

ECLEG FEB19719 AK 9:57

# ERIE COUNTY COMPTROLLER HON. STEFAN I. MYCHAJLIW

February 19, 2019

Erie County Legislature 92 Franklin Street-4<sup>th</sup> Floor Buffalo, New York 14202

Re: 2019 Consolidated Bond Resolution

Dear Honorable Members:

Attached please find a 2019 Consolidated Bond Resolution in the amount of \$22,300,000 and authorizing the issuance of \$22,300,000 in Bonds. This is the first resolution concerning the projects included in the 2019 Capital Budget.

Should your Honorable Body require any further information, please contact the administration for their representatives to attend your next Finance and Management Committee meeting. Thank you for consideration of this matter.

Sincerely,

STEFANT. MYCHAJLIW Erie County Comptroller

## EXTRACT OF MINUTES

Meeting of the County Legislature of

the County of Erie, New York.

 $February \ \ , 2019$ 

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	A regular meeti	ng of the Cour	nty Legi	slature	of the Co	unty of Eri	ie, New York,	was held
at th	e Chambers of the	Erie County L	egislatu	re, in	the Erie Co	ounty Hall,	Buffalo, New	York, in
said	County, on Februa	ry , 2019, at _	o	'clock	P.M. (Pre	vailing Tim	ıe).	
	The following L	egislators were	e presen	t:				
17								
	There were abse	nt.						
	Thore were dobe	111.						
	Also present: R	obert M. Grab	er, Cler	k of th	e Legislatu	ire		
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							10	
	Legislator				offered the	following	resolution an	d moved

its adoption:

#### RESOLUTION NO. \_\_-2019

#### BOND RESOLUTION DATED FEBRUARY , 2019

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 2019 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$22,300,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$22,300,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION.

(Introduced)	, 2019
(Adopted)	, 2019

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column I of the attached schedule and the duly adopted 2019 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2019 Capital Budget of the County, such Budget shall be deemed and is hereby amended. For each of the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes, as specified in column B of the attached schedule, the respective estimated maximum costs, including preliminary costs and costs incidental thereto and to the financing thereof, are set forth in column C of the attached schedule, and said respective amounts are hereby appropriated therefor pursuant to the duly

adopted 2019 Capital Budget for the County. The plan of financing includes the issuance of \$22,300,000 aggregate principal amount of bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriations, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and notes and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the respective principal amounts set forth in column D of the attached schedule are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes, classes of objects or purposes and combinations of objects or purposes for which said \$22,300,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. of the Law, is set forth in column G of the attached schedule.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the respective specific objects or purposes, classes of objects or purposes and combinations of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

\* \* \*

	The adoption of t	the foregoing resolution was se	conded by Legislator	
		and duly put to a vote on roll c	all, which resulted as follows:	
×	AYES:			
	NOES:			14

THE RESOLUTION WAS DECLARED ADOPTED.

\* \* \*

Dated: Buffalo, New York,		
, 2019		
The foregoing Bond Resolution is hereby approved	i -	
	County Exe	cutive
	*	
I, Robert M. Graber, HEREBY CERTIF	Y that the County Executive	e of Erie County
approved a Bond Resolution of which the foregoin	W.	
filing in the office of the Erie County Legislature.		
, 2019.		
	Robert M. Graber Clerk of the Erie County Legislature	3
A DDD OVER A G TO GOVERNYT		
APPROVED AS TO CONTENT:		
By Erie County Comptroller	<del>t</del> s	
APPROVED AS TO FORM:		
w	>	×
By		
Erie County Attorney		

	Legislator _	offered the following resolution and moved its
adopti	on:	
	RESOLVED	BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW
YORK	K, AS FOLLO	WS:
	Section 1.	The Clerk of the Erie County Legislature is hereby directed to publish
the for	regoing bond	resolution, in full, in the
-		and the
the off	ficial newspape	ers of the County for such publication, together with a notice in substantially
the for	m prescribed i	n Section 81.00 of the Local Finance Law of the State of New York.
	Section 2.	This resolution shall take effect immediately.

4811-9367-2069 v1

#### **CERTIFICATE**

I, Robert M. Graber, Clerk of the Erie County Legislature, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Erie County Legislature duly called and held on February , 2019, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County this \_\_\_\_\_ day of February, 2019.

