

October 31, 2024

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 16

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM.18E-20 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County desires to implement the Erie County Parks Master Plan Update, adopted by the Erie County Legislature in 2019; and

WHEREAS, Erie County owns and maintains Isle View Park and is responsible for capital improvements that are needed periodically; and

WHEREAS, Erie County was awarded \$500,000 grant from the Ralph C. Wilson Jr. Foundation; and

WHEREAS, Erie County was awarded a \$500,000 Niagara River Greenway Commission grant; and

WHEREAS, the grant funding will be utilized for the undertaking of capital improvements within Isle View Park in the Town and City of Tonawanda; and

WHEREAS, Erie County Legislature acting through the Department of Environment and Planning determined that the proposed Action is classified as an Unlisted Action pursuant to SEQR; and

WHEREAS, the Department of Environment and Planning on behalf of the Erie County Legislature coordinated the review with interested and involved agencies.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature has reviewed the SEQR materials provided through Lead Agency solicitation and additionally provided in in the attached memorandum and determines that the referenced Action is classified as an Unlisted action pursuant to SEQR; and be it further

RESOLVED, that the required 30-day coordinated review period expired on November 19, 2023, and no interested or involved agencies expressed a desire to act as Lead Agency; and be it further

RESOLVED, that the Erie County Legislature hereby declares itself Lead Agency for the referenced action; and be it further

RESOLVED, that based upon a thorough review and examination of the known facts relating to the Action, the County finds that the Action will have a de minimis impact on environment; and authorizes the issuance of the below Negative Declaration denoting the de minimis environmental impact of the project; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into all necessary agreements for the acceptance of \$500,000 in grant funding from the Buffalo and Erie County Greenway Standing Committee or Community Foundation of Greater Buffalo, Inc and \$500,000 in funding from the Ralph C. Wilson Jr. Foundation or Community Foundation of Greater Buffalo, Inc. into the Department of Environment and Planning (Fund 410, Funds Center 162) Capital Project A.19075 – Shoreline Trail Enhancement Project as follows:

Project A.19075
2019 Shoreline Trail Enhancement Project
Fund 410, Funds Center 162

REVENUES	BUDGET	CHANGE	REVISED BUDGET
409000 State Aid Revenue	\$ 625,000	\$ 0	\$ 625,000
409010 State Aid - Other	\$1,529,785	\$ 500,000	\$2,029,785
420499 Other Local Source Revenue	\$1,065,068	\$ 500,000	\$1,565,068
486000 Interfund Revenue Subsidy	\$ 0	\$ 0	\$ 0
	<u>\$3,219,853</u>	<u>\$1,000,000</u>	<u>\$4,219,853</u>
APPROPRIATIONS			
Capital Project Expense	<u>\$3,219,853</u>	<u>\$1,000,000</u>	<u>\$4,219,853</u>
TOTAL	<u>\$3,219,853</u>	<u>\$1,000,000</u>	<u>\$4,219,853</u>

and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contract with the Lowest Responsible Bidder, A-1 Land Care, Inc. in an amount not to exceed \$3,653,105 for construction work related to the Isle View Enhancement Project; and be it further

RESOLVED, that authorization is given for the County Executive or Deputy County Executive to enter into a contract with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. for construction inspection, construction engineering, and construction administration services in an amount not to exceed \$234,180; and be it further

RESOLVED, that authorization is given to the County Executive or Deputy County to execute change orders with A-1 Land Care Inc. and with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C .for construction, construction inspection, administration and engineering services in an amount not to exceed \$365,105; and be it further

RESOLVED, that sufficient funding for the total construction cost and contingency of \$4,252,390 is located within the following capital projects:

A.19075 - 2019 Shoreline Trail Enhancement Project	\$2,702,068.00
A.22054 - Isle View Park Enhancement Project	\$1,224,295.26
A.24005 - Countywide Parks Improvements & ADA Accessibility Project	\$ 326,026.74
<hr/> TOTAL:	<hr/> \$4,252,390.00

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with Private, State and local funding requirements; and be it further

RESOLVED, the following determination of environmental significance is issued:

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act, or "SEQRA") of the Environmental Conservation Law.

