

February 27, 2020

ECONOMIC DEVELOPMENT COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

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

a. COMM. 8E-1 (2019)

**RATH, DIXON, LORIGO & MILLS:** “Letter to Chair of Economic Development Committee Regarding Proposed Construction of Countrywide Broadband Infrastructure”  
(Chair’s Ruling)

b. COMM. 4M-1 (2020)

**VISIT BUFFALO NIAGARA:** “Submission Pursuant to Budget Resolution No. 76, Disclosure of All Employees, Job Titles, Descriptions & Salaries”  
(Chair’s Ruling)

c. COMM. 4M-2 (2020)

**BUFFALO NIAGARA CONVENTION CENTER:** “Submission Pursuant to Budget Resolution No. 76, Disclosure of All Employees, Job Titles, Descriptions & Salaries”  
(Chair’s Ruling)

d. COMM. 4M-3 (2020)

**CORNELL COOPERATIVE EXTENSION:** “Budget Plan – 2020 County Appropriation”  
(Chair’s Ruling)

e. COMM. 4M-4 (2020)

**VISIT BUFFALO NIAGARA:** “Fourth Quarter Reports for 2019”  
(Chair’s Ruling)

2. COMM. 4E-12 (2020)

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie is interested in the fostering of tourism and the preservation of its historical heritage; and

WHEREAS, the Roycroft Campus Corporation owns the property and is currently restoring the Copper Shop building on said property; and

WHEREAS, Erie County desires to fund a portion of the restoration of the Copper Shop building at the Roycroft Campus; and

WHEREAS, the Roycroft Campus Corporation has extensive experience in contracting and managing historical restoration projects; and

WHEREAS, the County of Erie has allocated \$100,000 for the restoration of the Copper Shop building at the Roycroft Campus in the Capital Budget section of the approved 2020 Erie County Capital Budget in project A.20054.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts, easements and agreements with the Roycroft Campus Corporation, and any other municipal, state and federal agencies, in amounts not to exceed a total of \$100,000 for the purpose of restoration of the Copper Shop building; and be it further

RESOLVED, that the source of these funds shall be \$100,000 available in the approved 2020 Erie County Capital Budget in project A.20054; 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 and Management; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County Attorney.  
(5-0-1) Legislator Lorigo abstained.

3. COMM. 4E-14 (2020)

**COUNTY EXECUTIVE**

WHEREAS, the Bridge Washing PIN 5762.05, (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 a 20% local share; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Project by making a commitment for the Federal and non-Federal share of the costs of the project; and

WHEREAS, in order to facilitate the Construction and Construction Inspection Phases for the Project, it will be necessary for the County to execute an Agreement with the New York State Department of Transportation (NYSDOT) in the total amount of \$300,000 for the construction and construction inspection phases of the Project; and

WHEREAS, the total project with contingency, estimated at \$320,000, is available in Project B.17012 – Federal Aid Bridge Project Preservation Construction, Fund 420, Funds Center 123; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary for the County to execute the construction contract with Hunting Valley Construction, Inc. for \$243,970, enter an into a construction phase engineering services agreement with CHA Consultants for \$50,000, and establish a construction contingency of \$26,030 for a total project allowance not to exceed \$320,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes 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 Federal and non-Federal shares of the cost of construction and construction inspection phases of the Project or portions thereof; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an Agreement with New York State Department of Transportation (NYSDOT) for this Federal Aid Project in the amount of \$300,000; and be it further

RESOLVED, that the estimated total sum of the Construction, Construction Inspection Phase, and contingency for the Project is \$320,000; and be it further

RESOLVED, that the County Executive is hereby authorized to execute the construction contract with Hunting Valley Construction, Inc. for \$243,970, enter into a construction phase engineering services agreement with CHA Consultants for \$50,000, and establish a construction contingency of \$26,030 for a total project cost not to exceed \$320,000; and be it further

RESOLVED, that the total sum of the Construction, Construction Inspection Phase, and contingency for the Project, in an amount not to exceed \$320,000 is hereby appropriated from Project B.17012 – Federal Aid Bridge Project Preservation Construction, Fund 420, Funds Center 123; and be it further

RESOLVED, that the Erie County Division of Budget and Management is hereby authorized to adjust the budget in B.17012 in accordance with the NYSDOT agreement, as follows:

Account	Description	Current Budget	Increase / (Decrease)	Revised Budget
<b>REVENUES</b>				
414000	Federal Aid	\$ 780,000	\$ 0	\$ 780,000
475000	Gen Oblig Bond Proc	\$ 195,000	\$ 0	\$ 195,000
<b>TOTAL REVENUES</b>		<u>\$ 975,000</u>	<u>\$ 0</u>	<u>\$ 975,000</u>
<b>APPROPRIATIONS</b>				
CAPITALPROJECTS	Capital Project Expense	\$ 195,000	\$ 240,000	\$ 435,000
UNALLOCATED	Unallocated Capital	\$ 780,000	(\$240,000)	\$ 540,000
<b>TOTAL APPROPRIATIONS</b>		<u>\$ 975,000</u>	<u>\$ 0</u>	<u>\$ 975,000</u>

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the Project budget for any and all additions or reductions in Federal and/or State revenue that are made available for this Project in accordance with the NYSDOT agreement; 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 costs of the Project's construction and construction inspection phases exceeds the amount appropriated, \$320,000 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 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 and State aid eligible 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, Division of Highways, to be forwarded to the NYSDOT; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) each certified copies of this Resolution to the Department of Public Works, Division of Highways, and also 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**