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## COUNTY OF ERIE

**CHRIS COLLINS**

COUNTY EXECUTIVE

June 28, 2011

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

**RE: Erie County Capital Budget Funding for the Spaulding Fibre Site**

Honorable Members:

Enclosed please find a memorandum and proposed resolution authorizing entering into contracts with the City of Tonawanda to allow for expenditure of \$1,120,000 in Erie County Capital Budget funding for the Spaulding Fibre Commerce Park site in the City of Tonawanda. The contracts will also allow for Erie County to take title to the areas where the improvements will take place.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Collins", is written over a horizontal line.

CHRIS COLLINS  
Erie County Executive

## MEMORANDUM

To: Honorable Members of the Erie County Legislature  
 From: Department of Environment and Planning  
 Re: Erie County Capital Budget Funding for the Spaulding Fibre Site  
 Date: June 28, 2011

### **SUMMARY**

It is recommended that the Erie County Legislature authorize the County Executive to enter into agreements with the City of Tonawanda to transfer Erie County Capital Budget funds for an amount not to exceed \$1,120,000 for the Spaulding Fibre Commerce Park project. The allocation from the 2011 Erie County Capital Budget was made to assist in the redevelopment of the Spaulding Fibre site as a prime industrial site in an urbanized area. It will also allow the County Executive to enter contracts with the City of Tonawanda to accept ownership of the right-of-way and to accept ownership of the roadway and all infrastructure to be constructed within the right-of-way.

### **FISCAL IMPLICATIONS**

Currently the Spaulding Fibre property is a remediated former brownfield and abandoned industrial site. There has been no private sector activity or property taxes paid on the site in almost twenty years. This investment of \$1,120,000 from Erie County 2011 Capital Budget funding will allow the 47-acre parcel to be available for sale to private sector owners for redevelopment. The funding is part of the 2011 approved Erie County Capital Budget.

### **REASONS FOR RECOMMENDATION**

The Spaulding Fibre site has been a blighted site for many years and an impediment to development and investment in this part of the City of Tonawanda. The demolition and environmental remediation that has taken place will help pave the way for reuse of this site, job creation and increased investment in the area. The construction of the access road will be the final component to making the site "shovel ready" for development.

### **CONSEQUENCES OF NEGATIVE ACTION**


Failure to adopt this resolution will result in Erie County being unable to enter into contacts and not having the Capital Budget funding to use for the Spaulding Project. The access road would not be constructed.

### **STEPS FOLLOWING APPROVAL**

Upon approval of the resolution, contracts with the City of Tonawanda will be executed.

### **COMPTROLLER'S REVIEW**

The proposed legislation has been reviewed by the Office of the Comptroller and is related to a capital project, included in the 2011 Capital Budget, for which there will be sufficient capital appropriations for the action proposed.

  
 LORNE STEINHART, Deputy Commissioner  
 Office of the Comptroller

⊗ Proceeding with this request is contingent upon the approval of the dedicated Bond Resolution, which is separate from the 2011 Consolidated Resolution, and the completion of the 2011 Bond Sale. - L.L.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Capital Budget  
Funding for the Spaulding Fibre Site

WHEREAS, the Spaulding Fibre Site in the City of Tonawanda is a remediated former abandoned factory and brownfield site; and

WHEREAS, the City of Tonawanda, the County of Erie, the Erie County Industrial Development Agency, the New York State Department of Environmental Conservation, the New York State Empire State Development Corporation and National Grid have been working to abate asbestos, demolish dilapidated buildings and remediate environmental problems at the 900,000 square foot facility, 47-acre site; and

WHEREAS, the 900,000 square foot factory has been demolished, the 47-acre site has been remediated to restricted residential standards and the City of Tonawanda has taken title to the property; and

WHEREAS, the construction of an access road and utilities into the site is necessary to create a "shovel ready" site; and

WHEREAS, Erie County has allocated \$1,120,000 in its approved 2011 Capital Budget for a road and infrastructure for the Spaulding Commerce Park site; and

WHEREAS, it is necessary for Erie County to have an ownership interest in the property where the Capital Budget expenditures will occur.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter contracts with the City of Tonawanda to accept ownership of the right-of-way; and be it further

RESOLVED, that the County Executive is authorized to enter contracts with the City of Tonawanda to accept ownership of the roadway and all infrastructure to be constructed within the right-of-way; and be it further

RESOLVED, that the County Executive is authorized to enter into agreements to transfer \$1,120,000 in Erie County Capital Budget funds to the City of Tonawanda for right of way acquisition, construction and acquisition of all roads and infrastructure at the Spaulding Commerce Park site; and be it further

RESOLVED, that authorization to enter into any contracts or agreements is contingent upon authorization of the 2011 Bond Sale, and be it further

RESOLVED, that this Authorization take effect immediately; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget and Management; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County

Attorney.