The County of Erie ("County"), as Lead Agency, has reviewed the proposed resolution regarding the Isle View Enhancement Project (the "Project" or "Action") and determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

State Environmental Quality Review
NEGATIVE DECLARATION
Determination of Non-Significance

Lead Agency: Erie County Legislature

Date: Resolution Date

Name of Action: Isle View Enhancement Project

Location of Project Site: 796 Niagara Street
Tonawanda, NY

SEQRA Status: Unlisted

Description of Action:

The Isle View Enhancement Project is primarily focused on the renewal and enhancement of Isle View Park, and its connections to both the Shoreline Trail and adjacent upland areas. The Project will include the following:

1. Construct a multi-use ramp connection with overlook between Isle View Park and River Road.
2. Northern entrance improvements, including realignment of park entrance road, new signage, relocation of parking, new pedestrian connections, and miscellaneous entranceway improvements and amenities.
3. Replacement of dilapidated benches and installation of new picnic tables.
4. Installation of new inclusive playground equipment.
5. Selective asphalt repair and parking lot repaving.
6. Repair of waterside overlooks.
7. Demolition of existing River Dogs building and construction of new park pavilion.
8. Miscellaneous landscape improvements, including the addition of rain gardens.

Reasons Supporting this Determination:

The County has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by SEQRA. The County compared the Action with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). The County has completed Parts 2 and 3 of the Full Environmental Assessment Form ("FEAF"), and, as indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Action will not have a significant adverse impact on the environment.

The action as proposed will have no small or temporary impacts on the following: land, geological features, surface water, groundwater, flooding, air, plants and animals, agricultural resources, aesthetic resources, historic and archeological resources, open space and recreation, critical environmental areas, transportation, energy, noise, odor and light, human health, community plans, and community character.

Conclusion

The Lead Agency has determined that moderate impacts to surface water and land (i.e., slope) have been mitigated to reduce environmental projects and that the project described will have little to no additional impact on the environment. Therefore, the Action will not result in any significant impact to the environment and an Environmental Impact Statement will not be prepared. Accordingly, a negative declaration is issued.

For Further Information:

Contact Person: Mark Rountree
Address: Erie County Department of Environment and Planning 95
Franklin Street, 10th Floor
Buffalo, New York 14202
Telephone Number: (716) 858-8008

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Law, Department of Environment and Planning, Department of Public Works and Department of Parks, Recreation and Forestry.
(5-0)

2. COMM. 18E-21 (2024)
COUNTY EXECUTIVE

WHEREAS, the agricultural sector is a significant contributor to Erie County's economy, annually contributing nearly \$130 million to the local economy; and

WHEREAS, the *Erie County Agriculture and Farmland Protection Plan* identified the need to develop new markets for agricultural products, as a means to stabilize and enhance the Erie County Agricultural industry; and

WHEREAS, the development of an Agribusiness Park has been a key recommendation of the *Erie County Agricultural and Farmland Protection Plan, Initiatives for a Smart Economy 1.0 and 2.0*; and

WHEREAS, the County of Erie is interested in the fostering of business growth and job creation within Erie County; and

WHEREAS, Erie County desires to encourage the sound reuse of vacant sites for productive use, be it industrial, commercial, or recreational; and

WHEREAS, the former Eden Angola Airport has been unutilized for the last 25 years; and

WHEREAS, County of Erie, Town of Evans and Erie County Industrial Development Agency, continue to work cooperatively toward achieving the redevelopment of the former Eden Angola Airport site into an agribusiness park; and

WHEREAS, pursuant to 6 NYCRR Part 617, of the State Environmental Quality Review Act, the completion of a Generic Environmental Impact Statement is required to study the impacts of a Project of this magnitude; and

