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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 24, 2012

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

Re: Closure of Inactive Capital Projects

Dear Honorable Members:

Please find attached a resolution from the Division of Budget and Management requesting authorization from your Honorable Body to close fifty four inactive capital projects and to transfer the balance in those accounts to Fund 310 Debt Service to effectuate the closure of ten inactive, underfunded capital projects from prior years.

If your Honorable Body has any questions, please contact Budget Director Robert W. Keating. Thank you in advance for your assistance.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

Enclosure
MCP/tcc

cc: Erie County Comptroller David J. Shenk
Department of Public Works

MEMORANDUM

TO: Erie County Legislature
FROM: Robert W. Keating, Director of Budget and Management
RE: Closure of Inactive Capital Projects
DATE: September 24, 2012

SUMMARY

The attached resolution authorizes the closure of 54 inactive capital projects and to transfer the balance in those accounts to Fund 310 Debt Service to effectuate the closure of 10 inactive, underfunded capital projects from prior years.

FISCAL IMPLICATIONS

The resolution requires no appropriations and has no additional costs in the 2012 Budget. Inactive capital accounts with available balances will be closed, their debt service defeased and the balance used to close underfunded capital projects.

BACKGROUND INFORMATION

Numerous capital projects have been inactive for many years and which retain available balances. After consulting with the Department of Public Works and the Erie County Comptroller's Office, the Division of Budget and Management seeks to close these projects, pay-off their debt service (if any still remains) and transfer the remaining balance to close-out other underfunded capital projects.

CONSEQUENCES OF A NEGATIVE ACTION

If authorization is not granted, the capital projects will remain inactive with available balances and underfunded projects will continue to show negative balances requiring future clean-up actions.

STEPS FOLLOWING APPROVAL

The Division of Budget and Management will work with the Office of Comptroller to close the inactive capital projects.

A RESOLUTION TO BE SUBMITTED BY
DIVISION OF BUDGET AND MANAGEMENT

WHEREAS, the Department of Public Works and Division of Budget and Management have been reviewing capital projects and have identified a number of projects where work has been completed and are ready to wholly or partially close; and

WHEREAS, based on a review by the Division of Budget and Management and the Comptroller's Office, a balance totaling $1,082,420.09 for 2012 is available for closing; and

WHEREAS, all of the projects have outstanding principal and interest payments and New York State Local Finance Law requires utilization of remaining project balances for the payment of the outstanding principal and interest related to these capital projects; and

WHEREAS, the Division of Budget and Management and Comptroller's Office have identified ten capital projects which are eligible to be closed, but which maintain negative balances reflecting that they were underfunded in prior years; and

WHEREAS, prior to closing, it is necessary to transfer $1,055,947.95 to close these underfunded projects.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to wholly or partially close the following 54 capital projects in Funds 420, 410, 480 and 511 and to transfer available funds to Fund 310 Debt Service, to be utilized to assist in the payment of the outstanding principal and interest payments related to these capital projects in 2012 and to transfer $1,055,947.95 of the balance to under-funded prior year accounts to enable their closure:

Fund	WBS Element	Project Name	Balance
420	B.00022	01 N. French Road (CR 299) Design	$2,118.09
420	B.00045	02 Bullis Road Bridge Recons	$3,045.12
420	B.00046	02 Hall Road Bridge Reconstruction	$3,283.52
420	B.00152	06 Kenmore Avenue Design	$6,401.44
420	B.00161	2006 Rapids Road/Beeman Creek	$923.28
420	B.00162	2006 Mill Street/Catt Creek	$627.83
420	B.00167	'07 Road Reconstruction Proj	$11,943.22
420	B.00176	07 Harris Hill @Wehrle&Pleas	$11,078.52
420	B.00177	07 Seneca St Br Reconstruction	$15,287.31
420	B.00178	07 Cemetery Rd Br Reconstruction	$13,806.35
420	B.00208	2008 Pavement Rd Br Design	$812.14
420	B.00209	2008 Cedar St Br Design	$2,866.37
420	B.00212	2008 Rapids Rd Br Design	$1,433.19

