



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Re: Erie County Sewer District No. 3 Partial Closure of Capital Reserve Funds

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning requesting a partial closure of the Erie County Sewer District No. 3 Capital Reserve account.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz". The signature is fluid and cursive, with the first name "Mark" and last name "Poloncarz" clearly distinguishable.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:jlf
Enclosure

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3 Partial Closure of Capital Reserve Funds
Date: July 2, 2025

SUMMARY

The Department of Environment and Planning is requesting authorization for the partial closure of up to \$387,000 from Erie County Sewer District (ECSD) No. 3 capital reserve account C.00007 to provide funding to purchase assets intended to replace existing equipment or to be utilized when performing repairs to minimize downtime and associated costs.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's general fund. A residual equity transfer will be processed to move the funds from the ECSD No. 3 capital reserve account to the sewer district operating budget.

REASONS FOR RECOMMENDATION

A residual equity transfer of capital reserve funds into the sewer district operating budget will allow for the improvement and/or replacement of existing assets without incurring bond debt costs.

BACKGROUND INFORMATION

During the course of recent budget reviews, the following equipment purchases requested by sewer district staff were ultimately removed from further consideration in the interest of mitigating the impact on ECSD No. 3 ratepayers:

- Southtowns Advanced Wastewater Treatment Facility incinerator scrubber venturi/elbows
- Boston Valley Pumping Station Comminutor / Muffin Monster
- Replacement 300kW Portable Generator

Although cut from budget proposals, the need for replacement of this equipment remains. Considering available budgets and the estimated costs, the Division of Sewerage Management has identified a residual equity transfer from the ECSD No. 3 capital reserve account as an appropriate funding source to advance these purchases.

CONSEQUENCES OF NEGATIVE ACTION

The ECSDs would need to fund this work using bond accounts and/or long-term financing.

STEPS TO FOLLOW APPROVAL

The residual equity transfer of funds from the capital reserve account to the sewer district operating budget will be completed.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to a Capital Reserve account for which there are sufficient funds available for the action proposed.

Signed Timothy C. Callan Date 6/13/25
Timothy Callan, Ph.D.
Deputy Comptroller

**Erie County Sewer District No. 3
Partial Closure of Capital Reserve Funds
Capital Reserve Account C.00007**

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3 Partial Closure of Capital Reserve Funds

WHEREAS, Erie County Sewer District (ECSD) No. 3 recommends purchasing assets intended to replace existing equipment or to be utilized when performing repairs to minimize downtime and associated costs; and

WHEREAS, a partial closing of ECSD No. 3 capital reserve account C.00007 would allow for implementation of these improvements without incurring long-term financing costs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the partial closing of up to \$387,000.00 in ECSD No. 3 capital reserve account C.00007 to fund these asset purchases; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$387,000 from ECSD No. 3 capital reserve account, WBS element C.00007 (Fund 430, Funds Center 18310) Account 570000 – Interfund Transfer-Subsidy and increase the revenues and appropriations in the Erie County Sewer District No. 3 2025 Operating Budget (Fund 220, Funds Center 1831030) as follows:

2025 Operating Budget
Erie County Sewer District No. 3
Fund 220, Funds Center 1831030

REVENUES	INCREASE
486010 – Residual Equity Transfer-In	<u>\$387,000</u>
TOTAL	<u>\$387,000</u>
 APPROPRIATIONS	 INCREASE
561410 – Lab and Technical Equipment	<u>\$387,000</u>
TOTAL	<u>\$387,000</u>

and be it further

RESOLVED, that authorization is hereby provided to the Director of the Division of Budget and Management to implement any budget adjustments necessary to facilitate this transfer; and be it further

RESOLVED, that any unused funds be returned to the capital reserve account and the operating budget be adjusted accordingly based on guidance from the Division of Sewerage Management; 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's Office, Comptroller's Office, Division of Budget and Management, Department of Law, and Division of Sewerage Management.

DATE: 6/13/2025

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO

IF YES, COMPLETE THE FOLLOWING VERIFICATION

Total Project Revenues	\$ 31,110,979.61
Total Project Appropriations	\$ 30,927,389.43
Less: Total Expenditure To Date	\$ 11,398,826.16
Less: Total Commitments	\$ -
Available Appropriations As Of Date Of Request	\$ 19,528,563.27
Less: Partial Closing	\$ 387,000.00
Net Available Appropriations	\$ 19,141,563.27

Request Approved: Tony C. Allen

Request Denied: _____

Date: 6/13/25

Capital Trial Balance

COMM. 13E-8
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