

SUSPENSION



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

March 6, 2017

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

Re: Barco Lot Transfer – Conveyance of Land from Buffalo Bills, LLC

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Public Works requesting authorization to accept the donation of a parcel of land from the Buffalo Bills, LLC and to amend the 2013 Master Lease and 2013 Stadium Lease Agreements to allow for the incorporation of said parcel of land.

Should your Honorable Body require further information, I encourage you to contact Charles Sickler, Acting Commissioner, at the Erie County Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Mark C. Poloncarz", is written over a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

Enclosure

cc: Charles Sickler, Acting Commissioner

SUSPENSION

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Barco Lot Transfer – Conveyance of Land from the Buffalo Bills, LLC
Date: March 6, 2017

SUMMARY

The Buffalo Bills, LLC (the “Bills”) recently purchased one parcel of land, approximately 2.98 acres, bearing SBL-161.17-6-4.2, adjacent to One Bills Drive, located in the Town of Orchard Park, County of Erie, State of New York, and are seeking to convey said land to the County at no cost for the purpose of constructing a new 100 yard outdoor practice field and to realign Regional Drive so that it winds around the new practice field.

In order for the Bills to move ahead with construction, amendments will be required to the 2013 Master Lease between the County and the Erie County Stadium Corporation (“ECSC”) and the 2013 Stadium Lease between the County, ECSC and the Bills in order to reflect the incorporation of the additional parcel; construction of the 100 yard practice field and realignment of Regional Drive.

FISCAL IMPLICATIONS

None. The Bills are conveying the subject parcel at no cost to the County.

REASONS FOR RECOMMENDATION

To allow the Bills to move forward with construction of a new 100 yard outdoor practice field and realignment of Regional Drive.

BACKGROUND INFORMATION

The Bills acquired the parcel due to a desire to expand the outdoor practice fields at the stadium while having a minimal impact on existing parking facilities. The parcel is located immediately to the south of the existing field house and practice facilities and to the east of Regional Drive.

CONSEQUENCES OF NEGATIVE ACTION

The Bills have indicated that it is imperative that the construction of the outdoor practice field and the realignment of Regional Drive be completed during the offseason so that they are ready for the start of the team’s off-season practices.

STEPS FOLLOWING APPROVAL

The County and the Bills will schedule a real estate closing for the purpose of conveying the subject parcel from the Bills to the County. Simultaneously, the parties to the 2013 Master Lease and 2013 Stadium Lease Agreements will execute amendments in order to incorporate said parcel and allow for the construction to move forward.

SUSPENSION

A RESOLUTION SUBMITTED BY: DEPARTMENT OF PUBLIC WORKS

Re: Barco Lot Transfer – Conveyance of Land from Buffalo Bills, LLC

WHEREAS, the Buffalo Bills, LLC (the “Bills”) recently purchased one parcel of land, approximately 2.98 acres, bearing SBL-161.17-6-4.2, adjacent to One Bills Drive, located in the Town of Orchard Park, County of Erie, State of New York, and more fully described on Attachment A, for the purpose of constructing a new 100 yard outdoor practice field (“the Project”); and

WHEREAS, the Bills are seeking to convey said parcel to the County of Erie (“County”), at no cost to the County, and

WHEREAS, in order for the Bills to move ahead with the Project, amendments will need to be made to the 2013 Master Lease between the County and the Erie County Stadium Corporation (“ECSC”) and the 2013 Stadium Lease between the County, ECSC and the Bills, among other documents, to reflect the incorporation of the additional parcel; and permit construction of the 100 yard practice field and realignment of Regional Drive; and

WHEREAS, the Department of Environment and Planning has completed a review pursuant to the New York State Environmental Quality Review Act (SEQR) and a Negative Declaration was issued on January 26, 2017; thus determining that the proposed action will not have an adverse environmental impact; and

WHEREAS, at its meeting on February 23, 2017, the Erie County Advisory Review Committee (ARC) approved the conveyance of said real property by the Bills to the County and the acceptance by the County of said real property.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is authorized to accept the donation of one parcel of land, approximately 2.98 acres, bearing SBL-161.17-6-4.2, adjacent to One Bills Drive, located in the Town of Orchard Park, County of Erie, State of New York, from the Bills; and be it further

RESOLVED, that the County Executive is hereby authorized to execute any and all documents relating to the conveyance of said real property; and be it further

RESOLVED, that the County Executive is hereby authorized to execute amendments to the 2013 Master Lease between the County and the ECSC and the 2013 Stadium Lease between the County, the ECSC and the Bills, among other documents; and be it further

RESOLVED, that the Clerk of the Legislature send certified copies of this resolution to Charles Sickler, Department of Public Works; the County Executive, the Erie County Comptroller; the Erie County Director of Budget and Management, and the Erie County Department of Law.

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ATTACHMENT A

PROPERTY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Orchard Park, County of Erie, and State of New York, being part of Lot 39, Township 9, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point located on the north line of lands conveyed to Mary Debotte by deed recorded in the Erie County Clerk's Office in Liber 1648 of Deeds at Page 24, at the northwest corner of lands conveyed to Bernard Cerajewski and Frances his wife by deed recorded in the Erie County Clerk's Office in Liber 4895 of Deeds at Page 289, such point being one thousand one hundred seventy and fifty-six hundredths (1170.56) feet northerly, as measured along a line parallel with the east line of lot 39 and along the west line of Cerajewski by deed aforesaid, from a point in the center line of Big Tree Road which point on said center line is distant six hundred eighty-six and ninety-five hundredths (686.95) feet westerly of the intersection of the center line of Big Tree Road with the east line of Lot 39, as measured along said center line, such point on Big Tree Road, being also the southwest corner of lands conveyed to Cerajewski by deed aforesaid; running thence westerly along the north line of lands conveyed to Debotte by deed aforesaid, about four hundred twenty (420) feet to the northwest corner of lands conveyed to Debotte by deed aforesaid; running thence southerly along the west line of lands so conveyed to Debotte by deed aforesaid, three hundred (300) feet to a point; running thence easterly parallel with the north line of Debotte by deed aforesaid, about four hundred twenty (420) feet to the westerly line of lands conveyed to Cerajewski by deed aforesaid; running thence northerly along the west line of lands conveyed to Cerajewski by deed aforesaid, three hundred (300) feet to the point or place of beginning.