

November 13, 2014

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 21D-9 (2014)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Initiatives for a Smart Economy - July 2014 Reports”
(5-0)

2. COMM. 21E-10 (2014)
COUNTY EXECUTIVE
WHEREAS, Bellamy Commons, LLC is developing housing for low and very low income households pursuant to Article XI of the New York Private Housing Finance Law; and

WHEREAS, Bellamy Commons, LLC will consist of the development of thirty (30) rental residential units and two office spaces. The Project is located at 1490 Jefferson Avenue in the City of Buffalo with fifteen of the housing units being affordable to households with income between 51% to 60% of the area median income and fifteen of the units affordable to households with income below 50% of the area median income; and

WHEREAS, the project contains approximately 1,900 square feet of commercial space to be initially leased to non-profit organizations; and

WHEREAS, the office space will be used by two not-for-profit organizations; and

WHEREAS, the revenue from the commercial space has been factored into the calculation of Total Effective Income; 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 Bellamy Commons, 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 Bellamy Commons, LLC, Attica Housing Development Fund Company, Inc., and the City of Buffalo relating to Bellamy Commons, LLC and all other agreements necessary to conclude this housing project; and be it further

RESOLVED, that 50% of the units remain affordable to and occupied by households earning no greater than 50% of the area median income, adjusted for family size, and 50% of the units remain affordable to and occupied by households with income between 51% to 60% of the area median income, adjusted for family size, as determined by the U. S. Department of Housing and Urban Development for the period of the 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.

Schedule A
Payment in Lieu of Taxes (PILOT) Agreement
For Bellamy Commons – Affordable Housing Project

Year	Total	City	County
1	10,263.10	7,697.33	2,565.78
2	10,570.99	7,928.24	2,642.75
3	10,888.12	8,166.09	2,722.03
4	11,214.77	8,411.07	2,803.69
5	11,551.21	8,663.41	2,887.80
6	11,897.75	8,923.31	2,974.44
7	12,254.68	9,191.01	3,063.67
8	12,622.32	9,466.74	3,155.58
9	13,000.99	9,750.74	3,250.25
10	13,391.02	10,043.26	3,347.75
11	13,792.75	10,344.56	3,448.19
12	14,206.53	10,654.90	3,551.63
13	14,632.73	10,974.54	3,658.18
14	15,071.71	11,303.78	3,767.93
15	15,523.86	11,642.89	3,880.96

(5-0)

3. COMM. 21E-11 (2014)
COUNTY EXECUTIVE

WHEREAS, the Sherwood Greenway Project in the Town of Tonawanda is within the existing Right-of-Way of a county highway which qualifies it for funding under the New York State (NYS) Marchiselli Aid Reimbursement Program administered by the NYS Department of Transportation.

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$17,658 in NYS Marchiselli Aid is hereby made available to cover the cost of participation in the projects covered under SAP Project #A.00344; and be it further

RESOLVED, that authorization is hereby provided to complete the following budget adjustment to SAP Project #A.00344, Fund 410, Business Area 162 within the Erie County Budget

– Increase Revenue: Appropriations totaling \$17,658 as follows:

Revenue

Item #405160 Marchiselli Aid (\$17,658)

Expense

Item # 516010 Contractual Payments –
Non-Professional Purchases \$17,658

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with federal and state funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive’s Office; the Comptroller’s Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and be it further

(5-0)

4. COMM. 21E-18 (2014)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution prevention and sustainability issues throughout the region for decades and has more recently played an important role in the formation of the Western New York Sustainable Business Roundtable (WNYSBR); and

WHEREAS, the DEP is committed to provide staff support and conduct work to assist and expand the WNYSBR; and

WHEREAS, the United States Protection Agency (USEPA) provides grant assistance to state agencies to implement pollution prevention projects; and

WHEREAS, Empire State Development (ESD) applied for USEPA and was awarded grant funds to support the WNYSBR; and

WHEREAS, ESD and USEPA named Erie County as a sub-awardee within that grant to receive \$179,630.00 in funding to assist businesses in reducing their environmental impact through the WNYSBR; and

WHEREAS, this necessitates the execution of a sub-awardee agreement with ESD and USEPA, the adoption of a grant budget; and the creation of an Environmental Compliance Specialist (JG-9) position within the DEP which will be 100 % grant funded.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$179,630.00 from the USEPA and ESD for the purpose of establishing a two-year “WNYSBR” project; and be it further

RESOLVED, that the grant budget and project period for the “WNYSBR” project is hereby created in the DEP, Business Area 162, Fund 281 as follows:

Western New York Sustainable Business Roundtable Project
(October 1, 2014 –September 30, 2016)
SAP Grant Account #162WNYSBR1416

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
414000	Federal Aid	\$179,630
TOTAL REVENUE		\$179,630

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Salaries	\$ 98,000
502000	Fringe Benefits	\$ 62,230
505000	Supplies	\$ 400
510100	Out of Area Travel	\$ 2,000
516020	Professional Services Contract	\$ 16,000
530000	Other	\$ 1,000
TOTAL APPROPRIATIONS		\$179,630

and be it further

RESOLVED, that the following position, for which sufficient funding through NYSDOS grant funding for personal services and fringe benefits exists, will be created in the above grant:

Environmental Compliance Specialist (JG-9)
 B-100 No. 7971
 Budgeted Annual Salary: \$49,000

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; 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 County Attorney; the County Comptroller; Maria R. Whyte, Commissioner of Environment and Planning; Thomas Hersey, Jr., Deputy Commissioner of Environment and Planning; and Bonnie Lawrence, Coordinator – Pollution Prevention Program.
 (5-0)

EDWARD A. RATH, III
CHAIR