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# COUNTY OF ERIE

**CHRIS COLLINS**

COUNTY EXECUTIVE

March 11, 2011

The Honorable  
Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: Amendment Number 1 to Erie County and New York State Department of  
Agriculture and Markets Agreement Regarding Preparation of an Erie County  
Agricultural Farmland Protection Plan**

Honorable Members:

Enclosed please find a suggested resolution and accompanying memorandum authorizing execution of a No Cost Budget Modification/Time Extension to the March 30, 2010 Contract between Erie County and the New York State Department of Agriculture and Markets. The modification extends the contract termination date from September 30, 2011 to July 31, 2012.

Should your honorable body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration of this matter.

Sincerely,

CHRIS COLLINS  
Erie County Executive

## **MEMORANDUM**

To: Honorable Members of the Erie County Legislature  
From: Department of Environment and Planning  
Re: Amendment Number 1 to Erie County and New York State Department of  
Agriculture and Markets Agreement Regarding Preparation of an Erie County  
Agricultural Farmland Protection Plan  
Date: March 11, 2011

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### **SUMMARY**

A 10-month time extension to the contract between Erie County and the New York State Department of Agriculture and Markets is necessary to allow full expenditure of the \$50,000 being made available by the State for farmland protection activities. Your honorable body approved the original contract and acceptance of grant funding in Comm. 12E-22(2010), SAP Grant #162ECAAFPP1011.

### **FISCAL IMPLICATIONS**

The contract modification is a time extension only and funding from Erie County is not a prerequisite for the extension.

### **REASONS FOR RECOMMENDATION**

The process to execute necessary agreements with the American Farmland Trust delayed initiation of work. The Trust is the County planning consultant for the project.

### **BACKGROUND INFORMATION**

Erie County last prepared an Agricultural Farmland Preservation Plan in 1996. Given the importance of the agricultural industry to the area's overall economy as well as the open space benefits that attribute to the maintenance of viable farming operations it is appropriate to properly plan for its preservation.

### **CONSEQUENCES OF NEGATIVE ACTION**

Erie County would be unable to fully utilize \$50,000 in State monies for the project thereby requiring termination of the State/County agreement.

### **STEPS FOLLOWING APPROVAL**

The No Cost Budget Modification/Time Extension agreement will be executed by the County Executive and forwarded to the New York State Department of Agriculture and Markets for final processing.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Amendment Number 1 to Erie County  
and New York State Department of  
Agriculture and Markets Agreement  
Regarding Preparation of an Erie  
County Agricultural Farmland  
Protection Plan

WHEREAS, the New York State Department of Agriculture and Markets and Erie County have entered into an agreement dated March 30, 2010; and

WHEREAS, said agreement authorized the New York State Department of Agriculture and Markets to provide \$50,000 to the County for use in preparing a Farmland Protection Plan; and

WHEREAS, said agreement has a termination date of September 30, 2011; and

WHEREAS, due to delays in project initiation it is now necessary to extend the termination date to July 31, 2012; and

WHEREAS, your honorable body approved the original contract and acceptance of grant funding in Comm. 12E-22(2010) establishing SAP Grant #162ECAAFPP1011.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute any and all agreements with the New York State Department of Agriculture and Markets which may be necessary to extend the existing March 30, 2010 contract (#T800770) with Erie County an additional ten months to July 31, 2012; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute any and all additional No Cost Budget Modification/Time Extension agreements to the original March 30, 2010 Contract as may be necessary to fully utilize New York State Department of Agriculture and Markets funds; 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, 10<sup>th</sup> Floor.