



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

October 9, 2014

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**IMMEDIATE CONSIDERATION REQUESTED**

**RE: Lease Renewal of 3080 William Street, Cheektowaga, New York  
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

The attached resolution requests authorization for the County to enter into a new lease for the County Record Center located at 3080 William Street, Cheektowaga, New York. The lease will permit the County to continue to occupy approximately 50,123 square feet of space for the purpose of document and surplus storage.

Should your Honorable Body require further information, please contact Dan Rizzo, Deputy Commissioner of Buildings and Grounds in the Department of Public Works. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", is written over a faint, larger version of the same signature.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP  
Enclosure

cc: Michael Siragusa, County Attorney

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works, Buildings and Grounds  
**Re:** Lease Renewal of 3080 William Street, Cheektowaga, New York  
**Date:** October 9, 2014

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### **SUMMARY**

The attached resolution requests authorization for the County to enter into a Lease Agreement with Jabcuz, Inc, the owner of the premises at 3080 William Street, Cheektowaga, New York, for the storage of county documents and surplus. The Lease is for a period of five (5) years and has an option to terminate upon ninety (90) days notice after three (3) years. The rental price is below current market rates for similar property. The property owner is responsible for providing proper sprinkler and fire protection adequate for the storage of County documents and surplus.

### **FISCAL IMPLICATIONS**

Under this Lease Agreement, the County will pay \$15,897 for the first thirty months of the Lease period and \$16,942 for the second grouping of thirty months of the Lease period, unless terminated at an earlier juncture in accordance with the lease terms.

### **REASONS FOR RECOMMENDATION**

The Lease is required to permit the County to continue to store records at this location.

### **BACKGROUND INFORMATION**

Section 302 of the Erie County Charter, as amended by Local Law No. 2003-7, requires that the County operate a records management system which, among other things, includes the provision of storage and retrieval services for all County records. The premises at 3080 William Street, Cheektowaga, New York provides 50,123 sq. ft. of suitable storage space at below market rates. The Lease will permit the County to continue to store records there for a term of five (5) years with an option to terminate on 90 days notice after year three.

### **CONSEQUENCES OF NEGATIVE ACTION**

Failure to approve the Lease Agreement will require the County to locate different suitable storage space that has the necessary sprinkler systems and other fire protections allowing for the safe and reliable storage of documents. This Lease also provides for below market rates. It is unlikely that suitable space could be found at below market

rates. In addition, it is anticipated that it would cost in excess of \$100,000 to move the stored items to a new location.

### **STEPS FOLLOWING APPROVAL**

The County Executive and Department of Law will execute the Lease with Jabcuz, Inc. and the Division of Budget and Management will work with the County Comptroller to make the necessary payments.

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS**

**RE:    Lease Renewal of 3080 William Street, Cheektowaga, New York**

WHEREAS, Section 302 of the Erie County Charter, as amended by Local Law No. 2003-7, requires that the County shall operate a records management system which, among other things, includes the provision of storage and retrieval services for all county records; and

WHEREAS, in order to comply with the foregoing requirement, the County requires significant and suitable space for document storage, and

WHEREAS, the Lease Agreement between the County of Erie and Jabcuz, Inc. for the premises at 3080 William Street, Cheektowaga provides for 50,123 square feet of storage space at below market rate prices;

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute a Lease Agreement for property located at 3080 William Street, Cheektowaga, New York to store County Records and County surplus commencing on July 1, 2015 for a term of five (5) years; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the County Clerk, the Commissioner of Public Works, the Director of Purchase, the Office of the Comptroller, the Division of Budget and Management, and the Department of Law.