

April 22, 2004

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

1. RESOLVED, that the following items are hereby received and filed.

a. Item Page -2003 (Comm. 1E-50)
SCHROEDER: Copy of Letter to Legislator Ranzenhofer Re: Federal Funding for County
Projects.

(5-0)

b. Item Page -2004 (Comm. 1D-16)
COUNTY ATTORNEY: ECIDA's Fiscal Year 2004 Budget.

(5-0)

c. Item Page -2004 (Comm. 7E-39)
COUNTY EXECUTIVE: Ralph Wilson Stadium – 2004 Miscellaneous Site Work.

(5-0)

d. Item Page -2004 (Comm. 7E-40)
COUNTY EXECUTIVE: Ralph Wilson Stadium – 2004 Miscellaneous Concrete Repairs.

(5-0)

e. Item Page -2004 (Comm. 8D-14)
DPW: Highway Department Policies Re: Open Cutting of County Highway & Paved
Shoulders – Residential Driveways.

(5-0)

f. Item Page -2004 (Intro. 8-16)
RANZENHOFER, MINORITY CAUCUS: Request to Obtain Erie County's Share of FYE
2004 CHIPS Funding.

(5-0)

2. Item Page -2004 **AS AMENDED**
(Comm. 7E-38)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids on April 7, 2004, for the Ralph
Wilson Stadium – 2004 – Renovation of Existing Suites & Miscellaneous Work, and

WHEREAS, the Department of Public Works is recommending award to the lowest
responsible bidders for the Ralph Wilson – 2004 – Renovation of Existing Suites and Miscellaneous
Work, and

WHEREAS, the County of Erie is required to provide Capital Lease Improvements to the
stadium facilities pursuant to the new Lease Agreement,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract for the Ralph Wilson Stadium -2004 -Renovation of Existing Suites and Miscellaneous Work as follows:

GENERAL CONSTRUCTION WORK

Trason Development Corp.

Base Bid	\$1,150,432.00	
Alternate Bid G-1	+ 6,800.00	
Alternate Bid G-2	+ <u>2,400.00</u>	
Total for General Construction Work		\$ 1,159,632.00

HVAC WORK

J. W. Danforth Co.

Base Bid	\$ 174,400.00	
Alternate Bid M-1	+ <u>13,000.00</u>	
Total for HVAC Work		\$ 187,400.00

ELECTRICAL WORK

Frey Electric Construction Co., Inc.

Base Bid	\$ 393,000.00	
Alternate E-1	+ 30,000.00	
Alternate E-2	+ <u>500.00</u>	
Total for Electrical Work		\$ 423,500.00

PLUMBING WORK

W.C. Roberson Plumbing & Construction Co.

Base Bid	\$ 127,900.00	
Total of all contracts:		<u>\$1,898,432.00</u>

and be it further,

RESOLVED, that the sum of 190,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

RESOLVED, that the Buffalo Bills will reimburse the 2004 bond funds in an amount not-to-exceed \$360,000 for unanticipated work required to complete the project, and be it further,

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

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

2002 RW Stadium, Project 284, Fund 410	\$ 135,000.00
2003 RW Stadium, Project 406, Fund 410	\$ 100,000.00
2004 RW Stadium Bond Funds	\$1,853,432.00, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Division of Budget Management & Finance; one copy to the Office of the Comptroller; and one copy to the Office of the County Executive.
(5-0)

3. Item Page -2004 (Comm. 8E-11)

COUNTY EXECUTIVE

WHEREAS, in 2002, six positions were created for Asbestos Abatement Workers (job group 8), and

WHEREAS, after a grievance was filed with the Union, significant negotiations were held that resulted in an agreement to downgrade these positions one job group to job group 7, and

WHEREAS, as part of the negotiations, it was agreed that three Asbestos Abatement Workers would be downgraded immediately and the other three Asbestos Abatement Workers would be downgraded June 26, 2004, and

WHEREAS, to avoid the potential for another grievance, the Department of Public Works desires to add one Receptionist position (job group 3) for staffing the front desk,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the addition of one Receptionist position (job group 3); and be it further

RESOLVED, that the Erie County Legislature authorizes the change of the six Asbestos Abatement Worker positions from job group 8 to job group 7; three (positions # 066100, 066104 and 066105) effective immediately upon passage of this resolution and the other three (positions # 066102, 066103 and 066106) effective June 26, 2004 with additional funding to be taken from the Department of Public Works Personal Services account; and be it further

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, and one copy each to the County Executive, the Commissioner of Personnel, the Director of Budget, Management and Finance and the Office of the Comptroller.
(5-0)

4. Item Page -2004 (Comm. 8E-18)

COUNTY EXECUTIVE

WHEREAS, the Dunn Tire Park Lease Agreement between the Buffalo Bisons and Erie County designates the County as being responsible for capital improvement projects in the amount of \$5 million, and

WHEREAS, the Lease Agreement designates HOK – S+V+E, the Architect of Record, to provide Architectural/Engineering and Construction Management Services to the Buffalo Bisons, and

WHEREAS, your Honorable Body approved a resolution on April 10, 2003 for the County Executive to enter into an Architectural/Engineering Agreement with HOK – S+V+E, and

WHEREAS, the Buffalo Bisons have requested that the County continue with the Capital Improvements, and WHEREAS, in order to comply, HOK – S+V+E has completed some design work for these projects and the Department of Public Works must receive bids and issue construction contracts for the work,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to HOK – S+V+E to prepare construction documents and provide Design and Construction Management Services for this year's Capital Improvement Work for a fee not to exceed \$100,000, and be it further,

RESOLVED, that the Comptroller's Office is authorized to make payments for the above from the 2003 Dunn Tire Park Tobacco Project, Project 381, Fund 441, and be it further,

RESOLVED, that two copies of this resolution be sent to the Department of Public Works, Commissioner's Office; one copy to the Division of Budget Management & Finance; one copy to the Office of the Comptroller; and one copy to the County Executive's Office.

