

NOVEMBER 9, 2006

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 15

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 21E-2 (2006)
KENNEDY: Invitation to Legislators to Tour School 84
(5-0)

2. COMM. 18E-20 (2006)
COUNTY EXECUTIVE
RESOLVED, that for County purposes of construction and reconstruction of roads and culverts, the County Executive is hereby authorized and directed to acquire the following interest in the parcels of land herein described for and in consideration of the sum described herein for the Vermont Street (CR 226) Culverts FEMA Project, in the Town of Holland

PARCEL	OWNER(S)	AREA	PERMANENT EASEMENT
1 & 2	Raymond W. Mallery 0.019 ± acres P.2	0.015 ± acres P.1	\$ 200.00
3 & 5	Norbert A. Bennett 0.021 ± acres P.5	0.028 ± acres P.3	\$ 200.00
4 & 6	John Kubicki 0.017 ± acres P.6	0.010 ± acres P.4	\$ 200.00
7	Raymond M. & Lynn Pfeiffer	0.016 ± acres	\$ 150.00

and be it further,

RESOLVED, that funds not to exceed a total amount of \$750.00 for permanent easements for the above noted parcels for the Vermont Street (CR 226) Culverts FEMA Project, in the Town of Holland, be authorized from the Purchase of Permanent Right-of-Way Program (SAP B.00062), and be it further,

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner - Highways, Department of Public Works, and one copy to the Department of Public Works, Office of the Commissioner; the Office of the County Executive, the Division of Budget, Management & Finance; and the Office of the Comptroller.

(5-0)

3. COMM. 18E-21 (2006)
COUNTY EXECUTIVE

RESOLVED, that for County purposes of construction and reconstruction of roads and culverts, the County Executive is hereby authorized and directed to acquire the following interest in the parcels of land herein described for and in consideration of the sum described herein for the Four Rod Road (CR 356) Culverts FEMA Project, in the Towns of Marilla and Wales

PARCEL	OWNER(S)	AREA	PERMANENT EASEMENT
11	Ellice A. Tomlinson	0.031 ± acres	\$ 100.00
12	Earl Gingerich & Patricia Gingerich	0.016 ± acres	\$ 100.00
13	Ellice A. Tomlinson	0.060 ± acres	\$ 100.00
14	Earl Gingerich Sr. & Earl Gingerich, Jr	0.052 ± acres	\$ 100.00
15	Paul H. & Carol M. Will	0.028 ± acres	\$ 100.00
16	Earl Gingerich & Patricia Gingerich	0.038 ± acres	\$ 100.00

and be it further,

RESOLVED, that funds not to exceed a total amount of \$600.00 for permanent easements for the above noted parcels for the Four Rod Road (CR 356) Culverts FEMA Project, be authorized from the Purchase of Permanent Right-of-Way Program (SAP B.00062), and be it further,

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner - Highways, Department of Public Works, and one copy to the Department of Public Works, Office of the Commissioner; the Office of the County Executive, the Division of Budget, Management & Finance; and the Office of the Comptroller.

(5-0)

4. COMM. 20E-12 (2006)
COUNTY EXECUTIVE

WHEREAS, Packard Building LLC is developing housing for very-low, low, and moderate income households (Project), pursuant to Article XI of the New York Private Housing Finance; and

WHEREAS, the project is located at 1325 Main Street in the City of Buffalo and contains 39

residential units for very-low, low, and moderate income households; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and this PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Packard Building Housing Development Fund Corporation and Packard Building LLC, it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Packard Building Housing Development Fund Corporation, Packard Building LLC, and the City of Buffalo relating to the Packard Building and all other agreements necessary to conclude this Project; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule B attached hereto. Payment under the agreement will be for fifteen (15) years with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget, Management, and Finance; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.
(5-0)

5. COMM. 21E-8 (2006)
COUNTY EXECUTIVE

WHEREAS, the Erie County Sheriff's Department's Aviation Unit is moving its operations to a new location, and

