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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 9, 2013

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**Re: Evans Lakeshore Trail – Transportation Enhancement Program (TEP)
Application – Town of Evans**

Dear Honorable Members:

Enclosed for your approval, please find a proposed resolution and accompanying memorandum authorizing the Department of Environment and Planning to submit an application to the New York State Department of Transportation's Transportation Enhancement Program (TEP) in the amount of \$1,350,000. The resolution also authorizes the County Executive to sign documents related to this application.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner Thomas J. Dearing at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/cw
Enclosure

Cc: Maria R. Whyte, Commissioner
Thomas J. Dearing, Deputy Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Evans Lakeshore Trail – Transportation Enhancement Program (TEP) Application
– Town of Evans
Date: July 9, 2013

SUMMARY

It is recommended that the Erie County Legislature approve the attached resolution authorizing the Department of Environment and Planning to submit an application to the New York State Department of Transportation (DOT) for Transportation Enhancement Program (TEP) funding. If successful, funds will be used for design and construction of the Evans Lakeshore Trail – Evans Town Park to Point Breeze section.

FISCAL IMPLICATIONS

The attached resolution authorizes the County Executive to sign all documents and agreements related to this TEP application for the Evans Town Park to Point Breeze section of the Evans Shoreline Trail. By seeking financial assistance from NYS DOT, the County is leveraging available state funding to maximize the impact at the lowest possible cost to the County. Local share funds will need to be available prior to contract execution. Your Honorable Body approved the Evans Shoreline Trail project and a local share contribution in the 2013 Capital Budget and 2013 Consolidated Bond Resolution. The County expects to bond the local share cost of the project at a future date.

REASONS FOR RECOMMENDATION

Applications to grant programs allow the County to maximize the benefit at the smallest cost to the County and County tax payer.

BACKGROUND INFORMATION

The Town of Evans has a wealth of natural, recreational and scenic resources, including the Lake Erie shoreline, which runs for approximately 12 miles between Evangola State Park to Eighteen Mile Creek. Six public parks provide access to Lake Erie including Sturgeon Point Marina, Wendt Beach Park, Bennett Beach, Evans Town Park, Lake Erie Beach and Evangola State Park. Other assets along the waterfront in the Town include the Frank Lloyd Wright designed Graycliff Estate, and numerous areas where waterfront views are available such as Purvis Landing, a small picnic access site with parking.

The Shoreline Trail will better connect these assets for residents and tourists. Currently, access to the public lands in Evans is primarily automobile oriented. Access for pedestrians and bicyclists is on a make shift basis – along the shoulder of roads or across private property. Access will not only be improved, but expanded, because it will be made available for non-automotive traffic in an area where there are currently no provisions for pedestrians or bicyclists.

The County proposes constructing an 8-foot wide pathway along the County owned Old Lake Shore Road, separated by green space from Evans Town Park and Point Breeze.

CONSEQUENCES OF NEGATIVE ACTION

The County will not seek funding from the NYS DOT TEP during this round of funding. Construction of the Evans Lakeshore Trail will be delayed until additional funding is secured.

STEPS FOLLOWING APPROVAL

The Department of Environment and Planning will prepare and submit an application for funding. If awarded the TEP grant, the County will enter into an agreement with NYSDOT.

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

**Re: Evans Lakeshore Trail – Transportation Enhancement Program (TEP) Application –
Town of Evans**

WHEREAS, the County desires to continue the construction of a system of interconnected bicycle and pedestrian multi-use trails along Lake Erie to provide linkages between existing bicycle and pedestrian trails, residential neighborhoods, parks and recreation areas including Lake Erie, retail centers and employment centers; and

WHEREAS, the County desires to continue the construction of the Town of Evans Shoreline Trail section of the shoreline trail system through construction of the Evans Town Park to Point Breeze section; and

WHEREAS, the County desires to apply for financial assistance from the New York State Department of Transportation’s Transportation Enhancement Program (TEP).

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature authorizes the Department of Environment and Planning to prepare and submit an application for TEP funding in the amount of \$1,350,000; and be it further

RESOLVED, that prior to contract execution the County shall make available local share matching funds to satisfy the requirements of the funding program; and be it further

RESOLVED, that the source of said match shall be funds made available from the approved 2013 Capital Budget and 2013 Consolidated Bond resolution for the Evans Shoreline Trail Beaches Section; and be it further

RESOLVED, that the County Legislature authorizes the County Executive to sign any necessary documents and agreements related to the Transportation Enhancement Program; 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.