

January 27, 2005

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

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

- a. Item Page -2004 (Intro. 4-24)
SCHROEDER & WROBLEWSKI: Ensuring Reinvestment of Waterfront Revenue in Buffalo's Outer Harbor Lands.
(5-0)
- b. Item Page -2004 (Comm. 4E-43)
SCHROEDER: 2004 Economic Development Committee Agenda.
(5-0)
- c. Item Page -2004 (Comm. 5M-6)
NFTA: Request for Qualifications for the Development of Buffalo's Outer Harbor.
(5-0)
- d. Item Page -2004 (Comm. 15M-11)
EMPIRE STATE DEVELOPMENT: Supplemental Draft Environmental Impact Statement for Erie Canal Harbor Project.
(5-0)
- e. Item Page -2004 (Intro. 17-3)
SCHROEDER: Establishing a Presidential Library on the Buffalo Waterfront.
(5-0)
- f. Item Page -2004 (Comm. 19E-18)
COUNTY EXECUTIVE: Veto Message – Local Law Intro. No. 9-2004.
(5-0)
- g. Item Page -2004 (Comm. 19M-26)
WESTERN ERIE CANAL HERITAGE CORRIDOR PLANNING COMMISSION: Western Erie Canal Heritage Corridor Management Plan.
(5-0)
- h. Item Page -2004 (Comm. 20E-11)
COUNTY EXECUTIVE: Naming of New Casino at Sprague Brook Parks.
(5-0)
- i. Item Page -2004 (Comm. 22E-1)
SMITH: Copy of Letter to NFTA Re: Buffalo Intermodal Transportation Center Project.
(5-0)

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| j. | Item | Page | -2004 | (Comm. 23E-16) |
| | COUNTY EXECUTIVE: Roof Replacement – School 84 at EJ Meyer Site.
(5-0) | | | |
| k. | Item | Page | -2004 | (Comm. 25M-3) |
| | NFTA: Cash Flow Statements for 4/1/04 – 3/31/05 & Projected Cash Flow for 10/1/04 – 9/30/05.
(5-0) | | | |
| l. | Item | Page | -2004 | (Comm. 25M-8) |
| | CITY OF BUFFALO COMMON COUNCIL: Certified Resolution Re: Proposed Private Bridge at International Rail Bridge Site.
(5-0) | | | |
| m. | Item | Page | -2004 | (Comm. 26M-2) |
| | NFTA: 17A Report & Capital Expenditure Report for 2 nd Quarter of Fiscal Year Ending 3/31/05.
(5-0) | | | |
| n. | Item | Page | -2004 | (Comm. 26M-8) |
| | WESTERN ERIE CANAL CORRIDOR PLANNING COMMISSION: Western Erie Canal Heritage Corridor Management Plan.
(5-0) | | | |
| o. | Item | Page | -2005 | (Comm. 2M-9) |
| | EMPIRE STATE DEVELOPMENT CORPORATION: General Project Plan for 620 Main Street, Buffalo, by Appraisal.com, Inc.
(5-0) | | | |
| p. | Item | Page | -2005 | (Comm. 2M-10) |
| | EMPIRE STATE DEVELOPMENT CORPORATION: General Project Plan for 63 Main Street, Tonawanda, by Mueller Services, Inc.
(5-0) | | | |
| 2. | Item | Page | -2004 | AS AMENDED
(Comm. 8E-21) |
| | COUNTY EXECUTIVE | | | |

WHEREAS, the Erie County Department of Public Works, Division of Highways is planning to reconstruct Maple Road Intersections (CR 192) at Flint, North Forest and Hopkins Roads, in the Town of Amherst, County of Erie, and

WHEREAS, in order to facilitate the reconstruction of the road, it will be necessary for the County to acquire by fee, permanent easement or temporary easement, portions of real property in the vicinity of the road, such property to be acquired by the County is hereinafter referred to as the "Subject Properties", and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Properties by commencing eminent domain proceedings.

