

March 20, 2012

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

- a. COMM. 5M-1 (2012)
NYSDOT: "Copy of Letter to Sardinia Town Clerk Concerning Repairs to Route 219 Bridge over Cattaraugus Creek"
(6-0)
- b. COMM. 5M-3 (2012)
NFTA: "Minutes of Meeting Held 1/23/2012"
(6-0)

2. COMM. 5E-12 (2012)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works' Division of Buildings and Grounds administers the County's physical plant and all building construction, and

WHEREAS, in 2010, the prior architect resigned and left the County and the prior administration subsequently deleted the architect title from the 2011 Budget, and

WHEREAS, in addition, the position of supervisor of design, a position requiring a PE license, is vacant and the County is having severe difficulties in recruiting for the position given the pay scale, and

WHEREAS, DPW has a critical need to have the services of an in-house architect to provide critical architectural work and to reduce the County's dependence on expensive outside consultants, and

WHEREAS, this architect will provide critical assistance in the County's negotiations on improvements at Ralph Wilson Stadium with the Buffalo Bills, and

WHEREAS, the Department of Public Works requests creation of an architect position to with no new County share expense beyond that provided for in the Adopted 2012 County Budget due to vacancy control savings;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one position of Architect, job group 15, in the Department of Public Works' Division of Buildings and Grounds, B-100 # 6809; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Budget of the Division of Buildings and Grounds for this position, with the position covered by offsetting vacancy control savings and partial federal and state aid; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, and the Department of Public Works.
(6-0)

3. COMM. 5E-16 (2012)
COUNTY EXECUTIVE

WHEREAS, a project for reconstruction of the intersections of Harris Hill Road (CR276) at Wehrle Drive (CR275) and Pleasant View Drive (CR161) in the Towns of Clarence and Lancaster, Erie County, PIN 5756.47 (the "Project") was authorized by this Honorable Body on July 9, 2009 via Communication 12E-19; and

WHEREAS, in order to facilitate the reconstruction of the intersections, it will be necessary for the County to acquire a parcel by temporary easement, portions of real property in the vicinity of the intersections;

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Clarence

such property to be acquired by the County is herein referred to as the "Subject Property"; and

WHEREAS, in order to acquire the temporary easement parcel for the Project, it will be necessary for the County and the Town of Clarence to agree that the property shall be conveyed as a donation and that the payment be One Dollar (\$1.00), payment waived; and

WHEREAS, the acquisition of the portion of the Subject Property is de minimis in nature so that the public interest will not be prejudiced by the reconstructed road and other general improvements to the subject section of Pleasant View Drive (CR161),

NOW, THEREFORE, BE IT

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

RESOLVED, that the sum of One Dollar (\$1.00) shall be waived, as payment for the temporary easement; and be it further

RESOLVED, that the County of Erie is authorized to acquire easement title to the aforementioned Subject Property for the purpose of reconstructing and improving the aforementioned Harris Hill Road Intersections at Wehrle Drive and Pleasant View Drive Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are authorized to act on behalf of the County of Erie in connection with the acquisition of the portions of the aforementioned Subject Property; and be it further

RESOLVED, that based upon the factors previously set forth herein, it is the determination of this County Legislature that such acquisitions of portions of the aforementioned Subject Properties are de minimis in nature; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring fee and/or easement interests in the Subject Properties; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation and also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

4. **COMM. 5E-17 (2012)**
COUNTY EXECUTIVE

WHEREAS, the park currently known as the Black Rock Canal Park is within the City of Buffalo and is bounded by the Niagara River and New York State I-190; and

WHEREAS, the only access to the Park is over a City street and New York State right-of-way;
and

WHEREAS, the County is embarking on a \$1.8 million improvement project to Black Rock Canal Park; and

WHEREAS, the County would like to have permanent public access to the Black Rock Canal Park; and

WHEREAS, the project Advisory Committee is now looking to add improvements to the southern end of the Park as part of Phase 1, which results in a need to increase our contract with the design firm.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County desires to have permanent access to the County Park known as Black Rock Canal Park; and be it further

RESOLVED, that the Erie County Executive is authorized to enter into easements and land agreements with the City of Buffalo, the New York State Thruway Authority, and the State of New York and its appropriate agencies to obtain permanent public access and implement the park improvements project; and be it further

RESOLVED, that the Department of Environment and Planning design contingency fund be increased from \$10,762 (COMM. 10E-21, 2011) to \$20,000 with authorization for the County Executive to approve contract amendments with Nussbaumer and Clark, Inc., not to exceed \$20,000, said funds to be allocated from SAP account A.21016; 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 & Forestry; the Deputy Commissioner of Real Property Tax; the Comptroller's Office; the Division of Budget & Management and the County Attorney.
(6-0)

5. **COMM. 5E-19 (2012)**
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has the responsibility for carrying out the federal Community Development Block Grant (CDBG) and HOME Investment Partnership Programs; and

WHEREAS, said Programs require financial oversight, budget integration between federal and County monetary operations, and coordination with the U.S. Department of Housing and Urban Development's Integrated Disbursement Information System; and

WHEREAS, said Programs have an annual budget of over \$6.0 million; and

WHEREAS, the execution of a personal services contract with the retired Coordinator, Grants and Program Administration provides an opportunity to perform necessary administrative functions as required by the grant to insure proper compliance with all federal grant reporting requirements during the 2012/13 Program Year.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Personal Services Agreement with Linda Halt, residing at 11 Danbury Lane, Kenmore, New York 14217 for the purpose of training personnel to administer grant management services within the federally funded Community Development Block Grant and HOME Investment Partnership Program; and be it further

RESOLVED, that the agreement shall be for one year, terminable upon written notice to Linda Halt, and include an authorized contract amount not to exceed \$18,000; and be it further

RESOLVED, that the requirement for request for proposals in Section 19.08 of the Erie County Administrative Code is hereby waived since the engagement is a continuation of work activities undertaken through the original County service of Linda Halt as a Coordinator, Grant and Program Administration; and be it further

RESOLVED, that the source of funds shall be funds available within the 2011 Erie County Community Development Block Grant Budget, in Project J.00511, WBS elements J.00511.1.9 and J.00511.1.11; 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.
(6-0)

THOMAS A. LOUGHRAN
CHAIR