

November 20, 2012

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 13

ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 19M-2 (2012)
NFTA: "Copy of 17A Report & the Capital Expenditure Report for the Second Quarter of Fiscal Year Ending 3/31/2013"
(6-0)
 - b. COMM. 19M-5 (2012)
NFTA: "Minutes from Meeting Held 9/28/2012"
(6-0)
 - c. COMM. 19M-8 (2012)
CENTER FOR EMPLOYMENT OPPORTUNITIES: "Copy of Letter to NFTA Executive Director Concerning Transportation"
(6-0)
2. COMM. 19E-4 (2012)
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 1, 2012 for a March 1, 2013 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on an annual basis for a number of years and wants to continue to provide the QEZE refund/credit provisions that superseded those expired exemptions; and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, 2013, and ending on February 28, 2014, 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, 2013 and shall apply to sales made, services rendered and uses occurring during the period of March 1, 2013, through February 28, 2014, in accordance with the applicable transitional provisions in sections 1106 and 1217 of the New York Tax Law; and be it further

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 the Division of Budget and Management; the County Comptroller; the Commissioner of Environment and Planning; and the County Attorney.
(6-0)

3. COMM. 19E-12 (2012)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Highways, and the New York State Department of Transportation (NYSDOT) perform annual and biannual inspections of County-owned bridges; and

WHEREAS, as a result of these inspections, Erie County was cited with yellow and red flags which restrict access to the traveling public and requires the County to respond to NYSDOT with a plan of action as soon as practicable; and

WHEREAS, your honorable body has previously authorized the County Executive to enter into a Term Agreement for providing professional engineering services via Comm. 14E-19 adopted July 17, 2008; and

WHEREAS, the Department of Public Works, Division of Highways, determined that Clough, Harbour & Associates has the appropriate experience in design, construction management, technical services and construction inspection of bridges; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to urgently respond to these cited County bridge deficiencies with bridge repairs and construction, Legislature approval is required to enter into a contract with Clough, Harbour & Associates to perform this work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract with Clough, Harbour & Associates for an amount not to exceed \$130,175.00 with funding totaling \$128,079.96 from the Emergency Bridge Design Program, SAP account B.00191.1, and funding totaling \$2,095.04 coming from Preservation of Bridges and Culverts Design, SAP account B.11027.2; and be it further

RESOLVED, that five (5) 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, the Office of the Comptroller and the Division of Purchase.
(6-0)

THOMAS A. LOUGHRAN
CHAIR