

January 25, 2018

ECONOMIC DEVELOPMENT COMMITTEE  
REPORT NO. 2

ALL MEMBERS PRESENT.

CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 2D-1 (2018)

**OFFICE OF THE COUNTY EXECUTIVE:** “Initiatives for a Smart Economy – Close-Out Reports”  
(Chair’s ruling)

2. COMM. 2E-15 (2018)

**COUNTY EXECUTIVE**

WHEREAS, it is recognized that having a competitive convention center with adequate support services is a valuable tool for creating economic growth and prosperity for a region; and

WHEREAS, in Erie County’s Initiatives for a Smart Economy, the County has committed to the goal of studying the Buffalo Niagara Convention Center and its location in the regional and nationwide marketplace; and

WHEREAS, Erie County is currently under contract with HVS Consulting to produce the Market Analysis and Feasibility Study for a New or Expanded Convention Center in Erie County; and

WHEREAS, additional work outside of the current scope is needed to adequately assess expansion of the existing Center and potential alternative sites; and

WHEREAS, the additional work will require a contract amendment to modify the scope and increase the cost of the Study.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie and the County Executive, is authorized to amend the agreement with HVS Consulting or other entities as appropriate, in amounts not-to-exceed \$215,000, to perform a convention center market feasibility study; and be it further

RESOLVED, that this Resolution takes effect from and after its date of adoption; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive’s Office; the Director of the Division of Budget and Management; the Comptroller’s Office; Kenneth J. Swanekamp, Director of Business Assistance; Thomas R. Hersey, Jr., Commissioner of the Department of Environment and Planning, and the County Attorney.

(4-2) Legislators Lorigo and Rath voted in the negative.

3. COMM. 2E-27 (2018)

**COUNTY EXECUTIVE**

WHEREAS, the replacement of Trevett Rd. CR420 Bridge over Clear Creek, BIN 3328340, PIN 5762.15, (the “Project”) previously authorized in Comm. 8E-9 (2017) is to be renamed Trevett Road Bridge over Eighteen Mile Creek, BIN 3328560, PIN 5762.15; and

WHEREAS, this singular resolution is to combine and replace the two previous resolutions for the project, Comm. 8E-09 (2017) and Comm. 17E-13 (2017); and

WHEREAS, the replacement of Trevett Rd. Bridge over Eighteen Mile Creek, BIN 3328560, PIN 5762.15, (the “Project”) is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds, based upon the Bridge NY Funding Program; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the 95% of reimbursable Federal share and payment of the 5% local share the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project; and

WHEREAS, the design phases I - VI and incidental right of way phase of the Project, PIN 5762.15, is currently estimated at \$190,000 and the County is required to pay the estimated local share for the Project in the amount of \$9,500 which is available from Project B.15019, BA 123, Fund 420, 2015 Capital Road Overlay Program; and

WHEREAS, this new project requires a new capital project, established in the amount of \$190,000 in BA 123, Fund 420; and

WHEREAS, the New York State Comptroller’s office needed three statements added to the projects authorization in Comm. 17E-13 (2017);

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the replacement of Trevett Rd. Bridge over Eighteen Mile Creek, BIN 3328560, PIN 5762.15; and be it further

RESOLVED, that the County Legislature hereby agrees that the County of Erie shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding award; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby agrees that construction of the “project” shall begin no later than eighteen (18) months after award of that project and construction shall be complete within three (3) years of commencing; and be it further

RESOLVED, this Resolution takes effect immediately; 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 preliminary engineering (Design I-VI) and right-of-way incidentals, phases of the Project or portions thereof in the amount of \$190,000; and be it further

RESOLVED, that the Erie County Office of Budget and Finance establish a new capital project in the amount of \$190,000 in BA 123, Fund 420, for the anticipated federal revenue G/L Account 414000 available to cover the cost of participation in the above Project; and be it further

RESOLVED, that the local share required in the amount of \$9,500 from Project B.15019, 2015 Capital Overlay Program, BA 123, Fund 420, be made available for the costs of the above Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project’s design phases I-VI, and right of way incidentals phases exceeds the amount appropriated, \$190,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality’s first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the Erie County Comptroller is authorized to pay for the project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation.  
(6-0)

**PATRICK B. BURKE**  
**CHAIR**