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COUNTY OF ERIE

CHRIS COLLINS
COUNTY EXECUTIVE

August 2, 2011

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

RE: 2011 Increase in CHIPS Funding

Honorable Members:

We recommend that your honorable body approve the attached legislation authorizing the Department of Public Works, Division of Highways to accept and appropriate the increase of \$312,150.14 in Consolidated Highway Improvement Program (CHIPS) award as enacted during the 2011-2012 New York State Budget. The County must expend the \$312,150.14 during the 2011-2012 State fiscal year to be eligible for the 100% reimbursement.

The original CHIPS award was \$7,200,000.00. The award has been increased to \$7,512,150.14. The department desires to capture this additional funding to continue the rehabilitation of Erie County's failing road and bridge infrastructure.

Should your honorable body require further information, I encourage you to contact the Department of Public Works, Office of the Commissioner. 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 Public Works/Office of the Commissioner
Re: 2011 Increase in CHIPS Funding
Date: August 2, 2011

SUMMARY

Increase 2011 Road Fund Budget for additional Consolidated Highway Improvement Program (CHIPS) award, as enacted during the 2011-2012 New York State Budget.

FISCAL IMPLICATIONS

Erie County will be able to complete \$312,150.14 of additional rehabilitation work to our failing road and bridge infrastructure that is 100% reimbursable by this program.

REASONS FOR RECOMMENDATION

To allow the Highways Division to utilize available funds to perform work on Erie County roads and bridges.

BACKGROUND INFORMATION

The CHIPS award to Erie County has been increased by \$312,150.14 for the 2011-2012 State fiscal year ending March 31, 2012.

CONSEQUENCES OF NEGATIVE ACTION

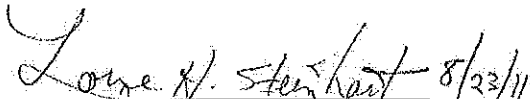
The County will not be able to accept or utilize an additional award of \$312,150.14.

STEPS FOLLOWING APPROVAL

Highways Division will identify and complete additional road and bridge repairs which are eligible for CHIPS reimbursement.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

 8/23/11

LORNE H. STEINHART
Deputy Comptroller
Comptroller's Office

GJS/lis

File Copy (DPW.8.2.11-1.Increase in CHIPS Funding.docx)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

RE: 2011 Increase in CHIPS
Funding

WHEREAS, the New York State Consolidated Highway Improvement Program (CHIPS) award to Erie County has been increased by \$312,150.14; and

WHEREAS, the Department of Public Works, Division of Highways desires to utilize this additional award to continue the rehabilitation of Erie County roads and bridges; and

WHEREAS, the 2011 road fund budget must be increased by \$312,150.14 to accept and utilize the additional award; and

WHEREAS, the additional CHIPS award is available for reimbursement of expenditures related to repair of Erie County roads and bridges during the 2011-2012 State fiscal year ending March 31, 2012.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following budget amendments:

Cost Center 1231010, Fund 210, Administration – Highways

Account	Description	CURRENT BUDGET	INCREASE/ (DECREASE)	REVISED BUDGET
REVENUE				
407000	Consolidated Highway Aid	<u>\$7,200,000.00</u>	<u>\$ 312,150.14</u>	<u>\$7,512,150.14</u>
TOTAL REVENUE		<u>\$7,200,000.00</u>	<u>\$ 312,150.14</u>	<u>\$7,512,150.14</u>
APPROPRIATIONS				
570000	Interfund Transfers Subsidy	<u>\$5,200,000.00</u>	<u>\$ 312,150.14</u>	<u>\$5,512,150.14</u>
TOTAL APPROPRIATIONS		<u>\$5,200,000.00</u>	<u>\$ 312,150.14</u>	<u>\$5,512,150.14</u>

