

November 12, 2015

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 13

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 16M-5 (2015)
SUPERVISOR, TOWN OF ALDEN: "Letter to Commissioner of Public Works Regarding Road Work"
(6-0)
 - b. COMM. 19M-4 (2015)
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: "Letter Regarding Former Bethlehem Steel Plant Site, City of Lackawanna"
(6-0)
 - c. COMM. 19M-5 (2015)
NYS DEPARTMENT OF TRANSPORTATION: "Notice of Request for a Review of Traffic Conditions Harlem Rd at Walden Ave, Town of Cheektowaga"
(6-0)
 - d. COMM. 20M-1 (2015)
EC INDUSTRIAL DEVELOPMENT AGENCY: "2016 Budgets for ECIDA, Buffalo and EC Regional Development Corp, Buffalo and EC Industrial Land Development Corp"
(6-0)

2. COMM. 20E-2 (2015)
COUNTY EXECUTIVE
WHEREAS, this Honorable has previously authorized pre-approval of design and construction contracts for the Unified Court System Eight Judicial District ("UCS) renovation of the second floor of the Supreme Court Law Library located at 77 West Eagle St. Buffalo N.Y; and

WHEREAS, the budget increase is necessary for this project to continue due to a funding deficit; and

WHEREAS, the budget for SAP capital project A.15079, in BA122, Fund 410, must be increased in the amount of \$76,000 the amount of the anticipated reimbursement from the UCS; and

WHEREAS, the project will be reimbursed by the UCS as a tenant request line item in the Chapter 686 cleaning and minor maintenance contract with the County, for the New York State fiscal year beginning April 1, 2015; and

WHEREAS, reimbursement claims for project expenses paid after March 31, 2016 will be disallowed by UCS; and

WHEREAS, in order to expedite this work, pre-approval from the Erie County Legislature is needed to award design and construction contracts for the amount of the budget increase.

NOW, THEREFORE, BE IT

RESOLVED, that in order to comply with the Unified Court System Eighth Judicial District's request to create space for the Eighth Judicial District information technology unit at the Supreme Court Law Library; the award of construction, design and testing contracts, as designated by the Commissioner of Public Works for this project, is hereby preapproved by the Erie County Legislature and the County Executive is hereby authorized and directed to execute said contracts; and be it further

RESOLVED, that pre-approval is contingent upon the advertisement and award of the construction contracts pursuant to applicable Local and New York State public bidding laws; and be it further

RESOLVED, that such costs shall be recorded SAP project A.15079, in BA122, Fund 410; and be it further

RESOLVED, that the Division of Budget and Management is authorized to make the following budgetary changes in SAP:

BA122, Fund 110, Fund Center 12220

		Current Budget	Increase (Decrease)	Revised Budget
Revenue				
Account	Description			
405170	State Aid Court Facility	\$2,478,470	\$ 76,000	\$2,554,470
Expense				
575000	Interfund Exp Non-Subsidy	\$ 710,000	\$ 76,000	\$ 786,000
	Net Change Fund 110		\$ <u>0</u>	

BA122, Fund 410, A.15079

Revenue Account	Description	Current Budget	Increase (Decrease)	Revised Budget
450000	Interfund Rev Non-Subsidy	\$ 350,000	\$ 76,000	\$ 426,000
Expense CAPITALPRO	Capital Projects Exp	\$ 350,000	\$ 76,000	\$ 426,000
Net Change Fund 410			<u>\$ 0</u>	

; and be it further

RESOLVED, that the Comptroller's Office is directed to effectuate the release of funds for this project based on requests from the Department of Public Works from the above-noted funding sources; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Unified Court System Eighth Judicial District c/o Andrew Isenberg.
(6-0)

3. **COMM. 20E-5 (2015)**
COUNTY EXECUTIVE

WHEREAS, the County of Erie had previously entered into a contract with the Erie County Soil and Water Conservation District who have the necessary expertise and personnel to perform the necessary inspections and evaluations as well as to carry out administrative responsibilities related to the delivery of various technical services including stream bank maintenance, bridge and culvert scour maintenance; and

WHEREAS, it has become necessary to implement the County-wide Stream Maintenance Program to continue to reduce erosion and localized flood-related risk to roads, bridges, culverts and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting the natural flow of streams, repair bridge and culvert scour or prevention of same; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipalities and districts to contract to perform together that which each public entity is authorized to perform individually; and Article 5, Section 99-R of the same General Municipal Law authorizes Erie County and the District to contract by direct negotiations for services of government not regularly provided to the public as part of general government services; and

WHEREAS, the Legislative Body of Erie County and the Board of Directors of the Erie County Soil and Water Conservation District previously authorized a municipal agreement on October 6, 2011 (Comm. 18E-30) for the purpose of performing a County-wide Stream Maintenance Program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be permitted to enter into an Agreement with the Erie County Soil and Water Conservation District in an amount of \$100,000 to be allocated from Business Area 123, Cost Center 1231010, Fund 210, General Ledger Account 516020 – Professional Services, for technical services to reduce erosion, scour and localized flooding related risks to roads, bridges, culverts and rights-of-way at various locations; and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget, Management and Finance, and the Office of the Comptroller.

(6-0)

4. **COMM. 20E-7 (2015)**
COUNTY EXECUTIVE

WHEREAS, Evergreen Lofts Supportive Housing is developing housing for individuals and families who are marginally housed, and struggling with homelessness; and

WHEREAS, Evergreen Lofts will consist of the development of fifty-six (56) rental residential units inclusive of twenty-eight (28) supportive housing units; and

WHEREAS, twenty eight of the units shall house formerly homeless persons with a chronic medical condition; and

WHEREAS, said affordable housing consists of 50 one-bedroom units, four two-bedroom units, and two three-bedroom units; and

WHEREAS, all units shall be occupied by households having an annual income at or below 60% of the area median income, adjusted for family size, as said income figures are so defined by the United States Department of Housing and Urban Development; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Evergreen Lofts Supportive Housing, LLC to operate the housing project it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Evergreen Lofts Supportive Residence, L.P., ELA Housing Development Fund Company, Inc., the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto, and payment under the Agreements will be for fifteen (15) years, with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

(6-0)

EDWARD A. RATH, III
CHAIR

SCHEDULE A
Evergreen Lofts PILOT
Schedule of Payments

Year	City	County	Total
1	8,387.26	2,795.75	11,183.01
2	8,638.88	2,879.63	11,518.50
3	8,898.04	2,966.01	11,864.06
4	9,164.98	3,054.99	12,219.98
5	9,439.93	3,146.64	12,586.58
6	9,723.13	3,241.04	12,964.17
7	10,014.82	3,338.27	13,353.10
8	10,315.27	3,438.42	13,753.69
9	10,624.73	3,541.58	14,166.30
10	10,943.47	3,647.82	14,591.29
11	11,271.77	3,757.26	15,029.03
12	11,609.93	3,869.98	15,479.90
13	11,958.22	3,986.07	15,944.30
14	12,316.97	4,105.66	16,422.63
15	12,686.48	4,228.83	16,915.31