



ECLEG MAY 20 14 11:10 AM

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 20, 2014

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

Re: Purchase of 1670 Seneca Street - Seneca Bluffs Pocket Park

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning seeking legislative authorization to purchase a parcel at 1670 Seneca Street in the City of Buffalo which is adjacent to the County-owned Seneca Bluffs pocket park.

If your Honorable Body requires further information or has any questions, representatives from the Department of Environment and Planning and Department of Parks, Recreation and Forestry are available to assist you. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/tcc
Enclosure

cc: Maria Whyte, Commissioner of Environment and Planning
Troy Schinzel, Commissioner of Department of Parks, Recreation and Forestry
Robert W. Keating, Director of Budget and Management

MEMORANDUM

To: Erie County Legislature
From: Department of Environment and Planning
Re: Purchase of 1670 Seneca Street - Seneca Bluffs Pocket Park
Date: May 14, 2014

SUMMARY

Authorization is requested for the County to purchase a parcel at 1670 Seneca Street in the City of Buffalo which is adjacent to the County-owned Seneca Bluffs pocket park. The Legislature has previously approved the 2013 Budget Balancing Amendments which provided for \$100,000 in funds in the 2014 Budget for this purchase.

FISCAL IMPLICATIONS

\$100,000 in funds are available in the amended 2014 Budget.

REASONS FOR RECOMMENDATION

DePaul Properties, the owner of 1670 Seneca Street in the City of Buffalo wishes to sell the parcel and is willing to sell the parcel to the County. The property is adjacent to the Seneca Bluffs pocket park owned by the County. The County believes acquiring this parcel will provide a parking area which will enable more recreating and use of the pocket park by residents.

CONSEQUENCES OF NEGATIVE ACTION

The County will not purchase the parcel.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, the County Executive will be authorized to enter into an agreement with DePaul Properties to purchase the property and transfer the parcel to the County for future utilization by the Department of Parks, Recreation and Forestry.

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

RE: Purchase of 1670 Seneca Street - Seneca Bluffs Pocket Park

WHEREAS, the County currently owns approximately eleven (11) acres of the Seneca Bluffs Natural Habitat Park located in the City of Buffalo, State of New York; and

WHEREAS, the County has been given the opportunity to purchase an adjacent frontage parcel comprising 0.54-acres providing access to Seneca Street; and

WHEREAS, the subject parcel is currently vacant and the acquisition of same will allow the County to further develop the Park by providing a parking area which will enable more recreating and use by area residents; and

WHEREAS, DePaul Properties, Inc. is the current owner of the parcel located at 1670 Seneca Street, located in the City of Buffalo, State of New York, and more fully described on Attachment A to this Resolution; and

WHEREAS, DePaul Properties, Inc. has offered to sell the subject parcel to the County for a purchase price of One Hundred Thousand Dollars (\$100,000.00); and

WHEREAS, Joseph Maciejewski, Commissioner of Real Property Tax Services, has made a determination that the purchase price is fair market value for the subject parcel; and

WHEREAS, the Department of Environment and Planning has completed a review pursuant to New York State Environmental Quality Review Act (SEQR) and a Negative Declaration was issued on March 24, 2014; thus determining that the proposed action will not have an adverse environmental impact; and

WHEREAS, at its meeting on March 25, 2014, the Erie County Advisory Review Committee (ARC) approved the purchase of said real property by the County; and

WHEREAS, on May 8, 2014, the Erie County Legislature approved the 2013 Budget Balancing Amendments which allocated \$100,000 in funds into the 2014 Budget for the purposes of acquiring 1670 Seneca Street adjacent to the Seneca Bluffs pocket park.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute any and all agreements relating to the purchase of real property located at 1670 Seneca Street, Buffalo, New York, as more fully described on Attachment A, for consideration in the amount of One Hundred Thousand Dollars (\$100,000.00) plus any ancillary costs to be paid by the County of Erie to DePaul Properties, Inc.; and be it further

RESOLVED, that the source of funds for said purchase is \$100,000 from account 561100, Land Acquisition, in Cost Center 16200, Department of Environment and Planning; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any required budgetary adjustments to implement this action; and be it further

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

ATTACHMENT A

PROPERTY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot Number 1, Township 10, Range 7 of the Buffalo Creek Reservation and further distinguished as Subdivision Lots Numbers 1, 2, 3, 4, 5, 6 and 48 in Block "E" as shown on a Map filed in the Erie County Clerk's Office under Cover Number 437.