

March 25, 2004

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER

1. RESOLVED, that the following item is hereby received and filed.

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| | Item | Page | -2003 | (Intro. 4-8) |
| a. | MARINELLI & DEBENEDETTI: | Support for the EC DPW Effort Add Kenmore Avenue to the Transportation Improvement Program. | | |
| | | (5-0) | | |

AS AMENDED

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| 2. | Item | Page | -2003 | (Intro. 7-14) |
| | HOLT, KUWIK, SCHROEDER, DEBENEDETTI, SMITH, DUSZA & MARINELLI | WHEREAS, over the last several years this Honorable Body has been supportive of economic development initiatives such as the expansion of General Motors Powertrain in Tonawanda and Ouebecor Printing in Lancaster which provide economic stimulus to the local economy and quality jobs for local working families, and | | |

WHEREAS, while public/private partnerships with larger businesses is vital to the economic health of our region, the thousands of small businesses in Western New York play an equally important role in economic growth and job creation and retention, and

WHEREAS, during the 2003 budget process members of this legislature proposed the establishment of a Regional Coordinated Small Business Stimulus Fund, however funding for this project was never specifically allocated in the 2003 adopted budget, and

WHEREAS, the New York State Assembly has recently unanimously approved several pieces of legislation designed to help New York's small businesses thrive, and

WHEREAS, New York State Assembly bill A.1512 offers small businesses assistance through the State's Industrial Effectiveness Program, which helps businesses keep up with rapidly changing environmental regulations, and

WHEREAS, Assembly bill A.314 provides for regional offices of the Department of Economic Development to offer information and assistance to small businesses on environmental compliance and pollution prevention and promote technical and financial assistance to promote compliance with environmental standards, and

WHEREAS, bill A.4531/S.3334 is designed to help ease the burden of costly start-up expenses by allowing small business to defer payment of telephone installation charges for up to one year, and

WHEREAS, bill A.2078/S.1151 authorizes credit unions to participate in the Excelsior Linked Deposit Program which provides small businesses with low - cost loans, and

WHEREAS, bill A.3913 requires the State Department of Economic Development to give small businesses and entrepreneurs priority consideration in the awarding of state economic development assistance,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the important role small businesses play in our local economy, and be it further

RESOLVED, that this Honorable Body commends the New York State Assembly for their most recent approval of a package of legislation aimed at assisting small businesses in New York State, and be it further

RESOLVED, that this Honorable Body calls upon the State Senate to adopt similar small business stimulus legislation and Governor George E. Pataki to sign said legislation into law, and be it further

RESOLVED, that at a future meeting of the Legislature's Economic Development Committee this Honorable Body discusses the possible implementation of a Regional Coordinated Small Business Stimulus Fund to aid small businesses here in Erie County, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Western New York delegation of the New York State Legislature, to the Governor, and to Western New York chambers of commerce.

Fiscal Impact: Positive for small businesses in Erie County.
(5-0)

				AS AMENDED
3.	Item	Page	-2003	(Intro. 24-1)
	SWANICK, RANZENHOFER, SCHROEDER, KUWIK, SMITH, MARINELLI, WROBLEWSKI & MARSHALL			

WHEREAS, several U.S. City and County Councils have adopted strong resolutions against extending the North American Free Trade Agreement (NAFTA) model and incorporating the trade rules on services from the World Trade Organization (WTO) to the rest of the Western Hemisphere via the Free Trade Area of the Americas (FTAA), and

WHEREAS, according to the Economic Policy Institute, in the ten years since its implementation, NAFTA has led to the loss of 879,280 jobs in the United States, with nearly four out of five of those jobs being in the manufacturing sector – high-wage jobs with good benefits, and

WHEREAS, NAFTA has led to the loss of 56,793 jobs in New York State, and

WHEREAS, a 2003 study showed that NAFTA has “contributed to growing income inequality and to the declining relative wages of U.S. workers” and

WHEREAS, an Economic Policy Institute study asserted that “expansion of a NAFTA-style agreement, such as the proposed Free Trade Agreement of the Americas, will only worsen these (development, labor rights, environmental standards, and good wage) problems,” and

WHEREAS, NAFTA has also allowed foreign investors to challenge the functions of state and local governments by permitting preemption or changes in state or local laws as illustrated a \$970 million claim challenging California's phase out of the gasoline additive MTBE, and

WHEREAS, "Fast Track" negotiating power will allow the provisions of FTAA to pass through Congress with limited debate and no amendments,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon the elected officials in the Western New York area to work for modifications to NAFTA and the FTAA in order to protect Western New York manufacturing jobs, and be it further

