

ALL MEMBERS PRESENT.

1. Item Page -2003 (Comm. 12E-44)

COUNTY EXECUTIVE

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) is accepting applications for grants to fund recreation and conservation projects through the Environmental Protection Fund and the Land and Water Conservation Fund through June 20, 2003,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to submit a grant application to NYSOPRHP for an amount not to exceed \$350,000 for the design and construction of various improvements to Bennett Beach Park; and be it further

RESOLVED, that the approved 1999 County capital budget, Fund 410, Project 131, shall be used to provide up to \$435,000 for Bennett Beach Park Improvements as a required local match; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the County Comptroller, the Commissioner of Environment and Planning, the Commissioner of Parks, Recreation and Forestry, and the Commissioner of Public Works.
(5-0)

2. Item Page -2003 (Comm. 12E-45)

COUNTY EXECUTIVE

WHEREAS, the County of Erie desires to lead the effort to provide facilities for public access to the unique natural environment available at Times Beach in the City of Buffalo; and

WHEREAS, the Times Beach Public Access Project seeks to create a first-class wildlife viewing area which can be a tourism draw and also a premier attraction to the residents of the City, the County, and the nation; and

WHEREAS, Erie County has committed \$125,000 through the 2003 Consolidated Bond Resolution #149-2003 (Fund 410 Project 430) for the design of the Times Beach Public Access Trail Project; and

WHEREAS, in accordance with Article 19.08 of the County Administrative Code the Department of Environment and Planning issued a formal Request for Proposals/Qualifications soliciting the services of a consultant to develop design documents and perform construction oversight services associated with the Times Beach Public Access Trail Project; and

WHEREAS, responses received from three qualified consulting firms were reviewed and rated by a selection committee; and

WHEREAS, based upon their ratings and related discussions, the selection committee recommends that the County contract with Peter J. Smith & Company, Inc., to develop design documents and perform construction oversight services associated with the Times Beach Public Access Trail Project,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an agreement with Peter J. Smith & Company, Inc., for an amount not to exceed \$70,000 to develop formal design documents and perform construction oversight services associated with the Times Beach Public Access Trail Project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.
(5-0)

3.	Item	Page	-2003	AS AMENDED (Comm. 12E-48)
	COUNTY EXECUTIVE			

WHEREAS, the County of Erie desires to lead the effort to provide facilities for public access to the unique natural environment available at Times Beach in the City of Buffalo; and

WHEREAS, the Times Beach Public Access Trail Project seeks to create a first-class wildlife viewing area which can be a tourism draw and also a premier attraction to the residents of the City, the County, and the nation; and

WHEREAS, Erie County has committed \$125,000 through the 2003 Capital Improvement Projects Budget (Fund/Pro 410-430) for the design of the Times Beach Public Access Trail Project; and

WHEREAS, the City of Buffalo has requested that Erie County manage the Times Beach Public Access Trail Project and has committed \$100,000 to support the effort; and

WHEREAS, it is anticipated that the State of New York will also contribute at least \$100,000 to support the effort; and

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation through funding made available by the 2003 New York State Environmental Protection Fund and the 2004 Federal Land and Conservation Fund is soliciting applications for parks development projects which protect natural resources and enhance environmental infrastructure; and

WHEREAS, the objectives of the Times Beach Public Access Project meet the criteria for funding through the New York State Office of Parks, Recreation and Historic Preservation, Parks Grant Programs and an application for funding has been prepared by the Department of Environment and Planning; and

WHEREAS, Erie County through an intermunicipal agreement, needs to secure authorization from the City of Buffalo, the current property owner, to construct, maintain, and operate the public access facilities at Times Beach in perpetuity; and

WHEREAS, it is necessary to amend the existing Capital Improvement Project Budget (Fund 410 Project 430) for the Times Beach Public Access Trail Project to include the additional \$100,000 from the City of Buffalo,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into any necessary agreements with the City of Buffalo to secure authorization to construct, maintain and operate public access facilities at Times Beach in perpetuity and accept \$100,000 in City funding to implement the Times Beach Public Access Trail Project; and be it further

RESOLVED, that the County Executive is authorized to enter into any necessary agreements with the State of New York to secure additional funding to support the Times Beach Public Access Trail Project; and be it further

RESOLVED, that the County Executive is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Fund of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$350,000; and be it further

RESOLVED, that upon approval of said request, the County Executive is hereby authorized and directed to enter into and execute a project agreement with the State for such financial assistance to Erie County for the Times Beach Public Access Trail Project; and be it further

RESOLVED, that the Capital Project Budget (Fund 410 Project 430) for the design of the Times Beach Public Access Trail Project is hereby amended to increase revenue and appropriations by \$100,000 to recognize the additional local source funding from the City of Buffalo; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.

(5-0)

4. Item Page -2003 (Comm. 12E-50)

COUNTY EXECUTIVE

WHEREAS, the 2003 Capital Budget for the Department of Parks, Recreation and Forestry was amended by adding \$3,000,000 for the Parks Master Plan Capital Project; and

WHEREAS, the temporary position of Parks Master Plan Coordinator, Job Group 13, was created within this project; and

WHEREAS, the Department of Parks, Recreation and Forestry is in need of adding a second temporary position, Parks General Crew Chief, Job Group 11, Step E, to assist in overseeing the various projects;

NOW, THEREFORE, BE IT

RESOLVED, That effective immediately, the temporary position of Parks General Crew Chief, Job Group 11, Step E, be created within the Parks Master Plan Capital Project; and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of Personnel, the Commissioner of the Department of Parks, Recreation and Forestry and the County Attorney.

(5-0)

**ELISE M. CUSACK
CHAIRPERSON**