



# THE ERIE COUNTY LEGISLATURE

Session No. 5  
March 9, 2023

April N.M. Baskin  
*Chair*

Timothy J. Meyers  
*Majority Leader*

John J. Mills  
*Minority Leader*

Robert M. Graber  
*Clerk of the Legislature*

ROLL CALL

INVOCATION - Mr. Greene

PLEDGE OF ALLEGIANCE - Mr. Gilmour

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING - Meeting No. 4

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

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|            |   |
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| VINAL      | Acknowledging and Honoring Mother Language Day  |
| JOHNSON    | In Remembrance of Reginald Jerome Gaines  |
| MALCZEWSKI | Recognizing Edward Rutkowski for his Contributions to Western New York and the Local Polish Community |
| MALCZEWSKI | Recognizing Marilla Primary School for Raising Money to Support the American Heart Association        |
| MALCZEWSKI | Recognizing Francis Orlikowski for his Contributions to the Western New York Polish Community         |
| TODARO     | Recognizing Sandy Stango for Keeping Buffalo Warm, One Scarf at a Time                                |
| TODARO     | Recognizing and Honoring Anna D'Amore During Women's History Month                                    |
| TODARO     | Recognizing and Honoring Jessica Dennis During Women's History Month                                  |
| TODARO     | Recognizing and Honoring Marissa Enser During Women's History Month                                   |
| TODARO     | Recognizing and Honoring Sarah Feldmann During Women's History Month                                  |

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| TODARO | Recognizing and Honoring Ashley Gossett During Women's History Month   |
| TODARO | Recognizing and Honoring Logan Kuhlmeier During Women's History Month  |
| TODARO | Recognizing and Honoring Alexis Nowak During Women's History Month   |
| TODARO | Recognizing and Honoring Lynne Ruda During Women's History Month   |
| TODARO | Recognizing and Honoring Emily Schnitzer During Women's History Month  |
| TODARO | Recognizing and Honoring Wendy Schweitzer During Women's History Month   |
| TODARO | Recognizing and Honoring Sara Smith During Women's History Month   |
| TODARO | Recognizing and Honoring Jennie Smith During Women's History Month   |
| TODARO | Recognizing and Honoring Catherine Ullman During Women's History Month   |
| TODARO | Recognizing and Honoring Marissa Wignall During Women's History Month  |
| GREENE | Recognizing and Honoring Edward A. Rath III as the Recipient of the Clarence Chamber of Commerce's 2023 Community Appreciation Award       |
| GREENE | Honoring Releve' Dance Company and Founder Lindsay Mangioneon Being Awarded the Clarence Chamber of Commerce's Perseverance Award for 2023 |
| MILLS  | Honoring the Springville FFA and Recognizing March 21, 2023 as National Ag Day in Erie County  |
| MILLS  | Honoring Patrick Sullivan on Being Named as the Collins Volunteer Fire Department 2022 Rookie of the Year                                  |
| MILLS  | Honoring Giovanni Gallo as the Collins Volunteer Fire Department 2022 Firefighter of the Year  |
| MILLS  | Honoring Florence Schneider for Twenty Years of Service to the Morton's Corner Fire Department   |

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| JOHNSON  | Honoring Wendy Rodgers as Citizen of the Month for January 2023   |
| GREENE   | Honoring Clarence Center Preschool, Inc., Clarence Chamber of Commerce's 2023 Small Business of the Year                            |
| GREENE   | Honoring George M. Emerling, Clarence Chamber of Commerce's 2023 Citizen of the Year  |
| GREENE   | Honoring James A. Powers, Recipient of the Clarence Chamber of Commerce's Lifetime Achiever Award                                   |
| GREENE   | Honoring Dimar Manufacturing Corp., Clarence Chamber of Commerce's 2023 Large Business of the Year                                  |
| GREENE   | Honoring the Clarence Central School District's Family Support Center, Clarence Chamber of Commerce's 2023 Organization of the Year |
| GREENE   | Recognizing and Honoring John O'Hare as the Clarence Chamber of Commerce's 2023 Volunteer of the Year                               |
| GREENE   | Honoring Primo Giammusso, Clarence Chamber of Commerce's 2023 Young Entrepreneur of the Year  |
| BASKIN   | Congratulating and Honoring Arthur O. Eve Jr. - 2023 Joseph F. Crangle Legacy Award Recipient - Democrat of the Year                |
| MALCZEWSKI   | Congratulating Just Holster It Firearms & Training Center on its Grand Opening in Elma, NY  |
| VINAL  | Recognizing Gretchen Dolan - Breaks Section VI Basketball Season Scoring Record   |
| BASKIN, MEYERS, MILLS, JOHNSON, KOOSHOIAN, BARGNESI, VINAL, GREENE, TODARO, GILMOUR & MALCZEWSKI | In Remembrance of Jason D. Arno - Heroic Buffalo Firefighter  |
| GILMOUR  | Recognizing Chris Smith on Being Hired as the Assistant Offensive Line Coach by the New York Giants (NFL)                           |
| JOHNSON  | Celebrating and Recognizing Ryan Fernandez  |
| GILMOUR  | Recognizing St. Francis Wrestling - State Champions   |

BARGNESI & KOOSHOIAN

Honoring the Grand Island Chess Club

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GILMOUR & MEYERS

Congratulating the Timon Boys Basketball -  
Manhattan Cup Champions

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VINAL

Congratulating and Honoring Lauren Hubert -  
Williamsville South Volleyball - Canisius College  
Signee

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BASKIN, BARGNESI, GILMOUR,  
JOHNSON, KOOSHOIAN,  
MEYERS & VINAL

Recognizing National Colorectal Cancer Awareness  
Month

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**LOCAL LAWS:**

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LL INTRO. 1-1  
(2022)

TODARO, GREENE,  
LORIGO & MILLS

A Local Law Authorizing Twelve and  
Thirteen-Year-Old Licensed Hunters to  
Hunt Deer with a Firearm or Crossbow  
During Hunting Season with the  
Supervision of a Licensed Adult

Energy &  
Environment

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LL INTRO. 3-1  
(2022)

BASKIN, MEYERS,  
JOHNSON, VINAL &  
GILMOUR

The Erie County Language Access Act

Health &  
Human Services

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LL INTRO. 1-1  
(2023)

MILLS, GREENE,  
TODARO &  
MALCZEWSKI

Providing for 10% Property Tax  
Exemptions for Volunteer Firefighters  
and Ambulance Workers in Erie  
County

Finance &  
Management

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LL INTRO. 2-1  
(2023)

BASKIN, MEYERS,  
JOHNSON, VINAL &  
KOOSHOIAN

The Public Art Act of Erie County

Community  
Enrichment

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**COMMITTEE REPORTS:**

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REPORT No. 3

PUBLIC SAFETY COMMITTEE

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REPORT No. 1

FINANCE & MANAGEMENT COMMITTEE

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REPORT No. 2

HEALTH & HUMAN SERVICES COMMITTEE

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REPORT No. 1

COMMUNITY ENRICHMENT COMMITTEE

**LEGISLATOR RESOLUTIONS:**

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| INTRO. 5-1 | BASKIN | Appointment to the Cornell Cooperative Extension Association of Erie County |
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| INTRO. 5-2 | MALCZEWSKI, MILLS, TODARO & GREENE | Calling on NYS to Continue Sharing eFMAP Funds with Its Counties |
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| INTRO. 5-3 | BASKIN | Reappointments to the EC Agricultural & Farmland Protection Board |
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**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

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| COMM. 4E-16 (2023) | From the Economic Development Committee | From the County Executive, Authorization to Enter Into Contract with Aurigo Software Technologies, Inc. |
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| COMM. 2E-3 (2023) | From the Energy & Environment Committee | From the County Executive, ECSD No. 3 - Southtowns AWTF - Bid Opening<br><br>***Amendment to Comm. 2E-3 (2023) |
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| COMM. 4E-17 (2023) | From the Energy & Environment Committee | From the County Executive, Parks, Recreation & Forestry Shelter Rehabilitation |
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| COMM. 4E-23 (2023) | From the Finance & Management Committee | From the Comptroller, 2023 Consolidated Bond Resolution<br><br>***Amendment to COMM. 4E-23 (2023) - Consolidated Bond Resolution<br><br>***Amendment to COMM. 4E-23 (2023) - Consolidated Bond Chart of Components |
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**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

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| COMM. 5E-1 | COMPTROLLER | State Authorization for the Private Sale of Bonds or Notes by Negotiated Agreement | Finance & Management |
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| COMM. 5E-2 | COUNTY | Appointment to the ErieNET LDC | Economic |
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|             | EXECUTIVE        | Board of Directors  | Development             |
| COMM. 5E-3  | COMPTROLLER      | Letter to County Clerk Concerning Challenger Newspaper Invoice                                | Government Affairs      |
| COMM. 5E-4  | COMPTROLLER      | Proposed 2023-2024 NYS Budget & Impact of Enhanced Federal Medical Assistance Percentage Cuts | Finance & Management    |
| COMM. 5E-5  | COUNTY EXECUTIVE | Appointment to the ECMCC Board of Directors   | Health & Human Services |
| COMM. 5E-6  | SHERIFF          | Incarcerated Individual Eye Care  | Public Safety           |
| COMM. 5E-7  | COUNTY EXECUTIVE | ECSD No. 3 - Southtowns Influent Screenings Replacement                                       | Energy & Environment    |
| COMM. 5E-8  | COUNTY EXECUTIVE | ECSD Nos. 2, 3, 6 & 8 - Construction Inspection Term Contract Agreement                       | Energy & Environment    |
| COMM. 5E-9  | COUNTY EXECUTIVE | ECSD Nos. 1, 4 & 5 - Construction Inspection Term Agreement                                   | Energy & Environment    |
| COMM. 5E-10 | COUNTY EXECUTIVE | ECSD Nos. 1, 4 & 5 - Construction Inspection Term Contract Agreement                          | Energy & Environment    |
| COMM. 5E-11 | COUNTY EXECUTIVE | ECSD Nos. 1, 4 & 5 - Construction Inspection Term Contract Agreement                          | Energy & Environment    |
| COMM. 5E-12 | COUNTY EXECUTIVE | Acceptance of DASNY Grant for Times Beach Gateway Enhancement & Facility Improvement Project  | Economic Development    |
| COMM. 5E-13 | COUNTY EXECUTIVE | Acceptance of DASNY Grant for Tow Path Park/Fenian Invasion Monument Improvements             | Economic Development    |
| COMM. 5E-14 | COUNTY EXECUTIVE | Contract Amendment to Rehabilitation of Alden-Crittenden Rd. & Bullis Rd.                     | Economic Development    |
| COMM. 5E-15 | COUNTY EXECUTIVE | Real Estate Transfer Tax Surplus Appropriation  | Finance & Management    |
| COMM. 5E-16 | COUNTY EXECUTIVE | PILOT Agreement for Tonawanda Towers, City of Tonawanda                                       | Economic Development    |
| COMM. 5E-17 | COUNTY EXECUTIVE | Acceptance of SHINE Grant   | Health & Human Services |
| COMM. 5E-18 | COUNTY EXECUTIVE | Meridian Fire Training Solutions LLC - Consulting Request                                     | Public Safety           |

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| COMM. 5E-19 | COUNTY EXECUTIVE | Authority to Extend Usherwood Office Technology Contract                | Finance & Management    |
| COMM. 5E-20 | COUNTY EXECUTIVE | SUNY Erie Media Planning & Management Services Agreement                | Community Enrichment    |
| COMM. 5E-21 | COUNTY EXECUTIVE | Acceptance of Grant Award - "Congressional Directive Spending Projects" | Finance & Management    |
| COMM. 5E-22 | COUNTY EXECUTIVE | Acceptance of Increased Award for Expanded Partner Services Grant       | Health & Human Services |
| COMM. 5E-23 | COUNTY EXECUTIVE | Creation of an ECMCC Campus Maintenance Unit                            | Health & Human Services |

**COMMUNICATIONS FROM THE DEPARTMENTS:**

|            |   |   |                         |
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| COMM. 5D-1 | COMMISSIONER OF HEALTH                        | Office of Health Equity's "Health Equity in Erie County: An Initial Health Disparities Assessment" Report | Health & Human Services |
| COMM. 5D-2 | DEPUTY COMMISSIONER OF ENVIRONMENT & PLANNING | 2022 Climate Action Update  | Energy & Environment    |
| COMM. 5D-3 | DIVISION OF AUDIT & CONTROL                   | Audit of Erie County Department of Senior Services - Congregate Dining Nutrition                          | Health & Human Services |
| COMM. 5D-4 | COUNTY ATTORNEY                               | Transmittal of New Claims Against Erie County   | Government Affairs      |

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

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|------------|-------------------------------|--|--------------------|
| COMM. 5M-1 | VISIT BUFFALO NIAGARA         | Visit Buffalo Niagara - 2022 Quarterly Report Q4                           | Government Affairs |
| COMM. 5M-2 | VISIT BUFFALO NIAGARA         | Budget Accountability Act Submission                                       | Government Affairs |
| COMM. 5M-3 | HOPKINS SORGI & MCCARTHY PLLC | Notice of Town of Yorkshire Zoning Regulations, Restrictions or Boundaries | R&F                |

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| COMM. 5M-4 | NYS DEC                                | DEC Public Comment on Brownfield Application for Site on East Ferry St., Buffalo | Energy & Environment |
| COMM. 5M-5 | NYS DEC                                | DEC Public Comment on Brownfield Application for Site on Laborers Wy., Buffalo   | Energy & Environment |
| COMM. 5M-6 | ASSOCIATION OF ERIE COUNTY GOVERNMENTS | Opposition to Natural Gas Ban  | Energy & Environment |

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

SUBJECT  
MINUTES OF PREVIOUS MEETING - Meeting No. 4

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Attachments

Mtg. No. 4 Minutes

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**ERIE COUNTY LEGISLATURE  
MEETING NO. 4  
FEBRUARY 16, 2023**

The Legislature was called to order by Chair Baskin.

All members present, except Legislator Meyers.

An Invocation was held, led by Ms. Vinal, who offered a prayer.

The Pledge of Allegiance was led by Mr. Todaro.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. GILMOUR moved for the approval of the minutes for Meeting Number 3 from 2023. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. KOOSHOIAN presented a proclamation Honoring the St. Joseph's Collegiate Institute Wrestling Team for Matching the Record for Most Consecutive Team Championships in the Monsignor Martin Athletic Association.

Item 6 – MR. MEYERS presented a proclamation Celebrating and Honoring Chief Ronald W. Endle on His Induction to the Erie County Wall of Honor.

Item 7 – CHAIR BASKIN presented a proclamation Honoring and Recognizing Connie Rose Porter.

Item 8 – MR. JOHNSON presented a proclamation In Remembrance of Edmund Walter Duncan, Sr.

Item 9 – MR. KOOSHOIAN & MR. BARGNESI presented a proclamation Honoring & Recognizing St. Joe's Juniors Austin Zimmerman & Nik Massaro - NYS Champions - High School Wrestling.

Item 10 – MR. JOHNSON presented a proclamation Honoring & Recognizing Random Acts of Kindness Day.

Item 11 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Honoring & Recognizing National Investors' Day.

Item 12 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Honoring & Recognizing African Heritage & Health Week.

Item 13 – MR. MILLS presented a proclamation Honoring Hannah Lauber as the 2022 Firefighter of the Year.

Item 14 – MR. MILLS presented a proclamation Honoring Dennis Fuller for Forty Years of Service to the Morton's Corners Fire Department.

Item 15 – MR. MILLS presented a proclamation Celebrating Paul Woods on His 100th Birthday.

Item 16 – MR. MILLS presented a proclamation Honoring Peter Kehr for Fifty Years of Service to the Langford-New Oregon Volunteer Fire Company.

Item 17 – MR. GREENE presented a proclamation Honoring Jacob Daniel Wind on Attaining Rank of Eagle Scout.

Item 18 – MR. GREENE presented a proclamation Honoring and Congratulating Senior Investigator Robert McMahon on His Retirement.

Item 19 – MR. GREENE presented a proclamation Honoring Thomas John Russell on Attaining Rank of Eagle Scout.

Item 20 – MR. MALCZEWSKI presented a proclamation Recognizing Mary Jo Fisher for being the First Female Firefighter in Elma's History.

Item 21 – MR. MALCZEWSKI presented a proclamation Recognizing Saint Vincent de Paul Council on its First Anniversary.

Item 22 – MR. TODARO presented a proclamation Honoring Anthony Gates for Being Recognized as "Firefighter of the Year".

Item 23 – MR. TODARO presented a proclamation Honoring Joshua Gates for Being Recognized as "Firefighter of the Year".

Item 24 – MR. TODARO presented a proclamation Honoring Kathleen Kozlowski for Being Recognized as "Firefighter of the Year".

Item 25 – MR. TODARO presented a proclamation Honoring Jake Girdlestone as Being Recognized as "Firefighter of the Year".

Item 26 – MR. TODARO presented a proclamation Honoring Robert Simme for Being Recognized as "Firefighter of the Year".

Item 27 – MR. TODARO presented a proclamation Honoring William Cutherstone for Being Recognized as “Firefighter of the Year”.

Item 28 – MR. TODARO presented a proclamation Honoring Henry Klier for Being Recognized as “Firefighter of the Year”.

Item 29 – MR. TODARO presented a proclamation Honoring Allen Gates for Being Recognized as “Firefighter of the Year”.

Item 30 – MR. TODARO presented a proclamation Honoring Patrick Manning for Being Recognized as “Firefighter of the Year”.

Item 31 – MR. TODARO presented a proclamation Honoring Brandon Kozlowski-Eleczko for Being Recognized as “Firefighter of the Year”.

Item 32 – MR. TODARO presented a proclamation Honoring Frank Krawczyk for Being Recognized as “Firefighter of the Year”.

Item 33 – MR. TODARO presented a proclamation Honoring Steven Krawczyk for Being Recognized as “Firefighter of the Year”.

Item 34 – MR. TODARO presented a proclamation Honoring Richard Spaich for Receiving Life Member Status at Millgrove Volunteer Fire Department.

Item 35 – MR. TODARO presented a proclamation Honoring Frank Krawczyk for Receiving Life Member Status at Millgrove Volunteer Fire Department.

Item 36 – MR. TODARO presented a proclamation Honoring Tom Miller for Receiving Life Member Status at Millgrove Volunteer Fire Department.

Item 37 – MR. GILMOUR presented a proclamation Honoring & Recognizing Marcus Rivers - Lackawanna Boys and Girls Varsity Basketball Head Coach.

Item 38 – MR. GILMOUR presented a proclamation Recognizing St. Francis Football - Logan Reaska, Balaam Miller, Aiden Dubeck, Dylan Walker & Steve Otremba Jr. on Signing their National Letter of Intent.

Item 39 – CHAIR BASKIN presented a proclamation Honoring Emily Anne Robinson as Citizen of the Month - February 2023.

Item 40 – MR. KOOSHOIAN presented a proclamation Honoring & Recognizing Waxlight Bar a Vin Semifinalist - James Beard Award.

Item 41 – CHAIR BASKIN presented a proclamation Happy 100th Birthday Paul Woods.

Item 42 – MS. VINAL presented a proclamation Congratulating Brenton Baker Setting State Sophomore High Jump Mark.

MR. GILMOUR moved for consideration of the above thirty-eight items. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. GILMOUR moved to amend the above thirty-eight items by including Et Al Sponsorship. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above thirty-eight items as amended. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 43 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2022 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 44 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2022 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 45 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2023 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 46 – CHAIR BASKIN directed that Local Law No. 2 (Print #1) 2023 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

Item 47 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 20

|                  |   |
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| February 9, 2023 | PUBLIC SAFETY COMMITTEE<br>REPORT NO. 2 |
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 23M-4 (2022)  
VILLAGE OF AKRON: “Certified Resolution Opposing NYS Laws Concerning Firearm Restriction”  
(Chair’s Ruling)
  - b. COMM. 3M-5 (2023)  
PRISONERS ARE PEOPLE TOO, INC.: “Reappointment to ECCSAB”  
(Chair’s Ruling)
2. INTRO. 2-2 (2023)  
BASKIN  
WHEREAS, the Erie County Corrections Specialist Advisory Board was created in 2019 via Local Law 3-2019; and

WHEREAS, the law established a variety of appointing authorities for candidates seeking to serve on the Advisory Board; and

WHEREAS, the Chair of the Legislature has a recommendation for one of the seats on the advisory board, and the previous term expired at the end of 2022.

NOW, THEREFORE, BE IT

RESOLVED, that based on the recommendation of the Chair of the Legislature, Mr. Jerome Wright is appointed to fill the position of Member of the Corrections Specialist Advisory Board as a member with demonstrated experience in jail reform, for a three-year term; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the members of the Erie County Corrections Specialist Advisory Board and Mr. Jerome Wright.  
(6-0)

3. COMM. 3E-13 (2023)  
COUNTY EXECUTIVE  
WHEREAS, the Erie County Probation Department provides Pretrial Services for the courts as an alternative to incarceration; and

WHEREAS, the Bail Reform legislation enacted by New York State in 2020 has impacted the work of Pretrial Services staff; and

WHEREAS, the Erie County Probation Department recognizes that failure to return to court is more likely among economically disadvantaged defendants due to lack of transportation and reliable communication methods; and

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has awarded the Erie County Probation Department funding to address expenses related to the provision of Pretrial Services; and

WHEREAS, the Erie County Probation Department proposes to use a portion of this funding to purchase bus passes and prepay cell phones for defendants with marginal resources; and

WHEREAS, these purchases will not facilitate an increase in County funding of the existing Probation 2023 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Probation Department to increase the 2023 General Fund Budget as follows:

Probation Department  
Fund 110 Funds Center 12610

|  |                 |
|--|-----------------|
| Revenue  | Increase        |
| Account 409060 State Aid-Probation Pretrial Services | \$21,000        |
| APPROPRIATION  | Increase        |
| Account 530000 Other Expenses                        | \$ 7,500        |
| Account 561410 Lab & Technical Equipment             | <u>\$13,500</u> |
|  | \$21,000        |

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 sent to the following departments: Erie County Executive's Office, Division of Budget and Management, Comptroller's Office, Purchasing Department, and the Probation Department.  
(6-0)

4. COMM. 3E-16 (2023)  
COUNTY EXECUTIVE

WHEREAS, Performance Advantage Company want to coordinate with the Erie County Department of Homeland Security & Emergency Services' Division of Fire Safety and the County of Erie's Department of Purchasing to accept a donated trailer; and

WHEREAS, the Division of Fire Safety will maintain operational oversight and maintenance; and

WHEREAS, the trailer will be used in the training of various local and state level community partners.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie does hereby authorize the acceptance of one training trailer (VIN 2U9CF1021AT017092); and be it further

RESOLVED, that this trailer will be used by the Erie County Department of Homeland Security and Emergency Services Fire Safety Division; and be it further

RESOLVED, that the County Executive and/or Deputy County Executive is hereby authorized to execute any and all appropriate documents as may be necessary for the provision of space at the county surplus warehouse; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Director of the Division of Budget and Management; Vallie Ferraraccio, the Director of the Department of Purchasing.  
(6-0)

5. COMM. 3E-21 (2023)  
SHERIFF

WHEREAS, the Erie County Sheriff's Office and Buffalo Fatherhood Initiative of Buffalo Prenatal have been offering an evidence-based parenting education program called "Nurturing Fathers Program;" and

WHEREAS, the 6-week program offers twelve fatherhood workshops for up to fifteen participants and provides evidence-based parenting curriculum - the "Nurturing Fathers Program" (NFP) which consists of 32.5-hours of sessions addressing, fathering, self-nurturing, overcoming barriers to fathering, discipline, fathering sons/daughters, and co-parenting; and

WHEREAS, due to the demand and the success of the program, the parties wish to offer two additional session within the existing contract; and

WHEREAS, the 6-week program cost \$4,995.00 per session; and

WHEREAS, the Sheriff's Office is requesting to amend the contract to offer the additional sessions; and

WHEREAS, because commissary funds are used, there is no impact to the 2023 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Sheriff's Office and the county Executive to amend the existing agreement with Buffalo Pre-Natal-Perinatal Network, Inc., 625 Delaware Avenue, Suite 410, Buffalo, New York 14202, to provide for two (2) additional session within the contractual year; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the County Comptroller, the Division of Budget and Finance, the Division of Purchasing, and the Sheriff's Office for implementation.

(6-0)

**HOWARD J. JOHNSON, JR.  
CHAIR**

Item 48 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 21

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| February 9, 2023 | ENERGY & ENVIRONMENT<br>COMMITTEE<br>REPORT NO. 3 |
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 3E-11 (2023)  
COUNTY EXECUTIVE: "ECSD No. 8 – East Aurora WRRF Control Building Improvements Project"  
(Chair's Ruling)
  - b. COMM. 3E-20 (2023)  
COUNTY EXECUTIVE: "ECSD No. 3 – Engineering Term Contract Agreement"  
(Chair's Ruling)
2. COMM. 3E-12 (2023)  
COUNTY EXECUTIVE

WHEREAS, Erie County has a Household Hazardous Waste (HHW) Collection Program to provide residents with a safe, effective, and cost-free opportunity to dispose of household generated hazardous waste; and

WHEREAS, New York State Department of State (DOS) provides competitive funding for Local Government Efficiency Grants for local government to better consolidate and share services; and

WHEREAS, Erie County received a DOS award for \$1,000,000 in funding to support an implementation project to improve the HHW Collection Program and establish a permanent HHW site(s) for the County; and

WHEREAS, through this Household Hazardous Waste Implementation Project the County has established a hybrid system of events and a voucher program that better serve our residents and municipalities; and

WHEREAS, additional opportunities have been identified to create efficiencies regarding waste in Erie County; and

WHEREAS, in order to complete the project an extension of the grant is necessary, as well as a change in positions associated with the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or Deputy County Executive is authorized to execute a contract to extend the grant project period to March 31, 2025; and be it further

RESOLVED, that the following position be eliminated, which is funded under the Household Hazardous Waste Implementation Project grant #162HHWIP1823, business area 162, fund 281:

Junior Environmental Compliance Specialist (JG-07)  
B-100 (11643)  
Budgeted Annual Salary: \$39,555

and be it further

RESOLVED, that the following position be created, which is funded by the Household Hazardous Waste Implementation Project grant #162HHWIP1823, business area 162, fund 281:

Senior Environmental Compliance Specialist (JG-12)  
B-100 (13569)  
Budgeted Annual Salary: \$64,138.55

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 the grantor funding requirements; 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 County Attorney; the County Comptroller; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(5-0)

3. COMM. 3E-14 (2023)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has a New York State Energy Research and Development Authority (NYSERDA) funded project named the Erie County Low Income Program for Sustainable Energy (ECLIPSE) that is developing a program to reduce energy burden and increase access to renewable energy in the community; and

WHEREAS, currently the ECLIPSE grant funds an Administrative Assistant (JG 9) position in the Department of Social Services (DSS); and

WHEREAS, DEP and DSS have determined that operational efficiencies and cost savings will be achieved by eliminating the Administrative Assistant position in DSS, and creating a new position, Junior Administrative Assistant (JG 7), in DEP; and

WHEREAS, grant budget must be revised to cover these staff position changes; and

WHEREAS, the NYSERDA ECLIPSE grant contract allows for the changes; and

WHEREAS, whereas Erie County Legislature authorization is required to eliminate and add the positions and revise the grant budget.

NOW, THEREFORE, BE IT

RESOLVED, that the following position, which is funded by grant SAP #162ECLIPSE1922 in Fund 281, will be eliminated in the Department of Social Services:

Administrative Assistant (JG-9)  
B-100 No. 9711  
Budgeted Annual Salary: \$66,217

and be it further

RESOLVED, that the following position will be created in the Department of Environment and Planning and funded by grant SAP# 162ECLIPSE1922 in Fund 281:

Junior Administrative Assistant (JG-7)  
B-100 No. 13585  
Budgeted Annual Salary: \$58,531

and be it further

RESOLVED, that the grant budget for the Erie County Low Income Program for Sustainable Energy project is hereby revised in the DEP, Business Area 162, as follows:

Erie County Low Income Program for Sustainable Energy project  
(Grant Period: 11/12/19 – 3/31/2025), SAP Grant Account #162ECLIPSE1922

REVENUE:

| <u>Account</u> | <u>Description</u> | <u>Budget</u>        |
|----------------|--------------------|----------------------|
| 409000         | State Aid Revenue  | <u>(\$1,500,000)</u> |
| TOTAL REVENUE  |                    | (\$1,500,000)        |

APPROPRIATIONS:

| <u>Account</u>       | <u>Description</u>            | <u>Budget</u> | <u>Revisions</u> | <u>Revised Budget</u> |
|----------------------|-------------------------------|---------------|------------------|-----------------------|
| 500000               | Full time Salaries            | \$257,284     | \$158,458        | \$415,742             |
| 502000               | Fringe Benefits               | \$131,362     | \$72,726         | \$204,088             |
| 516020               | Professional Service          | \$617,076     | \$0              | \$617,076             |
| 561410               | Lab & Technical Equipment     | \$9,750       | \$0              | \$9,750               |
| 561420               | Office Furniture and Fixtures | \$500         | \$0              | \$500                 |
| 510100               | Out of Area Travel            | \$15,000      | \$0              | \$15,000              |
| 510000               | Local Mileage Reimbursement   | \$5,000       | \$0              | \$5,000               |
| 505000               | Office Supplies               | \$7,500       | \$0              | \$7,500               |
| 505400               | Food and Kitchen Supplies     | \$7,500       | \$0              | \$7,500               |
| 530000               | Other Expenses                | \$10,000      | \$0              | \$10,000              |
| 916400               | ID Social Services            | \$439,028     | (\$231,184)      | <u>\$207,844</u>      |
| TOTAL APPROPRIATIONS |                               |               |                  | \$1,500,000           |

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 State and local funding requirements; 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 County Attorney; the

County Comptroller; Daniel R. Castle, Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.  
(5-0)

4. COMM. 3E-19 (2023)  
COUNTY EXECUTIVE

WHEREAS, the County of Erie must maintain countywide facilities that fall under New York State Department of Environmental Conservation (NYSDEC) and Environmental Protection Agency (EPA) regulations; and

WHEREAS, to maintain compliance and avoid fines and penalties, the Department of Public Works must hire a qualified consultant to assist in design and construction remedies; and

WHEREAS, the County previously entered into an agreement through the Department of Public Works standard consultant selection process with Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for professional services for the 2020 Environmental Compliance Term Amendment per COMM. 10E-15 (2020); and

WHEREAS, the existing funds associated with the contract to maintain NYSDEC compliance have been expended and the original base term agreement is active September 18, 2020 through September 17, 2023 with the option of two (2) one (1)-year renewals, potentially through September 17, 2025 per the terms of the contract at the discretion of the Department of Public Works; and

WHEREAS, Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. has continually shown the necessary expertise and manpower to provide professional design and construction services for the Project to maintain NYSDEC compliance avoiding potential violations and fines from the NYSDEC; and

WHEREAS, the County Executive requests authorization to enter into an Agreement Amendment to increase their existing contract by \$250,000 including a \$50,000 design contingency for a total of \$475,000 with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for providing Professional Architectural/Engineering Services for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. under DPW Contract No. 20-693-PW to increase their Professional Architectural/Engineering Services fee for the Project by an amount not to exceed \$250,000, including a \$50,000 design contingency for a total of \$475,000 specific to the contract for NYSDEC Environmental Compliance; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments for all the above from Fund 410, Funds Center 122 as follows:

---

A.23051 - DPW (Buildings and Grounds) – Environmental

\$ 250,000

Protection Agency (EPA) Regulatory Compliance

Total Payment not to Exceed: \$ 250,000

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.  
(5-0)

**TIMOTHY J. MEYERS**  
**CHAIR**

Item 49 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 22

|                  |   |
|------------------|---|
| February 9, 2023 | ECONOMIC DEVELOPMENT<br>COMMITTEE<br>REPORT NO. 3 |
|------------------|---|

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

1. COMM. 3E-15 (2023)  
COUNTY EXECUTIVE

WHEREAS, the federal American Rescue Plan (ARP), signed into law on March 11, 2021 as Public Law 117-2, requires institutions to use a portion of the Institutional funds to help fight the spread and transmission of COVID-19 on their campuses and among their student, faculty, staff and community members. The College allocated 5% percent of the total ARP funds to campus safety and the remainder was used to support revenue losses; and

WHEREAS, SUNY Erie Community College has more than 40 Heating, Ventilation, and Air Conditioning (HVAC) units across all three campus locations, with many having limited service and reaching the end of their useful lives; and

WHEREAS, SUNY Erie Community College seeks to maximize the required use of federal stimulus funds from the third tranche of support to postsecondary education by repairing and - in some cases - replacing HVAC units or their component parts across all three campus locations; and

WHEREAS, an amount of \$500,000 in Institutional Funds were planned for this use, and the plan was approved by SUNY System Administration and the State of New York to allocate this portion to campus safety; and

WHEREAS, there are no county funds being requested for this project but SUNY Erie Community College will seek support from New York State of up to 50 percent of existing state appropriations that were previously requested and approved through the State Budget Process, pursuant to NY Education Law Section 6304; and

WHEREAS, by doing so, SUNY Erie Community College can make major improvements in the physical operations of the campus and support the safety of its students, faculty, and staff.

NOW, THEREFORE, BE IT

RESOLVED, the Legislature of the County of Erie does hereby authorize SUNY Erie Community College the use of American Rescue Plan (ARP) funds in the amount of \$500,000 as planned, and to seek additional support from the State of New York for this purpose; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive, Officer in Charge of SUNY Erie Community College and the Chairman of the SUNY Erie Community College.  
(5-0)

2. COMM. 3E-17 (2023)  
COUNTY EXECUTIVE

WHEREAS, bids were received and opened on January 17, 2023 for the Road Reconstruction / Slope Stabilization of Back Creek Rd (CR438) in the Town of Boston, Erie County (the "Project"); Erie County Department of Public Works (ECDPW) Project Number CAP-438-23 in the Town of Boston; and

WHEREAS, ECDPW wants to award the construction contract to the lowest responsible bidder, Union Concrete and Construction Corp. (UCC), in the amount of \$1,099,740.01, enter into a construction period engineering services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann Associates) in an amount not to exceed \$345,259.99 and establish a project contingency of \$55,000, for a total project cost not to exceed \$1,500,000; and

WHEREAS, the estimated total cost of the Project is \$1,500,000, and is available in Fund 420, Funds Center 123, Project B.21103 – 2021 Road Slides Construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to award and execute a construction contract for ECDPW Project Number CAP-438-23, to the lowest responsible bidder, UCC., in the amount of \$1,099,740.01; and be it further

RESOLVED, that the County Executive is authorized to enter into a construction period engineering services agreement with Bergmann Associates in an amount not to exceed \$345,259.99; and be it further

RESOLVED, that a Project contingency be established in an amount of \$55,000 with authorization for the County Executive to execute Project related change orders, amendments and agreements, as necessary; and be it further

RESOLVED, the Project budget, in the amount of \$1,500,000, is available in Fund 420, Funds Center 123 as follows:

|   |             |
|---|-------------|
| B.21103.1 – 2021 Road Slides Construction | \$1,500,000 |
|---|-------------|

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 Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

3. COMM. 3E-18 (2023)  
COUNTY EXECUTIVE

WHEREAS, New York State Highway Law – HAY Section 102 charges the highway superintendent with the supervision of the work for constructing, maintaining, repairing, and improving the County highway system and its appurtenances; and

WHEREAS, the County of Erie’s highway maintenance division must enter the New York State Department of Transportation’s (NYSDOT) right of way to accomplish these tasks and is under the charge of the Commissioner of Highways; and

WHEREAS, the NYSDOT requires an annual permit for the County’s maintenance forces to work within their right-of-way; and

WHEREAS, this annual permit requires an undertaking issued by the County of Erie which indemnifies the NYSDOT, requires the County to accept financial responsibilities for work within the State right-of-way, and the County’s compliance with laws, rules, and regulation, governing the maintenance, construction, and traffic control activities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Highway Commission to be the authorized agent signing the undertaking required by NYSDOT for the annual highway permit; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) certified copy of this Resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive and the County Attorney.

(5-0)

**HOWARD J. JOHNSON, JR.**

**CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 50 – CHAIR BASKIN directed that the following resolution be referred to the SMALL BUSINESS COMMITTEE.

GRANTED.

INTRO. 4-1 from VINAL. Support for Shop 716.

Item 51 – CHAIR BASKIN directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO. 4-2 from VINAL. Support for Local Government Officials to Visit County Jails.

Item 52 – MR. GILMOUR presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 23

RE: Appointment to the Erie County  
Corrections Specialist Advisory  
Board  
(INTRO. 4-3)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATOR MEYERS**

WHEREAS, the Erie County Corrections Specialist Advisory Board was created in 2019 via Local Law 3-2019; and

WHEREAS, the law established a variety of appointing authorities for candidates seeking to serve on the Advisory Board; and

WHEREAS, the Majority Leader of the Legislature has a recommendation for one of the seats on the advisory board, and the previous term expired at the end of 2022.

NOW, THEREFORE, BE IT

RESOLVED, that based on the recommendation of the Majority Leader of the Legislature, Mr. Orlando Dickson is appointed to fill the position of Member of the Corrections Specialist Advisory Board as a member with demonstrated experience in criminal justice, for a three-year term; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the members of the Erie County Corrections Specialist Advisory Board and Mr. Orlando Dickson.

Item 53 – MR. GILMOUR presented the following resolution and moved for immediate consideration. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 24

RE: Calling for an Increase in  
Transparency for the NYS  
Thruway Authority & Opposing  
Any Toll Rate Hike  
(INTRO. 4-4)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MILLS, GREENE, MALCZEWSKI & TODARO**

WHEREAS, the NYS Thruway Authority (Authority) has proposed a multi-year schedule of systemwide toll increases to beginning in 2024; and

WHEREAS, the proposal calls for a 5% increase for New York issued E-ZPass drivers and a 75% increase for non-New York EZPass drivers; and

WHEREAS, NYS Comptroller DiNapoli issued a recent report declaring that toll increases should be the last option; and, during a review of the Authority's last ten years of finances, the Comptroller found gaps in essential information necessary to evaluate the proposal. These gaps represent a potentially significant lack of transparency and raises questions as to whether the Authority is spending resident's tax dollars effectively and efficiently; and

WHEREAS, these toll increases come at a time of challenges for residents of Erie County who are faced with rising costs on everything, from food and shelter, to gas; and

WHEREAS, Erie County is home to one of the poorest metropolitan areas in the nation. Any increase in expenses is a burden on our residents, and in an area that relies on personal transportation to commute to and from work, toll increases represent an even greater burden on the people of Erie County; and

WHEREAS, the Thruway Authority also has a tremendous number of employees and expends a significant amount of funding on outside procurement for services. The Authority should review these expenses and publish their findings to determine if they are the best use of residents and motorists toll dollars and then take appropriate actions to maximize the current revenue amounts before implementing a new toll regime.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby calls on the New York State Thruway Authority to increase transparency, improve its operations, and maximize its non-toll revenues, such as leasing fiber and cell tower spaces to third parties; and be it further

RESOLVED, that this honorable body opposes any rate hike in tolls before all other options are examined; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the NYS Thruway Authority Executive Director Matthew Driscoll, Governor Hochul's Office, the Western New York Delegation to the New York State Legislature, NYS Comptroller DiNapoli, and any other party deemed necessary and proper.

MR. GILMOUR moved to amend the resolution by including Et Al Sponsorship. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

MR. GILMOUR moved to approve the resolution as amended. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

None.

**SUSPENSION OF THE RULES**

None.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR JOHNSON**

Item 54 – (COMM. 4E-1) Letter of Absence

Received, filed and printed.

February 8, 2023

Robert Graber, Clerk  
Erie County Legislature  
92 Franklin Street  
Buffalo, NY 14202

Dear Clerk Graber,

This letter is to explain my absence from the February 2, 2023 Legislature Session #3. Due to a death in my family, I was unable to attend the meeting.

Please enter the aforementioned into the Legislature's official record.

Sincerely,

Howard J. Johnson, Jr.

FROM THE COUNTY EXECUTIVE

Item 55 – (COMM. 4E-2) Appointment to the SUNY ECC Board of Trustee

Item 56 – (COMM. 4E-3) Appointments to the Buffalo & EC Public Library

The above two items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 57 – (COMM. 4E-4) Re-Appointment to EC Fisheries Advisory Board

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 58 – (COMM. 4E-5) Appointments to the Commission on the Status of Women

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMPTROLLER

Item 59 – (COMM. 4E-6) Unanswered Questions Regarding WROTB Operations

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CHAIR BASKIN

Item 60 – (COMM. 4E-7) Vacancy on Cornell Cooperative Extension Board

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 61 – (COMM. 4E-8) Letter to Governor Hochul in Regards to NFTA Board Appointment

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 62 – (COMM. 4E-9) ECSD No. 5 RFP - Transit Road Corridor Sanitary Sewer Service Evaluation Report

Item 63 – (COMM. 4E-10) ECSD No. 3 - Engineer Term Contract Agreement

Item 64 – (COMM. 4E-11) Contract for Household Hazardous Waste & Conditionally Exempt Small Generator Services

Item 65 – (COMM. 4E-12) Regional Niagara River/Lake Erie Watershed Management Plan Phase 3

Item 66 – (COMM. 4E-13) Erie Heat Emergency Planning Project

Item 67 – (COMM. 4E-14) Authorization to Accept Electric Utility Bill Credits from Community Solar Provider

The above six items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 68 – (COMM. 4E-15) Buffalo Convention Center Interior Renovations - Term Agreement

Item 69 – (COMM. 4E-16) Authorization to Enter Into Contract with Aurigo Software Technologies, Inc.

The above two items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 70 – (COMM. 4E-17) Parks, Recreation & Forestry Shelter Rehabilitation

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 71 – (COMM. 4E-18) Acceptance of Grant Award from Rockefeller Philanthropy Associates

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMPTROLLER

Item 72 – MR. GILMOUR presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 25

RE: Assembly & Senate Bill Request for  
Legislation Authorizing Extension of  
Additional 1.0% & Additional 0.75%

Sales & Compensating Use Tax  
(COMM. 4E-19)

WHEREAS, Erie County is requesting authorization to continue to impose an additional one percent and additional three quarters percent sales and compensating use tax pursuant to New York State Tax Law 1210 (i)(4); and

WHEREAS, the revenue anticipated from this additional tax will allow the County of Erie to continue to provide services deemed vital to the community, while maintaining a balanced budget; and

WHEREAS, Erie County derives all of its tax imposing authority directly from State law; and

WHEREAS, the Erie County Department of Law has prepared the necessary State authorizing legislation to effectuate the continued imposition of sales and compensation use tax; and

WHEREAS, Erie County's authority to impose its additional 1.0% and additional 0.75% sales tax rate will expire at midnight on November 30, 2023 absent enactment of new State authorizing legislation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby memorializes to the NYS Assembly and Senate, particularly those lawmakers who serve as Western New York's delegation in Albany, that immediate introduction of new State authorizing legislation is needed so that Erie County can continue to impose its additional 1.0% and its additional 0.75% sales tax rate for the period beginning December 1, 2023 and ending November 30, 2026; and be it further

RESOLVED, that, as the proposed Bill indicates, if the county of Erie imposes the additional one percent rate of sales and compensating use taxes authorized by item (i) of clause (4) of subparagraph (i) of the opening paragraph of section twelve hundred ten of New York State Tax Law (NYSTL) during the period beginning January first, two thousand seven, or thereafter, the county shall allocate each calendar year the first twelve million five hundred thousand dollars of the net collections from such one percent rate to the cities of such county and the area in such county outside its cities to be applied or distributed in the same manner and proportion as the net collections for such cities and area are applied or distributed under the revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section twelve hundred sixty-two of NYSTL in effect on January first, two thousand six, and subject to all provisions of such agreement governing the net collections for such cities and area and shall retain the remainder of such net collections for any county purpose; and be it further

RESOLVED, that certified copies of this resolution be transmitted to Assembly Majority Leader Crystal Peoples-Stokes and Senator Tim Kennedy, together with the Erie County Division of Budget and Management, the County Attorney, and the County Executive.

FROM THE SHERIFF & THE COUNTY EXECUTIVE

Item 73 – (COMM. 4E-20) HALT Act Programming Provider

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 74 – (COMM. 4E-21) Authorization to Enter Into an Intergovernmental Agreement for Software License & Service

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 75 – (COMM. 4E-22) Extension of a Cents Per Gallon Rate of Sales & Compensating Use Taxes on Motor Fuel for 6/1/2023-12/31/2023 with a \$2.00 Per Gallon Limit

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 76 – (COMM. 4E-23) 2023 Consolidated Bond Resolution

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 77 – (COMM. 4E-24) Support & Possible Addition to LL 1-1 (2023)

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 78 – (COMM. 4E-25) Temporary Reduction in Qualification for Burial Assistance of Claimed Decedants During December 2022 Blizzard State of Emergency

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 79 – (COMM. 4E-26) Foreclosure Pursuant to the In Rem Provisions of the EC Tax Act, In Rem Action No. 171

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

FROM THE COMMISSIONER OF HEALTH

Item 80– (COMM. 4D-1) ECDOH Nursing Home COVID-19 Infection Report

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPUTY COMPTROLLER OF AUDIT

Item 81 – (COMM. 4D-2) Erie County Comptroller's Office - Audit of the Department of Law

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER OFFICE,  
DIVISION OF AUDIT & CONTROL

Item 82 – (COMM. 4D-3) Analysis of Inventory Controls for Medical & Health Supply Expenditures Using CARES Act and ARP Funding

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 83 – (COMM. 4D-4) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 84 – (COMM. 4D-5) Designation in the Event of Vacancy, Absence or Inability

Received, filed and printed.

TO: Hon. Mark C. Poloncarz, Erie County Executive  
Hon. Michael P. Kearns, Erie County Clerk  
Hon. Robert M. Graber, Clerk of the Erie County Legislature

FROM: Jeremy C. Toth, Erie County Attorney

DATE: January 13, 2023

RE: Designation in the Event of Vacancy, Absence or Inability

Jeremy C. Toth, Erie County Attorney, hereby designates the following Assistant County Attorneys to exercise the powers and duties of this office in the event of a vacancy in this office, or my absence or inability to perform the duties of my office, in the following order:

1. Kristen M. Walder, Deputy County Attorney;
2. Anthony B. Targia, Senior Litigator;
3. Amy M. McCabe, Lead Family Court Attorney.

Jeremy C. Toth  
Erie County Attorney

**FROM THE DIRECTOR OF  
REAL PROPERTY TAX SERVICES**

Item 85 – (COMM. 4D-6) Explanation of In Rem Process

Item 86 – (COMM. 4D-7) 2022 In Rem Foreclosure Auction Results

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE DEPUTY COMPTROLLER OF AUDIT**

Item 87 – (COMM. 4D-8) EC Comptroller's Office - Audit of the EC Clerk's Office

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM CORNELL COOPERATIVE EXTENSION**

Item 88 – (COMM. 4M-1) 2023 Budget Accountability Act Submission

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COMMISSIONER OF  
NYS AGRICULTURE & MARKETS**

Item 89 – (COMM. 4M-2) Agricultural District Nos. 5, 8 & 15 - Report to Modify Plan

Item 90 – (COMM. 4M-3) Agricultural District No. 1 - District Renewal Plan

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE NFTA**

Item 91 – (COMM. 4M-4) 3rd Quarter Capital Expenditure Reports

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE EC SOIL & WATER CONSERVATION DISTRICT**

Item 92 – (COMM. 4M-5) 2023 Budget Accountability Act Submission

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE EC WATER AUTHORITY

Item 93 – (COMM. 4M-6) 2021 & 2022 Financial Statements

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE THE BLACK CHAMBER OF COMMERCE OF WNY, INC.

Item 94 – (COMM. 4M-7) New Bills Stadium MWBE Utilization

Received and referred to the MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE.

FROM THE EC WATER AUTHORITY

Item 95 – (COMM. 4M-8) 2022 Water Quality Report & Legislative Update

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**ANNOUNCEMENTS**

Item 96 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, February 23, 2023, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, March 9, 2023.

Also, at 2 p.m., today, Thursday, February 16, 2023, in the Chambers, the Legislature will conduct a Public Hearing concerning 2023 Transfer Tax Revenue from the Erie County Road Repair Reserve Fund.

Finally, Chair Baskin announced that the Legislature will conduct a public hearing on Local Law Intro. 2-1 (2023), ‘The Public Art Act of Erie County,’ at 6 p.m., at the Burchfield Penney Art Center. The hearing is scheduled for Thursday, March 30, 2023.

**MEMORIAL RESOLUTIONS**

Item 97 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Derek Zakrzewski and Johanna Coleman.

Item 98 – Legislator Vinal requested that when the Legislature adjourns, it do so in memory of Louis Diakos.

Item 99 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Dorothy Chimes.

Item 100 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Donald Holmes.

**ADJOURNMENT**

Item 101 – At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. JOHNSON moved that the Legislature adjourn until Thursday, March 9, 2023 at 12:00 Noon Eastern Standard Time. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, March 9, 2023 at 12:00 Noon Eastern Standard Time.

**ROBERT M. GRABER**  
**CLERK OF THE LEGISLATURE**

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SUBJECT

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VINAL

Acknowledging and Honoring Mother Language Day

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Attachments

Mother Language Day

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, FEBRUARY 21, 2023

*Acknowledging and Honoring Mother Language Day*

**WHEREAS**, Erie County is a melting pot of cultures, where hundreds of different languages are spoken; and

**WHEREAS**, February 21 marks *Mother Language Day*, which was officially proclaimed in 1999 by the United Nations Educational, Scientific, and Cultural Organization; and

**WHEREAS**, Mother Language Day is an observance held annually worldwide to promote awareness of linguistic and cultural diversity and multilingualism; and

**WHEREAS**, today, progress is being made in mother tongue-based multilingual education with growing understanding of its importance, particularly in early schooling, and greater commitment to its development in public services; and

**WHEREAS**, Multilingualism contributes to the development of inclusive societies that allow multiple cultures, worldviews and knowledge systems to coexist; and

**WHEREAS**, multilingual education based on mother-tongue facilitates access to and inclusion in learning for population groups that speak non-dominant languages, languages of minority groups and indigenous languages; and

**WHEREAS**, one of the core symbols of Mother Language Day is the Shaheed Minar, a structure that represents all those who died in the fight for the freedom to speak their mother language; and

**WHEREAS**, the Shaheed Minar was birthed out of the Bengali language movement, an effort to have Bengali recognized as an official language in Bangladesh, in which a number of students lost their lives on February 21, 1952 as they protested for this recognition.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this Honorable Body acknowledges *Mother Language Day*, honoring those who lost their lives in the fight for their culture, and recognizes the *Bangladeshi American Social & Cultural Organization WNY* for their advocacy and celebration of language autonomy and freedom.

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**Hon. Jeanne M. Vinal**  
*Erie County Legislator, 5<sup>th</sup> District*

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SUBJECT

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JOHNSON

In Remembrance of Reginald Jerome Gaines

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Attachments

Reginald Jerome Gaines

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, MARCH 4, 2023

*In Remembrance of Reginald Jerome Gaines*

**WHEREAS**, Almighty God, in His infinite wisdom, on February 17, 2023 removed from our midst *Reginald Jerome Gaines* in whose death we have lost a loving Godfather, brother, a valued and respected citizen, and whose family has lost a kind and devoted member; and

**WHEREAS**, *Reginald Jerome Gaines* was born February 18, 1956 in Charlotte, North Carolina to the late Elder Frank Gaines and Marian Gaines; and

**WHEREAS**, Reginald accepted Christ at an early age as his personal savior and was often remembered for singing in the choir and leading the song, "There'll be a great day"; and

**WHEREAS**, Reggie attended Myers Park, Riverside and Bennett High Schools; and

**WHEREAS**, after graduating in 1975, Reggie attended Johnson C. Smith University in Charlotte, NC, where he received his Bachelor of Science degree in Social Work and Communication Arts; and

**WHEREAS**, Reggie recently retired after working for Lake County in Kenosha, Wisconsin for 35 years; and

**WHEREAS**, during his work tenure, he received many accolades for the great things he had accomplished; and

**WHEREAS**, after retirement, he worked part time at the Racine Public Library in Racine, Wisconsin; and

**WHEREAS**, Reggie loved joking around as a child and continued to be known by many as a resident stand-up comedian; and

**WHEREAS**, Reggie truly lived his life to the fullest as a dynamic human and caring for those he loved, especially his family; and

**WHEREAS**, if you were in Reggie's presence, you were guaranteed a laugh, a smile, a joke and most of all, you felt loved beyond measure; and

**WHEREAS**, the love and presence Reggie bestowed upon our community will continue to live on through his survived family members, including his mother Marian; sisters Davida Wright, Joyce (Michael) Badger, Paula Gaines, Brontë Williams, and Danielle Smith; brothers Aaron Chestnut, Phillip Gaines, and James (Yvette) Gaines; Aunt Charlotte Pickering; God Daughter Destiny Wright; special brothers David Wright, Kenny Williams, Adrian Smith Sr, and Lonnie Grooms and bonus sister, Jeneria Lane and a host of nieces, nephews, extended nieces and nephews, cousins, and devoted friends; and

**WHEREAS**, his extensive work career and love for family Reggie displayed will forever be admired and appreciated as a fine role model to his entire family.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby mourn the passing *Reginald Jerome Gaines* and pauses in its deliberations to recognize his praiseworthy life, his love of family and his commitment and devotion to the betterment of our community; and be it further

**RESOLVED**, that the Erie County Legislature expresses its sympathy and condolences to the *Gaines* family, Smith family, Williams family, Badger family, Wright family and to his many friends, knowing full well that he has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "*Well done, thou good and faithful servant.*"

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**Hon. Howard J. Johnson Jr.**  
*Erie County Legislator, 1<sup>st</sup> District*

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**Robert M. Graber**  
*Clerk of the Erie County Legislature*

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SUBJECT

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MALCZEWSKI

Recognizing Edward Rutkowski for his Contributions to  
Western New York and the Local Polish Community

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Attachments

Rutkowski

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, March 9<sup>th</sup>, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Edward Rutkowski for his contributions to  
Western New York and the local Polish Community**

**WHEREAS,** *the Erie County Legislature is pleased to honor individuals in our community who enhance the quality of life for their family, friends, and neighbors through their conscientious and selfless service; and*

**WHEREAS,** *it is suitable for this legislative body to recognize individuals who serve this great community through their hard work, professionalism, and dedication; and*

**WHEREAS,** *Edward Rutkowski became locally famous for his football career with the Buffalo Bills from 1963 until 1968, winning two AFL Championships and becoming an AFL All-Star; and*

**WHEREAS,** *Edward Rutkowski served as the third County Executive in the history of Erie County for nine years from 1979 until 1987, and was appointed as Deputy Commissioner of the New York State Office of Parks, Recreation and Historic Preservation by Governor George Pataki in 1995; and*

**WHEREAS,** *Edward Rutkowski had the distinguished honor of nominating Pope John Paul II and Lech Walesa for the Nobel Peace Prize; and*

**WHEREAS,** *Edward Rutkowski has taken many actions throughout his life to show support for Polish causes such as displaying support for the Solidarity Movement at the opening legislative session of 1981, bringing Polish citizen Emilia Smolinska to Buffalo so she may receive surgery to repair a hole in her heart, and raising nearly one million dollars through telethons in Buffalo to send food, medicine, and other necessities to Poland throughout the 1980s.*

**NOW, THEREFORE, BE IT RESOLVED,** *the Erie County Legislature pauses in its deliberations to honor and recognize Edward Rutkowski for being an iconic figure in Western New York and contributing an invaluable amount to the local Polish American community.*

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**JAMES MALCZEWSKI**

*Erie County Legislator, 10<sup>th</sup> District*

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SUBJECT

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MALCZEWSKI

Recognizing Marilla Primary School for Raising Money to  
Support the American Heart Association

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Attachments

Marilla

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 9, 2023 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Marilla Primary School for raising money  
to support the American Heart Association**

**WHEREAS**, the Erie County Legislature seeks to honor organizations that enhance the quality of life in the community through their efforts because it is in the best interest of this county to recognize and pay tribute to those organizations of high purpose and worthy accomplishment whose endeavors have faithfully served the welfare of the citizens of Erie County; and

**WHEREAS**, annually for the past thirteen years, students at **Marilla Primary School** in the Iroquois Central School District have raised money for the American Heart Association Heroes Challenge and Kids Heart Challenge; and

**WHEREAS**, for nearly forty-five years, the American Heart Association has partnered with schools across the nation to promote awareness and educate children and parents on the importance of mental and physical well-being; and

**WHEREAS**, this year, students at **Marilla Primary School** raised over twenty-one thousand dollars, which is the highest single-year total in their school's history; and

**WHEREAS**, this year's highest individual fundraiser was a third-grader named Rider who raised two-thousand six-hundred dollars and will have the school gym named after him for one year as recognition for his accomplishment; and

**WHEREAS**, for nearly a decade and a half, the students at **Marilla Primary School** have raised a total of one-hundred twenty-five thousand dollars in support of the American Heart Association and demonstrated the value of healthy living and supporting our community.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Marilla Primary School** and all its students and faculty for raising money for the American Heart Association Kids Heart Challenge.

**JAMES MALCZEWSKI**  
Erie County Legislator, District 10

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SUBJECT

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MALCZEWSKI

Recognizing Francis Orlikowski for his Contributions to the  
Western New York Polish Community

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Attachments

Orlikowski

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, March 9<sup>th</sup>, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Francis Orlikowski for his contributions to the  
Western New York Polish Community**

**WHEREAS,** *the Erie County Legislature is pleased to honor individuals in our community who enhance the quality of life for their family, friends, and neighbors through their conscientious and selfless service; and*

**WHEREAS,** *it is suitable for this legislative body to recognize individuals who serve this great community through their hard work, professionalism, and dedication; and*

**WHEREAS,** *Francis (Franco) Orlikowski has dedicated his life to furthering the causes, values, and culture of Polish Americans throughout Erie County and the Western New York region; and*

**WHEREAS,** *Franco Orlikowski served as President of the Cheektowaga Patriotic Commission for twelve years, organizing many patriotic events including Cheektowaga's annual Fourth of July parade; and*

**WHEREAS,** *Franco Orlikowski served for ten years as Vice-President of the General Pulaski Association whose mission is to preserve the legacy of General Casimir Pulaski, one of America's greatest heroes of the Revolutionary War; and*

**WHEREAS,** *Franco Orlikowski has shared his Polish culture through his participation in the annual Pulaski Day Parade, as a singer with the Paderewski Society, and by organizing events to honor and recognize figures of Polish heritage within our community.*

**NOW, THEREFORE, BE IT RESOLVED,** *the Erie County Legislature pauses in its deliberations to honor and recognize **Franco Orlikowski** for being an invaluable contributor to Western New York's Polish American community.*

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**JAMES MALCZEWSKI**

*Erie County Legislator, 10<sup>th</sup> District*

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SUBJECT

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TODARO

Recognizing Sandy Stango for Keeping Buffalo Warm, One  
Scarf at a Time

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Attachments

Stango

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, the 9<sup>th</sup> day of March 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**RECOGNIZING SANDY STANGO FOR KEEPING  
BUFFALO WARM, ONE SCARF AT A TIME**

**WHEREAS**, the Erie County Legislature is pleased to honor individuals and institutions in our community who enhance the quality of life for their family, friends, and neighbors through their conscientious and selfless service; and

**WHEREAS**, this is especially true in the case of *Sandy Stango* a retired home care representative for the Visiting Nurses Association; and

**WHEREAS**, following her retirement *Sandy Stango* found herself looking for “something to do” when she saw her sister knitting, crocheting, and donating her creations to those in need and was inspired to follow a similar path; and

**WHEREAS**, *Sandy Stango* has donated scarfs to various charities including, Oishei Children’s Hospital, Coats for Kids, St. John’s Evangelical Church in West Seneca, and other Children’s Hospitals; and

**WHEREAS**, *Sandy Stango* estimates that she has made over 900 scarfs and hats for people in need all over Erie County in just the last two years; and

**WHEREAS**, through *Sandy Stango*’s commitment and dedication to helping those in need, she is keeping Buffalo warm, on scarf at a time.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor, celebrate, and thank *Sandy Stango* for helping those in need by donating scarves and hats to the children and families of Erie County.

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**HON. FRANK J. TODARO**  
*Erie County Legislator –8<sup>th</sup> District*

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SUBJECT

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TODARO

Recognizing and Honoring Anna D'Amore During Women's  
History Month

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Attachments

D'Amore

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Anna D'Amore During  
Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Anna D'Amore** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Anna D'Amore** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Jessica Dennis During Women's  
History Month

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Attachments

Dennis

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Jessica Dennis During  
Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Jessica Dennis** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Jessica Dennis** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Marissa Enser During Women's  
History Month

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Attachments

Enser

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Marissa Enser During  
Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Marissa Enser** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Marissa Enser** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Sarah Feldmann During Women's  
History Month

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Attachments

Feldmann

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# STATE OF NEW YORK

## LEGISLATURE OF ERIE COUNTY

### BUFFALO, N.Y., MARCH 9, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

#### **Recognizing and Honoring Sarah Feldmann During Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Sarah Feldmann** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Sarah Feldmann** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Ashley Gossett During Women's  
History Month

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Attachments

Gossett

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# STATE OF NEW YORK

EC LEG MAR 3 '23 PM 4:08

## LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MARCH 9, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

### **Recognizing and Honoring Ashley Gossett During Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Ashley Gossett** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Ashley Gossett** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**

*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Logan Kuhlmeier During Women's  
History Month

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Attachments

Kuhlmeier

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Logan Kuhlmeier During  
Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Logan Kuhlmeier** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Logan Kuhlmeier** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Alexis Nowak During Women's  
History Month

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Attachments

Nowak

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# STATE OF NEW YORK

## LEGISLATURE OF ERIE COUNTY

### BUFFALO, N.Y., MARCH 9, 2023 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:

#### **Recognizing and Honoring Alexis Nowak During Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Alexis Nowak** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Alexis Nowak** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Lynne Ruda During Women's  
History Month

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Attachments

Ruda

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Lynne Ruda During  
Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Lynne Ruda** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Lynne Ruda** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Emily Schnitzer During Women's  
History Month

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Attachments

Schnitzer

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Emily Schnitzer During  
Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Emily Schnitzer** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Emily Schnitzer** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Wendy Schweitzer During  
Women's History Month

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Attachments

Schweiter

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# STATE OF NEW YORK

EC LEG MAR 3 '23 PM 4:08

## LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MARCH 9, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

### **Recognizing and Honoring Wendy Schweitzer During Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Wendy Schweitzer** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Wendy Schweitzer** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**

*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Sara Smith During Women's  
History Month

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Attachments

Smith

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Sara Smith During  
Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Sara Smith** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Sara Smith** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Jennie Smith During Women's  
History Month

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Attachments

Smith

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# STATE OF NEW YORK

LEG MAR 3 '23 PM 4:08

## LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MARCH 9, 2023 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:

### Recognizing and Honoring Jennie Smith During Women's History Month

WHEREAS, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

WHEREAS, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

WHEREAS, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

WHEREAS, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

WHEREAS, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Jennie Smith** one of the fourteen women in the Lancaster Volunteer Fire Department; and

WHEREAS, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Jennie Smith** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**

Erie County Legislator, District 8

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SUBJECT

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TODARO

Recognizing and Honoring Catherine Ullman During Women's  
History Month

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Attachments

Ullman

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# STATE OF NEW YORK

EC LEG MAR 3 '23 PM 4:08

## LEGISLATURE OF ERIE COUNTY

**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

### **Recognizing and Honoring Catherine Ullman During Women's History Month**

**WHEREAS**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS**, During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS**, this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS**, women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS**, American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Catherine Ullman** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS**, The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Catherine Ullman** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**

*Erie County Legislator, District 8*

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SUBJECT

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TODARO

Recognizing and Honoring Marissa Wignall During Women's  
History Month

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Attachments

Wignall

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Marissa Wignall During  
Women's History Month**

**WHEREAS,** American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways; and

**WHEREAS,** During Women's History Month, we celebrate the numerous women whose courage and resolve have contributed to the character and success of our county, state, nation, and the entire world; and

**WHEREAS,** this month, we honor women who have fought for equality and against the status quo, and who have broken the bonds of discrimination, partiality, and injustice for the benefit of all; and

**WHEREAS,** women created a legacy that continues to inspire current and future generations of females to live with confidence, to have a positive impact on their communities, and to improve our nation every single day; and

**WHEREAS,** American women courageously serve in the military, as police officers, first responders, and firefighters protecting the members of their communities, and this is especially true in the case of **Marissa Wignall** one of the fourteen women in the Lancaster Volunteer Fire Department; and

**WHEREAS,** The Lancaster Volunteer Fire Department was established in 1874, is 100% fully staffed by volunteers from our local community providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED,** the Erie County Legislature pauses in its deliberations to honor and recognize **Marissa Wignall** for her efforts who continue to strengthen our community.

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**FRANK J. TODARO**  
*Erie County Legislator, District 8*

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SUBJECT

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GREENE

Recognizing and Honoring Edward A. Rath III as the  
Recipient of the Clarence Chamber of Commerce's 2023  
Community Appreciation Award

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Attachments

Rath

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9th day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Service of Edward A. Rath III and  
Clarence Chamber of Commerce's 2023 Community Appreciation Award**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, *Edward A. Rath III* represented the Town of Clarence and its neighboring communities from 2008 through 2022 as an Erie County Legislator and New York State Senator; and

**WHEREAS**, *Edward A. Rath III's* commitment to his community and public service is evident through his continuous commitment to creating a more transparent and accountable government that put the needs of residents ahead of individual political agendas; and

**WHEREAS**, as a Legislator and Senator, *Edward A. Rath III*, built a reputation as a tireless advocate for the community and authored proposals that improved the lives and safety of residents such as the Erie County Silver Alert Law and New York State "Save Our Small Businesses Grant Program"; and

**WHEREAS**, in addition to his official duties, *Edward A. Rath III* has remained committed to giving back as a volunteer to several local organizations including the Salvation Army, Meals on Wheels, Rotary International, and the Alzheimer's Association; and,

**WHEREAS**, when Ed is not working for the community or volunteering his time he enjoys spending time in Ellicottville with his wife Amy and spending time with their three active daughters.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to congratulate *Edward A. Rath III* on receiving the *Clarence Chamber of Commerce's 2023 Community Appreciation Award* and extend our sincere thanks for his decades of service to the Town of Clarence.

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**CHRISTOPHER D. GREENE**  
*Erie County Legislator, District 6*

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SUBJECT

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GREENE

Honoring Releve' Dance Company and Founder Lindsay  
Mangioneon Being Awarded the Clarence Chamber of  
Commerce's Perseverance Award for 2023

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Attachments

Dance

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9th day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring Releve' Dance Company and founder Lindsay Mangione on being awarded the Clarence Chamber of Commerce's Perseverance Award for 2023**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, in the face of an unprecedented times and a global pandemic that challenged even the most established small businesses, *Lindsay Mangione* opened *Releve' Dance Company* in Clarence Center in 2020 with the mission of "building well-rounded dancers and humans" while giving back and creating a stronger community; and

**WHEREAS**, by fostering a positive atmosphere that helps build self-confident dancers who thrive in a team environment, *Releve' Dance Company* strives to be a home away from home that provides its students with exceptional technical instruction, both recreational and competitive dance opportunities, and memories that will last a lifetime; and

**WHEREAS**, despite ongoing challenging economic times, *Releve' Dance Company* has persevered and continues to be a safe and accepting place for young, hungry dancers to learn and grow.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to recognize *Releve' Dance Company* and founder *Lindsay Mangione* on receiving the *Clarence Chamber of Commerce's 2023 Perseverance Award* and extend our sincere thanks for their service to the Town of Clarence.

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**CHRISTOPHER D. GREENE**  
*Erie County Legislator, District 6*

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SUBJECT

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MILLS

Honoring the Springville FFA and Recognizing March 21,  
2023 as National Ag Day in Erie County

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Attachments

FAA

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9<sup>TH</sup>, 2023 A.D.**

**I HEREBY CERTIFY THAT** at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring the Springville FFA and Recognizing  
March 21<sup>st</sup>, 2023 as National Ag Day in Erie County**

**WHEREAS**, the Erie County Legislature is pleased to honor individuals and institutions in our community who enhance the quality of life for their family, friends, and neighbors through their conscientious and selfless service; and

**WHEREAS**, the Future Farmers of America Organization, one of the largest youth leadership organizations in the United States, to make a positive difference in the lives of young people by developing their potential for leadership, personal growth, and career success through agriculture education; and

**WHEREAS**, local FFA chapters are critical to developing and teaching the future leaders of the agriculture industry across our nation; and

**WHEREAS**, FFA represents 760,000 student members in 8,700 local F.F.A. chapters across all 50 states, including the students of Springville Griffith Institute who have a membership of one-hundred and twenty-five members with the mission to make a positive difference in the lives of students by developing their potential for leadership and career success through agricultural education; and

**WHEREAS**, the FFA motto is "Learning to Do, Doing to Learn, Earning to Live, Living to Serve", gives direction and purpose to students who take an active role in succeeding in agriculture education and promotes citizenship, volunteerism, patriotism; and

**WHEREAS**, The Town of Springville has a strong and vibrant agriculture community, including many multigenerational farm families, who contribute greatly to the economy and character of our county and region; and

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to recognize March 21<sup>st</sup> as Nation Ag Day in Erie County and honor the outstanding youth at **Springville Griffith Institute** who are investing in the future of agriculture across our region.

