

# Memorandum

To: Honorable John Mills  
Chairman, Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, NY 14202

From: ASCE Buffalo Section Board of Directors

Date: February 16, 2017

Subject: **Local Law Intro. No. 2-2-2017**  
**Qualifications- Erie County Commissioner of Public Works**

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Dear Hon. John Mills,

The American Society of Civil Engineers (ASCE) is a national organization that promotes professionalism, advocates for infrastructure and environmental stewardship, and encourages lifelong learning. It is the duty of a Civil Engineer to ethically serve, inform, design and protect the public.

On behalf of the ASCE Buffalo Section we recognize the immediate need to fill the position of Commissioner of Public Works in order for the department to fulfill its day-to-day operations. It has been brought to our attention that you intend to change Local Law No. 1-1959 to eliminate the requirement for a Professional Engineering (PE) License for the man or woman holding the position of Commissioner of Public Works. We recognize the difficulty in finding someone with the right managerial, technical, political and operational experience given the high-profile nature of the position and its influence on decisions impacting Erie County's infrastructure and built environment.

We wish to make clear that the PE license indicates such an individual is bound to keep the health, safety, and welfare of the public to the highest ethical standard. We acknowledge that there surely are people who possess the same traits that a PE carries without licensure. However, this requires years of education, experience, and proper vetting by their supervisors and peers to validate one's character in making sound engineering judgement where the lives of so many are at risk.

As the ASCE State and National Report Infrastructure Report Cards point out, our built environment is at a crossroads<sup>1</sup>. Any decision regarding our infrastructure can have unintended consequences thrust upon the public. One has to look no further than the water crisis in Flint, Michigan, caused by a politically expedient cost saving measure.

We urge you to allow an Interim Commissioner of Public Works to be appointed without a PE License while we work with you to ameliorate this situation for the betterment of all those who depend on the infrastructure of Erie County.

Sincerely,

A handwritten signature in black ink, appearing to read "Marco Scofidio".

Marco Scofidio, MBA, PE, M.ASCE  
ASCE – Buffalo Section President

1. [www.InfrastructureReportCard.org](http://www.InfrastructureReportCard.org)