



EC LEG MAY 10 '22 AM 9:13

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 10, 2022

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

RE: RENEW Plan Contracts Authorizations – Phase 3

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning authorizing contracts necessary to implement Phase 3 of the RENEW Plan.

Should your Honorable Body require further information, I encourage you to contact Department of Environment and Planning Commissioner, Daniel Castle or my office directly.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle A.I.C.P., Commissioner, Department of Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: RENEW Plan Contracts Authorization – Phase 3
Date: May 10, 2022

SUMMARY

Erie County authorized the RENEW Plan in resolution Comm. 13E-15, on July 8, 2021. The Projects contained in Phase 3 have been modified from the July 8, 2021 resolution. Three of the Projects are new projects allocated from previous projects which were canceled in Comm. 5E - 10, Phase 2 resolution dated March 17, 2022 and proposed to be canceled in this resolution. Hawk Creek was included in the Comm 13E-15 dated July 8, 2021.

This resolution implements Phase 3 of the spending plan, authorizing the execution of contracts to implement the projects with non-profits.

FISCAL IMPLICATIONS

The expenditures associated with this resolution total: \$660,000.00. There is no anticipated funding impact on the County. The funding for the projects outlined has already been appropriated in COMM. 13E-15 utilizing funding from the American Rescue Plan State and Local Relief Fund, and through the elimination of state-aid cuts leading to a mid-year interfund surplus.

REASONS FOR RECOMMENDATION

The following proposed projects as described are included in Phase 3:

Frank L. Gierlach Post 1320 Renovation - The Frank L. Gierlach Post 1320 needs major renovations to include the replacement of the existing flooring systems, replacement of the existing exterior doors on the front and east side of the building, the replacement of existing interior lighting system to energy efficient LED lights and upgrade of ceiling tiles, the installation of a new fire alarm system, and an upgrade to the electric service.

Greater Buffalo Italian Heritage Festival - This grant will fund the costs of returning the Greater Buffalo Italian Heritage Festival to Hertel Avenue. The festival will incur major festival infrastructure expenses in order to bring the event back to a more community-inclusive, accessible location that will be free to the public. The expenses include costs of tables, tents, electrical system, and other necessary utilities infrastructure necessary.

Cheektowaga Police Training Facility - The requested funding will be used to construct an indoor training facility for the Cheektowaga Police Department. The plan is to erect a steel structure on a concrete pad on a portion of the land already owned by the Town of Cheektowaga. The building will consist of a classroom area, bathrooms and an open area that could accommodate various other types of training while being protected from the weather.

Hawk Creek Wildlife Center Improvements - The Hawk Creek Wildlife Center in the Town of Aurora is undertaking a series of capital improvements that are required in order to gain Zoological Association of America (ZAA) accreditation. The improvements will include installation of a walk-in freezer to store animal food, a new garage for maintenance equipment, installation of fine gravel in parking areas and trails, and miscellaneous HVAC, electrical, and site improvements.

CONSEQUENCES OF NEGATIVE ACTION

Any ARP funding not encumbered by December 31st, 2024 must be returned to the U.S. Treasury. Many of the projects in this plan will take years to implement, and timing is critical not only to ensure ARP funding stays in Erie County, but that the economic impact is realized as quickly as possible.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution the Department of Environment and Planning will commence the contracting process.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to ~~an~~ *a capital project(s)* authorized ~~capital project~~ for which there are sufficient appropriations located in the following accounts for the action proposed:

SAP PROJ NO.	PROJECT	Funding
A.21xxx	Frank L. Gierlach Post 1320 Renovation	\$40,000
A.21xxx	Greater Buffalo Italian Heritage Festival	\$20,000
A.21xxx	Cheektowaga Police Department Training Facility	\$500,000
A.21xxx	Hawk Creek Wildlife Center Improvements	\$100,000

