

November 3, 2005

ECONOMIC DEVELOPMENT COMMITTEE  
REPORT NO. 9

ALL MEMBERS PRESENT EXCEPT LEGISLATORS SWANICK AND MARSHALL.

1. COMM. 24E-22 (2005)  
**COUNTY EXECUTIVE**

WHEREAS, during the discussions of which line items could be reduced from the Division of Highways within Public Works, it was assumed that SAP Account 515000 Utility Charges could be halved if half the highway barns were closed, and

WHEREAS, all barns were open until the cuts occurred in late March 2005 and even after that time several remained open while materials and equipment were relocated, and

WHEREAS, this assumption that water usage would be halved was in error and, therefore, sufficient funds do not exist in SAP Account 515000 to pay to highway barns' utility charges outside of the Utility Fund, and,

WHEREAS, the Department of Public Works desires to reallocate the funding within the Division of Highways such that sufficient funds will exist to pay utility charges,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the following changes to the Division of Highways budget:

Reduce SAP Account 505200, Clothing Supplies from \$3,500 to \$1,000,  
Reduce SAP Account 530000, Other Expenses from \$2,000 to \$1,000,  
Reduce SAP Account 561410, Lab & Tech Equipment from \$5,000 to \$4,000 and  
Increase SAP Account 515000, Utility Charges from \$4,500 to \$9,000, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, and the Office of the Comptroller.  
(3-0)

2. COMM. 27E-2 (2005)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature approved a contract for the design of Milestrip Road (CR 460) and Bridge between Clark Patterson Associates and the County of Erie at Meeting Number 16, held on July 12, 2001, Communication Number 15E-7, and

WHEREAS, the Erie County Legislature approved a contract for the reconstruction of Milestrip Road (CR 460) and Bridge in the Town of Orchard Park between Sicar, Incorporated and the County of Erie at Meeting Number 15, held on September 11, 2003, Communication Number 15E-21, and

WHEREAS, the Erie County Legislature was informed the Town of Orchard Park's share for watermain relocation work on Milestrip Road would be reimbursed in the amount not to exceed of \$67,500, at Meeting Number 17, held on July 15, 2004, Communication Number 17E-31.

NOW, THEREFORE, BE IT,

RESOLVED, that the payment of \$66,950.00 be accepted as payment in full from the Town of Orchard Park to the 2003 County-Wide Bridge Design and Reconstruction Project, SAP B.00058 for project expenditures, and be it further

RESOLVED, that the 2003 County-wide Bridge Design and Reconstruction Project, SAP B.00058 revenues and appropriations be equally increased by the amount of \$66,950.00 for the purposes of the Milestrip Road & Bridge Reconstruction Project, 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 each to the County Executive, the Commissioner of Public Works, the Division of Budget Management & Finance, and the County Comptroller.  
(3-0)

3. COMM. 27E-15 (2005)  
**COUNTY EXECUTIVE**

WHEREAS, a delay in construction startup due to the current budget crisis has forced the construction to extend into the fall scholastic season of ECC South Campus and to allow for the continuation of academic classes, the project must now be done in phases lengthening the construction period, and

WHEREAS, Bergmann Associates is requesting additional fees for the unanticipated lengthened construction period, and

WHEREAS, the firm of Bergmann Associates presently has a contract with the County of Erie to provide design services for this project,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Bergmann Associates in an amount not to exceed \$5,000.00 for the extended construction duration required for the Erie County Community College – South Campus Chemistry Lab Fume Hood Exhaust Modifications, and be it further,

RESOLVED, that the Comptroller's Office is authorized to make payments for the additional fees from 2003 Code Compliance and Reconstruction of County Building and Equipment (County-wide) Project A.00069, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the County Executive's Office; one copy to the Erie County Community College; one copy to Budget Management & Finance; and one copy to the Office of the Comptroller.  
(3-0)

4. COMM. 27E-17 (2005)  
**COUNTY EXECUTIVE**

WHEREAS, NYSERDA offers financial incentive awards for building projects that have specific energy conservation measures, and

WHEREAS, NYSERDA has granted Erie County two financial incentive awards in the amounts of \$26,018.00 and \$46,298.93.

WHEREAS, as a Technical Assistance Agent to NYSERDA, C.J. Brown Energy, P.C. has been instrumental in coordinating and ensuring our participation in all the financial award programs that Erie County qualifies for, and

WHEREAS, the project revenues (Grant for \$72,316.93) and appropriations be increased by \$72,316.93 to bring the total of the project to \$466,180.93,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the acceptance of \$72,316.93 from NYSERDA, and be it further,

RESOLVED, the project revenues (Grant for \$72,316.93) and appropriations be increased by \$72,316.93 to bring the total of the project to \$466,180.93, and be it further,

RESOLVED, from this \$72,316.93 a Professional Services Change Order to Erie County's Term Contract with C.J. Brown Energy, P.C. to continue their services for Erie County will be issued in the amount of \$40,000, and be it further

RESOLVED, that the remainder is to be added to Account A.00049, 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 & Finance and the Office of the Comptroller.  
(3-0)

**TIMOTHY M. WROBLEWSKI**  
**CHAIRMAN**