



ECLEG SEP18'17 10:51

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 15, 2017

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

**Re: Transfer of Property at Bethlehem Steel Site from the Buffalo and Erie
County Industrial Land Development Corporation to Erie County**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning, authorizing the execution of a contract to transfer title of the bike path right-of-way from the Buffalo and Erie County Industrial Land Development Corporation to Erie County.

Should your Honorable Body require further information, I encourage you to contact Christopher S. Pawenski, Coordinator, Industrial Assistance Program, at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", with a long, sweeping horizontal line extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/cw
Enclosure

cc: Thomas R. Hersey, Jr., Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Transfer of Property at Bethlehem Steel Site from the Buffalo and Erie
County Industrial Land Development Corporation to Erie County
Date: September 15, 2017

SUMMARY

The Department of Environment and Planning is requesting authorization to purchase a fifty-foot wide right-of-way from the Buffalo and Erie County Industrial Land Development Corporation (ILDC) for the purpose of acting as a bike path and utility corridor. This property is adjacent to Route 5 in the City of Lackawanna.

FISCAL IMPLICATIONS

The County of Erie will purchase the property from the ILDC for the nominal amount of ten dollars (\$10.00). There will be no impact to the Erie County budget.

REASONS FOR RECOMMENDATION

The acquisition of approximately 150 acres of Bethlehem property by the ILDC is taking place. The acquisition includes a 50-foot wide right-of-way along and adjacent to Route 5. This right of way is intended to be a bike path and utility corridor. Erie County has been awarded \$980,000 from the New York State Department of Transportation (NYSDOT) for the purpose of constructing the bike path. It has been the intention of Erie County to have ownership of the property as the ILDC indicated this intention as part of their land purchase negotiations with Tecumseh Redevelopment Inc.

BACKGROUND INFORMATION

The property has been planned to be used for the continuation of the Shoreline Trail that now extends from the Niagara County line south to the Buffalo/Lackawanna border. The acquisition of the right-of-way will allow the Shoreline Trail to continue to Dona Street, with future phases taking the trail to Woodlawn Beach State Park.

CONSEQUENCES OF NEGATIVE ACTION

Failure to adopt this resolution will result in Erie County having an easement for bike path construction, but not ownership. Future use as a public utility corridor may be hindered as well.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution by the Erie County Legislature, a contract between Erie County and the Buffalo and Erie County Industrial Land Development Corporation will be executed. The right-of-way property will then be in full title to Erie County.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Transfer of Property at Bethlehem Steel
Site from the Buffalo and Erie County Industrial
Land Development Corporation to Erie County

WHEREAS, the County of Erie desires to remediate brownfield properties and clear former industrial sites for productive reuse; and

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (ILDC) has, as one of its goals and authorities, the ability to hold industrial property for management and improvement; and

WHEREAS, the ILDC is in the process of purchasing approximately 150 acres of former Bethlehem Steel property for redevelopment as a modern industrial park; and

WHEREAS, the Shoreline Trail is a walking and biking trail extending from the Niagara County line to the Buffalo/Lackawanna border; and

WHEREAS, it is the goal of Erie County and New York State to continue the Shoreline Trail to Dona Street in the City of Lackawanna and eventually to Woodlawn Beach State Park in the Town of Hamburg; and

WHEREAS, Erie County has been awarded a grant of \$980,000 from New York State Department of Transportation for the purpose of construction of the Shoreline Trail from the Buffalo City Line to Dona Street; and

WHEREAS, the ILDC desires to sell the fifty-foot wide right-of-way to Erie County for the nominal amount of ten dollars (\$10.00) to allow construction of the bike path.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the ILDC, to purchase the fifty-foot wide right-of-way along Route 5 in Lackawanna for the sum of ten dollars (\$10.00), to be paid for by the Department of Environment and Planning, Funds Center 16200; and be it further

RESOLVED, that the County Executive is authorized to execute any deeds necessary to acquire this parcel from the ILDC; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget and Management; the County Comptroller; the Director of Real Property Tax Services; the County Attorney; the Commissioner of the Department of Environment and Planning; and Christopher S. Pawenski in the Department of Environment and Planning.