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**HON. JOHN J. MILLS, MINORITY LEADER**  
*Erie County Legislator -11<sup>th</sup> District*

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SUBJECT

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MILLS

Honoring Patrick Sullivan on Being Named as the Collins  
Volunteer Fire Department 2022 Rookie of the Year

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Attachments

Sullivan

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# STATE OF NEW YORK

## LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y. MARCH 2023, A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, March 2023 A.D., a resolution was adopted, of which the following is a true copy:

### **Honoring Patrick Sullivan on Receiving Collins Volunteer Fire Department's 2022 Rookie of the Year**

**WHEREAS**, The Erie County Legislature seeks to honor individuals and institutions in Erie County who enhance the quality of life in the community through their efforts; and

**WHEREAS**, firefighters dedicate their lives to the protection of life and property, and through commitment and sacrifice they volunteer countless hours over many years and take extraordinary risks, not to benefit themselves, but to ensure that their communities are as safe as possible; and

**WHEREAS**, Patrick Sullivan began his career with the Collins Volunteer Fire Company in 2021 and quickly earned a reputation for being a hard-working, dependable, dedicated young firefighter who goes above and beyond the call of duty; and

**WHEREAS**, Patrick Sullivan is a promising young firefighter who can always be counted on to be at the call whether the tones go off day or night; and

**WHEREAS**, Patrick Sullivan is dedicated to promoting the Collins Fire Department, building trusting relationships, and willing to step up wherever needed; and

**WHEREAS**, Patrick Sullivan is known for taking initiative and has completed his state testing in record time, selflessly volunteers his time and energy wherever needed; and

**WHEREAS**, Patrick Sullivan is highly regarded by the Collins Volunteer Fire Department and community for his exemplary work, tireless dedication, and sacrifice.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize Patrick Sullivan as the **2022 Rookie of the Year** and thank him for his devotion to the Collins Volunteer Fire Company and the community.

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MINORITY LEADER JOHN J. MILLS  
Erie County Legislator – 11<sup>th</sup> District

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SUBJECT

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MILLS

Honoring Giovanni Gallo as the Collins Volunteer Fire  
Department 2022 Firefighter of the Year

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Attachments

Gallo

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# STATE OF NEW YORK

EC LEG MAR 3 '23 PM 4:09

## LEGISLATURE OF ERIE COUNTY

**BUFFALO, N.Y. MARCH 2023, A.D.**

**I HEREBY CERTIFY THAT** at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, in March 2023 A.D., a resolution was adopted, of which the following is a true copy:

### **Honoring Giovanni Gallo as the 2022 Fire Fighter of the Year**

**WHEREAS**, The Erie County Legislature seeks to honor individuals and institutions in Erie County who enhance the quality of life in the community through their efforts; and

**WHEREAS**, firefighters dedicate their lives to the protection of life and property, and through commitment and sacrifice they volunteer countless hours over many years and take extraordinary risks, not to benefit themselves, but to ensure that their communities are as safe as possible; and

**WHEREAS**, **Giovanni Gallo** first joined the **Collins Volunteer Fire Department** as a Junior Firefighter where he developed the qualities of leadership, a strong work ethic, and self-confidence, while simultaneously learning the fundamentals of firefighting; and

**WHEREAS**, **Giovanni Gallo** became a firefighter with the **Collins Volunteer Fire Department** in 2017 and earned a reputation as a dependable, dedicated firefighter who goes above and beyond the call of duty; and

**WHEREAS**, on March 4<sup>th</sup>, 2023, **Giovanni Gallo** will be honored with the **2022 Firefighter of the Year Award** this prestigious honor is presented to the firefighter who best exemplifies the positive characteristics of dedication, loyalty, professionalism; and

**WHEREAS**, **Giovanni Gallo** selflessly volunteers his time and energy to the Collins Fire Department wherever needed, he is known for being a hard worker, ever-present, and proactive, always striving to make the department the best it can be.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Giovanni Gallo** as the **2022 Firefighter of the Year** and thank him for his dedication and sacrifice to the **Collins Volunteer Fire Department** and the community.

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**JOHN J. MILLS, MINORITY LEADER**  
Erie County Legislator – 11<sup>th</sup> District

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SUBJECT

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MILLS

Honoring Florence Schneider for Twenty Years of Service to  
the Morton's Corner Fire Department

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Attachments

Scheider

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# STATE OF NEW YORK

EC LEG MAR 3 '23 PM4:09

## LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MARCH 2023, A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, March 2023 A.D., a resolution was adopted, of which the following is a true copy:

### Honoring Florence Schneider for Twenty Years of Service to the Morton's Corner Fire Department

**WHEREAS**, The Erie County Legislature seeks to honor individuals and institutions in Erie County who enhance the quality of life in the community through their efforts; and

**WHEREAS**, firefighters dedicate their lives to the protection of life and property, and through commitment and sacrifice they volunteer countless hours over many years and take extraordinary risks, not to benefit themselves, but to ensure that their communities are as safe as possible; and

**WHEREAS**, Florence Schneider began her career with the Morton's Corner Volunteer Fire Department in 2002 and has earned a reputation as a dependable, dedicated firefighter who goes above and beyond the call of duty; and

**WHEREAS**, Florence Schneider is an EMT who brings her skills and knowledge to stabilize and safely transport patients in need of medical treatment to the hospital; and

**WHEREAS**, Florence Schneider's work in the department includes but is not limited to, service on numerous department committees, duties as the department's secretary, and;

**WHEREAS**, Florence Schneider is highly regarded by the Morton's Corner Volunteer Fire Department and community for her exemplary work, tireless dedication, and sacrifice.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize Florence Schneider for her twenty years of service and continued commitment and devotion to the Morton's Corner Volunteer Fire Company.

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JOHN J. MILLS, MINORITY LEADER  
Erie County Legislator – 11<sup>th</sup> District

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SUBJECT

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JOHNSON

Honoring Wendy Rodgers as Citizen of the Month for January  
2023

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Attachments

Wendy Rodgers

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EC LEG MAR 7 '23 AM 9:58

**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, NY, MARCH 9, 2023**

*Honoring Wendy Rodgers as Citizen of the Month for January 2023*

**WHEREAS**, since moving to Buffalo from Houston, Texas more than 30 years ago, *Wendy Rodgers* has restored hope for many, providing help to the city's poorest neighborhoods and establishing herself as woman of integrity, known by many as a trustworthy resource and a force to be reckoned with; and

**WHEREAS**, throughout her lifelong servant-leadership, Wendy has connected with individuals at all levels of government and has served as an Administrative Assistant to Mr. Herb Bellamy, founder of 1490 Jefferson; at Bethel Community Development; as an Executive Administrative Assistant at the Boys and Girls Club of Buffalo and as Legislative Assistant to Crystal Peoples-Stokes during her tenure as Majority Leader of the Erie County Legislature; and

**WHEREAS**, while working for then Majority Leader Crystal Peoples-Stokes, one of her many tasks and her favorite project was creating a Kinship Caregiver's Conference; and

**WHEREAS**, these conferences were facilitated to advocate for the rights of family members when it came to the placement of children in the system; and

**WHEREAS**, her passion for children is why Wendy became a foster parent; and

**WHEREAS**, Wendy is a multi-tasking sensation and has managed to keep it all intact, despite parental caretaking responsibilities, medical miracles and motherhood (her only child was born with sickle-cell anemia); and

**WHEREAS**, in the midst of relocating to her hometown of Worcester, Massachusetts to take care of both parents while in the midst of her own battle with breast cancer, Wendy's faith in God, love and support of friends and True Bethel family never wavered; and

**WHEREAS**, currently, Wendy has served for more than 17 years at True Bethel Baptist Church as a coordinator of the Taste of Faith Food Pantry, providing more than 10,000 meals while serving her community with her beautiful smile and joyous personality; and

**WHEREAS**, Wendy also serves on the Hospitality Ministry and volunteers in the church office, as well as at True Community Development Corporation; and

**WHEREAS**, she was mostly recently recognized as a Kingdom Worker for Full Gospel Baptist Church Fellowship WNY and vicinity; and

**WHEREAS**, Wendy recently became a new grandmother, and has continued to remain a devoted and loving parent, foster parent and someone who illuminates rooms the moment she walks in with her positive spirit and effervescent personality; and

**WHEREAS**, her journey thus far is nothing short of extraordinary and it is with great admiration that this Honorable Body acknowledges and thanks **Wendy Rodgers** for her leadership, solidifying her impact and her genuine character through her work in Western New York for the past 30 years.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby honor **Wendy Rodgers** as the Erie County Legislature's Citizen of the Month for January 2023 for her exceptional dedication and unselfish service and for her tireless efforts to improve lives in the City of Buffalo and throughout Erie County.

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**Hon. Howard J. Johnson Jr.**  
*Erie County Legislator, 1<sup>st</sup> District*

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**Robert M. Graber**  
*Clerk of the Legislature*

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SUBJECT

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GREENE

Honoring Clarence Center Preschool, Inc., Clarence Chamber  
of Commerce's 2023 Small Business of the Year

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Attachments

Clarence Center Preschool

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 9, 2023 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring Clarence Central School District's Family Support Center,  
Clarence Chamber of Commerce's 2023 Organization of the Year**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business, and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, the mission of the *Clarence Central School District's Family Support Center (CCSD)* is to enhance the physical, social, and emotional health of students, families, community members living within CCSD boundaries, and CCSD staff by offering direct support, school-based support, and community enrichment through education; and

**WHEREAS**, the *Family Support Center* offers multiple support groups including a student group for high-schoolers, a group for grandparents who are caregivers, and a co-parenting support group for families going through divorce or separation; and

**WHEREAS**, due to the hard work of its dedicated staff, Evan Vahratian, Penny Glena, and Joy Dave the *Family Support Center* partners with countless organizations, groups, and individuals to provide community education and enrichment, and has already facilitated over 180 referrals so far this year, more than twice as many as this time last year.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to congratulate *Clarence Central School District's Family Support Center* on receiving the *Clarence Chamber of Commerce's 2023 Organization of the Year Award* and extend our sincere thanks for positively impacting the quality of life for students, families, and residents in the Town of Clarence and Erie County.

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**CHRISTOPHER D. GREENE**  
Erie County Legislator, District 6

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SUBJECT

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GREENE

Honoring George M. Emerling, Clarence Chamber of  
Commerce's 2023 Citizen of the Year

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Attachments

George M. Emerling

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9th day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Honoring George M. Emerling,  
 Clarence Chamber of Commerce's 2023 Citizen of the Year**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, *George M. Emerling* has been a resident of the Town of Clarence for over 40 years, during which time he has put his business experience and commitment to serving his community to work for the benefit of countless organizations, allowing him to make tremendous contributions that have had a positive impact on all who reside and do business in the town; and

**WHEREAS**, a co-owner of Emerling, Floss Murphy & Associates, *George M. Emerling's* community involvement includes his 21 years as a member of the Clarence Rotary Club where he served as President, Treasurer, and is a four-time recipient of the Paul Harris Award, Rotary International's highest honor; and

**WHEREAS**, among the numerous organizations and causes in the Town of Clarence and across Erie County that have benefited greatly from *George M. Emerling's* dedication, and as a consequence have increased their positive impact on those they serve include Habitat for Humanity, Sleep in Heavenly Peace, Awesome Paws Rescue, PUNT Foundation, Connect Life, and the Clarence Veterans Memorial; and

**WHEREAS**, a resident of the Harris Hill area with his wife of 35 years, Dawn, *George M. Emerling* often credits his lifetime of service to his desire to set a positive example for his four children and two grandchildren, with the hope of making the community a better place for them in the future,

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to congratulate *George M. Emerling* on receiving the *Clarence Chamber of Commerce's 2023 Citizen of the Year Award* and extend our sincere thanks for his decades of service to the Town of Clarence.

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**CHRISTOPHER D. GREENE**  
*Erie County Legislator, District 6*

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SUBJECT

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GREENE

Honoring James A. Powers, Recipient of the Clarence  
Chamber of Commerce's Lifetime Achiever Award

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Attachments

James A. Powers

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring James A. Powers,**  
**Recipient of Clarence Chamber of Commerce Lifetime Achiever Award**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business, and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, *James A. Powers* and his wife Kathleen moved to Clarence in 1963 where they raised their 3 children Kevin, Amy, and Mark, all of who attended Clarence Schools; and

**WHEREAS**, in the 1970s *James A. Powers* became involved in Clarence youth soccer, coaching house and travel league teams and eventually becoming President of the Soccer Club where he developed a plan for a large complex of fields and facilities to accommodate the rapid growth of the sport, and then spearheaded the development and completion of the project using local contractors and volunteers; and

**WHEREAS**, as a 21year member of the Clarence Board of Education where he served 15 years as Board President, *James A. Powers* will be remembered for helping lead the school district through a period of substantial growth in student population, the active role he played with the Regional and State School Board Associations, and the many contributions he made which were recognized with his 2007 induction onto the Clarence High School's Wall of Fame; and

**WHEREAS**, *James A. Powers*' outstanding dedication and commitment to his community are also evident in his years of service to Niagara Frontier Radio Reading Service, the Clarence Community Food Pantry where he served on the board of Directors from 2005 – 2022, and the two years he served as a project manager for the Altamont Program, building a home for 26 homeless veterans.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to congratulate **James A. Powers** on receiving the *Clarence Chamber of Commerce's 2023 Lifetime Achiever Award* and extend our sincere thanks for his dedicated service and extraordinary contributions to the Clarence community.

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**CHRISTOPHER D. GREENE**  
*Erie County Legislator, District 6*

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SUBJECT

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GREENE

Honoring Dimar Manufacturing Corp., Clarence Chamber of  
Commerce's 2023 Large Business of the Year

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Attachments

Dimar Manufacturing

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring Dimar, Clarence Chamber of Commerce's 2023  
Large Business of the Year**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business, and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, named for their wives, Diane and Marion, **Dimar Manufacturing Corp.** was founded in 1993 by Jack Wagner and Robert "Smitty" Smyczyski and moved to their current location on Main Street in Clarence in 1995; and

**WHEREAS**, in 2003 the company was purchased by Greg Fry and Tom Kowalski, who remain active in the company today serving as company President and Vice President/CFO respectively, and currently employs 145 team members with plans to add more; and

**WHEREAS**, under their leadership, **Dimar Manufacturing Corp.** has grown into the area's premier custom contract manufacturer of sheet metal products while maintaining its family-friendly environment; and

**WHEREAS**, **Dimar Manufacturing Corp's** mission is to achieve their vision through an ongoing effort to educate their employees and suppliers towards a culture of quality, employing technological advancements, and continued procurement of state-of-the-art equipment; and

**WHEREAS**, despite ongoing economic challenges, **Dimar Manufacturing Corp.** has remained committed to its goal of offering "quality products with exceptional customer service" exceeding customer requirements, and increasing customer satisfaction.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to congratulate **Dimar Manufacturing Corp.** on receiving the **Clarence Chamber of Commerce's 2023 Large Business of the Year Award** and extend our sincere thanks for the positive impact they provide to the Town of Clarence and Erie County.

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**CHRISTOPHER D. GREENE**  
Erie County Legislator, District 6

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SUBJECT

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GREENE

Honoring the Clarence Central School District's Family  
Support Center, Clarence Chamber of Commerce's 2023  
Organization of the Year

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Attachments

Clarence School Family Support Center

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 9, 2023 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring Clarence Central School District's Family Support Center,  
Clarence Chamber of Commerce's 2023 Organization of the Year**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business, and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, the mission of the *Clarence Central School District's Family Support Center (CCSD)* is to enhance the physical, social, and emotional health of students, families, community members living within CCSD boundaries, and CCSD staff by offering direct support, school-based support, and community enrichment through education; and

**WHEREAS**, the *Family Support Center* offers multiple support groups including a student group for high-schoolers, a group for grandparents who are caregivers, and a co-parenting support group for families going through divorce or separation; and

**WHEREAS**, due to the hard work of its dedicated staff, Evan Vahratian, Penny Glena, and Joy Dave the *Family Support Center* partners with countless organizations, groups, and individuals to provide community education and enrichment, and has already facilitated over 180 referrals so far this year, more than twice as many as this time last year.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to congratulate *Clarence Central School District's Family Support Center* on receiving the *Clarence Chamber of Commerce's 2023 Organization of the Year Award* and extend our sincere thanks for positively impacting the quality of life for students, families, and residents in the Town of Clarence and Erie County.

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**CHRISTOPHER D. GREENE**  
Erie County Legislator, District 6

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SUBJECT

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GREENE

Recognizing and Honoring John O'Hare as the Clarence  
Chamber of Commerce's 2023 Volunteer of the Year

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Attachments

John O'Hare

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9th day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring John O'Hare as the  
Clarence Chamber of Commerce's 2023 Volunteer of the Year**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, *John O'Hare* moved back to Buffalo in 1995 to work as a project manager on what is now the Key Bank Arena, and moved to the Town of Clarence after purchasing his grandparents' house in 1998; and

**WHEREAS**, *John O'Hare* had a successful career as a Project Manager and Engineer in the construction industry for over 20 years and worked on many high-profile local projects including the renovations of the Buffalo Bills Stadium, Shea's Theatre, and Roswell Park Comprehensive Care Center; and

**WHEREAS**, following his retirement in 2017, *John O'Hare* has invested his time preparing the generation of leaders in the local construction industry serving as an Associate Professor at SUNY Erie in the Civil Engineer and Construction Management Department; and

**WHEREAS**, in addition to *John O'Hare's* other endeavors, he continues to give back to the Clarence community as the Treasurer for the Clarence Hollow Association, an active member of the Clarence Toastmasters and Clarence Town Heritage Group, and protects and promotes our town's history as a Trustee of the Town of Clarence Historical Society.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to congratulate *John O'Hare* on receiving the *Clarence Chamber of Commerce's 2023 Volunteer of the Year Award* and extend our sincere thanks for his decades of service to the Town of Clarence.

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**CHRISTOPHER D. GREENE**  
*Erie County Legislator, District 6*

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SUBJECT

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GREENE

Honoring Primo Giammusso, Clarence Chamber of  
Commerce's 2023 Young Entrepreneur of the Year

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Attachments

Primo Giammusso

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., MARCH 9, 2023 A.D.**

**I HEREBY CERTIFY THAT** *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9<sup>th</sup> day of March, 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Honoring Primo Giammusso,  
Clarence Chamber of Commerce's 2023 Young Entrepreneur of the Year**

**WHEREAS**, since its establishment in 1954, the Clarence Chamber of Commerce has been a dynamic organization dedicated to fostering the growth of business, and the Clarence Community; and

**WHEREAS**, on March 9, 2023, the Clarence Chamber of Commerce is hosting its 50<sup>th</sup> Annual Awards Dinner, a spectacular event where awards that are considered by many to be the highest honors bestowed in the Town of Clarence and businesses, individuals, organizations, and lifetime achievers are celebrated by the community for the great impact their service has had on improving the quality of life in the town; and

**WHEREAS**, *Primo Giammusso's* passion for entertaining audiences was evident at the early age of 10 when he began DJing at home, and his strong work ethic became apparent when he worked his first paid wedding at 14 years old; and

**WHEREAS**, now at the age of just 19 years old, *Primo Giammusso* owns and operates Primo Lighting and Sound while studying business management/entrepreneurship and theatre production at the University of Buffalo; and

**WHEREAS**, as a member of IATSE Local 10, *Primo Giammusso* works every major shows at Key Bank Center, Shea's, and Darien Lake, plays an instrumental role in the World's Largest Disco at the Buffalo Niagara Convention Center every fall, and uses lighting, sound, and pyrotechnics to enhance couple's weddings across Western New York.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erie County Legislature pauses in its deliberations to congratulate *Primo Giammusso* on receiving the *Clarence Chamber of Commerce's 2023 Young Entrepreneur of the Year Award* and extend our sincere best wishes for continued success in growing his businesses and positively impacting the quality of life for his family, friends, and neighbors in the Town of Clarence and Erie County.

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**CHRISTOPHER D. GREENE**  
*Erie County Legislator, District 6*

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SUBJECT

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BASKIN

Congratulating and Honoring Arthur O. Eve Jr. - 2023 Joseph  
F. Crangle Legacy Award Recipient - Democrat of the Year

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Attachments

Arthur O. Eve Jr.

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, FEBRUARY 23, 2023

EC LEG MAR 7 '23 AM 9:59

*Congratulating and Honoring Arthur O Eve Jr.  
2023 Joseph F. Crangle Legacy Award Recipient - Democrat of the Year*

**WHEREAS**, *Arthur O. Eve Jr.*, a lifetime Buffalonian and the son of two historic public servants, Former Deputy Speaker, Arthur O. Eve Sr. and Constance B. Eve was born on April 9, 1957; and

**WHEREAS**, known by many loved family and friends as “Champ”, Arthur’s parents instilled a strong work ethic along with many life lessons; and

**WHEREAS**, Mr. Eve’s hard work as a member of the Canisius High School football team earned him All-Catholic Honors as a senior cornerback, which included a 3-interception performance against school rival, St. Joseph’s, which was led by former Syracuse and NFL player, Bill Hurley; and

**WHEREAS**, Champ continued his education at the University of Buffalo, where he made his mark not only inside the classroom, but as the President of the Black Student Union (1982-84) when he bought in religious leader, Louis Farrakhan to speak; and

**WHEREAS**, Champ, like his parents, harnessed his ambition, desire and vision to assist others, and he preceded to work for his community through on the BMHA, where he was involved in policy development; and

**WHEREAS**, Mr. Eve also taught classes through the Educational Opportunity Center, Job Corps and spent time working at East Ferry Juvenile Detention Center; and

**WHEREAS**, in the early 1980s, Champ, along with longtime best friend and OUTLAWS teammate, Ivory “Ike” Payne, created the UNITY Coalition, an organization that supported his father politically and became a force in its own right, supporting people of color in the heart of Buffalo; and

**WHEREAS**, Fortified with the knowledge bestowed upon him from his father, along with guidance from his brother Eric Vincent, Champ has become an advocate and voice of reason to our community, remaking the political landscape in Buffalo and supporting first-time candidates throughout Western New York: Erie County Legislature, Erie County Family Court Judge, Buffalo City Court Judge, Buffalo Common Council and many more; and

**WHEREAS**, as a devoted advocate for youth, two of Mr. Eve’s proudest memories were becoming a two-time championship winning head coach and mentor for the Calvary Baptist Church Basketball Program (Levites and Judah) and becoming head coach at Hutch Tech, where he became best known as a great motivator, father figure, and example for young men and who never gave up on anyone, an individual who would always go the extra yard for you; and

**WHEREAS**, in 2007, Champ later joined Buffalo State Men's Basketball and has proudly served an assistant coach under Head Coach, Fajri Ansari; and

**WHEREAS**, currently, Mr. Eve serves as the Deputy Commissioner of the Board of Elections and as Vice Chair of the Erie County Democratic; and

**WHEREAS**, through all the great work Arthur has done for our community, his finest moments in life are shared with his family, including his devoted wife Kim-Marie, his loving and loyal children, Shiana, LaNeesha, Eric, Louis, Melzetta, David, Arthur III, Bobby Lee and Ashley, his 7 grandchildren, his parents, Arthur and Constance Eve, and as a big brother, friend and advocate for many more; and

**WHEREAS**, this Honorable Body desires to acknowledge and recognize individuals such as *Arthur Eve Jr.* who enhance, represent, and serve their community.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature pauses in its deliberations to honor *Arthur O. Eve Jr.*, as the Erie County Democratic Committee's **2023 Joseph F. Crangle Legacy Award Recipient – Democrat of the Year** and to thank him for his community and dedication to the community.

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**Hon. April N.M Baskin**  
*Erie County Legislator, 2<sup>nd</sup> District*

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SUBJECT

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MALCZEWSKI

Congratulating Just Holster It Firearms & Training Center on  
its Grand Opening in Elma, NY

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Attachments

Just Holster It Firearms & Training Center

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 9, 2023 A.D.

CC LEG MAR 7 '23 AM 9:47

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 9th day of March 2023 A.D., a resolution was adopted, of which the following is a true copy:

***Congratulating Just Holster It Firearms & Training Center on its Grand Opening in Elma, NY***

WHEREAS, The Erie County Legislature seeks to honor individuals and institutions in Erie County who enhance the quality of life, create jobs and build a vibrant community through their efforts; and

WHEREAS, ***Just Holster It*** was originally founded at 13350 Broadway Street with the mission of helping customers find the perfect solution for their concealed carry needs from holsters to apparel, for men and women; and

WHEREAS, On March 11, 2023, ***Just Holster It*** will be expanding its business with a new facility at 5183 Seneca Street in Elma, New York as ***Just Holster It Firearms and Training Center***, where it will offer firearms, ammunition, firearms accessories as well as training to educate their customers on topics such as basic safety to multi-state certification courses; and

WHEREAS, ***Just Holster It Firearms & Training Center*** is dedicated to promoting responsible firearms ownership and use, and ensuring that every gun owner is well-informed, trained, and equipped to handle firearms safely and effectively; and

WHEREAS, ***Just Holster It Firearms & Training Center*** will be a valued member of the community, providing quality firearms, firearms accessories, and safety training for many successful years to come.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to congratulate ***Just Holster It Firearms & Training Center*** on opening a new location in the Town of Elma and expanding its business.

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**JAMES MALCZEWSKI**

Erie County Legislator, 10<sup>th</sup> District

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SUBJECT

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VINAL

Recognizing Gretchen Dolan - Breaks Section VI Basketball  
Season Scoring Record

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Attachments

Gretchen Dolan

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**Legislative Proclamation Submitted**

By Legislator Vinal

EC LEG MAR 7 '23 AM 9:58

***Re: Recognizing Gretchen Dolan  
Breaks Section VI Basketball Season Scoring Record***

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SUBJECT

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BASKIN, MEYERS, MILLS, JOHNSON,  
KOOSHOIAN, BARGNESI, VINAL,  
GREENE, TODARO, GILMOUR &  
MALCZEWSKI

In Remembrance of Jason D. Arno - Heroic Buffalo Firefighter

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Attachments

Jason D. Arno

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, NY, MARCH 9, 2023**

*In Remembrance of Jason D. Arno*

**WHEREAS**, Almighty God, in His infinite wisdom, on March 1, 2023, removed from our midst *Jason Daniel Arno*, in whose death we have lost a loving husband, father valued and respected citizen, and whose family has lost a leader, kind and devoted member; and

**WHEREAS**, prior to his work with the Buffalo Fire Department, *Jason Daniel Arno* was a football star and graduate (Class of 2003) of Canisius High School; and

**WHEREAS**, Jason proudly served as a member of Buffalo Fire Department's Engine Company 2; and

**WHEREAS**, firefighters like Jason courageously and unselfishly strive to ensure the safety and well-being of our residents; and

**WHEREAS**, Jason and his legacy will continue to flourish on Earth through his loved ones including his loving wife, Sarah-Elizabeth Arno; his daughter, Olivia Louise Arno; his parents, Sheryl Maher and David Arno; his siblings, Delton (Ashley) Arno, Lydia Maher, Erikka Arno, Alyssa Arno, Abigail Maher, Nic Arno and Noah Arno; adored in-laws, Karen Tierney and Robert (Deborah) Tierney; also survived by many aunts, uncles, nieces and nephews; and

**WHEREAS**, for 37 fruitful and vibrant years, *Jason Daniel Arno* will be best remembered as a very knowledgeable and wonderful man who loved his family, his community and was always willing to lend a helping hand; and

**WHEREAS**, we express our deepest sympathies to the family of firefighter Jason Arno, he will be revered and remembered as a hero who made the ultimate sacrifice as a dedicated member of Buffalo Fire Department's Engine Company 2; and

**WHEREAS**, it is the sense of this Legislative Body to honor and pay tribute to the life of *Jason Daniel Arno*, whose lifelong dedication to God, family, public service throughout the City of Buffalo and Erie County are an inspiration to be admired, emulated and honored.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby mourn the passing *Jason Daniel Arno* and pause in its deliberations to recognize his praiseworthy life, his love of family his commitment and devotion to the betterment of our community and his heroic sacrifice; and be it further

**RESOLVED**, that the Erie County Legislature express its sympathy and condolences to the Arno family, his wife, Sarah, his daughter Olivia, the Buffalo Fire Department and his many friends, knowing full well that he has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "*Well done, thou good faithful servant.*"

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**Hon. April N.M. Baskin**  
*Chair of the Legislature*  
*Erie County Legislator, 2<sup>nd</sup> District*

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**Hon. Timothy J. Meyers**  
*Majority Leader*  
*Erie County Legislator, 7<sup>th</sup> District*

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**Hon. John J. Mills**  
*Minority Leader*  
*Erie County Legislator, 11<sup>th</sup> District*

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**Hon. Howard J. Johnson Jr.**  
*Erie County Legislator, 1<sup>st</sup> District*

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**Hon. Michael H. Kooshoian**  
*Erie County Legislator, 3<sup>rd</sup> District*

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**Hon. John A. Bargnesi Jr.**  
*Erie County Legislator, 4<sup>th</sup> District*

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**Hon. Jeanne M. Vinal**  
*Erie County Legislator, 5<sup>th</sup> District*

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**Hon. Christopher D. Greene**  
*Erie County Legislator, 6<sup>th</sup> District*

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**Hon. Frank J. Todaro**  
*Erie County Legislator, 8<sup>th</sup> District*

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**Hon. John J. Gilmour**  
*Erie County Legislator, 9<sup>th</sup> District*

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**Hon. James Malczewski**  
*Erie County Legislator, 10<sup>th</sup> District*

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**Robert M. Graber**  
*Clerk of the Erie County Legislature*

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SUBJECT

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GILMOUR

Recognizing Chris Smith on Being Hired as the Assistant  
Offensive Line Coach by the New York Giants (NFL)

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Attachments

Chris Smith

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**Legislative Proclamation Submitted**

By Legislator Gilmour

EC LEG MAR 7 '23 AM 9:58

*Re: Recognizing Chris Smith on being hired as the  
Assistant Offensive Line Coach by the New York Giants (NFL)*

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SUBJECT

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JOHNSON

Celebrating and Recognizing Ryan Fernandez

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Attachments

Ryan Fernandez

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**Legislative Proclamation Submitted**

By Legislator Johnson Jr.

EC LEG MAR 7 '23 AM 9:59

*Re: Recognizing Celebrating and Recognizing Ryan Fernandez*

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SUBJECT

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GILMOUR

Recognizing St. Francis Wrestling - State Champions

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Attachments

St. Francis Wrestling

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**Legislative Proclamation Submitted**

By Legislator Gilmour

EC LEG MAR 7 '23 AM 9:59

*Re: Recognizing St. Francis Wrestling - State Champions*

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SUBJECT

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BARGNESI & KOOSHOIAN

Honoring the Grand Island Chess Club

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Attachments

Grand Island Chess Club

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**Legislative Proclamation Submitted**

By Legislators Bargnesi Jr. and Kooshoian

*Re: Honoring Grand Island Chess Club*

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SUBJECT

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GILMOUR & MEYERS

Congratulating the Timon Boys Basketball - Manhattan Cup  
Champions

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Attachments

Timon Boys Basketball

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**Legislative Proclamation Submitted**

By Legislators Gilmour and Meyers

EC LEG MAR 7 '23 AM 9:59

*Re: Congratulating Timon Boys Basketball - Manhattan Cup Champions*

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SUBJECT

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VINAL

Congratulating and Honoring Lauren Hubert - Williamsville  
South Volleyball - Canisius College Signee

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Attachments

Lauren Hubert

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**Legislative Proclamation Submitted**

EC LEG MAR 7 '23 AM 9:59

By Legislator Vinal

*Re: Congratulating and Honoring Lauren Hubert  
Williamsville South Volleyball - Canisius College Signee*

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SUBJECT

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BASKIN, BARGNESI, GILMOUR,  
JOHNSON, KOOSHOIAN, MEYERS &  
VINAL

Recognizing National Colorectal Cancer Awareness Month

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Attachments

Colorectal Cancer Awareness Month

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**Legislative Proclamation Submitted**

EC LEG MAR 7 '23 AM 9:59

By Legislators: Baskin, Bargnesi Jr., Gilmour, Johnson Jr., Kooshoian,  
Meyers and Vinal

*Re: Recognizing National Colorectal Cancer Awareness Month*

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SUBJECT

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LL INTRO. 1-1  
(2022)

TODARO, GREENE,  
LORIGO & MILLS

A Local Law Authorizing Twelve and  
Thirteen-Year-Old Licensed Hunters to Hunt  
Deer with a Firearm or Crossbow During  
Hunting Season with the Supervision of a  
Licensed Adult

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Attachments

LL INTRO. 1-1 (2022)

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LOCAL LAW TO BE ENACTED BY  
THE ERIE COUNTY LEGISLATURE  
IN THE  
COUNTY OF ERIE  
LOCAL LAW INTRO. – NO. 1-1 - 2022  
LOCAL LAW – NO. \_\_\_\_\_ - 2022

**A Local Law authorizing twelve (12) and thirteen (13) year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of a licensed adult**

**SECTION 1. Legislative Intent**

Historically, twelve (12) and thirteen (13) year old residents of New York State have only been able to hunt deer, with a bow or small game with appropriate firearms. This rule has left New York as the only state to prohibit twelve (12) and thirteen (13) year old hunters from using firearms to hunt deer.

The 2021 New York State Budget included legislation allowing residents aged twelve (12) and thirteen (13) to hunt deer with a firearm or crossbow under the supervision of an experienced adult hunter, provided the county in which they are hunting has opted into the program pursuant to Environmental Conservation Law 11-0935.

Environmental Conservation Law (ENV) 11-0935 provides a pilot program for counties to allow young residents, aged twelve (12) and thirteen (13) years old, the opportunity to safely learn to hunt deer with firearms under adult supervision. It is the intent of this law to permit twelve (12) and thirteen (13) year old residents to hunt deer with firearms and crossbows, by opting into New York's existing pilot program pursuant to Environmental Conservation Law 11-0935. It does not expand youth access to firearms it simply increases the opportunity to hunt bigger game.

Erie County is passing this local law as hunting is a valued tradition for many families. This new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

A 2021 version of this law was passed by this honorable body and vetoed by County Executive Poloncarz. Executive Poloncarz cited the “many unfortunate firearm hunting accidents across the state and county, especially those involving youth hunters<sup>1</sup>” as the reason for the law’s veto. The first year of the pilot program has ended and the Department of Environmental Conservation has

<sup>1</sup> Spectrum New 1, Poloncarz Vetoes Law Lowering Legal Hunting Age, <https://spectrumlocalnews.com/nys/buffalo/politics/2021/10/07/vote-to-override-poloncarz-veto-on-hunting-age-law-falls-short>, last accessed 3/29/2022.

issued a report on hunting incidents across New York State, which is attached. According to the report, only two eligible counties failed to enter into the pilot program in 2021, Erie County and Rockland County. In the remaining 54 counties 9,859 youths aged 12-13 participated in the youth hunting program. Those 9,859 12 and 13-year-old children harvested 1,564 deer across New York State. There were zero recorded shooting incidents, hunting violations, or license revocations.

## **SECTION 2. Pilot Program Authorization**

Pursuant to Environmental Conservation Law, ECL 11-0935, Erie County elects to participate in the temporary program allowing young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

## **SECTION 3. State Requirements to Adhere Once Authorized**

Per New York State requirements twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, aged 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where, and during the hunting season in which, such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, aged 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, aged twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year old hunters with a firearm or crossbow.

#### **SECTION 4. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

#### **SECTION 5. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

**Sponsors** Legislator Todaro, Legislator Greene, Legislator Lorigo, Legislator Mills



Department of  
Environmental  
Conservation

# Deer Hunting by 12- and 13- Year-Old Hunters

A Report to the New York State Senate and Assembly

February 22, 2022



*Ava Woolston, age 12, with the deer she took in Orleans County during the 2021 Youth Big Game Hunt, mentored by her father, Ryan Woolston.*

[www.dec.ny.gov](http://www.dec.ny.gov)

# Deer Hunting by 12- and 13-Year-Old Hunters

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- Prepared by -

Jeremy Hurst, NYSDEC Big Game Unit Leader

The 2021 New York State Budget included legislation that adopted a new section of the Environmental Conservation Law (11-0935) authorizing a license holder who is twelve or thirteen years of age to hunt deer with a crossbow, rifle, shotgun, or muzzleloading firearm under the supervision of an experienced adult hunter in eligible areas. The legislation established this new opportunity as a pilot program through 2023 and required counties to adopt a local law authorizing participation and notify the department of such participation.

DEC is pleased to provide the following report to the legislature which highlights the success of the inaugural program and fulfills the requirement of Environmental Conservation Law 11-0935(3) which states, *"The department shall prepare a report by February first of each year including the following information at a minimum: number of violations; hunting related incidents and revocations pursuant to section 11-0719; the number of counties participating; the number of minors participating; and the number of deer taken."*

## Preliminary Results from the 2021-22 Deer Hunting Seasons

*Participation of 12- and 13-year-old deer hunters*

|  |  |       |
|--|--|-------|
| # Licensed 12- and 13-year-old hunters <sup>1</sup>                        |  | 9,859 |
| Estimated Participation:   | Regular Firearms Deer Season                         | 85%   |
|  | Youth Big Game Hunt over Columbus Day Weekend        | 62%   |
|  | General Muzzleloader Deer Season                     | 21%   |
|  | Holiday Hunt portion of the Late Muzzleloader Season | 26%   |
|  | Bowhunting Season                                    | 31%   |
|  | With a Crossbow During any Season                    | 18%   |
| Deer Harvest Reports submitted by 12- and 13-year-old hunters <sup>2</sup> |  | 1,564 |

<sup>1</sup> License holders who were 12- or 13-years-old at any time during the 2021 hunting seasons when 12- and 13-year-old hunters could use a firearm or crossbow (September 12, 2021 through January 1, 2022).

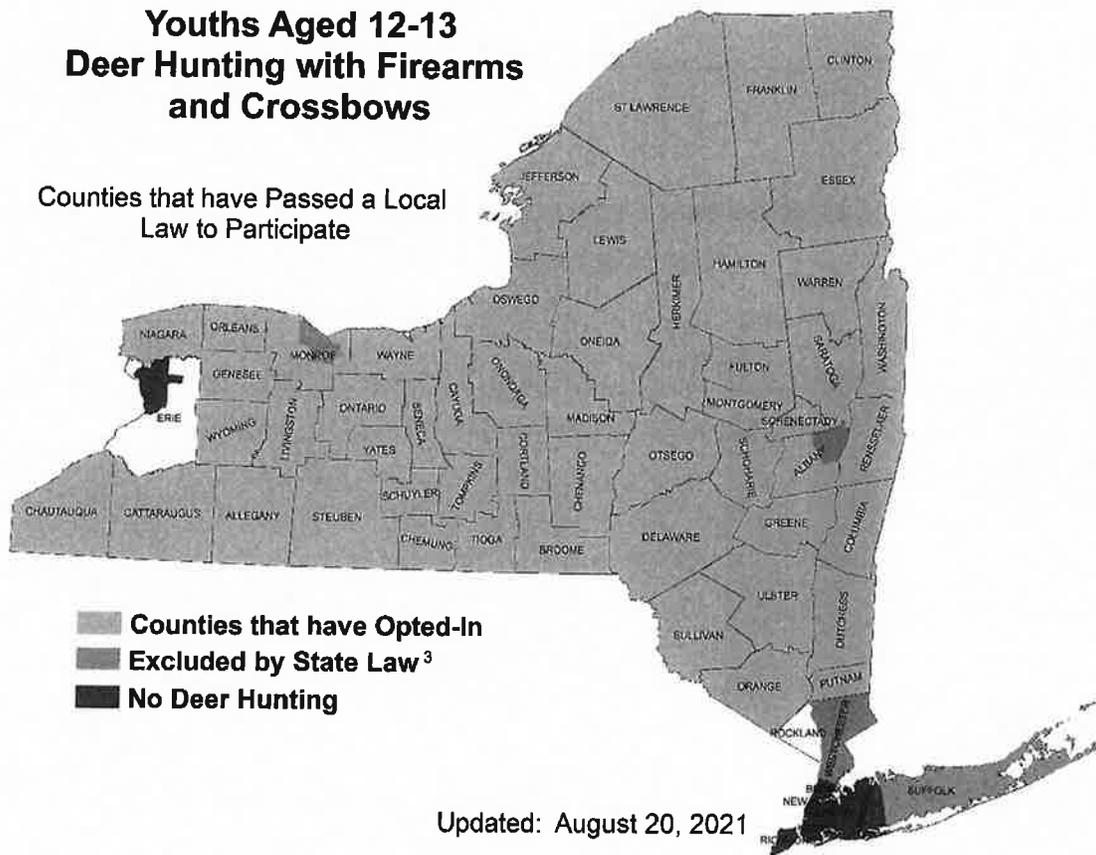
<sup>2</sup> Reported take value represents raw harvest reports with date of harvest between September 12, 2021 and January 1, 2022. This includes 173 deer reported taken with a bow. Calculated deer harvest was not available at the time of this report, as deer hunting seasons continued in portions of New York until January 31.

*Safety and Compliance of 12- and 13-year-old deer hunters*

|                                    |   |
|------------------------------------|---|
| Hunting related shooting incidents | 0 |
| Hunting violations                 | 0 |
| Hunting license revocations        | 0 |

*County Participation*

ECL 11-0935(2) defines eligible areas as: “a county that has passed a local law authorizing participation in the pilot program and has notified the department of such participation, however, that the following counties: Westchester; Richmond; Bronx; New York; Kings; Queens; Nassau; and Suffolk shall not be deemed to be eligible.” Thus, 54 of the 62 New York State counties were eligible to participate in the pilot program. Of the 54 eligible counties, only Erie and Rockland county did not pass a local law to allow 12- and 13-year-olds to hunt deer with a firearm or crossbow.



<sup>3</sup> Portions of Albany and Monroe counties were excluded by state laws (ECL 11-0907(5)(a) and 11-0907(7)(b)) that restrict deer hunting in those areas to use of longbows only.

*"Best thing NYS has done for youths in NYS. Great to have the kids enjoying the outdoors."*

*"Had a great time teaching and enjoying the extra time with son. Thanks again."*

*"I got to spend time with my grandfather and although we did not score a deer just being in our woods was fun."*

*"It's a great way to get the young generation to hunt."*

*"Love the early opportunity with my father. Great bonding experience."*

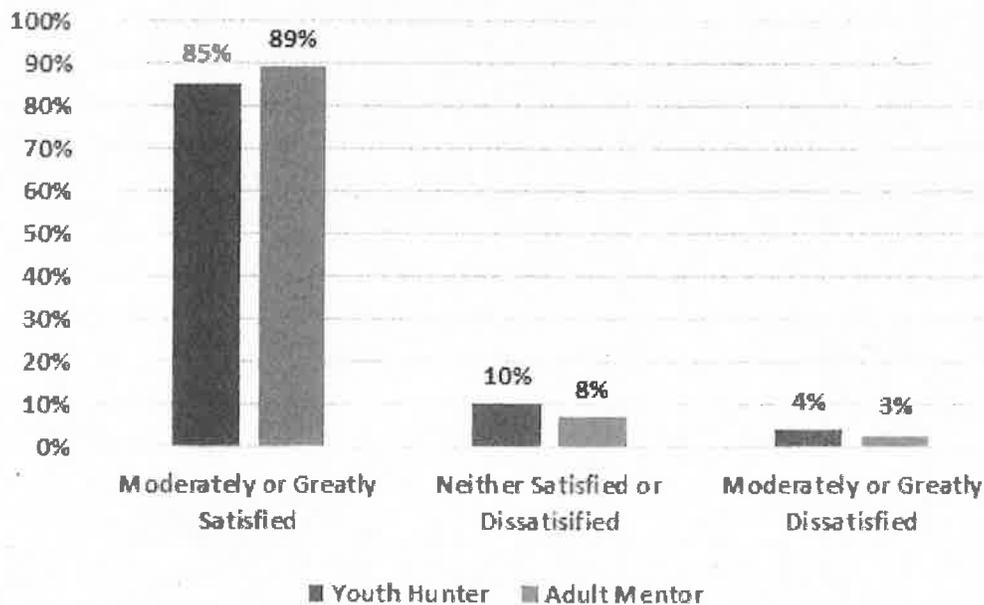
*"The youth hunt is great...I think it builds a great trust and cooperation between DEC officers, young hunters and their parents, that extends well beyond the weekend. Great experience."*

*"This was a great opportunity. Thank you for allowing this and promoting younger hunters."*



Holland B. from Ontario County got her first doe and buck in 2021. "What an amazing year!"

### How Satisfied were you with your Youth Big Game Hunting experiences?



## Recommendations

As evidenced in this report, it is clear that 12- and 13-year-old hunters can safely and successfully hunt deer with a firearm or crossbow and should be authorized to retain this important opportunity. In order to continue to cultivate the next generation of safe and responsible hunters and capitalize on the success of this program, DEC provides the following recommendations to expand youth hunting opportunities in New York:

- 1- **Make permanent the authorization for 12- and 13-year-old hunters to hunt deer with a firearm and crossbow.** We assessed participation and harvest by junior big game hunters through a post-season survey and asked about their level of satisfaction with their big game hunting opportunities in 2021. More than 9,800 young hunters (aged 12 and 13), representing approximately 9,500 families were eligible to hunt deer with a firearm or crossbow in 2021. These hunters were safe and successful, and satisfaction levels were extremely high. 85% of these young hunters and 89% of their adult mentors reported being moderately or greatly satisfied with their youth big game hunting experience this past year. Existing state law permanently allows hunters aged 12 and 13 to hunt small game with a firearm or long bow and big game with a long bow, when properly supervised. Establishing the same permanent provisions for 12- and 13-year-old hunters to hunt big game with a firearm will ensure that 12-year-olds can continue to hunt big game when they are 13 and that younger siblings have the same opportunity when they turn 12.
- 2- **Allow 12- and 13-year-old hunters to also hunt black bear with a firearm and crossbow.** Youths aged 12 and 13 have been legally able to hunt black bears with a longbow in New York since 2011 and have done so without incident. Hunting black bear with a longbow is unquestionably more challenging than hunting black bear with a firearm. Nonetheless, 12- and 13-year-old hunters have routinely demonstrated that they can safely and successfully harvest a black bear with a longbow. These same hunters, and all 12- and 13-year-old hunters, should be given the opportunity to also hunt black bear with firearms and crossbows.
- 3- **Extend the authorization for 12- and 13-year-old hunters to hunt deer with a firearm or crossbow to all of New York State (subject to other provisions of ECL) and remove the requirement for counties to pass a local law opting-in.** Of all the eligible counties in New York, only Erie and Rockland Counties did not pass a local law authorizing participation in the pilot program as required by 11-0935. However, in both of these counties, hunters aged 14-years or older can hunt deer and bear with firearms and crossbows. Similarly, Westchester and Suffolk Counties were specifically excluded from the provisions of 11-0935 despite an existing firearms season for deer in January in Suffolk County and provisions in 11-0903(7) authorizing the same potential opportunity in Westchester County. Young hunters in Erie, Rockland, Suffolk, and Westchester counties should not be forced to hunt elsewhere and should be given opportunity to hunt in the same locations and in the same manner as their peers, older siblings, and other family members.

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SUBJECT

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LL INTRO. 3-1  
(2022)

BASKIN, MEYERS,  
JOHNSON, VINAL &  
GILMOUR

The Erie County Language Access Act

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Attachments

LL INTRO. 3-1 (2022)

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## COUNTY OF ERIE

LOCAL LAW INTRO. NO. 3-1 -2022

LOCAL LAW NO. \_\_\_\_\_-2022

**THE ERIE COUNTY LANGUAGE ACCESS ACT**

A Local Law mandating the development of County Agency-specific language access plans, practices and training in the County of Erie.

Be it enacted by the Legislature of the County of Erie as follows:

**Section 1. Legislative Intent and Findings**

The County recognizes that a large percentage of its inhabitants speak languages other than English and that the well-being and safety of the County as a whole is put in jeopardy if the people of the County are unable to access County services or effectively communicate with County agencies.

This Legislature also finds and determines that language can be a substantial barrier for residents seeking to access government information, programs and services. This Legislature finds that Title VI of the Civil Rights Act of 1964 prohibits agencies receiving federal funds from discriminating against persons on the basis of race, color or national origin. This Legislature determines that Presidential Executive Order 13166 (August 11, 2000) requires federally funded agencies to act to ensure that individuals with limited English proficiency have access to programs and services.

This Legislature concludes that it is in the best interest of all County residents to ensure and improve language access to County programs and services.

**Section 2. Definitions**

As used in this law, the following terms shall have the meanings indicated:

*County Agency*: Any agency, department, division or office of Erie County government which provides programs and/or services to the public or programs and/or services made available to individuals in the custody of the Erie County Sheriff.

*Designated Countywide Languages*: The top six limited English proficiency languages spoken by the population of Erie County as determined by the Language Access Advisory Board.

*Direct Public Services*: Services administered by a County Agency directly to program beneficiaries and/or participants, including any services administered by an agency directly to individuals in the custody of the Erie County Sheriff.

*Interpretation:* An oral (spoken) or signed communication of a message from one language to another, in real time by a qualified human interpreter competent in both languages, keeping in mind cultural context, without adding, omitting, or changing the message's original meaning.

*Limited English Proficiency:* Persons for whom English is not their primary language and have difficulty communicating effectively in English.

*Translation:* The written rendition of a text in one language to a written text in another language, completed by a human translator competent in both languages.

*Vital Documents:* Those documents most commonly distributed to the public and individuals in County correctional facilities that contain or elicit important and necessary information regarding the provision of Direct Public Services.

### **Section 3. Language Access Requirements**

Every County Agency shall provide language access services for direct public services it administers. Such language access services may include, but not be limited to:

1. Providing competent and timely interpretation services to individuals in their primary or preferred language. Competent interpretation shall mean a spoken or signed, real-time communication in which the qualified human interpreter is fluent in both the source and target language and is trained as an interpreter. The interpreter shall know relevant terminology and provide accurate interpretations by choosing equivalent expressions that convey the best matching and meaning to the source language and capture, to the greatest extent possible, all nuances intended in the source material;
2. Identifying and translating vital documents provided to the public, including but not limited to, forms and instructions provided to or completed by program participants and beneficiaries in each designated countywide language;
  - a. Existing vital documents must be translated within 365 days of the effective date of this law.
  - b. New vital documents, produced after the effective date, must be translated as soon as is practicable but no later than 120 days after the English version is released to the public, except for emergency communications which must be translated immediately, or at most up to 5 days following the release of the English version.
3. Translation of pre-recorded informational messages on agency phone lines that provide vital public information in English, including emergency alerts and public service announcements;

4. Translated copies of vital documents which are already made available to the public in English must be made available to the public in the same way as the current English version. Translated vital documents must be published alongside any English documents that may be available online through the County website;
5. Online applications or machine interpretation or translation software shall not be used;
6. Family members, other clients, and any other member of the public who is not a qualified interpreter, shall not be used for interpretation with respect to the provision of services or benefits;
7. Posting of multilingual signage in conspicuous locations about the availability of free interpretation services. Where practicable, the same information should be communicated via pre-recorded announcements in each designated countywide language on the public address system in public waiting areas;
8. Accommodations for communication access shall be available upon request including American Sign Language Interpretation via an on-site interpreter, Video Remote Interpreter (VRI), or Communication Access Realtime Translation for individuals who are deaf, hard of hearing or have hearing loss.
9. All language access services must be provided at no cost to the person seeking services from the Department.

#### **Section 4. Language Access Plans**

Every County Agency, in consultation with the Language Access Advisory Board, shall develop and implement an agency-specific language access implementation plan to describe how language access services will be provided and to ensure meaningful equal access to direct public services. County agencies with existing language access plans shall review such plans, in consultation with the Advisory Board, to ensure compliance with the provisions of this act.

A final copy of each county agency language access plan shall be submitted to the County Legislature and the Advisory Board and shall be published on the agency's website no later than 180 days after the effective date of this act. Agency plans must be implemented within 90 days following submission of the final plan.

Each County Agency shall update its language access implementation plan biennially, based on changes in the agency's service population or services and in conjunction with the designated language access coordinator and the Advisory Board, and publish such updated plan on its website.

Each language access plan shall set forth, at a minimum, the following:

1. Designate a language access coordinator to oversee the creation and execution of an agency language access implementation plan, collect language data, and issue an annual report. The name, title and contact information of such language access coordinator is to be posted in a conspicuous place on such agency's website;
2. Describe how such agency will provide the language access service required by Section 3, including the titles of all available translated documents and the languages into which they have been translated and the number of fully bilingual employees in public contact positions and the languages they speak;
3. Incorporate a uniform training plan for agency employees, including annual training on the language access policies and the provision of language assistance services as well as providing a procedure that allows employees to report issues and problems implementing the language access plan;
4. Incorporate a process for tracking and reporting agency language access data including the number and type of requests for language access services, what languages service requests are for, how each request was fulfilled, the number of complaints received by the agency regarding language access, and how complaints were resolved.
5. Determine the methods such agencies will employ with regard to providing language access services, both through agency staffing and contracts with third parties. Whenever possible, County Agencies should prioritize hiring local interpreters.
6. Consider the following factors in developing such implementation plan:
  - a. the number or proportion of LEP persons in the eligible service population;
  - b. the frequency with which LEP individuals come into contact with the agency, if such data exists. If no relevant data has been collected, such agency must exclude this factor from consideration;
  - c. the importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation or translation); and
  - d. the resources available to the agency and the costs of providing various types of language services
7. When a member of the public states they are deaf, hard of hearing, or have hearing loss, the County Agency's designated language access coordinator shall submit notice and keep record of notice made to The Erie County Office for People with Disabilities on behalf of the member of the public in need of language access services. The Office for People with Disabilities will support the members of the public with communication services.

## **Section 5. Amending Article 17 of the Erie County Charter**

Erie County Local Law No. 1-1959, constituting the Erie County Charter, as amended, is hereby amended at Article 17 to add a new Section 1708 to read as follows:

Section 1708. Language Access Advisory Board. There shall be a Language Access Advisory Board to advise on matters relating to LEP individuals and language access. The Board shall consist of seven members including:

1. County Executive, or their designee;
2. County Clerk, or their designee;
3. Sheriff, or their designee; and
4. Four community members to be appointed by the County Executive. All four community member appointments will be subject to confirmation by the County Legislature.

Membership on the board shall be reflective of the diversity of the county's population and members shall be representatives from community organizations and faith-based organizations serving LEP and deaf, hard of hearing and hearing loss communities in Erie County. Members of the Board shall be appointed for a term of three years. No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each. The Board shall annually designate one member to serve as Board chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the Board shall appoint a successor to that office from the Board's membership.

The Advisory Board shall be empaneled within ninety days following the effective date of this act. A quorum shall consist of a majority of the members of the Advisory Board entitled to vote on the matter under consideration. Approval of any matter shall require the affirmative vote of a majority of the members voting thereon. The Advisory Board shall adopt by-laws for the management and regulation of its affairs.

The Board shall:

1. Designate the top six languages LEP individuals speak in Erie County as the Countywide Languages. This process will take place every two years and will consider a wide variety of data sources, including but not limited to data collected by the U.S Census and American Community Survey, public schools, local interpreting agencies, federal refugee resettlement programs and County Agencies to determine which language groups are most in need of language services.
2. Advise County Agencies in developing and implementing their Language Access Plan.
3. Review Agency Language Access Plans and evaluate the implementation of those plans.
4. Create a mechanism to interact with public regarding proper language access plan implementation.

5. Review annual reports from County Agency language access coordinators and create a comprehensive annual report filed with the Legislature. Annual reports and recommendations will be made publicly available online through the County website.
6. Put forward additional policy recommendations as needed to improve language access services.

### **Section 6. Right to Privacy**

The need for/use of language services by an individual contacting the County shall not be deemed by any County employee as a basis for inquiring into information related to an individual's immigration status or other personal attributes. No County employee shall inquire about or disclose confidential information, including, but not limited to, immigration status, unless such inquiry or disclosure is required by law.

### **Section 7. Effective Date**

This Local Law shall take effect 180 days after it becomes law.

### **Section 8. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

#### **Sponsors:**

April N.M. Baskin  
Timothy Meyers  
Howard Johnson  
Jeanne Vinal  
John Gilmour

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SUBJECT

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LL INTRO. 1-1  
(2023)

MILLS, GREENE,  
TODARO &  
MALCZEWSKI

Providing for 10% Property Tax Exemptions  
for Volunteer Firefighters and Ambulance  
Workers in Erie County

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Attachments

LL INTRO. 1-1 (2023)

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**LOCAL LAW TO BE ENACTED BY  
THE ERIE COUNTY LEGISLATURE  
IN THE  
COUNTY OF ERIE  
LOCAL LAW INTRO. – NO. 1-1 - 2023  
LOCAL LAW – NO. \_\_\_\_\_ - 2023**

**Providing for 10% property tax exemptions for Volunteer Firefighters and Ambulance workers in Erie County**

**SECTION 1: Legislative Intent**

Volunteer firefighters and ambulance workers are vital to public safety in communities across Erie County. To encourage and reward the selfless acts of volunteerism displayed by our firefighters and ambulance workers, New York State now allows local municipalities to opt into a real property tax exemption for certain volunteer firefighters and volunteer ambulance workers.

This local law, pursuant to §466-a of the NYS Real Property Tax Law (RPTL), is intended to provide any enrolled member of an incorporated volunteer firefighter or volunteer ambulance company across Erie County a real property tax exemption of up to 10% of the assessed value of qualifying residential real property owned by a volunteer firefighter or ambulance worker in the district in which they volunteer.

It is further the intent of this body to extend this benefit to un-remarried spouses of volunteer firefighters and ambulance workers in instances where the volunteer dies after accruing twenty years of service or for those who die in the line-of-duty.

**SECTION 2: Provision of a Real Property Tax Exemption to Enrolled Members of Incorporated Volunteer Firefighter and Ambulance Companies**

The Erie County Legislature hereby provides a real property tax exemption of 10% of the assessed value of real property for taxes levied by Erie County for individuals that meet the following qualifications:

- The individual is an enrolled and certified member of an incorporated volunteer fire company, fire department, or volunteer ambulance service that provides services within the County of Erie and has a minimum of two years of service; and
- That the property receiving the benefit is located within the jurisdiction served by the incorporated fire department or volunteer ambulance service to which the volunteer belongs; and
- The individual resides in the County of Erie and the property receiving the benefit is the primary residence of the individual and is used exclusively for residential purpose, and any portion of the property not used for residential purposes shall be subject to taxation.

**SECTION 3: Grant of Lifetime Real Property Tax Exemption for Certain Volunteer Firefighters and Volunteer Ambulance Workers who have Accrued Twenty Years of Volunteer Service**

The Erie County Legislature hereby provides a lifetime real property tax exemption of 10% of the assessed value of real property for any individuals that have been certified by the authority having jurisdiction over an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service as having accrued twenty or more years of active service, so long as their primary residence remains within the Erie County jurisdiction in which they served.

**SECTION 4. Grant of Lifetime Real Property Tax Exemption for Un-remarried Spouses of Volunteer Firefighters and Volunteer Ambulance Workers Whose Spouses Qualify under Section 3 of this Law or Whose Spouses Die in the Line-of-Duty**

The Erie County Legislature hereby provides a real property tax exemption for life to the spouse of any volunteer firefighter or volunteer ambulance worker who dies after accruing twenty years of service or who dies in the line-of-duty pursuant to the policies contained in New York State RPTL §466-a (4). Provided, however, that the volunteer was already eligible for, and receiving, this benefit under either Section 2 or Section 3 as applicable.

**SECTION 5. Certification of Eligibility**

For the purposes of the requirements set forth by §466-a of NYS RPTL and this Local Law, no benefits can be provided without a certification of eligibility filed with the local assessor's office, in who's jurisdiction the applicant's property is located.

A universal county certificate of eligibility shall be published by the Erie County Executive on the County website for submission to applicant's assessor's office within 30 days of the effective date of this local law.

As part of any certificate of eligibility in application for benefits described by this law, the applicant must provide a Letter of Certification, which includes the exact date enrolled and current active status on their volunteer fire department or ambulance service's letterhead along with a proof of residency.

**SECTION 6. Effective Date**

This local law shall take effect in the next full tax year following filing with the Secretary of State.

Any volunteer having accrued the minimum years of service described in this local law as of the effective date of this law shall be eligible to apply for the benefits described herein provided they meet all other eligibility requirements contained in this law.

## **SECTION 7. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

**Sponsors:** Legislators Mills, Greene, Todaro, and Malczewski,

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SUBJECT

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LL INTRO. 2-1  
(2023)

BASKIN, MEYERS,  
JOHNSON, VINAL &  
KOOSHOIAN

The Public Art Act of Erie County

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Attachments

LL INTRO. 2-1 (2023)

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## COUNTY OF ERIE

LOCAL LAW INTRO. NO. 2-1 -2023

LOCAL LAW NO. \_\_\_\_\_ -2023

**THE PUBLIC ART ACT OF ERIE COUNTY**

A Local Law providing for public financial support for public art in the County of Erie.

Be it enacted by the Legislature of the County of Erie as follows:

**Section 1. Legislative Findings and Intent**

The Erie County Legislature desires to support and promote worthwhile initiatives that help to promote the public good and improve the quality of life of our community. Like many other municipalities and local governments around the country, the Legislature wishes to further develop the County's financial support of public art through the County's construction of new infrastructure. This initiative seeks to make art accessible to all Erie County residents and visitors and to foster a sense of community connection and civic pride.

The County already has a robust financial contribution and commitment to arts and cultural institutions, through annual budgetary funding and occasional, one-time capital or operational funding for cultural assets. In addition, the County has been funding a position of Public Art Curator located at the Albright-Knox Art Gallery for several years.

The County also values artists and believes that artists should be compensated in a manner consistent with their experience. This will ensure that artists' expenses and labor on public art projects are adequately compensated and will strengthen our public art artists community by properly valuing their need in Erie County.

As contrasted with annual operational funding for the County's cultural assets (which are already financially subsidized and supported by the County of Erie), this initiative proposes to create a funding mechanism for public art related to certain Erie County capital construction projects. Under the proposal, depending on the size and type of the project, the County would allocate 1% of the cost of a building construction project (up to a maximum of \$10,000 allocated). The Committee will decide where in Erie County the public art will be installed in an annual Public Art Master Plan. Art won't need to be implemented where every capital improvement exists. All the 1% monies collected from the previous year's capital improvements will be allocated to fund the design, supplies and commission of the next year's Public Master Art Plan.

**Section 2. Funding**

Capital projects on buildings that are \$250,000 or greater, whether funded by capital (bonded) funds or operating funds, shall include the appropriation of funds equal to 1% of the cost of the

project, with said funds to be appropriated for the acquisition, maintenance and management of public art, except where the appropriating resolution, bond resolution or budget may provide otherwise; provided, however, that, where applicable, such amount shall be reduced to the extent that state or federal government funds are not authorized to be used for such purpose. The maximum allocated for public art shall be \$10,000 from each eligible capital project.

A "Public Art Fund" shall be created by the Division of Budget and Management to hold funds for implementation of the projects finalized in the Master Public Art Plan and/or projects chosen by the Arts in Public Places Committee.

The use of any funds appropriated for any project for public art purposes shall be in accordance with the Master Public Art Plan, except that any such funds provided from the proceeds of County serial bonds or notes shall be used only for public art purposes related to the project for which such bonds or notes were authorized. To the extent the total appropriation of a project is not used for the acquisition of works of art for said project, upon the approval of the County Legislature, the remainder may be used for:

1. Arts program administrative costs, insurance costs or for the repair and maintenance of any works of art acquired under this law; or
2. Supplementing other appropriations for the acquisition of works of art under this law or to place works of art in or near government facilities which have already been constructed.

### **Section 3. Definitions**

As used in this law, the following terms shall have the meanings indicated:

"Public Art" includes any application of skill and taste to production of tangible objects according to aesthetic principles, including but not limited to paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, fountains, streetscapes, drawings and ceramics, as well as decorative seating, topiary, and other decorative public use features.

"Capital Projects" includes: (a) new construction of a building or of additional space added to a building; and/or (b) any reconstruction or renovation of a building or part of a building, whether financed through the issuance of bonds or pay-as-you-go funding or other (non-County) sources of funds.

"Projects" shall not include those which are solely for rehabilitation of equipment.

"Cost of a Project" includes design, architectural and engineering fees, site work, construction, and contingency allowances for a project.

"Public Art Fund" means the new fund to which 1% of the value of a new capital project will be allocated to pursue Public Art initiatives (to a maximum of \$10,000 for each capital project).

“Committee” refers to the Arts in Public Places Committee.

“Master Public Art Plan” (“Plan”) means the annual plan created by the Committee by March 1 to ensure a coherent acquisition program and implementation guidelines for Public Art.

#### **Section 4. The Arts in Public Places Committee**

- A. There shall be an Arts in Public Places Committee, hereinafter referred to as the “Committee,” consisting of five (5) members. The County Executive shall appoint three (3) members, and the Majority Caucus and Minority Caucus of the Legislature shall each appoint one member. All five members shall be subject to Legislature confirmation. The Chairperson of such Committee shall be selected from the members of the Committee for a term of one year.
- B. The five (5) members shall be experts in the fields of art, art history, architecture or architectural history and must be Erie County residents and may not serve on any other County advisory board or be a County employee or officer. The members shall be professionally associated with local visual arts groups, such as art galleries or art schools, or have at least ten (10) years’ experience in creating professional art.
- C. In addition to the five (5) voting members of the Committee, The County Executive, the Chairperson of the Legislature, the Chairperson of the Legislature’s Community Enrichment Committee, the Legislature Minority Leader, and the Commissioner of Public Works or their designees, shall serve as ex officio non-voting members of the Committee.
- D. The Committee shall choose the methods of acquisition of public art for each project. Such methods of acquisition may include but are not limited to projects of preexisting art, direct commission, art competition, request for proposals, or acceptance of donations.
- E. The Committee may, for each project, convene a project panel comprised of at least three members of the Committee, one of whom shall be designated Chairperson. The Committee may also appoint additional art experts as members of the project panel. The Committee may appoint additional members to the panel to serve as advisors, who may be community representatives, County employees, project managers or others who will have frequent contact with the public art when it is completed. An architect or engineer shall be an ex officio member of each panel. The panel shall review the scope of each project and shall make recommendations to the Committee on the nature of the public art to be considered for the project, on the method of acquisition for each project, on the specific artist and the specific art for each project and what portion of the budget for each project shall be used for refurbishing or restoring existing works of art or to be set aside for the maintenance of a work of art.
- F. The acquisition and siting of all art work shall be approved by the County Executive and the County Legislature.

G. Ownership and title of all works of public art acquired by the County under this section shall be vested in the County of Erie.

H. The Committee shall create by-laws which will govern the conduct and operations of the Committee.

I. The Erie County Department of Environment and Planning shall serve as coordinator for the program and provide staff support to the Committee.

J. The Committee shall deliver an annual report to the County Executive and the County Legislature detailing its operations, Plan and art created under its auspices.

### **Section 5. Master Public Art Plan**

The Committee shall prepare a Master Public Art Plan ("Plan") annually to ensure a coherent acquisition program and implementation guidelines, which shall be approved by the Erie County Legislature. The Committee shall hold a public hearing on the Plan prior to its approval. The Plan shall be approved by the Committee and submitted to the Legislature annually by March 1.

1. All acquisitions and sales of public art shall be in accordance with the Master Public Art Plan. The Committee shall recommend acquisitions, the hiring of artists, and shall oversee the public education and curatorial aspects of the acquisition program.
2. The Plan shall make affirmative efforts to be equitable and diverse and to include artists selected for public art projects who are racially and ethnically diverse. The siting of such art projects shall be throughout the County, but with efforts undertaken to place art in areas of diversity.
3. The Plan shall strive to use artists that are County residents.
4. The Plan shall emphasize the importance of adequate compensation of artists.
5. The Plan shall be voted on by the Legislature and presented to the Department of Environment and Planning by May 1st annually.
6. The Committee shall, through the Plan and its acquisition efforts, make efforts to call for artist submissions and publicize the intention to find appropriate art within thirty (30) days of the Plan's approval annually.
7. Final contracts for authorizing public art contracts and hiring of artists are subject to approval by the Erie County Legislature.

## **Section 6. Effective Date**

This Local Law shall take effect upon filing with the New York State Secretary of State.

