward copies of this Resolution to Governor Cuomo, Environmental Conservation Committee Chairwoman Evelyn Hicks, State Senator Patrick Gallivan; Member of the Assembly Michael Kearns; Member of the Assembly ; the New York State Association of Counties and its Board of Directors; the County Legislatures and Boards of Supervisors of all counties within the State of New York.