420	B.00213	2008 Lake Avenue Br Design	$955.46
420	B.00214	2008 Abbott Rd Br Design	$764.36
420	B.00215	2008 Freeman Rd Br ROW	$90.77
420	B.11010	2011 Abbott Rd Br Design-Fed	$7,220.73
420	B.11011	2011 Pavement Rd Br Design-Fed	$3,184.15
420	B.11014	2011 Harris Hill Intersection	$1,504.32
420	B.11015	2011 Colvin Signals Design-Fed	$1,504.32
420	B.11016	2011 Seneca St Br ROW-Fed Aid	$100.28
420	B.11018	2011 Mill St Br ROW-Fed Aid	$501.41
420	B.11019	2011 Harris Hill Intersection	$1,002.81
420	B.11020	2011 Maple Rd Intersections	$310.87
420	B.11021	2011 Colvin Signals ROW-Fed	$1,002.81
420	B.20903	2009 Parkview Rd. Bridge-Con	$32,347.32
420	B.20904	2009 Cemetery Road Bridge	$29,580.95
420	B.20906	2009 Freeman Road Bridge - R	$477.73
420	B.20908	2009 Pavement Road Bridge-ROW	$14,269.74
420	B.20912	2009 Freeman Road Bridge-Des	$6,210.46
420	B.20914	2009 Mill St Bridge - Design	$7,643.65
420	B.20915	2009 Pavement Rd Bridge - De	$2,054.23
420	B.20925	09 Greiner/ Shimmerville Intersection	$28,663.72
420	B.20927	2009 Youngs/Aero Intersection	$23,695.34
420	B.20928	2009 North Forest Rd-Constru	$83,029.21
420	B.20929	2009 Pavement Road Bridge-Co	$14,269.74
420	B.20931	2009 Seneca St Bridge-Constr	$8,216.93
420	B.20933	2009 Clarence Center Rd Brid	$9,860.32
420	B.20934	2009 Elmwood Avenue 5757.87	$12,454.39
420	B.20936	2009 Rapids Road Bridge-Design	$8,408.03
420	B.21003	2010 Como Park Blvd Construc	$5,732.75
420	B.21006	2010 Maple Rd Intersection C	$58,343.07
420	B.21009	2010 Seneca St Bridge Construction	$53,027.87
420	B.21010	2010 Pavement Rd Bridge Cons	$31,243.45
420	B.21012	2010 Elmwood Avenue Signals	$1,528.73
420	B.21014	2010 Cedar St Bridge Design	$5,350.56
420	B.21015	2010 Pavement Rd Bridge Design	$1,743.71
410	A.00020	00 ECSD #5 SP Lake	879.03
410	A.00085	03 Masterplan for Jail Management	64,014.54
410	A.00096	Emery Park Water Lines - Phase III	48,256.20
410	A.00333	08 Roof Replacement Holding Center	238,864.26
410	D.09103	03 Cap Lab & Tech Equip- Countywide	175,051.76
480	E.00036	97 Spring Student Ctr & Food	14,949.10
480	E.00041	98 ECC North Spring Student Center	10,484.63
		Total	**$1,082,420.09**

and be it further

RESOLVED, that the following underfunded capital projects in Funds 410, 420, 480 and 511 with negative balances are hereby closed after funds are transferred to effectuate their closure:

Fund	Account #	Project Name	Balance
420	B.20926	09 Harris Hill/ Wehrle Intersection	($16,016.80)
410	A.00050	02 Roof Replacement & Waterproofing	($173,674.04)
410	A.21015	2010 Demolition of Properties ECMCC	($355,812.43)
480	E.00004	ECC South Athletic Field Bleachers	($16,856.07)
480	E.00005	01 ECC Parking Lot and Roadway Renovations	($215,180.38)
480	E.00063	06 ECC Purchase Misc Equip	($4,740.00)
480	E.08999	Balancing Project	($187,834.25)
511	G.00017	Equipment Purchase	($4,377.00)
511	G.00058	06 Capital Transfer	($1,750.00)
511	G.09026	05 Hospital Clinic	($79,706.98)
		Total	**($1,055,947.95)**

and be it further

RESOLVED, that the following adjustments are hereby authorized:

Account	Increase/ (Decrease)
Debt Service Fund 310 – Revenue	
17200 General Debt	
486010 Residual Equity Transfers In	$1,055,948
486000 Interfund Revenue Subsidy	($1,055,948)

Account	Increase/ (Decrease)
General Fund 110 – Expense	
14020 County-Wide Interfund Accounts	
570050 Interfund Transfers Capital	$1,055,948
570040 Interfund Subsidy-Debt Service	($1,055,948)

and be it further

RESOLVED, that the remaining $26,472.14 difference between the closed capital accounts and the amount transferred to the underfunded projects shall be transferred to the Debt Service Fund 310 and be held in debt reserve for future use; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management and the Comptroller's Office to make any and all budgetary and financial entries required to implement these transfers and funds utilization; and be it further

RESOLVED, that the County hereby memorializes and notes that the whole or partial closing of capital projects will provide available funds in 2013, 2014, 2015 and 2016 and future years to help defray debt service expenses associated with Fund 310.