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation, acting as project sponsor and lead agency, coordinated the review with the Erie County Legislature and issued a Final Generic Environmental Impact Statement on May 29, 2024; and

WHEREAS, the construction of road and utility infrastructure and demolition of four former airport buildings is identified in the Erie County Agribusiness Park master plan and FGEIS as necessary to provide a new main access point to the site and support the future buildout of development parcels for Agribusiness Park tenants; and

WHEREAS, the Erie County Industrial Development Agency has extensive experience contracting with consultants that specialize in construction of road infrastructure in business parks; and

WHEREAS, the County of Erie has approved funding in the County Capital Budget which may be utilized for road infrastructure construction work for the agribusiness park.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby concurs with the ECIDA's determination regarding the proposed Agribusiness Park/Industrial Park will not result in a significant adverse impact on the environment, and concurs with the issuance of the negative declaration issued on May 29, 2024; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to enter into contracts with the Erie County Industrial Development Agency, Industrial Land Development Corporation, and other state and federal agencies and consultants in amounts not to exceed a total of \$2,500,000 for the purpose of construction of the road and utility infrastructure and related activities at the former Eden Angola Airport in the Town of Evans; and be it further

RESOLVED, that the source of these funds shall be in the following Capital accounts:

<u>Capital Account</u>	<u>Amount</u>
A.20009	\$500,000
A.21160	\$1,000,000
A.22016	\$1,000,000

in a total amount not to exceed \$2,500,000; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Office of the County Executive, the Division of Budget, Management and Finance, the Office of the Comptroller, Department of Environment and Planning, and the Department of Law. (5-0)

3. COMM. 18E-22 (2024)
COUNTY EXECUTIVE

WHEREAS, FeedMore Western New York is the primary hunger relief organization in the region, distributing enough food to provide millions of meals to food-insecure community members annually; and

WHEREAS, in furtherance of its mission, FeedMore is constructing its new Consolidated Campus at 4832 Camp Road in the Town of Hamburg; and

WHEREAS, Erie County wishes to fund a portion of the Consolidated Campus project; and

WHEREAS, the County of Erie has allocated \$3,000,000 for the construction of the Consolidated Campus in the 2024 Capital Budget; and

WHEREAS, the Town of Hamburg Planning Board pursuant to SEQR classified the proposed FeedMore Consolidated Campus action as a Type 1 action and conducted a coordinated SEQR review with Erie County as an interested and involved agency; and

WHEREAS, the Town of Hamburg Planning Board issued a Negative Declaration on December 1, 2023, denoting the action’s minimal impact upon the environment.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby concurs with the Town of Hamburg Planning Board’s determination regarding the proposed action will not result in a significant adverse impact on the environment, and concurs with the issuance of the negative declaration issued on December 1, 2023; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to enter into contracts, easements, and agreements with FeedMore Western New York, Inc., and/or FeedMore Foundation of Western New York in amounts not to exceed a total of \$3,000,000 for the purpose of constructing the Consolidated Campus; and be it further

RESOLVED, that the source of these funds shall be A.24066; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Law, and the Department of Environment and Planning. (5-0)

4. COMM. 18E-23 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides technical assistance to municipalities to assist them in complying with environmental regulations; and

WHEREAS, the State of New York, through its Department of Environmental Conservation, provides financial aid for stormwater compliance assistance projects; and

WHEREAS, the State of New York, through its Department of Environmental Conservation, granted Erie County \$400,000 to commence the Western NY Stormwater Coalition: Stormwater Management Practice Mapping Project; and

WHEREAS the project will partially or fully fund the following positions in a new grant budget, with the balance of funding from other existing budgets: Information Technology Specialist (JG 8), a new position in DEP, and Chief Environmental Compliance Specialist (JG-15), a transfer of an existing position in DEP; and

WHEREAS, it is necessary that a contract by and between the people of the State of New York, herein called the “State”, and Erie County be executed for such State aid; and