(5-0)

5. Item Page -2004 (Comm. 8E-19)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works, Division of Highways is planning to replace the Glen Avenue Bridges 702 and 704, over Ellicott Creek in the Village of Williamsville, County of Erie, and

WHEREAS, in order to facilitate the reconstruction of the bridges, it will be necessary for the County to acquire by fee, permanent easement or temporary easement, portions of real property in the vicinity of the bridges, such property to be acquired by the County is hereinafter referred to as the "Subject Properties", and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Properties by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works, or her authorized representatives, are hereby authorized to negotiate with the owners of the following properties towards acquiring a portion of their real property, either by fee or by temporary or permanent easement, which is necessary for the replacement of the two bridges project:

<u>Parcel Number</u>	<u>Township</u>
068.20-3-40	Amherst
069.17-2-36	Amherst
069.17-2-37	Amherst
069.17-2-38.1	Amherst

and be it further

RESOLVED, that the expenses of acquiring the Subject Properties shall be derived from funds previously appropriated by the County Legislature for the Right-of-Way Incidentals and Right-of-Way Acquisition Phases for the Glen Avenue Bridges Replacement project, such appropriations having been made by Resolution Communication Number 4E-21 on March 6, 2003 and included in the 1999 Federal Aid, Various Roads and Bridges Program (SFG 420-134), and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring fee interests in the Subject Properties, and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, the Commissioner of Public Works, the Deputy Commissioner -Highways, the County Comptroller, the County Attorney, and the Director of Budget, Management and Finance.
(5-0)

6. Item Page -2004 (Comm. 8E-20)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works, Division of Highways is planning to reconstruct Lake Shore Road Bridge 111-5, Over Delaware Creek, in the Town of Evans, County of Erie, and

WHEREAS, in order to facilitate the reconstruction of the bridge, it will be necessary for the County to acquire by fee, permanent easement or temporary easement, portions of real property in the vicinity of the road, such property to be acquired by the County is hereinafter referred to as the "Subject Properties", and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Properties by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works, or her authorized representatives, are hereby authorized to negotiate with the owners of the following properties towards acquiring a portion

of their real property, either by fee or by temporary or permanent easement, which is necessary for the replacement of the bridge project:

<u>Parcel Number</u>	<u>Township</u>
234.16-4-18	Evans
234.16-4-19	Evans
234.16-2-10	Evans
234.16-2-11.1	Evans

and be it further

RESOLVED, that the expenses of acquiring the Subject Properties shall be derived from funds previously appropriated by the County Legislature for the Right-of-Way Incidentals and Right-of-Way Acquisition Phases for the Reconstruction of Lake Shore Road Bridge project, such appropriations having been made by Resolution Communication Number 16E-9 on July 13, 2000, and included in the 2000 Federal Aid/Variou Road and Bridges Program (SFG 420-153), and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring fee interests in the Subject Properties, and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, the Commissioner of Public Works, the Deputy Commissioner – Highways, the County Comptroller, the County Attorney, and the Director of Budget, Management and Finance.

(5-0)

7. Item Page -2004 (Comm. 8E-22)

COUNTY EXECUTIVE

WHEREAS, The County of Erie desires to participate in the retention and expansion of Curtis Screw Co., Inc. in Erie County; and

WHEREAS, The company desires a new manufacturing facility, and would like to remain in Buffalo, New York; and

WHEREAS, The expansion of the activity in Erie County will initially preserve 270 jobs and lead to the creation of 30 more jobs; and

WHEREAS, The offer of infrastructure cost assistance from Erie County was critical to the decision by Curtis Screw Co., Inc. to locate in Erie County,

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with the Erie County Industrial Development Agency, in amounts not to exceed \$200,000, for the purpose of providing for infrastructure assistance for costs associated with the location in the New Buffalo Industrial Park; and be it further

RESOLVED, That funds in the amount of \$200,000 are hereby transferred from the Regionalism/Economic Development Fund (DAC 1109043038301299) to a separate sub-account

under Contractual Services in Department 302, Public Benefit Agencies, as monitored by Environment and Planning; and be it further;

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget, Management, and Finance; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County Attorney.

(5-0)

8. Item Page -2004 (Comm. 8E-24)

COUNTY EXECUTIVE

WHEREAS, Erie County has undertaken a Village Center Reinvestment Program through the federally funded Community Development Block Grant; and

WHEREAS, the Program provides targeted financial and technical assistance in the area of housing, economic development, and general planning to the Villages of Angola, Gowanda, Springville, and Town of Holland; and

WHEREAS, in order to successfully carry out the Program professional planning services are required on a regular basis to said communities; and

WHEREAS, the professional planning services include grant writing, project management, housing program marketing, development of a commercial loan façade program, and other technical activities; and

WHEREAS, Stuart I. Brown Associates, Inc. has been serving as the Circuit Rider for the Village Center Program since February 2002; and

WHEREAS, the four municipalities have indicated their desire to continue utilizing Stuart I. Brown Associates, Inc. through December 2004,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute a second amendatory agreement with Stuart I. Brown Associates, Inc. for circuit rider planning services that serves to increase the authorized contract amount from \$110,000 to \$130,000; and be it further

RESOLVED, that the source of said funds shall be Project Number 290-83962083072 from the Erie County Community Development Block Grant Program; and be it further

RESOLVED, that the Clerk of the Erie County Legislature be directed to forward certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget, Management, and Finance; the County Attorney; and the Erie County Comptroller.

(5-0)

MARK J. F. SCHROEDER
CHAIRMAN