Robert M. Graber
Clerk of the Erie County
Legislature

# (NOTICE TO BE ATTACHED TO AND **TO BE PUBLISHED**WITH COPY OF RESOLUTION AFTER ADOPTION)

#### NOTICE

The resolution, a copy of which is published herewith, has been adopted by the County Legislature on the \_\_\_\_\_ day of February, 2019 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

ROBERT M. GRABER Clerk of the County Legislature

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Building 17	Renovations Phase 5-6	EPA Environmental Regulatory Compliance - Phase, 7 Salt Buildings	Waterproofing (Countywide)	Renabilitation of Buffalo & Ene County Botanical Gardens	Reconstruction (Countywide)	DPW/Highways – Federal Aid Projects Construction – Maple Road (CR 192) - PIN 5761,76	DPW/Highways – Federal Aid Projects Construction – McKinley Parkway (CR 204) - PIN 5761.75	DPW/Highways – Federal Aid Projects Construction – Abbott Road (CR 4) - PIN 5761.74	Equipment Replacement (Countywide)	DPWHighways - Preservation of Roads Construction - North & South Main Street (CR 009) - Viltage of Angola	DPW/Highways - Preservation of Roads Construction - Lake Ave - CR #200 in the Town of Hamburg	Construction — East & West Road (CR 363) - West Seneca	(object or purpose)	A
Ø	co		C	v	c	so	s	s	C	s	s	w	SPECIFIC, CLASS OR COMBINATION	
250,000	1,200,000	750,000	1,000,000	500,000	3,750,000	300,000	390,000	310,000	2,000,000	2,500,000	1,500,000	3,000,000		A-1
250,000	1,200,000	750,000	1,000,000	500,000	3,750,000	300,000	390,000	310,000	2,000,000	2,500,000	1,500,000	3,000,000	BONDS AUTHORIZED	B
			e:				50)	¥.	.x	ř	×		FEDERAL AID EXPECTED	c
e)	**		· K			3.	(. <b>.</b> )	v		(*)			SOURCE	0
15 yrs. Par. 12(a)2	15 yrs. Par. 12(a)2	15 yrs. Par. 12(a)2	15 yrs. Par. 12(a)2	15 yrs. Par. 12(a)2	15 yrs. Par 20	15 yrs. Par. 20	15 yrs. Par. 20	15 yrs. Par. 20	15 yrs. Par. 28	15 yrs. Par. 20		#	Sec.11.00a	т
113	113	113	112	₫ -	115	117	117	116	116	115	115	115	BUDGET PAGE REFERENCE	П
This project will include, but is not limited to miscellaneous building improvements such as: exterior building envelope upgrades and repairs; roof system replacement and/or patching as necessary, rooftop unit replacement, modifications to the HAAC system; lighting upgrades, phone and data service; space remuterors includes a neutral roof flow.	The Erie County Toxicology Laboratory/ Pathology Morgue has infrastructure which has not been updated to current standards and is undergoing a 10-phase upgrade with Phases 1 through 4 already having been completed. This scope of work will include Phases 5, 6, 7 and 8 but is not limited to; Pathology/ Laboratory upgrades, autopsy room upgrades, laboratory analysis upgrades, comdor upgrades, Y-ray room upgrades storage and Anthropology Labor, Funds will also be used to replace a Roof Top Unit that has exceeded its life cycle. The last phases 9 and 10 including office space and administration/ conference room upgrades will be funded with 2020 capital funds. If the renovations are not completed the loss of Lab Certification is emplaced.	The County has been cited by NYS-DEC for not being in compliance with requiatory standards for underground petroleum storage tanks, NYS-DEC permits for industrial stormwater discharges, having oil water separators on stormwater discharges, and miscellaneous items. This work will correct the deficiencies and bring the sites into compliance with requiatory standards. Design work to correct some of the critical items that the County was cited for were corrected in 2012 and 2013 and the next phase work will correct additional deficiencies. The next phase will be designed and bid when the 2019 funds are available.	The work will consist of exterior building repairs, Many of the County exterior building envelopes are well beyond their useful life and require replacement and/or reconstruction to maintain a safe working environment for the building occupants and to preserve the buildings. This work will include but is not limited to building exterior components such as doors, windows, stylights, roofing, caulking, waterproofing, masonry repair and repointing, and miscellaneous related work to the building exteriors. This work will include design and construction. The work will be started in 2019 when the funds become available.	The work will include, but is not limited to, design and construction for interior and exterior remediation, hazardous materials sampling, testing, abatement and monitoring, structural work where required, roofing repair and replacement, masonry restoration, aluminum framing replacement, wood restoration and replacement, plaster repairs, painting, window repair, as well as the replacement of glazing as needed.	The 2019 capital several provides the respective that the several seve	The instance of the control of the c	This is a reduced when we will be a finished by the common of the common	This is a Federal Aid Pavement Rehabilitation (Mill and Overlay) Project. Abbott Road is rated a 5 in the GBNRTC Ratings for 2017. Limits for this project are from Route 20 to Milestrip Road in the Town of Orchard Park with a daily traffic rount of 32 cnot white nor day.	Where possible, the highway fleet is being drastically cut and new vehicles are "right sized" for the need. Most of the plow fucks used in Highways are over 10 years old, out of warranty, exceeding 200,000 miles and beginning to need some major maintenance items. This project will continue to replace the larger vehicle fleet over time. By replacing them over time, the large maintenance bills can be avoided and a smaller fleet can be maintained. Front line equipment is at a critical need for replacing; plow fucks, high lifts and tractors. Another challenge is keeping within EPADEC compliance and having the proper equipment such as road sweepers and vactor flush trucks for storm sewers.	This is a program for total reconstruction of North/South Main Street located in the Village of Angola. This project will consist of new drainage, curbing and road section. The section of road from Eden Evans Center Road to Hardpan Road is scheduled for complete reconstruction. The remaining sections, Route 5 to Eden Evans Center and Hardpan to Route 20 will be considered for a modified mill and overlay.	This is a program for total reconstruction of Lake Avenue - CR 20, located in the Town of Hamburg. This project will consist of new drainage, curbing and road section.	This is a program for total reconstruction of East & West Road, located in the Town of West Seneca. This project will consist of new drainage, curbing and road section.	PROJECT DESCRIPTION	G

