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## COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

December 18, 2012

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: Black Rock Canal Park – New York State Power Authority Funding  
(Greenway) and Contractor Bid Deposits**

Dear Honorable Members:

Enclosed please find a suggested resolution and accompanying memorandum authorizing acceptance of \$440,000 in grant funds from the New York State Power Authority through the Niagara Relicensing Settlement Agreement and \$1,100 in contractor bid deposits. The monies will be used to further improvements at the County's Black Rock Canal Park in the City of Buffalo.

Should your honorable body require further information, I encourage you to contact Thomas J. Dearing in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", is written over a faint, larger blue outline of the signature.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/cw  
Enclosure

cc: Maria R. Whyte  
Thomas J. Dearing

## **MEMORANDUM**

To: Honorable Members of the Erie County Legislature  
From: Department of Environment and Planning  
Re: Black Rock Canal Park – New York State Power Authority Funding (Greenway)  
and Contractor Bid Deposits  
Date: December 17, 2012

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### **SUMMARY**

The resolution authorizes the County Executive to receive \$440,000 in New York State Power Authority (Greenway) monies for improvements to the County's Black Rock Canal Park in the City of Buffalo. The park is located along the Niagara River at the intersection of Niagara and Ontario Streets. It also authorizes the County Executive to receive \$1,100 in contractor bid deposits. These funds will be budgeted into appropriate County accounts for additional work at Black Rock Canal Park.

### **FISCAL IMPACT**

County matching funds are not required to receive the New York State Power Authority monies.

### **REASONS FOR RECOMMENDATION**

In order to properly account for the New York State Power Authority funds and bid deposit monies, adjustments are necessary to SAP Project # A.21016 within the Erie County Budget.

### **BACKGROUND INFORMATION**

The grant funds allow for the continuation of Black Rock Canal Park improvements as proposed by the Erie County Department of Environment and Planning in conjunction with the Black Rock Canal Park Advisory Committee. The work primarily focuses on improved entry/egress, road enhancement, landscaping work, and waterfront access improvements.

### **CONSEQUENCES OF NEGATIVE ACTION**

Erie County would forego an opportunity to utilize \$441,100 for needed park improvements.

### **STEPS FOLLOWING APPROVAL**

A revenue and appropriations increase in the amount of \$441,100 will be made to the Erie County Department of Environment and Planning SAP Project # A.21016 within the Erie County Budget. It will be noted as "State Aid-Other", "Other Local Source Revenue" and "Professional Services-Contractual Fees".

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING**

**RE: Black Rock Canal Park – New York  
State Power Authority Funding  
(Greenway) and Contractor Bid  
Deposits**

**WHEREAS, a Project for Black Rock Canal Park improvements was awarded \$900,000 in New York State Power Authority (Greenway) monies of which \$440,000 has yet to be properly accounted for within the appropriate County budget accounts; and**

**WHEREAS, an additional \$1,100 in local source revenue is available from unclaimed bid deposit funds received from contractors during the bidding of Phase I Black Rock Canal Park Improvements.**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Erie County Executive is hereby authorized to accept \$440,000 in New York State Power Authority funding (Greenway) for improvements to the Black Rock Canal Park; and be it further**

**RESOLVED, that the Erie County Executive is authorized to accept \$1,100 in contractor bid deposits for improvements to Black Rock Canal Park; and be it further**

**RESOLVED, that authorization is hereby provided to complete the following budget adjustment to SAP Project #A.21016 within the Erie County Budget**

**- Increase Revenue and Appropriations totaling \$441,100 as follows:**

**Revenue**

Commitment Item #409010 (State Aid-Other)	(\$440,000)
Commitment Item #420499 (Other Local Source Revenue)	(\$1,100)

**Appropriations**

Commitment Item #516020 (Professional Services-Contractual Fees)	\$441,100
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**and be it further**

**RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with Federal, State, and New York State Power Authority funding requirements; and be it further**

**RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10<sup>th</sup> Floor.**