Capital Account B.11001, Fund 420, 2011 Capital Overlay Program - Countywide

REVENUE

486000	Interfund Revenue Subsidy	<u>\$7,000,000.00</u>	<u>\$312,150.14</u>	<u>\$7,312,150.14</u>
TOTAL REVENUE		<u>\$7,000,000.00</u>	<u>\$312,150.14</u>	<u>\$7,312,150.14</u>

APPROPRIATIONS

Capital Projects	Capital Project Exp	<u>\$7,000,000.00</u>	<u>\$312,150.14</u>	<u>\$7,312,150.14</u>
TOTAL APPROPRIATIONS		<u>\$7,000,000.00</u>	<u>\$312,150.14</u>	<u>\$7,312,150.14</u>

; and be it further

RESOLVED, that one certified copy of this resolution be forwarded 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, the Office of the County Attorney, and the Office of the Comptroller.

PROJECT TITLE: B.11001 2011 Capital Overlay Program

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES NO

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

TOTAL PROJECT REVENUES \$ 7,000,000.00

TOTAL PROJECT APPROPRIATIONS \$ 7,000,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 1,752,713.30

TOTAL COMMITMENTS \$ 1,448,807.05

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 3,798,479.65

PLUS: PROPOSED INC FROM CHIPS MONEY: 312,150.14

NET AVAILABLE APPROPRIATIONS \$ 4,110,629.79

COMMENTS: Request to increase project budget by \$312,150.14 from CHIPS money which is being increased by \$312,150.14.

REQUEST APPROVED: Lorne W. Stewart

REQUEST DENIED: _____

DATE: August 23, 2011

nd/Group 410..520
 nds Center * (*)
 nded Program B.11001 (2011 Capital Overlay Program-Countywide)

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
486000 Interfund Rev Subsidy	6,000,000.00-	1,000,000.00-	7,000,000.00-		
Revenue	6,000,000.00-	1,000,000.00-	7,000,000.00-		
506400 Highway Supplies				1,235,973.68	1,391,882.43
516020 Pro Ser Cat And Fees				201,033.37	356,405.87
545000 Rental Charges				11,800.00	4,425.00
CAPITALPROJECTS Capital Project Exp	6,000,000.00	1,000,000.00	7,000,000.00		
Expense	6,000,000.00	1,000,000.00	7,000,000.00	1,448,807.05	1,752,713.30
Commitment Item				1,448,807.05	1,752,713.30

5- DPW (REAM) - Countywide Building & Facility Improvements (Countywide) .Many of the County-owned buildings are in need of rehabilitation to improve energy performance and reduce maintenance costs. This project will correct deficiencies and replace antiquated equipment with new state-of-the-art equipment which will in turn reduce maintenance and operational costs.

Bonded Project: \$750,000

A.11005

6- DPW (REAM) - Countywide Mechanical Electrical & Plumbing Improvement (Countywide) .The existing HVAC, plumbing, fire detection, fire protection and electrical systems in various buildings are well beyond their useful lives. This project will address those issues:

Bonded Project: \$500,000

A.11006

II. DPW/HIGHWAY AND BRIDGE PROJECTS - HIGHWAY ROAD FUND

7- DPW/Highways - Capital Overlay Program (Countywide) - The 2011 capital overlay program provides for rehabilitation work to include, but not limited to, pavement and shoulder widening, drainage improvements, sight distance and safety improvements. Completion of these projects will result in future operating and maintenance savings.

Bonded Project: \$800,000
 "Pay- As-You-Go" Project: \$5,200,000

B.11001

pay-as-you-go
 Comm. 8E-1 (2011)
 5/12/11

Gary Z.

8- DPW/Highways - Bridge and Road Reconstruction Projects - Federal Aid Program (Countywide) - This project provides \$1,379,400 to finance the County share of various road projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$17,240,600. Total project cost is \$18,620,000. Roads and bridges scheduled include: Cemetery Road Bridges, Seneca Street Bridge, Pavement Road Bridges, bridge painting and Greiner-Shimerville intersection improvements.

