



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 18, 2026

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**RE: Right-of-Way (ROW) Acquisition for PIN 5764.89
Replacement of Dennis Road (CR 183) Bridge
over Little Sister Creek, BIN 3327510,
Town of Evans, Erie County**

Dear Honorable Members:

We are forwarding for your approval a proposed resolution authorizing the County of Erie to allocate monies to acquire Right of Way (ROW). This ROW will facilitate construction of the above noted project.

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary, Jr., at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz".

Mark C. Poloncarz
Erie County Executive

MCP/jtd
Enclosure

cc: William E. Geary, Jr., Commissioner of the Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Right-of-Way (ROW) Acquisition for PIN 5764.89
Replacement of Dennis Road (CR 183) Bridge
over Little Sister Creek, BIN 3327510,
Town of Evans, Erie County
Date: September 18, 2026

SUMMARY

A project to design the replacement of the Dennis Road (CR 183) Bridge over Little Sister Creek, BIN 3327510, in the Town of Evans, was authorized by your honorable body via Communication 3E-6 (2024). To advance the construction of this Locally Administered Federal Aid project, benefiting from both Federal and State Funding, the County will, at 100%, undertake the Right of Way acquisition. The purpose of this resolution is to allocate funding and authorize the County of Erie to acquire the necessary Right-of-Way for replacement of the bridge. The right-of-way required is comprised of a total of five takings, within five different properties. Five (5) Temporary Easements are needed.

FISCAL IMPLICATIONS

Funds for these ROW acquisitions are available SAP B.25051, 2025 Capital Right-of-Way, Fund 420, BA 123.

PROPERTY SBL NUMBERS

SBL 220.00-1-3
SBL 220.00-2-14.11
SBL 220.00-2-36.21
SBL 220.00-2-37
SBL 220.00-2-9.11

TOWNSHIP

Evans
Evans
Evans
Evans
Evans

REASONS FOR RECOMMENDATION

Allow the County to acquire necessary Right-of-Way for the rehabilitation of the subject bridge.

BACKGROUND INFORMATION

This Project has funding in SAP account B.25051, Capital Right-of-Way. Acquisition of the Right-of-Way is necessary prior to the construction phase of the project.

CONSEQUENCES OF NEGATIVE ACTION

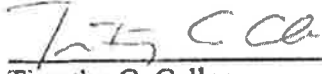
If Right-of-Way is not acquired, the project cannot be constructed, and the bridge will continue to deteriorate and hinder travel for the public.

STEPS FOLLOWING APPROVAL

The Right-of-Way necessary to construct the project will be acquired.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

 8/20/26

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.25051 – 2025 Capital Right of Way

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

RE: Right-of-Way (ROW) Acquisition for PIN 5764.89
Replacement of Dennis Road (CR 183) Bridge
over Little Sister Creek, BIN 3327510,
Town of Evans, County of Erie

WHEREAS, a design project for rehabilitation of the Dennis Road (CR 183) Bridge over Little Sister Creek, BIN 3327510, in the Town of Evans, (the "Project") was authorized by your honorable body via Communication 3E-6 (2024); and

WHEREAS, to facilitate the rehabilitation of this bridge, it is necessary for the County to acquire by fee and/or easement portions of real property in the vicinity of the bridge;

<u>PROPERTY TAX MAP SBL NUMBERS</u>	<u>TOWNSHIP</u>
SBL 220.00-1-3	Evans
SBL 220.00-2-14.11	Evans
SBL 220.00-2-36.21	Evans
SBL 220.00-2-37	Evans
SBL 220.00-2-9.11	Evans

such properties to be acquired by the County are herein referred to as the "Subject Properties"; and

WHEREAS, to acquire the easement parcels for the Project, it is necessary for the County to establish an amount which it believes to represent just compensation for the real property interest to be acquired and to thereafter make a written offer to purchase the real property interest for the respective just compensation amount; and

WHEREAS, the acquisition of the portions of the Subject Properties is de minimis in nature so the public interest will not be prejudiced by the construction of the new bridges; and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Properties by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the acquisition of the necessary Right-of-Way (ROW) required to construct the Project; and be it further

RESOLVED, that sufficient funding is available for the acquisitions available from Fund 420, Fund Center 123, project B.25051, 2025 Capital Right of Way in a sum not to exceed \$30,000; and be it further

RESOLVED, that the County Executive is authorized to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, Commissioner of Public Works, or his authorized representatives, including Greenman Pedersen, Inc., are hereby authorized to establish the amounts representing just compensation for the real property to be acquired; and be it further

RESOLVED, the Commissioner of Public Works, or his authorized representatives, including Greenman Pedersen, Inc., are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring interests in portions of their respective parcels of real property by fee and/or easement, which acquisitions are necessary for the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including Greenman Pedersen, Inc., are authorized to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the owners of the Subject Property; and be it further

RESOLVED, that the County Attorney shall prepare, and the County Executive shall execute all appropriate documents relating to acquiring fee and/or easement interests in the Subject Properties; and be it further

RESOLVED, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, the County is authorized to commence eminent domain procedures; 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, and one copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management.

TO:

TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME Greenman Pedersen, Inc.,
Property Owners
2. AMOUNT OF CONTRACT Combined not to exceed \$30,000
3. PROJECT NUMBER B.25051 - \$30,000
4. PROJECT TITLE Dennis Road Road (CR 183) Bridge over Little
Sister Creek, PIN 5764.89
5. DEPARTMENT CONTACT Funding questions: William E. Geary, Jr. at
7555
Letter pickup: Christy Weber at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS
7. PERFORMED BY

Date Sent to Comptroller's Office:

\$ 916,202.00
Timothy D.
08.20.2026

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