

February 7, 2012

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 14D-7 (2011)
DEPARTMENT OF PUBLIC WORKS: “2011 Road Program”
(6-0)
 - b. COMM. 1E-2 (2012)
COMPTROLLER: “Comptroller’s Review of Overtime Costs in the Department of Public Works”
(6-0)
 - c. COMM. 2E-6 (2012)
COUNTY EXECUTIVE: “Appointment of EC Director of Workforce Development & Executive Director, Buffalo & EC Workforce Investment Board”
(5-0) Chair Grant not present for vote.
 - d. COMM. 2M-20 (2012)
JAMES J. EAGAN: “Letter to Chair Grant Concerning Reappointment to NFTA Board of Commissioners”
(5-0) Chair Grant not present for vote.
 - e. COMM. 2M-25 (2012)
NYS SENATOR KENNEDY: “NFTA Assistance Request”
(5-0) Chair Grant not present for vote.
2. COMM. 2E-15 (2012)
COUNTY EXECUTIVE
WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent is the preparation of the annual program application materials and submittal of same to the federal Department of Housing and Urban Development.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit this resolution to the United States Department of Housing and Urban Development (HUD) as supportive material to the 2012 Annual Action Plan having estimated dollar amounts as indicated:

1. Erie County Consortium Community Development Program: \$2,555,108
2. Emergency Solutions Program: \$207,863
3. HOME Investment Partnership Program: \$689,558
4. Town of Hamburg Community Development Program: \$376,275

and be it further

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit and execute any and all applications and agreements with HUD, local governments, property owners receiving housing assistance, non-profit, and for-profit agencies, which are necessary to implement the above programs with the exception that any proposed agreement that transfers all or a portion of the administrative functions of the program from Erie County to a sub-recipient or contractual agency shall require approval from the Erie County Community Development Consortium and the Erie County Legislature; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all HOME Agreements with property owners participating in County housing programs assisted with federal HOME Investment Partnership funds; and be it further

RESOLVED, that copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.
(5-0) Chair Grant not present for vote.

3. COMM. 2E-16 (2012)
COUNTY EXECUTIVE

WHEREAS, the Town of Evans Multi-Use Pathway Project, Phase 2, a Project for the Construction of a multi-use pathway along Old Lakeshore Road, from Bennett Road, (Southern Terminus of the Evans Multi-Use Pathway Project, Phase 1, PIN 5756.75) to Evans Beach Park, in the Town of Evans, Erie County, PIN 5757.49 (the “Project”) is eligible for funding under Title 23 U.S. Code, as

amended, that calls for the apportionment of the costs of such program to be borne at the ratio of approximately 68.3% Federal funds and 31.7% Non-Federal funds, or 80% Federal funds and 20% Non-Federal funds, depending on the Federal Funding Program; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Construction and Construction Inspection phase of the project PIN 5757.49; and

WHEREAS, the Town of Evans Multi-Use Pathway Project – Phase 2 is eligible for \$75,938 in funding under the New York State Marcheselli Aid Reimbursement Program administered by the New York State Department of Transportation; and

WHEREAS, said Marcheselli funding will be applied to the non-federal share of the Project cost thereby reducing the County share from \$182,000 to \$106,062.

NOW, THEREFORE, the Legislature of the County of Erie, duly convened does hereby

RESOLVED, that the Legislature of the County of Erie hereby approves the above-subject project; and be it further

RESOLVED, that the Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Construction and Construction Inspection phase of the Project or portions thereof; and be it further

RESOLVED, that County funding is available in SAP Account A.00213 in the amount of \$480,938 and SAP Account A.00344 in the amount of \$106,062; and be it further

RESOLVED, that the sum of \$106,062 is hereby appropriated from Capital Account SAP A.00344 and made available to cover the County share of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the project's Construction and Construction Inspection phase exceeds the amount appropriated above \$106,062, and/or 100% of the full Federal and Non-Federal shares of the cost of the project's Construction and Construction Inspection phase exceeds \$587,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of costs and permanent funding of the local share of Federal Aid and State Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, this Resolution shall take effect immediately; and be it further

RESOLVED, that authorization is hereby provided to complete the following budget adjustment to SAP Account A.00213 within the Erie County Budget

- Increase Revenue and Appropriations by \$75,938 as follows:

<u>Revenue</u>	
Commitment Item #405160 (Marchiselli Aid)	(\$75,938)
<u>Appropriation</u>	
Commitment Item #516020 (Professional Services, Contractual: Fees)	\$75,938

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with federal and state funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor. (5-0) Chair Grant not present for vote.

4. COMM. 2E-18 (2012)
COUNTY EXECUTIVE

WHEREAS, the parks currently known as the Ontario Street Boat Launch and Cornelius Creek Park are County Parks in the Block Rock and Riverside neighborhoods within the City of Buffalo; and

WHEREAS, the Parks are commonly known in the community as the Black Rock Canal Park;
and

WHEREAS, a community group known as the Black Rock Canal Park Canal Steering Committee has been assisting the Department of Environment & Planning in fund raising efforts for physical improvements to the Park; and

WHEREAS, a substantial amount of funding has been secured for the physical improvements to the Park; and

WHEREAS, the Department of Environment and Planning and the Department of Parks, Recreation and Forestry have been working with the Black Rock Canal Park Steering Committee to develop a new master plan for the Park and to implement the improvements indicated in said plan; and

WHEREAS, the Phase 1 construction of improvements to the Parks are scheduled to begin in the Spring of 2012; and

WHEREAS, the aforementioned Steering Committee has requested that the combined name of the Parks be officially changed to Black Rock Canal Park.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Parks currently known as the Ontario Street Boat Launch and the Cornelius Creek Park be now known as the Black Rock Canal Park; and be it further

RESOLVED, that the Department of Environment and Planning and Department Parks Recreation and Forestry install appropriate signage of the name of the Park as part of the physical improvements project to the Park; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of Parks, Recreation and Forestry; and the County Attorney.
(5-0) Chair Grant not present for vote.

THOMAS A. LOUGHRAN
CHAIR