WHEREAS, it is necessary for the County of Erie to enter into an agreement with the Research Foundation of SUNY at Buffalo State University for student interns to assist with the Western NY Stormwater Coalition: Stormwater Management Practice Mapping Project; and

WHEREAS, the County of Erie, herein called the “Municipality”, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law (“ECL”) authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or the Deputy County Executive to enter into contract with the New York State Department of Environmental Conservation in order to accept \$400,000 in funding to be made available as a multi-year grant to the Department of Environment and Planning (Fund 281, Funds Center 162) as follows:

Department of Environment and Planning
Western NY Stormwater Coalition: Stormwater Management Practice Mapping Project
162WNYCSMPMP2527
1/1/2025 - 12/31/2027

REVENUES	BUDGET
409000 State Aid Revenue	<u>\$ 400,000.00</u>
TOTAL	<u>\$ 400,000.00</u>
APPROPRIATIONS	BUDGET
500000 Full Time - Salaries	\$ 262,742.00
502000 Fringe Benefits	\$ 131,370.00
516020 Professional Services, Contracts & Fees	<u>\$ 5,888.00</u>
TOTAL	<u>\$ 400,000.00</u>

and be it further

RESOLVED, that authorization is hereby given to create one full-time Information Technology Specialist, Job Group 8, (B100 #14496) effective January 1, 2025; and be it further

RESOLVED, that authorization is hereby given to transfer position #51014129 Chief Environmental Compliance Specialist, Job Group 15 (B100 #14522) from grant 162WNYSCMS4AP1112 to 62WNYCSMPMP2527 effective January 1, 2025; and be it further

RESOLVED, that authorization is hereby given to the County Executive or the Deputy County Executive to execute an agreement with the Research Foundation of SUNY at Buffalo State University for student interns to assist with the Western NY Stormwater Coalition: Stormwater Management Practice Mapping Project, in an amount not to exceed \$5,888 in grant resources; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to amend contracts as necessary to implement any no-cost extensions that may be permitted by the grantor; 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 Law, the Office of the Comptroller, and the Department of Environment and Planning.
(5-0)

5. COMM. 18E-24 (2024)
COUNTY EXECUTIVE

WHEREAS, Artspace Buffalo Lofts consists of sixty (60) low-income rental units at: 119-1233 Main Street, 19, 29, and 33 Northampton Street and 12 Coe Place, 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 Artspace Affordable Family Housing Development Fund Corp., Artspace Affordable Family Housing I, L.P. 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 and/or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement extension with Artspace Affordable Family Housing Development Fund Corp., Artspace Affordable Family Housing I, L.P., and the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement extension; 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.

Schedule A
PILOT Payment Schedule

YEAR	PILOT "A"	CITY	COUNTY
16	\$29,988	\$23,690	\$6,297
17	\$30,887	\$24,401	\$6,486
18	\$31,814	\$25,133	\$6,681
19	\$32,768	\$25,887	\$6,881
20	\$33,751	\$26,664	\$7,088
21	\$34,764	\$27,464	\$7,300
22	\$35,807	\$28,287	\$7,519
23	\$36,881	\$29,136	\$7,745
24	\$37,988	\$30,010	\$7,977
25	\$39,127	\$30,910	\$8,217
26	\$40,301	\$31,838	\$8,463
27	\$41,510	\$32,793	\$8,717
28	\$42,755	\$33,777	\$8,979
29	\$44,038	\$34,790	\$9,248
30	\$45,359	\$35,834	\$9,525

(5-0)

6. COMM. 18E-25 (2024)
COUNTY EXECUTIVE

WHEREAS, AD Price I consists of fifty-five (55) low-income rental units on Madison Street and Jefferson 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 AD Price I Housing Development Fund Corp., AD Price I 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 and/or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with AD Price I Housing Development Fund Corporation, AD Price I LLC, and the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement extension; 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.