Bonded Project: \$1,379,400

Removed from
 Bond Sale

B.11005

Cemetery

B.11006

Seneca

B.11007

Pavement

B.11008

Bridge Painting

B.11009

Greiner-Shimerville

Total
 pay-as-you-go
 \$6,000,000
 Comm. 13E-17
 only 6/30/11
 \$1,000,000
 inc.
 Total project
 \$7M.

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., May 12, 2011

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, That at the 10th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Twelfth day of May, 2011 A.D., a Resolution was adopted, of which the following is a true copy:

WHEREAS, the preliminary 2010 financial results were announced by the County Comptroller indicating a year-end surplus of approximately \$23.8 million; and

WHEREAS, the preliminary 2010 financial results will result in an undesignated fund balance in excess of the five percent requirement in the County Charter, section 2605(b); and

WHEREAS, the 2011 capital budget contained \$40,000,000 in capital projects to be bonded; and

WHEREAS, in addition to the 2011 capital budget the County has committed \$7,500,000 to Erie Community College to fund its share of the planned North Campus Building project, and

WHEREAS, it is in the best interest of the County's taxpayers to reduce the County's dependence on borrowed funds and pay cash whenever possible, thus reducing the amount of outstanding debt; and

WHEREAS, the Erie County Fiscal Stability Authority has recommended numerous times to reduce planned County borrowing; and

WHEREAS, it is the policy of this administration to pay for non recurring expenditures with non recurring revenue; and

WHEREAS, the Four-Year Plan of the County anticipates minimal, if any, surpluses in the future; and

WHEREAS, reducing future debt service will aid in keeping the Four-Year Plan in balance; and

WHEREAS, after these designations the unreserved fund balance will still be in excess of the five percent Charter requirement; and

WHEREAS, the administration has identified the following capital projects to be funded on a pay-as-you-go basis rather than borrowing:

ECMCC Nursing Home	\$11,500,000*	Not going through Capital
ECC North Campus New Building	(7,500,000)**	
2011 CHIPS Highway Program - Capital Overlay	800,000*	
2011 Countywide Highway Buildings	750,000*	
2011 EC Holding Ctr Improvements	700,000*	
2011 Fuel Tank Replacements	500,000*	
2011 Fuel Dispensing Fire Ext System	650,000*	

and

WHEREAS, none of these were in the 2011 adopted budget as pay-as-you go projects; and

WHEREAS, the opportunity to reconfigure and retrofit Central library space is being explored based on feedback already received through the Library's Re-Imagine initiative and from area non-profits and foundations; and

ATTEST



ROBERT M. GRABER
Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY CLERK'S OFFICE

BUFFALO, N.Y., May 12, 2011

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, That at the 10th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Twelfth day of May, 2011 A.D., a Resolution was adopted, of which the following is a true copy:

WHEREAS, funding to recondition and reconfigure soon to be vacated space on the Central Library's second floor in the amount of \$250,000 would allow this space to be reused for community collaborations; and

WHEREAS, the County has announced a one-time allocation of \$500,000 to the Martin House Restoration Corporation, if the Corporation is able to raise another million dollars in private sector donations; and

WHEREAS, it is necessary for a designation of 2010 fund balance to pay for these expenses.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Comptroller is authorized to establish designation of 2010 fund balance in the amount of \$22,650,000 to be used to fund the following capital projects:

ECMCC Nursing Home	\$11,500,000 ×	Not going through Capital
ECC North Campus New Building	7,500,000	
2011 CHIPS Highway Program	800,000 ×	B. 11001
2011 Countywide Highway Buildings	750,000 ×	B. 11002
2011 EC Holding Ctr Improvements	700,000 ×	A. 11001
2011 Fuel Tank Replacements	500,000 ×	B. 11003
2011 Fuel Dispensing Fire Ext System	650,000 ×	B. 11004
2011 Central Library Space Reconfiguration (2 nd Floor)	250,000	F. 11001

and be it further

RESOLVED, that the Erie County Comptroller is authorized to establish designation of 2010 fund balance in the amount of \$500,000 to be used to fund the challenge grant for the Darwin Martin House and the County Executive is hereby authorized to sign a contract with the Martin House Restoration Corporation; and be it further

