

May 14, 2020

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 10E-1 (2020)
BASKIN: “Letter to NFTA Regarding Establishment of Official COVID-19 Policy for Public Buses & Further Measures Necessary”
(Chair’s Ruling)
- b. COMM. 10E-8 (2020)
BASKIN: “Letter to WNY Legislature Delegation Concerning NFTA Policies Regarding Buses During COVID-19 Outbreak”
(Chair’s Ruling)
2. COMM. 10E-11 (2020)
COUNTY EXECUTIVE
WHEREAS, the Mount Aaron Village Project consists of 59 units of affordable housing in the City of Buffalo located at 695 Genesee Street; 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 The Mount Aaron Village LLC and /or The Mount Aaron Village Housing Development Fund Company, Inc. to operate the housing project it is necessary to extend 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 The Mount Aaron Village LLC, The Mount Aaron Village Housing Development Fund Company, Inc., the City of Buffalo, 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	City	County
1	13,835.46	10,376.60	3,458.87
2	14,250.52	10,687.89	3,562.63
3	14,678.04	11,008.53	3,669.51
4	15,118.38	11,338.79	3,779.60
5	15,571.93	11,678.95	3,892.98
6	16,039.09	12,029.32	4,009.77
7	16,520.26	12,390.20	4,130.07
8	17,015.87	12,761.90	4,253.97
9	17,526.35	13,144.76	4,381.59
10	18,052.14	13,539.10	4,513.03
11	18,593.70	13,945.28	4,648.43
12	19,151.51	14,363.63	4,787.88
13	19,726.06	14,794.54	4,931.51
14	20,317.84	15,238.38	5,079.46
15	20,927.37	15,695.53	5,231.84

(6-0)

3. COMM. 10E-13 (2020)
COUNTY EXECUTIVE
WHEREAS, the County of Erie previously entered into an Agreement with LaBella Associates, D.P.C. to provide professional architecture and engineering services for the Buffalo & Erie County Public Library – 2017 Auditorium Renovations – Phase 2 project (herein called the “Project”); and

WHEREAS, an increase in the design contingency is required for additional professional design and construction administration services related to the Project and to complete the construction administration phase; and

WHEREAS, any allowance and A/E design contingency funds that remain unspent will be returned to the capital budget; and

WHEREAS, an Agreement Amendment is required to complete the construction administration phase of the Project; and

WHEREAS, the County Executive is requesting authorization to enter in an Agreement Amendment with LaBella Associates, D.P.C. to increase the design contingency for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment with LaBella Associates. D.P.C. to increase the A/E design contingency in the amount of \$10,000 for the Project; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from the previously approved, as adopted capital project in Fund 490, Funds Center 122 as follows:

F.17001 –	Mechanical, Electrical and Plumbing Improvements –	\$10,000
	Buffalo and Erie County Public Library	

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 Chief Financial Officer Kenneth Stone of the Buffalo and Erie County Public Library.
(6-0)

4. COMM. 10E-17 (2020)
COUNTY EXECUTIVE
WHEREAS, the Resurfacing of Wehrle Drive (CR 290) from Harlem Rad (NYS 240) to Aero Drive (CR 324), Towns of Amherst and Cheektowaga, PIN 5763.31 (the “Project”) is eligible for funding under the Federal Surface Transportation Program (STP) administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, under the STP, the Federal cost share is limited to the amount set forth in the agreement with the NYSDOT with any additional costs borne 100% by the local sponsor; and

WHEREAS, the NYSDOT has agreed to reimburse the County the 80% Federal share of the Project’s Engineering phases; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the reimbursable Federal share of the costs of the Engineering Design (Phases I-VI) phase of the Project; and

WHEREAS, the total cost of the Design Engineering phase of this Project is \$300,000, the required 20% local share is \$60,000, and the 80% federal share is \$240,000, available in Capital Project B.18004, 2018 Preservation of Roads, Fund 420, Funds Center 123; and

WHEREAS, the firm of C&S Companies, after a public RFQ process, has been selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the resurfacing of the above noted segment of Wehrle Drive (CR 290).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Resurfacing of Wehrle Drive, PIN 5763.31 (the “Project”); and be it further

RESOLVED, that the County Executive be authorized to execute the Agreement with the NYSDOT, a negotiated Contract between the County of Erie and the selected Project Design Engineers, C&S Companies, for engineering design services in an amount not to exceed \$300,000, and execute any necessary Change Orders; 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 the Engineering Design (Scoping and Design I-VI) phases of the Project or portions thereof in the amount of \$300,000; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the federal revenue that is available under the Surface Transportation Program (STP) administered by the New York State Department of Transportation (NYSDOT); and be it further

RESOLVED, that Capital Project B.18004, 2018 Preservation of Roads, Fund 420, Funds Center 123, be increased by the anticipated \$240,000 in Federal revenue as follows:

REVENUES Account	Description	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
414000	Federal Aid	\$ 0	\$240,000	\$240,000
475000	Gen Oblig Bond Proc	<u>\$500,000</u>	<u>\$ 0</u>	<u>\$500,000</u>
TOTAL REVENUES		<u>\$500,000</u>	<u>\$240,000</u>	<u>\$740,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$500,000</u>	<u>\$240,000</u>	<u>\$740,000</u>
TOTAL APPROPRIATIONS		<u>\$500,000</u>	<u>\$240,000</u>	<u>\$740,000</u>

and be it further

RESOLVED, that the estimated total Project cost of \$300,000 for Design Engineering is hereby appropriated from Capital Project B.18004, 2018 Preservation of Roads, Fund 420, Funds Center 123 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 amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project’s Design Engineering (Scoping & Design I-VI) phases 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, should the Agreement receive additional federal or non-federal reimbursement in the future, the project revenue will be accepted by Erie County and the budget adjusted to reflect the receipt of funds; 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 New York State Department of Transportation in connection with the advancement or approval of the Project; and providing for the administration of the Project and the County’s first instance funding of Project costs and all Project costs within appropriations therefore 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 six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature 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, and the Office of the Comptroller.
(6-0)

HOWARD J. JOHNSON, JR.
CHAIR