



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

June 16, 2014

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

**Re: Lease Agreement with Main Court LLC  
Honorable Eugene F. Pigott, Jr. – Local Chambers**

Dear Honorable Members:

Please find enclosed a resolution from the Department of Law seeking legislative authorization to enter into a lease extension with Main Court, LLC in order to provide the Honorable Eugene F. Pigott, Jr., Associate Judge of the Court of Appeals, with local chambers for the remainder of this term.

Representatives from the Department of Law are available to answer questions regarding this request.

Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/tc  
Enclosure

cc: Michael A. Siragusa, County Attorney

## MEMORANDUM

**To:** Erie County Legislature  
**From:** Department of Law  
**Re:** Lease Extension – Main Court, LLC  
**Date:** June 16, 2014

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### **SUMMARY**

The New York State Judiciary Law requires the County in which an Associate Judge of the Court of Appeals is resident to provide local chambers for that Judge. As such, in 2009, the County of Erie entered into a five year lease agreement with Main Court, LLC for the purpose of providing the Honorable Eugene F. Pigott, Jr., Associate Judge of the Court of Appeals, with local chambers. The 2009 lease agreement is set to expire on August 1, 2014 and Judge Pigott has requested that the County extend the lease agreement until the conclusion of his term on the Court of Appeals, which is set to end on December 31, 2016.

### **FISCAL IMPLICATIONS**

None. All expenditures with respect to the lease are 100% reimbursed by New York State.

### **REASONS FOR RECOMMENDATION**

Judge Pigott has requested that the County's lease with Main Court, LLC be extended until the end of his term on the Court of Appeals.

### **CONSEQUENCES OF NEGATIVE ACTION**

The County will be in violation of New York State Judiciary Law, which requires the County to provide local chambers for Judge Pigott.

### **STEPS FOLLOWING APPROVAL**

Upon approval of this resolution, the County Executive will be authorized to enter into a lease extension with Main Court, LLC for a two-year and five-month period, set to expire on December 31, 2016.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF LAW

RE: Lease Extension – Main Court, LLC  
Court of Appeals – Local Chambers

WHEREAS, the New York State Judiciary Law requires the County in which an Associate Judge of the Court of Appeals is resident to provide local chambers for that Judge; and

WHEREAS, in 2009 the Erie County Legislature passed a Resolution allowing for the County Executive to enter into a lease agreement with Main Court, LLC for the purpose of providing the Honorable Eugene F. Pigott, Jr., Associate Judge of the Court of Appeals, with local chambers (COMM. 11E-10); and

WHEREAS, the original lease agreement was executed in 2009 with a five year term; and

WHEREAS, said lease agreement is set to expire on August 1, 2014; and

WHEREAS, Judge Pigott has requested that the County of Erie extend the lease agreement with Main Court, LLC until the conclusion of his term with the Court of Appeals, which ends on December 31, 2016; and

WHEREAS, there are no additional County funds required to renew this lease, as funding for this leased space is budgeted and is available in the 2009 Adopted Budget, with all expenditures being 100% reimbursed by New York State.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a lease extension with Main Court, LLC for the purpose of providing the Honorable Eugene F. Pigott, Jr., Associate Judge of the Court of Appeals, with local chambers for the remainder of his term; and be it further

RESOLVED, that the County Executive and/or Deputy County Executive is hereby authorized to execute any and all appropriate documents as may be necessary for the lease extension; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Director of the Division of Budget and Management; and the Department of Law.