



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 3, 2025

The Honorable
Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 2 Proposed Agreements – Buffalo and Erie
County ILDC Erie County Agribusiness Park**

Dear Honorable Members:

Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning pertaining to proposed agreements with the Buffalo and Erie County Industrial Land Development Corporation for the Erie County Agribusiness Park.

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

Sincerely yours,

A handwritten signature in blue ink, reading "Mark Poloncarz", with a long, sweeping horizontal line extending to the right.

Mark Poloncarz, Esq.
Erie County Executive

Encl.

Cc: J. 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. 2 Proposed Agreements – Buffalo and Erie
County ILDC Erie County Agribusiness Park
Date: October 3, 2025

SUMMARY

Authorization to enter into two (2) separate agreements with the Buffalo and Erie County Industrial Land Development Corporation (ILDC) for matters related to the “Erie County Agribusiness Park” (Agribusiness Park) is requested. The first agreement would allow for the County of Erie through Erie County Sewer District (ECSD) No. 2 to own, operate, and maintain the new sanitary sewer system being constructed in the Agribusiness Park, including those portions outside of the bounds of the County District. The second agreement would allow grant funds awarded to the ILDC to be utilized by the County of Erie, so ECSD No. 2 may manage the design and construction of sewer capacity improvements at the Big Sister Creek Water Resource Recovery Facility (WRRF).

FISCAL IMPLICATIONS

There are no fiscal implications to the County’s General Fund. Costs associated with the operation and maintenance of the new sanitary sewer system being constructed in the Agribusiness Park will be managed in the ECSD No. 2 annual budget. The ILDC will be providing grant funding to ECSD No. 2 for future design and construction work.

REASONS FOR RECOMMENDATION

The ILDC was awarded a FAST NY grant, which amongst other items, will provide funding to construct segments of the main gravity sewer system within the Agribusiness Park, along with engineering/construction services for improvements at the Big Sister Creek WRRF. As only the portion of the Agribusiness Park fronting Eden-Evans Center Road is within ECSD No. 2, an agreement is required for the County of Erie through ECSD No. 2 to own, operate, and maintain the entire gravity sewer system being constructed. As it would be more efficient for ECSD No. 2 to manage the engineering and construction related services for the proposed improvements at the Big Sister Creek WRRF, an agreement to allow for transfer of the grant funds to the County of Erie is also required.

BACKGROUND INFORMATION

The ILDC owns approximately 240 acres of land located at 1526 Eden-Evans Center Road in the Town of Evans. This parcel is the former site of the Angola Airport and is now being developed as an agriculture business park. Adjacent to the Agribusiness Park along Eden-Evans Center Road is an existing 24-inch diameter sanitary sewer that ECSD No. 2 operates/maintains. This sanitary sewer conveys wastewater flows from the area to the downstream sewer network and

ultimately to the Big Sister Creek WRRF for treatment. The ILDC is presently constructing a new connection to the aforementioned 24-inch diameter sanitary sewer and extending the sanitary sewer system into the Agribusiness Park.

During the drafting of the master plan for the Agribusiness Park, it was acknowledged only portions of the former Angola Airport site are within the bounds of ECSD No. 2. As a result, certain segments of the new sanitary sewer being constructed are outside of the County District. Furthermore, capacity at the Big Sister Creek WRRF for the full buildout of the Agribusiness Park is not available.

Through a separate evaluation, ECSD No. 2 identified upgrades that, with subsequent approvals by the New York State Department of Environmental Conservation, could allow for a capacity rating increase for the Big Sister Creek WRRF. The ILDC submitted proposal CFA #137554 on October 22, 2024, requesting grant assistance through Empire State Development's FAST NY program for numerous improvements related to the Agribusiness Park including roadway construction, addressing sewer needs, power and gas transmission extensions, and more. The ILDC was ultimately awarded a \$11.5 million FAST NY Track C – Infrastructure Improvement grant, of which \$4 million was designated for engineering and construction related services to address capacity constraints at the Big Sister Creek WRRF.

CONSEQUENCES OF NEGATIVE ACTION

The ILDC would continue to own the sanitary sewer system in the Agribusiness Park even after selling the various lots and parcels in the park. Grant funding intended for the Big Sister Creek WRRF would not be available for ECSD No. 2's use.

STEPS TO FOLLOW APPROVAL

The County Executive will execute agreements with the ILDC on behalf of ECSD No. 2. ECSD No. 2 will operate and maintain the new sanitary sewer system in the Agribusiness Park. The Division of Sewerage Management will issue a request for proposals for engineering services related to the improvements at the Big Sister Creek WRRF, and subsequently advance bids for construction contracts at a later date. The ILDC will reimburse the County of Erie for expenses related to these engineering and construction related services.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 2 Proposed Agreements – Buffalo and Erie County ILDC
Erie County Agribusiness Park

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (ILDC) is redeveloping, for commercial and industrial use, approximately 240 acres of land at the location of the former Angola Airport site in the Town of Evans to create the “Erie County Agribusiness Park” (Agribusiness Park); and

WHEREAS, portions of the Agribusiness Park are outside of the boundaries of Erie County Sewer District No. 2; and

WHEREAS, the ILDC was awarded grant funding through Empire State Development’s FAST NY program for numerous improvements related to the Agribusiness Park, including construction of new sanitary sewers and addressing capacity constraints at the Big Sister Creek Water Resource Recovery Facility (WRRF); and

WHEREAS, the ILDC has requested that the County of Erie through Erie County Sewer District No. 2 perform long-term operation/maintenance of the new sanitary sewers in the Agribusiness Park, including those segments presently outside of the bounds of the County District; and

WHEREAS, it would be more efficient for the County of Erie through Erie County Sewer District No. 2 to manage the engineering and construction related services for the proposed improvements at the Big Sister Creek WRRF; and

WHEREAS, agreements between the County of Erie and the ILDC are required to address the sanitary sewer service needs for the entire Agribusiness Park.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an agreement with the ILDC so the County of Erie may own, operate, and maintain the new sanitary sewer system constructed in the Agribusiness Park, subject to approval as to content by the Commissioner of the Department of Environment and Planning, and approval as to form by the County Attorney’s Office; and be it further

RESOLVED, that authorization is hereby provided to the County Executive or Deputy County Executive to execute an agreement with the ILDC to allow up to \$4,000,000 of FAST NY funding to be provided to the County of Erie for the purposes of managing the engineering and construction related services for capacity improvements at the Big Sister Creek WRRF, subject to approval as to content by the Commissioner of the Department of Environment and Planning, and approval as to form by the County Attorney’s Office; 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.