

October 29, 2013

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 17

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

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

- a. COMM. 18E-2 (2013)
COMPTROLLER: "DPW - Audit of the Gasboy Fuel Management System for the Period 1/1/2011 - 12/31/2012".
(4-0) Chair Grant not present for vote.

2. COMM. 18E-10 (2013)

COUNTY EXECUTIVE

WHEREAS, Erie County has undertaken a Commercial Center Improvement Program through the federally funded Community Development Block Grant; and

WHEREAS, the objective of the Program is to financially assist owners of commercial properties operating retail/business establishments within city, village, and hamlet retail centers located in Erie County Community Development Consortium communities; and

WHEREAS, in order to successfully carry out the Program professional architectural services are required to complete certain technical components of the Commercial Center Improvement Program.

NOW, THEREFORE, BE IT

RESOLVED, that the source of funds is money available within the Erie County Department of Environment and Planning Budget, Project J.00513.2.8, Commercial Center Improvement Program; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute a contract with Clinton Brown Company Architecture, P.C. for commercial façade architectural services in an amount not to exceed \$45,000; and be it further

RESOLVED, that the Clerk of the Erie County Legislature be directed to forward certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget and Management; the County Attorney; and the Erie County Comptroller.

(5-0)

3. COMM. 18E-11 (2013)

COUNTY EXECUTIVE

WHEREAS, the State of New York has established an Empire Zone Program to revitalize economic development by providing financial inducements for businesses and industry to locate within Empire Zones; and

WHEREAS, the proposed amendment to Section Twelve of the County Sales and Use Tax Resolution will provide for refunds or credits of local sales and compensating use taxes applicable to Qualified Empire Zone Enterprises (QEZE); and

WHEREAS, pursuant to New York Tax Law Section 1210(d), this resolution must be submitted to the New York Commissioner of Taxation and Finance prior to December 1st, 2013 for a March 1, 2014 effective date; and

WHEREAS, Erie County has provided for QEZE exemptions on an annual basis for a number of years and wants to continue to provide the QEZE refund/credit provisions that superseded those expired exemptions; and

WHEREAS, Erie County wishes to continue to participate in the Empire Zone Program established by New York State; now therefore.

BE IT ENACTED by the Legislature of the County of Erie, as follows:

Section 1. Subdivision (d) of section twelve of the Erie County Sales and Use Tax Resolution being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting Number 31, held on July 27, 1965, Supervisors Proceedings, Page 666, as amended; is amended to read as follows:

(d) For the period beginning March 1, 2014, and ending on February 28, 2015, the provision for credit or refund described in subdivision (d) of Section 1119 of the New York Tax Law, relating to Qualified Empire Zone Enterprises, shall apply to taxes imposed by this enactment.

Section 2. This resolution shall take effect March 1, 2014 and shall apply to sales made, services rendered and uses occurring during the period of March 1, 2014, through February 28, 2015, in accordance with the applicable transitional provisions in sections 1106 and 1217 of the New York Tax Law.

RESOLVED, that certified copies of this resolution be filed with the Erie County Clerk, the Secretary of State, the State Comptroller, and that certified copies be sent to the County Executive; the Director of Budget and Management; County Comptroller; the Commissioner of Environment and Planning; and the County Attorney.

(5-0)

4. COMM. 18E-13 (2013)
COUNTY EXECUTIVE

WHEREAS, the Commissioner of Public Works desires to engage the services of Environmental Service Consultants in order to implement asbestos abatement monitoring and testing on various County projects; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into an Agreement with Watts Architectural & Engineering and Stohl Environmental for providing Environmental Consulting Services; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment with Watts Architectural & Engineering and Stohl Environmental for providing Environmental Consulting Services for County Wide Asbestos Abatement Monitoring and Testing.
 NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement Amendment with Watts Architectural & Engineering and Stohl Environmental to provide Environmental Consulting Services on various County projects; and be it further

RESOLVED, that each contract amendment will be for an amount not to exceed \$50,000.00, on a project-by-project basis, the amount of each project fee be paid to the consultant, being determined by the Commissioner of Public Works; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Account: A.13004 – 2013 – Countywide Code and Environmental Compliance; for a total amount not to exceed \$100,000.00; 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.
 (5-0)

5. COMM. 18E-17 (2013)
COUNTY EXECUTIVE

WHEREAS, a Project for Reconstruction of Swift Mills Bridge over Murder Creek (BR 255-2), Town of Newstead PIN 5757.29 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the appointment 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 desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Scoping & Design I-VI) of the Project: PIN 5757.29; and

WHEREAS, the total Project is currently estimated at \$225,000.00 and the County is required to pay the estimated local share for the Project in the amount of \$45,000.00 which is available from Project B.20937, 2009 Swift Mills Bridge Design, Fund Center 123, Fund 420; and

WHEREAS, your Honorable Body has previously authorized Nussbaumer & Clarke, Inc. as a qualified, Term Agreement General Architectural/Engineering firm via Comm.13E-26 of July 18, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Scoping & Design I-VI) phase of the Project or portions thereof; and be it further

RESOLVED, that the Project B.20937, 2009 Swift Mills Road Bridge Design, Fund Center 123, Fund 420, be increased by the anticipated Federal revenue in the amount of \$180,000 as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
414000	Federal Aid	\$ 0	\$ 180,000	\$ 180,000
475000	Gen Oblig Bond Proc	<u>\$108,800</u>	<u>\$ 0</u>	<u>\$ 108,800</u>
TOTAL REVENUES		<u>\$108,800</u>	<u>\$ 180,000</u>	<u>\$ 288,800</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$108,800</u>	<u>\$ 180,000</u>	<u>\$ 288,800</u>

