

June 4, 2015

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 11E-11 (2015)
RATH: “Letter to Town of Amherst Supervisor Regarding Maple Road Cross Walk Project with NYS DOT”
(6-0)
 - b. COMM. 11M-3 (2015)
NYS ASSEMBLYMAN MICHAEL P. KEARNS: “Letter Regarding Small Boat Harbor's Public Access and Proposed Parking Fee”
(6-0)

2. COMM. 11E-6 (2015)
COUNTY EXECUTIVE
WHEREAS, Erie County is the home to many farms, and food and beverage processing operations, and desires to promote the agriculture industry and associated processing industries in the County; and

WHEREAS, it is the goal of this study to understand industry trends and opportunities in order to take advantage of strategic opportunities; and

WHEREAS, the County of Erie and its partners including the Erie County Industrial Development Agency, the Buffalo Niagara Enterprise, the Buffalo Niagara Partnership, New York Empire State Development, and the Cornell Cooperative Extension have worked together in the effort to develop goals and to assist in obtaining the consulting help needed to make decisions on where to locate and agriculture industrial park or parks and how to best promote Erie County as a prime location for agriculture projects; and

WHEREAS, Erie County has solicited proposals from qualified planning and site selection firms for proposals to locate a new agriculture industrial park site or sites; and

WHEREAS, Erie County has conducted a review and selection process of the proposals that have been received for the Erie County Agribusiness Park Feasibility Study.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie and the County Executive, is authorized to enter into agreements with Clark Patterson Lee (CPL) or other entities as appropriate, in amounts not to exceed \$137,500, to obtain services for Erie County to prepare planning and design documents associated with location, purchase and/or construction of an Agriculture Industrial Park, and the development and promotion of the County as a preferred site for agricultural projects; and be it further

RESOLVED, that a total amount of \$125,000 be allocated from SAP Project No. A.14012, Agriculture and Rural Area Project Planning Project; and be it further

RESOLVED, that the County Executive be authorized to establish a project contingency and execute change orders in amounts not to exceed \$12,500 also allocated to SAP Project No. A.14012; and be it further

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

3. COMM. 11E-8 (2015)
COUNTY EXECUTIVE
WHEREAS, the condition and composition of the storm drainage system along Lakeshore Road between its intersections with Ahlers Road and Big Sister Creek) in the Town of Evans is largely unknown; and

WHEREAS, the functionality of the existing system has been a subject of discussion for several years; and

WHEREAS, it is desired to investigate the condition and composition of the existing storm drainage system in the subject area, determine the deficiencies of the existing system and design a replacement system that addresses as many of the existing deficiencies as possible within legal and financial constraints (the “Project”); and

WHEREAS, such investigation is currently estimated not to exceed \$50,000.00 which is available from Project B.14024.19, Lakeshore Drainage, Fund Center 123, Fund 420; and

WHEREAS, it has been determined that Foit Albert Associates (FAA) has the necessary qualifications to provide engineering services for this project, and is an approved 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 required funds in an amount not to exceed \$50,000.00 from 2014 Project B.14024.19, Lakeshore Drainage, Fund Center 123, Fund 420, be made available for the costs of the Project; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute a contract for the subject project and any necessary change orders with FAA in a total amount not to exceed \$50,000.00; and be it further

RESOLVED, that ten (10) 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.
(6-0)

4. **COMM. 11E-9 (2015)**
COUNTY EXECUTIVE

WHEREAS, the Commissioner of Public Works desires to engage the services of an Architectural/Engineering Consultant to design an addition to the HVAC Building located at the Harlem Road Erie County Highway Facility; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Advanced Architecture & Planning and for providing professional design services on Erie County Projects; and

WHEREAS, the County Executive requests authorization to enter into an Agreement Amendment with the firm of Advanced Architecture and Planning for providing additional professional Architectural/Engineering services for the Erie County Highway Facility Harlem Road -2015- Fleet Building Addition project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement Amendment with Advanced Architecture and Planning for providing Architectural/ Engineering Services, for an amount not to exceed \$30,000.00, including design contingency; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Account: A.14003- 2014 Countywide Code and Environmental Compliance; for a total amount not to exceed \$30,000.00; 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)

5. **COMM. 11E-10 (2015)**
COUNTY EXECUTIVE

WHEREAS, the Tonawanda Rails to Trails Extension Project PIN 5761.02 (the "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 NYSDOT with any additional costs borne 100% by the County of Erie; 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) and Right of Way Incidentals phases of the Project; and

WHEREAS, the total Project is currently estimated at \$206,400.00 and the County is required to pay the estimated local share for the Project in the amount of \$78,400.00 which is available from Project B.14024.17, Fund Center 123, Fund 420, 2014 Capital Road Overlay Program; and

WHEREAS, this new project will require a new capital project established in the amount of \$128,000.00 in Fund Center 123, Fund 420 for the anticipated federal revenue; and

WHEREAS, it has been determined that C&S Companies, Inc. has the necessary qualifications to provide engineering services for this project, and is an approved engineering firm via Comm. 13E-26 of July 18, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Tonawanda Rails to Trails Extension 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) and Right-of-Way Incidentals phase of the Project or portions thereof in the amount of \$206,400.00; and be it further

RESOLVED, that the Erie County Division of Budget and Management and the Office of Comptroller are authorized to establish a new capital project in the amount of \$128,000.00 in Fund Center 123, Fund 420, for the anticipated federal revenue G/L Account 414000 and make it available to cover the cost of participation in the above Project; and be it further

RESOLVED, that the local share required in the amount of \$78,400.00 from Project B.14024.17, Fund Center 123, Fund 420, 2014 Capital Road Overlay Program be made available for the costs of the Tonawanda Rails to Trails Extension Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phase exceeds \$206,400.00 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount; 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, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation 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 County's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute an agreement with C&S Companies for engineering services for the Project's Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phase in an amount not to exceed \$206,400.00; 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 ten (10) 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.
(6-0)

6. COMM. 11E-25 (2015)
COUNTY EXECUTIVE

WHEREAS, Mill Street (C.R. 82) in the Town of Concord has experienced road & embankment failures for some time; and

WHEREAS, it is desired to investigate the geotechnical conditions and mechanisms at work driving such failures in order to develop and assess possible remedies (the "Project"); and

WHEREAS, such investigation is currently estimated not to exceed \$125,000.00 which is available from Project B.13012.1, Fund Center 123, Fund 420, 2013 Preservation of Roads; and

WHEREAS, it has been determined that McMahon & Mann Consulting Engineers (MMCE) has the necessary qualifications to provide engineering services for this project, and is an approved 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 required funds in an amount not to exceed \$125,000.00 from Project B.13012.1 Fund Center 123, Fund 420, 2013 Preservation of Roads be made available for the costs of the above Project; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute a contract for the subject geotechnical investigations and assessments and any necessary change orders with MMCE in a total amount not to exceed \$125,000.00; and be it further

RESOLVED, that ten (10) 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.
(6-0)

EDWARD A. RATH, III
CHAIR