

September 19, 2024

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 14D-8 (2024)

DIRECTOR OF PURCHASING: “County Purchasing Authority & Legislature Approval Requirements”
(Chair’s Ruling)

2. COMM.15E-6 (2024)

COUNTY EXECUTIVE

WHEREAS, Culvert PK-22 in Chestnut Ridge Park has fascia concrete that is deteriorating and railing which do not meet current standards, causing a potential safety hazard for the travelling public; and

WHEREAS, it is desired to rehabilitate Culvert PK-22; and

WHEREAS, CHA Companies was selected via the County’s RFP process and approved via COMM. 12E-8 (June 22, 2023) for the provision of On-Call/Emergency Bridge and Culvert Engineering Services; and

WHEREAS, it is desired to execute a contract with CHA Companies for the design phase of the Project in the amount of \$50,000; and

WHEREAS, the funding required is available in Capital Project A.24008 – 2024 Culvert Rehabilitation, Fund 410, Funds Center 164.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with CHA Companies for the design phase of culvert rehabilitation in Chestnut Ridge Park in an amount not to exceed \$50,000; and be it further

RESOLVED, that funding for this project is available in Capital Project A.24008 – 2024 Culvert Rehabilitation, Fund 410, Funds Center 164; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Parks, Recreation & Forestry, and one copy each to the County Executive’s Office, Comptroller’s Office and Division of Budget and Management.

(6-0)

3. COMM. 15E-8 (2024)
COUNTY EXECUTIVE

WHEREAS, 875 Lafayette consists of the adaptive reuse of vacant buildings providing 80 affordable rental units at 630 Linwood Avenue, City of Buffalo, NY; 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 875 Housing Development Fund Company, Inc., 875 Lafayette LLC 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 Erie County Legislature hereby authorizes the County Executive or Deputy County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with 875 Housing Development Fund Company, Inc., 875 Lafayette LLC, and 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 Office of the County Executive, the Division of Budget and Management, the Department of Real Property Tax Services, the Department of Environment and Planning, the Office of the Comptroller, and the Department of Law.

(6-0)

PILOT Payments

SCHEDULE A

Year	PILOT Year	Total	City	County
2024-2025	1	\$ 37,742.55	\$ 28,306.91	\$ 9,435.64
2024-2026	2	\$ 38,874.83	\$ 29,156.12	\$ 9,718.71
2024-2027	3	\$ 40,041.07	\$ 30,030.80	\$ 10,010.27
2024-2028	4	\$ 41,242.30	\$ 30,931.73	\$ 10,310.58
2024-2029	5	\$ 42,479.57	\$ 31,859.68	\$ 10,619.89
2024-2030	6	\$ 43,753.96	\$ 32,815.47	\$ 10,938.49
2024-2031	7	\$ 45,066.58	\$ 33,799.93	\$ 11,266.64
2024-2032	8	\$ 46,418.58	\$ 34,813.93	\$ 11,604.64
2024-2033	9	\$ 47,811.13	\$ 35,858.35	\$ 11,952.78
2024-2034	10	\$ 49,245.47	\$ 36,934.10	\$ 12,311.37
2024-2035	11	\$ 50,722.83	\$ 38,042.12	\$ 12,680.71
2024-2036	12	\$ 52,244.52	\$ 39,183.39	\$ 13,061.13
2024-2037	13	\$ 53,811.85	\$ 40,358.89	\$ 13,452.96
2024-2038	14	\$ 55,426.21	\$ 41,569.66	\$ 13,856.55
2024-2039	15	\$ 57,088.99	\$ 42,816.74	\$ 14,272.25

4. COMM. 15E-9 (2024)
COUNTY EXECUTIVE

WHEREAS, Playter Gardens consists of the new construction of eleven (11) buildings, containing a total of seventy-three (73) units of rental housing in the City of Buffalo on Playter Street, City of Buffalo, NY; 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 Playter Gardens Housing Development Fund Corporation, Playter Gardens LLC 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 Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Playter Gardens Housing Development Fund Corporation, Playter Gardens LLC, and 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 Office of the County Executive, the Division of Budget and Management, the Department of Real Property Tax Services, the Department of Environment and Planning, the Office of the Comptroller, the Department of Law.

SCHEDULE A
 PILOT Payments

YEAR	PILOT "B"	CITY	COUNTY
1	\$ 21,844.22	\$ 16,383.17	\$ 5,461.06
2	\$ 22,499.55	\$ 16,874.66	\$ 5,624.89
3	\$ 23,174.54	\$ 17,380.90	\$ 5,793.63
4	\$ 23,869.77	\$ 17,902.33	\$ 5,967.44
5	\$ 24,585.87	\$ 18,439.40	\$ 6,146.47
6	\$ 25,323.44	\$ 18,992.58	\$ 6,330.86
7	\$ 26,083.15	\$ 19,562.36	\$ 6,520.79
8	\$ 26,865.64	\$ 20,149.23	\$ 6,716.41
9	\$ 27,671.61	\$ 20,753.71	\$ 6,917.90
10	\$ 28,501.76	\$ 21,376.32	\$ 7,125.44
11	\$ 29,356.81	\$ 22,017.61	\$ 7,339.20
12	\$ 30,237.51	\$ 22,678.14	\$ 7,559.38
13	\$ 31,144.64	\$ 23,358.48	\$ 7,786.16
14	\$ 32,078.98	\$ 24,059.23	\$ 8,019.74
15	\$ 33,041.35	\$ 24,781.01	\$ 8,260.34

