

May 15, 2014

ECONOMIC DEVELOPMENT COMMITTEE  
REPORT NO. 6

ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 10E-16 (2014)  
**BURKE**: “Request for Formation of a Special Committee on County Highway Reform”  
(6-0)
  - b. COMM. 10M-3 (2014)  
**ECIDA**: “2013 Annual Audited Financial Statements”  
(6-0)
  - c. COMM. 10M-4 (2014)  
**NFTA**: “NFTA Board Minutes”  
(6-0)
2. INTRO. 10-1 (2014)  
**LORIGO, MORTON, DIXON, MILLS, HARDWICK & RATH**  
WHEREAS, the residents of Erie County have suffered through one of the worst winters in recorded history with record levels of snow fall and a remarkable number of exceptionally frigid days; and  
  
WHEREAS, due to the constant low temperatures and the necessity of road clearing the County of Erie road system has sustained a large amount of damage requiring an unusual amount of repairs; and  
  
WHEREAS, the County Executive has said in his press release that they were able to repair an additional dozen projects through \$4.5 million in additional funds he put into the road budget; and  
  
WHEREAS, the Erie County Legislature believes that more funding should be spent on roads in this year to help mitigate more of the damage our roads have suffered; and  
  
WHEREAS, an additional \$5 million taken from the fund balance, of a total balance of almost \$90 million, would leave the County with more than sufficient reserves for county expenditures while allowing more projects to be completed; and  
  
WHEREAS, the additional funding will allow the Department of Public Works to complete several more projects for the 2014 construction season.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby transfers \$5 million from the fund balance and transfers that to the Department of Public Works as an increase to their overall budget to be spent on any additional projects in 2014; and be it further

RESOLVED, that the transferred funds shall only be spent on road repair and related costs in the 2014 fiscal year and may not be spent for any other purpose; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive Mark Poloncarz office, the Office of the Comptroller, the Department of Public Works, and all parties deemed necessary and proper.  
(6-0)

3. INTRO. 10-6 (2014)  
**MILLS, LORIGO, DIXON, RATH, GRANT, LOUGHRAN, SAVAGE & MILLER-WILLIAMS**  
WHEREAS, Buffalo’s Center for Transportation Excellence, located at 401 East Amherst Street, has been in existence since 2007 providing local and regional mobility management services; and

WHEREAS, the CTE Is a thriving public benefit company, created with over \$5,500,000 of private investment that provides 24/7 health-care transportation management for all low-income residents in Western New York; and

WHEREAS, the CTE regularly employees upwards of 40 neighborhood residents from Buffalo’s East Side at competitive wages, providing jobs and serving as a beacon of hope and dignity for that community; and

WHEREAS, On April 11, 2014, NYS Department of Health awarded the Western Region Medicaid Mobility contract to a Syracuse NY company; and

WHEREAS, Medicaid Mobility Management constitutes 90% of the CTE's business, and the result of the DOH decision will be to shut down Buffalo's Center for Transportation Excellence, and eliminate those 40 jobs for neighborhood residents; and

WHEREAS, the CTE has saved NYS and Erie County over \$5M in the seven years it has provided Medicaid Mobility services; and

WHEREAS, the CTE has been an economic engine for neighborhood and City of Buffalo vendors since 2007, pumping \$1.2M in non-wage expenditures into the WNY economy since its inception; and

WHEREAS, the CTE helped secure a \$10 Million US Department of labor grant and was integral in bringing \$2.6 Million of that grant to our area for three non-profit organizations and the CTE to conduct workforce development and other job training for high school dropouts and adjudicated youths between ages 18 and 25; and

WHEREAS, these at-risk young adults will lose access to job development training and jobs provided by the CTE, and it will result in a senseless waste of federal funding; and

WHEREAS, the State of New York invested through Empire State Development \$750,000 in 2007 to help build the CTE and Erie County has invested an additional \$25,000 to develop Senior Transportation services at the CTE; and

WHEREAS, since 2007, the CTE has paid more than \$4 million in wages to residents of Buffalo's East Side; and

WHEREAS, removal of this funding will lead to the shuttering of CTE's offices and therefore an unreasonable waste of taxpayer funding and progress in developing this transportation management organization.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature hereby opposes this predetermined, arbitrary and capricious contract award by NYSDOH; and be it further

RESOLVED, that the Erie County Legislature calls upon our state representatives to reverse this decision and save 40 jobs in Buffalo from being shifted to Syracuse without reason or justification; and be it further

RESOLVED, that certified copies of this resolution shall be sent to Governor Andrew M. Cuomo, the Western New York Delegation for the NYS Senate and Assembly, Mayor Byron Brown and County Executive Mark Poloncarz, and all others deemed necessary and proper.

