

June 9, 2011

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 11M-2 (2011)

NFTA: "Cash Flow Statements for the Period 4/1/10 - 3/31/11 & Projected Cash Flow Statements for the Period 4/1/11 - 3/31/12"
(6-0)

2. COMM. 12E-27 (2010)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, in 2002 the County of Erie and the Empire State Development Corporation (ESDC) agreed to participate in a redevelopment plan for the Buffalo waterfront, including development of public amenities with the intent of supporting heritage tourism and economic development; and

WHEREAS, in 2005 ESDC created the Erie Canal Harbor Development Corporation (ECHDC) which has acted as the prime New York State entity in the development of the Buffalo waterfront; and

WHEREAS, the County of Erie has issued Fourteen Million Dollars (\$14,000,000) of general obligation bonds to assist in the development of public improvements related to the Buffalo waterfront development; and

WHEREAS, the County of Erie entered into a contract with the ECHDC on December 21, 2007 for the purpose of providing \$7 million in Erie County bond funds toward the removal of asbestos and hazardous materials from Memorial Auditorium; and

WHEREAS, in accordance with COMM 13E-12(2009) Erie County anticipated entering into a loan agreement with the ECHDC for the unexpended \$7 million in Erie County bond funds whereby the ECHDC would make annual debt service payments to Erie County; and

WHEREAS, ECHDC has advised that it is no longer interested in entering into said loan agreement with Erie County; and

WHEREAS, the Erie County Office of Budget & Management and Department of Public Works has identified certain capital projects for which such bond proceeds may be reallocated; and

WHEREAS, the reallocation of \$7 million in unexpended bond proceeds for the alternative capital projects requires State legislation;

NOW, THEREFORE, BE IT

RESOLVED, that the intended objects or purposes for which said bonds were issued was partially completed with the use of said bonds and the remainder will be carried out independently by the Erie Canal Harbor Development Corporation; and be it further

RESOLVED, that the County requests the enactment of special state legislation to authorize the expenditure of the \$7,000,000 unexpended proceeds of such bonds for alternative intended objects or purposes; and be it further

RESOLVED, that the Erie County Legislature hereby memorializes to the NYS Assembly and Senate, particularly those lawmakers who serve as Western New York's delegation in Albany, that immediate introduction of new State authorizing legislation is needed so that County may deem the objects or purposes for which certain bonds were issued by the County of Erie to be the Erie Canal Harbor waterfront development; the purchase of vehicles and heavy equipment; and bridge and road reconstruction projects and authorizing the expenditure of the proceeds from such bonds for such objects or purposes; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Honorable Dennis Gabryszak of the New York State Assembly and the Honorable Michael Ranzenhofer of the New York State Senate, together with the Office of Budget, the County Attorney, the County Comptroller, the Department of Environment and Planning and the Department of Public Works.
(6-0)

3. COMM. 11E-9 (2011)

COUNTY EXECUTIVE

WHEREAS, the portion of Hopkins Road along Ransom Creek between Schoelles Road and Tonawanda Creek Road has experienced embankment and roadway failure resulting in the road being reduced to one lane in several areas; and

WHEREAS, the County desires to address the problems in the subject portion of Hopkins Road to the extent possible with current funds (the Project); and

WHEREAS, your honorable body has previously authorized Greenman-Pedersen, Inc. as a qualified, Term Agreement General Architectural/Engineering firm via Comm.14E-19 of July 17, 2008; and

WHEREAS, it is desired to begin the Project as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and directed to negotiate and execute all necessary contracts for the Project with engineering firm Greenman-Pedersen, Inc. for an aggregate amount not to exceed \$259,957.49; and be it further

RESOLVED, that funds in the amount of \$259,957.49 be allocated from SAP Account B.21001.1.8 – PAYG for the Project; and be it further

RESOLVED, that the County Executive is authorized and directed to bid and award all necessary construction contracts for the Project for an aggregate amount not to exceed \$1,931,720.77; and be it further

RESOLVED, that funds in the amount of \$1,011,720.77 be allocated from SAP account B.20919 – 2009 Hopkins Road/Ransom Creek Reconstruction and that funds in the amount of \$920,000.00 be allocated from SAP account B.21033 – 2010 Hopkins Road Reconstruction for the Project; and be it further

RESOLVED, that the total amount of all contracts, including the consulting contract and construction contract will not exceed \$2,191,678.26; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and 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. 11E-10 (2011)**
COUNTY EXECUTIVE

WHEREAS, the portion of Burdick Road along Tonawanda Creek between rapids Road and Tonawanda Creek Road has experienced embankment and roadway failure resulting in the road being reduced to one lane in the subject area; and

WHEREAS, the County desires to address the problems in the subject portion of Burdick Road (the Project); and

WHEREAS, your honorable body has previously authorized Greenman-Pedersen, Inc. as a qualified, Term Agreement General Architectural/Engineering firm via Comm.14E-19 of July 17, 2008; and

WHEREAS, it is desired to begin the Project as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and directed to negotiate and execute all necessary contracts for the Project with engineering firm Greenman-Pedersen, Inc. for an aggregate amount not to exceed \$225,000.00; and be it further

RESOLVED, that funds in the amount of \$225,000.00 be allocated from SAP Account B.21031 – Burdick Road Design for the Project; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

TIMOTHY J. WHALEN
CHAIR