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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

June 3, 2016

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

Re: Penora Street (CR23) Reconstruction/Turnover to Town of Lancaster

Dear Honorable Members:

The Erie County Department of Public Works, Division of Highways, is requesting authorization to enter into a Memorandum of Understanding with the Town of Lancaster concerning the turnover of ownership of Penora Street to the Town of Lancaster.

Should your Honorable Body require further information, I encourage you to contact Commissioner John C. Loffredo of the Department of Public Works. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

cc: John Loffredo, Commissioner of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Penora Street (CR23) Reconstruction/Turnover to Town of Lancaster
Date: June 3, 2016

SUMMARY

The Town of Lancaster has approached Erie County Department of Public Works, Division of Highways with a request to assume ownership of Penora Street, between William Street and the Village of Depew line, approximately 1.06 centerline miles.

After a number of meetings with the Town Engineer, conditions were agreed to that if Erie County makes the necessary improvements to the road, the Town would assume ownership. Such an arrangement would relieve Erie County of the ownership and maintenance of the road and would eliminate payment to the Town for the plowing of this road.

The resolution is seeking your Honorable Body's authorization to enter into a Memorandum of Understanding (MOU) with the Town of Lancaster allowing the Town to assume ownership of approximately 1.06 centerline miles of Penora Street.

FISCAL IMPLICATIONS

The MOU will require Erie County to improve the condition of approximately 1.06 centerline miles of Penora Street. These improvements were already conducted, so there is no cost for this transfer. Approval of this resolution and transfer of the road will save the County money moving forward.

REASONS FOR RECOMMENDATION

The MOU will alleviate Erie County's responsibility for ownership and maintenance of approximately 1.06 centerline miles of Penora Street and allow the County to focus on the other roads within the County's vast network of approximately 1,180 centerline miles of road.

CONSEQUENCES OF NEGATIVE ACTION

Erie County will not be able to transfer its ownership and maintenance responsibility for Penora Street to the Town of Lancaster.

STEPS FOLLOWING APPROVAL

The Department of Public Works will work with the Department of Law to prepare an MOU with the Town of Lancaster.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

RE: Penora Street (CR23) Reconstruction/Turnover to Town of Lancaster

WHEREAS, The Town of Lancaster has indicated its willingness, per their prior Town Resolution, to assume ownership and maintain approximately 1.06 centerline miles of Penora Street, from William Street to the Village of Depew line, after Erie County has made the agreed upon improvements to the road, which has taken place; and

WHEREAS, Town ownership of this section of Penora Street will relieve Erie County of all future ownership and maintenance responsibility; and

WHEREAS, a Memorandum of Understanding between the Town of Lancaster and the County will be necessary to allow the Town to assume ownership of this section of Penora Street.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Memorandum of Understanding between Erie County and the Town of Lancaster which includes the previously completed and agreed upon County improvements to Penora Street; and be it further

RESOLVED, the ownership of approximately 1.06 centerline miles of Penora Street, as defined by the Commissioner of Public Works, shall be turned over to the Town of Lancaster as per the Memorandum of Understanding to be drafted; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of this resolution to the County Executive, the County Attorney, the Division of Budget and Management and the Department of Public Works.