



# COUNTY OF ERIE

**CHRISTOPHER L. JACOBS**  
 COUNTY CLERK

May 18, 2015

Honorable Erie County Legislature  
 92 Franklin Street  
 Buffalo, New York 14202

**Re: Resolution to Approve Extension of Lease from Northtown Inc.,  
 as Landlord to County of Erie for Northtown Auto Bureau**

Honorable Members:

The attached Resolution requests authorization to extend the existing Lease from Northtown Inc. as Landlord for Northtown Auto Bureau located at 3095A Sheridan Drive, Amherst, New York 14226.

The Northtown Auto Bureau has operated at the Northtown Plaza location for the past five years pursuant to an existing Lease that commenced on June 1, 2010 and allowed for one 5-year renewal option upon terms to be negotiated between the parties. The County was informed when discussing the terms of the option that the property owner had entered into negotiation to sell Northtown Plaza. An extension of the existing lease will allow the Auto Bureau to remain in place and operational until closing of the commercial sale transaction and, in addition, allow time to negotiate lease terms with the new owner.

Approval is requested in order to approve the Extension of the existing Lease pending negotiation of the option Lease with Northtown Inc. for the continued operation of the Northtown Auto Bureau currently serving the public who reside throughout Erie County, but primarily in the City of Tonawanda, Tonawanda, Amherst, and North Buffalo.

Thank you for your consideration on this matter. If your Honorable Body requires further information, kindly contact the Office of the Erie County Clerk.

Sincerely,

**CHRISTOPHER L. JACOBS**  
 Erie County Clerk

## ACCOMPANYING MEMORANDUM

TO: Erie County Legislature  
FROM: CHRISTOPHER L JACOBS, Erie County Clerk  
DATE: May 18, 2015  
RE: **Resolution to Approve Extension of Lease from Northtown Inc.,  
as Landlord to County of Erie for Northtown Auto Bureau**

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### **I. Summary of Recommended Action**

The purpose of this resolution is to authorize the County Executive to execute an Extension of the existing Lease from Northtown Inc., as Landlord, to continue operation of the Northtown Auto Bureau in the Northtown Plaza at 3095A Sheridan Drive, Amherst, New York 14226.

### **II. Fiscal Impact**

Funds for the continued operation of an auto bureau in the north town areas were included in the 2015 County Budget. The Lease will continue at the existing rental rate of \$2,916.66 from June 1, 2015 through December 31, 2015.

### **III. Reason for Recommendation**

The assignment and extension of the lease will allow the continued operation of an Auto Bureau in the Northtown Plaza to service the public who reside throughout Erie County, but primarily in the City of Tonawanda, Tonawanda, Amherst, and North Buffalo areas, as well as allow time for negotiations of the option lease with the successor owner, to commence at the expiration of the extension period. The Northtown Auto Bureau offers and processes Drivers' Licenses and vehicle registrations, as well as other Motor Vehicle services, resulting in increased and continued revenue for Erie County.

### **IV. Background**

The Northtown Auto Bureau has operated at the Northtown Plaza location for the past five years pursuant to an existing Lease that commenced on June 1, 2010 and allowed for one 5-year renewal option upon terms to be negotiated between the parties. The County was informed when discussing the terms of the option with the landlord that they had entered into negotiations to sell Northtown Plaza. An extension of the existing lease will allow the Auto Bureau to remain in place and operational until closing of the commercial sale transaction and, in addition, allow time to negotiate lease terms with the new owner.

By enacting the proposed resolution, the County will allow continued operation of the Northtown Auto Bureau, maintaining public access to services currently offered in this Auto Bureau Office, thereby ensuring capture of revenue for the County.

**V. Consequence of Negative Action**

The County will be deprived of potential revenue by the closing of this office and residents will be greatly inconvenienced or not properly or completely provided services offered by the Auto Bureau.

**VI. Steps Following Approval of Measures**

The Lease Extension will be executed and negotiations for long-term lease renewal will take place.

**RESOLUTION**  
**Submitted by Erie County Clerk**

**Re: Resolution to Approve Extension of Lease from Northtown Inc.,  
as Landlord to County of Erie for Northtown Auto Bureau**

WHEREAS, the Erie County Clerk's Office, as part of its duties and responsibilities, is charged with the operation of local Auto Bureaus as an agent for the State of New York; and

WHEREAS, the Erie County Clerk's Office / County of Erie has operated the Northtown Auto Bureau since June 1, 2010 pursuant to an existing Lease between Northtown, Inc., ("Landlord"); and

WHEREAS, the said Lease that expires May 31, 2015 contains provisions for one five-year renewal option which the County has sought to obtain from the Landlord; and

WHEREAS, Landlord has contracted to sell Northtown Plaza to Northtown Property Owner LLC ("Purchaser"), which transaction is tentatively set to close on or about May 15; and

WHEREAS, the County, Landlord and Purchaser desire to continue the landlord/tenant relationship until at least December 31, 2015; and

WHEREAS, the 2015 County Budget as amended and adopted made an appropriation for expenses associated with the operation of the Auto Bureaus in Erie County that includes necessary funding for rental payments.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into and sign an Assignment and/or Extension Agreement with Northtown Inc., or Northtown Property Owner LLC as landlord of the Northtown Auto Bureau extending the existing Lease at 3095A Sheridan Drive, Amherst, New York 14226 until December 31, 2015; and be it further

RESOLVED, that necessary funds to cover monthly rental payments from June 1 through December 31, 2015, are available in the 2015 Adopted Budget; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Comptroller, and the County Attorney.