5. COMM. 15E-33 (2024)
COUNTY EXECUTIVE

WHEREAS, the County is undertaking a project to rehabilitate Lake Shore Road (CR 111) in the Town of Evans (“the Town”) from Evans Town Park to Bennet Beach (hereinafter referred to as the “Project”); and

WHEREAS, this project includes a Pedestrian Accommodation Betterment (“Betterment”), consisting of a paved asphalt pedestrian walkway, ADA ramps, stripped crosswalks, Rectangular Rapid Flash Beacon (RRFB) and pedestrian signage as a part of the road rehabilitation project, formerly Phase II of the Lakeshore Shoreline Trail Multi-Use Pathway; and

WHEREAS, the County is required to enter into an inter-municipal agreement with the Town of Evans, relinquishing final ownership, maintenance and operations of said facilities to the Town; and

WHEREAS, the County agrees to be responsible for the construction costs of the betterment, including approved and related cost overruns for said betterment, the Town agrees to take over ownership, and be responsible for operation and maintenance of the betterment after completion of construction.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an inter-municipal agreement with the Town of Evans, subject to the County of Erie Attorney’s approval relinquishing ownership, maintenance and operations of the pedestrian betterments to the Town; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward four (4) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy the County Executive’s Office, the Department of Law and Division of Budget and Management.
(6-0)

6. COMM. 15E-34 (2024)
COUNTY EXECUTIVE

WHEREAS, a authorization is being requested for the County Executive to execute an amendment for additional engineering design services to the Professional Design Engineering Services Agreement for the Rehabilitation of Borden Rd (CR322) (the "Agreement"), authorized by COMM. 15E-12 on July 23, 2020 with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.; and

WHEREAS, the total cost of the amendment shall not exceed \$140,500.00 and funds are available in Fund 420, Funds Center 123, through Capital Project - B.21162.1 - Borden Rd (CR322) Design; and

WHEREAS, the Department of Public Works, Division of Highways requires five (5) certified copies of this resolution and the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller require one (1) certified copy of the same.

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an amendment to the existing Agreement with Bergmann Associates in the amount not to exceed \$140,500.00; and be it further

RESOLVED, the Amendment budget, in the not to exceed amount of \$140,500.00, is available in Fund 420, Funds Center 123, Capital Project B.21162.1 - Borden Rd (CR322) Design - \$140,500.00; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Division of Highways, and one copy each to the County Executive’s Office, Comptroller’s Office and Division of Budget and Management.
(6-0)

7. COMM. 15E-35 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) applied for and was awarded a \$367,507 New York State Department of Environmental Conservation (NYSDEC) grant through the Water Quality Improvement Project (WQIP) program, for the purpose of purchasing needed vehicles and equipment by the Department of Public Works, Division of Highways; and

WHEREAS, authorization is required from the Erie County Legislature to enter into contract with the NYSDEC to accept the \$367,507 in grant funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a contract to accept \$367,507 of New York State Department of Environmental Conservation grant funding on behalf of the Department of Environment and Planning and Department of Public Works, Division of Highways; and be it further

RESOLVED, that authorization is hereby given to adjust the Division of Highways (Fund 420, Funds Center 123) Capital Project B.23006 – 2023 Vehicles and Equipment as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
409000	State Aid Revenue	\$ 0	\$367,507	\$ 367,507
475000	Gen. Oblig. Bond	<u>\$6,750,000</u>	<u>\$ 0</u>	<u>\$6,750,000</u>
TOTAL REVENUES		<u>\$6,750,000</u>	<u>\$367,507</u>	<u>\$7,117,507</u>
APPROPRIATIONS				
	Capital Project Exp	<u>\$ 6,750,000</u>	<u>\$367,507</u>	<u>\$7,117,507</u>
TOTAL APPROPRIATIONS		<u>\$ 6,750,000</u>	<u>\$367,507</u>	<u>\$7,117,507</u>

and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Public Works, the Department of Environment and Planning, and the Division of Budget and Management.
 (6-0)

8. COMM. 15E-36 (2024)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, as part of its duties and responsibilities, maintains various County buildings within the City of Buffalo; and

WHEREAS, the City of Buffalo currently provides garbage and recycling bin pick-up services; and

WHEREAS, the current Intermunicipal Cooperation Agreement (ICA) has expired; and

WHEREAS, the Department of Public Works has negotiated a renewed ICA with the City of Buffalo to pay for said garbage and recycling bin pick-up services; and

WHEREAS, the terms of this arrangement are favorable to the County and adequate funding for all associated costs is available within the Department of Public Works Budget, Account 520050-Garbage Disposal, Fund 110, Fund Center 12220.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive or Deputy County Executive to enter the Intermunicipal Cooperation Agreement (ICA) between the County of Erie and the City of Buffalo for garbage and recycling pick-up services at several County-owned buildings; and be it further

RESOLVED, that the cost to Erie County is \$9,403.00 per month and that this ICA shall be reviewed annually for any agreed-upon changes in costs and/or locations and renewed automatically unless one or both parties agree to terminate the arrangement upon reasonable notice to the other; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Department of Public Works, the Director of Budget and Management, the County Attorney and the County Comptroller.
 (6-0)

JOHN J. GILMOUR
CHAIR