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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

July 6, 2020

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Donation of Three County Highway Vehicles to the Town of West Seneca Highway Department**  
**IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Public Works requesting authorization to transfer three (3) County Highway vehicles to the Town of West Seneca Highway Department.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner John Dennee at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jd  
Enclosure

cc: John Dennee Deputy Commissioner Department of Public Works - Highways

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works – Division of Highways  
**Re:** Donation of Three County Highway vehicles to the Town of West Seneca Highway Department  
**Date:** July 6, 2020

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### **SUMMARY**

The Department of Public Works – Division of Highways (DPW) is seeking authorization to donate three (3) highway vehicles to the Town of West Seneca Highway Department. The vehicles were no longer used by the department due to the new vehicles that were recently obtained through the leasing program that the County participates in through Enterprise.

### **FISCAL IMPLICATIONS**

The only fiscal implications, from the donation of these vehicles, would be the loss of some surplus revenue that the County of Erie would have received from auctioning the vehicles.

### **REASONS FOR RECOMMENDATION**

DPW has obtained new vehicles via the lease program through Enterprise. The old surplus vehicles were going to be auctioned off as the County no longer needed them. The Town of West Seneca Highway Department reached out to DPW to inquire about these vehicles. They are in desperate need of replacing some of their fleet, but are unable to purchase anything new because their budget has been severely compromised by the Covid pandemic. They expressed interest in 3 surplus highway vehicles. The Town of West Seneca would acquire these vehicles as-is and accept all repairs and maintenance responsibility to make them roadworthy.

### **BACKGROUND INFORMATION**

These 3 vehicles were used by the Erie County Highway Department for everyday use in their operations. When the new leased vehicles were obtained these vehicles were no longer needed and were being sent to auction. The vehicles need various repairs to be operable and the Town is willing to take on these said repairs.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without this Legislation, the County will not be able to carry out the regionalism that is stressed through Erie County and the West Seneca Highway Department will still be in desperate need of vehicles to operate their department efficiently.

### **STEPS FOLLOWING APPROVAL**

The Department of Public Works will complete the proper paperwork to complete the transfer.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Donation of Three County Highway Vehicles to the Town of West Seneca Highway Department

WHEREAS, the Department of Public Works – Division of Highways (DPW) has three (3) highway vehicles that were no longer needed, and were going to be auctioned, due to the new vehicles that were recently obtained through the leasing program that the County participates in through Enterprise; and

WHEREAS, the Town of West Seneca Highway Department reached out to DPW to inquire about these vehicles because they were in desperate need of replacing some of their fleet, but were unable to purchase anything new due to their budget issues magnified by the Covid-19 pandemic; and

WHEREAS, the Town of West Seneca will take the vehicles “as-is” and accept all repair and maintenance responsibilities necessary to make them road worthy; and

WHEREAS, authorization by the Erie County Legislature is necessary to effectuate the donation of Erie County vehicles to the Town of West Seneca in an act of regionalism that is stressed throughout the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the donation of the following 3 vehicles to the Town of West Seneca Highway Department, at no cost:

Vehicle	VIN #
2004 GMC C4500	1GBE4V1174F510075
2011 Ford F450 Dump	1FD0W4HYXBEC12633
2017 F550 Dump	1FD0W5HT8HEB85967

; and be it further

RESOLVED, that once the transfer of the vehicles takes place, the Town of West Seneca will take over all maintenance and care for the vehicles as the new owner, and the County will bear no legal liability or other obligations associated with the vehicles; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) certified copy of this resolution to the Department of Public Works, Division of Highways, and also 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.