

September 12, 2002

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 13

ALL MEMBERS PRESENT EXCEPT LARSON.

1. Item Page -2002 (Comm. 16E-42)  
**COUNTY EXECUTIVE**

WHEREAS, a Project for the Replacement of the Borden Road Bridge (CR 322) over Buffalo Creek, BIN 3-32702-0, in the Town of West Seneca, Erie County, P.I.N. 5753.53 (the "Project") is eligible for funding under Title 23, U.S. Code as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of non-Federal share of the costs of the Construction and Construction Inspection Phase of the Project or portions thereof, with the Federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement, and

WHEREAS, the Project cost for Construction & Construction Inspection has been increased from \$2,103,000.00 to \$2,159,399.95 or \$56,399.95 and the required local share of 20% has been increased by \$11,300.00.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance the full non-Federal share of the cost of the Construction and Construction Inspection Phase of the project or portions thereof; and be it further

RESOLVED, that the total sum of \$11,300.00 is hereby appropriated from the 1996 Federal Aid Projects Program (SFG 727) in addition to \$420,600.00 previously appropriated for the Project's Construction & Construction Inspection Phase via Erie County Resolution No. 17E-54 adopted on the 4<sup>th</sup> day of October, 2001 which appropriated \$452,000.00 for the project's Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Construction & Construction Inspection Phases, and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the non-Federal share of the costs of the project exceed the amount appropriated, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the non-Federal share of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and one copy each to the Commissioner of Public Works and to the Erie County Comptroller.

(4-0) Legislator Larson absent.

2. Item Page -2002 (Comm. 16E-43)

**COUNTY EXECUTIVE**

WHEREAS, a project for the Replacement of the Bullis Road Bridge, BR 330-7, over Little Buffalo Creek, BIN 3-32728-0, in the Town of Marilla, Erie County, PIN 5755.67 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the above Project by making a commitment of 100% of the non-Federal share of the cost of the Construction & Construction Inspection Phase of the Project, PIN 5755.67.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the Erie County Legislature hereby approves the above subject project, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the Construction & Construction Inspection Phase of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$163,000 is hereby appropriated from the 2002 Federal Aid Road & Bridge Projects Program (SFG 319) and made available to cover the cost of participation in the above phase of the Project, and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the project 's Construction & Construction Inspection Phase exceeds the amount appropriated above \$163,000 and/or 100% of the full

Federal and non-Federal shares of the cost of the project's Construction & Construction Inspection Phase exceeds \$811,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project, and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and one certified copy each to the Commissioner of Public Works and the Erie County Comptroller.  
(4-0) Legislator Larson absent.

3. Item Page -2002 (Comm. 16E-44)  
**COUNTY EXECUTIVE**

RESOLVED, that for County purposes of construction and reconstruction of roads, the County Executive is hereby authorized and directed to acquire the following interest in the parcel of land herein described for and in consideration of the sum described herein for the Omphalius Road Project (CR 439), in the Town of Boston

PARCEL	OWNER(S)	AREA	PERMANENT EASEMENT
17	Warner G. Martin and Shirley Martin	0.03 ± acres	\$ 100.00

and be it further,

RESOLVED, that funds not to exceed an amount of \$100.00 for a permanent easement for the above noted parcel for the Omphalius Road Project be authorized from the 2002 Highway Reconstruction Program - Countywide (SFG 330), and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works and one copy each to the Commissioner of Public Works and to the County Comptroller.  
(4-0) Legislator Larson absent.

4. Item Page -2002 (Comm. 16E-45)  
**COUNTY EXECUTIVE**

WHEREAS, a Project for the Pavement Rehabilitation (Multi-Course Overlay) of CR 523, Como Park Boulevard from NY Route 277, Union Road, to NY Route 78, Transit Road, in the Town of Cheektowaga, Erie County, P.I.N. 5755.83 (the "Project") is eligible for funding under Title 23, U.S. Code as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of the non-Federal share of the costs of the Preliminary Engineering (Scoping and Design I-VI) Phase of the Project, PIN 5755.83.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject Project, and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non Federal shares of the cost of Preliminary Engineering (Scoping and Design I-VI) Phase of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$86,000 is hereby appropriated from the 2001 Federal Aid Road and Bridge Projects - Como Park Blvd (CR 523) Design 5755.83 Program (SFG 206) and made available to cover the cost of participation in the above phase of the project, and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the Preliminary Engineering (Scoping and Design I-VI) Phase exceeds \$426,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project, and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and also one copy each to the Commissioner of Public Works and to the Erie County Comptroller.

(4-0) Legislator Larson absent.

5. Item Page -2002 (Comm. 16E-46)

**COUNTY EXECUTIVE**

WHEREAS, a project for the Replacement of the Lapp Road Bridges, BR 24-3 and 24-4, over Beeman Creek, BIN 3-32628-0 and BIN 3-32629-0, in the Town of Clarence, Erie County, PIN 5756.08, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the above Project by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right-of-Way Incidentals of the Project, PIN 5756.08.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the Erie County Legislature hereby approves the above subject project, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right-of-Way Incidentals Phases of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$319,000 is hereby appropriated from the 2001 Federal Aid Road and Bridge Projects - Lapp Road Bridges (CR 24) Design 5756.08 Program (SFG 207) and made available to cover the cost of participation in the above phases of the Project, and be it further

RESOLVED, that in the event the full Federal and non-Federal share of the costs of the project exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project, and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and also one copy each to the Commissioner of Public Works and to the County Comptroller.

(4-0) Legislator Larson absent.

**MICHAEL H. RANZENHOFER**  
**CHAIRMAN**