



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 23, 2015

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

Re: Niagara Street Culvert – Acceptance of Funds

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution seeking an adjustment to the 2015 Budget of the Department of Parks, Recreation, and Forestry accepting \$7,100 in local source revenue from New York State. The funds will be transferred to Erie County from the New York State Department of Transportation upon execution of all contract documents associated with the transfer of a small land parcel required for Niagara Street culvert work. This is located in the City of Tonawanda.

Should your Honorable Body require further information, I encourage you to contact Troy Schinzel, Commissioner, at the Department of Parks, Recreation and Forestry. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/cw
Enclosure

cc: Maria R. Whyte, Commissioner of Environment and Planning
Troy Schinzel, Commissioner of Parks, Recreation, and Forestry
Thomas J. Dearing, Deputy Commissioner of Environment and Planning
Kristen M. Walder, Assistant County Attorney

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Niagara Street Culvert – Acceptance of Funds
Date: January 23, 2015

SUMMARY

The Department of Environment and Planning is seeking authorization to accept \$7,100 in revenue from the New York State Department of Transportation (NYSDOT) upon the transfer of approximately .2 acres under the current ownership of Erie County. The lands are needed for infrastructure improvements to Niagara Street over Two Mile Creek Road in the City of Tonawanda.

FISCAL IMPLICATIONS

The action will result in an addition of \$7,100 in revenue to the Erie County Parks Department Budget. This is unanticipated state source revenue.

REASONS FOR RECOMMENDATION

In order to properly account for the aforementioned revenue legislative action is necessary to formally approve the budget change.

BACKGROUND INFORMATION

On October 16, 2014 the Erie County Legislature adopted Comm. 19E-7 (2014). The resolution authorized the County Executive to enter into any and all easements with NYSDOT to accommodate the necessary repairs and work related to culvert rehabilitation on Niagara Street over Two Mile Creek in the City of Tonawanda. NYSDOT has established the value of said easement at \$7,100.

CONSEQUENCES OF NEGATIVE ACTION

In the event the proposed resolution is not approved, the funds would not be placed into the Erie County Budget and the additional revenue lost for use in future County operations.

STEPS FOLLOWING APPROVAL

All necessary land transfer documents will be executed with the NYSDOT and said State Agency will make the required arrangements for the land transfer to Erie County.

**A RESOLUTION TO BE SUBMITTED BY:
ENVIRONMENT AND PLANNING**

**RE: Niagara Street Culvert – Acceptance of
Funds**

WHEREAS, the Erie County Legislature through Communication 19E-7 (2014) authorized the Erie County Executive to enter into easements with the New York State Department of Transportation (NYSDOT) and National Grid allowing said State and utility to undertake necessary work related to rehabilitation of culvert number 530266, Niagara Street over Two Mile Creek in the City of Tonawanda; and

WHEREAS, said culvert is located on lands under the ownership of the County of Erie;
and

WHEREAS, the NYSDOT has established a value of said easement at \$7,100.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to accept funding in an amount not to exceed \$7,100 from the NYSDOT and to adjust the 2015 Erie County Department of Parks, Recreation and Forestry budget accordingly; and be it further

RESOLVED, that the following account within the 2015 Erie County budget shall incorporate the additional \$7,100 noted above:

Fund 110 – Fund Center 16410, GL 420520 – Rent for Real Property
– ROW – Easements

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and the Commissioner of the Department of Parks, Recreation, and Forestry, Rath Building, 13th Floor.