

OCTOBER 4, 2007

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 9-3 (2007)
WHYTE & KENNEDY: Green Standards for Public Buildings (5-0)
 - b. INTRO 9-7 (2007)
WHYTE & KENNEDY: Purchase of Energy Efficient Products (5-0)
 - c. COMM. 14E-19 (2007)
COUNTY EXECUTIVE: DPW - Division of Highways - Response to NYS DOT Bridge Inspections with Yellow & Red Flagged Conditions of County Bridges (5-0)
 - d. COMM. 16D-17 (2007)
PUBLIC WORKS: Notice from Town of Sardinia - Poor Conditions of County Roads (5-0)
2. COMM. 14E-20 (2007)
COUNTY EXECUTIVE
WHEREAS, your Honorable Body previously authorized the County Executive to enter into a General Architectural/Engineering Contract for providing security consulting services on County projects with TranSystems (previously SecuraComm), and

WHEREAS, the Erie County Sheriff has asked the Department of Public Works to provide additional security cameras and associated electronic equipment to meet increasing demands for security in the Holding Center, and

WHEREAS, your Honorable Body previously approved term agreements for various engineering services, including; building design, environmental consulting, asbestos abatement consulting and monitoring, construction inspection and miscellaneous other work.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works be authorized to issue an amendment to the existing agreement to TranSystems to prepare contract documents for the additional security cameras and related equipment for an amount not to exceed \$36,000.00, and be it further

RESOLVED, that since not all Term Agreements have been used, that these Term Agreements for various architectural and engineering services, including: building design, studies, environmental consulting, asbestos abatement consulting and monitoring, construction inspection and miscellaneous other work, be extended through July 14, 2008, and be it further

RESOLVED, that the Comptroller be authorized to make payment for all of the above from SAP Project A.00086 – 2003 Security Improvements for an amount not to exceed \$36,000.00, and be it further

RESOLVED, that two 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, Management & Finance and the Office of the Comptroller.
(5-0)

3. COMM. 14E-36 (2007) **AS AMENDED**
COUNTY EXECUTIVE
WHEREAS, the Sheriff's Department is using the Yankee Building in Alden to house additional inmates due to the overcrowding conditions in the Correctional Facility, and

WHEREAS, the New York State Commission of Corrections has cited the Sheriff's Department for improper security conditions in the Yankee Building, and

WHEREAS, the New York State Commission of Corrections gave the County until May 2007 to alleviate the improper security conditions, and

WHEREAS, the New York State Commission of Corrections approved the County's schedule and security window replacement design at their meeting on June 19, 2007, and

WHEREAS, the Department of Public Works immediately advertised the project for bids, with bids being received by the Commissioner of Public Works on July 12, 2007, and

WHEREAS, the last legislative meeting prior to summer recess is July 26, 2007, and

WHEREAS, the Department of Public Works is requesting approval from your Honorable Body that the County Executive be authorized to enter into contracts with the lowest responsible bidder as follows:

GENERAL CONSTRUCTION WORK

Flower City Glass

Base Bid: \$646,142.00

ELECTRICAL WORK

No bids received _____

Total award of contracts: \$646,142.00

NOW, THEREFORE, BE IT,=

RESOLVED, that the County Executive be authorized to enter into contracts with the lowest responsible bidders for an amount not to exceed \$646,142.00, and be it further,

RESOLVED, that the sum of \$3,858.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the contingency, and be it further,

RESOLVED, that deduct change orders will result in these funds being returned to the contingency funds, and be it further,

RESOLVED, that the Comptroller’s Office be authorized to make payment for all of the above from the following accounts:

A.00075 ’03 Correctional Facility Improvements	\$291,099.00
A.00042 ’02 Improvements to Various County Buildings	\$300,000.00
A.00116 Asbestos Abatement-Variou County Buildings	\$ 29,361.00
A.00051 ’02 Asbestos Abatement	<u>\$ 29,540.00</u>
Total Payments:	\$650,000.00

and be it further,

RESOLVED, that the approval of this Award is conditional upon inclusion in the contract with Flower City Glass, that is abide by the provisions of Local Law 2-2006, “The Erie County Worker Training Program., except that the Rules and Regulations Adopted by the Erie County Commissioner of Public Works regarding Local Law 2-2006, Section 2(d) and 2(f) are not applicable to this contract; and be it further

RESOLVED, that two 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, Management & Finance, and the Office of the Comptroller.
(4-1) Legislator Mills in the negative.

