



ECLEG NOV30'15 AM10:58

# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

November 25, 2015

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

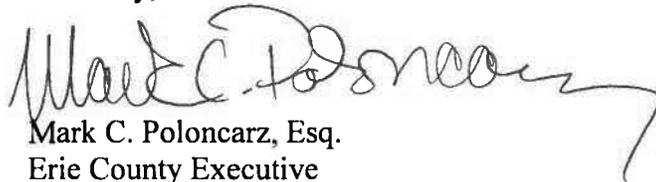
**RE: Lease Agreement – Town of Lancaster  
Former Dog Control Property (3789 Walden Avenue (Rear))**

Dear Honorable Members:

Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning pertaining to a proposed lease of County land to the Town of Lancaster.

Should your Honorable Body require further information, I encourage you to contact Joseph L. Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely,



Mark C. Poloncarz, Esq.  
Erie County Executive

MP/JF

Cc: J. Fiegl – Division of Sewerage Management

# MEMORANDUM

To: Honorable Members of the Erie County Legislature  
From: Department of Environment and Planning  
Re: Lease Agreement – Town of Lancaster  
Former Dog Control Property (3789 Walden Avenue (Rear))  
Date: November 25, 2015

---

## **SUMMARY**

Approval to lease 3789 Walden Avenue (Rear), Lancaster, New York (SBL No. 104.08-7-7.1) to the Town of Lancaster for a period not to exceed twelve (12) months is requested.

## **FISCAL IMPLICATIONS**

There will be a positive financial impact. The County will receive revenue from the Town of Lancaster for leasing the property.

## **REASONS FOR RECOMMENDATION**

The Town of Lancaster approached the Division of Sewerage Management requesting a short-term lease of 3789 Walden Avenue (Rear). After consultation with management in the Erie County Sewer District Northern Region Offices, it was determined that a lease of this property would not adversely impact the County.

## **BACKGROUND INFORMATION**

Pursuant to Legislative Comm. 14E-18 (2015), the County executed an agreement to purchase 3789 Walden Avenue (Rear) from the Town of Lancaster. For many years, 3789 Walden Avenue (Rear) served as the location for the Town's dog control operations. This property is directly adjacent to the Erie County Sewer District Northern Region Offices.

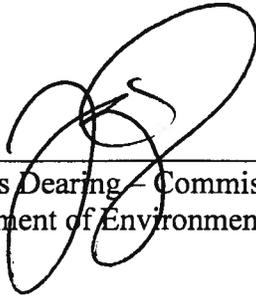
Unexpectedly, the Town of Lancaster's plans for dog control operations in 2016 fell through. As a result, the Town does not have the means to provide dog control services without the proper kennels. As a result, the Town requested that it be able to lease 3789 Walden Avenue (Rear) on a short-term basis while it solidifies its plans for future dog control operations.

## **CONSEQUENCES OF NEGATIVE ACTION**

The Town of Lancaster would not have a location to provide dog control operations.

## **STEPS TO FOLLOW APPROVAL**

The Town Attorney and County Attorney's offices will finalize an agreement for the Town's lease of 3789 Walden Avenue (Rear). The County Executive will subsequently be requested to execute an agreement with the Town for this lease.



for

---

Thomas Dearing – Commissioner  
Department of Environment and Planning

TD:JF:cs

Encl.

Cc: T. Dearing – Department of Environment and Planning  
J. Fiegl / 0.11.0 Leg Ltr (w/encl)  
J. Carr / D. Millar / 0.6.1 District Properties (w/encl)  
S. Tirone (w/encl)

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT & PLANNING

RE: Lease Agreement – Town of Lancaster  
Former Dog Control Property (3789 Walden Avenue (Rear))

WHEREAS, pursuant to Legislative Comm. 14E-18 (2015), the County of Erie executed an agreement with the Town of Lancaster to purchase 3789 Walden Avenue (Rear), Lancaster, New York (SBL No. 104.08-7-7.1); and

WHEREAS, for many years 3789 Walden Avenue (Rear) was the location of the Town of Lancaster's dog control operations; and

WHEREAS, the Town of Lancaster requested that the County of Erie lease 3789 Walden Avenue (Rear) on a short-term basis while it solidifies its plans for future dog control operations; and

WHEREAS, the Division of Sewerage Management has determined that a short-term lease of 3789 Walden Avenue (Rear) would not adversely impact the County.

NOW, THEREFORE, BE IT,

RESOLVED, this Honorable Body approves of a short-term lease of 3789 Walden Avenue (Rear) to the Town of Lancaster; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute a lease agreement with the Town of Lancaster for 3789 Walden Avenue (Rear), subject to approval as to content by the Commissioner of Environment and Planning and approval as to form by the County Attorney's office; and be it further

RESOLVED, that the Clerk of the Legislature send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph Fiegl, P.E. in the Division of Sewerage Management.

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT & PLANNING**

**RE: Lease Agreement – Town of Lancaster  
Former Dog Control Property (3789 Walden Avenue (Rear))**

WHEREAS, pursuant to Legislative Comm. 14E-18 (2015), the County of Erie executed an agreement with the Town of Lancaster to purchase 3789 Walden Avenue (Rear), Lancaster, New York (SBL No. 104.08-7-7.1); and

WHEREAS, for many years 3789 Walden Avenue (Rear) was the location of the Town of Lancaster's dog control operations; and

WHEREAS, the Town of Lancaster requested that the County of Erie lease 3789 Walden Avenue (Rear) on a short-term basis while it solidifies its plans for future dog control operations; and

WHEREAS, the Division of Sewerage Management has determined that a short-term lease of 3789 Walden Avenue (Rear) would not adversely impact the County.

**NOW, THEREFORE, BE IT,**

**RESOLVED**, this Honorable Body approves of a short-term lease of 3789 Walden Avenue (Rear) to the Town of Lancaster; and be it further

**RESOLVED**, that the County Executive be, and hereby is, authorized to execute a lease agreement with the Town of Lancaster for 3789 Walden Avenue (Rear), subject to approval as to content by the Commissioner of Environment and Planning and approval as to form by the County Attorney's office; and be it further

**RESOLVED**, that this Honorable Body be notified of the payment terms and conditions included in the finalized lease agreement; and be it further

**RESOLVED**, that the Clerk of the Legislature send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph Fiegl, P.E. in the Division of Sewerage Management.