



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 19, 2025

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

**RE: Erie County Soil and Water Conservation District Agreement
Technical Services and Stream Bank Maintenance, Road,
Bridge and Culvert Scour Maintenance Program and
Site Specific Stream Scour Stabilization on Zoar Valley Road (CR457)**

Dear Honorable Members:

The enclosed resolution from the Department of Public Works, Division of Highways is seeking legislative authorization to renew the contract with the Erie County Soil and Water Conservation District (ECS&WCD) to continue the essential work they do to reduce erosion, scour, and localized flooding related risks to roads, bridges, culverts, and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting the natural flow of streams. Work performed by the Erie County Soil and Water Conservation District has, and will continue to, preserve and extend the service life of our transportation infrastructure.

We are also seeking legislative approval to contract with ECS&WCD to address stream scour and embankment failure along Cattaraugus Creek that is endangering Zoar Valley Road (CR457).

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary Jr. of the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq
Erie County Executive

cc: William E. Geary Jr., Commissioner, Department of Public Works
Karen Hoak, Deputy Commission, Division of Highways

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works, Division of Highways
Re: Erie County Soil and Water Conservation District Agreement
Technical Services and Stream Bank Maintenance, Road,
Bridge and Culvert Scour Maintenance Program and
Site Specific Stream Scour Stabilization on Zoar Valley Road (CR457)
Date: September 19, 2025

SUMMARY

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to renew the contract between the County of Erie and the Erie County Soil and Water Conservation District (ECS&WCD) to continue the necessary work to reduce erosion and localized flood-related risk to roads, bridges, culverts, and rights-of-way by removing the gravel bars and vegetative debris obstructing and diverting the natural flow of streams and to provide various technical services for mitigation projects at various locations throughout Erie County.

We are also requesting authorization for the County Executive to execute a contract with the ECS&WCD for stabilization of stream scour on Cattaraugus Creek and remediation of the associated active slope failure adjacent to Zoar Valley Road (CR 457) which is endangering the road.

FISCAL IMPLICATIONS

The attached, proposed resolution requests that an amount of \$150,000 be allocated from the 2025 Highway Department Budget, GL 516020 – Professional Services, Fund 210, Funds Center 1231010 for the Technical Services and Stream Bank Maintenance, Road, Bridge and Culvert Scour Maintenance Program.

REASONS FOR RECOMMENDATION

It is necessary that this approval be granted so that the ECS&WCD can continue to perform the stream bank maintenance program and various technical services for mitigation projects within Erie County that protect our infrastructure from damage and deterioration.

It is necessary that approval for the site-specific work on Zoar Valley Road (CR 457) be granted as the scour and embankment failure at the site continue to progress and loss of the road can be anticipated if not addressed. At present there are two locations, ESC&WCD is working toward solutions for stabilizing the stream banks and roadway.

BACKGROUND INFORMATION

The ECS&WCD provides technical services and a Countywide Stream Maintenance Program with the Erie County Highway Department in an effort to identify and reduce problems related to erosion, scour and flooding of our roads, bridges, culverts, and rights-of-way. Roadway embankment stabilization, through drainage improvements and scour mitigation will also be included in this work. The ECS&WCD's expertise in environmental laws and regulations and the

permitting requirements of the NYSDEC is needed to assist the County in protecting and extending the service lives of its roads, bridges, and culverts. Scour by Cattaraugus Creek and is now endangering Zoar Valley Road at several sites.

CONSEQUENCES OF NEGATIVE ACTION

If authorization is not granted, we will not be able to continue with the Stream Maintenance Program work performed by the ECS&WCD for scour and flood prevention work within Erie County. Erie County roads, bridges, and culverts will suffer from damage and deterioration due to soil erosion, water, and debris. If approval for the site-specific work on Zoar Valley Road is not granted failure of the road may be expected.

STEPS FOLLOWING APPROVAL

Approval of this resolution will allow the County Executive to renew a contract with ECS&WCD, for the Department of Public Works, Division of Highways, for work performed by the ECS&WCD to identify drainage improvements and reduce erosion, scour, embankment failure, and flood risk to our roads, bridges, culverts, and rights-of-way.

Approval will also allow the Department of Public Works, Division of Highways to contract ECS&WCD for necessary site-specific remedial measures on Zoar Valley Road.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS

RE: Erie County Soil and Water Conservation District Agreement
Technical Services and Stream Bank Maintenance, Road
Bridge and Culvert Scour Maintenance Program and
Site Specific Stream Scour Stabilization on Zoar Valley Road (CR457)

WHEREAS, the County of Erie had previously entered into a contract via Communication Number 20E-15 on November 5, 2020 with the Erie County Soil and Water Conservation District (ECS&WCD); and

WHEREAS, The ECS&WCD has the essential expertise and personnel to perform the necessary inspections and evaluations, as well as, to carry out administrative responsibilities related to the delivery of various technical services including stream bank maintenance, road, bridge, and culvert scour maintenance; and

WHEREAS, it has become necessary to implement the County-wide Stream Maintenance Program to continue to reduce erosion and localized flood-related risk to roads, bridges, culverts, and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting the natural flow of streams, repair road, bridge, and culvert scour or prevention of same; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipalities and districts to contract to perform together that which each public entity is authorized to perform individually; and Article 5, Section 99-R of the same General Municipal Law authorizes Erie County and the ECS&WCD to contract by direct negotiations for services of government not regularly provided to the public as part of general government services; and

WHEREAS, it is necessary to execute a contract with the ECS&WCD for the stabilization of the stream scour and associated stream bank/roadway embankment failure at the site noted (the "Project"); and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to renew the existing contract between the County of Erie and the Erie County Soil and Water Conservation District (ECS&WCD) for \$150,000 for technical services to identify drainage improvements, reduce erosion, embankment failure, scour, and localized flooding related risks to roads, bridges, culverts, and rights-of-way at various locations; and be it further

RESOLVED, that sufficient funding is available within the Division of Highways 2025 Operating Budget (Fund 210, Funds Center 1231010) Account 516202 – Professional Services, Contracts & Fees; and be it further

RESOLVED, that authorization is hereby given for site-specific work on Zoar Valley Road (the Project); and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Division of Highways, and one copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management.