

**MARCH 18, 2013**

12. **MOTION** by Deputy Mayor Tallman, seconded by Trustee Gaughan,

**WHEREAS**, The Village of Hamburg adopted a resolution on March 4, 2013 authorizing the Village to apply for a Local Government Efficiency (LGE) Grant from the New York State Department of State and enter into a Memorandum of Understanding or an Inter-Municipal Agreement with the Erie County Water Authority; and

**WHEREAS**, the Village of Hamburg (the "Village") has constructed water system Facilities within all areas of the Village, which are lease managed by the Erie County Water Authority (the "ECWA") pursuant to a Lease Management Agreement; and

**WHEREAS**, the Village under the Lease Management Agreement has a number of obligations with respect to the water lines and other related facilities within the Village, including the obligation to pay for capital items as defined in the Lease Management Agreement and to undertake periodic upgrades of water lines and other facilities at the request of the ECWA, while the ECWA has responsibility for maintenance, non-capital repairs and all billings; and

**WHEREAS**, the ECWA provides direct service to various other communities within the region and for these areas, the ECWA owns the water system facilities and has all responsibilities including capital improvements and maintenance; and

**WHEREAS**, several other neighboring communities are currently converting or considering converting to ECWA direct service/lease management due to anticipated cost savings; and

**WHEREAS**, the Village believes there may be opportunities to reduce costs and improve efficiencies for their residents by having the ECWA take over water service within the Village as a direct service provider; thereby, eliminating all future involvement and responsibility of the Village with respect to its water system facilities except for the payment of certain hydrant fees; and

**WHEREAS**, the ECWA has certain water system standards that the Village must comply with prior to becoming a direct service customer, and such standards may require improvements to the Village's current water system, which the Village must identify and determine the financial impact of; and

**WHEREAS**, the Village in collaboration with the ECWA is submitting an application to the New York State Department of State (DOS) for the Local Government Efficiency (LGE) Grant Program to study the feasibility of consolidating/regionalizing water services; and

**WHEREAS**, the DOS has announced that it will accept applications for its Local Government Efficiency (LGE) Grant Program, where the maximum grant request is \$50,000, including a 10 percent matching local share; and

**MARCH 18, 2013**

**WHEREAS**, the LGE Grant Program provides technical assistance and awards financial support for projects that will improve municipal efficiency and reduce costs through shared services, cooperative agreements, functional consolidations, and regionalized service delivery; and

**WHEREAS**, opportunities exist between the Village and the ECWA to work collaboratively to find ways to improve efficiencies, reduce service costs, and provide for a sustainable water infrastructure for the respective ratepayers; and

**WHEREAS**, an application entitled the "Village of Hamburg and ECWA Water System Consolidation Study" would consist of a detailed feasibility study to determine the viability of consolidating the Village water system into the ECWA county-wide system as a direct service customer for the benefit of their ratepayers; and

**WHEREAS**, the Village and ECWA will work cooperatively to share all necessary information in a timely manner to facilitate this grant application and feasibility study; now, therefore,

**BE IT RESOLVED** that the Village hereby authorizes the Mayor to enter into a Memorandum of Understanding (MOU) or an Inter-Municipal Agreement (IMA) with the ECWA that will be contingent on the awarding of the grant; and

**BE IT FURTHER RESOLVED**, by the Village that it hereby authorizes the Mayor and designee, the Village Administrator, Donald Witkowski (Project Contact Person) to apply for an LGE Grant from the New York State Department of State in an amount of up to \$50,000, with a local match of 10 percent up to (\$5,000), to be paid by the Village; and

**BE IT FURTHER RESOLVED** that the Village is hereby designated as the "Lead Agency" for this LGE Grant and fully authorizes the Mayor and designee to apply and execute all administrative and financial processes to supervise the grant.

**BE IT FURTHER RESOLVED** that the above resolution supercedes the March 4, 2013 resolution.

AYES: Five  
NAYS: None  
CARRIED

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
ERIE COUNTY WATER AUTHORITY  
MARCH 26, 2013**

At a regular meeting of the Erie County Water Authority held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 26<sup>th</sup> day of March, 2013, a quorum being present, the following resolution was adopted:

**WHEREAS**, the Erie County Water Authority (Authority or ECWA) fully supports inter-municipal initiatives to enhance services and reduce costs; and

**WHEREAS**, the Authority, in collaboration with the Village of Hamburg (Village), seek grant monies from the New York State Department of State (DOS) Local Government Efficiency (LGE) Grant Program in the amount of \$44,640, to examine the potential benefits and costs to the Village and the Authority by converting to from lease managed to direct service; and

**WHEREAS**, the Authority in collaboration with the Village will support a feasibility study that examines the possible efficiencies, benefits, and costs of an Authority takeover of water service within the Village as a direct service provider; thereby, potentially eliminating all future involvement and responsibility of the Village with respect to water system facilities within the Village except for the payment of certain hydrant fees; and

**WHEREAS**, the Authority has certain water system standards that the Village must comply with prior to becoming a direct service customer, and such standards may require improvements to the Village's current water system, which the Village must identify and determine the financial impact of; and

**WHEREAS**, the Village will submit an application entitled the "Village of Hamburg and ECWA Water System Consolidation Study" that will include a detailed feasibility study to determine the viability of consolidating the Village water system into the Authority's county-wide system as a direct service customer for the benefit of their ratepayers; and

**WHEREAS**, the Village will serve as "Lead Agency" for purposes of securing and administering this LGE Grant; and

**WHEREAS**, the Authority and the Village will work cooperatively to share all necessary information in a timely manner to facilitate this grant application and feasibility; and

**WHEREAS**, the Village will provide all matching funds required to complete is project, inclusive of the required local match of 10 percent (\$4,960), and there will be no cost to the Authority,

**NOW, THEREFORE, BE IT FURTHER RESOLVED:**

That Wesley C. Dust, Executive Engineer, on behalf of the Authority, is hereby authorized and directed to support an application filed by the Village on the Authority's behalf to the 2012-2013 Local Government Efficient Grant Program to obtain financial assistance for a detailed feasibility study to determine the viability of consolidating the Village water system into the Authority's county-wide system.

A motion was made by Mr. Jann seconded by Mr. O'Donnell and carried to adopt the foregoing resolution.