(6-0)

4. COMM. 10E-17 (2014)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning serves as the administrative agent for the Erie County Community Development Block Grant Consortium and the Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent is the preparation of the Five-Year Consolidated Plan inclusive of an Annual Action Plan, and submittal of same to the US Department of Housing and Urban Development (HUD); and

WHEREAS, preparation of the 2015-2019 Consolidated Plan and Action Plan must be completed on or about February 14, 2015 so as not to jeopardize federal CDBG, HOME and Emergency Solutions Grant (ESG) funds; and

WHEREAS, funding for the Five-Year Consolidated Plan and Action Plan will be made available through federal Community Development Block Grant monies available to Erie County; and

WHEREAS, the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and a summary of the process is attached to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive, on behalf of the Erie County Community Development Block Grant Consortium and Erie County/Town of Hamburg HOME Consortium, is hereby authorized to execute any and all agreements with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc. in an amount not to exceed \$25,686 for the purpose of preparing the Five-Year Consolidated Plan and Annual Action Plan; and be it further

RESOLVED, that the County Executive be authorized to execute contract amendments to the aforementioned contract in a cumulative amount not to exceed \$3,853; and be it further

RESOLVED, that said funding amounts shall be allocated from SAP Account J.00513, 2013-14 CDBG Program; and be it further

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

(6-0)

5. COMM. 10E-18 (2014)  
**COUNTY EXECUTIVE**

WHEREAS, the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg including the Villages located therein, and Erie County receive over \$5,000,000 annually in federal Community Development Block Grant funds; and

WHEREAS, an important element for receiving federal funds is an Analysis of Impediments to Fair Housing Choice within recipient municipalities; and

WHEREAS, the aforementioned local governments and Erie County are desirous of conducting a joint Analysis of Impediments to Fair Housing Choice consistent with federal guidelines; and

WHEREAS, based on results from a Request for Proposal process conducted by the Department of Environment and Planning, and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg the County Executive is desirous of executing a contract in an amount not to exceed \$80,636 with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc.; and

WHEREAS, funds for the Analysis will be federal Community Development Block Grant (CDBG) monies available to each municipality with contributions shown as follows:

- \$33,884 – Erie County
- \$13,834 – Town of Amherst
- \$13,834 – Town of Tonawanda
- \$13,834 – Town of Cheektowaga
- \$5,250 – Town of Hamburg
- \$80,636 – Total

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a contract with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc. in an amount not to exceed \$80,636 for the purpose of conducting an “Analysis of Impediments to Fair Housing Choice” within those municipalities comprising the Erie County Community Development Block Grant Consortium, and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg and Villages therein; and be it further

RESOLVED, that the Erie County share of the project cost shall be allocated from SAP Account J.00513, 2013-14 CDBG Program; and be it further

RESOLVED, that the County Executive is further authorized to execute contracts with the Towns of Amherst, Tonawanda, and Cheektowaga for the purpose of receiving an amount not to exceed \$13,834 from each municipality for completion of said Analysis, and the Town of Hamburg for the purpose of receiving an amount not to exceed \$5,250 for the completion of said Analysis; and be it further

RESOLVED, that authorization is hereby provided to accept funding in an amount not to exceed \$46,752 from the Towns of Amherst, Tonawanda, Cheektowaga and Hamburg, and establish a grant budget for the period June 1, 2014 to May 30, 2015 in Project J.00513 for the County and Towns share as follows:

2014 Budget – Fund 290	
Analysis of Impediments to Fair Housing Choice (AI Study)	
<u>Revenue</u>	<u>Increase</u>
Town of Amherst	\$13,834
Town of Tonawanda	\$13,834
Town of Cheektowaga	\$13,834
Town of Hamburg	\$5,250
County of Erie	<u>\$33,884</u>
Total Revenue	\$80,636
<u>Appropriations</u>	
Professional Services	\$80,636
Net – Revenue less Expense	0

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the County Comptroller; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Maria R. Whyte, 10<sup>th</sup> Floor, Edward A. Rath County Office Building.  
(6-0)

6. COMM. 10E-37 (2014)  
**COUNTY EXECUTIVE**

WHEREAS, in 1996, Gratwick Manor, L.P./Olmsted Center for Sight entered into a Payment in Lieu of Taxes (“PILOT”) repayment agreement with the County for the Gratwick Manor Apartments (Gratwick Manor, L.P dba Olmsted Center for Sight); and

WHEREAS, Gratwick Manor agreed to make PILOT payments starting in 1998 for a fifteen year period but Gratwick never made such payments; and

WHEREAS, during a review of the PILOT process and payments due and owing to the County, the Poloncarz Administration became aware of this situation and engaged Gratwick Manor/ Olmsted Center for Sight in a dialogue and demanded payment; and

WHEREAS, Olmsted Center for Sight has proposed and the County Executive has agreed to a repayment plan in which Olmsted will pay the \$51,969.03 balance (including interest) over a thirty six month period with monthly payments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a repayment agreement with Olmsted Center for Sight/Gratwick Manor, L.P. for the outstanding PILOT obligations totaling \$51,969.03 which are to be paid over a three year period; and be it further

RESOLVED, that certified copies of this resolution shall be sent to the Department of Real Property Tax Services, Division of Budget and Management, Department of Law, Office of the County Executive and Office of the Comptroller.  
(6-0)

**EDWARD A. RATH, III**  
**CHAIR**