

January 4, 2011

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 1

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

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 18M-4 (2010)
NFTA: "Minutes of Meeting Held 8/23/2010"
(5-0)
 - b. COMM. 20M-7 (2010)
NFTA: "Minutes of Meeting Held 9/27/2010"
(5-0)
 - c. COMM. 21M-1 (2010)
NFTA: "17A Reports & Capital Expenditure Reports for the Second Quarter of Fiscal Year Ending 9/30/2010"
(5-0)
 - d. COMM. 24M-7 (2010)
NFTA: "Copy of Actual/Projected Cash Flow Statements for the Period 4/1/2010 - 3/31/2011 & 10/1/2010 - 9/30/2011"
(5-0)
 - e. COMM. 24M-8 (2010)
NFTA: "Minutes of Meeting Held 10/25/2010"
(5-0)
2. COMM. 21E-8 (2010)
COUNTY EXECUTIVE
WHEREAS, the New York State Department of Transportation has asked the County of Erie for acquisition of a portion of the County owned parcel located on Main Street, Town of Amherst, New York; and

WHEREAS, this acquisition would be used for the reconstruction of Main Street, Town of Amherst; and

WHEREAS, it is necessary that this approval be granted to allow this project to proceed; and

WHEREAS, the Director of Real Property Tax Services has determined that this acquisition of County land can be granted; and

WHEREAS, the parties of the first part, in consideration of other good and valuable consideration and Twenty Four Thousand, Five Hundred and 00/100 Dollars (\$24,500.00), lawful money, paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and transfers the portion of said parcel of land as described below.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to transfer to the State of New York , Department of Transportation, Office of Real Estate, 100 Seneca Street, Buffalo, New York 14203 in consideration of Twenty Four Thousand Five Hundred and 00/100 on the following described portion of Main Street, Town of Amherst, New York parcel:

All that piece or parcel of property hereinafter designated as Parcel Nos. 9 and 10, situate in Lot No. 107, Township 12, Range 7, being a portion of Tax Map 81.02, Block 1, Lot 1, said Tax Map having a last revision date of May 25, 1982; situate in the Town of Amherst, County of Erie, State of New York as shown on the accompanying map.

The centerline, as shown on the accompanying map, is established from the Control Line for the reconstruction of Main Street, Part 2, S.H. No. 87, as established in 1997, as shown on a map and plan on file in the Office of the State Department of Transportation, a portion of said Control Line being described as follows:

Beginning at Control Point Amherst 10; thence southwesterly on an azimuth of 201°02'50", 414.016 m to Control Point Amherst 9; thence northeasterly on an azimuth of 49°39'21", 592.613 m to Control Point 18; thence easterly on an azimuth of 92°08'56", 283.182 m to Control Point 20.

All azimuths referred to True North at the 78°35'00" Meridian of West Longitude.

RESOLVED, that the Clerk of the Legislature provide certified copies of this resolution to the Division of Budget and Management, the Office of the Comptroller, the County Attorney and the Department of Real Property Tax Services.
(5-0)

3. COMM. 21E-9 (2010)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Transportation has asked the County of Erie for acquisition of a portion of the County owned parcel located on Broadway, Village of Lancaster, New York; and

WHEREAS, this acquisition would be used for the reconstruction of US Route 20, Broadway, in the Village of Lancaster; and

WHEREAS, it is necessary that this approval be granted to allow this project to proceed; and

WHEREAS, the Director of Real Property Tax Services has determined that this acquisition of County land can be granted; and

WHEREAS, the parties of the first part, in consideration of other good and valuable consideration and Three Hundred and 00/100 Dollars (\$300.00), lawful money, paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and transfers the portion of said parcel of land as described below.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to transfer to the State of New York , Department of Transportation, Office of Real Estate, 100 Seneca Street, Buffalo, New York 14203 in consideration of Three Hundred and 00/100 on the following described portion of Broadway, Lancaster, New York parcel:

All that piece or parcel of property hereinafter designated as Parcel No. 55, being a portion of Lot 3, Section No.10, Township 11, Range 6, and also being a portion of Erie County Tax Map 104.82, Block 5, Lots 9 and 14, last revised April 10, 1996, situate in the Village of Lancaster, Town of Lancaster, County of Erie, State of New York as shown on the accompanying map.

All of the above described Parcel No. 55 was previously acquired in permanent easement by The People of the State of New York (Department of Environmental Conservation) by virtue of Liber No. 4132 of Deeds at Page 383 which was filed in the Office of the Clerk of Erie County on June 20, 1947.

