

JANUARY 22, 2009

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT, LEGISLATOR MILLER-WILLIAMS.
CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 22E-8 (2008)
COUNTY EXECUTIVE: Rath Building - 2008 - 1st & 16th Floor Renovations
(5-0)
 - b. COMM. 23E-18 (2008)
MARINELLI: Letters to WNY Congressional Delegation Concerning US Auto Industry
(5-0)
 - c. COMM. 23M-1 (2008)
NFTA: Minutes for Board Meeting Held 9/22/08
(5-0)
 - d. COMM. 26E-19 (2008)
KOZUB: Letters to WNY Congressional Delegation Concerning Domestic Auto Industry
(5-0)
 - e. COMM. 26M-4 (2008)
ECIDA: Notification of Board of Directors Meeting
(5-0)
 - f. COMM. 26M-8 (2008)
NFTA: Cash Flow Statements (Actual/Projected) for Periods of 4/1/08 - 3/31/09 and 10/1/08 - 9/30/09
(5-0)
 - g. COMM. 28M-1 (2008)
NFTA: NFTA Board Minutes
(5-0)

- h. COMM. 28M-4 (2008)
NIAGARA COUNTY LEGISLATURE: Copy of Resolution Concerning Request for Investigation of Gasoline Price Gouging
(5-0)
 - i. COMM. 1M-13 (2009)
PUTNAM COUNTY LEGISLATURE: Copy of Resolution Supporting Continuation of Empire Zone Program
(5-0)
 - j. COMM. 1M-16 (2009)
NFTA: NFTA Board Minutes for Meeting Held 11/24/08
(5-0)
2. RESOLVED, the following item is hereby received and filed and referred to the FINANCE & MANAGEMENT COMMITTEE:
 - a. COMM. 1D-10 (2009)
DIRECTOR OF INTERGOVERNMENTAL AFFAIRS: Real Estate/Space Utilization Quarterly Update
(5-0)
 3. COMM. 26E-11 (2008)
COUNTY EXECUTIVE
WHEREAS, your honorable body previously authorized the county Executive to enter into contracts for the renovations at the Erie County Health Department "BB" Building; and

WHEREAS, contracts were awarded to Cloverbank Construction, Inc. and Wittburn Enterprises, Inc., and

WHEREAS, the allotted contingency must be increased to complete the project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute change orders with Cloverbank Construction, Inc. and Wittburn Enterprises, Inc. to complete their contracts relating to the Erie County Health Department "BB" Building Renovations, and be it further

RESOLVED, that the construction contingency be increased by \$5,000.00 from \$62,000.00 to \$67,000.00, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from SAP Project A.00028 – 2001 Renovation of “BB” Building, and be it further

RESOLVED, that two 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.
(4-0-1) Legislator Wroblewski abstained.

4. **COMM. 26E-12 (2008)**
COUNTY EXECUTIVE

WHEREAS, the County of Erie Department of Public Works, Division of Highways would like to close Contract FA704-05 with Concrete Applied Technologies Company (dba CATCO) and subsequently file final reimbursement claim with the New York State Department of Transportation for this locally administered Federal Aid Project; and

WHEREAS, the Erie County Legislature previously authorized this locally administered Federal Aid project for the replacement of Glen Avenue Bridges in the Town of Williamsville with the New York State Department of Transportation in the amount of \$1,820,000.00 via Comm. 26E-11 of December 2, 2004; entered an inter-municipal agreement for additional local improvements to the project with the Town of Williamsville in the amount of \$142,000.00 via Comm. 30E-29 of December 22, 2004; and awarded the construction of the project to Concrete Applied Technologies Company dba CATCO via Comm. 10E-24 of April 21, 2005; and

WHEREAS, in order to close out the contract a Change Order to CATCO in the amount of \$135,586.31 is due for construction schedule acceleration and increased field quantities; and

WHEREAS, the Change Order is within the agreement allowance and eligible as a 95% reimbursable federal aid and Marchiselli fund expense.