## **Section 7. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

## **Sponsors:**

April N.M. Baskin  
Timothy Meyers  
Howard Johnson  
Jeanne Vinal  
Michael Kooshoian

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SUBJECT

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REPORT No. 3                      PUBLIC SAFETY COMMITTEE

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Attachments

PS Report No. 3

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February 23, 2023

PUBLIC SAFETY COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT, EXCEPT LEGISLATORS TODARO & MEYERS.

1. COMM. 4E-20 (2023)  
**SHERIFF & COUNTY EXECUTIVE**

WHEREAS, are requirement of the HALT Act, the Sheriff's Office needs to provide out-of-cell trauma-informed therapeutic programming to promote personal development and address the underlying causes of problematic behavior among incarcerated populations, and

WHEREAS, Peaceprints of Western New York (PPWNY) has created the Hustle 2.0 curriculum which is a 348-page, softcover Hustle Guide with 12 evidence-based courses each packed with self-assessments, journal exercises, case studies, testimonials, and success stories; and

WHEREAS, PPWNY will employ and assign a qualified programming coordinator to work at both facilities; and

WHEREAS, the Sheriff's Office will fund year one of the program with Telephone Revenue Funds; and

WHEREAS, the cost of the program coordinator is \$39,000.00; and

WHEREAS, the Sheriff's Office and PPWNY will enter into an agreement which will end December 31, 2023, and will not exceed \$39,000.00 for a program coordinator, and

WHEREAS, the Sheriff and the County Executive agree the aforementioned position and agreement are necessary for the operation of the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, the expenditure for a HALT Act program coordinator complies with COMM. 6E-24, 2013, which states that Telephone Revenue "shall be dedicated to the general operation of the Holding Center and Correctional Facility"; and

WHEREAS, as of February 6, 2023, the Telephone Revenue account has a balance of \$509,635.00; and

WHEREAS, this resolution transfers \$39,000.00 from the Telephone Revenue account, and this resolution will not impact the 2023 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the County Executive and the Erie County Sheriff's Office to enter into an agreement with Peaceprints of Western New York, 660 Smith St, Buffalo, NY 14210 that will not exceed \$39,000.00 and will expire December 31, 2023; and be it further

RESOLVED, that the Erie County Legislature authorizes the Erie County Sheriff's Office and the Division of Budget and Management to transfer \$39,000.00 in available Telephone Revenue funds to the appropriate Erie County Sheriff's Office accounts:

ERIE COUNTY SHERIFF'S OFFICE

|                      |                              |                    |
|----------------------|------------------------------|--------------------|
| <u>REVENUE</u>       |                              | <u>DECREASE</u>    |
| 415622               | Jail Telephone Revenue Funds | <u>\$39,000.00</u> |
| <u>APPROPRIATION</u> |                              | <u>INCREASE</u>    |
| 516020               | Professional Services        | <u>\$39,000.00</u> |
|                      | Total Revenue                | <u>\$39,000.00</u> |

and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make any payments for the approved agreements; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, County Comptroller, the Division of Budget and Finance, the Division of Purchasing, and the Sheriff's Office for implementation.

(3-0)

**HOWARD J. JOHNSON, JR.**  
**CHAIR**

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SUBJECT

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REPORT No. 1                      FINANCE & MANAGEMENT COMMITTEE

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Attachments

FM - Report #1

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February 23, 2023

FINANCE & MANAGEMENT COMMITTEE  
REPORT NO. 1

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

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 1D-1 (2022)  
**DIRECTOR OF REAL PROPERTY TAX SERVICES:** “Open Item - Finance & Management Committee”  
(Acting Chair’s Ruling)
  - b. COMM. 13E-7 (2022)  
**MILLS:** “Letter to County Executive Regarding Buffalo Bills Stadium Project CBA”  
(Acting Chair’s Ruling)
  - c. INTRO. 14-2 (2022)  
**LORIGO, GREENE, TODARO & MILLS:** “Legislative Participation in Drafting a Community Benefits Agreement”  
(Acting Chair’s Ruling)
  - d. COMM. 14E-16 (2022)  
**BASKIN:** “Letter Regarding CBA Community Report”  
(Acting Chair’s Ruling)
  - e. COMM. 14E-30 (2022)  
**BASKIN, MEYERS & MILLS:** “Letter to Attorney Franklin D.R. Jones, Jr., Concerning Non-Disclosure Agreement as it Relates to the Community Benefits Agreement”  
(Acting Chair’s Ruling)
  - f. COMM. 14M-2 (2022)  
**PRESIDENT & CEO OF NORTHLAND WORKFORCE DEVELOPMENT CENTER & BUFFALO URBAN LEAGUE:** “Buffalo Bills Stadium Project Labor & Community Benefits Agreements”  
(Acting Chair’s Ruling)
  - g. COMM. 15M-3 (2022)  
**BUFFALO TRANSIT RIDERS UNITED:** “Letter Supporting CBA Transit Funding”  
(Acting Chair’s Ruling)
  - h. COMM. 23E-5 (2022)  
**COMPTROLLER:** “Department of Law Risk Retention Fund Spending - September & October 2022”  
(Acting Chair’s Ruling)
  - i. COMM. 23D-2 (2022)  
**DIRECTOR OF BUDGET & MANAGEMENT:** “Budget Monitoring Report for Period Ending October 2022”  
(Acting Chair’s Ruling)
  - j. COMM. 1E-7 (2023)  
**COMPTROLLER:** “Apportionment & Distribution of 4.75% Sales & Compensating Use Tax for Sept., Oct., & Nov., 2022”  
(Acting Chair’s Ruling)
  - k. COMM. 1E-8 (2023)  
**COMPTROLLER:** “Department of Law - Risk Retention Fund Spending - Nov., 2022”  
(Acting Chair’s Ruling)
  - l. COMM. 1D-2 (2023)  
**DIRECTOR OF BUDGET & MANAGEMENT:** “2023 County Property Tax Review”  
(Acting Chair’s Ruling)
  - m. COMM. 1M-4 (2023)  
**AUDIT COMMITTEE FOR ERIE COUNTY:** “Annual Report for the Year Ended December 31, 2021”  
(Acting Chair’s Ruling)
  - n. COMM. 3D-1 (2023)  
**DEPUTY COMPTROLLER OF AUDIT:** “Budget Monitoring Report for Period Ending November 2022”  
(Acting Chair’s Ruling)
  - o. COMM. 3D-2 (2023)  
**DIRECTOR OF BUDGET & MANAGEMENT:** “Budget Monitoring Report for Period Ending November 2022”  
(Acting Chair’s Ruling)

- p. COMM. 3M-3 (2023)  
**NFTA: “1st Quarter Report of Fiscal Year Ending March 31, 2023”**  
(Acting Chair’s Ruling)
- q. COMM. 3M-4 (2023)  
**NFTA: “2nd Quarter Report of Fiscal Year Ending March 31, 2023”**  
(Acting Chair’s Ruling)
- r. COMM. 4D-2 (2023)  
**DEPUTY COMPTROLLER OF AUDIT: “Erie County Comptroller's Office - Audit of the Department of Law”**  
(Acting Chair’s Ruling)
- s. COMM. 4D-6 (2023)  
**DIRECTOR OF REAL PROPERTY TAX SERVICES: “Explanation of In Rem Process”**  
(Acting Chair’s Ruling)
- t. COMM. 4D-7 (2023)  
**DIRECTOR OF REAL PROPERTY TAX SERVICES: “2022 In Rem Foreclosure Auction Results”**  
(Acting Chair’s Ruling)
- u. COMM. 4D-8 (2023)  
**DEPUTY COMPTROLLER OF AUDIT: “EC Comptroller's Office - Audit of the EC Clerk's Office”**  
(Acting Chair’s Ruling)
- v. COMM. 4M-1 (2023)  
**CORNELL COOPERATIVE EXTENSION: “2023 Budget Accountability Act Submission”**  
(Acting Chair’s Ruling)
- w. COMM. 4M-5 (2023)  
**EC SOIL & WATER CONSERVATION DISTRICT: “2023 Budget Accountability Act Submission”**  
(Acting Chair’s Ruling)
- x. COMM. 4M-6 (2023)  
**EC WATER AUTHORITY: “2021 & 2022 Financial Statements”**  
(Acting Chair’s Ruling)

2. COMM. 2D-3 (2023) **AS AMENDED**  
**DIRECTOR OF REAL PROPERTY TAX SERVICES**  
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 250001 through 250041, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

|             |                    |                               |                |        |
|-------------|--------------------|-------------------------------|----------------|--------|
| FISCAL YEAR | 2023               | Petition No.                  | 250,001.00     |        |
|             | ASSESSOR           | Cancel                        | \$166.05       |        |
| S-B-L       | 122.42-1-16        | 612 Fulton                    | 140200 BUFFALO |        |
|             |                    | Acct. No. 112                 | \$0.00         | County |
|             |                    | Acct. No. 132                 | \$166.05       |        |
|             |                    | Town/SpecialDist/School       |                |        |
|             | 2005               | ERIE COUNTY EXEMPTION REMOVAL | \$166.05       |        |
|             | <u>Charge To :</u> | 140200 BUFFALO                |                | \$0.00 |

RPTL 550(2): Applied exemption removal charge in error  
New tax bill to be issued.

|             |                    |                         |                |            |
|-------------|--------------------|-------------------------|----------------|------------|
| FISCAL YEAR | 2023               | Petition No.            | 250,002.00     |            |
|             | ASSESSOR           | Refund                  | \$1,522.69     |            |
| S-B-L       | 28.41-2-2          | 2 Glen Abbey            | 142289 AMHERST |            |
|             |                    | Acct. No. 112           | \$0.00         | County     |
|             |                    | Acct. No. 132           | \$1,522.69     |            |
|             |                    | Town/SpecialDist/School |                |            |
|             | <u>Charge To :</u> | 142289 AMHERST          |                | \$1,522.69 |

RPTL 550(2): Incorrect units used to calculate drainage district  
Refund to be issued to Carolyn J. Makett

FISCAL YEAR 2023 Petition No. 250,003.00

ASSESSOR Refund \$157.40

S-B-L 40.68-1-22./2 40 Groton Dr Unit 142289 AMHERST

Acct. No. 112 \$0.00 County

Acct. No. 132 \$157.40

Town/SpecialDist/School

22745 EC CONS DRAIN DIST/CDD \$157.40

Charge To : 142289 AMHERST \$0.00

RPTL 550(2): Incorrect units used to calculate drainage district  
Refund to be issued to Diane Frick 2022 Family Trust.

FISCAL YEAR 2023 Petition No. 250,004.00

ASSESSOR Refund \$550.88

S-B-L 187.02-1-18 879 Center St 142489 AURORA

Acct. No. 112 \$357.15 County

Acct. No. 132 \$193.73

Town/SpecialDist/School

Charge To : 142489 AURORA \$193.73

RPTL 550(2): Failed to apply senior exemption  
Refund to be issued to Lorraine Wahl L/E

FISCAL YEAR 2022 Petition No. 250,005.00

ASSESSOR Refund \$1,133.78

S-B-L 187.02-1-18 879 Center St 142489 AURORA

Acct. No. 112 \$0.00 County

Acct. No. 132 \$1,133.78

Town/SpecialDist/School

Charge To : 142489 AURORA \$1,133.78

Relevy School \$1,133.78 142401 EAST

AURORA UNION

RPTL 550(2): Failed to apply senior exemption

Refund to be issued to Lorraine Wahl L/E

FISCAL YEAR 2023 Petition No. 250,006.00

ASSESSOR Cancel \$951.09

S-B-L 226.01-2-54 7712 Back Creek R 142600 BOSTON

Acct. No. 112 \$859.56 County

Acct. No. 132 \$91.53

Town/SpecialDist/School

26019 BOSTON FIRE PROTECTION \$27.40

26500 EC#3 BOSTON VALLEY \$16.41

Charge To : 142600 BOSTON \$47.72

RPTL 550(3): Improvement added in error  
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,007.00

ASSESSOR Cancel \$43,208.00

S-B-L 92.14-1-1.111 100-120 Moorman 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County

Acct. No. 132 \$43,208.00

Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$43,208.00

RPTL 550(2): Sewer district calculated incorrectly  
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,008.00

ASSESSOR Cancel \$34.71

S-B-L 92.02-3-31 Genesee St 143089 CHEEKTOWAGA

Acct. No. 112 \$6.59 County

Acct. No. 132 \$28.12

Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$28.12

RPTL 550(2): Duplicate parcel  
Delete entire parcel from tax roll.

|                    |            |                         |                              |
|--------------------|------------|-------------------------|------------------------------|
| FISCAL YEAR        | 2022       | Petition No.            | 250,009.00                   |
| S-B-L              | 92.02-3-31 | ASSESSOR<br>Genesee St  | Refund<br>143089 CHEEKTOWAGA |
|                    |            | Acct. No. 112           | \$0.00 County                |
|                    |            | Acct. No. 132           | \$19.92                      |
|                    |            | Town/SpecialDist/School |                              |
| <u>Charge To :</u> |            | 143089 CHEEKTOWAGA      | \$19.92                      |
|                    |            | Relevy School           | \$19.92 145201 LANCASTER     |

CENTRAL

RPTL 550(2): Duplicate parcel  
Refund to be issued to Samuel Tadio

|                    |            |                         |                              |
|--------------------|------------|-------------------------|------------------------------|
| FISCAL YEAR        | 2022       | Petition No.            | 250,010.00                   |
| S-B-L              | 92.02-3-31 | ASSESSOR<br>Genesee St  | Refund<br>143089 CHEEKTOWAGA |
|                    |            | Acct. No. 112           | \$7.24 County                |
|                    |            | Acct. No. 132           | \$30.02                      |
|                    |            | Town/SpecialDist/School |                              |
| <u>Charge To :</u> |            | 143089 CHEEKTOWAGA      | \$30.02                      |

RPTL 550(2): Duplicate parcel  
Refund to be issued to Samuel Tadio

|                    |            |                         |                              |
|--------------------|------------|-------------------------|------------------------------|
| FISCAL YEAR        | 2021       | Petition No.            | 250,011.00                   |
| S-B-L              | 92.02-3-31 | ASSESSOR<br>Genesee St  | Refund<br>143089 CHEEKTOWAGA |
|                    |            | Acct. No. 112           | \$0.00 County                |
|                    |            | Acct. No. 132           | \$22.40                      |
|                    |            | Town/SpecialDist/School |                              |
| <u>Charge To :</u> |            | 143089 CHEEKTOWAGA      | \$22.40                      |

Relevy School \$22.40 145201 LANCASTER

CENTRAL

RPTL 550(2): Duplicate parcel  
Refund to be issued to Samuel Tadio

|                    |            |                         |                              |
|--------------------|------------|-------------------------|------------------------------|
| FISCAL YEAR        | 2021       | Petition No.            | 250,012.00                   |
| S-B-L              | 92.02-3-31 | ASSESSOR<br>Genesee St  | Refund<br>143089 CHEEKTOWAGA |
|                    |            | Acct. No. 112           | \$7.28 County                |
|                    |            | Acct. No. 132           | \$32.01                      |
|                    |            | Town/SpecialDist/School |                              |
| <u>Charge To :</u> |            | 143089 CHEEKTOWAGA      | \$32.01                      |

FISCAL YEAR 2020 Petition No. 250,013.00

|                    |            |                         |                              |
|--------------------|------------|-------------------------|------------------------------|
| S-B-L              | 92.02-3-31 | ASSESSOR<br>Genesee St  | Refund<br>143089 CHEEKTOWAGA |
|                    |            | Acct. No. 112           | \$0.00 County                |
|                    |            | Acct. No. 132           | \$22.25                      |
|                    |            | Town/SpecialDist/School |                              |
| <u>Charge To :</u> |            | 143089 CHEEKTOWAGA      | \$22.25                      |
|                    |            | Relevy School           | \$22.25 145201 LANCASTER     |

CENTRAL

RPTL 550(2): Duplicate parcel  
Refund to be issued to Samuel Tadio

|                    |            |                          |                           |
|--------------------|------------|--------------------------|---------------------------|
| FISCAL YEAR        | 2023       | Petition No.             | 250,014.00                |
| S-B-L              | 59.00-4-33 | ASSESSOR<br>5695 Salt Rd | Cancel<br>143200 CLARENCE |
|                    |            | Acct. No. 112            | \$310.84 County           |
|                    |            | Acct. No. 132            | \$190.74                  |
|                    |            | Town/SpecialDist/School  |                           |
| <u>Charge To :</u> |            | 143200 CLARENCE          | \$190.74                  |

RPTL 550(2): Failed to apply vet exemption  
New tax bill to be issued.

|                    |            |                         |                            |
|--------------------|------------|-------------------------|----------------------------|
| FISCAL YEAR        | 2022       | Petition No.            | 250,015.00                 |
| S-B-L              | 59.00-4-33 | ASSESSOR Refund         | \$1,089.91                 |
|                    |            | 5695 Salt Rd            | 143200 CLARENCE            |
|                    |            | Acct. No. 112           | \$0.00 County              |
|                    |            | Acct. No. 132           | \$1,089.91                 |
|                    |            | Town/SpecialDist/School |                            |
| <u>Charge To :</u> |            | 143200 CLARENCE         | \$1,089.91                 |
|                    |            | Relevy School           | \$1,089.91 143201 CLARENCE |

CENTRAL

RPTL 550(2): Failed to apply vet exemption  
Refund to be issued to Billie Lee & Susan Belle Huffer

|                    |            |                         |                 |
|--------------------|------------|-------------------------|-----------------|
| FISCAL YEAR        | 2022       | Petition No.            | 250,016.00      |
| S-B-L              | 59.00-4-33 | ASSESSOR Refund         | \$538.06        |
|                    |            | 5695 Salt Rd            | 143200 CLARENCE |
|                    |            | Acct. No. 112           | \$340.87 County |
|                    |            | Acct. No. 132           | \$197.19        |
|                    |            | Town/SpecialDist/School |                 |
| <u>Charge To :</u> |            | 143200 CLARENCE         | \$197.19        |

RPTL 550(2): Failed to apply vet exemption  
Refund to be issued to Billie Lee & Susan Belle Huffer

|             |            |                         |                 |
|-------------|------------|-------------------------|-----------------|
| FISCAL YEAR | 2021       | Petition No.            | 250,017.00      |
| S-B-L       | 59.00-4-33 | ASSESSOR Refund         | \$1,140.23      |
|             |            | 5695 Salt Rd            | 143200 CLARENCE |
|             |            | Acct. No. 112           | \$0.00 County   |
|             |            | Acct. No. 132           | \$1,140.23      |
|             |            | Town/SpecialDist/School |                 |

|                    |                 |            |                 |
|--------------------|-----------------|------------|-----------------|
| <u>Charge To :</u> | 143200 CLARENCE | \$1,140.23 | \$1,140.23      |
|                    | Relevy School   |            | 143201 CLARENCE |

CENTRAL

RPTL 550(2): Failed to apply vet exemption  
Refund to be issued Billie Lee & Susan Belle Huffer

|                    |            |                         |                 |
|--------------------|------------|-------------------------|-----------------|
| FISCAL YEAR        | 2021       | Petition No.            | 250,018.00      |
| S-B-L              | 59.00-4-33 | ASSESSOR Refund         | \$525.62        |
|                    |            | 5695 Salt Rd            | 143200 CLARENCE |
|                    |            | Acct. No. 112           | \$348.82 County |
|                    |            | Acct. No. 132           | \$176.80        |
|                    |            | Town/SpecialDist/School |                 |
| <u>Charge To :</u> |            | 143200 CLARENCE         | \$176.80        |

RPTL 550(2): Failed to apply vet exemption  
Refund to be issued to Bille Lee & Susan Belle Huffer

|                    |            |                         |                            |
|--------------------|------------|-------------------------|----------------------------|
| FISCAL YEAR        | 2020       | Petition No.            | 250,019.00                 |
| S-B-L              | 59.00-4-33 | ASSESSOR Refund         | \$1,154.71                 |
|                    |            | 5695 Salt Rd            | 143200 CLARENCE            |
|                    |            | Acct. No. 112           | \$0.00 County              |
|                    |            | Acct. No. 132           | \$1,154.71                 |
|                    |            | Town/SpecialDist/School |                            |
| <u>Charge To :</u> |            | 143200 CLARENCE         | \$1,154.71                 |
|                    |            | Relevy School           | \$1,154.71 143201 CLARENCE |

CENTRAL

RPTL 550(2): Failed to apply vet exemption  
Refund to be issued to Billie Lee & Susan Belle Huffer

|             |          |                 |              |
|-------------|----------|-----------------|--------------|
| FISCAL YEAR | 2023     | Petition No.    | 250,020.00   |
| S-B-L       | Multiple | ASSESSOR Cancel | \$16,161.72  |
|             |          | Multiple        | 144489 EVANS |

|  |                            |              |        |
|--|----------------------------|--------------|--------|
|  | Acct. No. 112              | \$0.00       | County |
|  | Acct. No. 132              | \$16,161.72  |        |
|  | Town/SpecialDist/School    |              |        |
|  | 44003 ECWA Water Surcharge | \$7,227.00   |        |
|  | 44004 ECWA Unpaid Water    | \$8,934.72   |        |
|  | <u>Charge To:</u>          | 144489 EVANS | \$0.00 |

RPTL 550(2): Applied ECWA charges in error  
New tax bills to be issued.

FISCAL YEAR 2023 Petition No. 250,021.00

|       |             |             |              |
|-------|-------------|-------------|--------------|
|       | ASSESSOR    | Cancel      | \$650.00     |
| S-B-L | 206.08-5-22 | Schuyler Dr | 144489 EVANS |

|  |                         |              |          |
|--|-------------------------|--------------|----------|
|  | Acct. No. 112           | \$0.00       | County   |
|  | Acct. No. 132           | \$650.00     |          |
|  | Town/SpecialDist/School |              |          |
|  | <u>Charge To:</u>       | 144489 EVANS | \$650.00 |

RPTL 550(2): Applied demo charge in error  
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,022.00

|       |               |               |              |
|-------|---------------|---------------|--------------|
|       | ASSESSOR      | Cancel        | \$315.00     |
| S-B-L | 249.20-2-25.1 | Shorecliff Rd | 144489 EVANS |

|  |                            |              |        |
|--|----------------------------|--------------|--------|
|  | Acct. No. 112              | \$0.00       | County |
|  | Acct. No. 132              | \$315.00     |        |
|  | Town/SpecialDist/School    |              |        |
|  | 44107 ECSD2 Flat Usage Fee | \$315.00     |        |
|  | <u>Charge To:</u>          | 144489 EVANS | \$0.00 |

RPTL 550(2): ECSD Flat Usage Fee applied in error  
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 250,023.00

|  |          |        |          |
|--|----------|--------|----------|
|  | ASSESSOR | Refund | \$300.00 |
|--|----------|--------|----------|

S-B-L 249.20-2-25.1 Shorecliff Rd 144489 EVANS

|  |                            |              |        |
|--|----------------------------|--------------|--------|
|  | Acct. No. 112              | \$0.00       | County |
|  | Acct. No. 132              | \$300.00     |        |
|  | Town/SpecialDist/School    |              |        |
|  | 44107 ECSD2 Flat Usage Fee | \$300.00     |        |
|  | <u>Charge To:</u>          | 144489 EVANS | \$0.00 |

RPTL 550(2): ECSD Flat Usage Fee applied in error  
Refund to be issued to Richard C Janik

FISCAL YEAR 2021 Petition No. 250,024.00

|       |               |               |              |
|-------|---------------|---------------|--------------|
|       | ASSESSOR      | Refund        | \$300.00     |
| S-B-L | 249.20-2-25.1 | Shorecliff Rd | 144489 EVANS |

|  |                            |              |        |
|--|----------------------------|--------------|--------|
|  | Acct. No. 112              | \$0.00       | County |
|  | Acct. No. 132              | \$300.00     |        |
|  | Town/SpecialDist/School    |              |        |
|  | 44107 ECSD2 Flat Usage Fee | \$300.00     |        |
|  | <u>Charge To:</u>          | 144489 EVANS | \$0.00 |

RPTL 550(2): ECSD Flat Usage Fee applied in error  
Refund to be issued to Richard C. Janik

FISCAL YEAR 2022 Petition No. 250,025.00

|       |                |                   |                     |
|-------|----------------|-------------------|---------------------|
|       | ASSESSOR       | Cancel            | \$7,630.51          |
| S-B-L | 23.00-1-17.111 | 126 Industrial Dr | 144600 GRAND ISLAND |

|  |                         |                     |                             |
|--|-------------------------|---------------------|-----------------------------|
|  | Acct. No. 112           | \$0.00              | County                      |
|  | Acct. No. 132           | \$7,630.51          |                             |
|  | Town/SpecialDist/School |                     |                             |
|  | <u>Charge To:</u>       | 144600 GRAND ISLAND | \$7,630.51                  |
|  |                         | Relevy School       | \$7,630.51 144601 GRND ISLN |

CENTRAL

RPTL 550(2): Failed to apply PILOT exemption  
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,026.00

ASSESSOR Cancel \$150.00  
 S-B-L 181.12-4-47.2 Amsdell Rd 144889 HAMBURG

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$150.00  
 Town/SpecialDist/School

48116 ECSD 3 CH2 \$150.00  
Charge To: 144889 HAMBURG \$0.00

RPTL 550(2): Applied EC Sewer in error  
 New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,027.00

ASSESSOR Cancel \$1,292.00  
 S-B-L 159.00-1-33.112 Lakeshore Rd 144889 HAMBURG

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$1,292.00  
 Town/SpecialDist/School

48116 ECSD 3 CH2 \$1,292.00  
Charge To: 144889 HAMBURG \$0.00

RPTL 550(2): Incorrect footage used to calculate EC Sewer  
 New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,028.00

ASSESSOR Refund \$255.00  
 S-B-L 170.16-1-14.2 3862 Sowles Rd 144889 HAMBURG

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$255.00  
 Town/SpecialDist/School

Charge To: 144889 HAMBURG \$255.00

RPTL 550(2): ECSD Flat Usage Fee applied in error

Refund to be issued to Jay Ferris

FISCAL YEAR 2022 Petition No. 250,029.00

ASSESSOR Refund \$244.00  
 S-B-L 170.16-1-14.2 3862 Sowles Rd 144889 HAMBURG

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$244.00  
 Town/SpecialDist/School

Charge To: 144889 HAMBURG \$244.00

RPTL 550(2): ECSD Flat Usage Fee applied in error  
 Refund to be issued to Jay Ferris

FISCAL YEAR 2021 Petition No. 250,030.00

ASSESSOR Refund \$240.00  
 S-B-L 170.16-1-14.2 3862 Sowles Rd 144889 HAMBURG

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$240.00  
 Town/SpecialDist/School

Charge To: 144889 HAMBURG \$240.00

RPTL 550(2): ECSD Flat Usage Fee applied in error  
 Refund to be issued to Jay Ferris

FISCAL YEAR 2023 Petition No. 250,031.00

ASSESSOR Cancel \$1,237.65  
 S-B-L 104.70-3-1.1 571 Terrace Blvd 145201 DEPEW

Acct. No. 112 \$839.66 County  
 Acct. No. 132 \$397.99  
 Town/SpecialDist/School

Charge To: 145201 DEPEW \$397.99

RPTL 550(2): Failed to increase PILOT exemption  
 New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,032.00

ASSESSOR Cancel \$411.80

S-B-L 148.00-11-20.11 2468 Eldridge Rd 145400 MARILLA

Acct. No. 112 \$322.47 County

Acct. No. 132 \$89.33

Town/SpecialDist/School

54019 MARILLA FIRE PROTECT \$54.80

54055 Water Dist 2 Cap \$18.90

Charge To: 145400 MARILLA \$15.63

RPTL 550(2): Incorrect assessment  
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 250,033.00

ASSESSOR Cancel \$1,282.30

S-B-L 65.40-2-10.1 822 Sheridan Dr 146489 TONAWANDA

Acct. No. 112 \$412.28 County

Acct. No. 132 \$870.02

Town/SpecialDist/School

64023 SHERIDAN PK FIRE DIST \$91.24

Charge To: 146489 TONAWANDA \$778.78

RPTL 550(3): House demolished, failed to reduce assessment  
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 250,034.00

ASSESSOR Cancel \$1,630.16

S-B-L 65.40-2-10.1 822 Sheridan Dr 146489 TONAWANDA

Acct. No. 112 \$0.00 County

Acct. No. 132 \$1,630.16

Town/SpecialDist/School

Charge To: 146489 TONAWANDA \$1,630.16

Relevy School \$1,630.16 146401 KEN-TON

UNION FREE

RPTL 550(2): House demolished; failed to reduce assessment  
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 250,035.00

ASSESSOR Refund \$1,618.05

S-B-L 65.40-2-10.1 822 Sheridan 146489 TONAWANDA

Acct. No. 112 \$0.00 County

Acct. No. 132 \$1,618.05

Town/SpecialDist/School

Charge To: 146489 TONAWANDA \$1,618.05

Relevy School \$1,618.05 146401 KEN-TON

UNION FREE

RPTL 550(3): House demolished; failed to reduce assessment  
Refund to be issued to Paul M. McGuire

FISCAL YEAR 2023 Petition No. 250,036.00

ASSESSOR Cancel \$344.56

S-B-L 166.04-2-20 12294 Big Tree Rd 146600 WALES

Acct. No. 112 \$267.32 County

Acct. No. 132 \$77.24

Town/SpecialDist/School

Charge To: 146600 WALES \$77.24

RPTL 550(2): Failed to apply non-profit exemption  
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,037.00

ASSESSOR Cancel \$902.87

S-B-L 166.04-2-19.2 12288 Big Tree Rd 146600 WALES

Acct. No. 112 \$378.29 County

Acct. No. 132 \$524.58

Town/SpecialDist/School

Charge To: 146600 WALES \$524.58

RPTL 550(2): Failed to apply non-profit exemption  
New tax bill to be issued.

|                   |                         |                |                    |
|-------------------|-------------------------|----------------|--------------------|
| FISCAL YEAR       | 2023                    | Petition No.   | 250,038.00         |
|                   | ASSESSOR                | Cancel         | \$178.49           |
| S-B-L             | 135.15-1-15             | 1638 Center Rd | 146800 WEST SENECA |
|                   | Acct. No. 112           |                | \$0.00 County      |
|                   | Acct. No. 132           |                | \$178.49           |
|                   | Town/SpecialDist/School |                |                    |
| <u>Charge To:</u> | 146800 WEST SENECA      |                | \$178.49           |

RPTL 550(2): Incorrect sewer units  
New tax bill to be issued.

|                   |                         |              |                    |
|-------------------|-------------------------|--------------|--------------------|
| FISCAL YEAR       | 2023                    | Petition No. | 250,039.00         |
|                   | ASSESSOR                | Cancel       | \$2,073.68         |
| S-B-L             | 143.16-5-17             | 62 Cove Holw | 146800 WEST SENECA |
|                   | Acct. No. 112           |              | \$910.98 County    |
|                   | Acct. No. 132           |              | \$1,162.70         |
|                   | Town/SpecialDist/School |              |                    |
| <u>Charge To:</u> | 146800 WEST SENECA      |              | \$1,162.70         |

RPTL 550(2): Failed to apply low income exemption  
New tax bill to be issued.

|                   |                         |              |                    |
|-------------------|-------------------------|--------------|--------------------|
| FISCAL YEAR       | 2022                    | Petition No. | 250,040.00         |
|                   | ASSESSOR                | Refund       | \$3,694.97         |
| S-B-L             | 143.16-5-17             | 62 Cove Holw | 146800 WEST SENECA |
|                   | Acct. No. 112           |              | \$0.00 County      |
|                   | Acct. No. 132           |              | \$3,694.97         |
|                   | Town/SpecialDist/School |              |                    |
| <u>Charge To:</u> | 146800 WEST SENECA      |              | \$3,694.97         |

|  |               |            |             |
|--|---------------|------------|-------------|
|  | Relevy School | \$3,694.97 | 146801 WEST |
|--|---------------|------------|-------------|

SENECA CENT

RPTL 550(2): Failed to apply low income exemption  
Refund to be issued to Phyllis Suchocki

|                   |                         |                |                |
|-------------------|-------------------------|----------------|----------------|
| FISCAL YEAR       | 2023                    | Petition No.   | 250,041.00     |
|                   | ASSESSOR                | Refund         | \$150.00       |
| S-B-L             | 171.18-4-18             | Fairgrounds Rd | 144889 HAMBURG |
|                   | Acct. No. 112           |                | \$0.00 County  |
|                   | Acct. No. 132           |                | \$150.00       |
|                   | Town/SpecialDist/School |                |                |
|                   | 48118 EC ARM MCKNY      | \$150.00       |                |
| <u>Charge To:</u> | 144889 HAMBURG          |                | \$0.00         |

RPTL 550(2): Applied EC sewer charge in error  
Refund to be issued to Mary Ann & Lindsay Dunne

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.  
(4-0)

3. COMM. 4E-22 (2023)  
**COUNTY EXECUTIVE**

WHEREAS, the Legislature of the County of Erie, electing a cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel, in lieu of the percentage rate of such taxes, pursuant to the authority of Article 29 of the Tax Law of the State of New York.

NOW, THEREFORE, BE IT

RESOLVED, that be it enacted by the Legislature of the County of Erie, as follows:

SECTION 1. The Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is hereby further amended by adding a new section 4-B to read as follows:

Section 4-B. Cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel.

Notwithstanding any provision of this enactment to the contrary, for the period commencing June 1, 2023 and ending December 31, 2023, in lieu of the percentage rate of sales and compensating use taxes imposed on receipts from the retail sale of and consideration given or contracted to be given for, or for the use of, motor fuel and diesel motor fuel, such taxes shall be imposed at a rate of cents per gallon of such motor fuel or diesel motor fuel, in the manner prescribed by subdivision (m) of section 1111 of the New York Tax Law, provided that, for purposes of calculating the cents per gallon rate of tax, such receipts or consideration shall be limited to two dollars per gallon of either such fuel. Provided that, if the average price of such fuels changes as described in such subdivision (m) of section 1111 of the Tax Law, the Commissioner of Taxation and Finance shall adjust the cents per gallon tax rate on such fuels in the manner prescribed in such subdivision (m) of section 1111 of the Tax Law.

SECTION 2. This resolution shall take effect June 1, 2023.

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to seal and certify five copies of the resolution and provide the certified resolutions to the Department of Law for filing with the Secretary of State, the State Comptroller, and the Erie County Clerk, within five days of enactment, pursuant to section 1210(e) of the Tax Law; and be it further

RESOLVED, that no later than May 2, 2023, the Department of Law shall send a certified copy of this resolution via certified mail to the Commissioner of Taxation and Finance.; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Comptroller's Office and the Division of Budget and Management.  
(4-0)

4. **COMM. 4E-26 (2023) AS AMENDED  
COUNTY EXECUTIVE**

WHEREAS, the Real Property Tax Services Director has transmitted to this Legislature transcripts of tax delinquencies and tax delinquent real properties for foreclosure pursuant to the In Rem provisions of the Erie County Tax Act, which will be known as In Rem Action No. 171, and has furnished this Legislature with the necessary abstracts from the Real Property Tax Services records of such delinquencies.

NOW, THEREFORE, BE IT

RESOLVED, that the In Rem provisions of the Erie County Tax Act be applied to such real property and the delinquent taxes set forth in said transcripts, as determined by the Real Property Tax Services Director from the transcripts of properties upon which the County of Erie owns a tax sale certificate which has been due and unpaid for a period of at least two years; and be it further

RESOLVED, that the County Attorney or his designee conduct and consummate such foreclosure proceeding known as In Rem Action No. 171 as directed by this Legislature and determined by the Real Property Tax Services Director; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Office of the County Executive, the Office of Budget and Management, the County Attorney, the Office of the Comptroller and the Office of Real Property Tax Services.

| LOCATION         | TAX MAP                | OWNER                         |
|------------------|------------------------|-------------------------------|
| 448 ONTARIO      | 1402000774100002052000 | DENT KATHLEEN R               |
| 40 ROYAL         | 1402000775600002053000 | GUTIERREZ VICTORIA            |
| 153 HEATH        | 1402000794600002026000 | THOMAS DALE E.                |
| 19 NORTHRUP PL   | 1402000796200002003000 | THOMAS DALE                   |
| 43 NORTHRUP PL   | 1402000796300006002000 | THOMAS DALE E                 |
| 253 LISBON       | 1402000797200001008000 | MOODY JEFFREY                 |
| 283 BEARD        | 1402000797700002011000 | MAHER-WILSON SUZANNE          |
| 557 STOCKBRIDGE  | 1402000798200006005000 | HARDEN DELORES                |
| 71 TONAWANDA     | 1402000885000001008110 | FEDDER LOFTS LLC              |
| 57 TONAWANDA     | 1402000885000001008210 | FEDDER LOFTS LLC              |
| 94 POTOMAC       | 1402000887400002027000 | MBOUKOU ALEXANDAR             |
| 63 DELAVAN WEST  | 1402000888200008006000 | ALI ANES                      |
| 67 DELAVAN WEST  | 1402000888200008007000 | ALI ANES                      |
| 99 BEDFORD       | 1402000890600001036000 | NPS ENTERPRISE OF BUFFALO LLC |
| 1467 AMHERST ST  | 1402000892600005004000 | BUTTS JOE & WIFE              |
| 57 DORCHESTER    | 1402000896900005011000 | DOWDELL ANNE B                |
| 20 THORNTON      | 1402000902400004050000 | BOWMAN MICHAEL                |
| 594 AMHERST EAST | 1402000902400003038000 | SESSUM LAURENCE JR. &         |

|                   |                        |                                  |
|-------------------|------------------------|----------------------------------|
| 50 FERNHILL       | 1402000905400005017000 | SCOTT A ALBERT                   |
| 100 ALMA          | 1402000906400003035000 | BEATRICE ROUSE                   |
| 32 ALMA           | 1402000906400003057000 | HENRY A WILSON                   |
| 19 DECKER         | 1402000906400002003000 | SESSUM LAWRENCE A &              |
| 250 HAZELWOOD     | 1402000906600007019000 | ROBINSON L S JR                  |
| 54 LANGMEYER      | 1402000907200002047000 | MALONEY MICHAEL                  |
| 170 ROEBLING      | 1402000907300004016000 | SNOW JESSE JR.                   |
| 112 FISHER        | 1402000908300002024000 | SMITH WILLIAM & HODGE-SMITH      |
| 236 MASSACHUSETTS | 1402000995000003023000 | BRIATCO GIOVANNI                 |
| 58 OXFORD         | 1402001003100002009000 | WASHINGTON ODESSA                |
| 202 PURDY         | 1402001003300003010110 | MARTIN BERTON                    |
| 127 BRUNSWICK     | 1402001003400002022000 | EC CUSTODIAN FBO Z1117311 CESA 5 |
| 166 GOULDING      | 1402001003500002043000 | OGDEN DEBORAH                    |
| 72 INTER PARK     | 1402001003600004038000 | SMITH KYMALIE R                  |
| 77 INTER PARK     | 1402001003600005022000 | HARDEN WILLIE C SR               |
| 597 ELMWOOD       | 1402001003800002035000 | ELMWOOD HEIGHTS LLC              |
| 228 RILEY         | 1402001004900004074000 | GIDNEY HELEN                     |
| 255 RILEY         | 1402001005700001017000 | GIDNEY HELEN                     |
| 90 GIRARD         | 1402001006000001034000 | AHMED SALAH                      |
| 76 RICH           | 1402001007500005011000 | MITCHELL ROOSEVELT               |
| 91 HAGEN          | 1402001012600007026000 | FUNDERBERG YASIM                 |
| 18 NORTHUMBERLAND | 1402001013100005018000 | DOODY DENNIS                     |
| 27 RAWLINS        | 1402001014800005035000 | JOHNSON-KIRK BARBARA A.          |
| 33 BOEHM          | 1402001014900002008000 | JONES VERNITA L                  |
| 66 SATTLER        | 1402001015000002012000 | MCBRIDE JANET ELIZABETH          |
| 52 FOUGERON       | 1402001015300001057000 | YOUNG DORIS G                    |
| 465 KOONS         | 1402001015500005016000 | PITTS JAYSON                     |
| 471 KOONS         | 1402001015500005018000 | PITTS JAYSON                     |
| 170 GOEMBEL       | 1402001015600002006000 | MARTIN BERTON E                  |
| 261 SUMNER        | 1402001015700003060000 | GARY BETZ                        |

|                   |                        |                               |
|-------------------|------------------------|-------------------------------|
| 461 DOAT          | 1402001015800004005000 | HARDEN DELORES                |
| 930 WALDEN        | 1402001015900001035000 | BOWMAN MICHAEL                |
| 105 IVY           | 1402001016200006005000 | POST JOHN L JR                |
| 34 BURGARD        | 1402001016400004032000 | JEMISON FRANCES               |
| 282 LOEPERE       | 1402001016900002023000 | JACKSON ANDRE L               |
| 365 WALDEN        | 1402001017100002011000 | WYNN JOSEPH DBA WHIRLWYNN     |
| 350 NIAGARA       | 1402001103600001005110 | RITE WEST PARTNERS LLC        |
| 422 SYCAMORE      | 1402001113300005032000 | EASTERN PROPERTIES REALTY LLC |
| 959 BROADWAY      | 1402001113600004026210 | BISON CLAREMONT ASSOC. INC    |
| 1055 WILLIAM      | 1402001121300004003100 | NGUYEN TU H                   |
| 1329 WILLIAM      | 1402001121400002002100 | R & R SALVAGE INC             |
| 132 PECK          | 1402001122300010008000 | YOUNG LINDA                   |
| 410 GOLD          | 1402001122600004019000 | LORETTO MICHELLE              |
| 63 KRUPP          | 1402001123100009034000 | GAMBINO MICHAEL               |
| 11 MILBURN        | 1402001123900001020000 | SNYDER WENDY                  |
| 125 METCALFE      | 1402001126900001021000 | POLOWY JOSEPH & W             |
| 265 BABCOCK       | 1402001232900003030000 | JULIO D TORRES                |
| 104 GATES AVE     | 1409001411100001004000 | EARTHMAN ROGER JR.            |
| 106 GATES AVE     | 1409001411100001005000 | EARTHMAN ROGER JR.            |
| 0 GATES AVE       | 1409001411100001045000 | EARTHMAN ROGER                |
| HAMBURG TPKE      | 1409001411100001048000 | TECUMSEH REDEVELOPMENT INC.   |
| 19 WASSON AVE     | 1409001414300001013000 | ABDULLAH ALHAJJAJ             |
| 24 BETHLEHEM ST   | 1409001414300004029000 | ZOLA BOROSKY                  |
| 22 BETHLEHEM ST   | 1409001414300004030000 | ZOLA BOROSKY                  |
| 109 HOLLAND AVE   | 1409001415100001004000 | GALAB FAYSAL                  |
| 106 SCHOOL ST     | 1409001416700002033000 | 19 WASSON LLC                 |
| 20 LINCOLN AVE    | 1409001418300006026000 | LAWSON SUZANNE                |
| 146 148 SCOTIA RD | 1409001421200003025000 | BURGER DAVID M                |
| 90 GOODRICH RD    | 1409001421500001019000 | MOHSIN ALI                    |
| 76 EAST MILNOR    | 1409001421800003027000 | DLUGOSZ JOHN J                |

|                    |                        |                                  |
|--------------------|------------------------|----------------------------------|
| 2048 ABBOTT RD     | 140900151080002001100  | COLLING ENTERPRISES LLC          |
| 258 ADAM ST        | 1416000385900003011000 | ARLENE T BOYER                   |
| 243 BROAD ST       | 1416000386000004001000 | NARDELLO RODNEY                  |
| 419 MORGAN ST      | 1416000386700004002000 | BROOKS KIMBERLY                  |
| 453 MORGAN ST      | 1416000386700006002000 | DASCOMB MICHAEL A                |
| 320 FLETCHER ST    | 1416000386800002022000 | NARDELLO RODNEY                  |
| 151 KOHLER ST      | 1416000386800006033000 | JOSEPH T LUFKIN                  |
| 533 ADAM ST        | 1416000387400007007000 | DODD ANTHONY                     |
| 220 HINDS ST       | 1416000388200004012000 | MCKNIGHT PATRICIA J              |
| 199 WALES AVE      | 1416000391500001014000 | 199 WALES AVENUE PROPERTIES INC. |
| 69 HILL ST         | 1416000396100004005000 | DELANO DAVID                     |
| 124 CLINTON ST     | 1416000396100005008100 | GADEMSKY DAVID G                 |
| 60 SCOTT ST        | 1416000396200004027000 | MCCREA KRISTEN L                 |
| 59 SCOTT ST        | 1416000396200006002100 | BLOOMING IDEAS INC.              |
| 46 HARRIET ST      | 1416000396300004028000 | MILLER ALAN P                    |
| 48 CLARK ST        | 1416000522600003007000 | HANSON RONALD D LIFEESTATE       |
| 14 COLONIAL DR     | 1416000522600008002000 | GEIGER MICHAEL J                 |
| 39 CRANBROOK RD    | 1416000530600003011000 | GROVES DON C LIFEESTATE          |
| 61 CORONET DR      | 1416000530600004002000 | PRIMS CHRISTOPHER ETAL           |
| 91 LUKSIN DR       | 1416000530700006001000 | KOBEE BLAKE                      |
| 132 LINWOOD AVE    | 1416000532300003005000 | ESTATE OF PEGGY M LYON           |
| 1443 ELM ST        | 1420011081900007014000 | TIMOTHY J STOCKWEATHER           |
| 12915 BROADWAY     | 1420011190600002005000 | MIODUCKI LEONARD J JR & W        |
| WALDEN AVE         | 1420890960000002019110 | SCHLOSSIN ROBERT W               |
| 3172 ZOELLER RD    | 1420890960100001014100 | SHAGGY TIN LLC                   |
| 11243 WESTWOOD RD  | 1420891070000005012000 | SERWACKI LAWRENCE E              |
| 11239 KIEFFER RD   | 1420891070000005040000 | ZIELINSKI ARLENE                 |
| 11733 WESTWOOD RD  | 1420891070000007002000 | KACZMAREK GARY G                 |
| 2146 SANDRIDGE RD  | 1420891070200001004000 | OKAL ESTATE JUNE C               |
| 2320 CRITTENDEN RD | 1420891080200001012000 | MARTIN SEAN                      |

|                           |                        |                             |
|---------------------------|------------------------|-----------------------------|
| CRITTENDEN RD             | 1420891080200001013000 | MARTIN SEAN                 |
| GREENFIELD DR             | 1420891170800002001110 | TIMMERLEN DEVELOPMENT LLC   |
| 11045 BROADWAY            | 1420891171200003004100 | FIX CARL E                  |
| EXCHANGE ST               | 1420891190000004002000 | DENI FRANK                  |
| 1201 SANDRIDGE RD         | 1420891190500001024000 | SERRA PATRICIA              |
| THREE ROD RD              | 1420891190900001007000 | CHESTER ROBIN L             |
| 1053 THREE ROD RD         | 1420891190900001008000 | CHESTER ROBIN I             |
| CAYUGA CREEK RD           | 1420891300000002024000 | KRAUSS EDWARD               |
| 61 STANTON ST             | 1422010691300001031000 | DOUCETTE LINDA D            |
| 53 RINEWALT ST            | 1422010691700006006000 | SLAWINOWSKI MARY JANE       |
| 47 RINEWALT ST            | 1422010691700006035000 | SLAWINOWSKI MARY JANE       |
| 51 S ELLICOTT ST          | 1422010810500002015000 | GURNEY JENIPHER S           |
| 44 OAKGROVE DR            | 1422010810500002085000 | FEROZA ASLAM                |
| 223 GARRISON RD           | 1422010810500004014100 | WHITEHEAD WILLIAM J &       |
| 1604 WEHRLE DR            | 1422010811000002015000 | PECORARO JEFFREY T H/W      |
| 5255 MILLERSPORT HWY      | 1422890040000003014000 | SUTTON HOMES OF ERIE COUNTY |
| 5190 MILLERSPORT HWY      | 1422890160000005001000 | STILLWATER HOLDINGS LLC     |
| 5170 MILLERSPORT HWY      | 1422890160000005002000 | STILLWATER HOLDINGS LLC     |
| 1085 NEW RD               | 1422890160200001019000 | HAWKINS MICHAEL J           |
| 90 OLD NIAGARA FALLS BLVD | 1422890260300001018000 | SCHMITT RONALD RICHARD &    |
| 3154 SWEET HOME RD        | 1422890261200001020100 | PFHLER KAREN                |
| 164 AEGEAN AVE            | 1422890261400001001000 | BRANDWOOD LLC               |
| 167 AEGEAN AVE            | 1422890261400001003000 | BRANDWOOD LLC               |
| 159 AEGEAN AVE            | 1422890261400001004000 | BRANDWOOD LLC               |
| 151 AEGEAN AVE            | 1422890261400001005000 | BRANDWOOD LLC               |
| 143 AEGEAN AVE            | 1422890261400001006000 | BRANDWOOD LLC               |
| 135 AEGEAN AVE            | 1422890261400001007000 | BRANDWOOD LLC               |
| 127 AEGEAN AVE            | 1422890261400001008000 | BRANDWOOD LLC               |
| 119 AEGEAN AVE            | 1422890261400001009000 | BRANDWOOD LLC               |
| 118 AEGEAN AVE            | 1422890261400001045000 | BRANDWOOD LLC               |

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|-------------------------|------------------------|---------------------------|
| 134 AEGEAN AVE          | 1422890261400001046000 | BRANDWOOD LLC             |
| 142 AEGEAN AVE          | 1422890261400001047000 | BRANDWOOD LLC             |
| 150 AEGEAN AVE          | 1422890261400001048000 | BRANDWOOD LLC             |
| 158 AEGEAN AVE          | 1422890261400001049000 | BRANDWOOD LLC             |
| 275 N FRENCH RD         | 1422890261900002009000 | SNIDER RONALD M           |
| 271 N FRENCH RD         | 1422890261900002008000 | SNIDER RONALD M           |
| 604 CAMPBELL BLVD REAR  | 1422890271900001031000 | BENNON GERALD R & W       |
| 3715 MILLERSPORT HWY    | 1422890280000001035000 | WEINTRAUB BRUCE           |
| 2345 DODGE RD           | 1422890280400002032110 | BURNETT SHARON &          |
| 3605 MILLERSPORT HWY    | 1422890281300001026000 | SUNG DOO WHA              |
| 2412 N FRENCH RD REAR   | 1422890281400004017000 | SMITH LEDELL &            |
| ELLCOTT CREEK PKWY      | 1422890400400002019000 | CHAMELI HECTOR & ONE      |
| ELLCOTT CREEK PKWY      | 1422890400400002020000 | CHAMELI HECTOR & ONE      |
| ELLCOTT CREEK PKWY      | 1422890400400002021000 | CHAMELI HECTOR & ONE      |
| ELLCOTT CREEK PKWY      | 1422890400400002022000 | CHAMELI HECTOR & ONE      |
| ELLCOTT CREEK PKWY      | 1422890400400002025000 | SUCH WILLIAM J            |
| EDGEWATER DR            | 1422890401000004001000 | PAWLOWSKI RAYMOND         |
| EDGEWATER DR            | 1422890401000004024000 | KOCSIS IRENE E            |
| EDGEWATER DR            | 1422890401000004025000 | KOCSIS IRENE E            |
| EDGEWATER DR            | 1422890401000004026000 | KOCSIS IRENE E            |
| 574 S ELLICOTT CREEK RD | 1422890401200003016000 | MC COWAN ELSIE & OTHERS   |
| 80 SWEETWOOD N          | 1422890401500011013000 | SIEMAN ROBERT A &         |
| 705 EDGEWATER DR        | 1422890401900009004000 | HUGHSON ROBERT I H/W      |
| 405 CAMPBELL BLVD REAR  | 1422890410700002005110 | STROKE EDITH E ESTATE     |
| 2920 MILLERSPORT HWY    | 1422890410800001001000 | 2920 MILLERSPORT LLC ETAL |
| 47 MILLER RD            | 1422890410800002003000 | SCHNEIDER KIM M           |
| 12 CENTER ST REAR       | 1422890411100001018100 | MILLHOUSE ACCESSORIES INC |
| 99 CRESTWOOD LN         | 1422890412000005022000 | GORSKI NANCY              |
| STUEWE RD               | 1422890412000010041000 | ESTATE OF NANCY BUNTINS   |
| 742 HEIM RD             | 1422890420300006028000 | UNKNOWN OWNER             |

|                   |                        |                                 |
|-------------------|------------------------|---------------------------------|
| 7 KATE LAND CT    | 1422890420500005019000 | KINGSLEY JULIE N                |
| 144 PLANTATION CT | 1422890421500006032000 | WISNOUSKAS TAYLOR M & TENINCOMM |
| 39 TOWHEE CT      | 1422890421600001044000 | KATS DEVELOPMENT LLC            |
| 105 HOBNAIL DR    | 1422890431700003008000 | QUINN WILLIE                    |
| 4249 MAPLE RD     | 1422890547400003011000 | DALY RICHARD F                  |
| 58 HEIM RD        | 1422890550700001002100 | CALLEN BARBARA                  |
| 530 COTTONWOOD DR | 1422890550700006020000 | O'CONNOR MARK J LIFEESTATE      |
| 95 SUNDOWN TRAIL  | 1422890551200004023000 | STAFFORD SHANNON L &            |
| 40 CANDLEWOOD LN  | 1422890551200011027000 | KARL CYNTHIA                    |
| 45 RANCH TRAIL    | 1422890551600009028000 | MARLA JOY ABRAMS                |
| 279 FAIRWAYS BLVD | 1422890551800005013000 | BUFFALO NIAGARA REALTY GROUP    |
| 30 FOXCROFT LN    | 1422890551900002016000 | MOSKOS TOULA H/W                |
| 156 CHAPEL WOODS  | 1422890560700001003000 | HAYTHAM ABDELHAY                |
| 18 STRATFORD CT   | 1422890560800007004000 | ELLEN T BIELER                  |
| 22 EASTWICK DR    | 1422890561000006003000 | HERR KIMBERLY J H/W             |
| 35 PONDEROSA DR   | 1422890561300009006000 | CRAHEN SHARON A                 |
| 900 YOUNGS RD     | 1422890561800003024000 | KRUSE RONALD                    |
| 4757 N BAILEY AVE | 1422890670700003003000 | ZAFAR FAREEHA                   |
| 4651 N BAILEY AVE | 1422890670700006005000 | GEORGIEV ERMA                   |
| 98 ROSEMONT DR    | 1422890670800007007000 | MALONE JAMES R LIFEESTATE       |
| 431 N IVYHURST RD | 1422890671200003022000 | MCGRATH PAUL J &                |
| 249 WESTFIELD RD  | 1422890671600009032000 | LYNCH MARY F LIFEESTATE         |
| 56 WOODCREST DR   | 1422890672500002037000 | MATTISON LAWRENCE & TENINCMN    |
| 175 ALBERTA DR    | 1422890674800003030000 | COSTANTINO NICHOLAS C           |
| 151 CARMEN RD     | 1422890674800004011000 | HUEBSCH THOMAS M                |
| 4241 BAILEY AVE   | 1422890676500002030000 | HOOTON CHRISTOPHER M            |
| 262 ROSEDALE BLVD | 1422890676500003010000 | RICHARDSON MICHAEL S            |
| 4147 BAILEY AVE   | 1422890677300002025000 | SMITH KEITH C                   |
| 4060 BAILEY AVE   | 1422890678100001010000 | GARY L LEO                      |

|                    |                        |                                   |
|--------------------|------------------------|-----------------------------------|
| 4100 SHERIDAN DR   | 1422890680900005001100 | SHERIDAN DRIVE LAND LLC           |
| 433 CAMPUS DR      | 1422890681300002008000 | JAMES HOFF                        |
| 384 PARK CLUB LN   | 1422890681500012030000 | POWELL ROBERT                     |
| 4654 HARLEM RD     | 1422890681700004007000 | SCHRADER BARBARA L                |
| 103 FRUEHAUF AVE   | 1422890681700006037000 | SCIBETTA JULIA E LIFEESTATE       |
| 251 N UNION RD     | 1422890682000008002000 | NOAH DONALD G &                   |
| 1 GATEWOOD LN      | 1422890690700004001000 | ESTATE OF JOSEPH LESINSKI JR      |
| 1 BRIAN RD         | 1422890690700002001000 | FLETCHER MARK W                   |
| 106 PALMDALE DR    | 1422890690800008011000 | SMITH MICHAEL                     |
| 690 YOUNGS RD      | 1422890691000002017110 | CAPOZZI ANTHONY J & ONE           |
| 444 THIRD AVE      | 1422890700900001036110 | ENGASSER BLDG CORP                |
| SHERIDAN DR        | 1422890700900001038000 | REDDING CLYDE F &                 |
| 211 CAESAR BLVD    | 1422890701300001025000 | HILL FRANCES D                    |
| 178 HIGH PARK BLVD | 1422890790800002025000 | REILLY EMMETT L &                 |
| 95 NORTH DR        | 1422890791600001048000 | HALL TIMOTHY                      |
| 90 NORTH DR        | 1422890791600001059000 | JACALYN A SESSUM                  |
| 124 CALLODINE AVE  | 1422890792400003015000 | TANG XIAOHONG H/W                 |
| 131 CALLODINE AVE  | 1422890792500001022000 | JBW PRICISE DEVELOPMENT LLC       |
| 1163 EGGERT RD     | 1422890793500001001000 | KING GENA                         |
| 26 HARWOOD DR      | 1422890800900012032000 | HENDEE ELIZABETH                  |
| 273 WASHINGTON HWY | 1422890800900015046000 | ORTOLANI JOHN S                   |
| 333 LAMARCK DR     | 1422890801400006020000 | STITES JAMES &                    |
| 21 LORFIELD DR     | 1422890801400008023000 | SCHMIDT WILLIAM D SR & TEN BY ENT |
| 520 S YOUNGS RD    | 1422890810200003024000 | HUBER FRANKLIN A &                |
| 41 RICHFIELD RD    | 1422890810600005006000 | TRIPPI DENNIS M JR                |
| 7138 TRANSIT RD    | 1422890820500006001000 | SCHULTZ ROBERT M                  |
| 6830 TRANSIT RD    | 1422890820900005010100 | MURPHY ZORINA                     |
| 115 KNOX RD        | 1424011641900007016000 | SMITH BRIAN                       |
| 594 MAIN ST        | 1424011642000007025000 | 594 MAIN STREET LLC               |
| 0 SOUTH GROVE ST   | 1424011642000011013000 | LYDELL BOICE                      |

|                        |                        |                               |
|------------------------|------------------------|-------------------------------|
| 54 WALNUT ST           | 1424011642000011029000 | HB3091 LLC                    |
| 385 OAKWOOD AVE        | 1424011750800002008000 | EA HERITAGE PROPERTY A LLC    |
| 17 21 ELM ST           | 1424011760500001003000 | MARTIN K.ALIXANDRA            |
| 28 OLEAN ST            | 1424011760500002049000 | MARKS DUSTIN JAMES            |
| 128 OLEAN ST           | 1424011760500005043000 | SMITH JACK R II               |
| 83 BOWEN RD            | 1424891641500004002000 | KRAUSE DENISE J               |
| 1196 BIG TREE RD       | 1424891650000001028210 | CARDEA AT TWIN ELMS LLC       |
| 491 GROVER RD          | 1424891740000002020110 | BAILEY TALIA                  |
| 645 JEWETT HOLMWOOD RD | 1424891740000003025000 | 645 JEWETT HOLMWOOD LLC       |
| 595 JEWETT HOLMWOOD RD | 1424891740000003026110 | 645 JEWETT HOLMWOOD LLC       |
| 0 JEWETT HOLMWOOD RD   | 1424891740000003026220 | 645 JEWETT HOLMWOOD LLC       |
| 0 JEWETT HOLMWOOD RD   | 1424891740000003026230 | 645 JEWETT HOLMWOOD LLC       |
| 0 JEWETT HOLMWOOD RD   | 1424891740000003014113 | DEJOHN ROSE MARIE             |
| 4727 TRANSIT RD        | 1424891740300002007000 | TREJO ADELFINO                |
| 0 DAVIS RD             | 1424891740300002018000 | ROBERTO WENDY E               |
| 555 SOUTH ST           | 1424891751600001009000 | ALEXANDER 46 INC              |
| 130 GENEVA RD          | 1424891751600001032000 | TORKE DAVID                   |
| 0 OLEAN RD             | 1424891760000004028000 | DIPIETRO CARL J               |
| 0 OLEAN RD             | 1424891760000004030000 | DIPIETRO CARL J               |
| 0 OLEAN RD             | 1424891760000004031000 | DIPIETRO CARL J               |
| 1447 BLAKELEY RD       | 1424891870000004016210 | MCINTYRE ROSS B L/E LIFE USE  |
| 0 EMERY RD             | 1424891870000004035121 | BRINK ESTATE LEE L            |
| 0 DAVIS RD             | 1424891990000004022000 | BONNEY MALCOLM                |
| 2000 DAVIS RD          | 1424891990300002020000 | COLARUSSO DENNIS W SR         |
| 130 FALLS RD           | 1424891990300002042000 | VIMMERSTEDT ESTATE CAROLINE C |
| 0 OLEAN RD             | 1424892010000001030110 | RICHIUSA ESTATE JOSEPHINE     |
| 7432 STATE RD          | 1426002110400001028000 | GERWITZ DAVID                 |
| 7780 FEDDICK RD        | 1426002250000002013000 | MICOV BORIS                   |
| 0 THORNWOOD DR         | 1426002260200002004120 | CRADLE OF HOPE INC.           |
| 0 MAY DR               | 1426002260400002001000 | GAUTHIER RICHARD              |

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|-------------------------|------------------------|---------------------------|
| 0 STATE RD              | 142600227000006019000  | MORGAN TROY & KAREN       |
| 8811 ROCKWOOD RD        | 1426002410000001001000 | MAZUR EDWARD              |
| 0 COLE RD               | 1426002420000002028111 | ARENT ROBERT N ESTATE     |
| 0 COLE RD               | 1426002420000002028113 | ARENT ROBERT N ESTATE     |
| 0 SHERWOOD LN           | 1426002420500003016000 | MAY ARTHUR                |
| 0 WEST TILLEN RD        | 1426002570000002035100 | GRAY THOMAS & VICKY       |
| 7004 SUNSET LN          | 1426002581000002019110 | 700 SUNSET LANE TRUST     |
| 0 WEST TILLEN RD        | 1426002581400001001000 | PITTNER HELEN             |
| 0 ERIE RD               | 1428012661400001010100 | CATUZZA ANTHONY           |
| 0 ERIE RD               | 1428012661800002002000 | REYNOLDS ROSE             |
| 0 DETROIT ST            | 1428012820600001001200 | MAYS VIVIAN               |
| 467 DETROIT ST          | 1428012820600001002000 | GREENE PAULA              |
| 822 RAILROAD AVE        | 1428012820600001025000 | PUGH RAYMOND C            |
| 643 COMMERCIAL ST       | 1428012820700001008000 | BONNIE S WIK              |
| 10791 ERIE RD           | 1428892650000002021000 | MANCUSO DONALD R          |
| 0 SURFSIDE              | 1428892650400001067000 | RAYNOR JEROME H           |
| 840 BRANT FARNHAM RD    | 1428892660000002007000 | CROUSE BRIAN L            |
| 0 BRANT FARNHAM RD      | 1428892660000002009000 | CROUSE BRIAN              |
| 769 BRANT FARNHAM RD    | 1428892660000002026000 | CROUSE BRIAN L SR.        |
| 0 RAILROAD AVE          | 1428892660000003010120 | OPIE-REYNOLDS SHARON      |
| 10971 SOUTHWESTERN BLVD | 1428892660000002012000 | LAUBACH SHIRLEY A         |
| 0 SOUTHWESTERN BLVD     | 1428892660000002015200 | SCHLUETER CARL SR         |
| 0 HAMMOND RD            | 1428892670000002023000 | CLAY STACY                |
| 0 CAIN RD               | 1428892680000001006000 | BELL ANTHONY              |
| 0 ELLIS RD              | 1428892680000005005000 | RICHARDSON MILLING CO INC |
| 0 ELLIS RD              | 1428892680000001032000 | HECKMAN GREGG L           |
| 1990 BRANT N C RD       | 1428892691500005008000 | LEWIS JASON L             |
| 0 FOX ST                | 1428892810600001010300 | BALL FREDERICK E JR       |
| 11 OVAL ST              | 1428892810600001020000 | SOLECKI JAMEY             |
| 1407 BRANT N C RD       | 1428892840000001008000 | DEMARIA-THOMANN KRISTINE  |

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|-------------------|------------------------|-----------------------------|
| 1641 BRANT N C RD | 1428892840000003005110 | PETERSEN LYNNE              |
| 0 MILE BLOCK RD   | 1428893010000001009112 | RIDGEVIEW HOMES INC         |
| 269 CURTISS ST    | 1430011027700001009000 | FAULKNER SUSAN E            |
| 2275 BROADWAY ST  | 1430011027700003002000 | ROBINSON CAPRESHA           |
| 224 ROLAND ST     | 1430011027700004013000 | FERGUSON KORY A             |
| 328 REIMAN ST     | 1430011122800001018000 | MUZHNIK CORPORATION 55%     |
| 211 WAGNER AVE    | 1430011123500002031000 | KOWAL CHRISTOPHER L         |
| 253 ATLANTIC AVE  | 1430011123500003041000 | DYWINSKI AMANDA             |
| 1340 LOVEJOY ST   | 1430011124300001011000 | SIMS VERA P                 |
| 69 LACKAWANNA AVE | 1430011124400001001000 | PATRONAGGIO JOLYNN M        |
| 1428 LOVEJOY ST   | 1430011124400002021110 | THE DEPARTMENT OF NEW YORK  |
| 8 WAGNER AVE      | 1430011125100001014000 | HOL PROPERTY MANAGEMENT INC |
| 219 CURRIER AVE   | 1430011132100004034000 | CZARNIAK THOMAS A           |
| 84 FRANCIS AVE    | 1430011132100006008000 | DUNN SHANNON                |
| ROLAND ST         | 1430011132900004020000 | FRANK AMANTI SR             |
| 61 ROLAND ST      | 1430011132900004021000 | FRANK AMANTI SR             |
| 220 GATES ST      | 1430011133000002024000 | MONUMENT OF FAITH           |
| 189 GATES ST      | 1430011133000003009000 | KULIK PETER                 |
| 2180 WILLIAM ST   | 1430011135300001019000 | BOGDAN STANLEY              |
| STRAWN ST         | 1430011135300001014300 | HARNISCH FLORENCE           |
| 212 CLAUDETTE CT  | 1430030921800013066000 | ESTATE OF JAMES A WIEDEMER  |
| 14 REGAL ST       | 1430030931300006018000 | SEWERYNIAK ANGELINE         |
| 111 ALBERT ST     | 1430030931300006025000 | LEY ROBERT E                |
| 81 BARNABAS DR    | 1430031030600007002000 | BRIAN N RAPP                |
| 100 DEAN RD       | 1430031030700003003000 | ESTATE OF LYNN M ANDRUSZKO  |
| 25 DEAN RD        | 1430031030700005023000 | UMLAUF BRIAN K              |
| DEAN RD           | 1430031030700005022000 | UMLAUF BRIAN K              |
| ROSSITER AVE      | 1430031030800011001100 | ROSSITER TRUST              |
| 461 N CREEK DR    | 1430031031000005038000 | ANNA BONK LIVING TRUST      |
| BISELL AVE        | 1430031031200003018000 | GEARY DEBRA A               |

|                        |                        |                          |
|------------------------|------------------------|--------------------------|
| BURKHARDT AVE          | 1430031031200001011000 | CAMPANELLA CHARLES       |
| 3117 WALDEN AVE        | 1430031031200011001100 | NOWAK JOSEPH S           |
| 79 ROSSITER AVE        | 1430031031200014030000 | KELLY PIECHOWICZ         |
| 50 BURKHARDT AVE       | 1430031031200018013000 | JOHNSTON CHARLES         |
| 21 A ST                | 1430031037600003023000 | MARCIN BRZOZOWSKI        |
| 184 BIGELOW PL         | 1430031038400002006000 | SHAGGY TIN LLC           |
| 200 BRYANT ST          | 1430031038400003004000 | SISSON ALLEN J           |
| GEORGE URBAN BLVD      | 1430031040500004005000 | MIELKO EDWARD S          |
| GEORGE URBAN BLVD      | 1430031040500005013000 | MARK THOMAS              |
| GEORGE URBAN BLVD      | 1430031040500005014000 | MARK THOMAS              |
| GEORGE URBAN BLVD      | 1430031040500005015000 | MARK THOMAS              |
| GEORGE URBAN BLVD      | 1430031040500005011000 | THOMAS MARK              |
| 3061 GEORGE URBAN BLVD | 1430031040900002007000 | ROGER RONALD             |
| 3248 WALDEN AVE        | 1430031040900004013100 | WOODS RAYMOND            |
| 4790 BROADWAY ST       | 1430031046900005011000 | NOGAL CHRISTOPHER        |
| S CANTON ST            | 1430031150500010036000 | GRACE ALFREDA B          |
| 110 CENTURY RD         | 1430890792000001015000 | ESTATE OF JIMMIE D MASON |
| 75 CLEVELAND DR        | 1430890792000010013000 | SHIVENS WILLIAM A        |
| 76 ALLENDALE RD        | 1430890792000010036000 | O'BRIEN KATHLEEN A       |
| 191 BURKE DR           | 1430890792000012013000 | DRAYTON MICHAEL          |
| 219 MERRYMONT RD       | 1430890801700004036000 | JACSPENEL LLC            |
| 58 MARSDALE RD         | 1430890801700013005000 | GRANT DAVID              |
| 490 ROYCROFT BLVD      | 1430890801800002042000 | EAGAL LAWRENCE L         |
| 450 HUXLEY DR          | 1430890801800005046000 | PARISI DAVID             |
| 35 CRESTHAVEN DR       | 1430890801900001035000 | ROWELL DAMITRUS          |
| 111 WILSHIRE RD        | 1430890801900005001000 | TACS MAINTENANCE INC     |
| 1271 CLEVELAND DR      | 1430890802000012002000 | PRENTICE HELEN LIFE USE  |
| 14 GREENWAY BLVD       | 1430890802000012033000 | KASPRZYK MARK A          |
| 50 CHARNWOOD DR        | 1430890806900001011000 | O'CONNELL MARY KATE      |
| 171 KENVIEW BLVD       | 1430890806900001027000 | WRIGHT JACQUELINE D      |

|                 |                        |                             |
|-----------------|------------------------|-----------------------------|
| 31 CORALWOOD CT | 1430890806900002041000 | RIZZO DAWN                  |
| 75 LIBERTY TER  | 1430890806900004047000 | SARAH C BLANCHARD           |
| AERO DR         | 1430890810400001027000 | PFOHL PAUL                  |
| AERO DR         | 1430890810400002009100 | PFOHL PAUL                  |
| PFOHL RD        | 1430890810400002010100 | PFOHL PAUL                  |
| PFOHL RD        | 1430890810400002011000 | PFOHL PAUL                  |
| 137 ISABELLE RD | 1430890811700004001000 | KELLY PHILLIP M             |
| TRANSIT RD      | 1430890820300004005000 | PFOHL PAUL                  |
| AERO DR         | 1430890820300004006000 | PFOHL PAUL                  |
| TRANSIT RD      | 1430890820300004007000 | PFOHL PAUL                  |
| TRANSIT RD      | 1430890820300004008000 | PFOHL PAUL                  |
| 1101 AERO DR    | 1430890820300004009200 | AERO LAND INC               |
| 232 PFOHL RD    | 1430890820300004011000 | PFOHL PAUL M                |
| 26 ALLENDALE RD | 1430890900800002005000 | JOHNSON LATASHA             |
| 62 SOUTHGATE RD | 1430890900800004036000 | MOORE MICHAEL D             |
| 75 SOUTHGATE RD | 1430890900800007015000 | MALARK MAUREEN A            |
| 85 SOUTHGATE RD | 1430890900800007017000 | YOLANDA BOWDEN              |
| 41 CEDAR RD     | 1430890901200002002000 | JOHNSON LATASHA C           |
| 98 CAMPBELL RD  | 1430890901200002042000 | SPC GROUP LLC               |
| TUDOR RD        | 1430890901200005041000 | BUNDSCHO ELEANOR            |
| 123 EGGERT RD   | 1430890906800002025000 | JONES ROY R II              |
| 70 MARNE RD     | 1430890906800003017000 | ANKJ CANADA INC             |
| 121 IVANHOE RD  | 1430890906800003027000 | REDMOND DANIELLE            |
| 61 MARNE RD     | 1430890906800004011000 | EQUITY TRUST COMPANY 50%    |
| 44 MARNE RD     | 1430890907600003010000 | DAVID FLORENCE              |
| 34 MARNE RD     | 1430890907600003015000 | 34 MARNE LLC                |
| 32 MARNE RD     | 1430890907600003016000 | PLUMMER DINAH               |
| 24 MARNE RD     | 1430890907600003020000 | K&R BUFFALO MANAGEMENT INC. |
| 12 MARNE RD     | 1430890907600003026000 | MORRIS STEPHON              |
| 39 IVANHOE RD   | 1430890907600003040000 | RICKS MARILYN               |

