

November 8, 2018

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 16

ALL MEMBERS PRESENT.

CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 20E-5 (2018)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation and Forestry has contracted with an outside vendor for a number of years to operate the concession area at Chestnut Ridge Park; and

WHEREAS, the concessionaire has provided food and refreshments for park patrons to enjoy throughout the winter season; and

WHEREAS, Grateful Grind Coffee, LLC of Hamburg, NY provided the proposal with the highest evaluation score, as well as a revenue benefit to the County of Erie.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Executive is authorized to enter into an agreement with Grateful Grind Coffee, LLC for operation of the concession stand at Chestnut Ridge Park; and be it further

RESOLVED, the Erie County Parks Department will receive \$10,785 in revenue annually from Grateful Grind Coffee, LLC for the length of the contract; and be it further

RESOLVED, that certified copies of this Resolution be sent to the Erie County Executive, the Commissioner of Parks, Recreation and Forestry and the Erie County Department of Law.
(6-0)

2. COMM. 20E-6 (2018)
COUNTY EXECUTIVE

WHEREAS, the existing 29 year old roof system at Erie Community College North Campus Bell Sports Center shows signs of severe deterioration that is evident with significant entrapped insulation, roof gashes, and extensive standing water; and

WHEREAS, the Legislature has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Bell & Spina Architects Planners P.C. to provide professional design and construction administration services for Erie Community College North Campus 2017 Spring Student Center Roof Replacement project (COMM. 20E-10 (2017)); and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to Bell & Spina Architects Planners P.C. to provide design and construction document services for the Erie Community College North Campus 2018 Bell Sports Center Roof Repairs, Recoating, and Roof Replacement project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment to Bell & Spina Architects Planners P.C. to provide design and construction document services for the Erie Community College North Campus 2018 Bell Sports Center Roof Repairs, Re-coating, and Roof Replacement project; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project E.16002 – 2016 ECC Roof Replacement and Waterproofing Collegewide, Fund 480, Funds Center 122, in an amount not to exceed \$53,000, including reimbursables and a design contingency, and is 50% reimbursable from New York State; and be it further

RESOLVED, that the fee for construction administration is currently excluded and will be negotiated after bids are received, with the amount dependent on whether construction can be phased together with that of the Spring Student Center; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller, and one copy to Erie Community College of the Chief Administrative and Financial Officer.
(6-0)

3. COMM. 20E-16 (2018)
COUNTY EXECUTIVE

WHEREAS, a Project for the Replacement of Hillcroft Road Bridge over Eighteen Mile Creek, Town of Boston, Erie County, NYS PIN 5761.69, BIN 3327840 (the "Project") was authorized by your honorable body via Communication 14E-37 (2018); and

WHEREAS, the Project is eligible for funding under Title 23 U.S. Code, as amended, that calls for the appropriation of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie has previously agreed to completely fund the 20% non-Federal share for the Project, in the amount of \$80,000; and

WHEREAS, the New York State Department of Transportation (NYSDOT), has indicated that State funds are available for the full 20% non-Federal share for this Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes acceptance of the New York State Department of Transportation (NYSDOT) funding for the 20% non-Federal portion of the Project Design Costs, in the amount of \$80,000; and be it further

RESOLVED, that the Erie County Division of Budget and Management is hereby authorized to accept the 20% non-Federal aid reimbursement of \$80,000 and increase the project budget in Fund 420, Funds Center 123, Project B.16015 – 2016 Preservation of Bridges and Culverts Design, Engineering, and Construction Inspection; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, with the NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; 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 six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the NYSDOT; and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.
(5-0) Legislator Rath not present for vote.

4. **COMM. 20E-17 (2018)**
COUNTY EXECUTIVE

WHEREAS, the Tonawanda Rails to Trails Project PIN 5761.02 ("Project") is eligible for funding under the Federal Transportation Alternatives Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, under the Transportation Alternatives Program the federal cost share is limited to the amount set forth in the agreement with the NYSDOT with any additional costs borne 100% by the project sponsor, Erie County; and

WHEREAS, the County of Erie desires to advance the construction phase of the Project; and

WHEREAS, to advance the construction phase of the Project, Erie County is required to execute utility work agreements with involved utilities National Grid, Charter, Verizon and AT&T; and

WHEREAS, the Charter, Verizon and AT&T utility work agreements involve work to be done at the utilities' expense; and

WHEREAS, the work required by National Grid is partly at the utility's expense and partly at the Project's expense; and

WHEREAS, the expense to the Project is not anticipated to exceed \$30,000 which is available from Funds Center 123, Fund 420, Project B.15005 – Tonawanda Rails to Trail Utility Work Agreements; and

WHEREAS, execution of a supplemental agreement with the NYSDOT for the construction phase of the Project has been previously approved by your Honorable Body under Comm. 14E-13 (July 26, 2018).

NOW, THEREFORE, BE IT

RESOLVED, that \$30,000 is hereby appropriated from Funds Center 123, Fund 420, Project B.15005 – Tonawanda Rails to Trail Utility Work Agreements, and made available to cover the cost of participation in the necessary reimbursable Utility Work Agreement with National Grid; and be it further

RESOLVED, that the County Executive of the County of Erie, is hereby authorized to execute all necessary Agreements and certifications on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), in connection with Utility Work Agreements with National Grid, Charter, Verizon, and AT&T; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded 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 and Management, the Office of the County Attorney, and the Office of the Comptroller.
(5-0) Legislator Rath not present for vote.

PATRICK B. BURKE
CHAIR