

APRIL 13, 2005

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR SWANICK.

1. RESOLVED, that the following items are hereby received and filed.
 - a. COMM. 16E-24 (2004)
COUNTY EXECUTIVE: Botanical Gardens - Main Dome Hardscaping
(5-0)
 - b. COMM. 1M-5 (2005)
EMPIRE STATE DEVELOPMENT: Supplemental Final Environmental Impact Statement for the Erie Canal Harbor Project
(5-0)
 - c. COMM. 6E-31 (2005)
COUNTY EXECUTIVE: DPW - Ralph Wilson Stadium - 2005 - Replacement of Field House Artificial Grass Playing Field
(5-0)
 - d. COMM. 8E-20 (2005)
COUNTY EXECUTIVE: DPW - Homeland Security Enhancements - Rath/City Hall Security Systems
(5-0)
 - e. COMM. 10D-16 (2005)
DPW: Accomplishments of the Custodial Department
(5-0)
 - f. COMM. 10M-18 (2005)
NFTA: 5-Year Capital Plan For FYs ending 3/31/06 - 3/31/10
(5-0)
2. COMM. 4E-11 (2005)
COUNTY EXECUTIVE
WHEREAS, Laura K. Baehre of 5015 Salt Road, Clarence, wishes to purchase 0.4 acre of Highway property adjoining her property to have a sufficient amount of land to construct a garage next to her house, and

WHEREAS, it has been determined the County of Erie will receive \$1,750.00 in consideration for the sale of 0.4 acre of vacant land as shown on survey map 58123-1 as Parcel 5C with an accompanying description.

NOW, THEREFORE, BE IT ,

RESOLVED, that the County Executive is hereby authorized and directed to convey the following interest in the parcel of land herein described for and in consideration of the sum described herein, as listed below, and be it further,

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

(5-0)

3. COMM. 6E-15 (2005)
COUNTY EXECUTIVE

WHEREAS, a project for the Reconstruction of North Forest Road, CR 294, from NY Rte.263, Millersport Highway to Dodge Road, CR 45, Town of Amherst, PIN 5753.74, Erie County, is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment 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 commitment of 100% of the non-Federal share of the costs of Preliminary Engineering (Scoping), Preliminary Engineering (Design I-VI), Right-of-Way Incidentals Phases of the Project, PIN 5753.74, and

WHEREAS, the project cost has increased in the amount of \$231,000 from \$468,000 to \$699,000

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie 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 the full non-Federal share of the cost of Preliminary Engineering (Scoping) Phase and in the first instance 100% of the Federal and non-Federal shares of the cost of the Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals Phases of the project or portions thereof, and be it further,

RESOLVED, that the Erie County Legislature hereby authorizes an increase of \$231,000 in appropriations to SAP B.00007 for the purposes of executing the agreement, and be it further,

RESOLVED, that the sum of \$46,000 is hereby appropriated from the 1999 Various Federal Aid Road and Bridge Design Program (SFG 134 - SAP B.00007) for the increase in the non-Federal share (In addition to \$10,000 previously appropriated for the Project's Preliminary Engineering (Scoping) Phase via Erie County Resolution No. 10D-16 adopted on the 6th day of May, 1993; \$74,400 previously appropriated for the project's Preliminary Engineering (Design I-VI) and ROW Incidentals Phases via County Resolution No. 3D-10 adopted on the 18th day of February, 1999); and \$10,000 previously appropriated for the Project's Preliminary Engineering (Design I-VI) Phase via Resolution No. 13E-18 adopted on the 21st day of June 2001) and made available to cover the cost of participation in the above phases of the Project, and be it further,

RESOLVED, that in the event that the amount required to pay the full non-Federal share of the cost of the Project's Preliminary Engineering (Scoping) phase and in the first instance 100% of the Federal and non-Federal shares of the cost of the Project's Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals Phases exceeds the amount appropriated, \$140,400, and/or 100% of the full Federal and non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping), Preliminary Engineering (Design I-VI) and Right-of-Way Incidental Phases exceeds \$699,000, 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 and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT 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 and State-aid eligible Project costs and all Project costs within appropriations therefor 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 the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and also one copy each to the County Executive, the Commissioner of Public Works, the Budget Director, and the County Comptroller.

(5-0)

4. COMM. 8E-37 (2005)
COUNTY EXECUTIVE

WHEREAS, Quaker Crossing, LLC has requested the transfer of 0.097 acre of highway right-of-way on the north side of Milestrip Road SH 9537 (formerly CR 460-A) for the purpose of providing them with more green-space and to straighten the existing highway boundary for simplicity, and

WHEREAS, the County of Erie will receive \$2,500.00 in consideration for the transfer of 0.097 acre of vacant land as shown on survey map no. 10-C as Parcel 252 with an accompanying description.

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive is hereby authorized and directed to convey the following interest in the parcel of land herein described for and in consideration of the sum described herein, as listed below, and be it further,

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

(5-0)

5. COMM. 10E-50
COUNTY EXECUTIVE

WHEREAS, the County of Erie has been authorized to enter into an agreement with the New York State Canal Corporation to coordinate design and construction of the Erie Canalway Trail through parts of the Towns of Amherst and Tonawanda in accordance with Resolution Comm. 2E-39 adopted February 15, 2001; and

WHEREAS, the County of Erie has been further authorized to enter into a first amendment to said agreement increasing the New York State reimbursable amount from \$292,000 to \$1,500,000 in accordance with Resolution Comm. 8E-9 adopted May 22, 2003; and

WHEREAS, a revision to the first amendatory agreement is necessary extending the project completion date to September 26, 2006,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to revise the first amendatory agreement with the New York State Canal Corporation to extend the project completion date to September 26, 2006; and be it further

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

(5-0)

TIMOTHY M. WROBLEWSKI
CHAIRMAN