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|--------------------|------------------------|--------------------------------|
| 80 PRESTON RD      | 143089090760004007000  | KHUSHI REALTY BUFFALO INC      |
| 21 PRESTON RD      | 1430890907600005028000 | SHAHANUR BEGUM                 |
| 90 PRESTON RD      | 1430890907600004004000 | ISLAM KHURSHEDA                |
| 74 BARBARA PL      | 1430890908400001009000 | MCDUFFIE GRADIE T              |
| 1583 E DELAVAN AVE | 1430890908400002005000 | BUSENLEHNER GARY W JR          |
| 57 BARBARA PL      | 1430890908400002040000 | LENK JEAN L                    |
| 203 EGGERT RD      | 1430890910000001026120 | CALYPSO DEVELOPMENT OF WNY INC |
| 3501 HARLEM RD     | 1430890910500005001000 | FARIS HOLDINGS LLC             |
| 3497 HARLEM RD     | 1430890910500005022000 | FARIS HOLDINGS LLC             |
| 93 GARDENVALE DR   | 1430890910600014018000 | HARK DAVID LIFE USE            |
| 95 WOODRIDGE AVE   | 1430890910600016039000 | MAGES JOSEPH G JR              |
| 33 ELAINE CT       | 1430890910700001004000 | CHRISTOPHER BARBER             |
| 165 LOCHLAND DR    | 1430890910700002011000 | FRACASSI LEONARD M             |
| 14 N PARK AVE      | 1430890910800003016000 | STRAIT JEFFREY D               |
| 132 FARMINGDALE RD | 1430890910800006020000 | BREWER ROBERT 1/3              |
| 245 WESTBROOK      | 1430890911000006024000 | OFF EDWARD R                   |
| HEMENWAY RD        | 1430890911100010009000 | FORD VERNON                    |
| HEMENWAY RD        | 1430890911100010010000 | FORD VERNON                    |
| LINDA DR           | 1430890911200003010110 | SIENA BUILDERS                 |
| 26 EASTVALE CT     | 1430890911200007006000 | WOELFLE WENDY J                |
| 4476 UNION RD      | 1430890911200001023000 | PAWLOWSKI DENNIS               |
| 23 SHELBY DR       | 1430890911400006021000 | MATTISON RICHARD M             |
| 19-2 SHELBY DR     | 1430890911400006022000 | MATTISON RICHARD M             |
| 16-1 BROOKHAVEN DR | 1430890911400008015000 | GEYER CAROL H                  |
| 19E WINDWOOD CT    | 1430890911400002013000 | HAYES MARIE M                  |
| 10 BROOKHAVEN DR   | 1430890911400012037000 | SONGSANGWORN JAN               |
| 9 SIBERLING DR     | 1430890911400011017000 | MALE GERALD E                  |
| 29E GLENWOOD CT    | 1430890911500002021000 | KOKSCH JOHN W                  |
| 336 BEACH RD       | 1430890911500006008000 | BUI ANH N                      |
| 8 AMURRA CT        | 1430890911500013036000 | JOSEPH T WAGNER                |

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|------------------------|------------------------|---------------------------|
| 7 PLEASANT ST          | 1430890911600005022000 | WOLFFE DAVID J            |
| 2940 GENESEE ST        | 1430890911800001014000 | GALLAGHER ROBERT          |
| HERITAGE CT            | 1430890911800010034000 | BROWN DANIEL D            |
| 30 TOELSIN RD          | 1430890911800014009000 | KRUPKA DONALD R           |
| 19 TOELSIN RD          | 1430890911800015017000 | MUDAR PAMELA              |
| 85 CHAPEL AVE          | 1430890912000002015000 | COSTNER JEROME JR         |
| 73 SOUTHCREST AVE      | 1430890912000004013000 | JEANALLAN PROPERTIES LLC  |
| 1040 GEORGE URBAN BLVD | 1430890912000007026100 | RZEPKA JOHN               |
| 161 CLOVER PL          | 1430890912000009012000 | TURNER KAREN LYNN         |
| 29 GEORGE URBAN BLVD   | 1430890917700003012000 | SULTANA MAHMUDA           |
| 45 PENDENNIS PL        | 1430890917700003019000 | JEFFREY S SIKORA          |
| 48 ST JAMES RD         | 1430890917800001007000 | GRAHAM JANIS E            |
| 34 ST JAMES RD         | 1430890917800001011000 | DAVIS LISA C              |
| 35 ST JAMES RD         | 1430890917800002031000 | JOHNSON LATASHA           |
| 75 PFOHL RD            | 1430890920200003006000 | PFOHL PAUL M              |
| PFOHL RD               | 1430890920200003013000 | HAMMER THOMAS W           |
| GENESEE ST             | 1430890920300001016111 | DYNAMIC HOTEL DEVELOPMENT |
| V/L GENESEE ST         | 1430890920300001028000 | DYNAMIC HOTEL DEVELOPMENT |
| V/L GENESEE ST         | 1430890920300001029000 | DYNAMIC HOTEL DEVELOPMENT |
| 23 SANDRA DR           | 1430890920900005005000 | LEE VANESSA D             |
| 48 ROXBOROUGH AVE      | 1430890921300002008000 | LUKOWSKI TIMOTHY          |
| 66 SURFSIDE PKWY       | 1430890921400001028000 | GONZALEZ SARAH L          |
| 177 BANKO DR           | 1430890921500001037000 | GROFF ELEANOR             |
| HYLAND RD              | 1430890921500005007110 | BURDZY MICHAEL A          |
| CARL                   | 1430890921500005019120 | MCFARLAND LARRY           |
| 217 ORCHARD PL         | 1430890921700004008100 | BOGDANETS BOGDAN          |
| ORCHARD PL             | 1430890921700004011000 | KOKOSZKA JOHN             |
| 46 HARRIS CT           | 1430890921700010026000 | MATIACIO MARC A 25%       |
| 219 CRANDON BLVD       | 1430890921800003002000 | BOYD JOAN M LIFE USE      |
| 50 DIANE DR            | 1430890921800011046000 | RONALD J TROWBRIDGE       |

|                   |                        |                              |
|-------------------|------------------------|------------------------------|
| 18 DIANE DR       | 1430890921800011054000 | BRUCE J BLACHOWSKI           |
| 86 LOU ANN DR     | 1430890921900003010000 | POWELL JENNIFER M            |
| 5050 GENESEE ST   | 1430890930100001010100 | BUF AIRPORT HOTEL LLC        |
| GENESEE ST        | 1430890930100001013120 | 81 & 3 OF FLORIDA INC        |
| TRANSIT RD        | 1430890931300010023000 | RALPH FUDOLI REVOCABLE TRUST |
| 0 TRANSIT RD      | 1430890931300010001110 | R M F HOLDING INC            |
| 29 PINE RIDGE TER | 1430891012800007023000 | RIPLEY CHRISTOPHER V         |
| 2371 GENESEE ST   | 1430891012800008006100 | WOOD WENDELL                 |
| 11 BELL ST        | 1430891012800010005000 | HATHCOCK CURTIS              |
| VERA AVE          | 1430891012800010018000 | JEMISON FRANK N              |
| 56 OLCOTT PL      | 1430891013600003009000 | LEE MEDRIA                   |
| 43 OLCOTT PL      | 1430891013600004029000 | ESTATE OF MARSHA ANN RABB    |
| 34 MARKUS DR      | 1430891013600005008000 | HAWKINS JESSE C              |
| 2 VILLA MORAIN DR | 1430891013600010009000 | WILSON DEBORAH               |
| 107 ALPINE PL     | 1430891013600015009000 | HOBBS KENYA                  |
| PINE RIDGE RD     | 1430891014400004016000 | CHOJNACKI FLORENCE           |
| 38 WILDY AVE      | 1430891014400006005000 | PENDZIWIATR STEPHEN          |
| 50 WILDY AVE      | 1430891014400006007000 | RADKA PHYLISS                |
| 118 HALLER AVE    | 1430891015200003007000 | KHUSHI REALTY BUFFALO INC.   |
| 105 HOERNER AVE   | 1430891015200003016000 | MAURY MARZAN ZANNAT          |
| 42 EUCLID AVE     | 1430891016000002014000 | JOHNSON PAUL MICHELE         |
| 639 DOAT ST       | 1430891016000003002000 | SMITH WILLIAM                |
| 70 HOERNER AVE    | 1430891016000004004000 | JASMIN AKHTER                |
| 1089 WALDEN AVE   | 1430891016000008021000 | KHONDOKARRAHMAN LLC          |
| 1157 WALDEN AVE   | 1430891016000008040000 | DTP2 HOLDING LLC             |
| 46 STRASBOURG DR  | 1430891016000007036000 | CRAFT SHELIA                 |
| 3490 UNION RD     | 1430891020200001019000 | NAGOWSKI JOSEPH              |
| 3484 UNION RD     | 1430891020200001020000 | NAGOWSKI JOSEPH R            |
| V/L ANDERSON RD   | 1430891020400001004110 | KABIR'S LLC                  |
| 90 MIAMI PKWY     | 1430891020700002036000 | FLETT WILLIAM W JR           |

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|------------------------|------------------------|--------------------------------|
| 831 GEORGE URBAN BLVD  | 1430891020700004006000 | KNOERL EDWARD R LIFE USE       |
| 185 SANTIN DR          | 1430891020800005008000 | HINTERMEIER GRACE              |
| 70 LLOYD DR            | 1430891020800007027000 | WOJTAS KATHLEEN A              |
| 63 SCHLENKER AVE       | 1430891021600004008100 | JACOBS ANADE                   |
| 2449 GENESEE ST        | 1430891022100001002000 | MARKS LEONARD                  |
| 12 LOXLEY RD           | 1430891022100003008000 | WISNIEWSKI JOHN J              |
| 35 WINKLER RD          | 1430891022100003023000 | SALTANA KAKALI                 |
| 80 KILBOURNE RD        | 1430891022300003007000 | GALLAGHER ROBERT M             |
| 49 CENTRAL BLVD        | 1430891023000003005000 | ZIELINSKI ELIZABETH F          |
| 17 SOUTHERN PKWY       | 1430891023000005002000 | CHUDZIK ROGER                  |
| 77 SOUTHERN PKWY       | 1430891023100003004000 | SHAREEF ABDALLAH               |
| 32 KEMP AVE            | 1430891023800002026000 | MILIOTO ANGELO                 |
| 52 DANIEL AVE          | 1430891024600004021000 | HOFFMAN FRANCIS M              |
| 73 DANIEL AVE          | 1430891024600005011000 | KATHRYN BIEDRZYCKI             |
| 17 RUTH DR             | 1430891024700005010000 | HYLA MARTHA K                  |
| 30 REO AVE             | 1430891025300004009000 | KHUSHI REALTY BUFFALO INC.     |
| 23A RIDGE PARK AVE     | 1430891025300004025000 | CLEGGETT JEAN M                |
| 55 RIDGE PARK AVE      | 1430891025300004034000 | GALDON DIANA                   |
| 1314 WALDEN AVE        | 1430891025300005018000 | PEREZ JOHN                     |
| 1217 WALDEN AVE        | 1430891025300006010000 | SUNNY AFSANA AKHTER            |
| 1233 WALDEN AVE        | 1430891025300006012200 | RICHARD L VEIHDEFFER JR        |
| 1358 GEORGE URBAN BLVD | 1430891030500002036000 | BANDELIAN COURTNEY M           |
| 1294 GEORGE URBAN BLVD | 1430891030500002052000 | OPPEL DAWN                     |
| 97 BERNICE DR          | 1430891030500008020000 | ESTATE OF BARBARA A ZGODA      |
| 3914 BROADWAY ST       | 1430891031400002006112 | BURT SHAWN R                   |
| 3884 BROADWAY ST       | 1430891031400002010000 | KAWINSKI BOHDAN J              |
| ROWLEY RD              | 1430891031900002009000 | BUNTINS NANCY                  |
| 343 N PLEASANT PKWY    | 1430891126700004034000 | MARCISZEWSKI JOSEPH A LIFE USE |
| 408 SHANLEY ST         | 1430891126700008014000 | BUNDY PATRICK M                |
| 145 ROSSLER AVE        | 1430891126800003021000 | JASKOWIAK AMY                  |

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|---------------------|------------------------|------------------------------|
| CLAUDE DR           | 1430891127600003002000 | JAGODZINSKI MICHAEL W        |
| CLAUDE DR           | 1430891127600003013000 | CHRISTOPHER SZYMANSKI        |
| 52 CLAUDE DR        | 1430891128400003004000 | BHAVANI ASSOCIATES LLC       |
| 22 GRUNER RD        | 1430891130100001005000 | ESTATE OF ROBERT M SCHULTZ   |
| 400 KENNEDY RD      | 1430891130600005004100 | SARALOR DEVELOPMENT INC.     |
| 35 MARIE AVE        | 1430891131200001018000 | KOWAL CHRISTOPHER L          |
| 770 CAYUGA CREEK RD | 1430891131500003022000 | LE JIMMY T                   |
| BROWN AVE           | 1430891132000002020000 | GROELL BLAZIUS               |
| GROELL AVE          | 1430891132000003021000 | GROELL BLAZIUS               |
| GROELL AVE          | 1430891132000004017000 | GROELL BLAZIUS               |
| 77 CONSTANCE LN     | 1430891134200004037000 | OLSZEWSKI MARK               |
| MANSION AVE         | 1430891134700001001000 | ANCHOR INDUSTRIAL PARK LLC   |
| VL GIRARD AVE       | 1430891134700001005120 | DIPIZIO BERNARD              |
| VL STRADTMAN AVE    | 1430891134700001013000 | DIPIZIO BERNARD              |
| 151 LUDWIG AVE      | 1430891134900001018000 | HILL PHILIP E                |
| 14 CONSTANCE LN     | 1430891135000003019000 | SOBKOWIAK ELEANOR C LIFE USE |
| 45 FAIRELM LN       | 1430891135000007018000 | ALFES KIMBERLY A             |
| 2686 WILLIAM ST     | 1430891135600005018000 | KOSCIELNY JEFFREY F          |
| WILLIAM ST          | 1430891135600005019110 | MAKOWSKI WALTER              |
| 83 RAYMOND AVE      | 1430891135700002026000 | SANDERS CAROLINE             |
| 213 WAGNER ST       | 1430891136100001011000 | APC NECESSITIES LLC          |
| COLBY ST            | 1430891136100004009000 | SLISZ WALTER & W             |
| 1485 HARLEM RD      | 1430891136200003025000 | KOWAL CHRISTOPHER            |
| 217 GARLAND AVE     | 1430891136300002032000 | LANG SHIRLEY A LIFE USE      |
| 201 HELEN ST        | 1430891136300005024000 | GUZMAN ALFONZO               |
| 275 PARKER ST       | 1430891137000006002000 | FELLINGER JOHN               |
| 139 BRIGHT ST       | 1430891137100003003000 | GUNSHER GARY                 |
| MC LAUGHLIN         | 1430891137700002021000 | DE PLATO JOSPEH R            |
| COMO PARK BLVD      | 1430891140800006009210 | KOLKIEWICZ KAROL &           |
| 33 HOMEWOOD AVE     | 1430891140900002017000 | PAGELS GLORIA                |

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|-----------------------|------------------------|-------------------------------|
| LOSSON RD             | 1430891141300002021000 | SCHERRER AUCTIONS INC         |
| 24 N RUSHFORD LN      | 1430891141300002027000 | RAMSEY PAULINE                |
| 333- LOSSON RD        | 1430891141700001003100 | UNIVERSAL MARION CORP         |
| LOSSON RD             | 1430891141700001002000 | WITBEN REALTY                 |
| LOSSON RD             | 1430891141800002025000 | FRENCH LEA CORP               |
| 66 DUBONNET DR        | 1430891142000004033000 | GOLONKA JOSEPH P              |
| 86 DUBONNET DR        | 1430891142000004038000 | 28 NAVEL LLC                  |
| 75 SHANLEY ST         | 1430891232700009010000 | SAADAT INC.                   |
| 141 MEADOWBROOK PKWY  | 1430891232800003012000 | SUSZEK CHRISTOPHER            |
| 75 MEADOWBROOK PKWY   | 1430891232800004011000 | J & B CAPITAL PARTNERS INC.   |
| 2190 CLINTON ST       | 1430891233600006010000 | SLIWINSKI JOSEPH              |
| MAISHOSS ST           | 1430891240000005032000 | FRONCKOWIAK SYLVESTER         |
| V/L OLD UNION RD      | 1430891240200001029000 | 2067 OLD UNION LLC            |
| SCRIVNER DR           | 1430891240200002021000 | S M FLICKINGER CO INC         |
| BOXWOOD LN            | 1430891240200003017120 | MAUSSNER RICHARD A            |
| VIOLA DR              | 1430891243000003007110 | HANDZLIK CASIMER-ESTATE OF    |
| 15 E CHERBOURG DR     | 1430891250600007004000 | KROLLY DONNA M                |
| 115 LE HAVRE DR       | 1430891250600018021000 | MASSARA SUZANNE M             |
| 24 MARTINIQUE DR      | 1430891250600020044000 | HOLZ LINDA J                  |
| 83 BRENTWOOD DR       | 1430891250700012032000 | HINKLEY RONALD E              |
| 54 BORY DR            | 1430891250800006041000 | KUBEK STANLEY R               |
| BORDEN RD             | 1430891250800008033000 | WYCOKI MICHAEL                |
| KELLY DR              | 1430891250900007004000 | KULBACKI THEODORE             |
| 89 YVETTE DR          | 1430891250900017017000 | RANDOLPH NOAH EDWARD LIFE USE |
| 579 FRENCH RD         | 1430891251000017002000 | KELLY SOPHIE A LIFE USE       |
| FRENCH RD             | 1430891251100008005000 | WYCOKI MICHAEL                |
| 857 FRENCH RD         | 1430891251100015005000 | ALLEN J BORES                 |
| 0 TONAWANDA CRK RD    | 1432000060000002015120 | NORMAN R BITTERMAN            |
| 9380 TONAWANDA CRK RD | 1432000060000003008000 | NORMAN R BITTERMAN            |
| 0 BRAUER RD           | 1432000180000003011000 | 1066 SHERIDAN DRIVE           |

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|-----------------------|------------------------|---------------------------|
| 0 RAPIDS RD           | 143200019000002004000  | JONES WILLIE J DEC        |
| 6812 TUSCANY LN       | 1432000292000002005000 | BRUNNER BEVERLY M         |
| 9035 COUNTY RD        | 1432000301700002001311 | CURRY KEVIN               |
| 9015 COUNTY RD        | 1432000301700002038000 | CURRY KEVIN               |
| 0 TRANSIT RD          | 1432000430500002016000 | D3 TRANSIT LLC            |
| 9668 KELLER RD        | 1432000441100001016000 | CHRISTOPHER J CAITO       |
| 5562 HIDDEN PINES CT  | 1432000571000005010000 | LARKIN TERRY H            |
| 0 HARRIS HILL RD      | 1432000571100003005200 | JFD HOLDINGS LP           |
| 5192 EASTBROOKE PL    | 1432000571800003028120 | WASEH SHAHDAD POYA        |
| 0 GREINER RD          | 1432000571900002002111 | DENI FRANK DEC            |
| 0 KRAUS RD            | 1432000580000004019121 | DENI JENNIE W             |
| 5700 GLEN IRIS DR     | 1432000581100001010000 | ROSEN ERIC C              |
| 9670 GARDEN WALK      | 1432000581500001004000 | HENS MARY E               |
| 4695 HARRIS HILL RD   | 1432000701100002017000 | D'ANDREA JENNIFER O       |
| 4756 BONCREST WEST    | 1432000701100003011000 | LIPCZYNSKI DOUGLAS M      |
| 8895 SHERIDAN DR      | 1432000701600004004000 | GOZDALSKI ALLEN E         |
| 8905 SHERIDAN DR      | 1432000701600004005000 | GOZDALSKI ALLEN E         |
| 0 ORCHID LEDGE        | 1432000710500003017111 | JASON EUGENE              |
| 0 THOMPSON RD         | 1432000710600003009000 | LENZ HERMAN               |
| 0 HUNTING VALLEY RD S | 1432000711000002011200 | GIOKAS MICHAEL            |
| 4695 QUARRY LN        | 1432000711500001008000 | CUTLER JACK H JR DEC      |
| 0 STAGE RD            | 1432000720000004035100 | STAGE AND RANSOM ROAD LLC |
| 10768 MAIN ST         | 1432000720700001011000 | MOOERS JENIFER HIST DESIG |
| 0 STONEWAY            | 1432000721000002020400 | BOCK ENTERPRISES INC      |
| 10681 MAIN ST         | 1432000721100001002000 | PRESIDENTS DESK LLC       |
| 10687 MAIN ST         | 1432000721100001003100 | PRESIDENTS DESK LLC       |
| 4885 SAWMILL RD       | 1432000721100001036000 | STEWART ALBERT J          |
| 4925 SCHURR RD        | 1432000721100004013000 | DIGBY WENDY M             |
| 4646 RANSOM RD        | 1432000721400002008000 | J M DEVELOPMENT CORP      |
| 4194 SHIMERVILLE      | 1432000820800004017000 | ZURBRICK DONNA L          |

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|-------------------------|------------------------|----------------------|
| 9300 WEHRLE DR          | 1432000830000001019000 | STELLA BAHAS         |
| 0 JONES RD              | 1432000840000002014200 | MILLER SAMUEL A      |
| 0 TILLMAN RD            | 1432000840600001012000 | MORGAN LYLE N JR     |
| STATE RD                | 1434002130000001002100 | SUNNY SOLUTIONS LLC  |
| 8786 KNAPP RD           | 1434002130000004019000 | KIRKHAM JAMES G      |
| 7508 IRISH RD           | 1434002130000005006220 | MICHAEL J CERONE III |
| 7009 STATE RD           | 1434002131000002002000 | SHIRLEY L BAKER      |
| 8769 LOWER EAST HILL RD | 1434002430300001012000 | CHILDS RONALD        |
| 9138 STATE RD           | 1434002590000002018000 | FAULRING JAMIE L     |
| STATE RD                | 1434002590000002025000 | FAULRING JAMIE L     |
| 398 BUFFALO ST          | 1436013491100001028000 | SHARROW THOMAS L     |
| 53 BADER AVE            | 1436013491100003032000 | MCSWEENEY LOIS       |
| 91 BUFFALO ST           | 1436013491600001012000 | RYBARCZYK CHARLES    |
| 120 PERRY ST            | 1436013491600001029000 | BAKER DAVID          |
| 61 PERRY ST             | 1436013491600002006000 | SLOCUM KENNETH D     |
| 60 PARK ST              | 1436013491600002012000 | BRIGHAM WILLIAM E    |
| 80 MECHANIC ST          | 1436013491600002027000 | ARNOLD EDNA M        |
| 28 PERRY ST             | 1436013491600001015100 | JOHNSON BONNIE JEAN  |
| 31 PARK ST              | 1436013492000001021000 | KNIPS ESTATE OF EGON |
| 93 ERIE AVE             | 1436013492000001039000 | HSBC BANK USA N.A.   |
| 13619 ROUTE 62          | 1436893290000001033000 | HALLIMAN DANIEL J    |
| 0 BROWN ST              | 1436893300000002009200 | PANNELLA GEORGE      |
| 13927 ROUTE 62          | 1436893410800001003121 | PORTER MALEIA A      |
| 14028 SPRING ST         | 1436893410800001026000 | RAYMOND E BLY        |
| 2282 ORCHARD PL         | 1436893420500001013000 | ESCHWEGE ELLEN S     |
| 2424 MAIN ST            | 1436893420500002044100 | GRINER TAMI          |
| 14008 SISSON HWY        | 1436893430000002006100 | SIMMONS MARK         |
| 3584 ROUTE 39           | 1436893431100002001000 | NUTTER JAMIE         |
| 14185 SCHOOL ST         | 1436893431100002035200 | KLEIN LINDA          |
| 3585 ROUTE 39           | 1436893431100002042000 | EVANS EMILY A        |

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|-----------------------------|------------------------|-----------------------------|
| 14039 SISSON HWY            | 1436893431100004004000 | TESSMER HERMAN A            |
| 3581 ROUTE 39               | 1436893431100002041000 | BORDHERT CLYDE F            |
| TWIN POND DR                | 1436893440000003028220 | ROUTE MICHAEL J/CYNDE R     |
| 2296 GOWANDA ZOAR RD        | 1436893500000002020000 | LASKEY GARY                 |
| 291 N CENTRAL AVE           | 1438013351100001009000 | HAYDEN PAUL R               |
| 67 GREENWOOD PL             | 1438013351200001008000 | JOZEF BADURA                |
| 62 SMITH ST                 | 1438013351500002016000 | FLYNN LORRAINE              |
| 58 N BUFFALO ST             | 1438013351500004015000 | 56 PARKSIDE LLC             |
| 18 E MAIN ST                | 1438013351600002025000 | SPRINGVILLE ASSOCIATES LLC  |
| WAVERLY ST                  | 1438013351800002033100 | HART ASSOC OF               |
| 248 W MAIN ST               | 1438013351900001011000 | POPOVSKI KIRIL A            |
| 224 W MAIN ST               | 1438013351900001012000 | POPOVSKI TRACY M            |
| 128 WAVERLY ST              | 1438013351900007013000 | RICOTTA EDWARD C            |
| MILL ST                     | 1438013470700001015200 | CONKLIN STEVEN R            |
| 391 MILL ST                 | 1438013470700001020000 | MANFRE DARLENE              |
| 9368 CRANE RD               | 1438892760300002049000 | RAYMOND ALAN JAMES          |
| 55 TARN TRL                 | 1438892760300004008000 | OSTAFF JOHN                 |
| RIDGEVIEW LN                | 1438892760900001003100 | RIDGEVIEW TOWNHOUSES INC    |
| 11142 WYANDALE RD           | 1438892890000001026000 | KURTZWORTH ROBIN LEO        |
| 11275 SPRINGVILLE BOSTON RD | 1438892910000002007000 | SCIORTINO JOSEPH J          |
| 11596 TREVETT RD            | 1438893050000002016100 | ESTATE OF MARGARET E LUTHER |
| 11990 TREVETT RD            | 1438893060000001001111 | STETLER JENNIFER LYNN       |
| 6870 GENESEE RD             | 1438893060000001016200 | REINER STEVEN               |
| 12027 KERN RD               | 1438893060000001017112 | RUBECK RENAY                |
| WOODSIDE RD                 | 1438893200000002003230 | JOHN W JAMES JR             |
| 7410 CONCORD RD             | 1438893210000001023000 | WEBER CHARLES               |
| 8100 MIDDLE RD              | 1438893220000001013211 | SEBZDA DAVID W              |
| 14460 GROTH RD              | 1438893450000001018000 | WATZ ROBERT                 |
| 6969 SOUTHWESTERN BLVD      | 1440002070000001005000 | ANTHONY ALMEIDA             |

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| 7331 SOUTHWESTERN BLVD | 1440002070000001021120 | 7331 SOUTHWESTERN LP           |
| 2272 SHADAGEE RD       | 1440002070000001015000 | MORETON PATRICK                |
| 2531 N CREEK RD        | 1440002080000002005000 | CATUZZI ANTHONY                |
| 3477 HICKMAN RD        | 1440002091800001014000 | DIRIENZO JOSEPH                |
| 2278 DERBY RD          | 1440002220000001008000 | WILLIAM J CALDWELL             |
| 8188 SCHREINER RD      | 1440002230000001031100 | ALESSI MICHAEL P               |
| 2854 MAPLE AVE         | 1440002231900002022110 | BOGUE TIMOTHY A                |
| 9154 S STATE RS        | 1440002370000003024000 | ANTHONY BORIS                  |
| 9164 S STATE RD        | 1440002370000003025000 | PAUL ADAMCZYK                  |
| 8701 WEST AVE          | 1440002381000003019100 | CRAIG BARTHOLOMEW              |
| 4283 HAAG RD           | 1440002560000001010100 | WOOD CHARLES                   |
| 7461 CLINTON ST        | 1442001280300002001200 | GRIFFIN BRUCE W                |
| 98 SCHWARTZ RD         | 1442001280300003012000 | ZIOLKOWSKI PAUL                |
| 3211 TRANSIT RD        | 1442001360100001001000 | 3211 TRANSIT RD. INC.          |
| 90 HESSLAND CT         | 1442001370300006028000 | ZAENGLEIN MICHAEL LIFE USE     |
| 60 POUND RD            | 1442001450400001005000 | KRANE MARK                     |
| 6175 SENECA ST         | 1442001450400001004000 | KRANE MARK                     |
| 0 W BLOOD RD           | 1442001560000001040000 | BRADY WILLIAM                  |
| 0 JAMISON RD           | 1442001560000002016000 | ALLEN PAUL M                   |
| 0 JAMISON RD           | 1442001560000002017000 | ALLEN PAUL M                   |
| 80 PINWOOD TR          | 1442001560200001014000 | KOMOREK IRREVOCABLE TRUST      |
| 71 MEADOW DR           | 1442001640800002010000 | SUCHOCKI ELIZABETH LIFE USE    |
| DIXIE DR               | 1444012351100001070000 | MILLER ROBERT L                |
| DIXIE DR               | 1444012351100005023000 | BEVERLY HEIGHTS IN DEVELOPMENT |
| 49 LORAIN ST           | 1444012351500004013000 | CORDWELL JENNIFER L            |
| GOWANS RD              | 1444012351600001037000 | FOX JAMES P                    |
| 8 GOWANS RD            | 1444012351600001040000 | VICKI I PORTER                 |
| GOWANS RD              | 1444012351600001042000 | FOX JAMES P                    |
| 19 CENTER ST           | 1444012351600002040000 | ANGOLA PENNY SAVER INC         |
| 212 LAKE ST            | 1444012351900001004000 | LANGFORD TREE FARM INC.        |

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|----------------------|------------------------|-------------------------------|
| 44 LAKE ST           | 1444012351900003001000 | HESSLINGER MICHAEL A          |
| 11 COMMERCIAL ST     | 1444012351900003007000 | HOELZLE TIMOTHY               |
| RAILROAD AVE         | 1444012351900004012000 | DYBDAHL TIMOTHY P             |
| 91 SOUTH MAIN ST     | 1444012351900004020000 | SAIA SAMUEL                   |
| 49 NEWTON ST         | 1444012351900004026100 | FREDERICK CHERIE              |
| 12 BARTUS LN         | 1444012351900005049110 | KUBISTY ROBERT                |
| BARTUS LN            | 1444012351900005050200 | LERCZAK LEONARD               |
| 0 COMMERCIAL STREET  | 1444012351900003009000 | BEAVER LAWRENCE               |
| 0 COMMERCIAL STREET  | 1444012351900003008000 | SHELLY F HUNT                 |
| 29 COMMERCIAL STREET | 1444012351900003010000 | SHELLY F HUNT                 |
| 23 NORTH MAIN ST     | 1444012352000001013000 | STRNAD TINA                   |
| 120 SOUTH MAIN ST    | 1444012352000002029100 | PAGLIA ANTHONY                |
| 23 PENNSYLVANIA AVE  | 1444012510700003025120 | MARRANO VINCENT F             |
| PENNSYLVANIA AVE     | 1444012510700004002000 | DRAGO EVELYN                  |
| MESI DR              | 1444012510700004009100 | SAUER PAUL M                  |
| 47 PENNSYLVANIA AVE  | 1444012510700004016000 | DRAGO EVELYN                  |
| 38 NEWTON ST         | 1444012510700003008000 | COX TERRY                     |
| 38 NEWTON            | 1444012517000003008000 | TERRY COX                     |
| LAKE SHORE RD        | 1444891921500001001300 | BUFFALO NIAGARA COMMUNITY LLC |
| 6572 LAKE SHORE RD   | 1444891921600001061000 | PARADISO DANIEL               |
| LAKE SHORE RD        | 1444891921600001063000 | PARADISO DANIEL               |
| 6663 WAYNE DR        | 1444891921600005003000 | LOPEZ SHEILA D                |
| WAYNE DR             | 1444891921600006028000 | HADON DANIEL P                |
| PUTNAM DR            | 1444891922000004002000 | DAMICO DOMINIC                |
| 6745 SCHUYLER DR     | 1444891922000004012000 | DURRANCE CHRISTOPHER          |
| 6855 REVERE DR       | 1444891922000006018000 | RJM HOMES LLC                 |
| PUTNAM DR            | 1444891922000006035000 | DURHAM CRAIG                  |
| PUTNAM DR            | 1444891922000007002110 | DURHAM CRAIG                  |
| PUTNAM DR            | 1444891922000007003000 | DURHAM CRAIG                  |
| 6852 PUTNAM DR       | 1444891922000007006100 | SCHNEIDER MARY C              |

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|------------------------|------------------------|------------------------------|
| SCHUYLER DR            | 1444891922000007022000 | MONTAGNA JOSEPH              |
| 6828 SCHUYLER DR       | 1444891922000007027100 | LEONARD ANTHONY V            |
| 6794 GATES DR          | 1444891922000009028000 | GREKUIAK BOHDAN              |
| 6819 PRESCOTT DR       | 1444891922000009039100 | SZCZYGIEL JOSEPH R           |
| SOUTH CREEK RD         | 1444891931300002013000 | BRAASCH DONALD               |
| 6613 ERIE RD           | 1444891931300002014000 | BRAASCH DONALD J             |
| 6633 ERIE RD           | 1444891931300002015000 | DONALD BRAASCH               |
| ERIE RD                | 1444892050000002040000 | KNOBLOCH DONALD L            |
| 900 STURGEON POINT RD  | 1444892050000003008120 | WROBEL KRZYSZTOF             |
| 7810 ERIE RD           | 1444892050000003025000 | RICHARD J ALBERTS            |
| 7532 LAKE SHORE RD     | 1444892050000004018111 | BOGULSKI PETER               |
| 7302 BEECHWOOD RD      | 1444892050300001047000 | DICHRISTOPHER PATRICIA       |
| BELLE HEIGHTS RD       | 1444892060000003026200 | RUSSELL R CAMPESE            |
| 7254 ERIE RD           | 1444892060000005011000 | MORAN JAMES T                |
| 7018 WOODCLIFF DR      | 1444892060500001028000 | GREGORY LORENZO              |
| 6955 LAKE SHORE RD     | 1444892060500002002000 | LAKESHORE ROAD TRUST TRUST   |
| 6979 ROOSEVELT DR      | 1444892060500002004000 | SOLECKI JAMEY                |
| 1393 ELWOOD DR         | 1444892060800002019000 | DI BLASIO RUTH M             |
| 6901 SCHUYLER DR       | 1444892060800005038000 | SCHIEDEL KAREN A             |
| 6895 HAMILTON DR       | 1444892060800003032000 | SCHROEDER BRIAN T            |
| EDGEWOOD DR            | 1444892060800007022000 | TOMILIN NIKOLAI              |
| 1619 OVERHEAD RD       | 1444892070000003011000 | STARKS ANDREA                |
| 7452 SOUTHWESTERN BLVD | 1444892070000004015000 | INCARDONA SALVATORE          |
| STURGEON POINT RD      | 1444892070000004058000 | UNKNOWN                      |
| VERSAILLES RD          | 1444892070000004060000 | JEFFREY AFFRONTE             |
| 6930 VERSAILLES RD     | 1444892070700002013200 | KORZKOWSKI NICHOLAS          |
| 7847 ERIE RD           | 1444892200200001050000 | VIAPIANO ROSEANNE            |
| 7828 ERIE RD           | 1444892200200001052000 | CIAN DANIEL JR               |
| 1019 BACKUS RD         | 1444892200200001060000 | ESTATE OF THOMAS C SICIGNANO |
| 1023 BACKUS RD         | 1444892200200001061000 | ESTATE OF THOMAS C SICIGNANO |

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|------------------------|------------------------|----------------------------|
| 8291 ERIE RD           | 1444892201900002006200 | BREUKELMAN HENDRIK         |
| 8861 LAKE SHORE RD     | 1444892341600004019000 | ESTATE OF PATRICK CALLAHAN |
| 9172 LAKE SHORE RD     | 1444892341900006035000 | NORTON ROY JR              |
| 9128 STEVENSON AVE     | 1444892342000002002000 | CAROL L WIDGER             |
| MERGENHAGEN RD         | 1444892342000003002110 | LEUGEMORS THAD             |
| 571 TUSCARORA RD       | 1444892342000005002100 | JAMES A DENZ               |
| 9160 WATERMAN RD       | 1444892342000001009000 | DEGRAFF GENE E III         |
| 1190 GOWANS RD         | 1444892350000001022000 | FOX JAMES P                |
| 9268 ERIE RD           | 1444892350000003019000 | SCHAFFER HOLDING CORP      |
| BEACH RD               | 1444892350100001022000 | COVENTRY DENNIS M          |
| CYPRESS AVE            | 1444892350500001004000 | PERKOWSKI FRANK J SR       |
| CYPRESS AVE            | 1444892350500001005000 | HITCHCOCK CECILIA          |
| CYPRESS AVE            | 1444892350500001007000 | PERKOWSKI FRANK J          |
| CYPRESS AVE            | 1444892350500001008000 | PERKOWSKI FRANK J          |
| 8537 LAKE SHORE RD     | 1444892350500002001000 | PERKOWSKI FRANK J SR       |
| 658 SANDY AVE          | 1444892350500002023121 | EASTMAN CHERYL             |
| BEACH RD               | 1444892350600002011000 | WOODMAN EUGENE T           |
| 8630 FLORENCE AVE      | 1444892350900005046100 | RICE PETER                 |
| 720 BIRCH ST           | 1444892351300002004000 | MWE LLC                    |
| 9026 JOYCE LN          | 1444892351400001003000 | GARTLEY WENDY G            |
| GOWANS RD              | 1444892360000001030000 | BUNTINS NANCY              |
| GOWANS RD              | 1444892360000003010000 | BUNTINS NANCY              |
| 1611 INWOOD AVE        | 1444892360000003048000 | ALVES SANDRA               |
| 9112 NEWCOMB RD        | 1444892360000004005120 | PONVILLE EDWARD J          |
| 8800 SOUTHWESTERN BLVD | 1444892360000001015000 | GARD ELECTRIC INC          |
| 9788 SHORECLIFF RD     | 1444892492000001034000 | BECKSTEIN GEORGE DONALD JR |
| SHORECLIFF RD          | 1444892492000002037000 | BECKSTEIN GEORGE DONALD JR |
| CHESTNUT LN            | 1444892492000002003000 | BECKSTEIN GEORGE DONALD JR |
| 303 HERR RD            | 1444892500600001023000 | WICKETT KATHLEEN M         |
| SYCAMORE AVE           | 1444892500700002008000 | MARK BOUVIER               |

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|--------------------|------------------------|-----------------------------|
| 488 SYCAMORE AVE   | 1444892500700002015100 | GUILLOD JUNE                |
| POPLAR AVE         | 1444892500700002022000 | DINELLA JOSEPH L            |
| POPLAR AVE         | 1444892500700002023000 | DINELLA JOSEPH L            |
| 490 POPLAR AVE     | 1444892500700002025000 | STEFFEN DANIEL R            |
| HERR RD            | 1444892500700002049000 | KUBISTY DAVID J             |
| 455 HERR RD        | 1444892500700003004000 | MINIRI ANTHONY              |
| 466 WALNUT AVE     | 1444892500700003012100 | BINGENHEIMER HELEN          |
| WALNUT AVE         | 1444892500700003026000 | GUBALA LEON G               |
| 463 WOOD AVE       | 1444892500700003047000 | KNIERIM EDWARD A            |
| SCOTT ST           | 1444892500700004006000 | KUKOLECA STEVEN C           |
| 9396 JAMESTOWN ST  | 1444892500700004024100 | DEVESO AMANDA S             |
| 9289 WATERMAN RD   | 1444892500800001047000 | LANGFORD TREE FARM INC.     |
| 9399 ELMWOOD ST    | 1444892500800002007000 | FREDERICKS BONITA L         |
| MONROE AVE         | 1444892500800002020000 | ESTATE OF ANGELINE ACQUISTO |
| 618 MONROE AVE     | 1444892500800002021000 | YEAGER DENNIS               |
| 541 ROANOKE AVE    | 1444892500800003007000 | GIUMENTO JOSEPH J           |
| 9495 GRANGER ST    | 1444892500800003014100 | HOFFMAN CAROLINE            |
| FAIRVIEW ST        | 1444892500800003034000 | GIUMENTO JOSEPH             |
| PEACH ST           | 1444892500800005026000 | PECORARO BENJAMIN           |
| PARKER AVE         | 1444892500800006012000 | SANTEZ ROBERT A             |
| 566 MONROE AVE     | 1444892500800003035000 | KIN TIMOTHY T               |
| 544 HERR RD        | 1444892500800001024000 | SCAMACCA FRANK R            |
| 9634 LAKE SHORE RD | 1444892500900001061000 | SIBLEY CHARLES              |
| GARFIELD AVE       | 1444892501000002003000 | SPARACIO THOMAS             |
| EASTWOOD AVE       | 1444892501000002004000 | SPARACIO THOMAS             |
| GARFIELD AVE       | 1444892501000002017000 | SAWANT SUNEEL A             |
| GARFIELD AVE       | 1444892501000002023000 | MCOWEN DOUGLAS E            |
| 9609 MAPLEWOOD ST  | 1444892501000002046000 | ALBERT ADAMS                |
| ASH ST             | 1444892501100002030000 | JUDITH SEVERIN              |
| ROANOKE AVE        | 1444892501100002031000 | SEVERIN JUDITH L            |

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|-------------------|------------------------|-----------------------|
| ROANOKE AVE       | 1444892501100002032000 | KAMINSKI PETER        |
| GRAY ST           | 1444892501100003015000 | DENISCO LYDA J        |
| 9517 HARRISON ST  | 1444892501100004030000 | ARTHUR L ANDERSON     |
| JEFFERSON AVE     | 1444892501100004043000 | BARONE JOSEPH A JR    |
| 9560 GRANGER ST   | 1444892501100005003100 | LEADER ELLEN          |
| ADAMS AVE         | 1444892501100005016000 | IANNONE DONNA         |
| JEFFERSON AVE     | 1444892501100006003000 | JAKUBUS PEGGY ANN     |
| 474 ADAMS AVE     | 1444892501100006013100 | DAVID J SWAN          |
| HARRISON ST       | 1444892501100007017000 | DI PIRRO OLGA         |
| MADISON AVE       | 1444892501100007018000 | HIGGINS GARY R        |
| MADISON AVE       | 1444892501100007019000 | HIGGINS GARY R        |
| MADISON AVE       | 1444892501100007020000 | HIGGINS GARY R        |
| MADISON AVE       | 1444892501100007030000 | HAGEMAN CAROLANN      |
| 9485 JAMESTOWN ST | 1444892501100008002000 | GRONACHAN SHAWN       |
| ROANOKE AVE       | 1444892501100008003000 | GRONACHAN SHAWN       |
| 448 MONROE AVE    | 1444892501100008018000 | GRONACHAN SHAWN       |
| JAMESTOWN ST      | 1444892501100008019000 | GRONACHAN SHAWN       |
| 456 JEFFERSON AVE | 1444892501100008047000 | CRABTREE ROY          |
| 451 JEFFERSON AVE | 1444892501100009004000 | JACKSON VINCENT S     |
| JEFFERSON AVE     | 1444892501100009005000 | JACKSON VINCENT S     |
| 9532 GRANGER ST   | 1444892501100004038000 | KAMUDA WILLIAM        |
| 509 SYCAMORE AVE  | 1444892501100003007000 | DENISCO LYDA J        |
| 9540 JAMESTOWN ST | 1444892501100010003000 | LEONE MICHAEL         |
| KENNEDY AVE       | 1444892501100010032000 | HIGGINS MILDRED P     |
| EISENHOWER AVE    | 1444892501100010038000 | HIGGINS MILDRED P     |
| MONROE AVE        | 1444892501200001007000 | RONALD BOROSKY        |
| FRONTIER ST       | 1444892501200001008000 | MODEAS ROBERTA L      |
| 539 JEFFERSON AVE | 1444892501200001031000 | KACZMAREK FRANK TRUST |
| 9558 FRONTIER ST  | 1444892501200001034000 | HECKMAN GREGG L       |
| FRONTIER ST       | 1444892501200001035000 | RIZZO PETER P         |

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| 540 ADAMS AVE      | 1444892501200001036000 | MUSZYNSKI JOSEPH  |
| 532 ADAMS AVE      | 1444892501200001038100 | BOGUHN JOHN M   |
| JEFFERSON AVE      | 1444892501200002022000 | KUBIAK DONALD   |
| JEFFERSON AVE      | 1444892501200002023000 | KUBIAK DONALD   |
| MADISON AVE        | 1444892501200003012000 | GIDDENS CHARLES M                                       |
| MONROE AVE         | 1444892501200004002000 | WINGROVE RICHARD  |
| DELAWARE ST        | 1444892501200004026000 | LEWANDOWSKI CHESTER                                     |
| JEFFERSON AVE      | 1444892501200004030000 | LITTLEWOOD ROSE R/JULIA F                               |
| ADAMS AVE          | 1444892501200004035000 | LITTLEWOOD ROSE R./JULIA F                              |
| DELAWARE ST        | 1444892501200004038000 | SMIRAGLIA VINCENT                                       |
| MADISON AVE        | 1444892501200005011000 | LUMETTO MARY  |
| CHIPPEWA ST        | 1444892501200005023000 | FORBES-DIABY BEVERLEY                                   |
| MADISON AVE        | 1444892501200006031000 | GUANZON EMMANUEL  |
| JEFFERSON AVE      | 1444892501200007003000 | GALLIVAN MARIA R  |
| BIDWELL ST         | 1444892501200007018000 | CRAWFORD CHARLOTTE E                                    |
| ADAMS AVE          | 1444892501200008005000 | KUHN JEAN M   |
| ADAMS AVE          | 1444892501200008006000 | KUHN LOUIS J  |
| 617 EISENHOWER AVE | 1444892501200009028000 | GUY CANONICO  |
| EISENHOWER AVE     | 1444892501200009029000 | CANONICO GUY  |
| 621 EISENHOWER AVE | 1444892501200009030000 | GUY CANONICO  |
| EISENHOWER AVE     | 1444892501200009031000 | GUY CANONICO  |
| KENNEDY AVE        | 1444892501200011013000 | GRAY ROBERT R H   |
| EISENHOWER AVE     | 1444892501200012026000 | GRZESKIEWICZ JOSEPH                                     |
| EISENHOWER AVE     | 1444892501200012027000 | GRZESKIEWICZ JOSEPH                                     |
| 541 ADAMS AVE      | 1444892501200012006000 | CSATI ROSEMARY A  |
| KENNEDY AVE        | 1444892501200012009000 | CSATI ROSEMARY A  |
| 9740 REDWING ST    | 1444892501300004023100 | BARNEY MARSHALL   |
| 172 STERLING AVE   | 1444892501300002030000 | QUEER RONALD  |
| 235 DAWN AVE       | 1444892501400001015100 | ESTATE OF JAMES E BONAVIDO AKA<br>JAMES EDWARD BONAVIDO |

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|--------------------|------------------------|----------------------------------|
| EISENHOWER AVE     | 1444892501400002006200 | MILO CORPORATION                 |
| DAWN AVE           | 1444892501400002012000 | JOHN WILLHAUCK                   |
| DAWN AVE           | 1444892501400002013000 | JOHN F WILLHAUCK                 |
| 9647 PEARL ST      | 1444892501400002034000 | PHILLIPS JAMES E                 |
| HARDING AVE        | 1444892501400003026000 | MAZUR HELEN T                    |
| 336 DAWN AVE       | 1444892501400004011000 | ESTATE OF ALOYSIUS ZABLOCKI      |
| STERLING AVE       | 1444892501400006020000 | RAMBLER MARGARET                 |
| STERLING AVE       | 1444892501400006021110 | RAMBLER MARGARET M               |
| 305 GRANT AVE      | 1444892501400008004000 | CHOINSKI JOHN                    |
| NORTHFIELD ST      | 1444892501400008030000 | CARDENUTO RALPH                  |
| OAKLAND ST         | 1444892501400009008000 | THE MARY A HUGENSCHMIDT TRUST TR |
| 371 PLEASANT AVE   | 1444892501400006036000 | TOY WADE                         |
| 275 TAFT AVE       | 1444892501400009003000 | CASTELLANO SAMUEL D              |
| LENOX ST           | 1444892501500001017000 | HAHN EDWARD A                    |
| DAWN AVE           | 1444892501500001018000 | HAHN EDWARD A                    |
| HARDING AVE        | 1444892501500001030000 | HAHN EDWARD A                    |
| EISENHOWER AVE     | 1444892501500002013000 | PAVLOVIC ROBERT D                |
| 455 EISENHOWER AVE | 1444892501500002016100 | ELLINGTON HOLDING CORP           |
| 9645 JAMESTOWN ST  | 1444892501500002026000 | DIPASQUALE ROSARIO               |
| 424 DAWN AVE       | 1444892501500002034110 | KING DAWN                        |
| 9625 IVANHOE ST    | 1444892501500003001000 | BARRECA ROBERT                   |
| EISENHOWER AVE     | 1444892501500003017000 | OBSTARCZYK IRENE                 |
| DAWN AVE           | 1444892501500003042000 | IANNONE DONNA                    |
| 424 STERLING AVE   | 1444892501500004013000 | METTY JOSEPH E JR LIFE USE       |
| 9711 KENMORE ST    | 1444892501500004016000 | BREUKELMAN HENDRIK               |
| 402 PLEASANT AVE   | 1444892501500005023000 | FIX JAMES A                      |
| VIRGINIA ST        | 1444892501700002047000 | ESTATE OF ERNEST TESTA           |
| ROSEWOOD AVE       | 1444892501700003031100 | VELEZ OSCAR                      |
| 184 ROSEWOOD AVE   | 1444892501700003035000 | VELEZ OSCAR                      |
| ROSEWOOD AVE       | 1444892501700004006000 | ANDRES ALEXANDER TRUSTEE         |

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|---------------------|------------------------|----------------------------------|
| UTICA ST            | 1444892501700004027000 | MATTHEWS FAITH                   |
| UTICA ST            | 1444892501700004028000 | MATTHEWS FAITH                   |
| PORTER AVE          | 1444892501700005020100 | ROSENTHAL MILDRED M              |
| PORTER AVE          | 1444892501700005022000 | RANDAZZO JOHN                    |
| PORTER AVE          | 1444892501700005029000 | BARRETT JOHN                     |
| REEVES RD           | 1444892501700006005000 | MCGOWAN MARK F                   |
| 131 PORTER AVE      | 1444892501700008026000 | FARTHING WAYNE N JR              |
| PORTER AVE          | 1444892501700008037000 | BRATTON MRS G L                  |
| 172 DELEVAN AVE     | 1444892501700009016000 | LEONARD BRIAN                    |
| DELEVAN AVE         | 1444892501700009043000 | ESTATE OF ESTHER HELEN ZIELINSKI |
| 159 DELEVAN AVE     | 1444892501700009042000 | ZIELINSKI ESTHER                 |
| CHESTNUT LN         | 1444892501700011003110 | GOTTORFF ERIC L                  |
| 9542 HARDPAN RD     | 1444892510000001018100 | CROUSE BRIAN L SR                |
| 1187 CAIN RD        | 1444892510000003035000 | AARON STERLING                   |
| SOUTHWESTERN BLVD   | 1444892510000003028000 | CAMPAGNA DOMINIC                 |
| SOUTHWESTERN BLVD   | 1444892510000003030000 | GRISANTI MARY                    |
| 9687 ERIE RD        | 1444892511300001001000 | CLARICE E ANNERUD                |
| 9698 EVANS ST       | 1444892511300001011000 | BALD WILLIAM J                   |
| THEODORE AVE        | 1444892511300001013000 | GALBO ANTHONY                    |
| THEODORE AVE        | 1444892511300001017000 | CLARICE E ANNERUD                |
| ERIE RD             | 1444892511300004018000 | DOUGLAS STEPHEN C                |
| 0 ERIE RD           | 1444892511300004019100 | PANNELLA GIORGIO                 |
| SMITH RD            | 1444892520000002013100 | ANDOLINA MARY JO                 |
| 3467 BASELINE RD    | 1446000121300002014000 | GILMORE SHIRLEY                  |
| 0 GREENWAY RD       | 1446000121300003006000 | BARRETT & W EDW                  |
| 3524 GREENWAY RD    | 1446000121300003006100 | TAHARA BRIAN                     |
| 3372 SANDY BEACH RD | 1446000121700003011000 | MILLER BONNIE J                  |
| 1825 HUTH RD        | 1446000121800002018000 | SENDLBECK MICHAEL                |
| 2394 BEDELL RD      | 1446000230000003009000 | O'CONNOR TIMOTHY S               |
| 0 GRAND ISLAND BLVD | 1446000230200003059000 | HUGHES DARIN                     |

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|----------------------|------------------------|---------------------------------|
| 107 MORNINGSIDE DR   | 1446000230800002059000 | YOUNG THOMAS                    |
| 0 MORNINGSIDE DR     | 1446000230800002075000 | SZUR ALEX                       |
| 0 MORNINGSIDE DR     | 1446000230800002077000 | SZUR ALEX                       |
| 0 MORNINGSIDE DR     | 1446000230800002078000 | SZUR ALEX                       |
| 0 SECOND ST          | 1446000231800002005000 | RIMA ABDELLATIF                 |
| 220 WHITE TAIL RUN   | 1446000241000001002000 | SAFAIE AZITA                    |
| 1945 BEDELL RD       | 1446000241300001014000 | HARPER DANA                     |
| 385 COLONIAL DR      | 1446000241300002050000 | SINGH KULDIP                    |
| 0 RANSOM RD          | 1446000250000002022200 | ZEY ENTERPRISES INC             |
| 0 RANSOM RD          | 1446000250000002023110 | SHAMER HOLDINGS LTD.            |
| 0 KIRKWOOD DR        | 1446000250500001016000 | DIAMOND KENT                    |
| 0 KIRKWOOD DR        | 1446000250500001030000 | KRUSE MICHAEL J                 |
| 2335 STALEY RD       | 1446000360000002026000 | VALLE MATTHEW JTROS             |
| 0 FOURTH ST          | 1446000360100002043000 | OVERCOMING FAITH CENTER         |
| 0 FOURTH ST          | 1446000360100002044000 | OVERCOMING FAITH CENTER         |
| 0 FIFTH ST           | 1446000360100002061000 | MARTEL DIANE                    |
| 0 FIFTH ST           | 1446000360100002062000 | MARTEL ANDRE P (ESTATE)         |
| 2839 WHITEHAVEN RD   | 1446000360100005013000 | SIMINSKI MICHAEL                |
| 2811 WEST RIVER PKWY | 1446000360900002001210 | SHAIBI SHARIF                   |
| 1655 WHITEHAVEN RD   | 1446000370100002004200 | TRIPPI JOHN R JR                |
| 2041 BASELINE RD     | 1446000370300001046000 | MARK J WOCHADLO                 |
| 0 WILLIAMS RD        | 1446000370400002078000 | KERLING FRANCIS                 |
| 0 WILLIAMS RD        | 1446000381700001009000 | JENSEN CARLTON F                |
| 2858 STALEY RD       | 1446000500000001008100 | YIENGST KRISTIN                 |
| 0 LOVE RD            | 1446000500000002003000 | PARKSIDE MANAGEMENT CORP        |
| 3080 LOVE RD         | 1446000500300001015000 | VALLE MARK MICHAEL & MATTHEW JT |
| 1823 WEST RIVER PKWY | 1446000500300001036000 | O'CONNOR TIMOTHY S JOINT TEN    |
| 1777 WEST RIVER PKWY | 1446000501700001002000 | JAMES & CATHERINE DRISCOLL LIFE |
| 0 GLEN AVON          | 1446000511000001004000 | FRANK CALA                      |
| 0 GLEN AVON          | 1446000511000001005000 | FRANK CALA                      |

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|-------------------|------------------------|------------------------------|
| 0 GLEN AVON       | 1446000511000001006000 | CALA FRANK                   |
| 0 GLEN AVON       | 1446000511000001065000 | HIGGINS JOSPEH G TRUST       |
| 0 GLEN AVON       | 1446000511000001072000 | HIGGINS JOSEPH G TRUST       |
| 0 GLEN AVON       | 1446000511000001073000 | HIGGINS JOSEPH G TRUST       |
| 1418 EAST PARK RD | 1446000511100001013000 | COLLINS WILLIAM M LIFE USE   |
| 18 WOODLEE LN     | 1446000511300002048000 | CORE BELIEFS DEVELOPMENT LLC |
| 87 ELSIE LN       | 1446000511500002067000 | CLARK MARY ANN LIFE USE      |
| 0 BASELINE RD     | 1446000511700001006000 | PARKSIDE MANAGEMENT CORP     |
| 0 BASELINE RD     | 1446000511700001007100 | PARKSIDE MANAGEMENT CORP     |
| 977 CARTER DR     | 1446000511800001029000 | O'CONNOR TIMOTHY S JOINT TEN |
| 58 CAROL LN       | 1446000511800004014000 | BENNETT ROBERT SR. GUARDIAN  |
| 2486 FIX RD       | 1446000630200002028000 | CLICK ROBERT (ESTATE)        |
| 0 BUSH RD         | 1446000631200001030000 | FONZI JOHN D                 |
| 0 BUSH RD         | 1446000631200001031000 | FONZI JOHN D                 |
| 536 COLUMBIA AVE  | 1446000631200001032000 | FONZI JOHN D                 |
| 2382 OAKFIELD RD  | 1446000631600001029000 | CALABRO BERYL G              |
| 583 EAST RIVER RD | 1446000641100001012100 | DEBORAH L LEWIS              |
| 1544 COX RD       | 1446000641500002056000 | SZABO CARL G JR              |
| LAKE AVE          | 1448011501200002003000 | REPUBLIC ENGINEERED PROD INC |
| 20 ORCHARD AVE    | 1448011515500001011000 | FLACK ESTATE OF MARCELLA     |
| 34 LAKE AVE       | 1448011516300001006000 | HIRING MACHINE CORPORATION   |
| 25 MADISON AVE    | 1448011516300002017100 | VERA BETA INC                |
| 45 MARLOWE AVE    | 1448011517000002013000 | DOROLAK KENNETH E & DIANE    |
| LABELLE AVE       | 1448011517800002004000 | GOMOLKA-MILLER BARBARA       |
| KENNEDY LN        | 1448011517800003002000 | GLENMARK BLDRS & DEV CORP    |
| KENNEDY LN        | 1448011517800003003000 | GLENMARK BLDRS & DEV CORP    |
| KENNEDY LN        | 1448011517800003004000 | GLENMARK BLDRS & DEV CORP    |
| KENNEDY LN        | 1448011517800004015000 | GLENMARK BLDRS & DEV CORP    |
| KENNEDY LN        | 1448011517800004021000 | GLENMARK BLDRS & DEV CORP    |
| KENNEDY LN        | 1448011517800004022000 | GLENMARK BLDRS & DEV CORP    |

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| 274 BROOKWOOD DR    | 1448031821500004017000 | NELSON LINDEN A                   |
| ELMVIEW AVE         | 1448031821600003021110 | CHEEK TOWAGA CONCRETE LLC         |
| 281 HIGHLAND AVE    | 1448031822000006028000 | HENS DAVID H/W                    |
| 504 PLEASANT AVE    | 1448031822000009001100 | HENS DAVID                        |
| 4457 LITTLE PINE RD | 1448031831400003012110 | FRYE ESTATE OF WILLIAM R DECEASED |
| LITTLE PINE RD      | 1448031831400003014000 | TOWLE ETAL JOHN M JR              |
| 4467 LITTLE PINE RD | 1448031831400003015000 | TOWLE STEPHEN LE                  |
| LITTLE PINE RD      | 1448031831400003034100 | TOWLE ETAL JOHN M JR              |
| 105 PINE ST         | 1448031960600012001000 | HENS DAVID                        |
| 93 EAST MAIN ST     | 1448031960900003008000 | LAWRENCE F CATUZZA                |
| 23 SOUTH BUFFALO ST | 1448031960900006023000 | ALEXANDER WAY HOLDING CORP        |
| 3049 LAKESHORE RD   | 1448891501200003004000 | REPUBLIC ENGINEERED PRODUCTS      |
| 3649 LAKE AVE       | 1448891501600002010100 | MALAYNY FRANKLIN LE               |
| FIRST ST            | 1448891505000001007000 | EVENS MATTHEW                     |
| FIRST ST            | 1448891505000001008000 | EVENS MATTHEW                     |
| 3690 FIRST ST       | 1448891505000001009000 | EVENS MATTHEW                     |
| 3696 SECOND ST      | 1448891505000002017000 | MILLER KELLY M                    |
| SEVENTH ST          | 1448891506600004012000 | SHOUP ANNA                        |
| 3380 LAKESHORE RD   | 1448891506600004022210 | GILL ESTATES OF PAUL&LYNN         |
| 203 WILLETT RD      | 1448891511000003002000 | FERNAN HELEN                      |
| MCKINLEY PKWY       | 1448891511100004011000 | COLLINS JAMES E                   |
| EASY ST             | 1448891511200002006000 | TODOROFF MARGARET                 |
| EASY ST             | 1448891511200002007000 | TODOROFF MARGARET                 |
| EASY ST             | 1448891511200002008000 | TODOROFF MARGARET                 |
| 3391 DICKENS RD     | 1448891511900003051000 | OWCZAREK BARBARA GEO DECD         |
| DELMAR AVE          | 1448891595900003004000 | EST. OF KOSTA & WIFE BOJUCCOFF    |
| DELMAR AVE          | 1448891595900003005000 | EST OF KOSTA & WIFE BOJUCCOFF     |
| WOODLAWN AVE        | 1448891596700002026000 | OLIGER JOSEPH                     |
| WOODLAWN AVE        | 1448891596700002027000 | OLIGER JOSEPH                     |
| WOODLAWN AVE        | 1448891596700002028000 | OLIGER JOSEPH                     |

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| WOODLAWN AVE         | 1448891596700002029000 | OLIGER JOSEPH                       |
| MCKINLEY PKWY        | 1448891600600006032000 | HAMBURG PERIPHERAL LTD              |
| 3621 TERRI TRL       | 1448891600800006030000 | SOLINSKI CAROL                      |
| 0 BRISTOL PKWY       | 1448891600900002021000 | NASCA JANICE L                      |
| 4281 SOUTH PARK AVE  | 1448891600900003014100 | WILLIAM MAI PROPERTIES LLC          |
| NORTH ST             | 1448891605300002002000 | ROBERTS ROBERT J                    |
| 4815 ROGERS RD       | 1448891691200003027000 | NELSON RICKIE O JTWROS              |
| KENNISON PKWY        | 1448891691200009014000 | BUZIAK ETAL DANIEL J                |
| 4729 CLIFTON PKWY    | 1448891691200010017000 | BALDWIN ESTATE OF VERONICA J LE D   |
| 4845 KENNISON PKWY   | 1448891691600011004000 | DEJOY EDWARD                        |
| 3196 TRENTON RD      | 1448891700500003017000 | SAMPLE KELLIE C                     |
| 4436 WINDSOR TERR    | 1448891700500009010000 | CLINE LISA MICHELLE                 |
| 4605 CHAPMAN PKWY    | 1448891700900009029000 | ZIMMER DAVID P & SUZETTE            |
| EMORY AVE            | 1448891701000002059000 | MASSARI ALBRICO & WIFE              |
| EMORY AVE            | 1448891701000002060000 | MASSARI ALBRICO & WIFE              |
| 3692 BRECKENRIDGE RD | 1448891701100001030000 | GUENTHER ESTATE OF PATRICIA LE DE   |
| 5074 LOWER CT        | 1448891701300002031000 | KNEPFLAR GLADYS LE                  |
| 5155 GARDEN PATH     | 1448891701700001030000 | DORENZO MICHAEL F & MILKA           |
| YALE AVE             | 1448891707500002008000 | CRANDALL-SHELVAY SANDRA L           |
| YALE AVE             | 1448891707500002009000 | CRANDALL-SHELVAY SANDRA L           |
| 3819 CORNELL ST      | 1448891707500004011000 | HARVEY KELLIE M                     |
| 4468 MCKINLEY PKWY   | 1448891710700005009000 | SCUTT KENNETH                       |
| 4322 TWILIGHT LN     | 1448891711000002071100 | DUNN JOHN S                         |
| SOWLES RD            | 1448891711300003017000 | CHRIST RONALD M                     |
| BURLBROOK DR         | 1448891711600002013000 | DAVID STASZAK                       |
| FAIRGROUNDS RD       | 1448891711800005096100 | 4339 SOWLES ROAD INC                |
| 5052 ELECTRIC AVE    | 1448891716100002009000 | SIPPRELL LIVING TRUST SHERWOOD & MA |
| 5056 ELECTRIC AVE    | 1448891716100002010000 | SIPPRELL LIVING TRUST SHERWOOD & MA |
| ARTHUR AVE           | 1448891717700001016100 | ESTATE OF SAMUEL STERLACE           |