NOW, THEREFORE, BE IT

RESOLVED, that project SAP B.00007 revenues and appropriations be equally increased by the amount of \$135,587.00 for the purposes of closing the Glen Avenue Bridge Replacement project; and be it further

RESOLVED, that the Erie County Executive is authorized to execute a Change Order with Concrete Applied Technologies Company dba CATCO in the amount of \$135,586.31 from Project fund B.00007; and be it further

RESOLVED, that the County of Erie Department of Public Works is directed to close the contract upon execution of the final Change Order and file final claim with the New York State Department of Transportation; and be it further

RESOLVED, that three certified copies of this resolution be sent to Gerard J. Sentz, P.E., Commissioner of the Department of Public Works, and one copy each to the Office of the County Executive, the Division of Budget, Management and Finance, the Office of the Comptroller, and the Office of the County Attorney.
(5-0)

5. **COMM. 26E-13 (2008)**
COUNTY EXECUTIVE

WHEREAS, Kevin J. LoVullo, property owner at 1731 North Forest Road, CR 294, Amherst, New York, wishes to purchase a portion of highway right-of-way deemed no longer necessary due to road relocation from reconstruction in 1991; and

WHEREAS, Kevin J. LoVullo, being the adjacent property owner to the existing right-of-way will compensate the County of Erie for the agreed upon price of \$3,400.00 for 0.155± acre at the time of filing in the Erie County Clerk's Office.

NOW, THEREFORE, BE IT

RESOLVED, that for County purposes of transferring land no longer necessary for highway purposes, the County Executive is hereby authorized and directed to convey the following interest in the parcel of land herein described for and in consideration of the sum described herein for North Forest (CR 294), in the Town of Amherst:

PARCEL	OWNER	AREA	VALUE
422	County of Erie	0.155± acre	\$3,400.00

and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Division of Highways, and one copy each to the Office of the County Executive, the Division of Budget, Management and Finance, and the Office of the Comptroller.
(5-0)

6. COMM. 1E-20 (2009)

COUNTY EXECUTIVE

WHEREAS, the County is required to provide a multi-year Capital Improvement program pursuant to an agreement with the Botanical Gardens Society; and

WHEREAS, the Erie County Legislature has adopted Local Law, No. 5-2007 Green Buildings Act, requiring all new buildings to achieve the “Silver” standard of the LEED rating system for buildings; and

WHEREAS, your honorable body has previously authorized General Architectural/Engineering Agreements with the firms of Foit-Albert Associates and Robson & Woese, Inc. for providing Professional Architectural/Engineering Services; and

WHEREAS, the County Executive is requesting authorization from your honorable body to issue Agreements with Foit-Albert Associates and Robson & Woese, Inc. for providing Design Services so the building will achieve the “Silver” standard for the LEED building rating system.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to issue Agreements with Foit-Albert Associates and Robson & Woese, Inc. for providing Design Services for the new Growing House so the building will achieve the “Silver” standard of the LEED building rating system, including reimbursables, for an amount not to exceed \$150,000.00; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP Project A.00291 – 2006 – Botanical Gardens Master Plan Reconstruction for an amount not to exceed \$150,000.00; and be it further

RESOLVED, that two 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.
(5-0)

7. COMM. 1E-21 (2009)

COUNTY EXECUTIVE

WHEREAS, the Town of Grand Island owns a vacuum sewer truck for which it no longer has need; and

WHEREAS, the Town has agreed to give the truck, which DPW needs, in exchange for DPW providing pavement striping services for the Town roads for a period of three years; and

WHEREAS, DPW has a need for a vacuum sewer truck which it currently does not possess.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the County Executive to enter into an inter-municipal agreement with the Town of Grand Island to receive a GMC vacuum sewer truck in exchange for three years of striping Town roads totaling 140,000 linear feet per year; and be it further

RESOLVED, that two 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.
(5-0)

**TIMOTHY M. KENNEDY
CHAIR**