

January 11, 2018

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO. 8-6 (2017)
RATH & MORTON: “Opposition to the Imposition of Blanket Inclusionary Zoning Principals”
(Chair’s ruling)
 - b. COMM. 14M-6 (2017)
SUPERVISOR, TOWN OF HOLLAND: “Letter Regarding Condition of Whitney Rd, Town of Holland”
(Chair’s ruling)

2. COMM. 24E-11 (2017)
COUNTY EXECUTIVE
WHEREAS, the existing 45 year old roof system at Erie Community College South Campus Buildings 1 to 7 has exceeded its useful life and to reduce maintenance costs associated with temporary “stop-gap” measures to keep the building weather tight, roof restoration is warranted; and

WHEREAS, the County of Erie will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Erie County Department of Public Works received bids for the Erie Community College South Campus – 2017 – Roof Repairs and Recoating – Rebid project on November 14, 2016; and

WHEREAS, the lowest responsible bidder for the Erie Community College South Campus – 2017 – Roof Repairs and Recoating - Rebid project is Grove Roofing Services Inc.; and

WHEREAS, the Erie County Department of Public Works is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie Community College South Campus – 2017 – Roof Repairs and Recoating - Rebid project for an amount not to exceed as follows:

General Construction Work

Grove Roofing Services Inc.	Base Bid:	\$ 880,350
Add slip-resistant surfacing with additional finish coat	Add Alternate No. 1:	\$ 373,500
Total Award of Construction Contract:		\$ 1,253,850

and be it further

RESOLVED, that the sum of \$246,150 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from SAP Project Account as follows:

E.15003 – 2015 ECC Roof Replacement & Waterproofing College wide	\$ 1,500,000
Total Payment Not To Exceed:	\$ 1,500,000

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, Erie Community College (c/o Rich Rojek), and the Office of the Erie County Comptroller.
(6-0)

3. COMM. 24E-12 (2017)
COUNTY EXECUTIVE
WHEREAS, the Lakeshore Shoreline Trail – Phase 3, PIN 5758.02 (the “Project”) is eligible for funding under the Federal Transportation Enhancement Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, the County of Erie desires to advance the construction phase of the Project; and

WHEREAS, the project was bid on November 2, 2017, the lowest responsible bidder being Nova Site Co., LLC with a bid of \$2,101,555.10; and

WHEREAS, it is desired to award a contract for the construction of the project to Nova Site Co., LLC; and

WHEREAS, it is desired to execute a contract with project designer Wendel for construction phase engineering services for the Project including construction inspection in the amount of \$224,620; and

WHEREAS, it is desired to establish a Construction Contingency in the amount of \$83,824.90; and

WHEREAS, the total construction phase cost, including contingency, is currently estimated at \$2,410,000 which is available from Fund 410, Fund Center 162, SAP Project No. A.16018 – Evans Shoreline Trail Phase 3 (\$2,410,000).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the Construction Phase of the Project or portions thereof; and be it further

RESOLVED, that the County Executive be authorized to award and execute contracts for the Project with the responsible low bidder, Nova Site Co., LLC in the amount of \$2,101,555.10 which is hereby appropriated from Fund 410, Fund Center 162, SAP Project No. A.16018 – Evans Shoreline Trail Phase 3 (\$2,101,555.10) and made available to cover the cost of construction of the Project; and be it further

RESOLVED, that the County Executive be authorized to execute a contract with Wendel for construction phase engineering services including construction inspection in the amount of \$224,620 which is hereby appropriated from Fund 410, Fund Center 162, SAP Project No. A.16018 – Evans Shoreline Trail Phase 3 (\$224,620) and made available to cover the cost of said services; and be it further

RESOLVED, that the County executive be authorized to execute construction phase change orders in an amount not to exceed \$83,824.90 which is hereby appropriated from Fund 410, Fund Center 162, SAP Project No. A.16018 – Evans Shoreline Trail Phase 3 and made available to cover the cost of said change orders; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, Office of the Comptroller, and Department of Environment and Planning, Division of Planning.
(6-0)