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| ARTHUR AVE            | 144889171770002025100  | ESTATE OF SAMUEL STERLACE         |
| 5815 APOLLO DR        | 1448891801600005030000 | MESI ESTATE OF FRANCESCA          |
| LAKEVIEW TERR         | 1448891806700003008000 | SWAN MARTHA J                     |
| 0 ROSEWOOD TERR       | 1448891806700003035000 | THE BANK OF NEW YORK              |
| 0 ROSEWOOD TERR       | 1448891806700003036000 | THE BANK OF NEW YORK              |
| 5817 ELMHURST RD      | 1448891806700004030000 | MCKINNEY DAVID A                  |
| 5609 BIRCHWOOD DR     | 1448891806800003010000 | SMITH ROBERT D                    |
| LAKEVIEW TERR         | 1448891807500002003100 | MEAGHER RHEA                      |
| 5888 LAKEVIEW TERR    | 1448891807500002007100 | SCHUSTER VICKI M                  |
| BIRCHWOOD DR          | 1448891808400002036100 | MANOCCHIO ANTHONY & DOMENICA      |
| LAKESHORE RD          | 1448891808400002039000 | MANOCCHIO ANTONIO & DOMENICA      |
| 5611 STILWELL RD      | 1448891811100003017100 | BLATTENBERGER ANTHONY             |
| 5559 STILWELL RD      | 1448891811100003025000 | HAGERDON RICHARD W                |
| 5725 WALDEN DR        | 1448891811300006038000 | JEWITT ESTATE OF IRENE E DECEASED |
| 3196 WEST PLEASANT DR | 1448891820000004043000 | THIEL MARY ANN TRUSTEE            |
| 3151 PLEASANT AVE     | 1448891820000004046100 | KOSTIN LORRI ANNE                 |
| 5494 ONTARIO AVE      | 1448891821200006008000 | COX DONNA M                       |
| 5710 CAMP RD          | 1448891821600007003100 | CHEEKTOWAGA CONCRETE LLC          |
| CAMP RD               | 1448891822000010007210 | CHEEKTOWAGA CONCRETE LLC          |
| JEFFERSON AVE         | 1448891823600003007000 | GUNDERMAN ETAL ANNE S             |
| 5434 SOUTH ABBOTT RD  | 1448891831200001005000 | GOODRICH THERESA JEAN             |
| MAELOU DR             | 1448891833700002001000 | GUNDERMAN R & LAMM WM JR          |
| MAELOU DR             | 1448891833700002002000 | GUNDERMAN R & LAMM WM JR          |
| MAELOU DR             | 1448891833700002003000 | GUNDERMAN R & LAMM WM JR          |
| MAELOU DR             | 1448891833700002004000 | GUNDERMAN R & LAMM WM JR          |
| MAELOU DR             | 1448891833700002007000 | GUNDERMAN R & LAMM WM JR          |
| MAELOU DR             | 1448891833700002008000 | GUNDERMAN R & LAMM WM JR          |
| MAELOU DR             | 1448891833700002009000 | GUNDERMAN R & LAMM WM JR          |
| MAELOU DR             | 1448891833700002011000 | GUNDERMAN R & LAMM WM JR          |
| MAELOU DR             | 1448891833700002012000 | GUNDERMAN R & LAMM WM JR          |

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| MAELOU DR | 1448891833700002013000 | GUNDERMAN & LAMM         |
| MAELOU DR | 1448891833700002014000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700002015000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700002016000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700002017000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700002018000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001003000 | GUNDERMAN & LAMM JR      |
| MAELOU DR | 1448891833700001001000 | GUNDERMAN R & LAMM WM J  |
| MAELOU DR | 1448891833700001002000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001004000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001005000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001006000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001011000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001012000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001013000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001014000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001015000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001016000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001017000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001018000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001019000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001020000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001021000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001022000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001023000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001024000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001025000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001026000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700001027000 | GUNDERMAN R & LAMM WM JR |
| MAELOU DR | 1448891833700002006000 | GUNDERMAN R & LAMM WM JR |

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|-------------------------|------------------------|------------------------------------|
| LAKESHORE RD            | 144889193000004027000  | ZUBRICKY ETAL DOROTHY              |
| LAKEVIEW RD             | 1448891930000004029000 | BECKER DEAN E                      |
| VERSAILLES RD           | 1448891930200004007000 | THE V. JOYCE BROWN TRUST           |
| VERSAILLES RD           | 1448891930400003038000 | GANEY DANIEL F JR                  |
| 1576 SCHOELLKOPF RD     | 1448891930600002001000 | BERGERON MICHAEL                   |
| 6354 SOUTHWESTERN BLVD  | 1448891940000003010000 | LUCCKINO JOSEPH & SAMANTHA         |
| 2929 LAKEVIEW RD        | 1448891940000005011000 | SCHULTZ ROBERT                     |
| 6685 SOUTHWESTERN BLVD  | 1448891940000007021000 | FLAMING EAGLE INC                  |
| 6310 SOUTHWESTERN BLVD  | 1448891940000003011200 | MCNEIGHT DAVID P                   |
| 2206 HUNTERS HOLLOW LN  | 1448891940600001048000 | STEVEN E LOFT                      |
| 3092 OLD LAKEVIEW RD    | 1448891950000001014120 | MCLELLAN JAMES & ALICE             |
| 3470 OLD LAKEVIEW RD    | 1448891950000002023000 | PACANOWSKI ESTATE OF LAWRENCE & KA |
| 3377 SOUTH CREEK RD     | 1448891950000004003200 | PACK ROBERT S                      |
| OLD LAKEVIEW RD         | 1448891950300002012000 | PACANOWSKI LAWRENCE & KATHLEEN     |
| 3644 SOUTH CREEK RD     | 1448891951500002013000 | JMS-S PROPERTIES                   |
| 4151 RIDGEFIELD TERRACE | 1448891961700001046000 | MARK BEVILACQUA                    |
| 11377 BLANCHARD RD      | 1450002160000007034100 | DUELL DAVID P                      |
| 12895 WHITNEY RD        | 1450002320000003003220 | JOHN SEWASTYNOWICZ                 |
| 16 HICKORY HL           | 1450002323600001002000 | CAMPER RESORT INC                  |
| 16 MEADOW LOOP          | 1450002323600001007000 | MOUNTAIN MEADOWS                   |
| 14 MEADOW LOOP          | 1450002323600001008000 | MOUNTAIN MEADOWS                   |
| 13 MEADOW LOOP          | 1450002323600001009000 | MOUNTAIN MEADOWS                   |
| 12 MEADOW LOOP          | 1450002323600001010000 | MOUNTAIN MEADOWS                   |
| 11 MEADOW LOOP          | 1450002323600001011000 | MOUNTAIN MEADOWS                   |
| 10 MEADOW LOOP          | 1450002323600001012000 | MOUNTAIN MEADOWS                   |
| 9 MEADOW LOOP           | 1450002323600001013000 | MOUNTAIN MEADOWS                   |
| 8 MEADOW LOOP           | 1450002323600001014000 | MOUNTAIN MEADOWS                   |
| 6 MEADOW LOOP           | 1450002323600001019000 | MOUNTAIN MEADOWS                   |
| 4 MEADOW LOOP           | 1450002323600001020000 | MOUNTAIN MEADOWS                   |

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|----------------|------------------------|--------------------------|
| 2 MEADOW LOOP  | 1450002323600001021000 | MOUNTAIN MEADOWS         |
| 32 MEADOW LOOP | 1450002323600001022000 | CAMPER RESORTS INC       |
| 31 MEADOW LOOP | 1450002323600001023000 | CAMPER RESORTS INC       |
| 30 MEADOW LOOP | 1450002323600001024000 | CAMPER RESORTS INC       |
| 29 MEADOW LOOP | 1450002323600001025000 | CAMPER RESORTS INC       |
| 27 MEADOW LOOP | 1450002323600001027000 | CAMPER RESORTS INC       |
| 26 MEADOW LOOP | 1450002323600001028000 | CAMPER RESORTS INC       |
| 25 MEADOW LOOP | 1450002323600001029000 | MOUNTAIN MEADOWS         |
| 23 MEADOW LOOP | 1450002323600001031000 | MOUNTAIN MEADOWS         |
| 22 MEADOW LOOP | 1450002323600001032000 | MOUNTAIN MEADOWS         |
| 20 MEADOW LOOP | 1450002323600001034000 | MOUNTAIN MEADOWS CAMPERS |
| 19 MEADOW LOOP | 1450002323600001035000 | MOUNTAIN MEADOWS         |
| 18 MEADOW LOOP | 1450002323600001036000 | MOUNTAIN MEADOWS         |
| 17 MEADOW LOOP | 1450002323600001037000 | MOUNTAIN MEADOWS         |
| 2 VISTA DR     | 1450002323600001040000 | CAMPER RESORTS INC       |
| 23 HICKORY HL  | 1450002323600001051000 | FERGUSON JERRY W         |
| 28 MEADOW LOOP | 1450002323600001026000 | CAMPER RESORTS INC       |
| 1 VISTA DR     | 1450002323600001041000 | CAMPER RESORTS INC       |
| 21 MEADOW LOOP | 1450002323600001033000 | MOUNTAIN MEADOWS CAMPERS |
| 24 VISTA DR    | 1450002324300001007000 | CAMPER RESORTS INC       |
| 22 VISTA DR    | 1450002324300001008000 | CAMPER RESORTS INC       |
| 23 VISTA DR    | 1450002324300001009000 | CAMPER RESORTS INC       |
| 25 VISTA DR    | 1450002324300001010000 | CAMPER RESORTS INC       |
| 26 VISTA DR    | 1450002324300001011000 | CAMPER RESORTS INC       |
| 27 VISTA DR    | 1450002324300001012000 | CAMPER RESORTS INC       |
| 29 VISTA DR    | 1450002324300001013000 | CAMPER RESORTS INC       |
| 31 VISTA DR    | 1450002324300001014000 | CAMPER RESORTS INC       |
| 33 VISTA DR    | 1450002324300001015000 | CAMPER RESORTS INC       |
| 35 VISTA DR    | 1450002324300001016000 | CAMPER RESORTS INC       |
| 37 VISTA DR    | 1450002324300001017000 | CAMPER RESORTS INC       |

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|----------------|------------------------|-------------------------|
| 39 VISTA DR    | 1450002324300001018000 | CAMPER RESORTS INC      |
| 20 VISTA DR    | 1450002324400001001000 | CAMPER RESORTS INC      |
| 18 VISTA DR    | 1450002324400001002000 | CAMPER RESORTS INC      |
| 16 VISTA DR    | 1450002324400001003000 | CAMPER RESORTS INC      |
| 14 VISTA DR    | 1450002324400001004000 | CAMPER RESORTS INC      |
| 12 VISTA DR    | 1450002324400001005000 | CAMPER RESORTS INC      |
| 10 VISTA DR    | 1450002324400001006000 | CAMPER RESORTS INC      |
| 8 VISTA DR     | 1450002324400001007000 | CAMPER RESORTS INC      |
| 6 VISTA DR     | 1450002324400001008000 | CAMPER RESORTS INC      |
| 4 VISTA DR     | 1450002324400001009000 | CAMPERS RESORTS INC     |
| 3 VISTA DR     | 1450002324400001010000 | CAMPER RESORTS INC      |
| 36 MEADOW LOOP | 1450002324400001014000 | CAMPER RESORTS INC      |
| 37 MEADOW LOOP | 1450002324400001015000 | CAMPER RESORTS INC      |
| 38 MEADOW LOOP | 1450002324400001016000 | CAMPER RESORTS INC      |
| 39 MEADOW LOOP | 1450002324400001017000 | CAMPER RESORTS INC      |
| 0 BEAVER RD    | 1450002324400001018000 | GROSS PAUL J            |
| 41 BEAVER RD   | 1450002324400001019000 | CAMPER RESORTS INC      |
| 42 BEAVER RD   | 1450002324400001020000 | CAMPER RESORTS INC      |
| 43 BEAVER RD   | 1450002324400001021000 | CAMPER RESORTS INC      |
| 44 BEAVER RD   | 1450002324400001022000 | CAMPER RESORTS INC      |
| 5 VISTA DR     | 1450002324400001023000 | CAMPER RESORTS INC      |
| 7 VISTA DR     | 1450002324400001024000 | CAMPER RESORTS INC      |
| 9 VISTA DR     | 1450002324400001025000 | CAMPER RESORTS INC      |
| 11 VISTA DR    | 1450002324400001026000 | CAMPER RESORTS INC      |
| 13 VISTA DR    | 1450002324400001027000 | CAMPER RESORTS INC      |
| 15 VISTA DR    | 1450002324400001028000 | CAMPER RESORTS INC      |
| 17 VISTA DR    | 1450002324400001029000 | CAMPER RESORTS INC      |
| 19 VISTA DR    | 1450002324400001030000 | CAMPER RESORTS INC      |
| 21 VISTA DR    | 1450002324400001031000 | CAMPER RESORTS INC      |
| 11 SKYLINE DR  | 1450002332900001012000 | NORTH WEST TRAILER SPLY |

|                   |                        |                               |
|-------------------|------------------------|-------------------------------|
| 9 HEMLOCK LOOP    | 1450002332900001024000 | MCHUGH GEORGEANNE             |
| 0 N MAIN ST       | 1450002460000001030000 | MILLER HENRY C ESTATE         |
| 18 CANADA ST      | 1450002461500004008000 | KLN PROPERTIES LLC            |
| 0 HILLCREST RD    | 1450002461600001008200 | MORENO PRISCILLA              |
| 255 VERMONT ST    | 1450002461600001011000 | PENFOLD EARL W                |
| 12712 VERMONT ST  | 1450002470000002023000 | JURGEN IAN J 95%              |
| 0 VERMONT HL      | 1450002630000003034000 | FARMER JOHN H                 |
| 0 WAGNER RD       | 1450002632000003005000 | LIMBURG PATRICK               |
| 0 E HOLLAND RD    | 1450002640000001034100 | RAMBINO PAUL                  |
| 0 E HOLLAND RD    | 1450002640000001035000 | RAMBINO PAUL                  |
| 9457 E HOLLAND RD | 1450002640000001038100 | RAMBINO PAUL                  |
| 0 S PROTECTION RD | 1450002790700003002000 | MORENO PRISCILLA O            |
| 20 HANWELL PL     | 1452010931300001028000 | BDSS HILLMAN LLC              |
| 51 ANTHONY DR     | 1452010931300001054000 | NADOLSKI CHRISTOPHER J        |
| 24 ARGUS DR       | 1452010931700006009000 | KWIATKOWSKI PATRICK K HUSBAND |
| ARGUS DR          | 1452010931800001035000 | LANDS COMPANY OF DEPEW        |
| 5041 BROADWAY ST  | 1452011041800003030000 | TTP HOMES LLC                 |
| TYLER ST          | 1452011042200001004000 | WILSON ANN MARIE              |
| 18 MAIN ST        | 1452011045500001004000 | 18 MAIN STREET LAND TRUST     |
| 41 NEOGA ST       | 1452011045500001038000 | DUX ANTHONY R                 |
| 17 MAIN ST        | 1452011045500001049000 | SCHOLTISEK GREGORY S          |
| 493 PENORA ST     | 1452011045500002031000 | KATHERINE BEAMISH             |
| 519 PENORA ST     | 1452011045500002038000 | WOODS RAYMOND                 |
| 21 MAIN ST        | 1452011045500001007000 | SCHOLTISEK GREGORY S          |
| 52 MAIN ST        | 1452011045500002004000 | 52 MAIN ST LAND TRUST         |
| 83 MAIN ST        | 1452011045600001036000 | DUNN DEBRA H                  |
| LAVERACK AVE      | 1452011045600002020110 | GENESIS REI LLC               |
| 700 TERRACE BLVD  | 1452011046300003008000 | PIGEONS ROCK PROP GROUP LLC   |
| 75 SUFFIELD AVE   | 1452011046300003035000 | WARDEN RALEIGH C              |
| 88 WARSAW ST      | 1452011047100001023000 | MCFADDEN MICHELLE             |

|                   |                        |                             |
|-------------------|------------------------|-----------------------------|
| WENDEL ST         | 1452011150600001020000 | THOMAS ANNIE P ETAL         |
| 3677 WALDEN AVE   | 1452031040800005009000 | SCHMITT DAWN M TEN COM      |
| 16 ELLICOTT PL    | 1452031041100001022000 | NOSAL DANIEL                |
| 25 SHELDON AVE    | 1452031041100011009000 | HANGER LISA S DECEASED      |
| 160 CENTRAL AVE   | 1452031041500012015000 | ANDREW BERRY                |
| 156 CENTRAL AVE   | 1452031041500012016000 | ANDREW BERRY                |
| 68 CARTER ST      | 1452031041500014007000 | BURNETT MARY K LIFE USE     |
| 70 LIVINGSTON ST  | 1452031041600001026000 | FRAWLEY PATRICK             |
| 60 BANNER AVE     | 1452031041600010002000 | OWENS ANNA                  |
| 5247 BROADWAY ST  | 1452031048000002001000 | STANZKO AUTOMOTIVE INC      |
| 5511 BROADWAY ST  | 1452031048300005023000 | EQUITY TRUST COMPANY        |
| 31 COURT ST       | 1452031048400001029000 | INMAN LANCE E               |
| 8 WILMA DR        | 1452031150700013031000 | YOUNG MARY E                |
| 150 S IRWINWOOD   | 1452031151100024020000 | KOSS ANDREW J               |
| 39 CHURCH ST      | 1452031152700002010000 | BUDZINSKI JEFFREY J HUSBAND |
| 60 CHURCH ST      | 1452031152700004036000 | LYNCH MICHAEL R SR ETAL     |
| TRANSIT RD        | 1452890820300003025000 | TRANSIT PROP INC            |
| 5204 GENESEE ST   | 1452890930500001014000 | JAMES L MANTZANIS           |
| 257 WARNER RD     | 1452890931100002030000 | MALARK KENNETH              |
| 00 GREENMEADOW DR | 1452890931800005049000 | TRIPLE D DEVELOPERS INC     |
| 220 IROQUOIS AVE  | 1452890932000001018000 | CHARLES J CAMPANELLA        |
| IROQUOIS AVE      | 1452890932000001019000 | CHARLES J CAMPANELLA        |
| 00 STONY RD       | 1452890940300001021000 | KURDS STEVEN                |
| 00 STONY RD       | 1452890941000002019000 | KURDS STEVEN                |
| 17 MARGARETTA ST  | 1452891040700007019000 | GROSSO LEN HUSBAND          |
| 178 MOHAWK PL     | 1452891040800003001100 | ABADON REVOCABLE TRUST      |
| 743 ERIE ST       | 1452891050000004049000 | DION RAYMOND G              |
| STEINFELDT RD     | 1452891050300001044000 | BALPER ENTERPRISE INC       |
| STEINFELDT RD     | 1452891050300001036110 | BALPER ENTERPRISES INC      |
| 850 RANSOM RD     | 1452891060000001005000 | LAGUERRE THELMA E           |

|                          |                        |                            |
|--------------------------|------------------------|----------------------------|
| 1036 TOWN LINE RD        | 1452891060000002012111 | KRON KEVIN                 |
| WESTWOOD RD              | 1452891060000002019000 | GLOGOWSKI STELLA           |
| 1043 ERIE ST             | 1452891060000003028200 | GREIL DAVID M              |
| 00 TRANSIT RD            | 1452891150300001051000 | DANNER REALTY CORP         |
| MONROE ST                | 1452891150500002030000 | KIDD KOTT CONST CO INC     |
| VL BRUNSWICK RD          | 1452891150600005009000 | GLASHAUSER SHAREN          |
| 1882 COMO PARK BOULEVARD | 1452891150700015017000 | MAZUREK MICHAEL F DECEASED |
| COMO PARK BLVD           | 1452891150900001003100 | LOVEJOY FLOOR COVERING     |
| LL HARRISON AVE          | 1452891150900001006000 | ROBINSON JAMES HUSBAND     |
| LL HARRISON AVE          | 1452891150900001007000 | ROBINSON JAMES E           |
| WOODLAWN AVE             | 1452891150900001008000 | ESTATE OF JAMES E ROBINSON |
| FILLMORE AVE             | 1452891150900001010000 | ROBINSON JAMES HUSBAND     |
| LL HARRISON AVE          | 1452891150900001053000 | ROBINSON JAMES E           |
| MILLER ST                | 1452891151000003033000 | GRADY LOUIS J HUSBAND      |
| PENORA ST                | 1452891151400002024000 | WILSON DIANNA              |
| PARK PL                  | 1452891151400005016000 | PLANISCH PETER M           |
| WILLIAMSBURG LN          | 1452891151400011012110 | CATALANO JOSEPH            |
| 28 OLD POST RD           | 1452891151900004013000 | PLOSKI EDWARD A LIFE USE-H |
| 426 LAKE AVE             | 1452891152000002001000 | RYBINSKI KRISTIN E         |
| 255 SCHWARTZ RD          | 1452891170000003022000 | HARRIS WHITNEY J           |
| 6521 BROADWAY ST         | 1452891171100002015000 | OLA RENDON                 |
| 28 SAGEBRUSH LN          | 1452891260800004009000 | LOVEJOY BUILDERS INC       |
| 12 JOSEPH DR             | 1452891260800004013000 | LOVEJOY BUILDERS INC       |
| 27 SAGEBRUSH LN          | 1452891260800004049000 | LOVEJOY BUILDERS INC       |
| 00 HALL RD               | 1452891270000004040100 | KOPP LINDA S               |
| 420 HALL RD              | 1452891270000004040300 | ANDREW G BERRY             |
| 0 751 FOUR ROD RD        | 1454001290400002019000 | POLCYN GERALD              |
| 11098 LYNDALE LN         | 1454001380200001014000 | BEECHLER SHIRLEY           |
| 12000 PARKER RD          | 1454001480000008006100 | CORDIER RUSSELL A          |

|                       |                        |                          |
|-----------------------|------------------------|--------------------------|
| 0 EASTWOOD RD         | 145400149000004014100  | SHRIVER DANIEL           |
| 75 JACKSON ST         | 1456010471000002001110 | CORY SANDRA L            |
| 62 ECKERSON AVE       | 1456010471100001045000 | HOLTZ NANCY A            |
| 79 ECKERSON AVE       | 1456010471100003061000 | HAKE ANDREW              |
| 8 MILL ST             | 1456010474800001047000 | KEMPISTY RICHARD         |
| 0 GREENBUSH RD        | 1456890080000001030100 | CHARLES J CAMPANELLA     |
| 0 GREENBUSH RD        | 1456890080000001031100 | SHAMER HOLDINGS LTD      |
| 7797 MOORE RD         | 1456890200000003041000 | LAMB KEVIN               |
| 0 FLETCHER RD         | 1456890200000002051100 | CUMMINGS BEATRICE        |
| 7507 GREENBUSH RD     | 1456890210000002052200 | HOOVER EDDIE L           |
| 13056 MARTIN RD       | 1456890210000003019000 | ARTHUR J BISONE JR       |
| 13599 BLOOMINGDALE RD | 1456890330000006018000 | BENTEEN KEVIN J DECEASED |
| 13907 BLOOMINGDALE RD | 1456890330000006037000 | CASHMAN THOMAS E         |
| 6678 HAKE RD          | 1456890470000001002100 | LUTZ WILLIAM D           |
| 11891 MAIN RD         | 1456890600000003009000 | RAYMOND M BRAUN          |
| 5264 HAVENS RD        | 1456890600000003005000 | BEEMAN DAVID             |
| 0 NICE RD             | 1456890730000005013100 | MAZOL CLARICE M          |
| 0 WAHL RD             | 1456890850000001038000 | CHARLES J CAMPANELLA     |
| 11895 BUCKWHEAT RD    | 1456890850000002031000 | KOWALAK TIM              |
| 10373 MAIN ST         | 1458012691500002004000 | ROSENHAHN MARK D         |
| 2098 SHERMAN AVE      | 1458012691900002027000 | OVITT DANIEL E           |
| KIMBLE AVE            | 1458012691900007014100 | DILLINGHAM KEITH         |
| 2082 SPRUCE ST        | 1458012691900003018000 | CROSS KENNETH H          |
| 10535 HIGH ST         | 1458012692000002017000 | SANCHEZ MICHAEL          |
| 2858 SHIRLEY RD       | 1458892860000006005000 | CRAIG BARTHOLOMEW        |
| V/L QUAKER RD         | 1458892860000007016110 | KPL RACING LLC           |
| 3259 SHIRLEY RD       | 1458892870000006013000 | DE MARCO JUDE JR         |
| 10806 SISSON HWY      | 1458892870200001043000 | JG LANGFORD PROPERTY LLC |
| 4721 LANGFORD RD      | 1458892880000001018000 | KLEIN LINDA              |
| GENESEE RD            | 1458893030000004004000 | TATAR DANIEL             |

|                      |                        |                            |
|----------------------|------------------------|----------------------------|
| 5195 GENESEE RD      | 1458893040000004003000 | CHIAACCHIA DARREN M        |
| 12568 SISSON HWY     | 1458893180000002005000 | LAWRENCE R BAUER           |
| SISSON HWY           | 1458893180000002007000 | PAA DANIEL J               |
| 285 WOODLAND DR      | 1460011721600001044000 | RAMSEY CHRISTINE           |
| 4374 S BUFFALO ST    | 1460011730500001022200 | WICK MARYANN               |
| 45 STONEHENGE DR     | 1460011730600002011000 | HINDS STEVEN J             |
| 60 VELORE AVE        | 1460891511600002044000 | FROM BUFFALO HOLDINGS LLC  |
| 3290 CALIFORNIA RD   | 1460891511600006016110 | 3365 ABBOTT LLC            |
| 124 BURMON DR        | 1460891520900001059000 | CULLINAN GENE T            |
| 5347 LAKE AVE        | 1460891521300005012000 | BONEK STANLEY              |
| 3065 BAKER RD        | 1460891531100003026000 | CICCOTELLI ANTONIO         |
| BAKER RD             | 1460891531800002019000 | BOLDT ARTHUR W             |
| 4038 CALIFORNIA RD   | 1460891610300001004000 | DUANE A PLATZ              |
| WASHINGTON AVE       | 1460891610700001032000 | 1972 SOUTHWESTERN BLVD INC |
| WASHINGTON AVE       | 1460891610700002023000 | 1972 SOUTHWESTERN BLVD INC |
| 76 DEACON RD         | 1460891610800003011000 | TUTUSKA BONNIE             |
| WEBSTER RD           | 1460891610900003004000 | SNYDER (ESTATE) G C        |
| 7273 QUAKER RD       | 1460891621800003014000 | THOMAS TRAVELL             |
| 17 QUAKER LAKE TER   | 1460891621900002018000 | SMITH ERIC J               |
| BIG TREE RD          | 1460891720000001011000 | DANIEL'S CHEVROLET INC     |
| BIG TREE RD          | 1460891720000001012000 | DANIEL'S CHEVROLET INC     |
| MEADOWLAWN RD        | 1460891720100001020100 | MAC DONALD WILLIAM J JR    |
| 85 ELMTREE RD        | 1460891720500002021110 | BUSSHART SARA              |
| 5801 ARMOR DUELLS RD | 1460891721800002003000 | HELMINIAC JAMES M          |
| 4760 FREEMAN RD      | 1460891730000001041100 | HERNEK ISTVAN R            |
| ELLCOTT RD           | 1460891731700002005110 | FROST SYLVIA               |
| ELLCOTT RD           | 1460891731700002007000 | MAHER PETER J ESTATE       |
| 6076 NEWTON RD       | 1460891840000004017110 | SMALT RONNIE               |
| BURTON RD            | 1460891841500001005120 | SANDRA LEE WINTER          |
| 5783 BURTON RD       | 1460891841500001008000 | SANDRA LEE WINTER          |

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|--------------------|------------------------|-----------------------------|
| ELLCOTT RD         | 146089185000003058110  | GRIFFIN ROBERT              |
| ELLCOTT RD         | 1460891851000003009000 | MAHNK RAYMOND               |
| 10496 ALLEN RD     | 1462002930000001009000 | TIMOTHY E PROUTY            |
| 0 ALLEN RD         | 1462002950000003005300 | LIMBURG ELSIE M             |
| 12450 W SCHUTT RD  | 1462003100000001011100 | JAMES D WITTER              |
| 12009 SAVAGE RD    | 1462003111800001002000 | SHAW MICHAEL                |
| 10452 CREEK RD     | 1462003240000001031000 | FLUDER JR. MARTIN D.        |
| 321 HAMILTON BLVD  | 1464010657600003024000 | MCCLANAHAN NADINE (ESTATE)  |
| 430 WASHINGTON AVE | 1464010658400001004000 | JOSEPH BACON                |
| 409 TREMONT AVE    | 1464010658400001017000 | TNGLG LLC                   |
| 349 TREMONT AVE    | 1464010658400002029000 | THOMAS JOHN A               |
| 438 WABASH AVE     | 1464010658400005006000 | MANCINI PETER A             |
| 145 NORTH END AVE  | 1464010665300001012000 | COLLINS DARRYL              |
| 143 SHEPARD AVE    | 1464010666200004072000 | ZELLER DANIEL E             |
| 181 WASHINGTON AVE | 1464010666900004020000 | CIBELLA CARMEN              |
| 68 KINSEY AVE      | 1464010667000003020000 | VAN NOSTRAND STEVEN P       |
| 242 DELAWARE RD    | 1464010667100001016000 | 242 DELAWARE LLC            |
| 3099 DELAWARE AVE  | 1464010667100001034000 | GENESIS INVESTMENT LLC      |
| 199 DELAWARE RD    | 1464010667100003003000 | BLOUNT JIM                  |
| 67 STILLWELL AVE   | 1464010667100003017000 | WILLIAM R BIENIEK           |
| 294 STILLWELL AVE  | 1464010667300001009000 | KRUPSKI ROGER A             |
| 274 WASHINGTON AVE | 1464010667700001008000 | HURREN ROSS H               |
| 39 VICTORIA BLVD   | 1464010667800005022200 | DEVELOPMENT PARTNERS OF THE |
| 48 ARGONNE DR      | 1464010667900006035000 | PETERS DAVID C              |
| 249 MCKINLEY AVE   | 1464010668000004016000 | NICHOLAS S SPEECH           |
| 346 CROSBY AVE     | 1464010668100001009000 | GREENE SHARON K             |
| 325 CROSBY AVE     | 1464010668100002010000 | GREENE SHARON K             |
| 903 MILITARY RD    | 1464010772800005001000 | PETTYS DEBRA                |
| 455 TREMAINE AVE   | 1464010773600008022000 | JEANALLAN PROPERTIES LLC    |
| 208 VICTORIA BLVD  | 1464010782100002003000 | ADORNETTO ROGER L           |

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|-------------------------|------------------------|-----------------------------|
| 112 WARDMAN RD          | 1464010782300002021000 | DUNLAP ANNETTA F            |
| 139 KNOWLTON AVE        | 1464010782300004007000 | MILITELLO RICHARDS DAINA    |
| 121 WARDMAN RD          | 1464010782300003005000 | SMITH GEORGE L JR           |
| 69 HOOVER AVE           | 1464010782900001035100 | CARLA O AVERY               |
| 2307 ELMWOOD AVE        | 1464010782900003001000 | ROBELLA 2228 LLC            |
| 45 TREMAINE AVE         | 1464010783000002038000 | BENDERS MARY P (LU)         |
| 124 TREMAINE AVE        | 1464010783000006017000 | SIMON RUDOLPH               |
| 132 WEST HAZELTINE      | 1464010783000005014000 | ERIE MANAGEMENT             |
| 73 EAST HAZELTINE AVE   | 1464010783100006021000 | MUELLER NORMAN J            |
| 80 EAST HAZELTINE AVE   | 1464010783100007029000 | MCCARTHY MICHAEL            |
| 50 EAST HAZELTINE AVE   | 1464010783100007036000 | PALADINO DEBORAH A          |
| 967 KENMORE AVE         | 1464010783300005008000 | HONCHO'S HOLDINGS LLC       |
| 199 WILLOWGROVE S       | 1464890392000007058000 | DOMZALSKI SARAH K           |
| 2488 NIAGARA FALLS BLVD | 1464890403900002006000 | E&M2488 LLC                 |
| 2480 NIAGARA FALLS BLVD | 1464890403900002007000 | EE2480 LLC                  |
| 2728 PARKER BLVD        | 1464890406100008005000 | LAURIE A BOEHL              |
| 3 -5 TWAIN CT           | 1464890528200002001000 | YARIS JOCELYN S             |
| 29 DREW PL              | 1464890531000007030000 | BUNCY ALICE M (ESTATE)      |
| 47 BROOKVILLE DR        | 1464890531200005029000 | GARVASI ELIZABETH A         |
| 20 BROOKVILLE DR        | 1464890531200006010000 | IACOBELLI MARY V (ESTATE)   |
| 3 WESTFALL DR           | 1464890535900004008000 | GIAMBRONE LOUISE            |
| 83 ST AMELIA DR         | 1464890536000002011000 | GHARAE MAJID R              |
| 115 WAVERLY AVE         | 1464890536900001009000 | DUKE JOSEPH M               |
| 275 ORCHARD DR          | 1464890537200005011000 | DOUGLAS S CASKEY            |
| 593 BRIGHTON RD         | 1464890537400001006000 | JOSEPH CARROLL              |
| 16 KEATS AVE            | 1464890537400001034000 | CONWAY MICHAEL A            |
| 11 CLEVELAND DR         | 1464890537900003007000 | JOAN M WHEELER TRUST        |
| 253 PARAMOUNT PKWY      | 1464890538000003017000 | THE PISCITELLO FAMILY TRUST |
| 384 SOUTHWOOD DR        | 1464890538100003040000 | STALEY PAUL W               |
| 122 CORNWALL AVE        | 1464890538300001011000 | KOTHEN YOLANDA (ESTATE)     |

|                         |                        |                           |
|-------------------------|------------------------|---------------------------|
| 206 SOMERVILLE AVE      | 1464890538400004015000 | DAWSON DANIEL W           |
| 85 KOENIG RD            | 1464890543700003011000 | PANEPENTO MARY ANN        |
| 159 KOENIG RD           | 1464890543800003001000 | LOGRASSO SEBASTIAN J      |
| 61 GREEN ACRES RD       | 1464890543900002021000 | MALLONE LORI              |
| 333 GREEN ACRES RD      | 1464890544500003015000 | KISH MICHAEL S            |
| 1346 NIAGARA FALLS BLVD | 1464890547100002010000 | GENESIS INVESTMENT LLC    |
| 1090 PARKHURST BLVD     | 1464890547800002022000 | ORMSBY ROBERT             |
| 32 RITCHIE AVE          | 1464890650600001017000 | CHRISTIANO MARK V         |
| 182 SAWYER AVE          | 1464890650900005023000 | SACHER ADAM T             |
| 136 SAWYER AVE          | 1464890650900005028000 | JONES JEREMIE             |
| 234 WOODWARD AVE        | 1464890651600001007000 | KOBEE BLAKE A             |
| 428 VULCAN ST           | 1464890651900001002310 | CASULLO MICHAEL A         |
| 1126 MILITARY RD        | 1464890652000001002000 | PERMCLIP PRODUCTS CORP    |
| 896 ONTARIO ST          | 1464890652000001003200 | PERMCLIP PRODUCTS CORP    |
| 1130 MILITARY RD        | 1464890652000001006100 | PERMCLIP PRODUCTS CORP    |
| 96 -102 PYLE CT         | 1464890652600001014000 | DOUGLASS JOHN             |
| 10 -14 HURST CT         | 1464890652600005014000 | EMPIRE AQUITION GROUP INC |
| 238 OAKRIDGE AVE        | 1464890652800002010000 | YAW GEOFFREY E            |
| 18 -24 CHAPMAN PL       | 1464890653500003006000 | CHAPMAN PLACE INC         |
| 114 OAKVIEW DR          | 1464890654000002002000 | FANARA PHYLLIS L (ESTATE) |
| 99 TWO MILE CR RD       | 1464890654000003037000 | KNIGHT ROBIN (ESTATE)     |
| 62 ELMVIEW DR           | 1464890654100001008000 | JOHN B BLYTH              |
| 817 SHERIDAN DR         | 1464890654100001023000 | BROSKIN ENTERPRISES INC   |
| 157 ELMVIEW DR          | 1464890654200001009000 | COOTS RACHAEL             |
| 44 DUPONT AVE           | 1464890654800001002000 | CLARK BERNARD L           |
| 81 PARKEDGE AVE         | 1464890654800001022000 | RIDER RANDY C (ESTATE)    |
| 256 DUNLOP AVE          | 1464890654900002035000 | DENMAN LINDA A            |
| 242 DUNLOP AVE          | 1464890654900002037000 | JAMES BLOUNT              |
| 107 THURSTON AVE        | 1464890655200003018000 | SODARO JAMES J JR         |
| 111 PULLMAN AVE         | 1464890656000002024000 | SCHUH DENNIS              |

|                        |                        |                               |
|------------------------|------------------------|-------------------------------|
| 155 FOWLER AVE         | 1464890656800002033000 | ROSA VICENTE JR               |
| 568 LORETTA ST         | 1464890663600002007000 | PFEIFER ROBERT                |
| 96 WILMINGTON AVE      | 1464890663600003001000 | KOLEK CHRISTINE               |
| 256 HAMPTON PKWY       | 1464890663700005002000 | O'NEILL JAMES P               |
| 166 WILLOWBREEZE RD    | 1464890664000004041000 | POSSE OLGA A                  |
| 139 BRENDAN AVE        | 1464890664600005056000 | ROBERTS MARK                  |
| 86 HIGHLAND PKWY       | 1464890664800003051000 | DIFFINE GERARD M              |
| 2784 ELMWOOD AVE       | 1464890665300008026000 | PALADINO GARY                 |
| 77 LEGION DR           | 1464890665500003019000 | KFOURY ABDALLAH N             |
| 137 CABLE ST           | 1464890666600002022000 | GREENE SHARON                 |
| 97 MOULTON AVE         | 1464890666600003020000 | D'AMATO MARGARET T            |
| 850 ENGLEWOOD AVE      | 1464890667400009001000 | BARTEE JEREMY S               |
| 153 HEATH TER          | 1464890667500005016000 | FRANK J CASASANTE             |
| 58 GLENSIDE AVE        | 1464890667600001009000 | CUMBO JOSEPH M JR             |
| 222 FAYETTE AVE        | 1464890668200007009000 | GALVIN DAVID J                |
| 163 DEUMANT TER        | 1464890668200007029000 | DETSCHUG DARRYL C             |
| 749 ENGLEWOOD AVE      | 1464890668300003030000 | GRISANTI SHARON               |
| 128 BRIARHURST DR      | 1464890672200003004000 | TUROLDO JOHN                  |
| 153 ROCHELLE PARK      | 1464890672200006022100 | STALEY PERCY W (ESTATE)       |
| 725 WOODLAND DR        | 1464890673900001006000 | EDWARD J WHITNEY              |
| 874 NIAGARA FALLS BLVD | 1464890673900002008000 | FIRST KLASS PROPERTY LLC      |
| 40 FOUNTAIN PARK       | 1464890673900003006000 | DIEMUNSCH MARCIA              |
| 88 KELVIN DR           | 1464890676200005012000 | SALVATORE TIBA A              |
| 226 PARKHURST BLVD     | 1464890677700007001000 | CIBELLA CARMELO               |
| 289 WENDEL AVE         | 1464890677800002009000 | REJENT THOMAS A               |
| 49 PAIGE AVE           | 1464890677900001010100 | FRAZIER TIMMY J               |
| 281 GRANDVIEW AVE      | 1464890677900002013000 | MERVINE SUZANNE M (ESTATE)    |
| 112 IRENE ST           | 1464890772300003014000 | JEDRZEJEWSKI KELLY J (ESTATE) |
| 75 IRENE ST            | 1464890772400001019000 | ESTATE OF VIVIAN K MANDEL     |
| 1238 TONAWANDA ST      | 1464890773100002006000 | JBW PRECISE DEVELOPMENT LLC   |

|                         |                        |                            |
|-------------------------|------------------------|----------------------------|
| 1212 TONAWANDA ST       | 1464890773100003003100 | MERTZ RAYMOND A            |
| 1186 TONAWANDA ST       | 1464890773100004001000 | GLOFKA LLC                 |
| 102 HUETTER AVE         | 1464890773100004009000 | KOBEE BLAKE A              |
| 33 EDGAR AVE            | 1464890773100006015000 | KATHLEEN M REISCH          |
| 89 HUETTER AVE          | 1464890773200006002000 | DONALDSON MICHAEL          |
| 57 ROSWELL AVE          | 1464890773900002030000 | MARKS CAROLINE (ESTATE)    |
| 747 KENMORE AVE         | 1464890783500003014200 | MENDOLA ANTHONY P          |
| 198 CLAREMONT AVE       | 1464890792100005003000 | JANKOWSKI JOSEPH           |
| 88 PARKHURST BLVD       | 1464890792100007013000 | CARMELO BANDINELLI         |
| 385 UNIVERSITY AVE      | 1464890792200004046000 | DORASKI STEVEN R           |
| 158 HAWTHORNE AVE       | 1464890792200005008000 | ROBIN L SCHNEEGOLD         |
| 269 MONTROSE AVE        | 1464890792200006019120 | LIOLIOS JAMES A            |
| 310 UNIVERSITY AVE      | 1464890792200006020100 | NICHOLOFF MICHAEL (ESTATE) |
| 342 NIAGARA FALLS BLVD  | 1464890792300002003000 | FILDES LYNN M              |
| 372 ENGLEWOOD AVE       | 1464890792900007011000 | ERIE CAPITAL INC           |
| 68 HAWTHORNE AVE        | 1464890793000005004000 | BRENNER ROBERT J (ESTATE)  |
| 4285 TWO ROD RD         | 1466001660300002016000 | MORATH DAVID               |
| 0 BIG TREE RD           | 1466001660400002016100 | KELVER TERRY A             |
| 13050 BIG TREE RD       | 1466001670000001006121 | TH PROPERTIES LLC          |
| 4139 FOUR ROD RD        | 1466001670000001015000 | STEVENSON GARNETT          |
| 12000 STRYKERSVILLE RD  | 1466001770000002018200 | MEYERS ANN L               |
| 12829 BIG TREE RD       | 1466001780000001016100 | BIG TREE CAMP LLC          |
| 0 HUNTERS CRK RD        | 1466001890000003028112 | BISON DRYWALL INSULAT CO   |
| 11110 DARIEN RD         | 1466002160000001043200 | CHARLES ADAM               |
| 14 FORRESTAL LN         | 1468001232000002003000 | 14 FORRESTAL LANE LLC      |
| 17 WENRO PL             | 1468001232000002009000 | SANFILIPPO CHRISTINE       |
| REAR INDIAN CHURCH RD   | 1468001232000001032100 | ATKIN CONSTRUCTION CORP    |
| 30 CRAWFORD DR          | 1468001234400002008000 | OLSON DONALD M             |
| REAR MINERAL SPRINGS RD | 1468001241400004034000 | ENGLISH PATRICK            |
| GREENFIELD AVE          | 1468001241600002033100 | MARRANO/MARC EQUITY CORP   |

|                   |                        |                            |
|-------------------|------------------------|----------------------------|
| GREENFIELD AVE    | 1468001241600003003100 | MARRANO/MARC EQUITY CORP   |
| GREENFIELD AVE    | 1468001241600003012000 | MARRANO/MARC EQUITY CORP   |
| 101 CRESTHAVEN DR | 1468001241800003035000 | ERBES DORIS A              |
| 27 WINDTREE LN    | 1468001241800007034000 | DORASKI MARIANNE           |
| 205 NORTH AVE     | 1468001242000004001100 | SMASZCZ GENEVIEVE          |
| 20 ORCHARD AVE    | 1468001242000004024100 | LENNERTZ RICHARD W III     |
| 790 HARLEM RD     | 1468001245300004003000 | EAST COAST COMMERCIAL REAL |
| 189 DWYER ST      | 1468001246200001025000 | JARCZYK JOSEPH J           |
| 211 DWYER ST      | 1468001246200001029100 | DECKER CLAUDINE            |
| 164 EMPORIUM AVE  | 1468001246900001018000 | KOEPEL JILLIAN M           |
| 270 FOREST DR     | 1468001251300001027000 | SUSZYNSKI REBECCA D        |
| MC CORMICK        | 1468001251300003041000 | SCHWEITZER MILDRED A       |
| 198 FRENCH LEA RD | 1468001251400001057000 | MUREK DONNA M              |
| 50 MORRIS CRES    | 1468001251400006017000 | NIGEL ENTERPRISES INC      |
| SAINT JUDE TER    | 1468001251800002025200 | WOLENTARSKI FELICIA F      |
| 4557 CLINTON ST   | 1468001251900001021200 | GIARDINA PETER J           |
| D'ANGELO ST       | 1468001256500006029100 | D'ANGELO SALVATORE         |
| D'ANGELO ST       | 1468001256500006034100 | D'ANGELO SALVATORE         |
| WILSON ST         | 1468001256500012011000 | MEYER HENRY O              |
| WILSON ST         | 1468001256500012012000 | D'ANGELO SALVATORE         |
| NORTH AVE         | 1468001256500012017000 | SELLARI ANTONIO & WIFE     |
| NORTH AVE         | 1468001256500012018000 | SELLARI ANTONIO & WIFE     |
| D'ANGELO ST       | 1468001256500012025000 | D'ANGELO SALVATORE         |
| D'ANGELO ST       | 1468001256500012030000 | D'ANGELO SALVATORE         |
| 4977 CLINTON ST   | 1468001261700001003000 | NISCORA LINDA H/PAUL E     |
| 167 EDSON ST      | 1468001332700004002000 | KOEHLER NICOLE MARIE       |
| 149 EDSON ST      | 1468001332700004007000 | NENDZA CRAIG S             |
| 138 DUERSTEIN ST  | 1468001332700006010000 | RAYMOND R WOODS            |
| 161 DUERSTEIN ST  | 1468001332700005045000 | WEAVER DANIEL J            |
| 91 BURCH AVE      | 1468001333500002005000 | MORANSKI THOMAS G          |

|                    |                        |                              |
|--------------------|------------------------|------------------------------|
| 98 WILDWOOD PL     | 1468001334300001036000 | DARLING- KRAJECER MOLLYANN   |
| 30 CHAMBERLIN DR   | 1468001334300002054000 | RICHARD W CERRONE            |
| 65 CHAMBERLIN DR   | 1468001334400001040000 | PASQUALE MARC JAMES          |
| 33 COLUMBIA PKWY   | 1468001334400002039000 | MICHAEL P BUTTS              |
| 105 COLUMBIA PKWY  | 1468001334400002058000 | THURSTON CHRISTOPHER         |
| 59 STEPHENSON ST   | 1468001334400003050000 | MUDER PAMELA                 |
| 35 BENSON AVE      | 1468001335200002042000 | HORTMAN DEREK                |
| 68 SCHOOL ST       | 1468001340700001017000 | GAASCH CYNTHIA               |
| 1864 UNION RD      | 1468001340800001052100 | KEITH J POPPENDECK           |
| 1860 UNION RD      | 1468001340800001054000 | KEITH POPPENDECK             |
| 1854 UNION RD      | 1468001340800001055100 | KEITH POPPENDECK             |
| 18 SOUTH AVE       | 1468001340800001057000 | KEITH J POPPENDECK           |
| 164 LYNDALE CT     | 1468001341000001009000 | MCGRATH FRED J               |
| 3062 SENECA ST     | 1468001341300004003110 | GRIFFIN JAMES N              |
| 358 CENTER RD      | 1468001341400002004000 | GOODMAN DONALD               |
| 3027 -3 SENECA ST  | 1468001341700003005100 | SENECA APARTMENTS INC        |
| 102 FLOHR AVE      | 1468001343700004016000 | GARRY KATHERINE P            |
| 2732 SENECA ST     | 1468001344500002025100 | PAWLAK ANDREW                |
| 2720 SENECA ST     | 1468001344500002028000 | PAWLAK ANDREW                |
| 69 DIRKSON AVE     | 1468001344500003049000 | LEGG BRIAN J                 |
| 218 WESTMINSTER RD | 1468001344900001016100 | METZGER DENNIS A             |
| 94 GREYMONT AVE    | 1468001345900001001100 | DZIERBA PAUL C               |
| EVELYN AVE         | 1468001347300002039100 | CASASNOVAS FAMILY LAND TRUST |
| EVELYN AVE         | 1468001347300003002100 | CASASNOVAS FAMILY LAND TRUST |
| 66 PLEASANTVIEW LN | 1468001350600003035000 | BRANDON C CARR               |
| 922 SENECA CRK RD  | 1468001350700001004100 | SWINARSKI MICHAEL E          |
| 75 BORDEN RD       | 1468001350800002035000 | JIVIDEN JOYCE L              |
| 4348 SENECA ST     | 1468001351700003008210 | SPRINGER NATHAN              |
| 899 MAIN ST        | 1468001351700003009100 | KRUE LISA                    |
| 268 BULLIS RD      | 1468001352000004005000 | GATTIE JOSEPH J              |

|                      |                        |                                 |
|----------------------|------------------------|---------------------------------|
| WILSON ST            | 1468001356200002019100 | CARTWRIGHT RICHARD A JR         |
| WILSON ST            | 1468001356200002022100 | CHRIST JOSEPH JR                |
| EAST AVE             | 1468001356200003020000 | WISNIEWSKI HENRY                |
| LINCOLN AVE          | 1468001357000005060000 | DILAPO PHILOMENA                |
| LINCOLN AVE          | 1468001357000005061000 | DILAPO PHILOMENA                |
| LINCOLN AVE          | 1468001357000005062000 | DILAPO PHILOMENA                |
| LINCOLN AVE          | 1468001357000005063000 | DILAPO PHILOMENA                |
| LINCOLN AVE          | 1468001357000005064000 | DILAPO PHILOMENA                |
| MONROE ST            | 1468001357800001002000 | DONALD SMITH                    |
| MONROE ST            | 1468001357800001003000 | DONALD SMITH                    |
| LINCOLN AVE          | 1468001357800001011000 | HYSON LILLIAN E                 |
| LINCOLN AVE          | 1468001357800001012000 | HYSON LILLIAN E                 |
| LINCOLN AVE          | 1468001357800001013000 | HYSON LILLIAN E                 |
| LINCOLN AVE          | 1468001357800001014000 | HYSON LILLIAN E                 |
| 1375 SENECA CRK RD   | 1468001360500001004200 | HENRY J STOKLOSA (L.E.) LFIE US |
| 139 GREENWOOD AVE    | 1468001421200009010000 | CLIFFORD ACKERMAN               |
| 161 CLOVERLEAF AVE   | 1468001421200010007000 | HIDEAWAY GOLF & SPORT CENTER    |
| ELMVIEW AVE          | 1468001421200010008000 | MOSEY THOMAS                    |
| 161 MAIN ST          | 1468001430600003063000 | SCHWARTZ EDWARD L               |
| 4099 SENECA ST       | 1468001430800005003100 | TAMSITU HOLDINGS LLC            |
| LANGNER RD           | 1468001430900004004000 | COHN PAUL M                     |
| 6 GERVAN DR          | 1468001431200001001120 | VICKI L WELLING                 |
| 216 BERNADETTE TER   | 1468001431300010002000 | CASASNOVAS FAMILY LAND TRUST    |
| 1130 ORCHARD PARK RD | 1468001431500001068000 | G S P C O CONTRACTING INC       |
| 1140 ORCHARD PARK RD | 1468001431500001067000 | GSPCO CONTRACTING INC.          |
| 575 EAST & WEST RD   | 1468001431600002002000 | BUCK NATHAN J                   |
| 125 ROLLING HILLS DR | 1468001432000002002000 | ZUROWSKI JOHN A                 |
| 62 WEDGEWOOD DR      | 1468001440900009002000 | SZWEDA BERNADETTE F (L.E.) LIFE |
| 728 EAST & WEST RD   | 1468001440900009033000 | WOJTKOWIAK DAVID                |
| REAR EAST & WEST RD  | 1468001441300007009100 | SECORD JERRY/DUDLEY             |

|                          |                            |                              |
|--------------------------|----------------------------|------------------------------|
| 9 CONNER CT              | 1468001441400003072000     | FOLEY DAWN MARIE             |
| 56 DAVIS RD              | 1468001441700008025000     | ESTATE OF VALERIE C RANSFORD |
| 14 CHERYL RD             | 1468001441700007018000     | BARTNIK RONALD N             |
| 40 GLENMAR DR            | 1468001441900002062000     | JUDGE KEVIN P                |
| 68 CONSTITUTION AVE      | 1468001450500001054000     | PETTYS MICHAEL               |
| 17 WIND MILL RD          | 1468001520600001056000     | CZUPRYNSKI CAROL A           |
| REAR RESERVE RD          | 1468001520700002007000     | PELUSO PHILIP JR.            |
| 95 RESERVE RD            | 1468001520700002008000     | PELUSO PHILIP JR             |
| 50 DOVER DR              | 1468001520700005042000     | MILLER MARGUERITE B          |
| 100 WESTGATE BLVD        | 1468001530500005010000     | HEJMANOWSKI JEFF A           |
| 20 PARK LANE CT          | 142289068150000901300020   | EVANS FRANK G JR &           |
| 18 ST CHARLES CT         | 142289069200000403300018   | DOUBLE FOUR DEVELOPMENT LLC  |
| 72 OLDE STONE LN         | 145289116050000201000048   | RACKLEY DEBORAH A            |
| 221 WEDGEWOOD DR         | 1422890424600001001100221  | VAN ALLEN BENJAMIN C         |
| 929 MARYVALE DR          | 1430890911200003006100929  | SIENA BUILDERS INC           |
| 636 N FRENCH RD          | 1422890260400001013100D7   | RMFSG LLC                    |
| 636 N FRENCH RD          | 1422890260400001013100D8   | RMFSG LLC                    |
| S626 N FRENCH RD         | 1422890260400001013100H1   | RMFSG LLC                    |
| 55 GROTON DR UNIT E      | 1422890407600001013000E    | THURSTON JUDITH              |
| 98 A FOXBERRY DR         | 142289041070000400100098A  | DEBBIE R HAMLIN BIRTZ        |
| 3901 MAIN ST             | 14228907907000010170002C   | CHAMPION OLIVER              |
| 3901 MAIN ST GARAGE 12   | 14228907907000010170002C   | CHAMPION OLIVER              |
| 0 SHERO RD               | 1426002410000001002000A    | MAZUR EDWARD                 |
| 14163 ROUTE 62           | 1436893410000001034110A    | GOWANDA PSYCH CENTER         |
| 9714 ERIE RD             | 1444892500000001005000A    | PAUL S.HICKS & TIMOTHY MOAG  |
| 5710 A CAMP RD           | 1448891821600007003100A    | ECIDA                        |
| 5297 E CHESTNUT RIDGE RD | 1460891850500003012100297E | BOYLE KEVIN P                |

(4-0)

**MICHAEL H. KOOSHOIAN  
ACTING CHAIR**

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SUBJECT

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REPORT No. 2                   HEALTH & HUMAN SERVICES COMMITTEE

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Attachments

HHS - Report #2

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February 23, 2023

HEALTH & HUMAN SERVICES  
COMMITTEE  
REPORT NO. 2

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

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 16D-4 (2022)  
**COMPTROLLER'S OFFICE:** "Audit of Buffalo Homecare Inc."  
(Chair's Ruling)
  - b. COMM. 17D-1 (2022)  
**COMMISSIONER OF HEALTH:** "Letter to Comptroller Regarding Audit of Buffalo Homecare, Inc."  
(Chair's Ruling)
  - c. COMM. 4D-1 (2023)  
**COMMISSIONER OF HEALTH:** "ECDOH Nursing Home COVID-19 Infection Report"  
(Chair's Ruling)
  - d. COMM. 4D-3 (2023)  
**COMPTROLLER OFFICE, DIVISION OF AUDIT & CONTROL:** "Analysis of Inventory Controls for Medical & Health Supply Expenditures Using CARES Act and ARP Funding"  
(Chair's Ruling)

2. COMM. 4E-5 (2023)  
**COUNTY EXECUTIVE**  
RESOLVED, the Erie County Legislature does hereby confirm the appointments of the following named individuals to the Erie County Commission on the Status of Women, for a term ending December 31, 2025.

Maritza Vega  
270 Pennsylvania Street  
Buffalo, NY 14201  
Reappointment

Tiffany Lewis  
P.O. Box 441  
Buffalo, NY 14225  
Reappointment

Sonya Tareke  
705 Abbott Rd  
Buffalo, NY 14220  
New Appointment

Jessica Ackley  
9143 Newcomb Road  
Angola, NY 14006  
New Appointment

Cecily Rodriguez  
81 N Cayuga Rd  
Williamsville, NY 14221  
New Appointment

(5-0)

3. COMM. 4E-18 (2023)  
**COUNTY EXECUTIVE**  
WHEREAS, the COVID-19 pandemic exposed many disparities between communities including access to high-speed internet; and

WHEREAS, there is a continuous and increasing demand for telehealth services from both patients and healthcare providers; and

WHEREAS, Erie County Department of Health (ECDOH) was awarded from the Rockefeller Philanthropy Associates to purchase equipment to increase telehealth services in Erie County; and

WHEREAS, these funds, with the ECDOH's previous award from New York State for \$25,000, will specifically be increasing telehealth services by purchasing the necessary equipment for two mobile units utilized by ECDOH and equipment for the Jesse Nash Health Center that will be accessible to patients, providers, and residents to connect with their own providers; and

WHEREAS, this grant in the amount of \$25,000 and requires no local funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Health to enter into contract with Rockefeller Philanthropy Associates for the acceptance of a \$25,000 grant award and amend the 2023 General Fund Budget (Fund 110, Funds Center 12700) as follows:

| Health Division<br>Fund 110, Funds Center 12700 |                           |               |
|---|---------------------------|---------------|
| <u>ACCOUNT</u>                                  | <u>REVENUE</u>            | <u>CHANGE</u> |
| 479100  | Other Contributions       | \$25,000      |
|   | TOTAL                     | \$25,000      |
| <u>ACCOUNT</u>                                  | <u>APPROPRIATION</u>      | <u>CHANGE</u> |
| 561410  | Lab & Technical Equipment | \$25,000      |
|   | TOTAL                     | \$25,000      |

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Office of the Comptroller, the Division of Budget and Management, and to the Commissioner of the Department of Health.

(5-0)

4. COMM. 4E-25 (2023)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services is current responsible for burying unclaimed decedents; and

WHEREAS, the Department of Social Services also provides Burial Assistance for only claimed decedents who received Public Assistance or SSI Benefits; and

WHEREAS, Erie County experienced an unprecedented Blizzard in which a State of Emergency was declared from December 23, 2022 to January 22, 2023; and

WHEREAS, due to the unprecedented number of deaths as a result of the December 2022 Blizzard, the Medical Examiner's Office and local hospitals cadaver storage space began filling up and there was a need for the deceased to be taken elsewhere; and

WHEREAS, in an effort to alleviate this backlog, the Department of Social Services assisted families that lost loved ones during the State of Emergency who could show financial hardship but otherwise would not have qualified for Burial Assistance under the current program.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes a temporary reduction of qualifications for Burial Assistance for claimed decedents during the December 2022 Blizzard State of Emergency to include decedents that receive any form of social services benefits; and be it further

RESOLVED, that authorization is hereby given for payments up to \$3,495 for burial costs be made for qualified individuals identified by the Department of Social Services whose deaths occurred between December 23, 2022 to January 22, 2023; and be if further

RESOLVED, that sufficient funding is available to make these payments within the December 2022 Blizzard Fund (Fund 255), Funds Center 120, Account 516020 – Professional Services, Contracts & Fees; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any additional budget adjustment which may be required in order to match incurred expenses; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive's Office, the Comptroller's Office, the Department of Social Services and the Division of Budget & Management.

(5-0)

**JOHN J. GILMOUR**  
**CHAIR**

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SUBJECT

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REPORT No. 1                      COMMUNITY ENRICHMENT COMMITTEE

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Attachments

CE Report #1

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February 23, 2023

COMMUNITY ENRICHMENT COMMITTEE  
REPORT NO. 1

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

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

- a. COMM. 3E-10 (2023)  
**COUNTY EXECUTIVE:** “Appointments to EC Arts & Cultural Advisory Board”  
(Chair’s Ruling)

January 27, 2023

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, NY 14202

Re: Appointments to Erie County Arts & Cultural Advisory Board

Dear Honorable Members:

Please be advised that, pursuant to Article 22, Section 2205 of the Erie County Charter, I hereby appoint the following individuals to the Erie County Arts & Cultural Advisory Board. Their terms shall expire December 31, 2025.

|  |   |   |
|--|---|---|
| Patricia A. Johnson<br>111 Lorelee Drive<br>Tonawanda, NY 14150<br>New Appointment | Russell Davidson<br>43 School Street<br>Orchard Park, NY 14127<br>New Appointment | Lisa A. LaTrovato<br>8750 Lapp Road<br>Clarence Center, NY 14032<br>New Appointment - Alternate |
|--|---|---|

Should you have any questions regarding these appointments please feel free to contact my office at (716) 858-8500.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

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

- a. COMM. 23M-1 (2022)  
**PRESIDENT & CEO OF VISIT BUFFALO NIAGARA:** “Third Quarter Reports & Financial Statements for Period Ending September 30, 2022”  
(Chair’s Ruling)

3. COMM. 3E-9 (2023)  
**COUNTY EXECUTIVE**  
RESOLVED, the Erie County Legislature does hereby confirm the following individuals for re-appointment to the Buffalo and Erie County Public Library Board of Directors, term expiration of December 31, 2027.

Mr. Michael Amodeo, Esq.  
2155 Hobblesh Lane  
Lake View, NY 14085

Ms. Lucy Candelario  
71 Shoshone Street  
Buffalo, NY 14214

(5-0)

4. COMM. 4E-2 (2023)  
**COUNTY EXECUTIVE**  
RESOLVED, the Erie County Legislature does hereby confirm the following individual for appointment to serve on the Erie Community College Board of Trustees, term expiration of June 30, 2029.

Kenneth C. Kruly  
69 Troy View Lane  
Williamsville, NY 14221

(5-0)

5. COMM. 4E-3 (2023)  
**COUNTY EXECUTIVE**  
RESOLVED, the Erie County Legislature does hereby confirm the following individual for appointment to the Buffalo and Erie County Public Library Board of Directors, term expiration of December 31, 2023.

Christine Pedigo Bartholomew  
709 O’Brian Hall  
Buffalo, NY 14260

(5-0)

**JOHN J. GILMOUR**  
**CHAIR**

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SUBJECT

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INTRO. 5-1

BASKIN

Appointment to the Cornell Cooperative  
Extension Association of Erie County

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Attachments

23INTRO. 5-1

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**A RESOLUTION SUBMITTED BY  
LEGISLATOR BASKIN**

EC LEG FEB 28 '23 PM12:43

**Re: Appointment to the Cornell Cooperative Extension Association of Erie County**

WHEREAS, Cornell Cooperative Extension Association of Erie County is a subordinate governmental agency with an educational mission that operates under a form of organization and administration approved by Cornell University as agent for the State of New York; and

WHEREAS, the Cornell Cooperative Extension Association of Erie County is part of the national cooperative extension system, an educational partnership between County, State, and Federal governments; and

WHEREAS, as New York's land grant university, Cornell administers the system in this state; and

WHEREAS, each Cornell Cooperative Extension association is an independent employer that is governed by an elected Board of Directors with general oversight from Cornell University; and

WHEREAS, as per Article V, Section 3(B)(2) of the Cornell Cooperative Extension Association of Erie County Constitution, the county governing body shall be requested annually to appoint one (1) legislator to serve as an ex-officio director with voting privileges.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body appoints Mr. James Malczewski, Erie County Legislator for District 10 to the Cornell Cooperative Extension Association of Erie County's Board of Directors; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Legislator Malczewski, the President of the Cornell Cooperative Extension Association of Erie County's Board of Directors, and the Executive Director of Cornell Cooperative Extension Association of Erie County.

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SUBJECT

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|            |                                       |   |
|------------|---------------------------------------|---|
| INTRO. 5-2 | MALCZEWSKI, MILLS,<br>TODARO & GREENE | Calling on NYS to Continue Sharing eFMAP<br>Funds with Its Counties |
|------------|---------------------------------------|---|

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Attachments

INTRO. 5-2

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**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MALCZEWSKI, MILLS, TODARO and GREENE**

**Re: Calling on New York State to Continue Sharing eFMAP Funds with Its Counties**

WHEREAS, the New York State 2024 proposed budget seeks to end the Affordable Care Act enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to New York State counties; and

WHEREAS, eFMAP is used to assist New York State and counties to pay for overspending in the Medicaid program; and

WHEREAS, eFMAP is used to help control property taxes; and

WHEREAS, this budgetary tactic would cost New York City \$345,000,000 and the counties outside of New York City \$280,000,000; and

WHEREAS, according to a New York Association of Counties report, the impact on Erie County would be annual loss of revenue of \$26,639,482; and

WHEREAS, based on Erie County's current property tax levy, which increased 2.7% for this year, a further increase of 8.17% to next year's property tax levy would be required to make up for this shortfall alone; and

WHEREAS, based on comments made by the New York Senate delegation of the United States Senate, it is clear that these funds were intended to pass-thru to the counties, and not just be spent by the states; and

WHEREAS, given the 2% property tax cap that exists for counties across New York State, such a move will result in significantly decreased services without any accompanying savings for Erie County taxpayers.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature calls on New York State Governor, Senate and Assembly to eliminate this revenue shifting plan from consideration as part of New York State's budget and continue to share these funds with New York State's counties; and be it further

RESOLVED, that copies of this resolution be forwarded to the Governor of the State of New York and the local Senate and Assembly delegations.

Fiscal Implications: Fiscally neutral if effective; otherwise significantly negative

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SUBJECT

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INTRO. 5-3

BASKIN

Reappointments to the EC Agricultural &  
Farmland Protection Board

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Attachments

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23INTRO. 5-3

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**A RESOLUTION SUBMITTED BY  
LEGISLATOR BASKIN**

EC LEG MAR 7 '23 AM 9:37

**Re: Reappointments to the Erie County Agricultural & Farmland Protection Board**

WHEREAS, the Erie County Agricultural and Farmland Protection Board advises this honorable body on the proposed establishment, modification, continuation or termination of any agricultural district, and renders expert advice relating to the desirability of agricultural districts, including advice as to the nature of farming and farm resources within any proposed or established area and the relation of farming in such area to Erie County; and

WHEREAS, per New York State Agricultural and Markets Law, Article 25-AA, Section 302, a county legislature chairperson is responsible for appointments to a county agricultural and farmland protection board; and

WHEREAS, Brett D. Kreher is a 4<sup>th</sup> generation poultry farmer in Clarence and has served as Chairperson of the Erie County Agricultural & Farmland Protection Board since 2012; and

WHEREAS, Daniel M. Henry is a vegetable and flower farmer in Eden and has served on the Erie County Agricultural and Farmland Protection Board for over 10 years; and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Mr. Brett D. Kreher and Mr. Daniel M. Henry are re-appointed to the Erie County Agricultural and Farmland Protection Board for four-year terms; and be it further

**RESOLVED**, that certified copies of this resolution be transmitted to the Erie County Office of Agriculture.

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SUBJECT

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|                    |  |   |
|--------------------|--|---|
| COMM. 4E-16 (2023) | From the Economic<br>Development Committee | From the County Executive, Authorization to<br>Enter Into Contract with Aurigo Software<br>Technologies, Inc. |
|--------------------|--|---|

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Attachments

23COMM. 4E-16

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# DISCHARGE



EC LEG FEB 10 '23 AM 11:33

## COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 10, 2023

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Authorization to Enter into Contract with Aurigo Software Technologies, Inc.**

Dear Honorable Members:

Please find attached a resolution requesting authorization to enter into a contract with Aurigo Software Technologies, Inc. Four divisions of Erie County desire to use these technologies in managing contracts, managing/enforcing civil rights associated with said contracts, and capital planning. Additionally, authorization is requested to carry-forward 2022 funding originally set-aside for this contract into 2023.

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

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/dms  
Enclosure

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

# DISCHARGE

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works – Divisions of Buildings & Grounds and Highways,  
Division of Sewerage Management, and Office of Equal Employment  
Opportunity  
**Re:** Authorization to Enter into Contract with Aurigo Software Technologies, Inc.  
**Date:** February 10, 2023

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### **SUMMARY**

The Department of Public Works' Divisions of Building & Grounds and Highways, Division of Sewerage Management, and Office of Equal Employment Opportunity are requesting authorization for the County Executive to execute a contract with Aurigo Software Technologies Inc. This contract is making use of a GSA (U.S. General Services Administration) contract, specifically GS-35F-206BA for Aurigo products. The products being purchased are Aurigo Masterworks Cloud, Capital Planning and Portfolio Management, Full Lifecycle Construction Management, and Civil Rights and Labor Management. This contract includes the implementation costs for the products listed above in addition to those products from Aurigo Technologies.