Timothy C. Callan
Comptroller's Office *TIMOTHY C. CALLAN*

5/9/22
Date

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

<u>REQUESTING DEPARTMENT</u>	<u>COMPLETE ITEMS 1 THROUGH 5</u>
1. CONTRACTOR'S NAME	RENEW Plan Contract Authorization – Phase 3
2. AMOUNT OF CONTRACTS	\$660,000
3. SAP PROJECT NUMBER	4. PROJECT TITLE
A.211XX	Frank L. Gierlach Post 1320
A.211XX	Greater Buffalo Italian Heritage Festival Inc.
A.211XX	Town of Cheektowaga Police Department
A.211XX	Hawk Creek Wildlife Center, Inc.
5. DEPARTMENT CONTACT	Funding questions: Robert Keating Letter pickup: Nancy Brown
<u>COMPTROLLER'S OFFICE</u>	<u>COMPLETE ITEMS 6 AND 7</u>
6. AVAILABILITY OF FUNDS	\$ 3,208,000.00
7. PERFORMED BY	<i>John Sobocki</i>
Date Sent to Comptroller's Office:	<i>5/9/22</i>

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A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: RENEW Plan Contract Authorization – Phase 3

WHEREAS, the American Rescue Plan was signed into law on March 11th 2021; and

WHEREAS, the American Rescue plan included State and Local Relief funding to be used to offset lost revenue, provide premium pay to essential workers, respond to COVID-19 and its economic effects, and invest in sewer, water and broadband infrastructure; and

WHEREAS, Erie County has received \$89,213,547 in State and Local Relief funding and will receive a second tranche of State and Local Relief Funding in May of 2022; and

WHEREAS, by receiving State and Local Relief Funding the State of New York has eliminated local aid withholding, benefiting Erie County and creating a significant positive budget variance; and

WHEREAS, facing a major possible deficit in 2020, Erie County took significant action through a deficit remediation plan which eliminated positions, cut other costs, and appropriated fund balance and Fiscal Year 2019 surplus funding; and

WHEREAS, Erie County made additional budget cuts in the Adopted 2021 Budget in face of uncertainty regarding Federal assistance and the future of the coronavirus pandemic and its associated economic impacts; and

WHEREAS, American Rescue Plan Funding is eligible to be encumbered through December 31st 2024 and spent through December 31st 2026 allowing for long-term infrastructure projects to be designed and built; and

WHEREAS, Erie County has also prepared numerous “shovel-ready” projects to begin stimulating the economy quickly; and

WHEREAS, funding for this resolution is available through the first tranche of the American Rescue Plan and the elimination of state-aid cuts related to the passage of the American Rescue Plan; and

WHEREAS funding for the projects in this resolution was allocated via Comm. 13E-15 on July 8th 2021; and

WHEREAS, authorization to contract with various non-profits is needed to implement additional projects funded via Comm. 13E-15

NOW, THEREFORE, BE IT

RESOLVED, that the “City of Buffalo/ Town of Tonawanda Elmwood Avenue Improvements Project” with funding located in B.21165 as proposed and authorized in Comm. 13E- 15 (2021) shall be deleted and a portion of the funding allocated to the Project shall be reallocated to the “Greater Buffalo Italian Heritage Festival Inc.” project; and be it further

RESOLVED, that the County Executive / Deputy County Executive be authorized to execute contracts with the following entities in the amounts indicated, from the capital accounts noted:

Project	Contract Authorized With:	Contract Amount Not to Exceed:	From the following capital account:
Gierlach Post Renovation	Frank L. Gierlach Post 1320	\$40,000	A.21xxx
Greater Buffalo Italian Heritage Festival Inc.	Greater Buffalo Italian Heritage Festival Inc.	\$20,000	A.21xxx
Cheektowaga Police Training Facility	Town of Cheektowaga Police Department	\$500,000	A.21xxx
Hawk Creek Wildlife Center Improvements	Hawk Creek Wildlife Center, Inc.	\$100,000	A.21xxx

and be it further

RESOLVED, that the Erie County Legislature authorizes the Director of Budget and Management to make any necessary budgetary adjustments as needed to administer these projects; and be it further

RESOLVED, the Erie County Legislature authorizes the Department of Law and County Executive/ Deputy County Executive to execute easements and/or place additional requirements on the aforementioned contracting entities and associated real property (project location) as necessary to implement the projects; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Erie County Comptroller; the Director of Budget and Management; and Department of Environment and Planning.