

June 16, 2022

ECONOMIC DEVELOPMENT COMMITTEE  
REPORT NO. 11

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MEYERS.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO. 4-1 (2022)  
**LORIGO, GREENE, TODARO & MILLS:** “Opposition to New Overtime Rules Being Imposed on Farmers”  
(Chair’s Ruling)
  - b. COMM. 7M-5 (2022)  
**NYSAC:** “Resolution Supporting Maintaining the 60-Hour Work Week for Farm Workers”  
(Chair’s Ruling)
  - c. COMM. 11E-2 (2022)  
**COUNTY EXECUTIVE:** “Letter to County Clerk Regarding the ZOMBIE Initiative Tax Delinquency Report”  
(Chair’s Ruling)
  - d. COMM. 11M-1 (2022)  
**TOWN OF MARILLA:** “Letter Regarding the Status and Condition of County Roads in Marilla”  
(Chair’s Ruling)
2. COMM. 11E-9 (2022)  
**COUNTY EXECUTIVE**  
WHEREAS, via COMM 21E-12 (December 16, 2021) your Honorable Body approved an amendment to the existing engineering services agreement with Bergmann Associates for the Rehabilitation of Borden Road; and  
  
WHEREAS, \$19,550 of the contract amendment was going to be funded from Fund 420, Funds Center 123, Capital Project B.20005 – 2020 Preservation of Roads; and  
  
WHEREAS, it is necessary to change that funding source to Fund 420, Funds Center 123, Capital Project B.17003 – 2017 Preservation of Roads.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the noted change in funding sources for the amendment to Bergmann Associates engineering services contract; and be it further resolved

RESOLVED, that funding for the amendment to Bergmann Associates engineering services contract is hereby appropriated from Fund 420, Funds Center 123, and made available for the project as follows:

B.17003 -	2017 Preservation of Roads	\$19,550
	Total	\$19,550

and be it further

RESOLVED, that three (3) 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.  
(5-0)

3. COMM. 11E-10 (2022)  
**COUNTY EXECUTIVE**  
WHEREAS, the County of Erie received bids for the SUNY Erie Community College Campus-wide 2021 Sidewalk and Concrete Curb Replacement project on Tuesday November 30, 2021 and the responsible bidder for General Construction Work is Scott Lawn Yard Inc. per previously approved resolution (COMM. 25E-11 (2021)); and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, there is a need to increase the construction contingency fund to allow for the additional non-compliant ADA ramp and sidewalk replacement scope at North Campus, and other unforeseen site conditions; and this work will contribute to compliance with the NYSED Voluntary Compliance Plan and eliminate hazardous pedestrian conditions that may potentially cause injury respectively; and

WHEREAS, it is not anticipated that any of the additional construction contingency fund requested herein will be used at the South Campus; and

WHEREAS, the County Executive is requesting authorization to increase the Construction Contingency Fund for the SUNY Erie Community College Campus-wide 2021 Sidewalk and Concrete Curb Replacement project by \$172,219 from \$177,781 to \$350,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to increase the Construction Contingency Fund for the SUNY Erie Community College Campus-wide 2021 Sidewalk and Concrete Curb Replacement project by \$172,219 from \$177,781 to \$350,000 and to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the approved capital budgets, Fund 480, Funds Center 122, follows:

E.20001 2020 Collegewide Improvements and Renovations	\$ 172,219
For a Total Amount Not to Exceed	\$ 172,219

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, and one copy to SUNY Erie and Financial Officer.  
(5-0)

4. **COMM. 11E-11 (2022)**  
**COUNTY EXECUTIVE**

WHEREAS, Sutton Place Housing Project consists of the rehab and renovation of an affordable housing property under US Department of Housing and Urban Development Section 8 contract into two hundred and fifty-six (256) affordable rental units located at 113 Traverse Boulevard; Amherst, NY; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Sutton Place LLP and/or Sutton Place Housing Development Fund Company Inc. to operate the housing project it is necessary to extend tax relief from the County of Erie and the Town of Amherst.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Sutton Place LLP and/or Sutton Place Housing Development Fund Company Inc., and the Town of Amherst, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