### **FISCAL IMPLICATIONS**

This contract is a five-year contract. The fiscal implications for the first year are the one-time implementation cost of \$562,780 and the annual subscription cost of \$155,703.00 for a total 2023 cost of \$718,483. \$575,000 was originally set aside in the Department of Public Works Commissioner's 2022 Budget, Fund 110, Funds Center 1221010, Account 516020 – Professional Services, Contracts & Fees. Once this is carried-forward into 2023 as a funds reservation, it will be combined with existing funds in the Commissioner's 2023 General Fund Budget to cover the total first-year costs.

### **REASONS FOR RECOMMENDATION**

Aurigo supplies a platform which allows four divisions of Erie County to manage and monitor construction and design contracts, create an environment of auditable contract documentation, reports, aids in the enforcement of civil rights requirements for construction and design contracts, and aids in capital planning over an extended number of years. These four (4) divisions manage millions of dollars in contracts on an annual basis. The desire is to stream line and modernize processes that incorporate information from the Counties existing systems thus creating an environment which easily reports the status of contracts, realization of Equal Employment Opportunity (EEO) and apprenticeship guidelines, and aids in the capital planning necessary for County assets.

### **BACKGROUND INFORMATION**

The Division of Highways, Buildings & Grounds, and the Division of Sewerage Management have large assets which they manage for the County. These assets require capital planning to insure a continuance of service to the general public over an extended number of years and design and construction contracts to repair, maintain, and replace assets. Along with these contracts comes the responsibility to enforce County laws and guidelines for EEO and the need to provide an equitable

# DISCHARGE

platform for all in the County. These technologies provide the tools necessary to create a consistent environment across all four divisions to meet the desired outcomes listed above.

## **CONSEQUENCES OF NEGATIVE ACTION**

Without a modernized and streamlined process to manage contracts, capital planning, and EEO reporting these four County divisions must remain in a disjointed and antiquated system. The disjointed processes which are presently in place for contract management inhibit reporting and capital planning and exacerbate the timely management of contracts. Thus, these divisions will not achieve any increased efficiencies nor benefit from a greater understanding where County funds can have the greatest impact.

## **STEPS FOLLOWING APPROVAL**

DPW will work with the Division of Budget and Management to create a funds reservation and carry-forward into 2023 and then execute a contract with Aurigo Software Technologies Inc.

# DISCHARGE

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF SEWERAGE MANAGEMENT  
OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY

RE: Authorization to Enter into Contract with Aurigo Software Technologies, Inc.

WHEREAS, the Divisions of Building & Grounds and Highways, and the Division of Sewerage Management have large assets which they manage for the County, requiring capital planning to ensure a continuance of service to the general public over an extended number of years and design and construction contracts to repair, maintain, and replace the assets; and

WHEREAS, the Office of Equal Employment and Opportunity (EEO) must enforce and oversee all Equal Employment Opportunities requirements of a County contract; and

WHEREAS, Aurigo Software Technologies Inc. offers products for capital planning, project management, and civil rights management through the use of a U.S. General Services Administration (GSA) contract, specifically GS-35F-206BA for Aurigo products; and

WHEREAS, the Divisions of Buildings & Grounds and Highways, Division of Sewerage Management and the Office of Equal Employment Opportunity desire an integrated system for managing contracts, EEO reporting, and capital planning with Aurigo Masterworks Cloud.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a five-year contract with Aurigo Software Technologies, Inc. through the use of GSA Contract GS-35F-206BA; and be it further

RESOLVED, that the first year requires a one-time software implementation cost of \$562,780 and an annual subscription cost of \$155,703; and be it further

RESOLVED, that authorization is hereby given to re-appropriate \$575,000 from the Department of Public Works Commissioner's 2022 Budget, Fund 110, Funds Center 1221010, Account 516020 – Professional Services, Contracts & Fees into 2023 as a funds reservation; and be it further

RESOLVED, that including the above funds reservation, sufficient funding exists to cover the total first-year cost of \$718,483 for the Aurigo contract in the Department of Public Works Commissioner's 2023 Budget, Fund 110, Funds Center 1221010, Account 516020 – Professional Services, Contracts & Fees; and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, Division of Budget and Management, Comptroller's Office, Division of Purchase, Division of Sewerage Management, Office of Equal Employment Opportunity, and Division of Information Support Services.

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SUBJECT

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|                   |  |  |
|-------------------|--|--|
| COMM. 2E-3 (2023) | From the Energy &<br>Environment Committee | From the County Executive, ECSD No. 3 -<br>Southtowns AWTF - Bid Opening |
|-------------------|--|--|

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Attachments

23COMM. 2E-3

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EC LEG JAN 6 '23 PM 2:37

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

January 6, 2023

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

**RE: Erie County Sewer District No. 3  
Southtowns AWTF Roof Replacement Project & Effluent HVU Replacement  
Bid Opening – Contract No. 76**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 3 Contract No. 76 Southtowns AWTF Roof Replacement Project & Effluent HVU Replacement.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP: cf

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

Erie County Legislature  
Meeting Date: 03/09/2023

12. 2. 1.

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SUBJECT

\*\*\* Amendment to Comm. 2E-3 (2023)

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Attachments

Amendment to COMM. 2E-3 (2023)

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**Erie County Legislature  
Meeting No. 5 – March 9, 2023  
Amendment to Comm. 2E-3**

February 21, 2023

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, NY 14202

**RE: Amendment: Legislative Comm. 2E-3 (2023)  
Erie County Sewer District No. 3  
Southtowns AWTF Roof Replacement & Effluent HVU Replacement Project  
Bid Opening – Contract Nos. 76-A and 76-B**

Dear Honorable Members:

Plans and specifications, known as the Southtowns Advanced Wastewater Treatment Facility (AWTF) Roof Replacement & Effluent Heating/Ventilating Unit (HVU) Replacement Project, Contract Nos. 76-A and 76-B, were prepared and construction bids were received on Wednesday, January 25, 2023 by the Erie County Division of Sewerage Management. The lowest responsible bidders and bid amounts for this project are as follows:

| <u>Contract</u>   | <u>Lowest Responsible Bidder</u>  | <u>Amount</u>  |
|-------------------|---|----------------|
| Contract No. 76-A | Weaver Metal & Roofing<br>40 Appenheimer Avenue<br>Buffalo, NY 14214        | \$3,580,000.00 |
| Contract No. 76-B | D. V. Brown & Associates, Inc.<br>567 Vickers Street<br>Tonawanda, NY 14150 | \$2,058,400.00 |

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:cf

Enclosure

Cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

# MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Amendment: Legislative Comm. 2E-3 (2023)  
Erie County Sewer District No. 3  
Southtowns AWTF Roof Replacement & Effluent HVU Replacement Project  
Bid Opening – Contract Nos. 76-A and 76-B  
**Date:** February 21, 2023

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## **SUMMARY**

Award of Contract Nos. 76-A and 76-B for the Southtowns Advanced Wastewater Treatment Facility (AWTF) Roof Replacement & Effluent Heating/Ventilating Unit (HVU) Replacement is requested as follows:

| <u>Contract</u>   | <u>Lowest Responsible Bidder</u>  | <u>Amount</u>  |
|-------------------|---|----------------|
| Contract No. 76-A | Weaver Metal & Roofing<br>40 Appenheimer Avenue<br>Buffalo, NY 14214        | \$3,580,000.00 |
| Contract No. 76-B | D. V. Brown & Associates, Inc.<br>567 Vickers Street<br>Tonawanda, NY 14150 | \$2,058,400.00 |

The necessary bid tabulations, Engineer's estimate, and Engineer's recommendation are enclosed.

## **FISCAL IMPLICATIONS**

There will be no fiscal implications to the County's General Fund. The funds for this project will be from Capital Account No. C.21150 (American Rescue Plan funds) and the Erie County Sewer District (ECSD) No. 3 capital reserve account C.00007.

## **REASONS FOR RECOMMENDATION**

The intent of the proposed project is to replace 80,000 square feet (SF) of roof and replace / relocate three (3) 30,000 cubic feet per minute (CFM) HVUs at the Southtowns AWTF. The existing roof and HVUs are at the end of their useful life.

Replacement of the roof helps ensure the integrity of the building envelope for an additional 30 plus years. Replacement of the HVUs helps protect various interior components in the influent/effluent pumping room from atmospheric decay, thus extending the service life of all affected equipment. Relocation of the HVUs from inside the influent/effluent pumping room to

the roof frees up floor space. This floor space is adjacent to occupied areas on the second floor of the facility, allowing for potential reuse of this area in the future.

## **BACKGROUND INFORMATION**

ECSD No. 3 owns and operates the Southtowns AWTF, which services portions of the Towns of Boston, Eden, Hamburg, and Orchard Park, and the Villages of Blasdell, Hamburg, and Orchard Park. The Southtowns AWTF went online in December 1980. The roof and HVUs that are part of this project are original to the facility construction.

Based on evaluations, the roof and influent/effluent pumping room HVUs have been identified as requiring replacement. The Division of Sewerage Management (DSM) retained an engineering consultant, CHA, to complete design plans and specifications for the “Southtowns AWTF Roof Replacement & Effluent HVU Replacement Project” (Contract Nos. 76-A and 76-B). Bids were opened on January 25, 2023. Four (4) bids were received for Contract 76-A, General Construction, and two (2) bids were received for Contract 76-B, HVAC.

The total cost submitted by the apparent low bidder for Contract 76-A, Weaver Metal & Roofing (Weaver), was \$3,580,000.00. The Engineer’s Estimate for the work was \$3,309,691.00. The total cost submitted by the apparent low bidder for Contract 76-B, John W. Danforth Company (Danforth), was \$974,000.00. The Engineer’s Estimate for the work was \$2,074,496.00.

On January 27, 2023, Danforth made the County aware of a purported bid mistake. After Danforth’s submission of evidence noting an unintentional omission of work associated with the concrete and sheet metal scope of services, and after consultation with the County Attorney’s office, Erie County was obligated by New York State General Municipal Law to grant Danforth’s bid withdrawal request. The second apparent low bidder for Contract 76-B, D.V. Brown and Associates, Inc. (DV Brown), submitted a cost of \$2,058,400.00.

The DSM and CHA reviewed the bids from Weaver and D.V. Brown and believe they are fair and competitive. The overall cost for Contract Nos. 76-A and 76-B is within 5% of the engineer’s estimate. The bid packages were complete and properly filled out and hence, Weaver and DV Brown submitted responsive bids. Weaver and DV Brown have both successfully completed projects of this scale for the County in the past and met the various contract requirements at bid. Therefore, it is recommended that the County Legislature proceed with award to both as the lowest responsible bidders.

## **CONSEQUENCES OF NEGATIVE ACTION**

Failure to replace the roof will result in cascading building maintenance costs, potentially leading to structure and equipment damages. Failure to replace the HVUs would result in undesirable atmospheric conditions in the influent/effluent room leading to increased equipment maintenance and replacement costs.

## **STEPS TO FOLLOW APPROVAL**

The lowest responsible bidders will be issued a Notice of Award and the Department will initiate the process of executing the contract documents. A Notice to Proceed will be issued to the contractors upon receipt of all necessary documents and execution of the contract.

**COMPTROLLER'S OFFICE REVIEW**

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

Signed Timothy C. Callan Date 2/21/23  
Title Timothy C. Callan  
Deputy Comptroller

**Erie County Sewer District No. 3  
Southtowns AWTF Roof Replacement & Effluent HVU Replacement Project  
Bid Opening – Contract Nos. 76-A and 76-B  
Capital Account No. C.21150  
ECSD No. 3 Capital Reserves**

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Amendment: Legislative Comm. 2E-3 (2023)  
Erie County Sewer District No. 3  
Southtowns AWTF Roof Replacement & Effluent HVU Replacement Project  
Bid Opening – Contract Nos. 76-A and 76-B

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bids for Contract Nos. 76-A and 76-B at 11:00 a.m. on January 25, 2023:

| <u>Contract</u>   | <u>Lowest Responsible Bidder</u>  | <u>Amount</u>  |
|-------------------|---|----------------|
| Contract No. 76-A | Weaver Metal & Roofing<br>40 Appenheimer Avenue<br>Buffalo, NY 14214        | \$3,580,000.00 |
| Contract No. 76-B | D. V. Brown & Associates, Inc.<br>567 Vickers Street<br>Tonawanda, NY 14150 | \$2,058,400.00 |

and

WHEREAS, the aforementioned lowest responsible bidders have successfully completed projects for the County of Erie or other municipalities in the past; and

WHEREAS, the Division of Sewerage Management has determined this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Southtowns AWTF Roof Replacement and HVU Replacement Project, Erie County Sewer District No. 3, Contract Nos. 76-A and 76-B be awarded as follows:

| <u>Contract</u>   | <u>Lowest Responsible Bidder</u>  | <u>Amount</u>  |
|-------------------|---|----------------|
| Contract No. 76-A | Weaver Metal & Roofing<br>40 Appenheimer Avenue<br>Buffalo, NY 14214        | \$3,580,000.00 |
| Contract No. 76-B | D. V. Brown & Associates, Inc.<br>567 Vickers Street<br>Tonawanda, NY 14150 | \$2,058,400.00 |

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute Contracts with the aforementioned lowest responsible bidders, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to allocate up to \$2,819,200.00 in Capital Account No. C.21150 (American Rescue Plan funds); Fund 430; Funds Center 183 to fund Contract Nos. 76-A and 76-B; and be it further

RESOLVED, that authorization is hereby provided for the partial closing of up to \$2,819,200.00 in Erie County Sewer District No. 3 capital reserve account C.00007; Fund 430; Funds Center 183 to fund Contract Nos. 76-A and 76-B; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this funding; and be it further

RESOLVED, that at the close of the project any unused funds be returned to the capital project and the budgets be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.



February 13, 2023

Mr. Christopher Fiume  
Assistant Sanitary Engineer  
Erie County Department of Environment and Planning  
Division of Sewerage Management  
95 Franklin Street, Room 1050  
Buffalo, New York 14202

RE: **BID RECOMMENDATION**  
**Southtowns AWTF Roof Replacement**  
**Contract 76-A**  
**CHA Project No. 71261**

Dear Mr. Merlo:

CHA has reviewed the bids received on Wednesday, January 25, 2023 for the above referenced project. The results of the bids are as follows:

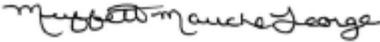
|                          | <u>Base Bid</u> |
|--------------------------|-----------------|
| Elmer W. Davis, Inc.     | \$ 4,398,131.00 |
| Jameson Roofing          | \$ 4,277,000.00 |
| Weaver Metal and Roofing | \$ 3,580,000.00 |
| Progressive Roofing      | \$ 7,600,000.00 |

Discussions were held between Brian Petersdorf of Weaver Metal and Roofing and CHA. During these discussions the scope of work, schedule and construction timeline were covered in detail. Mr. Petersdorf conveyed that he is satisfied with his bid proposal, fully understands the scope of work and included all the required work in his bid.

We recommend that the Erie County Department of Environment and Planning, Division of Sewerage Management accept the proposal of the low bidder, Weaver Metal and Roofing at the bid price of \$3,580,000.00.

Should you have any comments or questions, please contact me at (716) 221-4409 or [mmauche@chacompanies.com](mailto:mmauche@chacompanies.com).

Sincerely,

  
Muffett Mauche George, PE  
Senior Project Manager



February 15, 2023

Mr. Christopher Fiume  
Assistant Sanitary Engineer  
Erie County Department of Environment and Planning  
Division of Sewerage Management  
95 Franklin Street, Room 1050  
Buffalo, New York 14202

RE: **BID RECOMMENDATION**  
**Southtowns AWTF HVAC Unit Replacements**  
**Contract 76-B**  
**CHA Project No. 71261**

Dear Mr. Fiume:

CHA has reviewed the bids received on Wednesday, January 25, 2023 for the above referenced project. The results of the bids are as follows:

|                                 | <u>Base Bid</u> |
|---------------------------------|-----------------|
| John W. Danforth Company        | \$ 974,000.00   |
| D.V. Brown and Associates, Inc. | \$ 2,058,400.00 |

It is our understanding that John W. Danforth Company has withdrawn their bid.

Therefore, discussions were held between Omar Abdallah of D.V. Brown and Associates and CHA. During these discussions the scope of work, schedule and construction timeline were covered in detail. Mr. Abdallah conveyed that he is satisfied with his bid proposal, fully understands the scope of work and included all the required work in his bid.

We recommend that the Erie County Department of Environment and Planning, Division of Sewerage Management accept the proposal of D.V. Brown and Associates at the bid price of \$2,058,400.00.

Should you have any comments or questions, please contact me at (716) 221-4409 or [mmauche@chacompanies.com](mailto:mmauche@chacompanies.com).

Sincerely,

A handwritten signature in black ink that reads 'Muffett Mauche George'.

Muffett Mauche George, PE  
Senior Project Manager

| <b>ERIE COUNTY DEPT. OF ENVIRONMENT &amp; PLANNING</b><br><b>DIVISION OF SEWERAGE MANAGEMENT</b><br><b>ECSD No. 3</b><br><b>CONTRACT No. 76-A</b><br><b>SOUTHTOWNSAWTF ROOF REPLACEMENT AND</b><br><b>EFFLUENT HVU REPLACEMENT</b><br><b>FILE NO. 3.3.3.76</b><br><b>BID DATE: JANUARY 25, 2023 11:00 AM</b><br><b>BID BOND 5%</b> |                      |      |              | <b>ENGINEER'S ESTIMATE</b> \$3,309,691.00 |               | <b>BIDDER #1</b> \$3,580,000.00<br><br>Weaver Metal & Roofing<br>40 Appenheimer Avenue<br>Buffalo, NY 14214<br><br>5% |                       | <b>BIDDER #2</b> \$4,277,000.00<br><br>Jameson Roofing Co., Inc.<br>3649 Lake Shore Drive East<br>Dunkirk, NY 14048<br><br>5% |                       | <b>BIDDER #3</b> \$4,398,131.00<br><br>Elmer W. Davis<br>1217 Clifford Ave.<br>Rochester, NY 14621<br><br>5% |                       | <b>BIDDER #4</b> \$7,600,000.00<br><br>Progressive Roofing, Inc.<br>331 Groe Street<br>Buffalo, NY 14207<br><br>5% |                       |
|--|----------------------|------|--------------|---|---------------|---|-----------------------|---|-----------------------|--|-----------------------|--|-----------------------|
| ITEM NO.   | DESCRIPTION          | UNIT | BID QUANTITY | UNIT COST                                 | TOTAL COST    | UNIT COST   | TOTAL COST            | UNIT COST   | TOTAL COST            | UNIT COST  | TOTAL COST            | UNIT COST  | TOTAL COST            |
| B-1  | GENERAL CONSTRUCTION | LS   | 1            |   | \$0.00        | \$3,480,000.00  | \$3,480,000.00        | \$4,177,000.00  | \$4,177,000.00        | \$4,298,131.00   | \$4,298,131.00        | \$7,500,000.00   | \$7,500,000.00        |
| B-2  | CONTINGENT ITEMS     | EA   | 1            |   | \$0.00        | \$100,000.00  | \$100,000.00          | \$100,000.00  | \$100,000.00          | \$100,000.00   | \$100,000.00          | \$100,000.00   | \$100,000.00          |
| <b>CONTRACT TOTAL</b>  |                      |      |              |   | <b>\$0.00</b> | <b>\$3,580,000.00</b>   | <b>\$3,580,000.00</b> | <b>\$4,277,000.00</b>   | <b>\$4,277,000.00</b> | <b>\$4,398,131.00</b>  | <b>\$4,398,131.00</b> | <b>\$7,600,000.00</b>  | <b>\$7,600,000.00</b> |

| <b>ERIE COUNTY DEPT. OF ENVIRONMENT &amp; PLANNING</b><br><b>DIVISION OF SEWERAGE MANAGEMENT</b><br><b>ECSD No. 3</b><br><b>CONTRACT No. 76-B</b><br><b>SOUTHTOWNS AWTF ROOF REPLACEMENT AND</b><br><b>EFFLUENT HVU REPLACEMENT</b><br><b>FILE NO. 3.3.3.76</b><br><b>BID DATE: JANUARY 25, 2023 11:00 AM</b><br><b>BID BOND 5%</b> |                      |      |              | <b>ENGINEER'S ESTIMATE</b> \$2,074,496.00 |               | <b>BIDDER # 1</b> \$974,000.00<br><br>John W. Danforth Company<br>300 Colvin Woods Parkway<br>Tonawanda, NY 14150 |                                | <b>BIDDER # 2</b> \$2,058,400.00<br><br>D.V. Brown & Associates, Inc.<br>567 Vickers Street<br>Tonawanda, NY 14150 |                       |
|---|----------------------|------|--------------|---|---------------|---|--------------------------------|--|-----------------------|
|   |                      |      |              |   |               |   |                                | 5%   | 5%                    |
| ITEM NO.  | DESCRIPTION          | UNIT | BID QUANTITY | UNIT COST                                 | TOTAL COST    | UNIT COST   | TOTAL COST                     | UNIT COST  | TOTAL COST            |
| B-1   | GENERAL CONSTRUCTION | LS   | 1            |   | \$0.00        | \$899,000.00  | \$899,000.00                   | \$1,983,400.00   | \$1,983,400.00        |
| B-2   | CONTINGENT ITEMS     | EA   | 1            |   | \$0.00        | \$75,000.00   | \$75,000.00                    | \$75,000.00  | \$75,000.00           |
| <b>CONTRACT TOTAL</b>   |                      |      |              |   | <b>\$0.00</b> |   | <b><del>\$974,000.00</del></b> |  | <b>\$2,058,400.00</b> |

Withdrawn

TO: COMPROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST  
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

| <u>REQUESTING DEPARTMENT</u>       | <u>COMPLETE ITEMS 1 THROUGH 5</u>   |
|------------------------------------|---|
| 1. CONTRACTOR'S NAME               | 76A-Weaver Metal & Roofing<br>76B- DV Brown & Associates                          |
| 2. AMOUNT OF CONTRACT              | 76A -\$3,580,000.00<br>76B -\$2,058,400.00  |
| 3. PROJECT NUMBER                  | Capital Acct. C.21150 & Cap. Reserve C.00007                                      |
| 4. PROJECT TITLE                   | Southtowns AWTF Roof Replacement &<br>Effluent HVU Replacement Project – Cont. 76 |
| 5. DEPARTMENT CONTACT              | Beth Pfalzer x6144  |
| <u>COMPROLLER'S OFFICE</u>         | <u>COMPLETE ITEMS 6 AND 7</u>   |
| 6. AVAILABILITY OF FUNDS           | \$46,454,206.65   |
| 7. PERFORMED BY                    | Nancy Jean  |
| Date Sent to Comptroller's Office: | 2-21-23   |

[55 compt\_10]

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SUBJECT

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COMM. 4E-17  
(2023)

From the Energy &  
Environment Committee

From the County Executive, Parks,  
Recreation & Forestry Shelter Rehabilitation

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Attachments

COMM. 4E-17 (2023)

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# DISCHARGE



EC LEG FEB 10 '23 AM 11:33

## COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 10, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Erie County Department of Parks, Recreation & Forestry Shelter Rehabilitation**

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into a contract with the lowest responsible bidder, Scrufari Construction Co., LLC, for the Erie County Department of Parks, Recreation & Forestry Shelter Rehabilitation Project. Bids were received by the Department of Public Works on January 5, 2023 and a copy of the bid tabulation is attached for your reference.

This project involves the rehabilitation of shelter numbers 11 and 26 at Ellicott Creek Park and shelter number 21 at Emery Park to include structural repairs, repointing of existing Historic Works Projects Administration (WPA) masonry repairs, new roofs, and site improvements.

Should your Honorable Body require further information, I encourage you to contact Department of Public Works Commissioner William E. Geary, Jr., or Department of Parks, Recreation & Forestry Commissioner Troy Schinzel. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.

Erie County Executive

MCP/maa  
Enclosure

cc: William Geary, Commissioner

# DISCHARGE

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Erie County Department of Parks, Recreation & Forestry Shelter Rehabilitation  
**Date:** February 10, 2023

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### **SUMMARY**

This resolution is requesting authorization for the County Executive to enter into a contract with the lowest responsible bidder, Scrufari Construction Co., LLC, for the Erie County Department of Parks, Recreation & Forestry Shelter Rehabilitation Project.

This project involves the rehabilitation of shelter numbers 11 and 26 at Ellicott Creek Park and shelter number 21 at Emery Park to include structural repairs, repointing of existing Historic Works Projects Administration (WPA) masonry repairs, new roofs, and site improvements.

### **FISCAL IMPLICATIONS**

Funds for the project are currently available from authorized Capital Projects as follows:

| <u>Fund</u>         | <u>Fund Center</u> | <u>Capital Project</u> | <u>Description</u>                     | <u>Amount</u> |
|---------------------|--------------------|------------------------|--|---------------|
| 420                 | 123                | B.19019                | 2019 Parks WPA Era Rehabilitation      | \$300,000     |
| 420                 | 123                | B.20017                | 2020 WPA Era Rehabilitation-Parks      | \$300,000     |
| 410                 | 122                | A.21162                | 2021 Parks Mngd by DPW Exp Cap Program | \$511,080     |
| Total Not to Exceed |                    |                        |  | \$1,111,080   |

### **REASONS FOR RECOMMENDATION**

This rehabilitation project includes two (2) shelters at Ellicott Creek Park and one (1) shelter at Emery Park. The work includes structural repairs, repointing of existing historic WPA masonry repairs, new roofs, and site improvements to make the shelters ADA compliant in conformance with the State Historic Preservation Office (SHPO). This project will make the necessary repairs and prevent future deterioration of the WPS masonry shelters.

### **BACKGROUND INFORMATION**

The Historic WPA shelters were originally constructed in the 1930's in an effort to stimulate the economy at that time. These shelters have been maintained over the years, but due to their age they have deteriorated to a point that requires a full renovation and stabilization as they are well beyond their useful life and major renovations are needed for life safety in a public setting. It is important to note that all historic features, including the stone veneer itself, will be salvaged and preserved to the maximum extent possible.

# DISCHARGE

## **CONSEQUENCES OF NEGATIVE ACTION**

If the contract is not approved, further deterioration of the Historic Park shelters will render them unusable and pose a safety risk to the public. They would have to also be closed, reducing the amount of rentable income for the Parks Department.

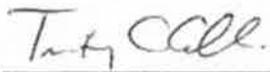
## **STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive will execute a contract with the lowest responsible bidder, Scrufari Construction Co., LLC for this shelter rehabilitation project.

# DISCHARGE

## **COMPTROLLER'S OFFICE REVIEW**

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



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Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

B.19019 – 2019 Parks WPA Era Rehabilitation  
B.20017 – 2020 WPA Era Rehabilitation-Parks  
A.21162 – 2021 Parks Mngd by DPW Exp Cap Program

File Copy (DPW Resolution BG 2023 Shelter Rehabilitation.docx)

# DISCHARGE

## A RESOLUTION SUBMITTED BY: DEPARTMENT OF PUBLIC WORKS

RE: Erie County Department of Parks, Recreation & Forestry Shelter Rehabilitation

WHEREAS, the Erie County Department of Parks, Recreation & Forestry (Parks) has identified capital improvement projects at Ellicott Creek Park shelter numbers 11 and 26 and Emery Park shelter number 21 requiring rehabilitation; and

WHEREAS, the existing shelters have deteriorated over time, are in need rehabilitation and can pose a life safety hazard to the public if renovations are not completed; and

WHEREAS, without the renovation included in the project, the shelters would have to eventually be closed, reducing the rental income for the Parks Department; and

WHEREAS, the rehabilitation project includes structural repairs, repointing of existing Historic Works Projects Administration (WPA) masonry repairs, new roofs, and site improvements to make the shelters ADA compliant as well as in compliance with the State Historic Preservation Office (SHPO); and

WHEREAS, the Erie County Department of Public Works (DPW) received bids for the Parks Shelter Rehabilitation Project on January 5, 2023; and

WHEREAS, the lowest responsible bidder is Scrufari Construction Co., LLC; 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 County Executive to enter into a contract with the lowest responsible bidder, Scrufari Construction Co., LLC, for the Erie County Department of Parks, Recreation & Forestry Shelter Rehabilitation Project for an amount not to exceed \$1,011,080, as follows:

|   |                   |
|---|-------------------|
| Scrufari Construction Co., LLC          |                   |
| Base Bid                                | \$710,706         |
| Alternate 1                             | \$282,454         |
| Alternate 2                             | \$5,280           |
| Alternate 3                             | \$6,700           |
| Alternate 4                             | \$5,940           |
| <hr/> Total Construction Contract Award | <hr/> \$1,011,080 |

; and be it further

# DISCHARGE

RESOLVED, that the sum of \$100,000 be allocated to a Construction Contingency Fund with authorization hereby given to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that sufficient funding for the project exists as follows:

| Fund                | Fund Center | Capital Project | Description                               | Amount      |
|---------------------|-------------|-----------------|---|-------------|
| 420                 | 123         | B.19019         | 2019 Parks WPA Era Rehabilitation         | \$300,000   |
| 420                 | 123         | B.20017         | 2020 WPA Era Rehabilitation-Parks         | \$300,000   |
| 410                 | 122         | A.21162         | 2021 Parks Mngd by DPW Exp Cap<br>Program | \$511,080   |
| Total Not to Exceed |             |                 |   | \$1,111,080 |

; and be it further

RESOLVED, that two certified copies each of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Department of Parks, Recreation & Forestry.

# DISCHARGE

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 Scrufari Construction Co., LLC
2. AMOUNT OF CONTRACT  
Base Bid – \$710,706.00  
Alternate 1 – \$282,454.00  
Alternate 2 – \$5,280.00  
Alternate 3 – \$6,700.00  
Alternate 4 – \$5,940.00  
Construction Contingency – \$ 100,000  
Total – \$ 1,111,080
3. PROJECT NUMBER  
B.19019 \$300,000.00  
B.20017 \$300,000.00  
A.21162 \$511,080.00
4. PROJECT TITLE  
Erie County Department of Parks, Recreation,  
and Forestry Shelter Rehabilitation  
Funding questions: Kristofer Straus, PE at  
x7294
5. DEPARTMENT CONTACT  
Letter pickup: Christy Weber at x 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 8,126,243.99
7. PERFORMED BY Kristofer Straus
- Date Sent to Comptroller's Office: 1-27-2023

[55 compt\_10]

# DISCHARGE



Project Name: Parks and Recreation - Various Shelter Reconstruction & Repair  
 DPW Project #: 2021-999-02  
 Project Manager: Melissa Anderson  
 Inspector: \_\_\_\_\_

Bid Date: January 5, 2023  
 Bid Time: 10:30 AM  
 A/E Firm: *D. Demetrio*

BID TABULATION SHEET  
 GENERAL CONSTRUCTION WORK

| BIDDER               | BASE BID | COMPLETION TIME<br>(CALENDAR DAYS) | ALT. BID NO. 1          |          | ADDITIONAL COMPLETION TIME<br>FOR ALTERNATE<br>(CALENDAR DAYS) | ALT. BID NO. 2          |         | ADDITIONAL COMPLETION TIME<br>FOR ALTERNATE<br>(CALENDAR DAYS) | ALT. BID NO. 3          |          | ADDITIONAL COMPLETION TIME<br>FOR ALTERNATE<br>(CALENDAR DAYS) | ALT. BID NO. 4          |         | ADDITIONAL COMPLETION TIME<br>FOR ALTERNATE<br>(CALENDAR DAYS) | ASSIGNMENT ACKNOWLEDGED | APPRENTICESHIP TRAINING PROGRAM | OWNER'S SIGNATURE | CONTRACTOR'S OWN WORKFORCE | EQUAL PAY CERTIFICATION | W-9 UNDER RESPONSIBILITY<br>ELECTION | MINOR UTILITIES PART A FORM | BID BOND | EXECUTIVE ORDER 18 | DRUG AND ALCOHOL |   |
|----------------------|----------|------------------------------------|-------------------------|----------|--|-------------------------|---------|--|-------------------------|----------|--|-------------------------|---------|--|-------------------------|---------------------------------|-------------------|----------------------------|-------------------------|--------------------------------------|-----------------------------|----------|--------------------|------------------|---|
|                      |          |                                    | (+/-)                   | Price    |  | (+/-)                   | Price   |  | (+/-)                   | Price    |  | (+/-)                   | Price   |  |                         |                                 |                   |                            |                         |                                      |                             |          |                    |                  |   |
| Stark Construction   | 821,000. | 214                                | ALT. BID NO. 1<br>(+/-) | 268,800. | 0  | ALT. BID NO. 2<br>(+/-) | 500 +   | 0  | ALT. BID NO. 3<br>(+/-) | 500 +    | 0  | ALT. BID NO. 4<br>(+/-) | 500 +   | 0  | X                       | X                               | X                 | X                          | X                       | X                                    | X                           | X        | X                  | X                | X |
| Willlett             | 951,000. | 214                                | ALT. BID NO. 1<br>(+/-) | 470,000. | 0  | ALT. BID NO. 2<br>(+/-) | 6,000 + | 0  | ALT. BID NO. 3<br>(+/-) | 6,000 +  | 0  | ALT. BID NO. 4<br>(+/-) | 7,000 + | 0  | X                       | X                               | X                 | X                          | X                       | X                                    | X                           | X        | X                  | X                | X |
| Scrifan Construction | 710,706. | 214                                | ALT. BID NO. 1<br>(+/-) | 282,459. | 0  | ALT. BID NO. 2<br>(+/-) | 5,280 + | 0  | ALT. BID NO. 3<br>(+/-) | 71,830 + | 0  | ALT. BID NO. 4<br>(+/-) | 5,940 + | 0  | X                       | X                               | X                 | X                          | X                       | X                                    | X                           | X        | X                  | X                | X |
| Walter Johnson       | 784,799. | 270                                | ALT. BID NO. 1<br>(+/-) | 331,500. | 180  | ALT. BID NO. 2<br>(+/-) | 6,100 + | 14   | ALT. BID NO. 3<br>(+/-) | 6,100 +  | 14   | ALT. BID NO. 4<br>(+/-) | 7,200 + | 14   | X                       | X                               | X                 | X                          | X                       | X                                    | X                           | X        | X                  | X                | X |

DPW Rev. 05/2015

DEPARTMENT OF PUBLIC WORKS  
 OFFICE OF THE COMMISSIONER

# DISCHARGE



3925 Hyde Park Blvd.  
Niagara Falls, NY 14305  
716 282-1225 Phone  
716 282-7699 Fax

January 19, 2023

Erie County Parks Department  
95 Franklin Street  
Buffalo, NY 14202

Attn: Michael Banks, DiDonato Engineers and Architectural Professionals

RE: Erie County Parks Shelter Rehabilitation, Erie County Project Number: 2022-999-02

Dear Mr. Banks,

This letter serves to formally notify you that Scrufari Construction Co. LLC, submits to revise its bid for the Erie County Parks Shelter Rehabilitation, Erie County Project Number 2022-999-02. We wish to revise our bid for alternate 3 as follows.

The submitted bid for alternate number 3 for \$71,830.00, Seventy-One Thousand Eight Hundred-Thirty Dollars, is rescinded. We hereby submit a new cost for Alternate 3 with the total of \$6,700.00, Six Thousand Seven Hundred Dollars.

Respectfully,



Peter Greiner  
Project Manager  
Scrufari Construction Co, LLC  
(716) 282-1255

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SUBJECT

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COMM. 4E-23  
(2023)

From the Finance &  
Management Committee

From the Comptroller, 2023 Consolidated  
Bond Resolution

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Attachments

COMM. 4E-23 (2023)

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# DISCHARGE



EC LEG FEB 14 '23 AM 9:13

## ERIE COUNTY COMPTROLLER KEVIN R. HARDWICK

February 13, 2023

Honorable Members  
Erie County Legislature  
92 Franklin Street, Fourth Floor  
Buffalo, New York 14202

**Re: 2023 Consolidated Bond Resolution**

Dear Honorable Legislators:

Please accept this communication as a placeholder for the County's 2023 Consolidated Bond Resolution and 2023 List of Project Components for the County's proposed 2023 Capital Borrowing.

The bond resolution and chart of projects is being completed by the County's bond counsel and will be available soon for your review and consideration.

If you have questions concerning the projects, please contact the County Administration.

Sincerely,

A handwritten signature in blue ink that reads "K. R. Hardwick".

Kevin R. Hardwick, Ph.D.  
Erie County Comptroller

cc: Erie County Executive Mark C. Poloncarz, Esq.  
Erie County Attorney Jeremy C. Toth, Esq.  
Erie County Director of Budget and Management Robert W. Keating  
Erie County Fiscal Stability Authority

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SUBJECT

\*\*\* Amendment to COMM. 4E-23 (2023) -  
Consolidated Bond Resolution

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Attachments

Amendment to COMM. 4E-23

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RESOLUTION NO. \_\_\_\_\_, 2023

BOND RESOLUTION DATED \_\_\_\_\_, 2023

**BOND RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (THE “COUNTY”), AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS PROJECTS THAT WERE INCLUDED IN THE COUNTY’S 2023 CAPITAL BUDGET (COLLECTIVELY, THE “PROJECTS”), STATING THE TOTAL ESTIMATED MAXIMUM COST OF THE PROJECTS TO BE \$55,626,800, APPROPRIATING SUCH AMOUNT THEREFOR (INCLUDING THE EXPENDITURE OF \$11,147,330 OF STATE AND FEDERAL AID) AND AUTHORIZING THE ISSUANCE OF UP TO \$44,479,470 OF BONDS OR OTHER OBLIGATIONS OF THE COUNTY (COLLECTIVELY, THE “OBLIGATIONS”) TO FINANCE THE BALANCE OF SUCH APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK OR ANY OTHER SOURCE FOR THE PROJECTS TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF THE PROJECTS AS INDICATED HEREIN, OR TOWARDS THE REDEMPTION OF ANY OF THE OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE OBLIGATIONS.**

(Introduced) February 16, 2023

(Adopted) \_\_\_\_\_, 2023

WHEREAS, the County Legislature (the “Legislature”) of the County of Erie (the “County”), a municipal corporation of the State of New York (the “State”) has been in the process of planning various capital improvements projects (collectively, the “Projects”) that are listed on the schedule/listing of such Projects that is attached hereto and by this reference made a part hereof (the “Schedule”); and

WHEREAS, such planning has been undertaken, together with appropriate environmental compliance determination proceedings under the State Environmental Quality Review Act, by the County’s Energy and Environment Committee (the “Committee”) and/or the County’s Department of Environment & Planning (the “Department”), and has included such administrative actions as are necessary or required by the State or any federal agency with respect to assessing the potential environmental impacts of the Projects and ensuring the safety and security of persons and property in the County with respect to the Projects; and

WHEREAS, the Legislature, in accordance with the recommendations of the Committee and the Department, has determined: (A) that the Projects are in the public interest of the County and should be undertaken, (B) that there should be expended toward certain of the Projects \$11,147,330 of State and Federal aid, as noted on the Schedule; and (C) that there should be issued up to \$44,479,470 of bonds, notes, or other obligations of the County (collectively, the “Obligations”), to finance the balance of the estimated maximum cost of the Projects;

NOW, THEREFORE, BE IT

RESOLVED, by the Legislature (by the favorable vote of not less than two-thirds of all the members of the Legislature) as follows:

SECTION 1. The County is hereby authorized to undertake the Projects that are listed in column A of the Schedule, each as more fully described in column I of the schedule. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the duly adopted 2023 Capital Budget of the County (the “Budget”), the Budget shall be deemed to be, and hereby is, amended. For each of the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes, as specified in column B of the Schedule, the respective estimated maximum costs, including preliminary costs and costs incidental thereto and to the financing thereof, are set forth in column C of the Schedule, and the respective amounts are hereby appropriated therefor in accordance with the Budget.

SECTION 2. The plan of financing for the Projects includes the expenditure of \$11,147,330 in State and Federal aid that has been or is expected to be received for certain of the Projects (as detailed on the Schedule), and, along with the issuance of up to \$44,479,470 of Obligations to finance the balance of the aggregate estimated maximum cost of the Projects, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of such Obligations and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or from the State of New York or other sources for the Projects are hereby authorized to be expended towards the cost of the Projects or the redemption of any Obligations issued therefor, or to be budgeted as an offset to the taxes for payment of the principal of and interest on such Obligations.

SECTION 3. The respective periods of probable usefulness for the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes for which the \$44,479,470 of Obligations herein authorized are to be issued, within the limitations of §11.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), are set forth in column G of the Schedule. Obligations (including, without limitation, serial bonds of the County) in the respective principal amounts set forth in column D of the Schedule are hereby authorized to be issued pursuant to the provisions of the Law to finance the various objects or purposes that are listed on the Schedule.

SECTION 4. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized and (to the extent that such use has already occurred) is hereby ratified, pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution. The County intends to finance, and the County Comptroller, as the

chief fiscal officer of the County (the “Comptroller”) is hereby authorized to advance, such amounts as are necessary to pay the costs of the respective specific objects or purposes, classes of objects or purposes and combinations of objects or purposes described in Section 1 hereof, prior to the issuance of the Obligations, out of any available funds of the County on an interim basis. The County reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (A) the date hereof or (B) any earlier expression by the County of its intent to reimburse expenditures for the applicable Project(s) or any earlier iteration thereof) with the proceeds of the Obligations, to the extent consistent with the financing plan for such Project(s) as stated herein. This resolution shall constitute the declaration (or reaffirmation) of the County’s “official intent” to reimburse the expenditures authorized in this resolution with the proceeds of the Obligations, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. Each of the Obligations shall contain the recital of validity prescribed by §52.00 of the Law and the Obligations shall be general obligations of the County, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York). The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Obligations as the same respectively become due and payable. An annual appropriation shall be made in each year in the County budget sufficient to pay the principal of and interest on the Obligations becoming due and payable in such year and, to the extent not paid from other sources or charges, there shall annually be levied on all the taxable real property of the County a tax sufficient to pay the principal of and interest on such Obligations.

SECTION 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00, 62.00, 62.10, 63.00, 164.00 and 168.00 of the Law, the powers and duties of the Legislature relative to authorizing the issuance of Obligations in the form of notes, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the procedures for the sale and issuance of the Obligations, and relative to executing any agreements for credit enhancement, are hereby delegated to the Comptroller. Without in any way limiting the scope of the foregoing delegation of powers, the Legislature, to the extent permitted by Section 58.00(f) of the Local Finance Law, is hereby specifically authorized to accept bids for the Obligations that are submitted in electronic format. In the absence or unavailability of the Comptroller, the Deputy County Comptroller is hereby specifically authorized to exercise the powers delegated to the Comptroller in this resolution.

SECTION 7. When this resolution takes effect, the Clerk of the Legislature shall cause the same (or a summary thereof) to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Law, in the Buffalo Challenger and the Lancaster Bee, which are newspapers having general circulation in the County and published in the County. The validity of the Obligations may thereafter be contested only if the Obligations are authorized for an object or purpose for which the County is not authorized to expend money, or the provisions of law which should have been complied with at the date of the publication of this resolution (or a summary

thereof) are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication, or if the Obligations are authorized in violation of the provisions of the Constitution of the State of New York.

SECTION 8. Prior to the issuance of any Obligations, the County (acting through the Committee and the Department and, to the extent necessary or appropriate, the Legislature) has or will have complied (to the extent not accomplished already) with any applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable federal laws and regulations in connection with the environmental quality review process relating to the Projects (collectively, the “Environmental Compliance Proceedings”). In the event that any of such Environmental Compliance Proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this resolution, the Legislature will re-adopt, amend or modify this resolution prior to the issuance of the relevant Obligations, to the extent required and acting upon the advice of counsel. It is hereby determined by the Legislature, on the basis of the Environmental Compliance Proceedings and the findings of the Committee and/or the Department, that to the extent that the Environmental Compliance Proceedings may apply to the Projects, the Projects (when assessed either individually or in the aggregate) will not result in a significant adverse impact on the environment.

SECTION 9. The County intends to issue the Obligations to finance a portion of the aggregate cost of the Projects. The Comptroller is hereby authorized to covenant, in the name and on behalf of the County and for the benefit of the holders and beneficial owners of the Obligations, that the County will not make any use of the proceeds of the Obligations, or any funds reasonably expected to be used to pay the principal of or interest on the Obligations or any other funds of the County, and will not make any use of the facilities to be financed with the proceeds of the Obligations that would cause the interest on the Obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) or subject the County to any penalties under Section 148 of the Code, and that the County will not take any action or omit to take any action with respect to the Obligations, the proceeds thereof or any facilities to be financed thereby if such action or omission would cause the interest on the Obligations to become subject to federal income taxation under the Code or subject the County to any penalties under Section 148 of the Code.

SECTION 10. For the benefit of the holders and beneficial owners from time to time of the Obligations, the County agrees, in accordance with and as an obligated person with respect to the Obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the County’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination thereof, the Comptroller is authorized and directed to sign and deliver, in the name and on behalf of the County, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Clerk to the Legislature, which shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this Resolution and

not substantially adverse to the County and that are approved by the Comptroller on behalf of the County, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed, collectively, by this paragraph and the Commitment, shall constitute the County's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the County would be required to incur to perform thereunder. The County Comptroller is further authorized and directed to establish procedures in order to ensure compliance by the County with its various continuing disclosure agreements, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Comptroller shall consult with, as appropriate, the County Attorney and the County's bond counsel, the County's municipal advisor, or another qualified independent special counsel to the County. The Comptroller, acting in the name and on behalf of the County, shall be entitled to rely upon any legal advice provided by the County Attorney or such bond counsel or other special counsel in determining whether a filing should be made.

SECTION 11. The Comptroller is hereby specifically authorized to act, on the advice of bond counsel at the time of the issuance of the Obligations, to designate such Obligations, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 12. The Comptroller is further authorized to call in and redeem any outstanding Obligations that were issued pursuant to this bond resolution (at such times and in such amounts and maturities as may be deemed appropriate after consultation with the County officials and the County's municipal advisor), to approval any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such call(s) for redemption pursuant to Section 53.00 of the Law, with the understanding that no such call(s) for redemption will be made unless such notice of redemption shall have first been filed with the Clerk of the Legislature.

SECTION 13 This bond resolution shall take effect immediately upon approval by the County Executive.

The adoption of the foregoing resolution was moved by Legislator \_\_\_\_\_ and seconded by Legislator \_\_\_\_\_, before being duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

Dated: Buffalo, New York,  
\_\_\_\_\_, 2023

The foregoing bond resolution is hereby approved.

\_\_\_\_\_  
Mark C. Poloncarz  
County Executive

\_\_\_\_\_, 2023.

I, Robert M. Graber, HEREBY CERTIFY that the County Executive of Erie County approved a bond resolution of which the foregoing is a certified copy and returned the same for filing in the office of the Erie County Legislature.

\_\_\_\_\_, 2023.

\_\_\_\_\_  
Robert M. Graber  
Clerk of the Erie County Legislature

APPROVED AS TO CONTENT:

By \_\_\_\_\_  
Erie County Comptroller

APPROVED AS TO FORM:

By \_\_\_\_\_  
Erie County Attorney

CERTIFICATE

I, Robert M. Graber, Clerk of the Erie County Legislature, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Erie County Legislature duly called and held on March 9, 2023, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the County Legislature and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the County on \_\_\_\_\_, 2023.

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Robert M. Graber  
Clerk of the Erie County Legislature

(NOTICE TO BE ATTACHED TO AND TO BE PUBLISHED  
WITH COPY OF RESOLUTION AFTER ADOPTION)

NOTICE

The bond resolution, a copy of which is published herewith, has been adopted by the Erie County Legislature on \_\_\_\_\_, 2023, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution of New York.

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Robert M. Graber  
Clerk of the County Legislature

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SUBJECT

\*\*\* Amendment to COMM. 4E-23 (2023) -  
Consolidated Bond Chart of Components

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Attachments

Consolidated Bond - Chart of Components

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**2023 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMPONENTS**

| COLUMN # |              | A  | B                              | C                      | D                          | E                             | F     | G                         | H                              | I  |
|----------|--------------|--|--------------------------------|------------------------|----------------------------|-------------------------------|-------|---------------------------|--------------------------------|--|
| LINE NO. | SAP PROJ NO. | PROJECT DESCRIPTION (object or purpose)  | SPECIFIC, CLASS OR COMBINATION | ESTIMATED MAXIMUM COST | AMOUNT OF BONDS AUTHORIZED | STATE OR FEDERAL AID EXPECTED | OTHER | PPU Sec. 11.00a reference | CAPITAL BUDGET PAGE REFERENC E | PROJECT DETAILS  |
| 1        |              | DPW (Buildings and Grounds) – Rath Building Improvements                                       | S                              | 750,000                | 750,000                    |                               |       | 25 years Par 12(a)1       |                                | The scope of work will include, but is not be limited to: structural repairs in the sub-basement, replacement of the parking garage floor, building electrical assessment, installation of a new generator, and other miscellaneous improvements.  |
| 2        |              | DPW (Buildings and Grounds) – Roof Replacement and Exterior Waterproofing (Countywide)         | C                              | 2,000,000              | 2,000,000                  |                               |       | 25 yrs Par. 12(a)1        |                                | The work will consist of exterior building envelope repairs including roof repairs, replacement, doors, windows, skylights, roofing, caulking, waterproofing, masonry repair and repointing, and miscellaneous related work to the building exteriors.   |
| 3        |              | DPW (Buildings and Grounds) – Mechanical, Electrical, Plumbing, and Miscellaneous Improvements | C                              | 1,000,000              | 1,000,000                  |                               |       | 10 yrs. Par. 13           |                                | County buildings are reaching the end of their respective useful life on its operating equipment considering the age of some buildings. Building systems and equipment need to be continually maintained, repaired, and replaced when beyond its useful life.  |
| 4        |              | DPW (Buildings and Grounds) – Buffalo Niagara Convention Center (BNCC) Improvements            | S                              | 500,000                | 500,000                    |                               |       | 25 yrs. Par. 12(a)1       |                                | General BNCC improvements, renovations, and updates to maintain the building and keep the facility viable in the convention market. Replacement of main lobby entrance doors, ballroom improvements, meeting room HVAC upgrade, and corridor floor finish.   |
| 5        |              | DPW (Buildings and Grounds) – Buffalo & Erie County Public Library Roof Replacement            | S                              | 2,000,000              | 2,000,000                  |                               |       | 25 yrs. Par. 12(a)1       |                                | This project is to replace the current 20-year-old roof to prevent any water damage or deterioration. This would allow for options of a vegetative(green) roof system, solar panel array and/or energy storage systems occupied roof space for public use.   |
| 6        |              | DPW (Buildings and Grounds) – Erie County Sheriff's Department – Miscellaneous Renovations     | C                              | 700,000                | 700,000                    |                               |       | 25 yrs. Par. 12(a)1       |                                | The scope of the work includes various renovation projects throughout all the Sheriff's facilities including but not limited to: security upgrades, upgrades as required by the U.S. Department of Justice and NYS Department of Corrections, mechanical, electrical and plumbing upgrades, and sitework improvements.   |
| 7        |              | DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities                  | C                              | 500,000                | 500,000                    |                               |       | 10 yrs. Par. 13           |                                | This fund will include maintenance and/or improvements to various building components including but not limited to: site improvements, interior renovations, and associated building systems rehabilitation.   |
| 8        |              | Preservation Roads Construction Kenmore Avenue   | S                              | 2,082,300              | 2,082,300                  |                               |       | 15 yrs. Par. 20(c)        |                                | Reconstruction of Kenmore Avenue (road score of 5, 0.45 miles) from Sheridan Drive (Route 325) to Grand Island Boulevard (Route 324) located in the Town of Tonawanda. This project will consist of a new road section along with new drainage.  |
| 9        |              | Preservation Roads Construction Abbott & Willet Road   | S                              | 3,162,500              | 3,162,500                  |                               |       | 10 yrs. Par. 20(b)        |                                | This project would include the rehab of Abbott Road (Milestrip to Fisher, AADT 16,667) and Willet Road (McKinley to Abbott, AADT 5,850) in Hamburg and Lackawanna. Both roads are minor arterials. It includes pavement mill and overlay.  |
| 10       |              | 2023 Federal Aid - Road Design Summary   | C                              | 5,750,000              | 1,750,000                  | 4,000,000                     |       | 10 yrs. Par. 20(b)        |                                | This project is for 13 Federal Aid road projects: William, Maple and Pine, Bailey, Greiner, East River, Hamlet of Clarence Center, Abbott, North French, Wehrle, Buffalo, etc. The current pavement is showing signs of distress and failures along these roads. Rehabilitation includes, but is not limited to, mill and overlay, full depth reconstruction and partial reconstruction of these roadways.   |
| 11       |              | Vehicle and Equipment Replacement - Highways   | C                              | 6,750,000              | 6,750,000                  |                               |       | 15 yrs. Par. 28           |                                | This project is for front line equipment in critical need of replacement. Including but not limited to, plow trucks, high lifts, tractors, sweepers, and mowers. Additional equipment is required for EPA/DEC compliance including road sweepers and vactor flush trucks for storm sewers.   |
| 12       |              | Federal Aid Bridge Replacement - Sharp Street  | S                              | 2,315,000              | 925,000                    | 1,390,000                     |       | 20 yrs. Par. 10           |                                | This project is for the Sharp Street bridge over Springbrook (BIN 3228440) designated as a BridgeNY funding recipient. Funding is to be used for the construction costs for this or any other Federally aided bridge or Bridge NY project.   |
| 13       |              | Rehabilitation of Vermont Street (CR226) Construction  | S                              | 1,700,000              | 1,700,000                  |                               |       | 10 yrs. Par. 20(b)        |                                | This project is for full depth pavement reconstruction, replacement of closed drainage system including new gutters, replacement of waterline (town share), driveway aprons and limited replacements of curb and sidewalk as necessary for construction or another road project.   |
| 14       |              | Federal Aid Bridge Preservation - Design   | C                              | 1,500,000              | 500,000                    | 1,000,000                     |       | 5 yrs. Par. 62            |                                | This is for the design of Federal Aid bridge replacement projects, future BridgeNY projects or other funding. Seven bridges have been submitted for replacement on the 2023-2027 TIP-BINS 3327500, 3326400, 1041630, 3328610, 2260400, and 3328350.  |
| 15       |              | Preservation of Bridges Construction - Holland   | S                              | 1,500,000              | 1,500,000                  |                               |       | 20 yrs. Par. 10           |                                | Bridge replacement for two bridges in Holland, Hunters Creek Road over Hunters Creek (BIN 3328140) and Sanders Hill Road over Hunters Creek (BIN 3328180), or any other capital bridge replacement project.  |
| 16       |              | Trevett Road (CR420) Reconstruction and Slope Stabilization                                    | S                              | 750,000                | 750,000                    |                               |       | 10 yrs. Par. 20(b)        |                                | This project is to construct slope stabilization, full depth highway reconstruction including new closed drainage with energy dissipating structures. Any funds remaining to be used for addition capital road slide construction. Construction is anticipated for 2023.   |
| 17       |              | Rehabilitation of Borden Road (CR332)  | S                              | 3,000,000              | 3,000,000                  |                               |       | 15 yrs. Par. 20(c)        |                                | Phases 2 & 3 of Borden Road (CR 322), from Seneca Creek Road (CR 325) in West Seneca to Broadway (NY130) in the Village of Depew. The project is to rehabilitate the pavement and install new closed drainage, curb, and gutters.  |
| 18       |              | Preservation of Bridges & Culverts Construction - Miscellaneous Culvert Repairs/Replacements   | C                              | 500,000                | 500,000                    |                               |       | 10 yrs. Par. 20(b)        |                                | This project is to perform the necessary repairs and/or replacements on Erie County's small bridges, large culvert, and other culverts. These designs are for smaller span structures which can be designed and bid in the same year. Some of the small culverts are replaced in-kind and do not require design, and are performed as as-directed services.  |
| 19       |              | Federal Aid Bridge Replacement - Goodrich Road Bridge  | S                              | 1,750,000              | 530,000                    | 1,220,000                     |       | 20 yrs. Par. 10           |                                | This project is for the Goodrich Road bridge over Ransom Creek (BIN 3326400) which was submitted to be on the TIP for full bridge replacement. The bridge has a condition rating of 3.489 and is beyond economical rehabilitation.   |
| 20       |              | Countywide Parks Improvements and ADA Accessibility  | C                              | 500,000                | 500,000                    |                               |       | 15 yrs. Par. 19(c)        |                                | This project will provide improvements to, but not necessarily limited to: preservation, enhancement, and improvement of existing system assets and landscape settings.  |
| 21       |              | Countywide Roads, Pathways, and Parking Lot Improvements                                       | COMBO                          | 750,000                | 750,000                    |                               |       | 10 yrs. Par. 20(f)        |                                | This project will include the resurfacing, rehabilitation, and building of various roads, pathways, trail linkage, and parking lots within the County park system. This project would include funding towards larger projects at Wendt Beach and Chestnut Ridge Park.  |
| 22       |              | Vehicles and Equipment - Parks and Recreation  | C                              | 500,000                | 500,000                    |                               |       | 15 yrs. Par. 28           |                                | This project would include the annual purchasing of vehicles and equipment necessary to facilitate operational requirements. This may include purchasing of two (2) garbage trucks and two (2) loaders in 2022.  |
| 23       |              | Inclusive Playgrounds (2)  | C                              | 500,000                | 500,000                    |                               |       | 15 yrs. Par. 19(c)        |                                | Continue to identify locations to replace outdated playgrounds, park wide, with inclusive playgrounds, including providing site work, drainage, increase parking and ADA access to.  |
| 24       |              | Renaissance Commerce Park  | COMBO                          | 800,000                | 800,000                    |                               |       | 5 yrs. Par. 20(a)         |                                | This project will include design and construction of utility and transportation infrastructure including railroad, multi-use trails and other activities necessary to market the site as shovel-ready and enable vehicle, rail and pedestrian access within the site. Supply of shovel-ready land is critically low; the development of new shovel-ready sites is necessary for Erie County to attract and retain companies. Adequate transportation access with utilities is necessary to market the site as shovel-ready. Design/construction of utilities and transportation elements including rail, multi-use trails including historic monuments/ artifacts, trail amenities and wayfinding and site work as necessary including establishment of soil cover and topographic adjustments to enable road or utility construction. |
| 25       |              | Replacement of the Police, Fire, and Medical Computer Aided Dispatch and Record                | C                              | 5,000,000              | 5,000,000                  |                               |       | 10 yrs. Par. 98           |                                | This project is to replace the countywide computer aided dispatch and record management systems for all police, fire, and EMS agencies. This life saving system manages 911 emergency response, medical protocols and connectivity to state and federal public safety networks.  |

|    |  |   |            |            |            |  |                       |  |  |
|----|--|---|------------|------------|------------|--|-----------------------|--|--|
| 26 | Microsoft E5 Enterprise Agreement/Security Enhancements  | C | 1,000,000  | 1,000,000  |            |  | 5 yrs. Par. 32        |  | Install and operate Microsoft E5 Enterprise agreement. The installation of the E5 Enterprise software provides threat detection, identity management, access management, advance analytics, information management, compliance management, and security management.  |
| 27 | PC/Thin Client Replacements                              | C | 600,000    | 600,000    |            |  | 5 yrs. Par. 32        |  | Replace and update all out of support thin clients and PC's in the County. New units will support Windows 11.  |
| 28 | Youth Facility HVAC Replacement                          | S | 1,300,000  | 663,000    | 637,000    |  | 10 yrs. Par. 13       |  | This project will include design and construction costs to replace the HVAC units, as well as all associated work to the unit replacement including but not limited to: mechanical, electrical, and other miscellaneous systems. The Youth Detention Facility is reaching the end of useful life for the HVAC system, and a full replacement is needed. An analysis of roof structure is also needed to ensure it is stable enough for construction. In 2022, DPW will contract with design consultant to determine the most energy efficient and sustainable HVAC replacement and to develop specifications and RFP. Recommended system replacement will fully occur in 2023. |
| 29 | Youth Facility Security Upgrades                         | S | 817,000    | 416,670    | 400,330    |  | 5 yrs. Par. 32        |  | Replace all analog and outdated cameras with HD/digital, add audio in all living pods and cafeteria, increase cameras throughout, and update other safety measures as needed. The current security cameras are outdated and have poor visibility. The program/building is a secure facility and the monitoring of all movement is critical to ensuring the safety of youth and staff. Consultation with the facility's security provider is underway and items will either be sent to bid or purchased through state contract. Full upgrade of security system to occur throughout 2023.   |
| 30 | SUNY Erie Community College Facility Master Plan Phase 2 | C | 5,000,000  | 2,500,000  | 2,500,000  |  | 25 yrs. Par. 12(a)(1) |  | SUNY Erie is in the process of finalizing a facility master plan which included a condition assessment that is used as the basis for this request along with discussion with the Erie County Department of Public Works. Significant deferred maintenance, power distribution, wiring and mechanical upgrades, roof repairs, ADA upgrades, window and door replacements, classroom infrastructure, and site improvements are needed at all three campus locations, many involving health and safety. Some projects have had planning and/or design completed to date. Others have not yet started due to lack of funds available.  |
| 31 | Kleinhans Music Hall Capital Campaign                    | S | 650,000    | 650,000    |            |  | 15 yrs. Par. 20(c)    |  | National history landmark building is 82 years old and most all operating systems are original and beyond useful life. Replacement is required to achieve energy efficiencies and to continue to utilize building for original purpose. Replace/enhance building infrastructure including roof, HVAC, boilers, building management system, etc.  |
|    | TOTAL  |   | 55,626,800 | 44,479,470 | 11,147,330 |  | -                     |  |  |

| Amended Description Request | FUNCTIONAL AREA | ADMINISTERED BY DEPT (CODE) | PERSON WHO WILL BE ADMINISTERING | SEQR Status | SEQR Type Information  |
|-----------------------------|-----------------|-----------------------------|----------------------------------|-------------|--|
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1)(2)  |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1)(2)  |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2); (3) if green roof is used  |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(27) - Any physical alteration beyond NYCRR, Part 617.5(c)(1),(27) is required to comply with SEQR provisions as per NYCRR, Part 617.3(a)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(5),(6) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR. |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(5) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.     |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(27)  |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(31)  |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(2)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(5),(6) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.     |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(27)  |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(2)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(5),(6) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.     |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(5),(6) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.     |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(8),(9)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(5),(9) - Any physical alteration beyond NYCRR, Part 617.5(c)(1),(2),(5),(9) is required to comply with SEQR provisions as per NYCRR, Part 617.3(a).  |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(31)  |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(9) - Any physical alteration beyond NYCRR, Part 617.5(c)(1),(2),(9) is required to comply with SEQR provisions as per NYCRR, Part 617.3(a)   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type 1 Action: Negative Declaration Issued 3/29/19. Action is consistent with the findings statement issued 10/28/20.   |
|                             |                 |                             |                                  | COMPLETE    | SEQR Type II Action as per NYCRR, Part 617.5(c)(31)  |

|  |  |  |  |          |  |
|--|--|--|--|----------|--|
|  |  |  |  | COMPLETE | SEQR Type II Action as per NYCRR, Part 617.5(c)(31)  |
|  |  |  |  | COMPLETE | SEQR Type II Action as per NYCRR, Part 617.5(c)(31)  |
|  |  |  |  | COMPLETE | SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(27),(31)   |
|  |  |  |  | COMPLETE | SEQR Type II Action as per NYCRR, Part 617.5(c)(9),(31) - Any physical alteration beyond NYCRR, Part 617.5(c)(9),(31) is required to comply with SEQR provisions as per NYCRR, Part 617.3(a) |
|  |  |  |  | COMPLETE | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(10),(27)   |
|  |  |  |  | COMPLETE | SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2)   |
|  |  |  |  |          |  |

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SUBJECT

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COMM. 5E-1

COMPTROLLER

State Authorization for the Private Sale of  
Bonds or Notes by Negotiated Agreement

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Attachments

23COMM. 5E-1

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## ERIE COUNTY COMPTROLLER

KEVIN R. HARDWICK

February 24, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: State Authorization for the Private Sale of Bonds or Notes by Negotiated Agreement**

Dear Honorable Members:

Enclosed are recommended Home Rule Requests to the New York State Senate and the New York State Assembly to amend New York State Local Finance Law §54.50 to permit the continued underwriting and private sale of Erie County obligations through negotiated agreement until June 30, 2024. A copy of the related legislation introduced in the New York State Senate by Senator Timothy Kennedy (S.4596) and in the New York State Assembly by Assemblywoman Crystal Peoples-Stokes (A.1250) is also attached for your information.

As outlined in the attached accompanying memorandum, this amendment will provide the county sufficient flexibility in the marketing of bonds. This flexibility allows the county the ability to adjust coupon rates and maturities to ensure a more successful sale of bonds. The county has utilized negotiated authority for decades, and unless the Legislature acts, such authority will expire on June 30, 2024. Please note that while the county can benefit from such authority through lower prices and better terms, there may be circumstances and situations in which the county also engages in a competitive process. For instance, in 2020, my predecessor utilized negotiated authority for the County's revenue anticipation note sale.

I am available to answer any questions that you may have on this issue. Please feel free to contact me at 858-8404 and thank you in advance.

Sincerely yours,

A handwritten signature in blue ink that reads "Kevin R. Hardwick". The signature is written in a cursive style and is positioned above the printed name and title.

Kevin R. Hardwick, Ph.D.  
Erie County Comptroller

Encl.

## ACCOMPANYING MEMORANDUM

Re: State Authorization for the Underwriting and Private Sale of Bonds Through Negotiated Agreement

SUMMARY OF RECOMMENDED ACTION: That Erie County request the enactment of state legislation entitled “An Act to amend the local finance law, in relation to the sale of municipal obligations by the County of Erie.”

FISCAL IMPLICATIONS OF PROPOSAL: The underwriting of bonds or notes at private sale through a negotiated agreement offers needed flexibility to adjust coupon rates and maturities in response to unexpected events and uncertain credit market conditions. This flexibility can ensure a more successful sale and lower borrowing costs.

REASON FOR RECOMMENDATION: The ability for Erie County to sell serial bonds or notes at private sale expires on June 30, 2024.

BACKGROUND OF PROPOSAL: This method of marketing offers the advantage of greater flexibility. The structure of a bond or note issue or timing of a bond or note sale can be adjusted as necessary to respond to changing market conditions. Hence, the sale can be designed to meet investor needs and generate cost savings to the County.

CONSEQUENCES OF NEGATIVE ACTION: The flexibility needed to ensure a successful sale will be lost, and the County may realize higher borrowing costs.

STEPS FOLLOWING APPROVAL: Pursuant to Article IX of the New York State Constitution, Erie County will formally request enactment of State legislation to amend the New York State Local Finance Law.

## HOME RULE REQUEST – ASSEMBLY

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2023; and

WHEREAS, Assembly Bill A.1250 and Senate Bill S.4596, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2024;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill A.1250, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie".

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Assembly and two copies to the New York State Senate.

## HOME RULE REQUEST – SENATE

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2023; and

WHEREAS, Senate Bill S.4596 and Assembly Bill A.1250, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2024;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill S.4596, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie".

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

**S04596 Summary:**

BILL NO S04596

SAME AS SAME AS

SPONSOR KENNEDY

COSPSNR

MLTSPNSR

Amd §54.50, Loc Fin L

Extends provisions providing for the sale of municipal obligations by the county of Erie.

**S04596 Actions:**

BILL NO S04596

02/10/2023 REFERRED TO LOCAL GOVERNMENT

**S04596 Memo:**

*Memo not available*

S04596 Text:

## STATE OF NEW YORK

4596

2023-2024 Regular Sessions

## IN SENATE

February 10, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The opening paragraph of section 54.50 of the local finance  
2 law, as amended by chapter 329 of the laws of 2022, is amended to read  
3 as follows:

4 To facilitate the marketing of any issue of serial bonds or notes of  
5 the county of Erie issued on or before June thirtieth, two thousand  
6 [~~twenty-three~~ twenty-four such county may, notwithstanding any limita-  
7 tions on private sales of bonds provided by law, and subject to approval  
8 by the state comptroller of the terms and conditions of such sale:

9 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD03730-01-3

**A01250 Summary:**

BILL NO A01250

SAME AS No Same As

SPONSOR Peoples-Stokes

COSPNSR

MLTSPNSR

Amd §54.50, Loc Fin L

Extends provisions providing for the sale of municipal obligations by the county of Erie.

**A01250 Actions:**

BILL NO A01250

01/13/2023 referred to local governments

**A01250 Memo:**

*Memo not available*

A01250 Text:**STATE OF NEW YORK**

1250

2023-2024 Regular Sessions

**IN ASSEMBLY**

January 13, 2023

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the  
Committee on Local Governments

AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie

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EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD03730-01-3

---

SUBJECT

---

COMM. 5E-2

COUNTY EXECUTIVE

Appointment to the ErieNET LDC Board of  
Directors

---

Attachments

23COMM. 5E-2

---



EC LEG FEB 24 '23 AM 9:13

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 23, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Appointment to the ErieNET LDC Board of Directors**

Dear Honorable Members:

Pursuant to the By-laws of the ErieNET Local Development Corporation, I hereby submit the following individual for appointment to serve on the ErieNET LDC Board of Directors:

Jason Keding  
8500 Boston State Road  
Boston, NY 14025

Should you have any questions, please do not hesitate to contact my office at (716)858-8500.

