

January 14, 2010

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 1

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

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 13E-13 (2009)
COUNTY EXECUTIVE: “Tannery Rd. Bridge - Bridge Deck Waterproofing Membrane Installation - Committee Agenda Placeholder”
(5-0)
 - b. COMM. 22M-1 (2009)
ECIDA: “Copy of Proposed 2010 Budgets for ECIDA, RDC, ATC and ILDC”
(5-0)
 - c. COMM. 22M-11 (2009)
NFTA: “Cash Flow Statements for 4/1/09 - 3/31/10 and 10/1/09 - 9/30/10”
(5-0)
 - d. COMM. 25M-4 (2009)
NFTA: “PARIS Report for Fiscal Year Ending March 31, 2010”
(5-0)
 - e. COMM. 25M-6 (2009)
EXECUTIVE DIRECTOR - PUSH BUFFALO: “Copy of Letter Regarding 2010 Budget Appropriations”
(5-0)
 - f. COMM. 27E-35 (2009)
IANNELLO: “Letter to Chair Marinelli – Resignation from Niagara Erie Regional Coalition”
(5-0)
 - g. COMM. 27M-1 (2009)
EMPIRE STATE DEVELOPMENT CORP.: “Notice of Public Scoping Meeting and Intent to Prepare a Draft Generic Environmental Impact Statement”
(5-0)

- h. COMM. 1D-3 (2010)
ENVIRONMENT & PLANNING COMMISSIONER: “Project Description - Negative Declaration of Hollywood Theater, Phase II - Village of Gowanda”
(5-0)
- i. COMM. 1M-2 (2010)
WNY HOTEL MOTEL ASSOCIATION: “Copy of Article Regarding No Further Public Support Provided to New Hotel Development”
(5-0)
- j. COMM. 1M-4 (2010)
NFTA: “Agenda Items & Minutes from NFTA Board Meeting Held 10/26/09”
(5-0)
- k. COMM. 1M-7 (2010)
NFTA: “Annual Operating Budget for FY Ending 3/31/11”
(5-0)
1. COMM. 1M-11 (2010)
NFTA: “Minutes from NFTA Board Meeting Held 11/23/09”
(5-0)
2. COMM. 22E-3 (2009)
COUNTY EXECUTIVE
WHEREAS, Tannery Road Bridge; BR 706 (BR 3328760), in the Town of Aurora, had serious bridge deck and structural steel deterioration that required rehabilitation of this structure; and

WHEREAS, as part of this deck replacement the installation of a waterproofing membrane system serves to protect the structure and extend the useful service life of the bridge; and

WHEREAS, a manufacturer of a waterproofing membrane, W.R. Meadows, Inc., has offered to donate the necessary waterproof membrane system.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Public Works, Division of Highways be allowed to accept the donation of a membrane waterproofing system valued at \$6,000.00 from W.R. Meadows, Inc.; and be it further

RESOLVED, that this membrane waterproofing system be installed at the Tannery Road Bridge, BR 706 (BIN 3328760) in the Town of Aurora; and be it further

RESOLVED, that three (3) 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 and Management, the Office of the County Attorney; and the Office of the Comptroller.
(5-0)

3. **COMM. 27E-18 (2009)**
COUNTY EXECUTIVE

WHEREAS, your honorable body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Ram Tech Engineers for providing professional design services on Erie County projects; and

WHEREAS, Ram Tech Engineers has the necessary expertise and manpower to provide professional design services for replacement of the Casino Building heating system and electrical upgrades; and

WHEREAS, your honorable body has previously authorized Architectural/Engineering Term Agreements for several Architectural/Engineering firms; and

WHEREAS, Lauer-Manguso & Associates Architects, Robert Traynham Coles, Architect PC, LaBella Associates PC and Carmina Woods Morris PC have recently submitted qualifications complying with this department's term agreements and this department is requesting these firms be added to the term list of Architectural/Engineering firms for providing Professional Architectural/Engineering Services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute a Contract Amendment with the firm of Ram Tech Engineers for providing Professional Architectural/Engineering Services for replacing the existing heating system and electrical upgrades at Chestnut Ridge Park for an amount not to exceed \$35,000.00; and be it further

RESOLVED, that the Architectural/Engineering firms of Lauer-Manguso & Associates Architects, Robert Traynham Coles, Architect PC, LaBella Associates PC and Carmina Woods Morris PC be added to the Department of Public Works General Architectural/Engineering Term Agreement list; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project A.20913 – County-wide Park Improvements for an amount not to exceed \$35,000.00; and be it further