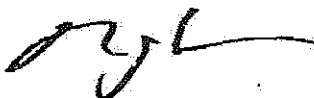
RESOLVED, that the Erie County Comptroller is authorized to establish designation of 2010 fund balance in the amount of \$300,000 to be used to fund capital projects for not-for-profit organizations and the County Executive is hereby authorized to sign contracts with these organizations, upon prior legislative approval; and be it further

RESOLVED, that the Director of Budget and Management in conjunction with the Office of Comptroller is authorized to make all the appropriate 2010 and 2011 budget and accounting adjustments and entries to effectuate this change; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, the Department of Law, the Department of Environment and Planning, the Buffalo and Erie County Public Library, and two copies to the Department of Public Works (Highways and REAM).

REFERENCE: COMM. 8E-1 (2011)

AS AMENDED
ATTEST



ROBERT M. GRABER
Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., June 30, 2011

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, That at the 14th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Thirtieth day of June, 2011 A.D., a Resolution was adopted, of which the following is a true copy:

WHEREAS, when Eden Center-Evans Road was reconstructed about 40 years ago, slag was used as a subbase material which at the time, it was thought that slag was an acceptable material for this purpose; and

WHEREAS, long stretches of this road have been heaving in the winter months making the road difficult to drive in those months due to the wicking of water in the subbase; and

WHEREAS, over the years, the Department of Public Works has tried several solutions to mitigate the heaving but with no success; and

WHEREAS, the only solution is to fully remove the slag subbase and replace it with gravel material and new pavement; and

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

WHEREAS, funding has been identified and authorization is sought to move those funds to this project; and

WHEREAS, the source of the funding is the annual budget for Federal Medical Assistance Percentage (FMAP) that has already exceeded the annual budget for 2011.

NOW, THEREFORE, BE IT

RESOLVED, that an increase in the 2011 Budget is hereby authorized for the purpose of reconstructing Eden Center-Evans Road, as follows:

Fund 110 -- General Fund

Revenue

Fund Center 120 Social Services
Account 414030 Federal Medical Assistance Percentage (FMAP) \$1,000,000

Expense

Fund Center 14020
570050 Interfund Transfer Capital \$1,000,000

Fund 420 -- Project B.11001 - 2011 Overlay Program

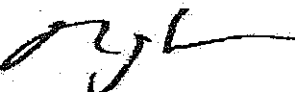
Revenue

Fund Center 123 Highways/DPW
486000 Interfund Revenue Subsidy \$1,000,000

Expense

Fund Center 123 Highways/DPW
Capital Projects Expense \$1,000,000

ATTEST



ROBERT M. GRABER

Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., June 30, 2011

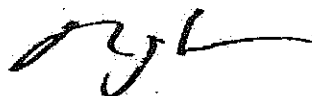
TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *That at the 14th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Thirtieth day of June, 2011 A.D., a Resolution was adopted, of which the following is a true copy:*

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.

REFERENCE: COMM. 13E-17 (2011)

ATTEST



ROBERT M. GRABER

COMPTROLLER'S
RECEIVED

11 AUG 18 AM 11:46

TO: LORNE STEINHART, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME N/A
2. AMOUNT OF CONTRACT Increase of \$312,150.14
3. PROJECT NUMBER B.11001
4. PROJECT TITLE 2011 Capital Overlay Program - Countywide
5. DEPARTMENT CONTACT Funding questions: Charles A. Sickler, PE at 8372
Letter pickup: Lynn Sacha at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS
7. PERFORMED BY

*Requesting an increase to project budget
by \$312,150.14 from CHIPS money which
\$ is being increased by \$312,150.14*

Jackie Pulsifer

Date Sent to Comptroller's Office:

August 18, 2011

[55 compt_10]