



ECLEG SEP09'13 10:51

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 9, 2013

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

**RE: License Agreement
Ellicott Creek Park – Bark Park
Town of Tonawanda**

Dear Honorable Members:

Enclosed please find a proposed resolution authorizing the execution of a license agreement for the Ellicott Creek Park Island "Bark Park", in the Town of Tonawanda, between Erie County and the Friends of Ellicott, Inc. This license agreement is for operation and maintenance of a public dog park on the Island within Ellicott Creek Park.

Should your honorable body require any further information, I encourage you to contact Commissioner Troy Schinzel the Department of Parks, Recreation and Forestry. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/med
Enclosure

CC: Kristen Walder, Assistant County Attorney
Troy P. Schinzel, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Parks, Recreation & Forestry
Re: Execution of a License Agreement for the Ellicott Creek Park Island Bark Park
Town of Tonawanda, Erie County
Date: August 30, 2013

SUMMARY

Erie County is embarking on the creation of improvements to the Ellicott Creek Park Island. The improvements include the creation of a dedicated off leash dog area (bark park) within a county park.

FISCAL IMPACT

Pending approval, a minimal financial impact directly related to signs, fencing and gates will exist. The license agreement requires all costs associated with standard maintenance and necessary insurances be paid for by the licensee.

REASON FOR RECOMMENDATION

It is necessary that this approval be granted, so that the Friends of Ellicott, Inc. can obtain the necessary insurances required and start fund raising for operation costs associated with the bark park.

BACKGROUND INFORMATION

This island area has for years been an informal setting in which dog owners have utilized for exercising and the socialization of their pets. Unfortunately, the current informal use of dogs being off the leash is in direct violation of County Park Policy. The proposed bark park will create an official area where dog owners can legally partake in exercising their pets in a secure setting.

CONSEQUENCES OF NEGATIVE ACTION

Possible strict enforcement of the County Park Policy, including assistance from other municipalities, or current informal off leash dog area use will continue to exist.

STEPS FOLLOWING APPROVAL OF RESOLUTION

After some minor improvements are made to the site and a license agreement is executed, a formalized bark park will be opened and available for public use.

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PARKS, RECREATION AND FORESTRY**

**RE: License Agreement
Ellicott Creek Park- Bark Park
Town of Tonawanda**

WHEREAS, the County is seeking to formalize and adopt the Ellicott Creek Park Island as a bark park; and

WHEREAS, the County would like to formally open the bark park as soon as possible, while promoting it as such; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute an agreement with the Friends of Ellicott, Inc. for the purpose of maintaining and operating the Bark Park within the County's Ellicott Creek Park in the Town of Tonawanda; and be it further

RESOLVED, that unless agreed upon separately, costs associated with the license agreement will be the responsibility of the Friends of Ellicott, Inc.; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of Parks, Recreation and Forestry; the Director of the Division of Budget and Management; the Comptroller's Office and the County Attorney.