

December 1, 2003

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 15

ALL MEMBERS PRESENT EXCEPT LEGISLATOR LARSON.

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

- |    |   |      |       |               |
|----|---|------|-------|---------------|
|    | Item  | Page | -2003 | (Comm. 20M-3) |
| a. | <b>EMPIRE STATE DEVELOPMENT:</b>                      |      |       |               |
|    | Notice of Public Meeting – Erie Canal Harbor Project. |      |       |               |
|    | (4-0) Legislator Larson absent.                       |      |       |               |

2. Item Page -2003 **AS AMENDED**  
(Comm. 22E-7)  
**COUNTY EXECUTIVE**  
**WHEREAS,** The County of Erie, desires to participate in the retention and expansion of Appraisal.com in Erie County; and

**WHEREAS,** The company desires to expand its on-line appraisal and appraisal software development operations; and

**WHEREAS,** The expansion of the activity in Erie County will be the preferred alternative for new work which will promote the retention of approximately 70 existing jobs and the creation of approximately 25 new jobs; and

**WHEREAS,** The offer of job training for existing and new employees at the Erie County facilities was important to the decision by Appraisal.com to stay and grow in Erie County; and

**WHEREAS,** The New York State Department of Labor 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 a total of \$100,000, for the purpose of providing job skills training to existing and new employees of Appraisal.com; and be it further

**RESOLVED,** That the source of these funds shall be \$100,000 available in the Workforce Investment Board account, DAC 110 922 302 830 1512 which will 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 Erie County Department of Environment and Planning and the Buffalo and Erie County Workforce Investment Board will file a written report with the Erie County Legislature by June 1, 2004 on the status of the aforementioned project; 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 Comptroller, the Commissioner of the Department of Environment and Planning, and the County Attorney.  
(4-0) Legislator Larson absent.

3. Item Page -2003 (Comm. 22E-14)

**COUNTY EXECUTIVE**

WHEREAS, funds were authorized and contracts were awarded by the Department of Public Works for the Roof Repair – Emergency Response Services – All County-owned Buildings, and

WHEREAS, a contract was awarded to Jameson Roofing Co., in the maximum amount of \$70,000.00, the total expenditure of which shall be based upon a project-by-project basis, and

WHEREAS, due to several emergencies from wind damage in January of 2002 and 2003, the contract was increased from \$70,000.00 to \$220,000.00,

NOW, THEREFORE, BE IT,

**RESOLVED**, that the total expenditure be increased by \$50,000.00 from \$220,000.00 to \$270,000.00 with authorization for the Commissioner of Public Works to approve the work based upon the NYS Department of Labor Prevailing Wage Rate Schedule and for all materials furnished and installed for each emergency response repair, and be it further,

**RESOLVED**, that the Comptroller's Office be authorized to make payment for all of the above from the 2001 Roof Replacement & Waterproofing account, Project 197, Fund 410, in the amount of \$28,000.00 and from 2002 Roof Replacement & Waterproofing account, Project 296, Fund 410, in the amount of \$22,000.00, 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; and one copy to the Office of the Comptroller.  
(4-0) Legislator Larson absent.

4. Item Page -2003 (Comm. 22E-22)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Transportation proposed to reconstruct U.S Route 20A (SH 1066) bridge (BIN 1026090), New York State PIN 5010.18, over Cazenovia Creek, in the Town of Aurora, Erie County, and

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads as a detour during

the period of construction (2002 – 2003) Jewett Holmwood Road (CR 368) and Davis Road (CR 84) in the Town of Aurora, and

WHEREAS, the New York State Department of Transportation will provide traffic control devices and mill and overlay Jewett Holmwood Road and make improvements or repairs when necessary to the above mentioned road to make it adequate to handle additional detour traffic, and

WHEREAS, the New York State Department of Transportation will provide traffic control devices on Davis Road (CR 84) and make improvements or repairs when necessary to the above mentioned road to make it adequate to handle additional detour traffic.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature of the County of Erie does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads as a detour during the period of construction, and be it further

RESOLVED, that the County of Erie will continue to provide normal routine maintenance on the above-mentioned roads, including snow and ice control, and be it further

RESOLVED, that the Clerk of the Legislature forward seven (7) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and one copy each to the Commissioner of Public Works and the Erie County Comptroller.

(4-0) Legislator Larson absent.

5. Item Page -2003 (Comm. 22E-23)

**COUNTY EXECUTIVE**

WHEREAS, Thorn Avenue, County Road 136, was completely and satisfactorily reconstructed and accepted by the County on October 28, 2002, and

WHEREAS, the Town and Village of Orchard Park have stated their willingness to accept their respective portions of Thorn Avenue upon satisfactory completion of reconstruction, and

WHEREAS, the Town and Village of Orchard Park have passed the necessary resolutions accepting the transfer of jurisdiction from the County for their respective portions of Thorn Avenue, and

WHEREAS, copies of the Town and Village Resolutions accompany this resolution, and

WHEREAS, Thorn Avenue does not significantly contribute to intra-County mobility.

NOW THEREFORE BE IT



RESOLVED, that a sum of \$175,000 is hereby appropriated from the 2002 Wehrle/Harris Hill Intersection Improvement, Design Program (SFG 420-316) 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 the full Federal and non-Federal shares of the cost of the project's Preliminary Engineering (Scoping and Design V-V1) and Right-of-Way Incidentals Phases exceeds the amount appropriated above, 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 New York State Department of Transportation 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 therefore 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 one copy each to the Commissioner of Public Works and the Erie County Comptroller.

(4-0) Legislator Larson absent.

7. Item Page -2003 (Comm. 22E-26)

**COUNTY EXECUTIVE**

WHEREAS, General Municipal Law, Section 103, has now been amended to allow for electronic receipt of bids, and

WHEREAS, the Commissioner of Public Works and the Purchasing Director desire to implement a pilot project for the electronic receipt of bids for heating fuel oil and natural gas for the Customer Balancing Agreements (CBA) accounts, and

WHEREAS, should this pilot project prove to be successful, the Erie County Legislature will be asked to expand the use of the electronic report of bids to additional purchasing, public works and other projects requiring competitive bidding,

NOW, THEREFORE, BE IT,

RESOLVED, that your Honorable Body authorize a pilot project be undertaken for the receipt of electronic bids for the procurement of heating fuel oil and natural gas for the CBA accounts, and be it further,

RESOLVED, that two certified copies of this resolution be forwarded to the Commissioner of Public Works, the Purchasing Director, the Interim Deputy Commissioner – Highways, the Erie County Attorney, the Director of Budget Management & Finance, and the Office of the Comptroller.

(4-0) Legislator Larson absent.

8. Item Page -2003 (Comm. 22E-27)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids for the Fuel Management System, Phase II, Contingency Fund Increase on April 24, 2003, and

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidders – O’Connell Electric & D.V. Brown – in the amount of \$261,618.00, and

WHEREAS, many municipalities have progressed to a computerized fuel management system, and

WHEREAS, it was determined that additional dispensing units and valves must be installed for the fuel management system,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$60,000, with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the contingency, 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 for all of the above from the 2003 Bond Fund, Project 351, Fund 420, 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 Comptroller’s Office; one copy to the Division of Budget Management and Finance; and one copy to the Department of Information and Support Services.

(4-0) Legislator Larson absent.

**MICHAEL H. RANZENHOFER  
CHAIRMAN**