NOW THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works, or her authorized representatives, are hereby authorized to negotiate with the owners of the following properties towards acquiring a portion of their real property, either by fee or by temporary or permanent easement, which is necessary for the reconstruction of this road:

<u>Parcel Number</u>	<u>Township</u>
56.17-4-3	Amherst
56.62-1-1	Amherst

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 Reconstruction of Maple Road project such appropriations having been made by Resolution Communication Number 9E-59 on May 22, 2003, and included in the 1999 Federal Aid Various Roads and Bridges Program (SFG 420-134), and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring fee interests in the Subject Properties, 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 County Attorney, and the Director of Budget, Management and Finance.
(5-0)

3. Item Page -2004 (Intro. 30-7)

CHASE, KUWIK, DEBENEDETTI, DUSZA, SMITH & McCARVILLE

WHEREAS, the New York State Thruway Authority recently released their plan to raise tolls for Capital Improvement projects that include moving certain toll barriers and reconstructing others, and

WHEREAS, the preliminary New York State Thruway Authority plans indicate a willingness to move the Williamsville toll barrier, but give no sign that the Lackawanna toll barrier will also be relocated, and

WHEREAS, for over ten years local officials have lobbied the New York State Thruway Authority, the Legislature and the Governor to relocate the Lackawanna toll barrier, and

WHEREAS, the recent announcement is a devastating blow to residents and businesses in the Erie County Southtowns, and

WHEREAS, Erie County is one of the only regions in New York State where daily commuters are burdened with paying a toll simply to commute to work each day, and

WHEREAS, simply put, the Lackawanna toll barrier divides our community and has a significant and severe impact on commerce in our region, and

WHEREAS, now is the time to correct past inequities and do what is right for residents and businesses in Erie County by moving the Lackawanna toll barrier out of Erie County, and

WHEREAS, if the New York State Thruway Authority does not consent to move the Lackawanna toll barrier out of Erie County, then any plan to raise tolls should be clearly and univocally opposed by Erie County officials, local officials, residents and business owners.

NOW THEREFORE, BE IT

RESOLVED, the Erie County Legislature is committed to promoting economic development and protecting taxpayers in Erie County, and be it further

RESOLVED, that this Honorable Body implores the New York State Thruway Authority to move the Lackawanna toll barrier beyond the Erie County border, and be it further

RESOLVED, that this Honorable Body commits itself to vehemently opposing any plan put forth by the New York State Thruway Authority that calls for raising tolls, but not for the relocation of the Lackawanna toll barrier, and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Governor George E. Pataki, New York State Senate Majority Leader Joseph L. Bruno, New York State Assembly Speaker Sheldon Silver, the Western New York delegation to the New York State Legislature, The New York State Thruway Authority, Erie County Executive Joel A. Giambra and Commissioner of Public Works Maria Lehman.

Fiscal Impact: None.

(5-0)

4. Item Page -2004 (Comm. 30E-23)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works (ECDPW) is currently engaged in the engineering phase of the rehabilitation of North French Road from Sweet Home Road to Transit Road in the Town of Amherst, and

WHEREAS, the above-referenced project is a locally-administered Federal Aid Design project (Marchiselli Agreement No. D022004) with Liro Engineers as contracted consultants; and 80% of the total project costs are expected to be reimbursed through the New York State Department of Transportation (NYSDOT), and

WHEREAS, the Government Employees Insurance Company (GEICO) will be locating an office on land owned by the Uniland Development Company (Uniland), such land is located on North French Road in the vicinity of Interstate 990, and

WHEREAS, the added traffic caused by the large number of employees driving to and from the GEICO office will require reconfiguration of portions of North French Road and the Interstate 990 on-ramps and off-ramps, and

WHEREAS, since the County is already slated to perform rehabilitation roadwork near the new GEICO facility, the NYSDOT has agreed to allow the ECDPW to also perform additional design and construction work in the area in order to accommodate the increased traffic from GEICO employees (hereinafter "Additional Work"), and

WHEREAS, the Additional Work will be paid for by a grant from the Erie County Industrial Agency (ECIDA) in an amount not to exceed \$2,590,000 (hereinafter "Grant"), such Grant consists of funding from the NYSDOT in the amount of \$2,090,000.00 and funding from Uniland in the amount of \$500,000, less ECIDA costs and disbursements of administering the grant, and

WHEREAS, the creation of a new capital project is necessary for the purposes of the project,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive is hereby authorized to enter into a Grant Agreement with the ECIDA wherein the County agrees to perform additional design and construction work on North French Road near the new GEICO facility, and the ECIDA agrees to fund the Additional Work with a Grant to the County, and be it further,

RESOLVED, that the Grant shall be in an amount not to exceed \$2,590,000, such Grant consists of funding from the NYSDOT in the amount of \$2,090,000 and funding from Uniland in the amount of \$500,000, less ECIDA costs and disbursements of administering the Grant, and be it further,

RESOLVED, that a new capital project with \$2,590,000 as revenue, and an equal amount of \$2,590,000 as appropriations be established, 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 Department of Public Works, Division of Highways; one copy to the Office of the County Executive; one copy to the Director of Budget, Management & Finance; one copy to the County Comptroller; and one copy to the County Attorney.
(5-0)

TIMOTHY M. WROBLEWSKI
CHAIRMAN