RESOLVED, that this Honorable Body does hereby urge our Congressional representatives to work for fair trade agreements and for modifications to NAFTA and the FTAA, and be it further

RESOLVED, that this Honorable Body does hereby support the activities of individuals and groups working for fair trade policies and for modifications to NAFTA and the FTM in order to protect Western New York manufacturing jobs, and be it further

RESOLVED, that the Erie County Legislature calls upon the local congressional delegation and the President of the United States to promote transparency in all negotiations of all multilateral trade and investment agreements and to ensure that the interests of all constituencies are represented in such discussions and agreements, and be it further

RESOLVED, that this Honorable Body expresses its strong support for the rights of workers and its belief that any multilateral trade and investment agreements between the United States and other countries shall assert the rights of workers and their communities, including guarantees for labor rights and environmental standards, and be it further

RESOLVED, that certified copies of this resolution be sent to President Bush, Congress Members Reynolds, Quinn and Slaughter, Senators Schumer and Clinton, Governor Pataki and Members of the Western Delegation to the NYS Legislature.

Fiscal Impact: None for the Resolution.
(5-0)

4. Item Page -2004 (Comm. 6E-27)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning carries out a variety of federally funded housing rehabilitation programs for low/moderate income households residing in the Erie County Community Development Consortium; and

WHEREAS, said households execute contracts with home improvement contractors to complete desired rehabilitation work; and

WHEREAS, from time to time disagreements occur between the aforementioned parties concerning warranty of work issues, time of performance, work quality, and other matters,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Better Business Bureau Foundation of Western New York, Inc. and the County of Erie in order to carry out dispute resolution services associated with the Erie County Housing Rehabilitation Program; and be it further

RESOLVED, that said agreement shall authorize an amount not to exceed \$9,000; and be it further

RESOLVED, that the provisions of Section 19.08 of the Administrative Code requiring requests for proposals do not apply to the award of this contract which is for an amount less than \$10,000; and be it further

RESOLVED, that the source of said funds shall be Project Number 290-839620821 from the 2003 Federal Community Development Block Grant Program Year; and be it further

RESOLVED, that certified copies of the resolution shall be forwarded to the County Executive, the Commissioner of the Department of Environment and Planning, and the County Comptroller.

(5-0)

5.	Item	Page	-2004	AS AMENDED (Comm. 7E-30)
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COUNTY EXECUTIVE
WHEREAS, The County of Erie desires to participate in the attraction of Geico to Erie County;
and

WHEREAS, The company desires to locate their regional insurance service center to Amherst, New York; and

WHEREAS, The expansion of the activity in Erie County will initially create 450 to 500 jobs, and over the next several years approximately 2,500 new jobs; and

WHEREAS, The offer of job training for new employees at the Erie County facilities was important to the decision by Geico to locate in Erie County; and

WHEREAS, The Workforce Investment Board is expected to approve funding in the amount of approximately \$200,000 for this project,

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with the Buffalo and Erie County Workforce Development Consortium, in amounts not to exceed \$200,000, for the purpose of providing job skills training to employees of Geico; and be it further

RESOLVED, That funds in the amount of \$200,000 are hereby transferred from the Regionalism/Economic Development Fund (DAC 1109043038301299) to a separate sub-account under Contractual Services in Department 302, Public Benefit Agencies, as monitored by Environment and Planning; and be it further;

RESOLVED, that the Executive Director of the Buffalo and Erie County Workforce Investment Board shall provide a written report to the Erie County Legislature's Economic Development Committee six (6) months after the approval date of this item regarding the status of the training of the workers for GEICO, and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget, Management, and Finance; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County Attorney.

(5-0)

				AS AMENDED
6.	Item	Page	-2004	(Comm. 7E-34)

COUNTY EXECUTIVE

WHEREAS, The County of Erie, desires to participate in Niagara Ceramics Corporation's efforts to preserve a century-old tradition (Buffalo China, Inc.) and jobs in Erie County; and

WHEREAS, The company desires to acquire the factory and preserve jobs; and

WHEREAS, The activity in Erie County will be the preferred alternative to the termination of 150 jobs; and

WHEREAS, The offer of job training for employees at the Erie County facilities was important to the decision by Niagara Ceramics Corporation to stay and preserve jobs in Erie County; and

WHEREAS, The Workforce Investment Board, Inc. is expected to approve funding in the amount of approximately \$100,000 for this project,

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with the Buffalo and Erie County Workforce Development Consortium, in amounts not to exceed \$380,000, for the purpose of providing job skills training to employees of Niagara Ceramics Corporation; and be it further

