ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 23E-2 (2013)
COMPTROLLER: "DPW - Review of Elevator Inspection & Maintenance - 1/1/2012 - 6/30/2013"
(6-0)

b. COMM. 3D-2 (2014)
COMPTROLLER'S OFFICE: "Review of Fleet Services for a Period Ending December 31, 2013"
(6-0)

c. COMM. 3M-1 (2014)
NFTA: "Capital Expenditure and 17A Reports"
(6-0)

d. COMM. 3M-2 (2014)
NFTA: "Board Minutes from the December 19, 2013 Meeting"
(6-0)

e. COMM. 3M-3 (2014)
NYSDEC: "Notice of Public Meeting - 1318 Niagara Street Proposed Remediation"
(6-0)

2. COMM. 3E-5 (2014)
COUNTY EXECUTIVE
WHEREAS, bids were taken for the Lakeshore Shoreline Trail Multi Use Pathway Phase 2, ECDPW Project No. TFA-111-13, NYSDOT PIN 5757.49 (the "Project"), in the Town of Evans, on October 17, 2013, and the low bidder was Occhino Paving Corporation in the amount of $538,268.00; and

WHEREAS, a contract has been negotiated with Wendel for construction inspection and engineering services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds in business area 162, fund 410, SAP Accounts A.00213 – 2003 Lakeshore Shoreline Trail in the amount of $587,000.00 and A.00344 – 2008 Bicycle and Pedestrian Trail Construction in the amount of $84,828.00 be made available for the Project; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to execute a contract for ECDPW Project No. TFA-111-13, NYSDOT PIN 5757.49 between the County of Erie and the low bidder, Occhino Paving Corporation at a low bid amount of $538,268.00 from the above identified project funds; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for services during construction and construction inspection with Wendel in an amount not to exceed $95,880.00 from the above identified funds; and be it further

RESOLVED, that the County Executive be authorized to establish a Project contingency and execute change orders in an amount not to exceed $37,680.00 from the above identified funds; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of Budget and Management, the Office of the Comptroller and the Department of Environment and Planning, Office of the Commissioner.
(6-0)

3. COMM. 3E-6 (2014)
COUNTY EXECUTIVE
WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent, is the preparation of the annual program application materials, and submittal of same to the federal Department of Housing and Urban Development.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit this resolution to the United States Department of Housing and Urban Development (HUD) as supportive material to the 2014 Annual Action Plan having estimated dollar amounts as indicated.

1. Erie County Consortium Community Development Program: $2,756,253

2. Emergency Solutions Program: $ 166,059

3. HOME Investment Partnership Program: $ 673,273

4. Town of Hamburg Community Development Program: $ 400,000

and be it further

RESOLVED, that the County Executive on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium is hereby authorized to submit and execute any and all applications and agreements with HUD, local governments, property owners receiving housing assistance, non-profit, and for-profit agencies, which are necessary to implement the above programs with the exception that any proposed agreement that transfers all or a portion of the administrative functions of the program from Erie County to a sub-recipient or contractual agency shall require approval from the Erie County Community Development Consortium and the Erie County Legislature; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all HOME Agreements with property owners participating in County housing programs assisted with federal HOME Investment Partnership funds; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all discharges of Erie County Note and Mortgages and/or Lien documents associated with any and all Erie County Housing Programs funded through the federal Community Development Block Grant and/or HOME Investment Partnership Programs; and be it further

RESOLVED, that copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.
(6-0)

4. COMM. 3E-7 (2014)
COUNTY EXECUTIVE

WHEREAS, the County is required pursuant to the 2013 Lease Agreement between the Buffalo Bills, Erie County Stadium Corporation, dba Empire State Development (ESD) and Erie County to provide Capital Improvement Allowance projects to Ralph Wilson Stadium on an annual basis; and

WHEREAS, unforeseen field conditions warrant an increase in the construction contingency account for the RWS-2013 Annual Capital Improvements project; and

WHEREAS, your Honorable Body has previously approved a General Architectural/Engineering (A/E) agreement with the engineering firm of DiDonato Associates for providing professional A/E services on County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to DiDonato Associates for providing design and engineering construction administration services for the 2014 Capital Improvement Allowance projects; and