4. INTRO 16-3 (2007) **AS AMENDED**
REYNOLDS, MARINELLI, GRANT, LOCKLEAR, KONST, KOZUB, LOUGHRAN and MILLS

WHEREAS, the County of Erie finds that power generation from polluting, non-renewable resources, such as oil and coal, has resulted in serious human health impairment, such as heart and lung disease, and negative impacts on wildlife, plants and the natural environment, including acid rain and urban smog, and additionally, fossil fuel dependence has become a factor in conflicts over the world’s diminishing non-renewable resources; and

WHEREAS, the County of Erie realizes that energy conservation has not been used to its fullest as a strategy to reduce the serious negative impacts caused by fossil fuels used for energy conservation; and

WHEREAS, the County of Erie recognizes that the use of clean, renewable energy sources, such as solar energy, has many benefits including in-state and in-county production opportunities such as use of local solar technology manufacturers and installers, minimal environmental impacts, increased income for local, in-state and in-county producers and retailers, economic development support, and dramatic air quality improvements; and

WHEREAS, the State has amended the Tax Law, in relation to exempting the sale and installation of residential solar energy systems equipment from state sales and compensating use taxes and granting municipalities the option to elect such exemption from their sales and compensating use taxes; and

WHEREAS, this Legislature desires to encourage the purchase and installation of such residential solar energy systems equipment in order to promote the use of renewable energy sources and decreased reliance on fossil fuels in an effort to protect the environment;

WHEREAS, this Legislature wishes to explore the effectiveness and fiscal implications of the local sales and compensating use tax exemption on the sale and installation of residential solar energy systems equipment on promoting those goals.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby express its support of the increased use of solar energy, as a clean, renewable source of power; and be it further

RESOLVED, the Finance & Management Committee is hereby directed to hold a meeting with interested parties to discuss the possibility of Erie County exempting the local sales and compensating use tax on the sale and installation of residential solar energy systems equipment; and be it further

RESOLVED, the Clerk of the Legislature is hereby directed to send certified copies of this resolution to the County Executive, Budget Director, the Commissioner of Environment and Planning and other interested parties.

(5-0)

5. COMM 16E-31 (2007)
COUNTY EXECUTIVE

WHEREAS, in the 1930's or 40's, the State of New York installed a small cast iron sign on the side of the Old Eden-Evans Center Road; and

WHEREAS, the sign simply states; "Evans Center" and below, in small letters, "N.Y. State Highway" and is now owned by Erie County; and

WHEREAS, the Town of Evans Historical Society, has requested permission to relocate the sign to the grounds of their 1857 School House Museum in Evans Center at the intersection of Route 5 and North Main Street; and

WHEREAS, the sign no longer serves any purpose as a traffic control device.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works be authorized to transfer ownership of the subject sign, and be it further,

RESOLVED, that the County Attorney be directed to prepare the necessary documents to transfer ownership of the sign to the Evans Historical Society, and be it further,

RESOLVED, that two 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, Management & Finance, the County Attorney, the Office of the Comptroller; and to the Evans Historical Society.

(5-0)

6. COMM. 16E-40 (2007)

COUNTY EXECUTIVE

WHEREAS, Seneca Street Special Needs, L.P. and SSSN Housing Development Fund Company, Inc. is developing housing for very-low and low- income households (Project), pursuant to Article XI of the New York Private Housing Finance; and

WHEREAS, the project is located at 1603 Seneca Street in the City of Buffalo, New York, to contain 75 single room occupancy units for persons with a mental illness and other disabilities that need assistance with one or more daily living skills in order to live independently; and

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

WHEREAS, in order to make the Project economically feasible for Seneca Street Special Needs, L.P. and SSSN Housing Development Fund Company to operate the apartment complex it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Seneca Street Special Needs, L.P. and SSSN Housing Development Fund Company relating to the Seneca Street Special Needs SRO and all other agreements necessary to conclude this Project; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes dues as set forth on Schedule B attached hereto. Payment under the Agreement will be for fifteen (15) years with the County share of each annual payment being twenty-five (25) percent of the total amount; 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, Management, and Finance; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.
(5-0)

TIMOTHY M. KENNEDY
CHAIRMAN