4. **COMM. 24E-13 (2017)**
COUNTY EXECUTIVE

WHEREAS, the County of Erie has an existing contract with the Erie County Soil and Water Conservation District (ECSWCD) which was authorized in Comm. 3E-24 (2017) on February 23, 2017; and

WHEREAS, it has become necessary to execute a Change Order to that contract to add \$30,000 for repairs to the Three Rod Road Bridge, BIN 3327360 , in the Town of Alden after a heavy rain storm; and

WHEREAS, the required funding is available from Fund 420, Fund Center 123, SAP Project No. B.15011- 2015 Preservation of Bridges Fund.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie approves the requested Change Order and addition of funds to the Department of Public Works current contract with the ECSWCD; and be it further

RESOLVED, that the County Executive is authorized to execute the subject Change Order and that \$30,000 be appropriated from Fund 420, Fund Center 123, SAP Project No. B.15011-2015 Bridge Preservation Fund and made available for the requested Change Order to the Department of Public Works current contract with the ECSWCD; and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget, Management and Finance, and the Office of the Comptroller.
(6-0)

5. COMM. 24E-14 (2017)

COUNTY EXECUTIVE

WHEREAS, the Linwood/Lafayette Senior Apartments Project consists of a 37-unit affordable housing project in the City of Buffalo located at 637 Linwood Avenue; and

WHEREAS, the project site consists of new construction of a 3-story building for senior citizens ages 55 and up. The project will include low-income units for households whose incomes range from below 30% of area median income (“AMI”) to 100% of AMI. Seven (7) of these units will be permanent supportive housing for seniors who have intellectual/developmental disabilities; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Linwood Lafayette Housing Development Fund Company, Inc., and Linwood Lafayette L.P. to operate the housing project it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Linwood Lafayette Housing Development Fund Company, Inc., Linwood Lafayette L.P., the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.
(6-0)

6. COMM. 1E-8 (2018)

COUNTY EXECUTIVE

WHEREAS, the 2017 Capital “Overlay A” Project (the “Project”) contract was awarded between Occhino Corp., the responsible low bidder, and the County of Erie, on May 25, 2017, Communication 10E-9 (2017); and

WHEREAS, the Project required additional drainage work throughout Maple Street as the unusually wet spring and summer made these problems more evident; and

WHEREAS, the work performed was beyond the scope of the original project which requires additional funding; and

WHEREAS, a Change Order between Occhino Corp. and the County of Erie is needed.

NOW, THEREFORE, BE IT

RESOLVED, that the additional funds for the 2017 Capital “Overlay A” Project be allocated from Fund 420, Funds Center 123, SAP Project B.17050 2017 Capital Overlay Program in an amount of \$490,000; and be it further

RESOLVED, that the County Executive be authorized to execute a Change Order for the 2017 Capital “Overlay A” Project Number CAP-2.127.241-2017, with the contractor, Occhino Corp. in an amount, not to exceed, of \$490,000; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

7. COMM. 1E-9 (2018)

COUNTY EXECUTIVE

WHEREAS, The Village of Williamsville has indicated its willingness, per their prior Village Resolution, to assume ownership and maintain approximately 0.55 centerline miles of Garrison Road, from Wehrle Drive to Main Street (Route 5), after Erie County makes the agreed upon improvements to the road; and

WHEREAS, Village ownership of Garrison Road will relieve Erie County of all future ownership and maintenance responsibility; and

WHEREAS, a Memorandum of Understanding (MOU) between the Village of Williamsville and the County will be necessary to allow the Village to assume ownership of Garrison Road.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute

a MOU between Erie County and the Village of Williamsville which will allow the agreed-upon County improvements to Garrison Road; and be it further

RESOLVED, the ownership of approximately 0.55 centerline miles of Garrison Road, as defined by the Commissioner of Public Works, shall be turned over to the Village of Williamsville per the MOU; 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.

(6-0)

PATRICK B. BURKE
CHAIR