

SEPTEMBER 21, 2006

COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT. CHAIRMAN MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 4E-7 (2006)
MARINELLI: Community Enrichment Matrix Tracking
(5-0)
 - b. COMM. 12E-16 (2006)
COUNTY EXECUTIVE: Institutional Energy Services Performance Contracting Program - Authorization to Enter into Financing Agreement
(3-0) Legislators Marinelli and Ranzenhofer not present.
 - c. COMM. 12D-4 (2006)
BECPL: Report on Cost-Saving Initiatives
(5-0)
 - d. INTRO 14-6 (2006)
IANNELLO: Status of ECC Housing & Time Line
(5-0)
 - e. COMM. 15E-1 (2006)
IANNELLO: Copy of Letter to ECC President Re: Student Housing Project at South Campus
(5-0)
 - f. COMM. 15D-16 (2006)
MARINELLI: Community Enrichment Matrix Initiatives
(5-0)
2. COMM. 11E-18 (2006)
COUNTY EXECUTIVE
WHEREAS, in a resolution being Communication No. 9E-34 dated May 9, 2002, the Erie County Legislature authorized entering into a contract with Siemens Building Technologies related to instituting a construction Performance Contract with Erie Community College campus building; and

WHEREAS, a preliminary energy audit of their facilities has been completed at these facilities and a program has been developed that meets with the Commissioner of Public Works' directives; and

WHEREAS, the program's capital construction will be approximately \$8,450,000 with energy and other savings estimated at an average of approximately \$740,000 per year over the ten-year program; and

WHEREAS, DASNY will reimburse Erie County half of the construction value, or almost \$4,230,000 and NYSERDA is expected to reimburse another almost \$250,000 for the program if implemented; and

WHEREAS, as the annual cost of the tax-exempt municipal lease and the required Technical Services Program is guaranteed to be less than the savings generated, by ECC Board resolution, ECC will reimburse Erie County the annual costs of the tax-exempt municipal lease and the required Technical Services Program so there is zero net cost to Erie County; and

WHEREAS, Erie County must take the lead on this project, however, as the County owns the facility and to qualify of DASNY matching funds; and

WHEREAS, the Commissioner of the Department of Public Works recommends acceptance of the program and that construction be implemented.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive to execute a Supplemental Agreement to the County's Performance Contractor, Siemens Building Technologies, in an amount not to exceed \$8,450,000 to perform the Energy Conservation Measures Program derived from their preliminary energy audit work, and approximately \$150,000 annually over the ten-year program for the Technical Services Program and to assist the County in procuring competitively bid financing through a Tax-Exempt Municipal Lease subject to DASNY/SUNY Construction fund approval, Bond Counsel approval and receipt of the final ECC Board resolution; and be it further

RESOLVED, that the Erie County Legislature authorizes acceptance of all outside funding sources, including DASNY/SUNY Construction Fund funding expected at almost \$4,230,000 and NYSERDA funding expected at almost \$250,000, in addition to the payment of the annual cost of both the tax-exempt municipal lease and Technical Services Program from ECC; and be it further

RESOLVED, that two certified copies of this resolution be forwarded to the Commissioner of Public Works, and one copy each to the Office of the County Executive, the Division of Budget, Management & Finance, and the Office of the Comptroller.
(3-0) Legislators Marinelli and Ranzenhofer not present.

MICHELE M. IANNELLO
CHAIRMAN