Sincerely,

A handwritten signature in blue ink that reads "Mark C. Poloncarz". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nn

cc: Daniel Castle, Commissioner of Environment and Planning  
Appointee

---

SUBJECT

---

COMM. 5E-3

COMPTROLLER

Letter to County Clerk Concerning Challenger  
Newspaper Invoice

---

Attachments

23COMM. 5E-3

---



EC LEG FEB 23 '23 PM 2:19

ERIE COUNTY COMPTROLLER  
KEVIN R. HARDWICK

February 23, 2023

Hon. Michael Kearns  
Erie County Clerk  
92 Franklin Street  
Buffalo, New York 14202

**Re: Challenger Newspaper Invoice 11100 – November 3, 2022 Advertisement**

Dear Clerk Kearns:

As you are aware, my office received the above-referenced invoice for a 1/3 page ad that supposedly ran in *The Challenger* newspaper on November 3, 2022. The invoice was dated October 26, 2022, and your office **approved it for payment**. My staff had flagged and held several invoices that appeared political in nature for further review.

If not for this proactive measure, Erie County may have paid for this invoice, which upon further inspection, appears to be for a political re-election ad your campaign should have paid for (attached).

At 4:23 pm on February 22, 2023, the Second Deputy County Clerk appeared at my office and requested that the invoice "be deleted" and not paid. We requested an email (attached) formally asking that we delete (not pay) the invoice (also attached).

I will not be authorizing this invoice for payment and will instruct my staff to withdraw it.

Sincerely,

A handwritten signature in cursive script that reads "Kevin R. Hardwick".

Kevin R. Hardwick, Ph.D.  
Erie County Comptroller

---

Attachments

cc: Erie County Legislature  
Erie County Director of Purchase

## Callan, Timothy

---

**From:** McDougall, Alexander  
**Sent:** Wednesday, February 22, 2023 4:38 PM  
**To:** Callan, Timothy  
**Subject:** Invoice for deletion  
**Attachments:** 4935\_230222163451\_001.pdf

Tim,

I have attached the invoice we discussed. The Clerk would like this invoice to be deleted.

Thank You,

Alex

Alex McDougall, MBA | Second Deputy - County Clerk  
Office of Erie County Clerk **Michael P. Kearns**  
92 Franklin St. | Buffalo, NY 14202  
P: (716) 858-8867 | F: (716) 858-6550

VN 109763  
ref 0119234m1

Challenger Community News  
P.O. Box 474  
Buffalo, NY 14209  
(716) 881-1051  
advertising@thechallengernews.co  
m

**CHALLENGER**  
COMMUNITY NEWS

DP

**BILL TO**  
Michael Kearns  
92 Franklin St  
Buffalo, NY 14202

**INVOICE #** 11100  
**DATE** 10/26/2022  
**DUE DATE** 11/10/2022  
**TERMS** Net 15

| DESCRIPTION                       | QTY | RATE   | AMOUNT |
|-----------------------------------|-----|--------|--------|
| 1/3 pg color display ad<br>Nov. 3 | 1   | 998.00 | 998.00 |

We appreciate your business  
Please Remit Payment To:

**BALANCE DUE**

**\$998.00**

THE CHALLENGER NEWS  
P.O. BOX 474  
BUFFALO, NY 14209

We also Accept Visa , Mastercard , Discover & American Express

Please disregard this invoice and contact us at your convenience if payment has already been made.

# ERIE COUNTY AUTO BUREAU MOBILE UNIT

Frank E. Merriweather, Jr.  
Branch Library

## Easy As 1-2-3

1. Peeling Plate Replacements & Surrenders
2. Vehicle Registrations & Penalty Payments
3. Standard Driver License, non-Driver ID and Registration Renewals & Replacements



Michael P. Kearns  
Erie County Clerk

Due to the complexity of certain transactions, and in our effort to provide quick and efficient service, the following services will ***NOT*** be conducted here:  
Any Class Permit or Endorsement Testing, REAL ID/EDL Licenses or IDs, Driver Improvement or Enforcement Related Transactions.

[erie.gov/clerk](http://erie.gov/clerk)



### CHARITY GOLF TOURNAMENT TO SAVE ST. BRIAN CLOTHIERS

St. Brian Clothiers, the free men's suit store, founded in Buffalo, NY in May 2022 has grown by leaps and bounds in the last couple of months and is now in need for a larger space to continue serving the men in our community. One of the fundraising efforts was a recent Charity Golf Tournament, "Drive and OpportuniTees" at Delaware Park organized by the DiversiTee Golf Association, and marshaled by Buffalo Bills great All-Pro Wide Receiver, J.D. Hill who flew in for this inaugural tournament. Although the rain may have kept some golfers from coming out, the many that did, made the tournament a truly competitive and exciting event. What made this tournament so impactful was that the holes were themed; for example the 5th hole was dedicated to the Buffalo 5 and the 10th hole was renamed the Jefferson 10 Hole.

The sponsors and supporters who helped make this happen were Zoom Copy and print, Colosians 3:17 Marketing, Senator Tim Kennedy, Golden Cup Coffee, Terry Alford of the Michigan Street African American Heritage Corridor, The Sports Commission, Catch The Vision Ministry, Buffalo Sports Emporium, Myles Carter of All Eyes Property, The Exchange at Beverly Gray, Colvin Cleaners, Col. William J. Hoak III, USAFR, The Bridge program at Road Less Traveled Productions, New Era Cap, and Darwin Adams of Street Legacy Photography. Thank you to the volunteers and special celebrity guests such as Pastor Tim Newkirk and Dom Brown for stopping by and supporting the cause and all of the golfers who braved the elements to support St. Brian Clothiers and DiversiTee Golf Association. Congratulations to the first ever Brother Ramone who demonstrated an impressive amount of grit and gift that is expected of a champion. Fundraising efforts to support St. Brian Clothiers continues! Contact Dewitt Lee at 716-913-9428. *Street Legacy Photos by Darwin Adams*

**RETAIN JUDGE SAMUEL "SAM" P. DAVIS**  
**ENDORSED DEMOCRAT FOR BUFFALO CITY COURT JUDGE**  
**JUDGE DAVIS FOR BUFFALO CITY COURT**

*Neighborhood Leaders Agree: City Court Judge Davis is an experienced Jurist...  
 He brings Diversity, Fairness, Experience and Justice to the Bench*




**EXPERIENCE**

- Former Counsel to NYS Senate 60th District
- Appointed to the Buffalo City Court by Mayor Byron Brown
- Currently Serving as Buffalo Court Judge
- Graduate of the University at Buffalo's Law School
- Former Small Claims Court Hearing Officer
- Former Parking Enforcement Hearing Officer
- Attorney in Private Practice Handling Criminal and Civil Litigation
- Trial Experience on several high profile cases

[WWW.RETAINSAMDAVIS.COM](http://WWW.RETAINSAMDAVIS.COM)

**VOTE TO RETAIN JUDGE DAVIS | EARLY VOTING OCT 29<sup>TH</sup> - NOV 8<sup>TH</sup> | ELECTION DAY NOV 8<sup>TH</sup>**

Re-Elect **MICKEY KEARNS**



Your **ERIE COUNTY CLERK**

Driving Erie County Forward

ELECTION DAY: NOVEMBER 8

RESULTS DRIVEN >>>>

- ✓ TRANSFORMED D.M.V. EXPERIENCE
- ✓ FOUR CONSECUTIVE SURPLUS BUDGETS
- ✓ BRINGING THE CLERK'S OFFICE TO YOU
- ✓ HELPING THOSE FACING FORECLOSURE
- ✓ SERVING VETERANS
- ✓ STREAMLINED PISTOL PERMIT PROCESS

*"As your Clerk, I'll never stop fighting for Western New York!"*



**MICKEY KEARNS**

Your **ERIE COUNTY CLERK**

Driving Erie County Forward

PAID FOR BY KEARNS FOR CLERK

EXPERIENCE ★ INTEGRITY ★ TRUST ★ [WWW.KEARNSFORNY.COM](http://WWW.KEARNSFORNY.COM)

---

SUBJECT

---

COMM. 5E-4

COMPTROLLER

Proposed 2023-2024 NYS Budget & Impact  
of Enhanced Federal Medical Assistance  
Percentage Cuts

---

Attachments

23COMM. 5E-4

---



EC LEG FEB 22 '23 AM 11:18

## ERIE COUNTY COMPTROLLER

KEVIN R. HARDWICK  
February 22, 2023

Honorable Members  
Erie County Legislature  
92 Franklin Street, Fourth Floor  
Buffalo, New York 14202

**Re: Proposed 2023-2024 New York State Budget and Impact of Enhanced Federal Medical Assistance Percentage Cuts**

Dear Honorable Members:

The Governor's 2023-2024 proposed New York State budget makes a significant change to the "Enhanced Federal Medical Assistance Percentage" (eFMAP) federal funding that has been provided to states as part of the federal Affordable Care Act (ACA) for 10 years. Due to the magnitude of this proposal, I wished to alert your Honorable Body to the issue.

As you may know, in New York State, the eFMAP program has been used by the State to help fund the state's Medicaid program and has also been used by counties as fiscal relief to help stabilize property taxes and provide other needed local services. In effect, using the eFMAP federal funds, the State has helped reduce counties' Medicaid costs for many years.

However, Under the Governor's budget proposal, Erie County could potentially lose \$41 million in eFMAP funds in 2023 as part of a broader loss of \$625 million in eFMAP funds by county governments that the State would keep in the next year. If enacted by the State Legislature, over a three-year period, the loss of eFMAP funds could cost counties more than \$2.5 billion.

In a recent letter to the Governor, all 19 of New York's county executives, including Erie County Executive Mark Poloncarz, who is President of the New York State County Executive's Association, called on the State Legislature to reject the proposal. Addressing this proposal is currently the top priority for the New York State Association of Counties.

Obviously, the Governor's proposal is even more problematic because our 2023 County budget is already in place and absorbing such a loss would be difficult. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Kevin R. Hardwick, Ph.D.  
Erie County Comptroller

cc:: Erie County Executive Mark C. Poloncarz, Esq.  
Robert W. Keating, Director of Budget and Management  
Erie County Fiscal Stability Authority

95 FRANKLIN STREET • ROOM 1100 • BUFFALO, N.Y. • 14202  
PHONE: (716) 858-8400 • FAX: (716) 858-6195 • [www.erie.gov/comptroller](http://www.erie.gov/comptroller)

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SUBJECT

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COMM. 5E-5

COUNTY EXECUTIVE

Appointment to the ECMCC Board of  
Directors

---

Attachments

23COMM. 5E-5

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EC LEG FEB 15 '23 PM 4:14

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 15, 2023

Erie County Legislature  
92 Franklin St – Fourth Floor  
Buffalo, New York 14202

**RE: Appointment to the Erie County Medical Center Corporation**

Dear Honorable Members:

Pursuant to the powers vested in me by Section 3628 (b) of the New York Public Authorities Law, I, Mark C. Poloncarz, Erie County Executive, do hereby submit the following individual for your approval to serve on the Erie County Medical Center Corporation Board of Directors for the term expiring December 31, 2028.

**Dr. Philip M. Stegemann, M.D.**

7885 East Quaker Road  
Orchard Park, NY 14127

***New Appointment***

If you have any questions regarding these appointments please contact Jonathan Rivera of my office at your earliest convenience.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nn

cc: Appointee  
Jennifer C. Persico, Esq.

## CURRICULUM VITAE

Philip M. Stegemann, M.D.

7885 East Quaker Road  
Orchard Park, New York 14127  
(716) 866-3674

Erie County Medical Center  
462 Grider Street  
Buffalo, New York 14215  
(716) 898-4734

### **Education**

1974 - 1978 B.S. Biology - Union College, Schenectady, New York  
1978 - 1982 M.D. - State University of New York at Buffalo  
1982 - 1983 Internship - Buffalo General Hospital, State University of New York at Buffalo  
1984 - 1988 Orthopaedic Residency - State University of New York at Buffalo

### **Employment**

1983 - 1984 Staff Emergency Room Physician  
Columbus Hospital - Sisters of Charity Hospital - Our Lady of Victory Hospital  
1987 - 1988 Chief Resident, Department of Orthopaedics - State University of New York at Buffalo  
1988 - present Assistant Professor  
State University of New York at Buffalo School of Medicine & Biomedical Sciences  
1988 - 1987 Staff Orthopaedist - Erie County Medical Center  
1988 - 1991 Staff Orthopaedist - Veterans Administration Medical Center  
1992 - present Staff Orthopaedist - University Sports Medicine  
1997 - present Clinical Director, Department of Orthopaedics - Erie County Medical Center

### **Professional Memberships**

American Board of Orthopaedic Surgeons  
Fellow American Academy of Orthopaedic Surgery  
Orthopaedic Trauma Association  
American Medical Society  
Erie County Medical Society  
Western New York Orthopaedic Society  
1994 - 1995 Secretary  
1995 - 1996 Treasurer  
1996 - 1997 Vice Chairman  
1997 - 1998 Chairman

### **University Service**

1988 - present Faculty Council  
2012 - 2013 Interim Chairman, Department of Orthopaedic Surgery

### **Teaching Assignments**

First Year Medical Students Receptor  
Second Year Medical Students Physical Diagnosis in Orthopaedics  
Third Year Medical Students Lectures in Orthopaedics

**Departmental Service**

State University of New York at Buffalo - Resident Education Committee  
1991 - 1993    *Chairman*  
UBMD Orthopaedics & Sports Medicine  
2010 - Present    *Board Member*

**Hospital Service**

Erie County Medical Center  
1990 - 1996    *Medical Records Committee*  
1992 - 1993    *Quality Assurance Committee*  
1993 - present    *Trauma Advisory Committee*  
1997 - present    *Clinical Director, Department of Orthopaedics*

**National Presentations & Courses**

International Symposium on Engineering & Medicine  
Niagara Falls, New York      *September 1987*  
*"Hyaluronic Acid and its Effects in the Immobilized Rabbit Knee"*

American Academy of Orthopaedic Surgeons  
Baltimore, Maryland      *March 1992*  
*"Management of the Multiply Injured Patient"*  
*Floating Knee, Ligament Injuries of the Knee*  
*Upper Extremity Injuries - Fractures*  
*Heterotopic Bone Formation in the Multiply Injured Patient*

American Academy of Orthopaedic Surgeons  
Vail, Colorado      *January 1993*  
*"Management of the Multiply Injured Patient"*  
*Floating Knee, Ligament Injuries of the Knee*  
*Upper Extremity Injuries - Fractures*  
*Heterotopic Bone Formation in the Multiply Injured Patient*

American Academy of Orthopaedic Surgeons  
New Orleans, Louisiana    *February 1994*  
Instructional Course Lecture  
*"Fracture Care Management in the Multiply Injured Patient"*

Orthopaedic Trauma Association  
Buffalo, New York      *May 1995*  
Orthopaedic Trauma Update  
*Proximal Humerus Fractures*  
*Compartment Syndrome*

AAOS Annual Meeting  
New Orleans, LA, March 2018  
Poster Acceptance  
*Clinical Outcomes of unexpected positive cultures in revision shoulder arthroplasty.*

### **Local Presentations & Courses**

- 1991 Common Orthopaedic Office Problems – Strains & Sprains  
1992 Use of Gamma Nail (Hyatt Hotel – Buffalo, New York)  
Technique Lecture  
*Use of Nail in Subtrochanteric Fractures*  
1993 D’Youville College – Physician Assistant Program  
*Common Sprains & Strains*  
1988 – present Grand Rounds – Topics In Orthopaedics

### **Local Presentations & Courses (continued)**

- 1994 – present D’Youville College – Physician Assistant Program  
*Shoulder & Humerus*  
*Common Injuries & Treatment*  
1994 University Sports Medicine Conference - State University of New York at Buffalo  
*Common Shoulder Problems*  
*Office Management*  
1988 - Present Summer Fracture Conference – Clavicle, Scapula & Humerus  
2020 Scapula-Thoracic Disorders, Brachial Plexus

### **Referred Journals – Published**

Ablove RH, Babikian G, Moy OJ, Stegemann PM; Elevation in compartment pressure following hypovolemic shock and fluid resuscitation: a canine model. *Orthopedics*. 2006 May;29(5):443-5. Doi:10.3928/01477447-20060501-07. PMID: 16729746

Schemitsch EH, Bhandari M, Guyatt G, Sanders DW, Swiontkowski M, Tornetta P, Walter SD, Zdeero R, Goslings JC, Teague D, Jeray K, McKee MD; Study to Prospectively Evaluate Reamed Intramedullary Nails in Patients with Tibial Fractures (Sprint) Investigators. “Prognostic factors for predicting outcomes after intramedullary nailing of the tibia”. *J Bone Joint Surg Am*. 2012 Oct 3;94(19):1786-93. Doi: 10.2106/JBJS.J.01418 PMID: 23032589

Busse JW, Bhandari M, Guyatt GH, Heels-Ansdell D, Kulkarni AV, Mandel S, Sanders D, Schemitsch E, Swiontkowski M, Tornetta P 3<sup>rd</sup>, Wai E, Walter SD; SPRINT Investigators & the Medically Unexplained Syndromes Study Group. “Development and validation of an instrument to predict functional recovery in tibial fracture patients: the Somatic Pre-Occupation and Coping (SPOC) questionnaire”. *J Orthop Trauma*. 2012 June;26(6):370-8. PMID: 22011635

SPRINT Investigators, Simunovic N, Walter S, Devereaux PJ, Sprague S, Guyatt GH, Schemitsch E, Tornetta P 3<sup>rd</sup>, Sanders D, Swiontkowski M, Bhandari M. “Outcomes assessment in the SPRINT multicenter tibial fracture trial: Adjudication committee size has trivial effect on trial results”. *J Clin Epidemiol*. 2011 Sep;64(9):1023-33. Epub 2011 Mar 25. PMID: 21439784

Busse JW, Bhandari M, Guyatt GH, Heels-Ansdell D, Mandel S, Sanders D, Schemitsch E, Swiontkowski M, Tornetta P 3<sup>rd</sup>, Wai E, Walter SD; SPRINT Investigators. “Use of both Short Musculoskeletal Function Assessment questionnaire and Short Form-36 among tibial-fracture patients was redundant”. *J Clin Epidemiol*. 2009 Nov;62(11):1210-7. Epub 2009 Apr 11. PMID: 19364637

Study to Prospectively Evaluation Reamed Intramedullary Nails in Patients with Tibial Fractures Investigators, Bhandari M, Guyatt G, Tornetta P 3<sup>rd</sup>, Schemitsch EH, Swiontkowski M, Sanders D, Walter SD.

"Randomized trial of reamed and unreamed intramedullary nailing of tibial shaft fractures. J Bone Joint Surg Am. 2008 Dec;90(12):2567-78. PMID: 19047701

Ablove, RH, Babikian G, Moy OJ, Stegemann, PM "Elevation in compartment pressure following hypovolemic shock and fluid resuscitation: a canine model. Orthopaedics 2006 May;29(5):443-5. Doi: 10.3928/01477447-20060501-07, PMID: 16729746

Bone, L., Stegemann, P., McNamara, K., and Seibel, R. "External Fixation of Severely Comminuted and Open Tibial Pilon Fractures" Clinical Orthopaedics and Related Research 292:101-107, 1993

Bone, L., Kassman, S., Stegemann, P., and France, J. "Prospective Study of Union Rate of Open Tibial Fractures Treated with Locked Unreamed Intra-Medullary Nails" Journal of Orthopaedic Trauma 8:45-49, 1994

Bone, L., and Stegemann, P. "Early Fixation of Long Bone Fractures" Advances in Trauma and Critical Care Vol. 9, 1994

Stegemann, P., Lorio, M., Soriano, R., and Bone, L. "Management Protocol for Unreamed Interlocking Tibial Nails for Open Tibial Fractures" Journal of Orthopaedic Trauma 1995 Vol. 9 no. 2:117-120

Bone, L., Stegemann, P., and Babikan, G. "Fracture Management in the Multiply Injured Patient" Instruction Course Lecture AAOS 1995

#### **Book Chapters**

Smolinski, R., Stegemann, P., Leddy, J., "Impingement Syndrome (Rotator Cuff Disease)" Surgery of the Hand and Upper Extremity C. Peimer ed. McGraw Hill 1996

#### **Reviews of Abstracts**

Bone, L., Stegemann, P., McNamara, K., and Seibel, R. "The Use of External Fixation in Severe Fractures about the Ankle" Orthopaedic Transaction 12:265, 1990

Bone, L., Stegemann, P., and Hamill, C. "Management Protocol for Complex Pilon Fractures" Orthopaedic Transaction September 1993

Sucato, D., Bone, L., and Stegemann, P. "Comparative Outcome of Tibial Fractures treated with Cast or Closed IM Nails" AAOS Orthopaedic Transactions 1994

Bone, L., Hamill, C., and Stegemann, P. "Treatment Protocol and Outcome of Severe Pilon Fractures" AAOS Orthopaedic Transactions 1994

Bone, L., Sucato, D., and Stegemann, P. "Outcome Study of Tibial Fractures treated with Casts or IM Nails" AOA Orthopaedic Transactions 1994

#### **Non-Referred Journals - Published**

Bone, L., Stegemann, P., McNamara, K., and Seibel, R. "External Fixation of Severely Comminuted and Open Tibial Pilon Fractures in Major Fractures of the Pilon and Calcaneus" Springer-Verlag Berlin pp 53-58, 1993

Bone, L., and Stegemann, P. "Early Fixation of Long Bone Fractures" Advances in Trauma and Critical Care 9: 275-293, 1994

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SUBJECT

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COMM. 5E-6

SHERIFF

Incarcerated Individual Eye Care

---

Attachments

23COMM. 5E-6

---

**JOHN C. GARCIA**  
SHERIFF  
**WILLIAM J. COOLEY**  
UNDERSHERIFF



**ADMINISTRATIVE OFFICES**  
10 DELAWARE AVENUE  
BUFFALO, NEW YORK 14202-3913  
(716) 858-7618  
FAX: (716)858-7882  
WEBSITE: <http://www.erie.gov/sheriff>

## SHERIFF OF ERIE COUNTY

March 1, 2023

The Honorable  
Erie County Legislature  
92 Franklin Street  
Buffalo, New York 14202

**Re: Incarcerated Individual Eye Care**

Dear Honorable Members:

The attached resolution requests authorization to allow the County of Erie and the Erie County Sheriff's Office to pay Atwal Eye Care for eye care services for the county's incarcerated population.

Representatives from the Sheriff's Office will be available to answer any questions.

Very truly yours,

John C. Garcia  
Sheriff of Erie County

Attachments

## ACCOMPANYING MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Sheriff's Office  
**Re:** Incarcerated Individual Eye Care  
**Date:** March 1, 2023

### Summary of Recommended Action

The legislature needs to authorize the Sheriff's office to pay Atwal Eye Care for incarcerated individual eye care treatments.

### Fiscal Implications of the Proposal

None. The payments will come from the 2023 Budget and will not have any impact on the 2023 County Budget.

### Reasons for Recommendation

The Erie County Sheriff's Office is committed to providing access to medical treatment for the incarcerated population. Therefore, the Sheriff's Office seeks authorization to pay Atwal Eye Care up to \$75.00 per patient per visit for routine eye care plus fees associated with additional care procedures such as, but not limited to, cataract, cornea, and retina care and treatment.

Atwal Eye Care will provide in-patient care for vision services.

Furthermore, Atwal was the only provider willing to treat incarcerated individuals and has a secure ingress and egress for visits.

### Consequences of Negative Action

Failure to approve this request will prevent the Sheriff's Office from complying with the incarcerated individual medical care mandates.

### Steps Following Approval of Measure

Certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the County Comptroller, the Division of Budget and Finance, the Division of Purchasing, and the Sheriff's Office for implementation.

**A RESOLUTION SUBMITTED BY:  
ERIE COUNTY SHERIFF'S OFFICE**

**Re: Incarcerated Individual Eye Care**

WHEREAS, the Erie County Sheriff's Office is committed to providing access to medical treatment for the incarcerated population, and

WHEREAS, Atwal Eye Care will provide in-patient care for vision services; and

WHEREAS, the Sheriff's Office and Atwal have agreed to terms for each visit; and

WHEREAS, the county will pay Atwal Eye Care up to \$75.00 per patient per visit; and

WHEREAS, the county is authorized to pay Atwal for additional eye care procedures such as, but not limited to, cataract, cornea, and retina care treatment; and

WHEREAS, Atwal was the only eye care provider willing to treat incarcerated individuals and has a secure ingress and egress for visits; and

WHEREAS, the payments will come from the 2023 Budget and will not have any impact on the 2023 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the county to pay Atwal Eye Care, 3095 Harlem Road Cheektowaga, New York 14225, up to \$75.00 per patient per visit for eye care services for the county's incarcerated population; and be it further

RESOLVED, the legislature authorizes the county to pay Atwal for additional eye care procedures such as, but not limited to, cataract, cornea, and retina care treatment; and

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make any payments for the approved agreements; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the County Comptroller, the Division of Budget and Finance, the Division of Purchasing, and the Sheriff's Office for implementation.

FISCAL IMPACT: As indicated

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SUBJECT

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COMM. 5E-7

COUNTY EXECUTIVE

ECSD No. 3 - Southtowns Influent Screenings  
Replacement

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Attachments

23COMM. 5E-7

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EC LEG MAR 3 '23 PM2:38

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

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

**RE: Erie County Sewer District No. 3  
Southtowns Influent Screenings Replacement  
Bid Opening – Contract No. 73**

Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 3 Contract No. 73 Southtowns Influent Screenings Replacement.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP: mlp

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

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SUBJECT

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COMM. 5E-8

COUNTY EXECUTIVE

ECSD Nos. 2, 3, 6 & 8 - Construction  
Inspection Term Contract Agreement

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SUBJECT

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COMM. 5E-9

COUNTY EXECUTIVE

ECSD Nos. 1, 4 & 5 - Construction Inspection  
Term Agreement

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Attachments

23COMM. 5E-9

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EC LEG MAR 3 '23 PM2:38

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

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

**RE: Erie County Sewer District Nos. 1, 4, & 5  
Construction Inspection Term Contract Agreement  
Greenman-Pederson, Inc.  
Work Order: GPI-1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on December 15, 2022, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:bp  
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Sewer District Nos. 1, 4, & 5  
Construction Inspection Term Contract Agreement  
Greenman-Pederson, Inc.  
Work Order: GPI-1  
**Date:** March 2, 2023

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### **SUMMARY**

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Greenman-Pederson, Inc. (GPI) for Erie County Sewer District (ECSD) Nos. 1, 4, & 5 in an amount not to exceed \$50,000.00.

### **FISCAL IMPLICATIONS**

There will be no impact to the County's General Fund. The cost of the engineering inspection work related to this communication will be paid from the Sewer Fund Operating Budget, Fund 220, Professional Service Contracts and Fees GL Account 516020, Fund Center 18110 ECSD Nos. 1, 4, & 5.

### **REASONS FOR RECOMMENDATION**

The Division of Sewerage Management has issued work order GPI-1 to GPI to provide resident engineering services. GPI will provide inspection for construction and subdivision projects in ECSD Nos. 1, 4, & 5.

### **BACKGROUND INFORMATION**

On December 15, 2022, the Erie County Legislature passed a resolution [Comm. 19E-17 (2022)] authorizing a Term Agreement with GPI for construction inspection. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete inspections throughout the ECSDs. Accordingly, the Department has approved work order GPI-1 in the amount of \$50,000.00 to provide inspection for various construction and subdivision projects in ECSD Nos. 1, 4, & 5.

### **CONSEQUENCES OF NEGATIVE ACTION**

This is a receive and file item.

## **STEPS TO FOLLOW APPROVAL**

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NOS. 1, 4, & 5  
WORK ORDER NO. GPI-1**

**ENGINEER:**            Greenman-Pederson, Inc. (GPI)

**CONTRACT DATE:**        December 15, 2022

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**1. Title of Proposal:**

Provide Resident Engineer for various construction and subdivision sewer installation projects in ECSD Nos. 1, 4, & 5.

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**2. Company/Address/Principal In-Charge:**

Kenneth Zollitsch, LEED AP  
GPI, Inc.  
Suite 100  
4950 Genesee Street  
Buffalo, NY 14225

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**3. Effective Dates of Proposal:**

February 13, 2022

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**4. Brief Description of Work for Which Proposal is Submitted:**

The Engineer will provide construction inspection for various construction and subdivision projects in ECSD Nos. 1, 4, & 5.

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**5. Engineering Cost:**

\$50,000.00

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**6. Source of Funds:**

2023 Sewer Fund Operating Budget Professional Services Account 516020 of ECSD Nos. 1, 4, & 5.

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**7. Project No:**        GPI-1

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**8. Attachments:**    None

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**9. File:**            0.3.2. GPI (23-25/26) Insp

DATE:            February 14, 2023

Accepted By: \_\_\_\_\_

Prepared By:    \_\_\_\_\_  
                         Matt A. Salah, P.E.

Authorized By: \_\_\_\_\_  
                         Joseph Fiegl, P.E., BCEE  
                         Deputy Commissioner

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SUBJECT

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COMM. 5E-10

COUNTY EXECUTIVE

ECSD Nos. 1, 4 & 5 - Construction Inspection  
Term Contract Agreement

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Attachments

23COMM. 5E-10

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EC LEG MAR 3 '23 PM 2:39

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

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

**RE: Erie County Sewer District Nos. 1, 4, & 5  
Construction Inspection Term Contract Agreement  
Nussbaumer & Clarke, Inc.  
Work Order: NC-1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on December 15, 2022, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:bp  
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Sewer District Nos. 1, 4, & 5  
Construction Inspection Term Contract Agreement  
Nussbaumer & Clarke, Inc.  
Work Order: NC-1  
**Date:** March 2, 2023

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### **SUMMARY**

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Nussbaumer & Clarke, Inc. (N&C) for Erie County Sewer District (ECSD) Nos. 2, 3, 6 & 8 in an amount not to exceed \$50,000.00.

### **FISCAL IMPLICATIONS**

There will be no impact to the County's General Fund. The cost of the engineering inspection work related to this communication will be paid from the Sewer Fund Operating Budget Fund 220, Professional Service Contract and Fees GL Account 516020, Fund Centers 18210, 18310, and 18610 ECSD Nos. 2, 3, 6 & 8.

### **REASONS FOR RECOMMENDATION**

The Division of Sewerage Management has issued work order NC-1 to N&C to provide resident engineering services. N&C will provide inspection for construction and subdivision projects in ECSD Nos. 2, 3, 6 & 8.

### **BACKGROUND INFORMATION**

On December 15, 2022, the Erie County Legislature passed a resolution [Comm. 19E-17 (2022)] authorizing a Term Agreement with N&C for construction inspection. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete inspections throughout the ECSDs. Accordingly, the Department has approved work order NC-1 in the amount of \$50,000.00 to provide inspection for various construction and subdivision projects in ECSD Nos. 2, 3, 6, & 8.

### **CONSEQUENCES OF NEGATIVE ACTION**

This is a receive and file item.

## **STEPS TO FOLLOW APPROVAL**

This is a receive and file item.



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SUBJECT

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COMM. 5E-11

COUNTY EXECUTIVE

ECSD Nos. 1, 4 & 5 - Construction Inspection  
Term Contract Agreement

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Attachments

23COMM. 5E-11

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EC LEG MAR 3 '23 PM 2:39

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

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

**RE: Erie County Sewer District Nos. 1, 4, & 5  
Construction Inspection Term Contract Agreement  
Wm. Schutt and Associates  
Work Order: WSA-1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on December 15, 2022, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:bp  
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Sewer District Nos. 1, 4, & 5  
Construction Inspection Term Contract Agreement  
Wm. Schutt and Associates  
Work Order: WSA-1  
**Date:** March 2, 2023

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### **SUMMARY**

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Wm. Schutt & Associates (WSA) for Erie County Sewer District (ECSD) Nos. 1, 4, & 5 in an amount not to exceed \$50,000.00.

### **FISCAL IMPLICATIONS**

There will be no impact to the County's General Fund. The cost of the engineering inspection work related to this communication will be paid from the Sewer Fund Operating Budget, Fund 220, Professional Service Contracts and Fees GL Account 516020, and Fund Center 18110 ECSD Nos. 1, 4, & 5.

### **REASONS FOR RECOMMENDATION**

The Division of Sewerage Management has issued work order WSA-1 to Wm. Schutt & Associates to provide resident engineering services. WSA will provide inspection for construction and subdivision projects in ECSD Nos. 1, 4, & 5.

### **BACKGROUND INFORMATION**

On December 15, 2022, the Erie County Legislature passed a resolution [Comm. 19E-17 (2022)] authorizing a Term Agreement with WSA for construction inspection. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete inspections throughout the ECSDs. Accordingly, the Department has approved work order WSA-1 in the amount of \$50,000.00 to provide inspection for various construction and subdivision projects in ECSD Nos. 1, 4, & 5.

### **CONSEQUENCES OF NEGATIVE ACTION**

This is a receive and file item.

## **STEPS TO FOLLOW APPROVAL**

This is a receive and file item.



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SUBJECT

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|             |                  |  |
|-------------|------------------|--|
| COMM. 5E-12 | COUNTY EXECUTIVE | Acceptance of DASNY Grant for Times Beach<br>Gateway Enhancement & Facility<br>Improvement Project |
|-------------|------------------|--|

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Attachments

23COMM. 5E-12

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EC LEG MAR 3 '23 PM 2:39

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Acceptance of DASNY Grant for Times Beach Gateway Enhancement and Facility Improvement Project**

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution from the Erie County Department of Parks, Recreation and Forestry authorizing the County Executive to execute a contract with the Dormitory Authority of the State of New York (DASNY) to accept \$500,000 in grant funding for a Resiliency Study and public use improvements at the Times Beach Nature Preserve.

Should your Honorable Body require further information, I encourage you to contact Commissioner Troy Schinzel at the Department of Parks, Recreation and Forestry. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/kc  
Enclosure

cc: Troy Schinzel, Commissioner - Department of Parks, Recreation and Forestry  
James McDonald, Deputy Commissioner - Department of Parks, Recreation and Forestry

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Parks, Recreation and Forestry  
**Re:** Acceptance of DASNY Grant for Times Beach Gateway Enhancement and Facility Improvement Project  
**Date:** March 2, 2023

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### **SUMMARY**

It is recommended that the Legislature approve the attached resolution prepared by the Erie County Department of Parks, Recreation and Forestry authorizing the County Executive or Deputy County Executive to enter into an agreement with the Dormitory Authority of the State of New York (DASNY) to accept \$500,000 in grant funding, and to establish a project budget. The attached resolution also authorizes the County Executive to enter into an agreement with WSP to conduct a Resiliency Study at Times Beach Nature Preserve. WSP USA, Inc. was selected following a competitive bid process engaged via RFP# 2022-051VF.

### **FISCAL IMPLICATIONS**

There are no fiscal implications associated with the Times Beach Gateway Enhancement and Facility Improvement Project. \$500,000 in funding for the cost of the resiliency study and subsequent facility enhancements is provided through this DASNY Grant.

### **REASONS FOR RECOMMENDATION**

Approval of this resolution will enable the Department of Parks, Recreation and Forestry to accept \$500,000 in grant funding for a Resiliency Study and implement its recommendations for public use improvements to the site. Approval will also allow the County to enter into an agreement with WSP USA, Inc. to conduct the Resiliency Study.

### **BACKGROUND INFORMATION**

In 2003, Erie County spearheaded development of public access improvements at the Times Beach Nature Preserve. The amenities included over 4000' of trails and elevated boardwalk, 3 bird watching blinds, interpretive signage and an information kiosk. Over the years, significant habitat restoration investments have been made at the site for invasive species eradication and establishment of native species.

Over the past several years, wind setup and seiche events on Lake Erie and the resultant high-water levels and destructive wave action have caused extensive damage to the majority of the boardwalk and have deposited massive debris fields. The debris damaged natural habitat on site, buried portions of the trails and washed onto the roadway as well. In recent years, historically high-water levels in Lake Erie and the lack of Lake Erie Ice coverage, have intensified the impact of the wind setup/seiche events necessitating the need for long term and sustainable solutions to protect the ecosystems and habitat present at the site as well as the existing and future public access amenities.

The Times Beach Gateway Enhancement and Facility Improvement Project includes the Resiliency Study that will assess the vulnerability of the Times Beach Nature Preserve's existing and future public access amenities to damage associated with wind setup conditions/high lake levels and Lake Erie seiche events and make recommendations for actions that can be taken to make the site more resilient to those conditions. In addition to the Resiliency Study, recommended public improvements/infrastructure at the site will be constructed.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without the requested authorization, Erie County will be unable accept DASNY funding or benefit from the Resiliency Study results/recommendations.

### **STEPS FOLLOWING APPROVAL**

An agreement with the Dormitory Authority of the State of New York will be executed by the County Executive, a project budget will be established, and an agreement for professional services will be executed with WSP USA, Inc.



**ERIE COUNTY DEPARTMENT OF PARKS, RECREATION AND FORESTRY**  
**RFP # 2022-051VF - Times Beach Nature Preserve Resiliency Study**  
**PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY**

| Proposer                            | Evaluation Criteria                      |    |                                     |  |    |                                     |   |      |                                     |                                   |            |                                     |   |    |                                     |                               |    |                                     | Weighted Average Qualifications Score (1 - 10) | Qualifications Ranking |            |    |            |      |      |   |
|-------------------------------------|--|----|-------------------------------------|--|----|-------------------------------------|---|------|-------------------------------------|-----------------------------------|------------|-------------------------------------|---|----|-------------------------------------|-------------------------------|----|-------------------------------------|--|------------------------|------------|----|------------|------|------|---|
|                                     | Clear understanding of the Scope of Work |    |                                     | Experience & Qualifications of Proposed Team |    |                                     | Experience of Firm/Team with Similar Projects |      |                                     | Percentage of M/WBE Participation |            |                                     | Schedule feasible and consistent with the project deadlines |    |                                     | Familiarity with Project Area |    |                                     |  |                        |            |    |            |      |      |   |
|                                     | Weight = 25%                             |    |                                     | Weight = 25%                                 |    |                                     | Weight = 20%                                  |      |                                     | Weight = 15%                      |            |                                     | Weight = 10%  |    |                                     | Weight = 5%                   |    |                                     |  |                        |            |    |            |      |      |   |
| Committee Member Raw Score (1 - 10) |  |    | Committee Member Raw Score (1 - 10) |  |    | Committee Member Raw Score (1 - 10) |   |      | Committee Member Raw Score (1 - 10) |                                   |            | Committee Member Raw Score (1 - 10) |   |    | Committee Member Raw Score (1 - 10) |                               |    | Committee Member Raw Score (1 - 10) |  |                        | Avg. Score |    |            |      |      |   |
| #1                                  | #2                                       | #3 | Avg. Score                          | #1   | #2 | #3                                  | Avg. Score                                    | #1   | #2                                  | #3                                | Avg. Score | #1                                  | #2  | #3 | Avg. Score                          | #1                            | #2 | #3                                  | Avg. Score                                     | #1                     | #2         | #3 | Avg. Score |      |      |   |
| Benjamin                            | 7  | 8  | 8                                   | 7.67   | 6  | 9                                   | 5.5   | 6.83 | 5                                   | 8                                 | 7          | 6.67                                | 10  | 6  | 10                                  | 8.67                          | 8  | 8                                   | 10   | 8.67                   | 6          | 9  | 5          | 6.67 | 7.46 | 4 |
| CRS                                 | 8  | 8  | 7                                   | 7.67   | 7  | 8                                   | 7   | 7.33 | 5                                   | 7                                 | 0          | 4.00                                | 10  | 6  | 10                                  | 8.67                          | 8  | 8                                   | 10   | 8.67                   | 7          | 9  | 2          | 6.00 | 7.02 | 5 |
| DM                                  | 8  | 8  | 7                                   | 7.67   | 7  | 8                                   | 7   | 7.33 | 7                                   | 7                                 | 3          | 5.67                                | 10  | 8  | 10                                  | 9.33                          | 5  | 9                                   | 10   | 8.00                   | 8          | 10 | 5          | 7.67 | 7.47 | 3 |
| LaBrelia                            | 7  | 8  | 8                                   | 7.67   | 8  | 9                                   | 6   | 7.67 | 6                                   | 7                                 | 8          | 7.00                                | 10  | 9  | 10                                  | 9.67                          | 8  | 8                                   | 10   | 8.67                   | 8          | 9  | 7          | 8.00 | 7.95 | 2 |
| WSP                                 | 10                                       | 9  | 10                                  | 9.67   | 9  | 9                                   | 9   | 9.00 | 9                                   | 9                                 | 9          | 9.00                                | 10  | 6  | 10                                  | 8.67                          | 10 | 8                                   | 10   | 9.33                   | 9          | 10 | 10         | 9.67 | 9.18 | 1 |
|                                     | 0  | 0  | 0                                   | 0.00   | 0  | 0                                   | 0   | 0.00 | 0                                   | 0                                 | 0          | 0.00                                | 0   | 0  | 0                                   | 0.00                          | 0  | 0                                   | 0  | 0.00                   | 0          | 0  | 0          | 0.00 | 0.00 | 6 |
|                                     | 0  | 0  | 0                                   | 0.00   | 0  | 0                                   | 0   | 0.00 | 0                                   | 0                                 | 0          | 0.00                                | 0   | 0  | 0                                   | 0.00                          | 0  | 0                                   | 0  | 0.00                   | 0          | 0  | 0          | 0.00 | 0.00 | 6 |
|                                     | 0  | 0  | 0                                   | 0.00   | 0  | 0                                   | 0   | 0.00 | 0                                   | 0                                 | 0          | 0.00                                | 0   | 0  | 0                                   | 0.00                          | 0  | 0                                   | 0  | 0.00                   | 0          | 0  | 0          | 0.00 | 0.00 | 6 |
|                                     | 0  | 0  | 0                                   | 0.00   | 0  | 0                                   | 0   | 0.00 | 0                                   | 0                                 | 0          | 0.00                                | 0   | 0  | 0                                   | 0.00                          | 0  | 0                                   | 0  | 0.00                   | 0          | 0  | 0          | 0.00 | 0.00 | 6 |
|                                     | 0  | 0  | 0                                   | 0.00   | 0  | 0                                   | 0   | 0.00 | 0                                   | 0                                 | 0          | 0.00                                | 0   | 0  | 0                                   | 0.00                          | 0  | 0                                   | 0  | 0.00                   | 0          | 0  | 0          | 0.00 | 0.00 | 6 |

It is my opinion the Erie County Department of Parks, Recreation and Forestry has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Parks, Recreation and Forestry office during regular business hours.

*Troy Schickel*  
 Troy Schickel, Commissioner  
 Erie County Department of Parks, Recreation and Forestry

*Jana M. Chimera*  
 Jana M. Chimera  
 Deputy County Executive

**ERIE COUNTY DEPARTMENT OF PARKS, RECREATION AND FORESTRY**

**RFP # 2022-051VF - Times Beach Nature Preserve Resiliency Study**

**Scope of Services Priced Proposal Review Summary**

| <b>Proposer</b> | <b>Total Project Cost</b> |
|-----------------|---------------------------|
| Bergmann        | \$139,774.00              |
| C&S             | \$136,102.00              |
| GPI             | \$128,835.80              |
| LaBella         | \$131,910.00              |
| Ramboll         | Disqualified *            |
| WSP             | \$139,523.89              |

\* Proposal went unscored as firm did not provide cost estimate in a separate sealed envelope

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PARKS, RECREATION AND FORESTRY**

**RE:** Acceptance of DASNY Grant for Times Beach Gateway Enhancement and Facility Improvement Project

WHEREAS, the Times Beach Nature Preserve is widely recognized as a prime Western New York bird watching venue and is strategically located because of its proximity to the City of Buffalo, Lake Erie and the Niagara River; and

WHEREAS, the Times Beach Nature Preserve is a key component in the revitalization of Buffalo and Erie County's waterfront; and

WHEREAS, Erie County has facilitated the construction of public access amenities at the site that include a trail system, boardwalk, bird watching blinds and interpretative signage, and maintains the site; and

WHEREAS, the public access amenities, and 60% of its tree cover, have sustained extensive damage from several Lake Erie storm events leaving the majority of the trail system and property inaccessible, and

WHEREAS, Erie County received a \$500,000 grant from the Dormitory Authority of the State of New York (DASNY) for a Resiliency Study and additional public use improvements; and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry issued an RFP for the Resiliency Study component of the project on December 7, 2022; and,

WHEREAS, six engineering firms submitted proposals and WSP USA, Inc. was unanimously selected by the review committee to complete the Resiliency Study.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with DASNY to accept \$500,000 in grant funding within the Department of Parks, Recreation and Forestry in Grant Fund 281, Funds Center 16410 as follows:

Department of Parks, Recreation and Forestry  
Times Beach Gateway Enhancement and Facility Improvement Project  
164TBDASNY2325  
4/1/2023 - 3/31/2025

**ACCOUNT**

**REVENUES**

**BUDGET**

|        |                     |                    |
|--------|---------------------|--------------------|
| 409000 | State Aid - Revenue | <u>\$(500,000)</u> |
|        | TOTAL               | <u>\$(500,000)</u> |

| ACCOUNT | APPROPRIATIONS                          | BUDGET            |
|---------|---|-------------------|
| 516020  | Professional Services, Contracts & Fees | <u>\$ 500,000</u> |
|         | TOTAL                                   | <u>\$ 500,000</u> |

; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into contract with WSP USA, Inc. for a Times Beach Nature Preserve Resiliency Study for an amount not to exceed \$140,000; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to implement budget adjustments based on grantor approved changes; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any technical adjustments necessary; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive's Office, the County Comptroller, the Division of Budget and Management, the Department of Law, the Department of Parks, Recreation and Forestry, and the Department of Environment and Planning.

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SUBJECT

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|             |                  |   |
|-------------|------------------|---|
| COMM. 5E-13 | COUNTY EXECUTIVE | Acceptance of DASNY Grant for Tow Path<br>Park/Fenian Invasion Monument<br>Improvements |
|-------------|------------------|---|

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Attachments

23COMM. 5E-13

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EC LEG MAR 3 '23 PM 2:39

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**Re: Acceptance of DASNY Grant for Tow Path Park/Fenian Invasion Monument Improvements**

Dear Honorable Members:

The Department of Parks, Recreation and Forestry is requesting authorization for the County Executive to accept grant funding from the Dormitory Authority of the State of New York (DASNY) State and Municipal Facilities Program, establish a budget, and authorize entering a contract with DASNY. This grant will fund capital improvement projects at Tow Path Park – Fenian Invasion Monument to include items such as benches, various lighting, flagpoles, a concrete walkway and improved access around the site.

Should your Honorable Body require any further information, please contact Commissioner Troy P. Schinzel at the Parks Department. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/mc

Enclosure

Cc: Troy P. Schinzel, Commissioner – Department of Parks, Recreation and Forestry

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Department of Parks, Recreation and Forestry  
**Re:** Acceptance of DASNY Grant for Tow Path Park/Fenian Invasion Monument Improvements  
**Date:** March 2, 2023

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### **SUMMARY**

Legislative authorization is requested to execute a contract to accept \$95,000 in funding from the Dormitory Authority of the State of New York (DASNY) State and Municipal Facilities Program for a capital improvement project at the Tow Path Park Fenian Invasion Monument.

### **FISCAL IMPLICATIONS**

There will be no additional impact on County resources. The program expenses will be funded by the DASNY State and Municipal Facilities Program grant.

### **REASONS FOR RECOMMENDATION**

The Erie County Department of Parks, Recreation and Forestry (Parks), through the DASNY State and Municipal Facilities Program, will implement capital improvements at Tow Path Park/Fenian Invasion Monument. The facility improvements will ensure protection of the park assets.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Department of Parks, Recreation and Forestry will forfeit DASNY funding and be unable to access the grant resources. Erie County will be unable to implement actions to improve the facilities at Tow Path Park/Fenian Invasion Monument.

### **STEPS FOLLOWING APPROVAL**

The necessary contract with DASNY State and Municipal Facilities Program will be executed, and a budget will be established within the Department of Parks, Recreation and Forestry.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PARKS, RECREATION AND FORESTRY

Re: Acceptance of DASNY Grant for Tow Path Park/Fenian Invasion Monument.

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) has ownership of Tow Path Park in Buffalo, NY; and

WHEREAS, Parks is committed to coordinate, oversee, and support work towards the protection of the County's natural resources and public spaces; and

WHEREAS, the Dormitory Authority of the State of New York (DASNY) State Municipal Facilities Program provides grant assistance to municipalities to implement projects to make improvements of memorials/monuments of a cultural/educational nature in Park areas; and

WHEREAS, once approved, the Tow Path Fenian Invasion Monument Improvement Project will be completed by Rodriguez Construction Group, currently under contract with Parks in accordance with New York State Municipal Law 103.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with DASNY to accept a grant of \$95,000 for a capital improvement project at the Tow Path Park Fenian Invasion Monument; and be it further

RESOLVED, that authorization is hereby given to create a new capital project in Fund 410, Funds Center 164 for the project as follows:

Project A.23XXX – Tow Path Fenian Invasion Monument Project  
Fund 410, Funds Center 164

REVENUES

|                            |                   |
|----------------------------|-------------------|
| 409000 State Aid - Revenue | <u>\$(95,000)</u> |
| TOTAL                      | <u>\$(95,000)</u> |

APPROPRIATIONS

|                         |          |
|-------------------------|----------|
| Capital Project Expense | \$95,000 |
|-------------------------|----------|

; and be it further

RESOLVED, that authorization is hereby given to the Director of the Division of Budget and Management to adjust the Project budget for any and all additions or reductions in State or local share revenues that are made available for the Project; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, the Department of Law, and the Department of Parks, Recreation and Forestry.

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SUBJECT

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COMM. 5E-14

COUNTY EXECUTIVE

Contract Amendment to Rehabilitation of  
Alden-Crittenden Rd. & Bullis Rd.

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Attachments

23COMM. 5E-14

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EC LEG MAR 3 '23 PM 2:39

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Amendment to Rehabilitation of Alden-Crittenden Rd. (CR1) and  
Bullis Rd. (CR330)  
Towns of Alden and Marilla  
ECDPW Project No. CAP-CR1 & CR330-2019**

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to execute a contract amendment with the design firm of CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (CPL) for engineering design services for an additional section adjacent to this 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 black ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/gmw  
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:** Amendment to Rehabilitation of Alden-Crittenden Rd. (CR1) and  
Bullis Rd. (CR330)  
Towns of Alden and Marilla  
ECDPW Project No. CAP-CR1 & CR330-2019  
**Date:** March 2, 2023

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### **SUMMARY**

The Department of Public Works is seeking authorization to execute a contract amendment with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (CPL) for engineering services for the design phase of an adjacent section of the above noted project. The contract amendment includes engineering design services and a design contingency in an amount not to exceed \$210,945 for the rehabilitation of Bullis Road from Two Rod Road to the Little Buffalo Creek Bridge. CPL was selected for this project in 2019 in accordance with County policy using the County selection process.

### **FISCAL IMPLICATIONS**

The total cost of the engineering design services is currently estimated at \$191,745. In addition, it is desired to establish a design contingency in the amount of \$19,200 bringing the total amendment to \$210,945. Funding for this project is available in Fund 420, Fund Center 123, in the following Capital Project:

|         |                                 |           |
|---------|---------------------------------|-----------|
| B.21150 | 2021 Capital Overlay Countywide | \$210,945 |
|---------|---------------------------------|-----------|

### **REASONS FOR RECOMMENDATION**

To advance the project in a timely fashion, it is desired to execute a contract amendment with CPL, utilizing existing funding for the required engineering services. CPL is the project consultant of record on the original road project limits and is recommended for the adjacent project because of their expertise, experience, and manpower to provide the County of Erie with the service required.

Prior to the construction of Bullis Road from Shearing Drive to Two Rod Road, it was discovered that Bullis Road just east of these limits also needed a similar roadway treatment from Two Rod Road to the Little Buffalo Creek Bridge. The project was not amended at that time due to funding constraints. With the completion of the original project limits, CPL's knowledge of this road and the necessary treatment allows for a streamlined and cost efficient design, saving taxpayer money.

### **BACKGROUND INFORMATION**

Bullis Road, between Two Rod Road and the Little Buffalo Creek Bridge, is showing significant signs of pavement distress and drainage issues. Significant cracking of the concrete gutter and

ponding within the gutter indicate the need to reconstruct/replace the drainage system in this area. This portion of Bullis Road has a Road Score (2021) of 6 out of 10, along with a daily traffic count of 2,236 vehicles.

The project objectives are to rehabilitate the pavement and replace the stormwater drainage in the area. Project design engineering services will commence upon approval of this resolution.

### **CONSEQUENCES OF NEGATIVE ACTION**

This action is required to ensure project advancement of the road rehabilitation. Negative action would halt design and result in continued deterioration of the road surface, decreased rideability, and increased maintenance responsibilities and costs.

### **STEPS FOLLOWING APPROVAL**

Upon the Erie County Legislature's approval, a contract amendment will be executed by the County Executive. Once the amendment is executed, design work will begin immediately thereafter.

**COMPTROLLER'S OFFICE REVIEW**

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

 *Timothy C. Callan* 2/21/23  
\_\_\_\_\_  
Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

CAP-CR1 & CR330-2019

B.21150 – 2021 Capital Overlay Countywide

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

RE: Amendment to Rehabilitation of Alden-Crittenden Rd. (CR1) and Bullis Rd. (CR330)  
Towns of Alden and Marilla  
ECDPW Project No. CAP-CR1 & CR330-2019

WHEREAS, it is desired to rehabilitate Bullis Road (CR 330) from Two Rod Road to the Little Buffalo Creek bridge, including pavement resurfacing and drainage replacement; and

WHEREAS, CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (dba CPL) was selected for the Alden-Crittenden Road (CR 1) and Bullis Road (CR 330) from Shearing Drive to Two Rod Road Intersection project in 2019 via the County's RFP process and awarded via Comm 4E-23 on March 5, 2019 to provide engineering services for the design and construction phases of the Project; and

WHEREAS, it is desired to execute a contract amendment with CPL for additional Design Engineering services for an adjacent, Bullis Road section from Two Rod Road to Little Buffalo Creek Bridge, in the amount of \$191,745; and

WHEREAS, it is desired to also establish a project contingency in the amount of \$19,200; and

WHEREAS, the total cost of the Design Engineering phase of this contract amendment and contingency is \$210,945, and is available in Capital Project B.21150-2021 Capital Overlay, Fund 420, Funds Center 123.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the revised limits of the Rehabilitation of Alden-Crittenden Road and Bullis Road, CAP-CR1&CR330-2019 (the "Project"); and be it further

RESOLVED, that the County Executive be authorized to execute a contract amendment between the County of Erie and the selected Project Design Engineers, CPL, for engineering design services in an amount not to exceed \$191,745, and to establish a design contingency in the amount of \$19,200, for a total cost not to exceed \$210,945, and execute any necessary Change Orders; and be it further

RESOLVED, that funding for this Project is hereby appropriated and made available for the project from Fund 420, Fund Center 123, as follows:

|         |                                 |           |
|---------|---------------------------------|-----------|
| B.21150 | 2021 Capital Overlay Countywide | \$210,945 |
|---------|---------------------------------|-----------|

; 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 County Executive's Office, the Comptroller's Office, and the Division of Budget and Management.

TO: TIM 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  | CPL Architects, Engineers, Landscape Architect<br>and Surveyor, D.P.C. (dba CPL)            |
| 2. AMOUNT OF CONTRACT | \$191,745 CPL<br>\$ 19,200 Contingency  |
| 3. PROJECT NUMBER     | B.21150 - 2021 Capital Overlay Countywide   |
| 4. PROJECT TITLE      | Rehabilitation of Alden-Crittenden Rd. (CR1)<br>and Bullis Rd. (CR330)                      |
| 5. DEPARTMENT CONTACT | Funding questions: William E. Geary, Jr. at<br>8301<br>Letter pickup: Christy Weber at 8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |                                    |                   |
|------------------------------------|-------------------|
| 6. AVAILABILITY OF FUNDS           | \$ 3,025,254.87   |
| 7. PERFORMED BY                    | <i>Kerry Tran</i> |
| Date Sent to Comptroller's Office: | 2-21-23           |

[55 compt\_10]

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SUBJECT

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COMM. 5E-15

COUNTY EXECUTIVE

Real Estate Transfer Tax Surplus  
Appropriation

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Attachments

23COMM. 5E-15

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EC LEG MAR 3 '23 PM 2:40

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

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

**RE: Real Estate Transfer Tax Surplus Appropriation**

Dear Honorable Members:

Please find attached a resolution requesting authorization to appropriate \$7,485,000 of available Road Repair Reserve Fund Transfer Tax in the Road Fund to facilitate 2023 road projects.

Should your Honorable Body require further information, please contact Budget Director Robert Keating or Public Works Commissioner William E. Geary, Jr. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jp/rwk  
Enclosure

Cc: William E. Geary, Jr., Commissioner of Public Works  
Robert Keating, Director of Budget and Management

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works, Division of Highways and the Division of Budget and Management  
**Re:** Real Estate Transfer Tax Surplus Appropriation  
**Date:** March 2, 2023

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### **SUMMARY**

The attached resolution requests authorization to budget an additional \$7,485,000 in revenue from available Road Repair Reserve Fund Transfer Tax in the Road Fund to facilitate 2023 road projects.

### **FISCAL IMPLICATIONS**

Funding at year-end 2022 in the Road Fund generated from Transfer Tax revenue and prior year Road Repair Reserve is available to fund this request.

### **REASONS FOR RECOMMENDATION**

Approval of this resolution will allow for important road work to occur in 2023.

### **BACKGROUND INFORMATION**

Higher than expected collection of Transfer Tax has provided funding for this action.

### **CONSEQUENCES OF NEGATIVE ACTION**

Failure to approve this resolution will result in less road work being done in 2023.

### **STEPS FOLLOWING APPROVAL**

The Division of Budget and Management and the Division of Highways will implement this resolution.

**RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS  
AND DIVISION OF BUDGET AND MANAGEMENT**

RE: Real Estate Transfer Tax Surplus Appropriation

WHEREAS, the Erie County Road Repair Reserve Fund has been established pursuant to Tax Law Section 1432 and General Municipal Law, Section 6-d; and

WHEREAS, the 2023 Adopted County Budget contains available funds from the collection of Real Estate Transfer Tax for repair of roads, bridges, and equipment; and

WHEREAS, use of Road Repair Reserve funds is restricted to repair of roads and bridges in the County; and

WHEREAS, the Division of Budget and Management recommends the utilization of \$7,485,000 from the available balance in the Road Repair Reserve Fund to conduct important road work in 2023; and

WHEREAS, appropriations from the Road Repair Reserve Fund may be made only following a public hearing; and

WHEREAS, a public hearing was held on February 16, 2023.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the carrying-forward of \$7,485,000 in excess Transfer Tax into 2023 for the purposes of supplementing the 2023 Capital Overlay Program through the following budget modifications:

Road Repair Reserve  
Fund 210, Funds Center 12330

| <b>Revenue</b>                   | <b>Current<br/>Budget</b> | <b>Adjustment</b>  | <b>Adjusted<br/>Budget</b> |
|----------------------------------|---------------------------|--------------------|----------------------------|
| 402190 Appropriated Fund Balance | \$ 0                      | \$7,485,000        | \$ 7,485,000               |
| 402600 Transfer Tax              | <u>\$12,500,000</u>       | <u>\$ 0</u>        | <u>\$12,500,000</u>        |
| Total Revenue                    | <u>\$12,500,000</u>       | <u>\$7,485,000</u> | <u>\$19,985,000</u>        |
| <br><b>Appropriation</b>         |                           |                    |                            |
| 912300 ID Highway Services       | <u>\$12,500,000</u>       | <u>\$7,485,000</u> | <u>\$19,985,000</u>        |
| Total Appropriation              | <u>\$12,500,000</u>       | <u>\$7,485,000</u> | <u>\$19,985,000</u>        |
| Net Change Road Repair Reserve   |                           | \$ 0               |                            |

Division of Highways  
Fund, 210, Funds Center 1231010

| <b>Appropriation</b>              | <b>Current<br/>Budget</b> | <b>Adjustment</b>    | <b>Adjusted<br/>Budget</b> |
|-----------------------------------|---------------------------|----------------------|----------------------------|
| 570000 Interfund Transfer Subsidy | \$ 10,415,000             | \$ 7,485,000         | \$ 17,900,000              |
| 912300 ID Highway Services        | <u>\$(12,533,100)</u>     | <u>\$(7,485,000)</u> | <u>\$(20,018,100)</u>      |
| Total Appropriation               | \$ (2,118,100)            | \$ 0                 | \$ (2,118,100)             |
| Net Change Fund 210               |                           | \$ 0                 |                            |

Project B.23050 – Capital Overlay Program Countywide  
Fund 420, Funds Center 123

| <b>Revenue</b>           | <b>Current<br/>Budget</b> | <b>Adjustment</b>  | <b>Adjusted<br/>Budget</b> |
|--------------------------|---------------------------|--------------------|----------------------------|
| 486000 Interfund Revenue | <u>\$9,000,000</u>        | <u>\$7,485,000</u> | <u>\$16,485,000</u>        |
| Total Revenue            | <u>\$9,000,000</u>        | <u>\$7,485,000</u> | <u>\$16,485,000</u>        |
| <br><b>Appropriation</b> |                           |                    |                            |
| Capital Projects         | <u>\$9,000,000</u>        | <u>\$7,485,000</u> | <u>\$16,485,000</u>        |
| Total Appropriation      | <u>\$9,000,000</u>        | <u>\$7,485,000</u> | <u>\$16,485,000</u>        |
| Net Change Fund 420      |                           | \$ 0               |                            |

; and be it further

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

RESOLVED, that the Clerk of the Legislature did publish a Notice of Public Hearing once in each of the official newspapers of the County, at least five days prior to the date of the Public Hearing and said hearing took place on February 16, 2023; and be it further

RESOLVED, that authorization is hereby given to appropriate \$7,485,000 of available prior-year Transfer Tax and Road Repair Reserve to conduct 2023 road projects; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, the Department of Law.

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SUBJECT

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COMM. 5E-16

COUNTY EXECUTIVE

PILOT Agreement for Tonawanda Towers,  
City of Tonawanda

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Attachments

23COMM. 5E-16

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EC LEG MAR 3 '23 PM2:40

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Payment in Lieu of Taxes (PILOT) Agreement for Tonawanda Towers, City of Tonawanda**

Dear Honorable Members:

Please find an enclosed resolution from the Department of Environment and Planning regarding a Payment in Lieu of Taxes (PILOT) Agreement for Tonawanda Towers. The resolution authorizes the County Executive to execute an agreement with Orbach Affordable Housing Solutions (OAHS) Tonawanda Housing Development Fund Corporation, OAHS Tonawanda TC LLC, and the City of Tonawanda.

Should your Honorable Body require further information, I encourage you to contact Commissioner Daniel Castle. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jw  
Enclosure

cc: Daniel R. Castle, Commissioner

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Payment in Lieu of Taxes (PILOT) Agreement Tonawanda Towers, City of Tonawanda – Affordable Housing Project  
**Date:** March 2, 2023

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### **SUMMARY**

The resolution authorizes the County Executive to execute a PILOT Agreement with Orbach Affordable Housing Solutions (OAHS) Tonawanda Housing Development Fund Corporation, OAHS Tonawanda TC LLC, and the City of Tonawanda.

The owner is seeking a PILOT from the City of Tonawanda and Erie County consistent with the PILOT Policy adopted by the Erie County Legislature on December 16, 1999.

### **FISCAL IMPLICATIONS**

In accordance with the PILOT policy, the proposed PILOT payment for the Tonawanda Towers project shall be based on a payment of \$76,267. in year 1 and would escalate by 3% each year for an additional fifteen-year term. The County would receive twenty-five percent (25%) of each annual payment, and the City of Tonawanda would receive seventy-five percent (75%) of each annual payment. The payment Schedule A lists the payments for the 15 years of the Agreement.

### **REASONS FOR RECOMMENDATION**

The City of Tonawanda supports the PILOT and on December 20, 2022, the Common Council of the City of Tonawanda approved the Tonawanda Towers PILOT Agreement. The project conforms to the provisions of Article XI of the New York Private Housing Finance Law.

### **BACKGROUND INFORMATION**

The residential project is located at 5 Main Street in the City of Tonawanda, zip code 14150. The project consists of the improvement and rehabilitation of one hundred (100) apartment units. All units in the project will be low-income for households earning between 30% to 60% area median income (AMI) The total development cost is projected to be \$23,083,666.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without the PILOT, it would not be economically feasible for OAHS Tonawanda Housing Development Fund Corporation and/or OAHS Tonawanda TC LLC to operate the project as it is currently structured.

### **STEPS FOLLOWING APPROVAL**

The County Executive will enter into a PILOT Agreement with the noted parties.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Payment in Lieu of Taxes (PILOT) Agreement for Tonawanda Towers, City of  
Tonawanda – Affordable Housing Project

WHEREAS, Tonawanda Towers consists of the improvement and rehabilitation of one hundred (100) low income rental units at 5 Main Street, City of Tonawanda, 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 Orbach Affordable Housing Solutions (OAHS) Tonawanda Housing Development Fund Corporation, OAHS Tonawanda TC LLC to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Tonawanda.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or Deputy County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with OAHS Tonawanda Housing Development Fund Corporation, OAHS Tonawanda TC LLC, and the City of Tonawanda, 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 Payment Schedule**

| Year | Total Payments | To City (75%) | To County (25%) |
|------|----------------|---------------|-----------------|
| 1    | \$76,267       | \$57,200      | \$19,067        |
| 2    | \$78,555       | \$58,916      | \$19,639        |
| 3    | \$80,912       | \$60,684      | \$20,228        |
| 4    | \$83,339       | \$62,504      | \$20,835        |
| 5    | \$85,839       | \$64,379      | \$21,460        |
| 6    | \$88,414       | \$66,311      | \$22,103        |
| 7    | \$91,067       | \$68,300      | \$22,767        |
| 8    | \$93,799       | \$70,349      | \$23,450        |
| 9    | \$96,613       | \$72,460      | \$24,153        |
| 10   | \$99,511       | \$74,633      | \$24,878        |
| 11   | \$102,496      | \$76,872      | \$25,624        |
| 12   | \$105,571      | \$79,178      | \$26,393        |
| 13   | \$108,739      | \$81,554      | \$27,185        |
| 14   | \$112,001      | \$84,001      | \$28,000        |
| 15   | \$115,361      | \$86,521      | \$28,840        |

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SUBJECT

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COMM. 5E-17                      COUNTY EXECUTIVE                      Acceptance of SHINE Grant

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Attachments

23COMM. 5E-17

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EC LEG MAR 3 '23 PM 2:40

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Acceptance of SHINE grant**

Dear Honorable Members:

Enclosed please find a resolution and accompanying memorandum from the Department of Senior Services requesting authorization to accept a new grant from the New York State Office for the Aging. The Seniors' Health Improvement and Nutrition Education (SHINE) Program grant is \$108,184 to increase the number of low-income older adults that receive nutrition education to promote healthier lifestyles and behaviors.

Should your Honorable Body require any further information, I encourage you to contact Commissioner Angela Marinucci in the Department of Senior Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/mv  
Enclosure

cc: Angela Marinucci, Commissioner, Department of Senior Services

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Senior Services  
**Re:** Acceptance of SHINE grant  
**Date:** March 2, 2023

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### **SUMMARY**

The Department of Senior Services is requesting authorization to accept a new grant from the New York State Office for the Aging (NYSOFA). The Seniors' Health Improvement and Nutrition Education (SHINE) Program grant is \$108,184 to increase the number of low-income older adults that receive nutrition education to promote healthier lifestyles and behaviors. This grant is for the period of October 1, 2022 through September 30, 2023.

### **FISCAL IMPLICATIONS**

No additional county funds are required as the grant is 100% federally funded.

### **REASONS FOR RECOMMENDATION**

The funding will support the Department's efforts to educate low-income older adults relative to nutrition education thus promoting healthier lifestyles and behaviors through food demonstrations, nutrition education material and various workshops. The funds will also cover Departmental payroll costs associated with the initiatives included above.

### **BACKGROUND INFORMATION**

NYSOFA is making funds available to the County as they partner with the New York State Office of Temporary and Disability Assistance (OTDA). This initiative is funded through OTDA under the Supplemental Nutrition Assistance Program (SNAP) of the United States Department of Agriculture, Food and Nutrition Service.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Department of Senior Services would be unable to provide the 100% grant funded services for seniors in Erie County.

### **STEPS FOLLOWING APPROVAL**

The Department of Senior Services will utilize the grant funding to promote and facilitate nutrition education to our low-income older adults.