WHEREAS, the 2013 Lease Agreement requires the Buffalo Bills , ESD and Erie County to contribute funds toward the Capital Improvement Allowance for the annual Capital Improvement Allowance projects; and

WHEREAS, the Buffalo Bills and ESD have funded their portion of the 2014 annual Capital Improvement Allowance projects and is currently available; and

WHEREAS, both the Buffalo Bills and ESD have requested that the County proceed with design and construction of their portion of the 2014 – Annual Capital Improvements Allowance projects in order for the work to be completed prior to the start of the 2014 football season; and

WHEREAS, the Buffalo Bills are upgrading a majority of the Stadium Facilities Fire Alarm System as part of the $130 million Lease project improvements; and

WHEREAS, the Buffalo Bills have included the balance of the Stadium Facilities Fire Alarm Upgrades as part of their majority work in order to have one homogenous fire alarm system and under one (1) warranty and contractor, they are requesting reimbursement from the County for the fire alarm system upgrades portion outside of the $130 million Lease project improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to increase the Ralph Wilson Stadium - 2013 - Annual Capital Improvements project construction contingency by $75,000.00, from $125,000.00 to $200,000.00; and be it further

RESOLVED, that the County Executive be authorized to enter into a contract amendment with the A/E firm of DiDonato Associates for providing professional A/E services for the design and construction for the County’s remaining annual capital maintenance and repair projects from the 1998

Lease Agreement, for an amount not to exceed $145,000.00, including design contingency; and be it further

RESOLVED, that the County Executive is authorized to enter into a contract amendment with the A/E firm of DiDonato Associated for providing professional A/E services for the design and construction of the Annual Capital Allowance Improvement Projects as required by the 2013 Lease Agreement for the Buffalo Bills and ESD's portion of the projects not to exceed $250,000.00, including a design contingency; and be it further

RESOLVED, that the County Executive is authorized to reimburse the Buffalo Bills for the County's portion of the stadium facilities fire alarm system upgrades that is not part of the $130 million Lease Project Improvements from the SAP project account A.13001-2013-Rehabilitiation of Ralph Wilson Stadium, for an amount not to exceed $1,270,000.00; and be it further

RESOLVED, that the County Executive is authorized to establish a new capital project in the Department of Public Works in Business Area, 122, Fund 410 for the Buffalo Bills and ESD's portion of the 2014 Capital Improvements Allowance Projects for an amount not to exceed $2,966,000 (ESD - $2,166,000 and Buffalo Bills - $800,000); and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for all the above from SAP Project Accounts as follows:

A.13001- 2013 – Rehabilitation of Ralph Wilson Stadium	$1,490,000.00
A.14xxx – 2014 – (Project Account to be established after Approval of this Resolution)	$ 250,000.00
Total Payments Not to Exceed	$1,740,000.00

; and be it further

RESOLVED, that two 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 and Management, and the Office of the Comptroller.
(6-0)

5. COMM. 3E-8 (2014)
COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a contract with DV Brown & Associates for providing Mechanical and Electrical Energy Improvements to the mechanical equipment located on the fifth floor of the Rath Building; and

WHEREAS, replacing the old worn out vibration isolators on the existing chiller and for providing motorized control valves on both the new and old Rath Building chillers will improve and reduce energy costs; and

WHEREAS, the Construction Contingency must be increased in order to fund the installation of the second floor HVAC units serving the Rath Building Lobby via a change order to DV Brown & Associates' contract; and

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering services agreement with the firm of Buffalo Engineering, PC, for providing professional design and construction document services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Buffalo Engineering, PC for providing design and construction document services for the Rath Building Lobby HVAC equipment replacement.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to increase the current construction contingency fund by $100,000.00 from $283,000.00 to $383,000.00; and be it further

RESOLVED, that the deduct change orders will result in these funds returned to the Contingent Fund; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Buffalo Engineering, PC for providing professional design and construction services for the Rath Building Lobby HVAC equipment replacement for an amount not to exceed $15,000.00, including reimbursables; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for the above from SAP Project Account A.13006-2013-Countywide Mechanical, Electrical and Plumbing Improvements for an amount to exceed $115,000.00; 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.
(6-0)

EDWARD A. RATH, III
CHAIR