

July 1, 2004

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR SMITH. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

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

Item Page -2003 (Intro. 16-13)
a. **HOLT, DALE, DUSZA, DEBENEDETTI, FISHER & MARINELLI:** Creation of an Ad Hoc EC Legislature Committee to Inquire into Allegations of Wrongdoing & the Misapplication of County Funds & Property.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Intro. 9-2)
b. **WEINSTEIN, MINORITY CAUCUS:** Support for NY's Power for Jobs Program.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Comm. 11M-2)
c. **NFTA:** Proposed Rule Making.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Intro. 11-15)
d. **SMITH:** Erie County Funded Improvements at the Union Ship Canal.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Comm. 13E-11)
e. **CHASE:** Copy of Letter to Legislator Schroeder Re: "Come-to-America" Initiative.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Comm. 15M-9)
f. **NFTA:** Fiscal Year Ended 2004 Annual 17A Report.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

2. Item Page -2004 **AS AMENDED**
MARINELLI (Intro. 11-14)

WHEREAS, in 1998, the Workforce Investment Act (WIA) was signed into law, establishing job training, adult education, and amending the Vocational Rehabilitation Act, and maintaining funding for adults, dislocated workers and youth, and

WHEREAS, for adults, the WIA establishes eligibility as all adults aged 18 or older, and with priority for intensive and training services given to recipients of public assistance and other low-income individuals; provides services for dislocated workers, including displaced homemakers; and extends services for youth for those between the ages of 14-21, low income, and who face barriers to employment, including school drop-outs, and

WHEREAS, the WIA “establishes the one-stop delivery system as the access point for employment-related and training services,” with core services available at one physical site which may be supplemented by multiple additional sites and technological networks, and

WHEREAS, the WIA provides postsecondary educational opportunities or unsubsidized employment, strong linkages between academic and occupational learning and effective connections to intermediaries with strong links to the job market and employers, and

WHEREAS, the youth programs include “tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention, alternative school services, adult mentoring, paid and unpaid work experiences, including internships and job shadowing, occupational skills training, leadership development opportunities, supportive services, follow-up services for not less than 12 months as appropriate, and comprehensive guidance and counseling,” and

WHEREAS, funds for adult programs are available on a universal basis with no eligibility requirement, and funds for “dislocated workers are used exclusively for services to dislocated workers, with intensive services (e.g. counseling and prevocational services) available for unemployed individuals who have been unable to obtain jobs through core services and those who are employed but need additional services to reach self-sufficiency,” and

WHEREAS, the law established the Workforce Investment Board of Buffalo and Erie County which administers these programs in Erie County, and

WHEREAS, the WIB is a private sector driven board appointed by the Erie County Executive and the Buffalo Mayor “charged with developing, coordinating and overseeing publicly funded workforce development/training initiatives,” and

WHEREAS, the WIB is “committed to creating and promoting a workforce development system that is user friendly and responsive to the needs of both the individual training/job applicant, and/or the business organization seeking assistance... (and the) goal is to develop and sustain a unified, cost effective, labor market driven system that facilitates economic development and business growth in our community,” and

WHEREAS, the WIB has served this community well for more than five years, providing necessary adult, youth, and dislocated worker services, training and education to thousands of local needy residents, and

WHEREAS, 8,200 job-seekers received assistance in the WIB’s one-stop centers in Erie County in the past year, and

WHEREAS, over 100 businesses in Erie County have received job training assistance in last year, and

WHEREAS, over 8,000 incumbent workers and newly employed workers have received on the job training through WIB in the past year, and

WHEREAS, during summer 2003, over 1,900 local young people were employed in the WIA Summer Youth program, and

WHEREAS, the WIA is facing reauthorization in 2004,

WHEREAS, the proposed 2005 federal budget for WIA cuts job training and vocational education funding by 10% or \$656 million from the 2002 funding levels, with 50% of that cut coming from the WIA, and

WHEREAS, the proposed 2005 federal budget for WIA cuts funding for the Wagner-Peyser/Employment Service for unemployed individuals by 12% from the 2004 appropriated level and which represents a 30% cut from 2002 funding levels, and

WHEREAS, federal funding for dislocated worker training has been cut by 15% since 2000, despite a recession, mass layoffs across the county, and the growing need for the retraining of dislocated workers, especially in Buffalo-Niagara,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its support for the reauthorization of the WIA which provides much-needed services to local adults, young people, and dislocated workers, and be it further

RESOLVED, that this Honorable Body calls on President George W. Bush, the United States Senate, and the United States House of Representatives, in their 2005 budget discussions and appropriations, to fund WIA at levels higher than 2004, and to reject any budget proposals that reduce funding for the WIA and its related programs, and be it further