Schedule A
PILOT Payment Schedule

CITY TAX YEAR	YEAR	PILOT "C"	CITY 79%	COUNTY 21%
2024-2025	16	\$12,441.48	\$9,828.77	\$2,612.71
2025-2026	17	\$12,814.72	\$10,123.63	\$2,691.09
2026-2027	18	\$13,199.16	\$10,427.34	\$2,771.82
2027-2028	19	\$13,595.14	\$10,740.16	\$2,854.98
2028-2029	20	\$14,002.99	\$11,062.36	\$2,940.63
2029-2030	21	\$14,423.08	\$11,394.23	\$3,028.85
2030-2031	22	\$14,855.77	\$11,736.06	\$3,119.71
2031-2032	23	\$15,301.45	\$12,088.14	\$3,213.30
2032-2033	24	\$15,760.49	\$12,450.79	\$3,309.70
2033-2034	25	\$16,233.30	\$12,824.31	\$3,408.99
2034-2035	26	\$16,720.30	\$13,209.04	\$3,511.26
2035-2036	27	\$17,221.91	\$13,605.31	\$3,616.60

2036-2037	28	\$17,738.57	\$14,013.47	\$3,725.10
2037-2038	29	\$18,270.73	\$14,433.87	\$3,836.85
2038-2039	30	\$18,818.85	\$14,866.89	\$3,951.96

(5-0)

7. COMM. 18E-26 (2024)

COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 5E-17 (2024) Contract No. 46 was awarded to Visone Construction, Inc. to construct the Electric Ave. and Casimer St. Sanitary Sewer Replacement Project in Erie County Sewer District No. 1; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now complete and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the acceptance of Contract No. 46 between the County of Erie and Visone Construction, Inc. (79 Sheldon Avenue, Depew, NY 14043) in the final contract amount of \$198,216.38, which includes Change Order No. 1 (final), a decrease of \$1,893.07; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 46 to Visone Construction, Inc. for a total contract amount of \$198,219.38; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and the Division of Sewerage Management.

(5-0)

8. COMM. 18E-27 (2024)

COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 10E-21 (2022), Contract No. 64-A was awarded to H&K Services, Inc. for General Construction and No. 64-D was awarded to Frey Electric Construction Co., Inc. for Electrical Construction associated with the Lackawanna Water Resource Recovery Facility (WRRF) Digestion and Solids Management Upgrades Project in Erie County Sewer District No. 6; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby authorizes Contract No. 64-A between the County of Erie and H&K Services, Inc. (12025 Leon-New Albion Road, Leon, NY 14751) being accepted as final with the contract amount of \$5,142,169.50, which includes Change Order No. 3 (final), a contract decrease of \$78,455.50; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 64-A, to H&K Services, Inc. for a total contract amount of \$5,142,169.50; and be it further

RESOLVED, that authorization is hereby given for Contract No. 64-D between the County of Erie and Frey Electric Construction Co., Inc. (100 Pearce Avenue, Tonawanda, NY 14150) to be accepted as final with the contract amount of \$296,812.00, which includes Change Order No. 2 (final), a contract decrease of \$7,188.00; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 64-A, to H&K Services, Inc. for a total contract amount of \$296,812.00; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and the Division of Sewerage Management.

(5-0)

9. COMM. 18E-30 (2024)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) has identified a capital improvement project at Wendt Beach Park for an exterior improvement project; and

WHEREAS, this project involves exterior improvements to the Mansion and exterior stabilization of the Stables. Improvements to the mansion include select reframing of the exterior enclosure, new roofing, siding, insulation, plywood substrates, new windows, new doors, and reconstruction of the terrace. Stabilization of the Stables includes select foundation repair, select reframing of the exterior enclosure, redirecting select areas of roof drainage, select areas of substrate replacement, and select areas of siding; and

WHEREAS, the Department of Public Works (DPW) received bids for the Wendt Beach Mansion and Stables Core and Shell Renovation on August 27, 2024 at 10:30 am; and