Schedule A  
PILOT Payments

Year	Total	Town	School	County
1	\$ 197,966	\$ 89,085	\$ 59,390	\$ 49,492
2	\$ 203,905	\$ 91,757	\$ 61,171	\$ 50,976
3	\$ 210,022	\$ 94,510	\$ 63,007	\$ 52,506
4	\$ 216,323	\$ 97,345	\$ 64,897	\$ 54,081
5	\$ 222,812	\$ 100,266	\$ 66,844	\$ 55,703
6	\$ 229,497	\$ 103,274	\$ 68,849	\$ 57,374
7	\$ 236,382	\$ 106,372	\$ 70,915	\$ 59,095
8	\$ 243,473	\$ 109,563	\$ 73,042	\$ 60,868
9	\$ 250,777	\$ 112,850	\$ 75,233	\$ 62,694
10	\$ 258,301	\$ 116,235	\$ 77,490	\$ 64,575
11	\$ 266,050	\$ 119,722	\$ 79,815	\$ 66,512
12	\$ 274,031	\$ 123,314	\$ 82,209	\$ 68,508
13	\$ 282,252	\$ 127,013	\$ 84,676	\$ 70,563
14	\$ 290,720	\$ 130,824	\$ 87,216	\$ 72,680
15	\$ 299,441	\$ 134,749	\$ 89,832	\$ 74,860
Total	\$ 3,681,953	\$ 1,656,879	\$ 1,104,586	\$ 920,488

(5-0)

5. COMM. 11E-13 (2022)  
**COUNTY EXECUTIVE**

WHEREAS, the County of Erie is interested in the fostering of business growth and job creation within Erie County; and

WHEREAS, Erie County desires to encourage the sound reuse of urban brownfields for productive use, be it industrial, commercial, or recreational; and

WHEREAS, County of Erie, City of Lackawanna, Erie County Industrial Development Agency, continue to work cooperatively toward achieving the redevelopment of the former Bethlehem Steel site into Renaissance Commerce Park; and

WHEREAS, the development of signage and wayfinding is necessary for the commercial development of the site; and

WHEREAS, the Erie County Legislature in the 2021 Year-End Budget Balancing Amendments and Designations (Comm.8E-1) (2022) allocated funding in the amount of \$150,000 towards the development of signage at Renaissance Commerce Park.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the Erie County Industrial Development Agency or Buffalo and Erie County Industrial Land Development Corporation as needed to facilitate the development of signage and wayfinding at Renaissance Commerce Park; and be it further

RESOLVED, that the source of the funds for the aforementioned contract in the amount \$150,000 shall be Fund 110, Cost Center 1620070, General Ledger 570050, Funds Reservation 100001127; and be it furthe

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; Commissioner of Real Property, Commissioner of Parks, Recreation and Forestry and the County Attorney.  
 (5-0)

6. COMM. 11E-19 (2022)  
**COUNTY EXECUTIVE**

WHEREAS, the 2022 Adopted County Budget contains thirty-four capital projects designated for financing via the issuance of bonds; and

WHEREAS, one of these projects, DPW (Buildings and Grounds) – Rehabilitation of New Era Field – 10th Year CIA, is intended for a facility which will be demolished prior to the 25-year maturity date of the bonds set to be issued to finance it; and

WHEREAS, county-share funding budgeted for this project which was to be bonded totaled \$2,203,854; and

WHEREAS, switching this project to pay-as-you-go (“PAYGO”) funding and eliminating the need to bond for this project will save Erie County interest and debt issuance costs; and

WHEREAS, Erie County recently received \$16,050,531 in unbudgeted revenue from prior-year casino aid owed to the State of New York and select municipalities providing adequate funding for the conversion of this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby the following budget modifications;

Department	Account	Increase/ (Decrease)
General Fund 110 - Expense Adjustments		
12220	DPW Building & Grounds	
	570050 Interfund Transfers Capital	2,203,854
	<u>DPW Building &amp; Grounds Total</u>	<u>2,203,854</u>
<u>Total General Fund 110 Expense Adjustments</u>		<u>2,203,854</u>

General Fund 110 - Revenue Adjustments

14010	County-wide Acct Budget	
	402250 Gaming Facilities Aid	2,203,854
	<u>County-wide Acct Budget Total</u>	<u>2,203,854</u>
	<u>Total General Fund 110 Revenue Adjustments</u>	<u>2,203,854</u>
	<u>Net General Fund 110 Adjustments</u>	<u>0</u>

and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) 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 Division of Budget and Management, the County Attorney, and the Office of the Comptroller.

(5-0)

**HOWARD J. JOHNSON, JR.**  
**CHAIR**