The centerline, as shown on the accompanying map, is established from the 1990 survey baseline for the reconstruction of Lancaster Village S.H. No. 915, as shown on a map and plan on file in the Office of the State Department of Transportation, a portion of said baseline being described as follows:

Beginning at Station 2+986.321, thence Az 85°29'08" to Station 3+090.974.

All azimuths referred to True North at the 78°35'00" Meridian of West Longitude.

RESOLVED, that the Clerk of the Legislature provide certified copies of this resolution to the Division of Budget and Management, the Office of the Comptroller, the County Attorney and the Department of Real Property Tax Services.
(5-0)

4. COMM. 21E-10 (2010)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Transportation has asked the County of Erie for acquisition of a portion of the County owned parcel located on Transit Road, Village of Depew, New York; and

WHEREAS, this acquisition would be used for the reconstruction of US Route 20, Transit, in the Village of Depew; and

WHEREAS, it is necessary that this approval be granted to allow this project to proceed; and

WHEREAS, the Director of Real Property Tax Services has determined that this acquisition of County land can be granted; and

WHEREAS, the parties of the first part, in consideration of other good and valuable consideration and Two Hundred Fifty and 00/100 Dollars (\$250.00), lawful money, paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and transfers the portion of said parcel of land as described below.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to transfer to the State of New York , Department of Transportation, Office of Real Estate, 100 Seneca Street, Buffalo, New York 14203 in consideration of Two Hundred Fifty and 00/100 on the following described portion of Transit Road, Depew, New York parcel:

All that piece or parcel of property hereinafter designated as Parcel No. 106, being a portion of Lot 7, Section No.10, Township 11, Range 6, and further distinguished as a portion of Subdivision Lot No. 30 in Block No. 1 as shown on a map entitle "Subdivision of Irwinwood Park", on file in the Office of the Clerk of Erie County under Map Cover No. 1149, and also being a portion of Erie County Tax Map 104.18, Block 2. Lot 14, last revised June 17, 1996, situate in the Village of Depew, Town of Lancaster, County of Erie, State of New York as shown on the accompanying map.

A portion of the above described Parcel No. 106 was previously acquired in permanent easement by The People of the State of New York (Department of Environmental Conservation) by virtue of Liber No. 4153 of Deeds at Page 271 which was filed in the Office of the Clerk of Erie County on July 23, 1947.

A portion of the above described Parcel No. 106 was previously acquired in permanent easement by The People of the State of New York (Department of Environmental Conservation) by virtue of Liber No. 4529 of Deeds at Page 449 which was filed in the Office of the Clerk of Erie County on July 19, 1947.

The centerline, as shown on the accompanying map, is established from the 1990 survey baseline for the reconstruction of Depew Village S.H. No. 916, as shown on a map and plan on file in the Office of the State Department of Transportation, a portion of said baseline being described as follows:

Beginning at Station 1+739.751, thence AZ 92°21'40" to Station 2+014.521 BK, thence AZ 91°53'45" to Station 2+061.188, thence AZ 96°30'31" to Station 2+153.571.

All azimuths referred to True North at the 78°35'00" Meridian of West Longitude.

RESOLVED, that the Clerk of the Legislature provide certified copies of this resolution to the Division of Budget and Management, the Office of the Comptroller, the County Attorney and the Department of Real Property Tax Services.
(5-0)

5. COMM. 24E-5 (2010)
COUNTY EXECUTIVE

WHEREAS, a Project for the Construction of the Sherwood Greenway Multi-Use Trail Project, in the Town of Tonawanda, Erie County, PIN 5756.76 (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 born at the ratio of approximately 72.2% Federal funds and 27.8% Non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the New York State Department of Transportation (NYSDOT) administered portion of the Right-of-Way phase of the project PIN5756.76.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature of the County of Erie hereby approves the above-subject project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay the Non-Federal share of the cost of the NYSDOT administered portion of the Right-of-Way phase of the project or portions thereof, with the Federal share of such costs to be applied directly by the NYSDOT pursuant to Agreement; and be it further

RESOLVED, that the sum of \$48,484 is hereby appropriated from SAP A.00344, Bicycle/Pedestrian Construction, and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the Non-Federal share of the cost of the NYSDOT administered portion of the Project's Right-of-Way phase exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and with the NYSDOT providing for the administration of the Project and the Municipality's funding of the local share of Federal-Aid Eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.
(5-0)

TIMOTHY J. WHALEN
CHAIR