RESOLVED, That the source of these funds shall be:

- \$92,654.79 previously allocated to the Workforce Investment Board (WIB) for the Tower/Fed Ex project which is available in account: DAC 110 9223028301512

- \$205,000.00 previously allocated to the Workforce Investment Board for the Buffalo China/Oneida Ltd. project, of which \$153,750 is available in account: DAC 1109223028301607, and \$51,250 which was refunded by the WIB is available in DAC 110922302214922
- \$82,345.21 available in the Regionalism/Economic Development Fund, in account: DAC 1109043038301299 which will be transferred to a separate sub-account under Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830; and be it further

RESOLVED, that the Executive Director of the Buffalo and Erie County Workforce Investment Board shall provide a written report to the Erie County Legislature's Economic Development Committee six (6) months after the approval date of this item regarding the status of the training of the workers for Niagara Ceramics Corporation, and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget, Management, and Finance; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County Attorney.

(5-0)

7. Item Page -2004 (Comm. 7E-42)

COUNTY EXECUTIVE

WHEREAS, ownership and maintenance of Wehrle Drive (CR 290) in the Town of Amherst, County of Erie, State of New York, is the responsibility of the Erie County Department of Public Works, Division of Highways, and

WHEREAS, the County of Erie has considered the general effect of the proposed project on the residents of the locality in which the proposed project is to be undertaken, and

WHEREAS, the proposed project will not have any significant adverse environmental, economic or social impacts, and

WHEREAS, the proposed Alternative 2 (Modified) has been determined to be the preferred alternative and would require the County of Erie to acquire easements and/or fee interests in strips of land from approximately 99 properties, and

WHEREAS, in order to facilitate the reconstruction of Wehrle Drive (CR 290), it will be necessary for the County to acquire by fee, permanent easement and/or temporary easement in and to portions of approximately 99 parcels of real property located on both sides of Wehrle Drive (CR 290), Garrison Road and Youngs Road within the project area, such properties to be acquired by the County being more specifically set forth in Schedule A, attached hereto and hereinafter referred to as the "Subject Properties", and

WHEREAS, in order to acquire the fee title, permanent easements and/or temporary easements required for the project, it will be necessary for the County to establish an amount which it believes to represent just compensation for the real property interests to be acquired and to thereafter make a written offer to purchase the real property interests for the respective just compensation amounts, and

WHEREAS, the acquisitions of the portions of the Subject Properties are de minimis in nature so that the public interest will not be prejudiced by the improved pavement conditions, addition of the travel lanes and turning lane, improvements of the intersections and other general improvements to the subject section of Wehrle Drive (CR 290).

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is authorized to acquire fee and/or easement title in and to the aforementioned Subject Properties for the purpose of reconstructing and improving the aforementioned 2.34 mile section of Wehrle Drive (CR 290), and be it further

RESOLVED, that the Commissioner of Public Works, is hereby authorized to establish the amounts which she believes to represent just compensation for the real property to be acquired, and be it further

RESOLVED, that the Commissioner of Public Works, or her authorized representatives, are hereby authorized to offer just compensation amounts to the owners of the "Subject Properties" as set forth in Schedule A, attached hereto, for the purpose of acquiring interests in and to portions of their respective parcels of real property, either by fee or by temporary or permanent easement, which acquisitions are necessary for the Wehrle Drive (CR 290) highway reconstruction project, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to act on behalf of the County of Erie in connection with the acquisition of the portions of the aforementioned Subject Properties, and be it further

RESOLVED, that based upon the factors previously set forth herein, it is the determination of this County Legislature that such acquisitions of portions of the aforementioned Subject Properties are de minimis in nature, and be it further

RESOLVED, that the Commissioner of Public Works is hereby authorized to execute all necessary agreements and documents on behalf of the County of Erie in connection with the County of Erie's acquisition of fee title, permanent easements and/or temporary easements in and to portions of the aforementioned Subject Properties, and be it further

RESOLVED, that the expenses of acquiring the Subject Properties shall be derived from funds previously appropriated by the County Legislature for the Right-of-Way Incidentals and Right-of-Way Acquisition Phases for the Wehrle Drive (CR 290) Reconstruction project, such appropriations having been made by Resolution Communication Number 4E-22 on March 6, 2003, and included in the 1999 Federal Aid Various Road & Bridge Design Program (SFG 134), and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, the Commissioner of Public Works, the Deputy Commissioner -Highways, the County Comptroller, the Director of Budget, Management and Finance, and the County Attorney.
(5-0) Chairman Holt present as Ex-Officio Member.

MARK J. F. SCHROEDER
CHAIRMAN