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Refresh	Cybersecurity Improvements at Central Police Services	Cybersecurity/Network Enhancements	The state of the s	Rehabilitation  Rath Building Improvements	Preservation of County Buildings & Facilities (Countywide)	PROJECT DESCRIPTION (object or purpose)	A
, c	C	c	COMBO	G. G.	C	SPECIFIC, CLASS OR COMBINATION	
2,000,000	350,000	250,000	noviene	250,000	1,500,000	ESTIMATED MAXIMUM COST	A-1
2,000,000	350,000	250,000	90,000	250,000	1,500,000	AMOUNT OF BONDS AUTHORIZED	0
	*)		3			STATE or FEDERAL AID EXPECTED	C
			- 39			LOCAL SOURCE REVENUE	0
5 yrs. Par, 35	5 yrs, Par. 35	Swe Par 35	10 yrs. Par. 90	10 yrs. Par. 13	15 yrs. Par. 12(a)2	PPU Sec.11.00a	m
124	123	_	114	114	114	CAPITAL BUDGET PAGE	71
This project will encompass a complete hardware refresh and software update of the E-911 System. The project will include a replacement of the existing system housed at the Erie County Public Safety Campus, Emergency Operations Center/911 Back-up Center and the 16 primary and three secondary public safety onswering points within the county. The entire system will be phased in over a two year period and system maintenance is included for the seven year life of the new system. The replacement of the Erie County E-911 System is critical to ensuring continued public safety.	Enhance the County's Cybersecurity capabilities with new technologies.  Enhance Cyber Security measures within CPS Central Police Services and all of its agents.	repairs and related construction costs.	The scope of work includes, but is not limited to: general site improvement on the grounds surrounding the building, reconstruction of the existing fourhain, increased vehicular security around the perimeter of the building, installation of a new generator, potential relocation of the existing overhead doors accessing the garage in the basement, and miscellaneous improvements. This work would also encompass design and construction costs associated with evaluating the existing glycol snowmelt system, identifying potential construction costs associated with evaluating the existing glycol snowmelt system, identifying potential	The scope includes window replacement of the entire building envelope and new modern state of the art NVAC equipment at 120/134 West Eagle building. The upgrade will effinite the need for individual AC window units and will reduce energy consumption of the building. The current facility is aged and window systems have exceeded their useful life. The building envelope improvement needs to be addressed to prevent further deterioration. Whole building AC is required to provide a proper, climate controlled environment for various systems, storage, and human comfort.	Improvements to various building components include, but not limited to, the following: Exterior Building Envelope Rehabilitation (roofs, masonry, doors, windows and exterior facades) Interior Upgrades (floors, waits, ceilings, including finishes and accessibility) Building Systems Rehabilitation (power, lighting, communications, energy consumption, plumbing, mechanicals, fine alarm systems, backup generators, and misceflaneous items) The Capital investment on this project is critical and will prevent costly energency repairs, while reducing maintenance of these components. In some cases, further deterioration will reader some building systems in poor or even inoperable condition.	PROJECT DESCRIPTION	a