

May 11, 2010

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT, EXCEPT LEGISLATORS RATH & BOVE
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 22E-2 (2009)
KENNEDY: “WNY Falls Prevention Walkability Study Results”
(4-0)
 - b. COMM. 7D-3 (2010)
COMPTROLLER'S OFFICE: “EC Department of Public Works - Highway Division Audit of Road & Bridge Related Construction Contracts for the Period 1/1/2005 - 12/31/2008”
(4-0)
 - c. COMM. 7M-6 (2010)
NFTA: “Copy of Revised Five Year Capital Plan for Fiscal Years Ending 3/31/2011 - 2015 & the Annual Operating Budget for Fiscal Year End 2011”
(4-0)
 - d. COMM. 8M-1 (2010)
NFTA: “Minutes from Meeting Held 2/22/2010”
(4-0)
 - e. COMM. 8M-2 (2010)
NFTA: “NFTA Metro EC Service Restructuring & Fare Analysis Strategic Assessment”
(4-0)
2. COMM. 7E-22 (2010)
COUNTY EXECUTIVE
WHEREAS, Erie County must comply with 40 Code Federal Regulation, Part 112 regarding Spill Prevention Control and Countermeasure (SPCC) and determine what corrective measures are needed to meet current codes, standards, and measures to provide a safe working environment; and

WHEREAS, your honorable body has previously authorized Wendel Duchscherer as a project engineer via Comm.12E-31 of July 9, 2009; and

WHEREAS, the County Executive is requesting authorization from your honorable body to execute an Agreement with Wendel Duchscherer for providing Professional Services to site specific Spill Prevention Control and Countermeasure (SPCC) Plans Phase II.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an Agreement with Wendel Duchscherer for providing Professional Services to site specific Spill Prevention Control and Countermeasure (SPCC) Plans Phase II in the amount of \$16,200.00; and be it further

RESOLVED, that the payment for the above agreement be allocated from SAP Project B.00057 – 2003 – County-wide Highway and DPW Fuel Tank Program in the amount of \$16,200.00; and be it further

RESOLVED, that three 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.
(4-0)

3. COMM. 7E-23 (2010)
COUNTY EXECUTIVE

WHEREAS, Erie County is desirous of seeking monies from the New York State Affordable Housing Corporation for a home improvement/housing rehabilitation project within the Lake Erie Beach neighborhood in the Town of Evans and the First Ward area in the City of Lackawanna; and

WHEREAS, said neighborhoods have been identified as target areas for community revitalization within the 2010-14 Erie County/Town of Hamburg Community Development Consolidated Plan as so submitted to the United States Department of Housing and Urban Development on February 14, 2010; and

WHEREAS, the requested AHC monies will be matched with \$120,000 in federal Community Development Block Grant funds administered by the Erie County Department of Environment and Planning, thereby allowing the rehabilitation of 20 residential structures.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to submit an application for an amount not to exceed \$180,000 to the New York State Affordable Housing Corporation under their Housing Rehabilitation/Home Improvement Program; 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; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.
(4-0)

4. COMM. 7E-24 (2010)
COUNTY EXECUTIVE

WHEREAS, the Erie County SFY 2008-09 Bridge Painting Project, Five (5) Bridges in various Towns of Erie County, PIN 5758.90 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the appointment of the costs such program to be borne at the ratio of 80% Federal funds and 20% 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 Preliminary Engineering (Design V&VI) of this project: PIN 5758.90; and

WHEREAS, the total Project is \$50,000.00 and the County is required to provide the local share portion for the Project in the amount of \$10,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature 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) phase of the Project or portions thereof; and be it further

RESOLVED, that the sum of \$10,000.00 in non-federal local share is hereby appropriated from B.20909 - 2009 Bridge Painting Program and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that the Project budget be increased in revenue and appropriation to reflect this agreement total of \$50,000.00; 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 projects' Preliminary Engineering (Design V&VI) phase exceeds \$50,000.00 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation 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 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 Municipality's first instance funding of Project costs and permanent 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 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 ten (10) certified copies of this resolution be forwarded 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.
(4-0)

TIMOTHY M. KENNEDY
CHAIR