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

4. **COMM. 27E-19 (2009)**
COUNTY EXECUTIVE

WHEREAS, Project FA 119S-08, PIN 5756.87 for the Signal Replacement on CR119, Elmwood Avenue at the intersections with Victoria Boulevard, Washington Avenue, and Girard Boulevard in the Village of Kenmore and at the intersections with Woodward Avenue and Westchester Boulevard in the Town of Tonawanda (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 borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the Project was included in the SFY 2006-07 State Budget for State Marchiselli Aid funding for the Preliminary Engineering and Construction and Construction Inspection phases and is therefore eligible for reimbursement of 15% of the cost of the Preliminary Engineering and Construction and Construction Inspection phases of the Project; 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 Preliminary Engineering (Design I-VI) and Construction and Construction Inspection phases of the Project, FA 119S-08, PIN 5756.87.

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 in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI) and Construction and Construction Inspection phases of the Project or portions thereof; and be it further

RESOLVED, that the required, non-Federal share sum of \$128,000.00 is hereby appropriated from B.00125 2004-2006 Signal & Intersection Improvement Projects (in addition to previous appropriations for the project's Preliminary Engineering (Design I-VI) phase via County Resolution Nos.

13E-41 (\$70,000.00) and 4E-6 (\$16,600.00) adopted on June 24, 2004 and March 1, 2007, respectively) and made available to cover the cost of participation in the above Project; and be it further

RESOLVED, that the Project's revenue and appropriations be equally increased to reflect the supplemental agreement in the total amount of \$820,000.00; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Preliminary Engineering (Design I-VI) and Construction and Construction Inspection phases exceeds the amount appropriated, \$214,600.00 and/or 100% of the full Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI) and Construction and Construction Inspection phases exceeds \$820,000.00, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary agreements, certifications, or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of Project costs and permanent funding of the local share of Federal Aid and State Aid eligible Project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) 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 and Management, and the Office of the Comptroller. (5-0)

5. **COMM. 1E-13 (2010)**
COUNTY EXECUTIVE

WHEREAS, on December 18, 2009, the Erie County Executive declared a public emergency and issued a Certificate of Emergency for replacing the East Concord Highway Facility vehicle storage building; and

WHEREAS, the existing building roof is crumbling and collapsing and with the recent snow storm and rains earlier in December, over half the building had to be closed for safety reasons; and

WHEREAS, appropriation is available in the 2009 budget Fund 110, Fund Center 17000, Account code 551600, Interest – BAN that can be transferred to the capital fund for implementation of this project; and

WHEREAS, in order for the highway plow trucks to clear and salt the roads, the trucks must be parked in a heated building to keep the salt and plow mechanisms from freezing.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the contractors for an amount not to exceed \$450,000.00 for the completion of this project; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to transfer funds from General Fund 110, Fund Center 17000, Account 551600, Interest BAN, in an amount not to exceed \$450,000.00 in order to fund a capital project for the building to be budgeted as follows:

Fund 410 – Capital Project A.20915
East Concord Highway Facility Storage Building

Revenue	Increase
486000 Interfund Subsidy	\$450,000
Expense	
Transfer to Capital Fund	\$450,000
Net	\$0

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller. (4-1) Legislator Kozub voted in the negative.

6. **COMM. 1E-14 (2010)**
COUNTY EXECUTIVE

WHEREAS, Erie County has undertaken an extensive review of the Erie County fleet and found it to be aging and fuel inefficient; and

WHEREAS, the County was awarded an Efficiency Grant from the Erie County Fiscal Stability Authority (ECFSA) to fund replacement of some of the vehicles in the fleet; and

WHEREAS, in connection with that award, continued funding in future years will be pursued on an annual basis up to four years; and

WHEREAS, the ECFSA in Resolution No. 09-63, dated December 4, 2009, approved funding in the amount of \$850,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County is hereby authorized to accept Efficiency Grant funds from the ECFSA to fund the purchase of replacement vehicles in an amount not to exceed \$850,000.00; and be it further

RESOLVED, that updates will be submitted to the Legislature and ECFSA that summarize the progress of this initiative; and be it further

RESOLVED, that the Director of Budget and Management and Erie County Comptroller are hereby authorized to make any budget and accounting adjustments required to accept efficiency grant funds as outlined above and; be it further

RESOLVED, that two certified copies of this resolution shall be forwarded to the Department of Public Works, and one copy each to the Office of the County Executive, the Erie County Fiscal Stability Authority, the Office of the County Comptroller, the Director of Budget and Management, and the Office of the County Attorney.

(5-0)

TIMOTHY M. KENNEDY
CHAIR