RESOLVED, that the Erie County Legislature respectfully calls on the New York State Legislature and Governor to expeditiously pass a Fiscal Year 2004-2005 State Budget with a significant increase in summer youth employment funding to, at a minimum, restore such funding to the prior year's level, to assist young people and youth to have summer employment, and be it further

RESOLVED, that certified copies of this resolution be submitted to the President of the United States, to Senators Charles Schumer and Hillary Rodham Clinton, to Representatives Louise Slaughter, Jack Quinn, and Thomas Reynolds, to the Board of Directors and Executive Director of the WIB of Buffalo and Erie County (275 Oak Street, Suite 145, Buffalo, NY 14203), to the Governor, Assembly Speaker, Senate Majority Leader, and the local delegation of the New York State Legislature.

Fiscal Impact: Positive for Erie County Workers and Businesses.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

3. Item Page -2004 (Comm. 15E-33)

COUNTY EXECUTIVE

WHEREAS, The County of Erie, desires to transfer a parcel of County-owned rail property to the Village of North Collins; and

WHEREAS, The Erie County-owned Rail Line 1246 currently extends through the Village of North Collins; and

WHEREAS, The width of the right-of-way increases to approximately one hundred thirty feet in the Village, encompassing Railroad Avenue, and is more than is needed for normal railroad operations; and

WHEREAS, The Village of North Collins wishes to take title to the portion of the right-of-way that contains Railroad Avenue; and

WHEREAS, The exact dimensions of the parcel will be delineated in a survey to be performed by the Erie County Industrial Development Agency and approved by Erie County,

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive is authorized to enter in agreements with the Village of North Collins transferring this portion of the right-of-way to the Village at a cost of one dollar; and be it further

RESOLVED, That the County Executive is authorized to enter into agreements with the Erie County Industrial Development Agency to remove this parcel from existing lease agreements; 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) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

4. Item Page -2004 (Comm. 15E-44)

COUNTY EXECUTIVE

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA), through an agreement with the U. S. Department of Energy Rebuild America Program, has been charged with organizing community-based regional partnerships to promote energy-efficient products and services throughout New York State; and

WHEREAS, NYSERDA has identified Western New York as an initial pilot region for Rebuild and has solicited proposals from organizations to locally coordinate the Rebuild Western New York regional network; and

WHEREAS, since April of 2000, the Department of Environment and Planning (DEP) has accepted this role and successfully coordinated the Rebuild Partnership in Western New York; and

WHEREAS, to date, Erie County has accepted a total of \$230,000 in grant resources from NYSERDA to continue to coordinate the Rebuild Partnership; and

WHEREAS, as a result of the Rebuild Partnership's success, NYSERDA has made an additional \$75,000 in grant resources available to fund this Program through April of 2005.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Executive is authorized to accept grant funding in the amount of \$75,000 from NYSERDA to continue to coordinate the Rebuild Western New York Partnership, and be it further

RESOLVED, that a grant budget for the Rebuild Western New York Initiative is hereby established as follows:

REVENUE:

Account	<u>Description</u>	<u>Amount</u>
405060	State Aid - NYSERDA	<u>\$75,000</u>
Total		\$75,000

APPROPRIATIONS:

Account	<u>Description</u>	<u>Amount</u>
500000	Salaries	\$51,200
502000	Fringe Benefits	16,800
510000	Local Mileage Reimbursement	300
510100	Out-of-Area Travel	2,700
530000	Other Expenses	2,000
516020	Professional Service Contract & Fees	1,000
561410	Lab & Technical Equipment	<u>1,000</u>
Total		\$75,000

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive; the Director of Budget, Management and Finance; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; the Commissioner of Personnel; and the County Attorney.

(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

5. Item Page -2004 (Comm. 15E-47)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works, Division of Highways, purchased a new pavement striping truck for nearly \$250,000 before last year's season, and

WHEREAS, the Town of Grand Island has expressed a desire to have Erie County Department of Public Works use that vehicle to stripe Town-owned roadways,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes entering into a contract with the Town of Grand Island to perform pavement-striping services by Erie County on their behalf, and be it further,

RESOLVED, that funds in the amount of \$7,000 received from work performed on behalf of the Town of Grand Island will be credited to the various accounts in the Highway Road Fund O&M Budget from which the work was performed with the approval of the Office of Budget and Finance Management, and be it further,

RESOLVED, that two certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner; two copies to the Department of Public Works, Division of Highways; one copy to the Office of the County Executive; one copy to the Division of Budget, Management and Finance; and one copy to the Office of the Comptroller.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