WHEREAS, the lowest responsible bidder was Rodriguez Construction Group, Inc.; and

WHEREAS, the DPW is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Public Works to enter into contract with the lowest responsible bidder, Rodriguez Construction Group, Inc. for the Wendt Beach Mansion and Stables Core and Shell Renovation project including a \$300,000 Construction Contingency Fund to approve change orders in any amount with the total project not to exceed the following:

<u>General Construction Work</u>	
Rodriguez Construction Group, Inc. Base Bid:	\$2,890,000.00
Alternate 1:	\$ 45,000.00
<u>Contingency</u>	<u>\$ 300,000.00</u>
Total Award of Construction Contract:	\$3,235,000.00

and be it further

RESOLVED, that change order deductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that sufficient funding for the Wendt Beach Mansion and Stables Core and Shell Renovation project is available in Fund 410, Funds Center 122, Capital Project A.21162 – 2021 Parks Expanded Capital Managed by DPW; 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 County Executive’s Office, Comptroller’s Office, Department of Parks, Recreation and Forestry and Division of Budget and Management. (5-0)

10. COMM. 18E-31 (2024)
COUNTY EXECUTIVE

WHEREAS, on May 12, 2022, your Honorable Body authorized the County to enter into a professional service design contract with Watts Architecture and Engineering (Watts) for the Grover Cleveland Golf Course Schenck House and Restroom Renovation project via Comm. 8E-6 (2022); and

WHEREAS, unforeseen design and structural deficiencies were discovered during construction which required design changes during construction requiring an additional NYS Code review by Watts to confirm structure capacity along with relocating the sump pump and additional plumbing changes, addition of soffit lighting and modifications of interior lighting, and site modifications; and

WHEREAS, these unforeseen structural and deteriorated conditions incurred during the execution of the Project, made it necessary for the Design Contingency to be increased.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes that an amendment to the professional services contract with Watts Architecture & Engineering; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Design Contingency fund; and be it further

RESOLVED, that Contract Amendments will be negotiated and issued to the previously approved consultant on site to complete the additional work; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from the following Capital Projects in Fund 410, Funds Center 122 as follows:

<u>A.21162 –2021 Parks Expanded Capital Project Managed by DPW</u>	<u>\$ 17,600.00</u>
Total not to exceed	\$ 17,600.00

RESOLVED, the total design contract value will be increased to \$145,669.25 inclusive of the additional funds above; and it be 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, the Office of the Comptroller and the Department of Parks, Recreation & Forestry. (5-0)

11. COMM. 18E-34 (2024)
COUNTY EXECUTIVE

WHEREAS, the Buffalo & Erie County Downtown Library has a roof that has reached the end of its’ useful lifespan; and

WHEREAS, the Erie County Department of Public Works has been authorized by COMM 4E-17 (2024) to start the process of designing a new roof for the Downtown Library; and

WHEREAS, the design phase is the opportune time to incorporate green infrastructure; and

WHEREAS, the New York State Environmental Facilities Corporation administrates the Green Infrastructure Grant Program (GIGP) which provides grant funding of up to 90% of the green infrastructure implementation cost of a project; and

WHEREAS, Erie County has been awarded a GIGP grant in the amount of \$3,000,000 to install a green roof on the Downtown Library; and

WHEREAS, the GIGP grant requires an 11% match of \$333,333, the approval of a SEQR designation, and an authorized representative to execute Grant Agreements.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive enter into contract with from New York State Environmental Facilities Corporation to accept \$3,000,000 in Green Innovation Grant Project funding; and be it further

RESOLVED, that authorization is hereby given for the Division of Buildings and Grounds Capital Project (Fund 490, Funds Center 122) F.23001 – Buffalo & Erie County Public Library Roof Replacement to be increased by \$3,000,000 as follows:

Project F.23001
Buffalo & Erie County Public Library Roof Replacement
Fund 490, Funds Center 122

