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COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

March 31, 2011

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

**RE: Ontario Street Boat Launch/Black Rock Canal Park
Multi-Modal Funding Agreement**

Honorable Members:

Enclosed please find a suggested resolution and accompanying memorandum authorizing execution of a funding agreement with the New York State Department of Transportation. The agreement will allow the transfer of \$400,000 from the State to Erie County for improvements to the Ontario Street Boat Launch/Black Rock Canal Park.

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

Sincerely,

CHRIS COLLINS
Erie County Executive

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Ontario Street Boat Launch/Black Rock Canal Park
Multi-Modal Funding Agreement
Date: March 31, 2011

SUMMARY

The resolution authorizes the County Executive to execute a grant agreement with the New York State Department of Transportation. The agreement allows the County to receive \$400,000 in New York State Multi-Modal 4 Program monies for improvements to the County's Ontario Street Boat Launch /Black Rock Canal Park in the City of Buffalo. The park is located along the Niagara River at the intersection of Niagara and Ontario Streets.

FISCAL IMPLICATIONS

County matching funds are not required to receive the Multi-Modal 4 Program dollars.

REASONS FOR RECOMMENDATION

Since the park is a County owned facility, the New York State Department of Transportation requires the improvements made from grant dollars to be acceptable to Erie County.

BACKGROUND INFORMATION

The grant funds allow for the continuation of Black Rock Canal Park improvements as proposed by the Erie County Department of Environment and Planning in conjunction with the Black Rock Canal Park Advisory Committee. The improvements will primarily focus on improved entry/egress and road enhancement.

CONSEQUENCES OF NEGATIVE ACTION

Erie County would forego an opportunity to obtain \$400,000 for needed park improvements.

STEPS FOLLOWING APPROVAL

A contract will be executed between Erie County and the New York State Department of Transportation.

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING**

RE: Ontario Street Boat Launch/ Black Rock Canal Park
Multi-Modal Funding Agreement

WHEREAS, a Project for the Black Rock Canal Park Roadway and Bikeway Improvements, P.I.N. 5MA161.30A (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, and New York State's Multi-Modal Program administered by the NYS Department of Transportation ("NYSDOT"); and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project.

NOW, THEREFORE, BE IT

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

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive of Erie County to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and be it further

RESOLVED, that the sum of \$400,000 is hereby appropriated from and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that authorization is hereby provided to complete the following budget adjustment to SAP Project #A.21016, 2010 Ontario St. Boat Launch/Black Rock Canal, within the Erie County Budget:

	<u>Increase</u>
<u>Revenue</u>	
Commitment Item #409010 (Other State Source Revenue)	\$400,000
 <u>Appropriation</u>	
Commitment Item #516020 (Professional Services – Contractual and Fees)	\$400,000

and be it further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Legislature of Erie County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Erie County Executive thereof; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Multi-Modal Program funding on behalf of the County of Erie with New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and all Project costs that are not so eligible; and be it further

RESOLVED, that the Director 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 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, that a certified copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between the County of Erie and the State of New York; 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; and be it further

RESOLVED, that this Resolution shall take effect immediately.