6. Item Page -2004 (Comm. 15E-48)

COUNTY EXECUTIVE

WHEREAS, funds were authorized and a contract was awarded by the Department of Public Works for the Roofing & Exterior Rehabilitation work at the Erie County Home for \$784,370.00, and

WHEREAS, during the course of work, it was discovered that unforeseen conditions and additional work is required to make the columns and archways safe and further deterioration of the roof at the Maintenance Center would require an additional \$95,000.00,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased from \$80,000.00 to \$175,000.00, with authorization for the Commissioner of Public Works to approve change orders, and be it further,

RESOLVED, that deduct change orders will result in funds being returned to the contingency account, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments from the following account, Roof Replacement & Waterproofing, Project A.00070, and be it further,

RESOLVED, that two copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Division of Budget Management & Finance; one copy to the Office of the Comptroller; and one copy to the Office of the County Executive.
(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

7. Item Page -2004 (Comm. 15E-49)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature approved a contract for the 2003 Contractor Placed Pavement – South Contractor, Project No. CPP-S-03, at various locations in the Towns of Collins, Sardinia, Holland, Concord, Evans, Aurora, and Boston, between DiPizio Construction, Incorporated and the County of Erie, in Meeting Number 15, held on September 11, 2003, Communication Number 15E-21, and

WHEREAS, additional work needs to be performed on the project, that was not initially anticipated, and

WHEREAS, the cost for the additional work exceeds the contingency amount previously authorized for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the construction contract with DiPizio Construction, Incorporated be increased by \$565,416.02, to be allocated from the following Capital Road Work Accounts:

B.09003	2002 Contractor Placed Pavement	\$ 447,084.00
B.00060	2003 Capital Overlay Program	\$ 118,332.02

for a change order for the additional work, 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, and one copy each to the County Executive, the Commissioner of Public Works, and to the County Comptroller.

(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

AS AMENDED

8. Item Page -2004 (Intro. 15-13)

KUWIK, SCHROEDER, HOLT, MARSHALL & SWANICK

WHEREAS, founded in 1919, Our Lady of Victory Hospital became a cornerstone in Lackawanna, New York, filling a community need and serving the mission of Father Nelson Baker to help people of all ages, backgrounds and abilities, and

WHEREAS, Catholic Health Systems has proposed redevelopment of the former hospital into the OLV Renaissance/Senior Neighborhood which would consist of 74 units of low and moderate income senior housing, a 74-bed skilled nursing facility and a Program of All-inclusive Care for the Elderly (PACE), and

WHEREAS, the redevelopment proposal has received widespread support including \$300,000 in Erie County funding approved by this Honorable Body on May 27, 2004 and \$702,500 in federal appropriations, and

WHEREAS, an independent review also confirmed both the financial feasibility and the operational success of the three component parts of the project, and

WHEREAS, there is currently a shortage of senior housing in this service area creating affordable senior housing waiting lists between three and four years, and

WHEREAS, the PACE program promises not only to be an excellent alternative to those in need of nursing home care but want to stay in their homes, but it has the potential to save New York State over \$1 million in Medicaid funds as an alternative to expensive residential care, and

WHEREAS, the project would have a positive economic impact on the region including the creation of 145 new jobs, the retention of 100 existing positions and the need for hundreds of construction related jobs, and

WHEREAS, in the State of the State address New York State Governor George E. Pataki lists “comprehensive reforms of our long-term care system” and “the provision of services that help the elderly stay in their own homes...and the promotion of...state of the art nursing homes,” among his priorities, and

WHEREAS, Catholic Health Systems’ first application for funding through New York State’s Division of Housing & Community Renewal was rejected and a second application is currently before the Governor for his review, and

WHEREAS, this project can not move forward without the allocation of low income housing tax credit funds from New York State,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the importance of the OLV Renaissance Senior Neighborhood Project in filling a critical community need for affordable, quality senior housing and serving as a catalyst for economic development in the City of Lackawanna and the entire Western New York Region, and be it further

RESOLVED, that this Honorable Body supports the proposed OLV Senior housing project and urges Governor Pataki to approve Catholic Health Systems’ application for Low Income Housing Tax Credits, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, the NYS Division of Housing & Community Renewal (Commissioner Judy Calogero, Hampton Plaza, 38-40 State Street, Albany, NY 12207), Catholic Health Systems and City of Lackawanna Mayor Norman L. Polanski, Jr.

Fiscal Impact: None for resolution.

(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

MARK J. F. SCHROEDER
CHAIRMAN