REVENUES	BUDGET	CHANGE	REVISED BUDGET
409040 State Aid – Capital Grants	\$ 0.00	\$3,000,000.00	\$3,000,000.00
475000 Gen. Oblig. Bond	<u>\$2,000,000.00</u>	<u>\$ 0.00</u>	<u>\$2,000,000.00</u>
TOTAL	<u>\$2,000,000.00</u>	<u>\$3,000,000.00</u>	<u>\$5,000,000.00</u>
APPROPRIATIONS			
Capital Project Exp	<u>\$2,000,000.00</u>	<u>\$3,000,000.00</u>	<u>\$5,000,000.00</u>
TOTAL	<u>\$2,000,000.00</u>	<u>\$3,000,000.00</u>	<u>\$5,000,000.00</u>

and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to execute a grant agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill Erie County’s obligations under the Grant Agreement; and be it further

RESOLVED, that the County authorizes and appropriates a minimum 11% local match as required by the Green Innovation Grant Program for the Downtown Library Green Roof Project. Under the (GIGP) program, this local match must be at least \$333,333. The source of the local match, and any amount in excess of the required match, shall be from Fund 490, Funds Center 122, Capital Project F.23001 – Buffalo & Erie County Public Library Roof Replacement as well as any other future capital accounts budgeted for this purpose; and be it further

RESOLVED, that the County hereby determines that the proposed Downtown Library Green Roof Project is a Type II action in accordance with 6 NYCRR Section 617.5(c) (3) which constitute(s) the retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure and is therefore not subject to further review under 6 NYCRR Part 617; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that certified copies of this resolution be furnished to the County Executive’s Office, Comptroller’s Office, Division of Budget and Management, Department of Public Works Commissioner’s Office and Buffalo & Erie County Downtown Library.
(5-0)

12. COMM. 18E-35 (2024)

COUNTY EXECUTIVE

WHEREAS, it is necessary to reconstruct Pine Street (CR 6) from Main Street to Porterville Road, including full pavement and drainage replacement; and

WHEREAS, the Erie County Legislature previously approved participation in the Project via Comm. 22E-16 dated December 15, 2022; and

WHEREAS, the Department of Public Works (DPW) will receive bids for the construction of this project on October 10, 2024; and

WHEREAS, it is desired to execute a construction contract with the lowest responsible bidder, in an amount not to exceed \$5,600,000; and

WHEREAS, it is desired to execute a contract amendment with C&S Engineers, Inc. (C&S) for engineering services during construction (construction inspection and administration) in the amount of \$314,000; and

WHEREAS, it is desired to establish a project contingency in the amount of \$39,000; and

WHEREAS, the necessary funds for the construction contract, construction administration and inspection contract amendment, and contingency are \$5,953,000, and are available in Fund 420, Funds Center 123, Capital Project B.22063 – 2022 Pine St East Aurora and B.24006 – Preservation of Roads Construction Pine St.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and/or Deputy County Executive to enter into a contract with the lowest responsible bidder for the Reconstruction of Pine Street project in an amount not to exceed \$5,600,000; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute a contract amendment with C&S, the Project Design Engineers, for engineering construction inspection and administration services in an amount of \$314,000; and be it further

RESOLVED, that authorization is hereby given for the sum of \$39,000 be allocated to a Project Contingency Fund with authorization for the County Executive and/or Deputy County Executive to approve change orders and amendments in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that sufficient funding for the Reconstruction of Pine Street (CR45) is available in Fund 420, Fund Center 123 in the amounts as follows:

Road Construction and Inspection Work

B.22063 – 2022 Pine St East Aurora	\$ 353,000.00
B.24006 – Preservation of Roads Construction Pine St	<u>\$5,600,000.00</u>
	\$5,953,000.00

and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute any necessary change orders, amendments to contracts and agreements; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that three 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.

(5-0)

JOHN J. GILMOUR
CHAIR