WHEREAS, the new location requires a new aboveground portable fuel system, and

WHEREAS, the Erie County Sheriff's Department desires to accept a Fifteen Thousand Dollar (\$15,000.00) donation from the Erie County Law Enforcement Foundation towards the purchase of the fuel system.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Sheriff's Department is hereby authorized to accept from the Erie County Law Enforcement Foundation its Fifteen Thousand Dollar donation towards the purchase of the new fuel system, and be it further,

RESOLVED, that said donation from the Erie County Law Enforcement Foundation upon receipt be transferred into Fund 210, Cost Center 1231010, GL Account 561430, Material Group 830, Purchase Group 003 to increase the appropriations available for the purchase of the new fuel system, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget, Management & Finance, the Office of the Comptroller and the Erie County Sheriff's Department.
(5-0)

6. COMM. 21E-10 (2006)
COUNTY EXECUTIVE

WHEREAS, the Buffalo Bills informed this office that the existing Video Replay Board has deteriorated to the point where constant emergency maintenance is required to keep it operational on a game day-to-game day basis and replacement parts are no longer available, and

WHEREAS, the existing Sideline Message Boards have also reached the end of their useful life, and

WHEREAS, the Buffalo Bills have requested that these Boards be replaced in accordance with the terms of their lease, and

WHEREAS, they also have requested that the County install a new Mitsubishi Electric Video Replay Board and new Mitsubishi Ribbon Message Boards, which are "sole source" items, by the beginning of the 2007 season, and

WHEREAS, pursuant to the lease between the County and the Buffalo Bills, the County is obligated to provide a specific amount of Capital funds each year to be used for Stadium maintenance, and

WHEREAS, the 2006 Capital Budget allocates \$2,700,000 for Stadium maintenance and the proposed 2007 Capital Budget includes \$2,750,000 for Stadium maintenance, and

WHEREAS, the work must be done in two Phases, Phase I and Phase II, in order to coincide with the funds made available in the 2006 and 2007 Capital Budgets.

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works, the County Attorney and a representative of the Comptroller's office be authorized to negotiate contracts with Mitsubishi, for Phase I and Phase II of the project, in a total amount not to exceed \$5.45 million dollars, and be it further,

RESOLVED, that the Phase I contract will be to supply and install a Mitsubishi Video Replay Board and modify the existing Control Room and the County Executive is authorized to enter into said negotiated contract with Mitsubishi for an amount not to exceed \$2,700,000, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for the Phase I contract from SAP Project Number A.00290, and be it further,

RESOLVED, that the Phase II contract will be to supply and install two Mitsubishi Ribbon Message Boards and the County Executive is authorized to enter into said negotiated contract with Mitsubishi with the condition that the 2007 Capital Budget is approved and contains \$2,750,000 for the Rehabilitation of Ralph Wilson Stadium and the Legislature authorizes the sale of said Bond, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for the Phase II contract from the appropriate SAP Project Number, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget, Management & Finance, the County Attorney's Office and the Office of the Comptroller.
(5-0)

7. COMM. 21E-15 (2006)
COUNTY EXECUTIVE

RESOLUTION

of the

Legislature of the County of Erie, providing exemptions from sales and compensating use taxes for receipts from sales of, and consideration given or contracted to be given for, or for the use of, property and services exempt from State sales and compensating use taxes pursuant to subdivision (z) of section 1115 of the New York Tax Law, pursuant to the authority of Article 29 of the Tax Law of the State of New York.

Be it enacted by the Legislature of the County of Erie, as follows:

SECTION 1. Subdivision (h) of section six of the Erie County Sales and Use Tax Resolution being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting

2008 Number 31, held July 27, 1965, Supervisors Proceedings, Page 666, as amended, is amended to read as follows:

(h) For the period beginning March 1, 2001, and ending February 29, 2008, receipts from sales of and consideration given or contracted to be given for, or for the use of, property and services exempt from state sales and compensating use taxes pursuant to subdivision (z) of section 1115 of the New York Tax Law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

SECTION 2. This resolution shall take effect March 1, 2007, and shall apply to sales made, services rendered and uses occurring during the period commencing March 1, 2007, and ending February 29, 2008, in accordance with the applicable transitional provisions in sections 1106, 1216 and 1217 of the New York Tax Law.

(5-0)

TIMOTHY M. KENNEDY
CHAIRMAN