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF SENIOR SERVICES**

RE: Acceptance of SHINE Grant

WHEREAS, the New York State Office for the Aging (NYSOFA) has awarded the Department of Senior Services a new 100% federally funded grant to help address the nutrition needs for our low-income older adults; and

WHEREAS, the Seniors' Health Improvement and Education (SHINE) grant for \$108,184 is to improve nutrition education and healthy behaviors for our low-income older population; and

WHEREAS, the grant period will run from October 1, 2022 through September 30, 2023; and

WHEREAS, no additional County funds are required as the grant is 100% funded by the grantor.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the County Executive to contract with the NYSOFA to accept \$108,184 to be made available as a grant to the Department of Senior Services in Fund 281, Funds Center 163 and to be budgeted as follows:

Department of Senior Services  
Seniors' Health Improvement and Education Grant  
163SHINE2223  
10/1/2022 – 9/30/2023

| <b>ACCOUNT</b> | <b>REVENUES</b> | <b>BUDGET</b>           |
|----------------|-----------------|-------------------------|
| 414000         | Federal Aid     | <u>\$108,184</u>        |
|                | <b>TOTAL</b>    | <u><b>\$108,184</b></u> |

| <b>ACCOUNT</b> | <b>APPROPRIATIONS</b>                   | <b>BUDGET</b>           |
|----------------|---|-------------------------|
| 505000         | Office Supplies                         | \$ 483                  |
| 505400         | Food & Kitchen Supplies                 | 6,250                   |
| 516020         | Professional Services, Contracts & Fees | 1,250                   |
| 916390         | ID Senior Srvs Grant                    | 96,201                  |
| 980000         | ID DISS Services                        | <u>\$ 4,000</u>         |
|                | <b>TOTAL</b>                            | <u><b>\$108,184</b></u> |

; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust items of appropriations and revenue which may be impacted by changes to grantor awards; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive's Office; Division of Budget and Management; Comptroller's Office; and the Department of Senior Services.

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SUBJECT

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COMM. 5E-18

COUNTY EXECUTIVE

Meridian Fire Training Solutions LLC -  
Consulting Request

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Attachments

23COMM. 5E-18

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EC LEG MAR 3 '23 PM 2:40

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Meridian Fire Training Solutions LLC consulting request**

Dear Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum from the Department of Homeland Security & Emergency Services requesting authorization to hire Meridian Fire Training Solutions LLC to conduct technical rescue training for the Department of Homeland Security and Emergency Services.

Should your Honorable Body require further information, I encourage you to contact Commissioner Daniel Neaverth Jr. at the Department of Homeland Security & Emergency Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/lb  
Enclosure

Cc: Daniel Neaverth, Commissioner of Emergency Services

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Homeland Security & Emergency Services  
**Re:** Meridian Fire Training Solutions LLC  
**Date:** March 2, 2023

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### **SUMMARY**

It is recommended that the Erie County Legislature approve the attached resolution authorizing the County Executive to hire Meridian Fire Training Solutions LLC to conduct technical rescue training for members of the Erie County Technical Rescue Team.

### **FISCAL IMPLICATIONS**

The training Meridian Fire Training Solutions LLC will provide is consistent with the guidance of this grant and the cost of \$1,295.00 will be paid in full by the grant funds.

### **REASONS FOR RECOMMENDATION**

The Erie County Department of Homeland Security & Emergency Services as the fiduciary agency has determined that Meridian Fire Training Solutions LLC will be able to provide the requested training in a timely and efficient manner. Meridian Fire Training Solutions LLC has been utilized for similar training by neighboring Counties and comes highly recommended.

### **BACKGROUND INFORMATION**

The Erie County Department of Homeland Security & Emergency Services has determined that a gap exists in current capabilities of regional technical rescue services in their ability to access and conduct rescue operations on certain elevated structures such as radio transmission towers, cellular phone antenna towers, and similar structures. Meridian Fire Training Solutions LLC has a proven competency in training emergency responders in the necessary skills and techniques to safely and effectively conduct rescue operations on these types of structures.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without this Legislation, the training will not occur and the gap in emergency response capability will not be addressed.

### **STEPS FOLLOWING APPROVAL**

The Erie County Bureau of Purchase will issue a purchase order, and the department will hire the consultant and training will occur in April of 2023.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF EMERGENCY SERVICES

RE: Meridian Fire Training Solutions LLC

WHEREAS, the Department of Homeland Security & Emergency Services, through NYS Department of Homeland Security and Emergency Services, has agreed to provide funding for training in emergency response to elevated structures; and

WHEREAS, Meridian Fire Training Solutions LLC has been identified as an appropriate and competent provider of the requested training; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to hire Meridian Fire Training Solutions LLC to conduct the training for emergency response and rescue from elevated structures; and

WHEREAS, funding is available in the FY 19 Technical Rescue Grant to cover the costs incurred for this training; and

WHEREAS, the vendor will be managed by the Erie County Department of Homeland Security & Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the County Executive to enter into contract with Meridian Fire Training Solutions LLC to conduct the Emergency access and rescue from elevated structure training; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract already exist within Emergency Services 2023 Budget in HS167TECHRESCUE1922 Grant, purchase order will not exceed \$1,295 ; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, Division of Budget and Management, Department of Homeland Security & Emergency Services, Comptroller's Office, and Department of Law.

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SUBJECT

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COMM. 5E-19

COUNTY EXECUTIVE

Authority to Extend Usherwood Office  
Technology Contract

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Attachments

23COMM. 5E-19

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EC LEG MAR 3 '23 PM 2:40

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Authority to extend Usherwood Office Technology contract**

Dear Honorable Members:

The Division of Information and Support Services seeks authority to extend their contract an additional two (2) years with Usherwood Office Technology to provide managed print and copy services.

This proposal was selected based on the current contract being in the final 6 months of the agreement. Due to supply chain challenges, an extensive monthly cost savings, and the devices not being fully utilized to the lifespan capacity, we are recommending the extension of the current contract which was executed for 5 Years. Usherwood has demonstrated quality service/support over the past 5 years, and we wish to extend out the current contract.

The review committee ranked the Usherwood proposal as the best solution for printing and copying services based on their continued hardware and technology capabilities, approach to customer service, security compliance, invoicing procedures, and commitment to sustainability.

Should your Honorable Body require further information, I encourage you to contact the Division of Information and Support Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/bz  
Enclosure

cc: Michael Breeden, Chief Information Officer

RATH BUILDING • 95 FRANKLIN STREET • BUFFALO, N.Y. • 14202 • (716) 858-6000 • WWW.ERIE.GOV

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Division of Information and Support Services  
**Re:** Authority to extend Usherwood Office Technology contract  
**Date:** March 2, 2023

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### **SUMMARY**

It is recommended that the legislature approve the attached resolution in order to provide Managed Print Services (Printing and Copying Services). The current contract for Printing Services expires on August 20, 2023.

### **FISCAL IMPLICATIONS**

Erie County will be able to save \$3,000.00 / month for the next 30 months starting March 20th, 2023.

### **REASONS FOR RECOMMENDATION**

The current contract is in the final 6 months of the agreement. Due to supply chain challenges, an extensive monthly cost savings, and the devices not being fully utilized to the lifespan capacity, we are recommending the extension of the current contract which was executed for 5 Years. Usherwood has demonstrated quality service/support over the past 4 years, and we wish to extend out the current contract.

### **BACKGROUND INFORMATION**

This recommendation was previously selected based on a previous RFP – Usherwood was the selected vendor, and within the RFP, it was directed that the 5 Year Contract could be extended up to 2 additional years. Based on the current support and service from the current vendor, we are confident in the extension of the current contract for the allotted 2 years. That in conjunction with the monthly cost savings provide the County an opportunity to allocate those unused funds in other key areas.

The Division of Information and Support Services currently provides printing services to all County Departments. By providing printing as an enterprise service, DISS offers a wide range of printing capabilities at the lowest possible cost.

### **CONSEQUENCES OF NEGATIVE ACTION**

Erie County will continue with the current contract at a higher monthly expense of \$3,000.00. In addition, the current uniFLOW software licensing that allows the majority of users within the County to print and track will run out of support/licensing in August. The extension includes necessary support/licensing for the remaining 2 years of the extension.

### **STEPS FOLLOWING APPROVAL**

Upon approval of this resolution, the Division of Information and Support Services will follow approved procedures and execute the contract.

A RESOLUTION SUBMITTED BY:  
DIVISION OF INFORMATION AND SUPPORT SERVICES

RE: Authority to extend Usherwood Office Technology contract

WHEREAS, Erie County's Division of Information and Support Services provides printing and copying services to all County departments; and

WHEREAS, the contract with the current vendor for printing and copying services ends on August 20, 2023; and

WHEREAS, a request for proposal was issued to seek proposals for printing and copying services; and

WHEREAS, the continued service proposal submitted by Usherwood was found to provide the best solution for Erie County's printing and copying needs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter a 2-year services contract extension, including lease of equipment and consent to assignment of payment with Usherwood for printing and copying services; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract already exist within the Division of Information and Support Services (Fund 110, Funds Center 10530) 2023 General Fund Budget in Account 545000 – Rental Charges; 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 shall be forwarded to the Erie County Executive's Office, Comptroller's Office, Division of Information and Support Services, Department of Law, and Division of Budget and Management.

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SUBJECT

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COMM. 5E-20

COUNTY EXECUTIVE

SUNY Erie Media Planning & Management  
Services Agreement

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Attachments

23COMM. 5E-20

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EC LEG MAR 3 '23 PM 2:40

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 2, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: SUNY Erie Media Planning and Management Services agreement**

Dear Honorable Members:

Please find enclosed a resolution from SUNY Erie Community College, seeking legislative authorization to initiate a contract with The Martin Group LLC to provide media buying and management services for the college for a term of three years.

Should your Honorable Body require further information, I encourage you to contact the college's Interim Vice President of Marketing and Communications, Mike Barone, at 716-851-1866 or baronem@ecc.edu. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/tcc  
Enclosure

cc: M. Barone, Interim Vice President of Marketing and Communications, SUNY Erie  
A. Tsegai, Officer-in-Charge/Provost, SUNY Erie

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** SUNY Erie Community College  
**Re:** Media Planning and Management Services Provider  
**Date:** March 2, 2023

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### **SUMMARY**

The college's Marketing & Communications Department seeks to partner with an experienced advertising agency to assist with the development and placement of a three-year-long, comprehensive, strategic advertising campaign, while providing us the ability to advertise digitally for essentially the first time in the College's history. Specifically, the vendor will research, recommend, plan, buy, track, analyze and report on all college media purchases. Responsibilities include media planning, audience targeting; electronic content distribution to media outlets; account and budget management; and analyzing and evaluating the campaign at various intervals to allow for adjustments/improvements.

Accordingly, we request legislature approval to enter into a three-year contract, during which the agency will assist us in planning for and managing our existing annual advertising budget of up to \$500,000 per year.

### **FISCAL IMPLICATIONS**

Note, this is not a request for new money, but rather, to simply utilize the existing department funds more strategically and effectively. We have allocated \$300,000 in year one and hope to increase this to as much as \$500,000 in years two and three, given their full 12-month fiscal periods. (As of 2/3/23, we have spent just over \$113,000 of our \$474,150 fiscal budget.) Note, this is well below the expenditures of our regional and national peers\*, but relative to our campus and budget, it is appropriate and a "decent start."

*\*A recent SimpsonScarborough survey found that institutions spend between \$429 & \$623 per enrolled student, per year, on marketing. Based on ECC's fall 2022 enrollment, that would equate to nearly \$2.8 million on the lowest end; thus, this investment is far below the national average.*

### **REASONS FOR RECOMMENDATION**

Adding this partner will allow us to advertise digitally in ways we have never previously. This includes such tactics as Google search/SEO advertising, social media ads, and retargeting methods across a variety of platforms including YouTube, Pandora, streaming services and countless other websites. Virtually all our peers/competitors have been incorporating these tactics for nearly a decade in most cases. They are vital to our success, knowing that these are the preferred media for our primary target audiences (high school and college students, and most adults under age 35).

This particular vendor distinguished itself by providing a competitive commission rate as well as an impressive mix of local, regional and national experience. Their knowledge of and history in our

market is deep, and with offices across the state, they can help us recruit beyond Erie County's borders. They bring diverse members/perspectives to our team and have substantial regional and statewide experience within higher education as well as economic/workforce development initiatives (e.g., 43 North). They are also extremely well-connected within the regional business community, which may provide numerous intangibles from which we could benefit.

### **CONSEQUENCES OF NEGATIVE ACTION**

The advertising tactics SUNY Erie has taken to date have been limited and lacking in scope and strategy. They have focused almost exclusively on traditional media, whose readership and consumption rates have decreased substantially in recent years as online media have innovated and disrupted the market. Thus, SUNY Erie's recruiting potential – for both students and staff – is severely limited without adding these purchasing, tracking and measurement capabilities. It's not an overstatement to say, this is the single-biggest opportunity available to improve the college's enrollment and revenue.

### **STEPS FOLLOWING APPROVAL**

Upon approval of this resolution, the County Executive will authorize the college to execute this contract agreement. SUNY Erie will immediately begin onboarding its partner, with a goal of developing a plan in March. Ideally, we'll be in-market in early April to support this fall's enrollment. We anticipate the plan and its tactics to have an even greater impact on the 2023-24 recruiting cycle (e.g., Fall 2024 incoming class), after having a full year of execution.

A RESOLUTION SUBMITTED BY:  
SUNY ERIE COMMUNITY COLLEGE

RE: Implementing a Media Buying and Management Services Contract with The Martin Group

WHEREAS, SUNY Erie needs to extend its marketing communications capabilities substantially into the digital advertising arena; and

WHEREAS, SUNY Erie seeks to increase its communications reach and frequency, especially to high school and traditional college-aged students, and all learners under age 35; and

WHEREAS, SUNY Erie wishes to extend its marketing messaging, especially for select online courses – some of which are the only ones of their kind in the state – that can be made available to students well beyond Erie County’s physical borders; and

WHEREAS, SUNY Erie would benefit substantially from engaging with a media partner to assist in the buying, management, scheduling, tracking and reporting of all advertising to increase its buying power and breadth of advertising channels; and

WHEREAS, SUNY Erie seeks to develop a true advertising plan to guide its decision making and result in better planning, budgeting, tracking and cost management of those ads, in addition to increased effectiveness; and

WHEREAS, SUNY Erie has completed a thorough and objective RFP process which produced eight submissions that were objectively reviewed by an independent committee, resulting in the recommendation to engage with The Martin Group; and

WHEREAS, SUNY Erie’s Board of Trustees approved this request at its recent January 26 meeting; and

WHEREAS, the Erie County Legislature must approve college contracts in excess of \$50,000;

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie hereby authorizes SUNY Erie to enter into a three-year contract with The Martin Group for an amount not to exceed \$300,000 in year one (ending 8/31/23) and \$500,000 annually in years two and three; and be it further

RESOLVED, that the source of funds to pay for this expense in year one is available and allocated in SUNY Erie’s Department of Marketing and Communications current budget, and the department is hereby authorized for expenditures in years two and three by SUNY Erie’s Board of Trustees, if County and or State funding is not secured in those subsequent budgets; and be it further

RESOLVED, the Officer-in-Charge of SUNY Erie or her designee is authorized to enter a contract with The Martin Group.

RESOLVED, that the County Executive is hereby authorized to execute any and all appropriate documents as may be necessary for the provision of this agreement; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Director of the Division of Budget and Management; and SUNY Erie's Officer-in-Charge and Interim Director of Marketing and Communications.



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SUBJECT

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COMM. 5E-21

COUNTY EXECUTIVE

Acceptance of Grant Award - "Congressional  
Directive Spending Projects"

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Attachments

23COMM. 5E-21

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EC LEG MAR 6 '23 PM 4:28

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 6, 2023

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: Acceptance of Grant Award – “Congressional Directive Spending Projects”**

Dear Honorable Members:

The Erie County Department of Health (ECDOH) has received a grant award in the amount of \$1,000,000 over 1 year from the Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA.) The purpose of this grant is work through University at Buffalo Primary Care Research Institute to create a billing reimbursement structure for Peer Navigator services in the medical office through the private insurance mechanism.

Should your Honorable Body require further information, please contact Commissioner of Health Gale Burstein. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jah

cc: Dr. Gale Burstein, Commissioner of Health

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Health  
**Re:** Acceptance of Grant Award – “Congressional Directive Spending Project”  
**Date:** March 6, 2023

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### **SUMMARY**

ECDOH has received a grant award in the amount of \$1,000,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA.) These funds will be used to support existing Erie County Opioid Epidemic Task Force projects, and work to create a billing structure through UB’s Primary Care Research Institute to private insurers for Peer Navigator services for those struggling with SUD.

### **FISCAL IMPLICATIONS**

None. This grant will provide \$1,000,000 to expand Erie County’s efforts to combat opioid overdose deaths.

### **REASONS FOR RECOMMENDATION**

As a community with an active and robust Opioid Epidemic Task Force, Erie County was well positioned to receive this funding to support our community’s efforts to combat the opioid epidemic.

This funding will be used to through UB’s Primary Care Institute to create a billing structure for reimbursement for peer services through private insurers. Currently the only reimbursement is through Medicaid at treatment centers. This will expand access to services for residents through traditional medical services including primary care and OB/GYN offices.

### **CONSEQUENCES OF NEGATIVE ACTION**

We will be unable to benefit from this additional funding.

### **STEPS FOLLOWING APPROVAL**

The Erie County Department of Health will work with the Division of Budget and Management and the Office of the Erie County Comptroller to accept the additional funding. ECDOH will work with UB Primary Care Research Institute and the involved provider offices and insurers to gather the data needed to create and justify a need for a billing structure for Peer services.

**RESOLUTION SUBMITTED BY:  
HEALTH DEPARTMENT**

Re: Acceptance of Grant Award – “Congressional Directive Spending Project”

WHEREAS, the Erie County Department of Health has declared opioid addiction a public health crisis; and

WHEREAS, for every fatal opioid overdose there are dozens of overdoses where the victim is revived with naloxone; and

WHEREAS, engagement in care during normal primary care and OB/GYN visits is one beginning a path to recovery; and

WHEREAS, Erie County has begun a pilot program to embed persons with lived recovery knowledge and skills (Peer Navigators) into primary care, OB/GYN, and other medical facilities to assist those diagnosed with Substance Use Disorder (SUD); and

WHEREAS, this program will allow the Erie County Department of Health and the State University at Buffalo Primary Care Research Institute to develop the evidence needed through practice documentation for a billing structure for Peer services in the private insurance and non – OASAS Medicaid billing setting; and

WHEREAS, the University of Buffalo Primary Care Research Institute (PCRI) has agreed to provide coordination staffing and continue evaluation efforts on the project; and

WHEREAS, this grant in the amount of \$1,000,000 and requires no local funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Department of Health to enter into contract with the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) to accept a grant in the amount of \$1,000,000 to be budgeted as follows:

**Department of Health  
Congressional Directive Spending Project  
127CDSP2223  
9/30/2022 – 9/29/23**

| <b>SAP</b> | <b>REVENUE</b> | <b>BUDGET</b>      |
|------------|----------------|--------------------|
| 414000     | Federal Aid    | <u>\$1,000,000</u> |
|            | TOTAL          | <u>\$1,000,000</u> |

| <b>SAP</b> | <b>EXPENSES</b>                  |                    |
|------------|----------------------------------|--------------------|
| 516020     | Pro Services, Contracts and Fees | <u>\$1,000,000</u> |
|            | <b>TOTAL</b>                     | <u>\$1,000,000</u> |

; and be it further

RESOLVED, that authorization is hereby given for the Erie County Executive to enter into contract with State University at Buffalo, Primary Care Research Institute for project coordination evaluation, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further; and

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, the Department of Law, and the Department of Health.

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SUBJECT

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COMM. 5E-22

COUNTY EXECUTIVE

Acceptance of Increased Award for Expanded  
Partner Services Grant

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Attachments

23COMM. 5E-22

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EC LEG MAR 6 '23 PM 4:28

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 6, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Acceptance of Increased Award for Expanded Partner Services Grant**

Dear Honorable Members:

The Erie County Department of Health (ECDOH) is seeking legislative authorization to accept an increase of \$316,449 from the New York State Department of Health AIDS Institute/Health Research, Inc. (NYSDOH AI/HRI) for the Expanded Partners Services Grant to begin on April 1, 2023. ECDOH is concurrently seeking authorization to use these grant funds to partially fund several positions in ECDOH's Disease Intervention Expanded Partner Services Program and to hire a full-time Secretarial Typist to fill the staff need for a clerical support person within the program to begin on April 1, 2023.

Should your Honorable Body require further information, please contact Commissioner of Health Gale Burstein. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark Poloncarz". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jah  
Enclosure  
cc: Dr. Gale R. Burstein, Commissioner of Health

# MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Health Department  
**Re:** Acceptance of Increased Award for Expanded Partner Services Grant  
**Date:** March 6, 2023

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## **SUMMARY**

Legislative authorization is sought to accept an increase to the Expanded Partners Services grant from New York State Department of Health AIDS Institute/Health Research, Inc. (NYSDOH AI/HRI) to partially fund several positions within the Expanded Partner Services Program and create a new position to assist the current staff in its operations to begin on April 1, 2023. Additionally, a PH Nurse position will be transferred from the expiring Public Health Campaign STD Grant into the Expanded Partner Services Grant retroactive to January 1, 2023.

## **FISCAL IMPLICATIONS**

This is an increased award of \$316,449 for the Expanded Partner Services Grant to begin April 1, 2023. The funding for this program is derived entirely from the NYSDOH AI/HRI grant. No County tax dollars are necessary to support this request. Below are the fiscal implications of the new position:

**Secretarial Typist (JG 06, step 0)**

**Annualized Salary** \$43,950

**Salary for Balance of Year** \$29,446

**Funding Source** Grant Funded

If Grant funded:

Grant Source: New York State Department of  
Health AIDS Institute/Health Research, Inc. (NYSDOH AI/HRI)

## **REASONS FOR RECOMMENDATION**

The NYSDOH AI/HRI grant has been substantially increased from the previous year for the ECDOH's Disease Intervention Services Expanded Partner Services Program. This will enable the Expanded Partner Services Program to use the increased funds to hire a clerical support staff person, partially cover costs of existing staff, as well as provide increased services that will help to identify gaps in medical services and additional unmet needs that exist for STI/HIV patients and their partners.

## **BACKGROUND INFORMATION**

Since this affects the personnel line in the budget it requires legislative authority.

Duties required of the positions required by Law or Contract: Required by NYSDOH grant

Position Classification: Secretarial Typist (JG-06)

**CONSEQUENCES OF NEGATIVE ACTION**

Erie County will not have staffing to provide the services that are required under this grant.

**STEPS FOLLOWING APPROVAL**

ECDOH will follow the appropriate steps necessary to accept the funds for this grant and work with the Division of Budget and Management and Department of Personnel to create the one full time position and make technical adjustments as necessary to cover the costs of other employees within the program.

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF HEALTH**

RE: Acceptance of Increased Award for Expanded Partner Services Grant

WHEREAS, the New York State Department of Health AIDS Institute/Health Research, Inc. (NYSDOH AI/HRI) has increased funding for the Expanded Partner Services Program; and

WHEREAS, the money from this grant will enable the disease intervention expanded partner services program to establish proper outreach and to identify unmet needs within our community; and

WHEREAS, Erie County in providing the above-mentioned services will be able to identify gaps in services and unmet needs that exist for STI/HIV patients and partner's health care needs; and

WHEREAS, increased funding for this grant was awarded by NYSDOH AI/HRI to include the costs for the additional position; and

WHEREAS, the 2023 Erie County Adopted Budget includes an approved budget the Expanded Partner Services Grant for the period of April 1, 2023 - March 31, 2024 that did not include the increase to the award or the additional position of Secretarial Typist.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract to accept an additional \$316,449 award from NYSDOH for the current 2023-24 Expanded Partner Services Grant, Fund 281, Funds Center 12700 as follows:

Department of Health  
Expanded Partner Services  
127EXPS2324  
4/1/23 – 3/31/24

| <b>ACCOUNT</b> | <b>REVENUES</b>    | <b>CURRENT</b>   | <b>CHANGE</b>    | <b>AMENDED</b>   |
|----------------|--------------------|------------------|------------------|------------------|
| 409000         | State Aid Revenues | <u>\$105,000</u> | <u>\$316,449</u> | <u>\$421,449</u> |
|                | <b>TOTAL</b>       | <u>\$105,000</u> | <u>\$316,449</u> | <u>\$421,449</u> |

| <b>ACCOUNT</b> | <b>APPROPRIATIONS</b> | <b>CURRENT</b> | <b>CHANGE</b> | <b>AMENDED</b> |
|----------------|-----------------------|----------------|---------------|----------------|
| 500000         | Full Time - Salaries  | \$ 66,714      | \$133,297     | \$200,011      |
| 500300         | Shift Differential    | 0              | 50            | 50             |
| 501000         | Overtime              | 500            | 3,500         | 4,000          |
| 502000         | Fringe Benefits       | 30,247         | 81,759        | 112,006        |
| 505000         | Office Supplies       | 539            | 6,461         | 7,000          |

|        |                                    |                  |                  |                  |
|--------|------------------------------------|------------------|------------------|------------------|
| 505200 | Clothing Supplies                  | 500              | 1,500            | 2,000            |
| 505800 | Medical & Health Supplies          | 500              | 9,500            | 10,000           |
| 510000 | Local Mileage Reimbursement        | 1,500            | 1,850            | 3,350            |
| 510100 | Out of Area Travel                 | 1,500            | 1,500            | 3,000            |
| 510200 | Training & Education               | 0                | 5,000            | 5,000            |
| 516020 | Professional Svcs Contracts & Fees | 0                | 2,000            | 2,000            |
| 530000 | Other Expenses                     | 1,000            | 28,000           | 29,000           |
| 561420 | Office Eqmt, Furniture & Fixtures  | 1,000            | 9,000            | 10,000           |
| 912700 | ID Health Services                 | 0                | (33,140)         | (33,140)         |
| 912790 | ID Health Grant Services           | 0                | 64,172           | 64,172           |
| 980000 | ID DISS Services                   | <u>\$ 1,000</u>  | <u>\$ 2,000</u>  | <u>\$ 3,000</u>  |
|        | TOTAL                              | <u>\$105,000</u> | <u>\$316,449</u> | <u>\$421,449</u> |

; and be it further

RESOLVED, authorization is hereby given to create one (1) full-time Secretarial Typist position, Job Group 6, CSEA (B-100# 13381) effective April 1, 2023; and be it further

RESOLVED, authorization is hereby given to transfer the PH Nurse position (B-100 #13633) from the expiring Public Health Campaign STD Grant (127PHCSTD2122) into the Expanded Partners Services Grant (127EXPS2223), retroactive to January 1, 2023; 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 granted for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, the County Attorney's Office, and the Department of Health.

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SUBJECT

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COMM. 5E-23

COUNTY EXECUTIVE

Creation of an ECMCC Campus Maintenance  
Unit

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Attachments

23COMM. 5E-23

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EC LEG MAR 6 '23 PM 4:29

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 6, 2023

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

**Re: Creation of an ECMCC Campus Maintenance Unit**

Dear Honorable Members:

Please find attached a resolution and an accompanying memorandum from the Erie County Department of Public Works requesting legislative authorization to add three (3) maintenance positions to the Division of Buildings & Grounds. After a number of conversations with ECMCC regarding maintenance of 501 and 503 Kensington it has been determined that Erie County will now oversee maintenance of these properties, rather than ECMCC.

If your Honorable Body requires any further information, please contact Deputy Commissioner Tracy Cichocki in the Department of Public Works. Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark Poloncarz". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/cw  
Enclosure

cc: William Geary, Commissioner, Department of Public Works  
Dr. Gale Burstein, Commissioner, Department of Health

# MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Department of Public Works  
**Re:** Creation of an ECMCC Campus Maintenance Unit  
**Date:** March 6, 2023

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## **SUMMARY**

Legislative authorization is sought to add additional maintenance personnel in the Division of Buildings and Grounds specifically assigned to work at the properties located at 501 and 503 Kensington. Erie County has recently agreed to oversee the maintenance of these locations and because of this change there is a need for staff to be on site for all routine maintenance needs. The Department is requesting the addition of one Building Maintenance Worker, one Building Maintenance Mechanic, and one Assistant Supervising Maintenance Mechanic - HVAC.

## **FISCAL IMPLICATIONS**

This will result in the additional costs listed below for the Department of Public Works but due to this change the Erie County Department of Health (ECDOH) will be ending all maintenance payments to ECMCC for these properties. Funding for this maintenance unit will be derived from savings realized by ECDOH divisions in ending the above-mentioned payments as well as anticipated positive variance in the Division of Buildings & Grounds fringe benefits accounts due to vacancy savings.

**Position:** Assistant Supervising Maintenance Mechanic – HVAC (JG10, Step 0)

**Annualized Salary:** \$53,015.00

**Salary for Balance of Year:** \$31,809.00

**Funding Source:** 100% Local Share

**Position:** Building Maintenance Mechanic (JG9, Step 0)

**Annualized Salary:** \$49,679

**Salary for Balance of Year:** \$29,807.40

**Funding Source:** 100% Local Share

**Position:** Building Maintenance Worker (JG5, Step 0)

**Annualized Salary:** \$38,424

**Salary for Balance of Year:** \$23,054.40

**Funding Source:** 100% Local Share

## **REASONS FOR RECOMMENDATION**

The County has recently come to an agreement with ECMCC to oversee all maintenance operations for 501 and 503 Kensington. This work will include all operations and maintenance of HVAC equipment, plumbing and electrical systems, snow removal, landscaping and the completion of building occupant service requests. Due to this change, there will need be staff assigned permanently to these locations.

## **BACKGROUND INFORMATION**

When the Erie County Medical Center separated from Erie County (and became the Erie County Medical Center Corporation) there was an agreement put into place dictating the responsibilities of both the County and the hospital. Since then, the hospital has been unable to properly maintain two of the properties on the medical campus (501 and 503 Kensington). As a result, Erie County has agreed to take over the maintenance of these properties.

Erie County owns the buildings, which house the medical examiner's office, the public health laboratory and the environmental health offices, with ECMCC owning the underlying real property. This will relieve the County of any maintenance agreement payments to the Hospital and will ensure the buildings have adequate attention with staff dedicated to these locations.

The staff at this location will be able to immediately address (as well as prevent) any issues and will alleviate the issue of having to divert staff that are assigned to other locations as different urgent problems arise. The responsibilities of the staff at this location will include all operations and maintenance of HVAC equipment, plumbing and electrical systems, snow removal, landscaping and the completion of building occupant service requests.

Duties required of the position required by Law or Contract:           Contract

Position Classification:           AFSCME JG 5, 9 & 10

## **CONSEQUENCES OF NEGATIVE ACTION**

Without the addition of a these positions the Department will be unable to properly address the needs of these buildings. The Department will not be able to sever the maintenance agreement or end payments to ECMCC for these buildings.

## **STEPS FOLLOWING APPROVAL**

The Erie County Department of Public Works will work with the Division of Budget and Management and Department of Personnel to implement this request.

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS**

RE: Creation of an ECMCC Campus Maintenance Unit

WHEREAS, it has been determined that it is in the best interest of both the Erie County Medical Center Corporation (ECMCC) and Erie County that Erie County take over all maintenance operations for Erie County Department of Health (ECDOH) properties located at 501 and 503 Kensington; and

WHEREAS, it is necessary to add County personnel within the Division of Buildings & Grounds to oversee and implement these operations on site and will include an Assistant Supervising Maintenance Mechanic – HVAC, a Building Maintenance Mechanic and a Building Maintenance Worker; and

WHEREAS, the addition of these positions will ensure that the County is able to provide the routine and preventative maintenance tasks including but not limited operations and maintenance of HVAC equipment, plumbing and electrical systems, snow removal, landscaping and the completion of building occupant service requests; and

WHEREAS, the costs associated with this new ECMC campus maintenance unit will be covered by savings realized by ECDOH thru the suspension of maintenance payments to ECMCC as well as anticipated positive variance in the Division of Buildings & Grounds fringe benefits account due to vacancy savings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of the following positions effective April 1, 2023 within the Division of Buildings & Grounds Operating Budget:

One full-time Assistant Supervising Maintenance Mechanic – HVAC position, Job Group 10, AFSCME, (B100 # 13641)

One full-time Building Maintenance Mechanic position, Job Group 9, AFSCME, (B100 # 13642)

One full-time Building Maintenance Worker position, Job Group 5, AFSCME, (B100 # 13643)

; and be it further

RESOLVED, that authorization is hereby given to amend the ECDOH Public Health Laboratory Division's 2023 General Fund Budget (Fund 110, Fund Center 12730) as follows:

| <b>APPROPRIATION</b>                     | <b>CHANGE</b>    |
|--|------------------|
| 516050 Dept Payments to ECMCC            | \$ (69,671)      |
| 912220 ID Buildings and Grounds Services | \$ <u>69,671</u> |

\$ 0

; and be it further

RESOLVED, that authorization is hereby given to amend the ECDOH Public Medical Examiner's Division's 2023 General Fund Budget (Fund 110, Fund Center 12740) as follows:

| <b>APPROPRIATION</b>                     | <b>CHANGE</b>    |
|--|------------------|
| 516050 Dept Payments to ECMCC            | \$ (30,000)      |
| 912220 ID Buildings and Grounds Services | <u>\$ 30,000</u> |
|  | <u>\$ 0</u>      |

; and be it further

RESOLVED, that authorization is hereby given to amend the Division of Building & Grounds 2023 General Fund Budget (Fund 110, Fund Center 12220) as follows:

| <b>APPROPRIATION</b>                     | <b>CHANGE</b>      |
|--|--------------------|
| 500000 Full Time - Salaries              | \$ 84,671          |
| 506200 Maintenance & Repair              | 15,000             |
| 912220 ID Buildings and Grounds Services | <u>\$ (99,671)</u> |
|  | <u>\$ 0</u>        |

; and be it further

RESOLVED, that authorization is hereby given for the County Executive to amend any existing agreements with ECMCC related to the maintenance and operation of buildings occupied by the ECDOH; and be it further

RESOLVED, that authorization is hereby given to the Director 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 sent to the County Executive's Office, the Comptroller's Office, the Department of Law, the Department of Personnel, the Department of Health, the Division of Budget and Management, and the Division of Buildings & Grounds.

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SUBJECT

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|            |                           |   |
|------------|---------------------------|---|
| COMM. 5D-1 | COMMISSIONER OF<br>HEALTH | Office of Health Equity's "Health Equity in<br>Erie County: An Initial Health Disparities<br>Assessment" Report |
|------------|---------------------------|---|

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Attachments

23COMM. 5D-1

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EC LEG FEB 17 '23 PM 3:35

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 17, 2023

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: Office of Health Equity's "Health Equity in Erie County: An Initial Health Disparities Assessment" Report**

Dear Honorable Members:

Enclosed please find a copy of Erie County Department of Health's Office of Health Equity's "Health Equity in Erie County: An Initial Health Disparities Assessment" report.

This comprehensive report documents the scope and depth of Erie County's health disparities with an equity lens that incorporates social determinants of health. The Office of Health Equity staff, which includes epidemiologists, educators and project coordinators, developed a rich and deliberate foundation and framework for the report's analyses of health disparities' causes and effects within Erie County.

Should your Honorable Body require further information, please contact Kelly Wofford, Director for the Office of Health Equity. Thank you for your consideration on this matter.

Sincerely,

Dr. Gale Burstein  
Commissioner of Health



STATE OF NEW YORK

IN SENATE

JANUARY 11, 1911

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

FOR THE YEAR 1910

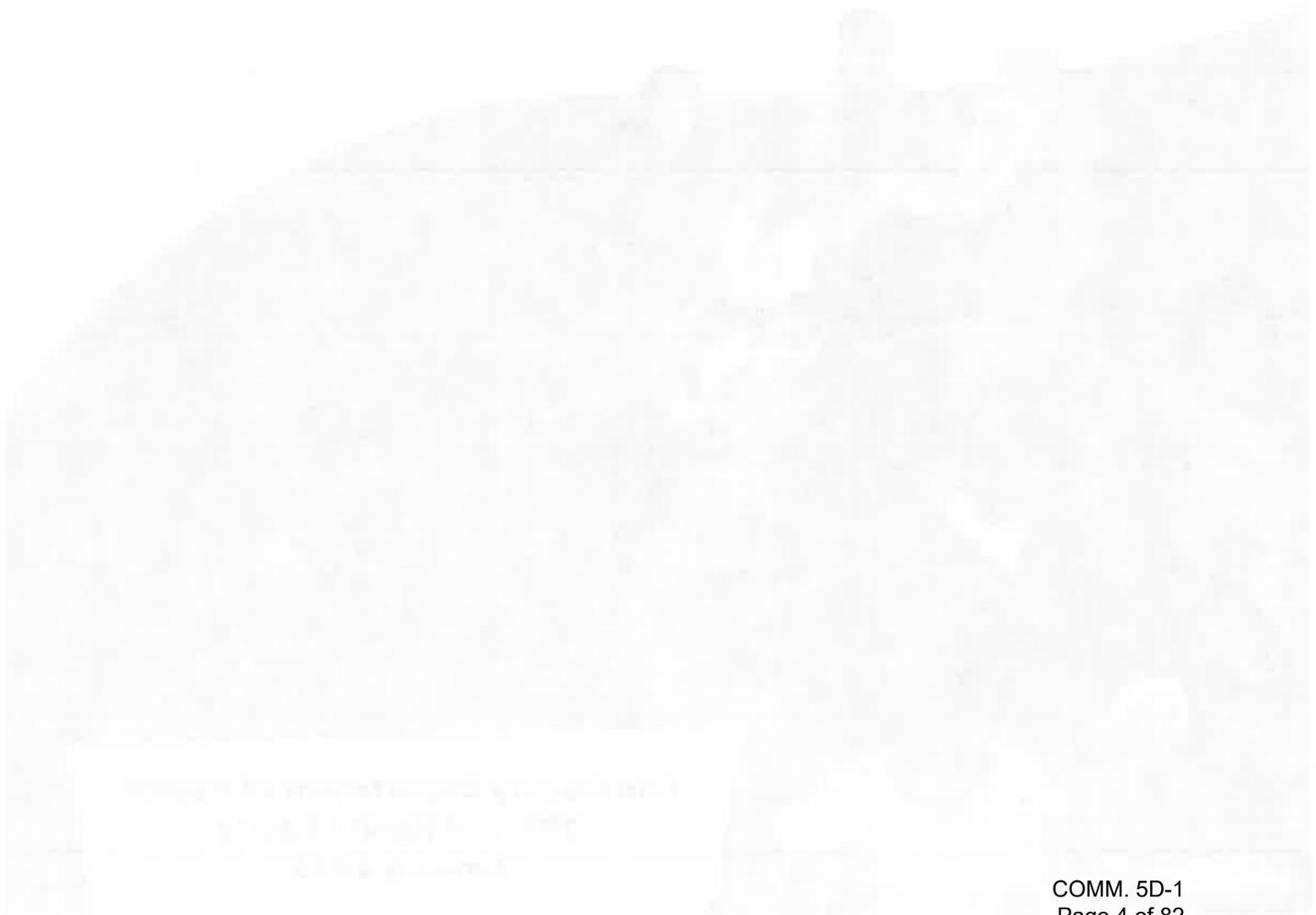
ALBANY: JAMES BROWN PUBLISHER, 1911.

Printed by the State Printer, Albany, N. Y.

Accepted for mailing at special rate of postage provided for in Act of October 3, 1917, authorized on July 11, 1918.



# Health Equity in Erie County



Health Equity  
in Erie  
County

# Health Equity in Erie County

## **AN INITIAL HEALTH DISPARITIES ASSESSMENT:**

Report Supplement to the  
2022-2024 Erie County  
Community Health Needs Assessment

**JANUARY 2023**

### **OFFICE OF HEALTH EQUITY**



**Erie County  
Department of  
Health**



**Public Health**  
Prevent. Promote. Protect.

# Health Equity in Erie County

AN INITIAL HEALTH EQUITY ASSESSMENT  
Report prepared for the  
2023-2026 Erie County  
Community Health Needs Assessment  
January 2023



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## EXECUTIVE SUMMARY

### Equity and Erie County

The level of health and well-being of individuals and communities is influenced by a wide variety of factors. Significant and persistent gaps in health have existed as a result of systemic racism, intergenerational trauma, and other barriers at all levels of our society since long before the founding of Erie County in 1821. However, recent events like the COVID-19 pandemic, the Tops Massacre, and the severe blizzard have highlighted and worsened these disparities. These events also exposed the social determinants of health—like access to educational opportunities, good jobs, and safe, affordable homes—that impact the ability of individuals and communities to achieve maximum health and wellness.

The impacts of COVID-19 were experienced to different degrees across community groups. When data are broken down by race, the average age of death in Black and Hispanic communities is much lower than in White and Asian communities,<sup>1</sup> which may indicate poorer relative health in younger groups, occupations and housing situations at higher risk for COVID-19 exposure, as well as barriers to medical care. The COVID-19 pandemic also highlighted how factors like residential segregation negatively impact marginalized and disadvantaged populations across the United States and in communities that, like Buffalo, are significantly segregated by race. For example, research indicates that Black and Hispanic women living in highly segregated Black communities had higher rates of poor maternal health outcomes both before and during the COVID-19 pandemic than their White and Asian peers and connects these outcomes to the effects of structural racism on neighborhoods and environments and, therefore, on health.<sup>2</sup>

The Tops Massacre, a racially motivated mass shooting at the only full-service grocery store in a historically Black East Side neighborhood in Buffalo in May of 2022, devastated our community. The aftermath, when community members were overcome by grief and trauma and struggling to access mental health support and to feed their families, further illustrated longstanding challenges and disparities in equitable access to healthy food and health care. In December 2022, Erie County was struck by a severe, deadly blizzard that left many residents without heat or stranded and delayed emergency response services. The paralyzing impact of this storm was most acute in the city of Buffalo, exacerbated by structural and systemic issues like segregation and poverty, disproportionately impacting our systematically underserved residents.

As our community works together toward recovery from COVID-19, the May 14<sup>th</sup> tragedy, and the disastrous winter storm, the connections between the social determinants of health and disparities in health outcomes for marginalized and disadvantaged individuals and communities in Erie County are increasingly important.

This report is intended to supplement the information provided in the Erie County Community Health Assessment (CHA) and specifically expand upon the descriptions of health equity and disparities within that document without duplication. This report is intended to serve as a resource for all Erie County residents so that they can better understand the issues and status of health equity and health disparities in the county. Additionally, the intent is that this report can serve as an initial needs assessment of health equity data in Erie County. As a result, the document may serve as a reference document for finding other reports, databases, datasets, and other documents related to health equity for those in the community interested in this topic.

### **Key Findings**

#### **Local Health Equity Data are Limited**

Existing Erie County health equity data are limited at the county and sub-county levels. Local data focusing on the LGBTQ+ community, particularly around gender identity, as well as data on racial and ethnic groups and communities that comprise smaller percentages of the population of the county are especially limited. To address this, the Erie County Office of Health Equity (ECOHE) is actively working to collect and build a local health equity database. Because these efforts are still ongoing, much of this report summarizes existing health equity data, including available local, state and national data, as well as areas of need and focus for future data efforts. To learn more about how the ECOHE is working to expand local health equity data, see *Next Steps* below.

#### **Diversity and Disparities within the Asian Community**

Most data are disaggregated into broad race and ethnic categories that can obscure diversity and disparities among distinct communities that fall within those categories. One example is data for Erie County's Asian population. The Asian population had the highest rates in both the lowest and the highest educational attainment categories.<sup>3</sup> This is likely a reflection of the high percentage of Asian Americans who are first- or second-generation immigrants, as well as the many different circumstances under which people of Asian descent migrate to and live in the United States. For example, people who are Chinese or Indian may be more likely to immigrate with work or student visas with adequate resources while people who are Burmese or Bhutanese are more likely to immigrate as refugees with

fewer resources. This highlights the need for disaggregated data collection among Asian communities. Similarly, in Asian communities, differences in median income per race do not seem to correlate with the rates of child poverty per race.<sup>3,4</sup> A possible explanation for this may be the wide range in income and age distribution amongst the subpopulations (e.g., Chinese, Bangladeshi, Bhutanese), again highlighting the need to disaggregate data collection among these groups.

### **Black Residents Are Disproportionately Impacted**

Available data consistently indicate that Erie County's Black community experiences the most health disparities and inequities. With the highest rates of homelessness,<sup>5,6</sup> exposure to violence,<sup>4,7</sup> and children living in poverty,<sup>4</sup> and acknowledging the impact of centuries of systemic racism and intergenerational trauma, it is no surprise that Black Erie County residents also experience the highest rates of chronic health conditions,<sup>8</sup> low birth weight,<sup>4</sup> and poor disease outcomes<sup>8</sup> when compared to residents of other races.

### **Segregation Impacts Health Equity**

It is well-known that systemic racial segregation persists in Erie County, particularly in the city of Buffalo. Erie County maps representing chronic disease rates and various health factors look very similar to Erie County maps that visualize segregation by race, demonstrating that rates of these health conditions and factors often correspond with race and place of residence.<sup>9</sup> A history of redlining, discriminatory lending, and zoning laws explains much of Erie County's segregation. Disinvestment into communities of color creates a built environment that is not conducive to good health and well-being.

### **Access to Care and Resources Can Be Challenging in Rural Communities**

The ECOHE acknowledges that while Erie County is largely a metropolitan county, there are rural communities within it, accounting for about 9.4% of the population.<sup>10</sup> Rural communities often vary from urban and suburban areas in culture as well as environment. Consequently, there are health challenges and assets that are unique to rural areas. In ECOHE's community outreach thus far, rural residents have highlighted access to quality care and resources as a challenge. ECOHE will strive to further understand the values, challenges, and assets that are specific to the rural communities in Erie County in order to advocate for and support good health and well-being in these areas.

### **Next Steps**

One of the main findings of the Erie County Office of Health Equity's (ECOHE) initial assessment of health equity data and services is that data was limited at the county and sub-county levels. As a result, in

alignment with the vision of Live Well Erie to leave no one behind, the ECOHE is actively collecting survey data, planning focus groups, and building its local health equity database.<sup>11</sup> These efforts are active and ongoing, and as a result these data were not yet available for inclusion in this report. Consequently, this report primarily summarizes existing health equity data. Future ECOHE reports will analyze new data collected by the ECOHE team, as well as report on findings of analysis of public (federal, state, city and county) and private data sources.

In addition to its other work, the ECOHE will serve as a resource to organizations and individuals in the community that are also working tirelessly toward reducing health disparities. The ECOHE brings its subject matter expertise in data collection, analysis, and reporting as well as grant writing and reporting assistance to those who would like support in these areas in order to further their impact on health equity work.

## ACKNOWLEDGEMENTS AND AUTHORS

### Land Acknowledgement

The ECOHE would like to begin this report by acknowledging that we, as Erie County Residents, are on the land of Indigenous people. Traditionally, these lands were home to many nations, including the Neutral, Erie, Wenro, Huron and other peoples. Today, these lands are still regarded as being the traditional homelands of the Seneca and other Haudenosaunee peoples. We respect the treaty rights of the Six Nations—the Seneca, Mohawk, Cayuga, Onondaga, Oneida, and Tuscarora—and the obligation of the United States and New York governments and American society to adhere to them.

We would like to honor the legacy of the many ancestors and elders who made this land their home and infused it with their spirit for thousands of years. We also honor the Original Peoples who remain on the ancestral homelands of Turtle Island and who have survived centuries of colonialism, genocide, and land theft. Finally, we honor those who are not here, but who might have been, were it not for this history of violence.

With hearts and minds focused on healing and truth, we remember the powerful example of democracy and federalism set by the Haudenosaunee, embodied in the Great Law of Peace. Through this inspiration, we commit ourselves to advocate for inclusion and acknowledge and address past atrocities. May we all aspire to a world of reconciliation, guided by the example of the Haudenosaunee themselves, so that our weapons of war are buried forever and mutual respect and equality prevail among all peoples and nations.

*Thank you to Samantha Nephew, Healthcare Education Project for assistance with this acknowledgement.*

### **Enslavement & Labor Acknowledgement**

We respectfully acknowledge our debt to the people past and present whose labor was and continues to be stolen through unjust practices, including the exploited labor of incarcerated people. We respectfully acknowledge our debt to the enslaved people, primarily of African descent, whose labor and suffering built and grew the economy and infrastructure of a state that did not abolish the practice of enslavement until July 4, 1827.<sup>12</sup> While not a Southern state, New York had the largest population of enslaved people of any Northern state and was second to last in abolishing the practice.<sup>13</sup>

Erie County, established in 1821, became an integral part of the journey to freedom for enslaved Black people via the Underground Railroad. The homes, businesses, and land of abolitionists were used to assist the enslaved making their way to Canada to live as free people. Landmarks such as Broderick Park are historical hallmarks of the Underground Railroad.<sup>14</sup> The very land on which the Edward A. Rath Building is built was the former home of abolitionist and attorney George W. Jonson.<sup>14</sup>

Ramifications from the practice of enslavement in our country are still present today, visible in the systemic racism perpetuated in our institutions, in the segregation of our residents, the exploited labor of incarcerated people, and in many of the inequities in the social determinants of health and health disparities experienced by their descendants. The spirit of freedom embodied by our ancestors, enslaved and free, persists as well, visible in our social justice movements, increased awareness of historical and ongoing inequities, and advocacy for change. The Erie County Office of Health Equity will embrace and embody this same spirit of freedom to help eradicate the systemic racism, poverty, and oppression plaguing so many of our Erie County communities.

**Erie County Department of Health (DOH) Leadership**

|  |                        |
|--|------------------------|
| <b>Mark C. Poloncarz</b>                         | Erie County Executive  |
| <b>Gale R. Burstein, MD, MPH, FAAP (She/Her)</b> | Commissioner of Health |

**Erie County Office of Health Equity (ECOHE) Staff and Contact Information**

|                                    |                                  |                            |
|------------------------------------|----------------------------------|----------------------------|
| <b>Kelly Wofford (She/Her)</b>     | ECOHE – Director                 | Kelly.Wofford@erie.gov     |
| <b>Caitlyn Critharis (She/Her)</b> | ECOHE – Administrative Assistant | Caitlyn.Critharis@erie.gov |
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| <b>Mel LeMay (They/Them)</b>       | ECOHE – Grant Specialist         | Mel.LeMay@erie.gov         |
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| <b>Stephanie Saia (She/Her)</b>    | ECOHE – Public Health Fellow     | Stephanie.Saia@erie.gov    |
| <b>Michael Wiese (He/Him)</b>      | ECOHE – Epidemiologist           | Michael.Wiese@erie.gov     |

**ERIE COUNTY OFFICE OF HEALTH EQUITY CONTACT INFORMATION**

For general information visit our web site at:

[www.erie.gov/health-equity](http://www.erie.gov/health-equity)

For questions you can contact the Office of Health Equity at:

[healthequity@erie.gov](mailto:healthequity@erie.gov) or call: 716-858-2152

## INTRODUCTION TO THE OFFICE OF HEALTH EQUITY

Addressing health equity in Erie County and the city of Buffalo has been an ongoing effort. Over the past decade, a variety of resident and community groups, non-profits, charitable organizations, companies, and government groups have made efforts to improve the health of Erie County residents.<sup>15</sup>

### NOTABLE MILESTONES FOR HEALTH EQUITY GROUPS IN ERIE COUNTY



2014: Formation of African American Health Equity Task Force



2018: Establishment of the Buffalo Center for Health Equity

2019: Launch of UB Community Health Equity Research Institute

The Erie County Office of Health Equity (ECOHE) was formed in compliance with the Erie County Health Equity Act of 2021.<sup>16</sup> For more information on the Erie County Health Equity Act of 2021, see Appendix A. The vision of the ECOHE is for all disadvantaged, marginalized, and diverse populations in Erie County to achieve maximum health and wellness. Existing data strongly suggests that inequities in health experiences exist among Erie County residents according to demographic factors. The root causes for these differences are historical, systemic, and largely ongoing. Therefore, addressing these inequities requires intentional and targeted solutions.

The ECOHE's mission is to evaluate a wide variety of specific health outcomes among diverse populations to fully understand the depth and scope of health disparities in Erie County and to partner with community members, healthcare providers, faith and philanthropic leaders, and organizations to enact programs that help disadvantaged, marginalized, and diverse populations in Erie County achieve maximum health and wellness.

Within this report are sections about common equity terms, existing data, and descriptions of health disparities within Erie County. The ECOHE recognizes the current limitations of identity-related terminology and the ongoing evolution of culturally sensitive terminology that aims to center the voices of the people described.

## DEFINITIONS AND DISCUSSION OF HEALTH EQUITY TERMS

**What is Health Equity?** The Centers for Disease Control and Prevention (CDC) defines health equity as “the state in which everyone has a fair and just opportunity to attain their highest level of health.

Achieving this requires ongoing societal efforts to address historical and contemporary injustices; overcome economic, social, and other obstacles to health and health care; and eliminate

*HEALTH EQUITY means that everyone has the opportunities and resources they need to be as healthy as possible and that no one is disadvantaged.<sup>18</sup>*

preventable health disparities.”<sup>19</sup> Health inequities are reflected in differences in length of life; quality of life; rates of disease, disability, and death; severity of disease; and access to treatment.<sup>18</sup>

**What are Health Disparities?** Health disparities are differences between health outcomes—like diabetes, life expectancy, or maternal mortality—between different groups. Commonly, health disparities are comparisons made between non-Hispanic White people and Black, Hispanic, Indigenous, and other people of color, but any two groups can be compared to see if differences in health outcomes exist. Health disparities can—and do—exist in terms of length of life, quality of life, and social well-being. Health disparities are preventable differences and are directly related to the historical and current unequal distribution of social, political, economic, and environmental resources. According to the CDC, “we can improve health risks and reduce disparities and inequities by addressing social determinants of health.”<sup>19</sup> Read more about measuring health disparities in the *Existing Data* section.

**What are Health Outcomes?** Health outcomes are measures of a health intervention’s impact on health or resulting changes in the level of health of a person or community. Health outcomes for a person can reflect good health—like staying out of the hospital or not experiencing any physical pain—or they could reflect poor health—like becoming sick with an illness or dying. Examples of health outcomes for a community include average life expectancy and the percentage of the population with a disease or illness such as diabetes.

**What are Health Factors?** Health factors refer to the factors that impact health outcomes and include health behaviors (like diet and exercise), health care access and quality, social and economic factors, and the physical environment. For the purposes of this report, health factors will be examined through the context of the social determinants of health.

### What is Healthy People 2030?

Healthy People is an initiative of the U.S. Department of Health and Human Services that identifies public health priorities to help individuals, organizations, and communities across the United States improve health and well-being. Healthy People 2030 is the most recent framework, which provides 10-year, measurable public health objectives and tools to help track progress towards achieving them.<sup>20</sup> The Healthy People 2030 framework aligns with the vision of Live Well Erie to leave no one behind and to help every resident of Erie County achieve their full potential. Both Healthy People 2030 and Live Well Erie focus on increasing the health and well-being of all people through meaningful improvements in the social determinants of health.<sup>11</sup>



### What is Live Well Erie?

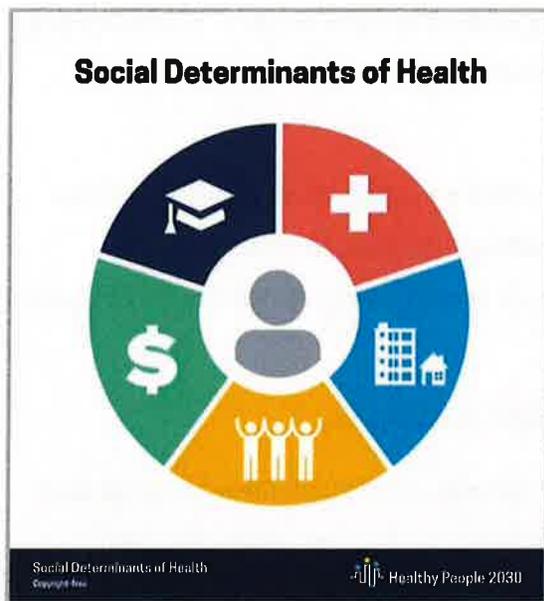
Live Well Erie is a plan to help all Erie County residents achieve their full potential organized around the idea that Erie County will leave NO ONE behind. **To do this, Live Well Erie focuses on meaningful improvements in the social determinants of health** for three populations: Children, working families and older adults. Live Well is framed around 5 guiding principles:

1. A clear focus on the social determinants of health
2. An integration of the Racial Equity Impact Analysis
3. An invitation for innovative thinking
4. An opportunity for the modernization of service delivery
5. An expectation of enhanced partnership and collaboration

To achieve their goals, Live Well has 3 goals for each of the 3 target populations. Throughout this Health Equity Report the Live Well goals will be highlighted where they align with social determinants and the relevant community data. More information on Live Well Erie can be found at: <https://www4.erie.gov/livewellerie/>

**What are the Social Determinants of Health?** Healthy People 2030 defines the social determinants of health (SDOH) as the conditions in the environments where people are born, live, learn, work, play, worship, and age that affect a wide range of health, functioning, and quality-of-life outcomes and risks.<sup>21</sup> SDOH are a major cause of health disparities and inequities. Focuses on health behavior changes on the individual level or increasing health education at the individual level will not eliminate the health disparities caused by the SDOH. To make progress, systemic changes need to be made to the conditions in people's environments. Healthy People 2030 SDOH framework uses five domains: Economic Stability, Education Access and Quality, Health Care Access and Quality, Neighborhood and Built Environment, and Social and Community Context.

## The Healthy People 2030 SDOH in 5 Domains<sup>21</sup>



**Economic Stability<sup>22</sup>:** Factors such as poverty and steady employment impact a person's ability to make enough money to afford the things they need to stay healthy.

**Education Access and Quality<sup>23</sup>:** People with higher levels of education are more likely to be healthier and live longer. Higher education results in safer, higher-paying jobs.

**Health Care Access and Quality<sup>24</sup>:** Having health insurance, being able to afford health care and medications, having a primary care provider, and the

distance and availability of providers can all impact a person's health.

**Neighborhood and Built Environment<sup>25</sup>:** The neighborhoods where people live have a major impact on their health and well-being. Neighborhoods with high rates of violence, unsafe air or water, and other health and safety risks like exposure to second-hand smoke, environmental toxins, pollutants, or loud noises can all negatively impact health.

**Social and Community Context<sup>26</sup>:** People's relationships and interactions with family, friends, co-workers, and community members can have a major impact on their health and well-being. Positive relationships at home, at work, and in the community can help reduce the negative impacts that are outside of someone's control—like unsafe environments, racism and discrimination, and the inability to afford necessities.

*Throughout this Health Equity Report the Healthy People 2030 Framework and domains for SDOH will be referenced.*

**How do you define race and ethnicity?** Race and ethnicity are complex and intertwined concepts that are the result of social constructs. Nonetheless, these constructs result in real-life impacts. Therefore, by definition and practice, **race** refers to the idea of grouping individuals based on a set of physical characteristics and then process of ascribing social meaning to those groups—i.e. African-American/Black, Asian, Caucasian/White, etc. **Ethnicity** is grouping individuals based on culture or

behaviors of region (often geographic) and is usually based on shared language, heritage, religion or other customs. Race and ethnicity variables are still widely used in the methodology of health data and survey data collection. The categories and response options for race and ethnicity vary between collection tools and survey methods.

This report is a compilation of existing data. Therefore, the data presented, which disaggregates race and ethnicity, reflects the categories used by those who collected the data. For instance, many ethnicities are represented in Erie County; however, data are typically disaggregated into the categories of Hispanic and non-Hispanic only.

This will be discussed further in the *Race and Ethnicity* section of this report.

*The language used to describe identities is often nuanced, complex, and limited. The terminology used has evolved over time to reflect increased accuracy and inclusivity, and can vary widely between individuals and communities, as well as between studies, surveys, and data sources. The terms used in this report are set and defined by each data source. For the purposes of clarity and consistency, Health People 2030 terminology is utilized in this report when not otherwise established by source data.*

**What are gender identity, gender expression, and sexual orientation?** The Human Rights Campaign (HRC) defines **sexual orientation** as an inherent or immutable enduring emotional, romantic, or sexual attraction to other people.<sup>27</sup>

**Gender identity** is a person's innermost concept of self as male, female, a blend of both or neither—how individuals perceive themselves and what they call themselves. A person's gender identity can be the same or different from their sex assigned at birth. **Note: an individual's sexual orientation is independent of their gender identity.**

**Gender expression** is the external appearance of a person's gender identity, usually expressed through behavior, clothing, body characteristics or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine. Additional definitions of common LGBTQ+ terms can be found at:

<https://www.hrc.org/resources/glossary-of-terms>

*For the purposes of this report, the term LGBTQ+ is used to describe lesbian, gay, bisexual, transgender, queer, questioning, intersex, Two-Spirit, non-binary, and pansexual people and other people from sexual*

*and gender minority populations and groups. Further discussion of gender identity, gender expression, and sexual orientation in the section under the same name.*

**What is intersectionality?** Intersectionality is a recognition that an individual's health is impacted by many different factors that overlap and are interconnected.<sup>28</sup> Intersectionality also refers to the reality that we all have many identities, which intersect, to make us who we are. These factors can include race, gender, class, income, education, age, ability, sexual orientation, immigration status, ethnicity, indigeneity, and geography. These factors can also serve as sources of discrimination that overlap and reinforce each other. An example of intersectionality is that a Black woman would experience impacts as both a woman and as a person of color.

**For an even more comprehensive list of terms and definitions related to diversity, equity, and inclusion (DEI) review the National Association of Counties DEI document<sup>29</sup>:  
[https://www.naco.org/sites/default/files/documents/2022-DEI\\_KeyTerms\\_V11.pdf](https://www.naco.org/sites/default/files/documents/2022-DEI_KeyTerms_V11.pdf)**

## EXISTING DATA ON HEALTH DISPARITIES

Data are essential to examining and understanding health disparities. Data can allow us to identify where disparities exist and the degree or severity of the disparity. Data can then be used to direct resources to address disparate outcomes and then be used further to track progress toward eliminating those disparities. Ideally, health data would be used to identify differences in health outcomes between different groups, pose explanations for these differences, and describe the policy and systemic factors that create these disparities. Promising practices have emerged in data collection and analysis for the purposes of health equity and describing health disparities.<sup>30-33</sup> Fully describing health disparities uses both **quantitative** and **qualitative** data collection and analysis methods.

### Quantitative data<sup>34</sup>:

- Are measurable, often used for comparisons, and involve the counting of people, behaviors, conditions, or other clear events.
- Use numbers to determine the what, who, when, and where of health-related events.
- Examples of quantitative data include: age, weight, temperature, or the number of people with diabetes.
- **Quantitative data are used to describe the size or magnitude of a health inequity.**

#### Health Disparities can be shown and measured in health outcomes based on these (and other) data metrics:

- Higher incidence, prevalence, or rates of disease
- Later diagnoses, delayed treatments or therapies, or inability to manage a health condition
- Premature (early) and/or excessive mortality (death) from diseases, injury, accident, or environment
- Higher prevalence of unhealthy or high-risk behaviors

### Qualitative data<sup>34</sup>:

- Can include almost any non-numerical data.
- Use words to describe a particular health-related event.
- Can be observed but not measured and involve observing people in selected places and listening to them to discover how they feel and why they might feel that way.
- Examples of qualitative data include: sex at birth, smoker/non-smoker, or questionnaire response (agree, disagree, neutral).

- **Qualitative data are often used with quantitative data to tell a more compelling story than with only quantitative data. Qualitative data are essential to health equity because they give a voice to those who are experiencing disparities and strengthen and provide context to the numbers (quantitative data).**

**Appendix G contains definitions of selected epidemiological and statistical terms used within this report. For comprehensive list of terms and definitions related to epidemiology and statistics, review the CDC's Epidemiology Glossary<sup>35</sup>:**

**[https://www.cdc.gov/reproductivehealth/data\\_stats/glossary.html](https://www.cdc.gov/reproductivehealth/data_stats/glossary.html)**

The [New York State Prevention Agenda](#)<sup>8</sup> is based on a comprehensive statewide assessment of health status and health disparities, changing demographics, and the underlying causes of death and diseases. The strategy of the Prevention Agenda is to implement public health approaches that improve the health and well-being of entire populations and achieve health equity. Key to this is the use of important health data and metrics used to measure health outcomes and the overall progress on the [Prevention Agenda Dashboard](#).<sup>36</sup> As part of the directive of the New York State Prevention Agenda, Erie County (and each local health department throughout the state) develops their own Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP). The CHA-CHIP is created along with hospital and other key community partners.

This health report will utilize many of the same data sources as the New York State Prevention Agenda and the Erie County CHA-CHIP and will serve as a supplement to the information included in the CHA-CHIP. Some data and health outcomes are presented and discussed in both reports. The information may appear slightly different between reports because

### Key Components of the Erie County CHA-CHIP

#### Community Health Assessment (CHA)

- A description of Erie County including demographics, health status, and health disparities
- Identification of the main health challenges facing Erie County and discussion of causes
- Summary of assets and resources to address health issues

#### Community Health Improvement Plan (CHIP)

- Identification of priorities Erie County will address
- Identification of the goals, objectives, and intervention strategies that will be used to address these priorities
- Describe the process to engage partners and share plans with the public

the parameters, like the years of data being reported or the way variables, like race, are being presented.

There are a number of challenges and limitations with health equity and health disparities data.<sup>31</sup> Data on racial disparities are lacking for reasons including inconsistencies in how racial/ethnic classifications are made and/or grouped, lack of publicly available information on smaller groups of people for privacy, confidentiality concerns, and lack of data granularity at sub-county or sub-city level for many racial/ethnic variables. Increasing the availability of high-quality, comprehensive data disaggregated by race/ethnicity is vital for efforts to advance health equity.

There is also a general lack of data on refugee and immigrant population. This includes those of Middle Eastern and Northern African (MENA) descent, as they have been traditionally classified as White. Aggregation of smaller groups into larger groups limits the ability to understand specific and distinct groups, as is often the case with all the countries and cultures of Asia all being grouped as Asian. Similarly, Indigenous residents of Erie County are relatively small in number and are often underrepresented in surveys and data collection. This often results in the lack of significant findings for this group despite known health inequities for Indigenous people relative to their White counterparts. In some situations, several of these smaller but very distinctly different groups, such as MENA and Indigenous populations, are grouped together as “other.”

Additionally, with health data, there is a long history of focusing on the collection of health outcome data—like deaths, injuries, and specific chronic conditions—but far less on formative health measures—like behaviors, environmental factors, social or community measures. This creates challenges in establishing the role that the SDOH have in creating the health outcomes of interest.

Despite these challenges and limitations, existing data reveal that many groups experience inequities due to one or more aspects of their identity, including but not limited to racial/ethnic background, refugee/immigrant status, gender, sexual orientation, and location of residence. Some of the health disparities that exist within each group and the role and context of the SDOH related to those outcomes will be discussed further in this report. Additionally, throughout the course of this report we will highlight some of the specific data challenges for each group.

## HEALTH DISPARITIES

### Race and Ethnicity

It is indisputable that in Erie County health inequities occur across racial and ethnic groups. Race and ethnicity are socially constructed categories. These categories are subjective and follow no clear biological formula. However, this categorization has tangible effects on the lives of individuals due to the way they perceive themselves and are perceived by others. If we deny that race and ethnicity influence health outcomes, we would fail to address many of the issues that challenge the health and well-being of our diverse racial and ethnic minority communities. Figure 1 displays the *My Community Explorer* webpage within the U.S. Census Bureau website provides a visual representation of this segregation in Erie County, particularly in the city of Buffalo.<sup>9</sup>

**ABOUT THE DATA:** The census tract in the upper right corner of the county in the map (on the following page) is green, indicating that this community is predominantly Hispanic or Latino. This may be a sampling error, as that portion of the county is part of the Tonawanda Indian Reservation and contains very few people. It is also important to note that while the areas colored blue, are predominantly occupied by people who are American Indian, the majority of American Indian people in the county do not live on the reservations. As previously noted, this community is often under-represented in health data.

Maps depicting rates of chronic disease and various health factors appear very similar to figure 1, demonstrating that rates of these health conditions and health circumstances often correspond with race and place of residence. Much of Erie County's segregation can be explained by a history of redlining, discriminatory lending, and zoning laws. A lack of public and private investment into communities of color creates a built environment that is not conducive to good health and well-being. More information on this topic can be explored in *The Racial Equity Dividend: Buffalo's Great Opportunity* at <https://racialequitybuffalo.org/resources/dividend-report/><sup>37</sup> and *The Harder We Run; The State of Black Buffalo in 1990 and the Present* at <https://ubwp.buffalo.edu/aps-cus/wp-content/uploads/sites/16/2021/10/TaylorHL-The-Harder-We-Run.pdf>.<sup>38</sup>

Erie County and Buffalo, Census Tracts by Predominant Race and Ethnicity (2015-2019)

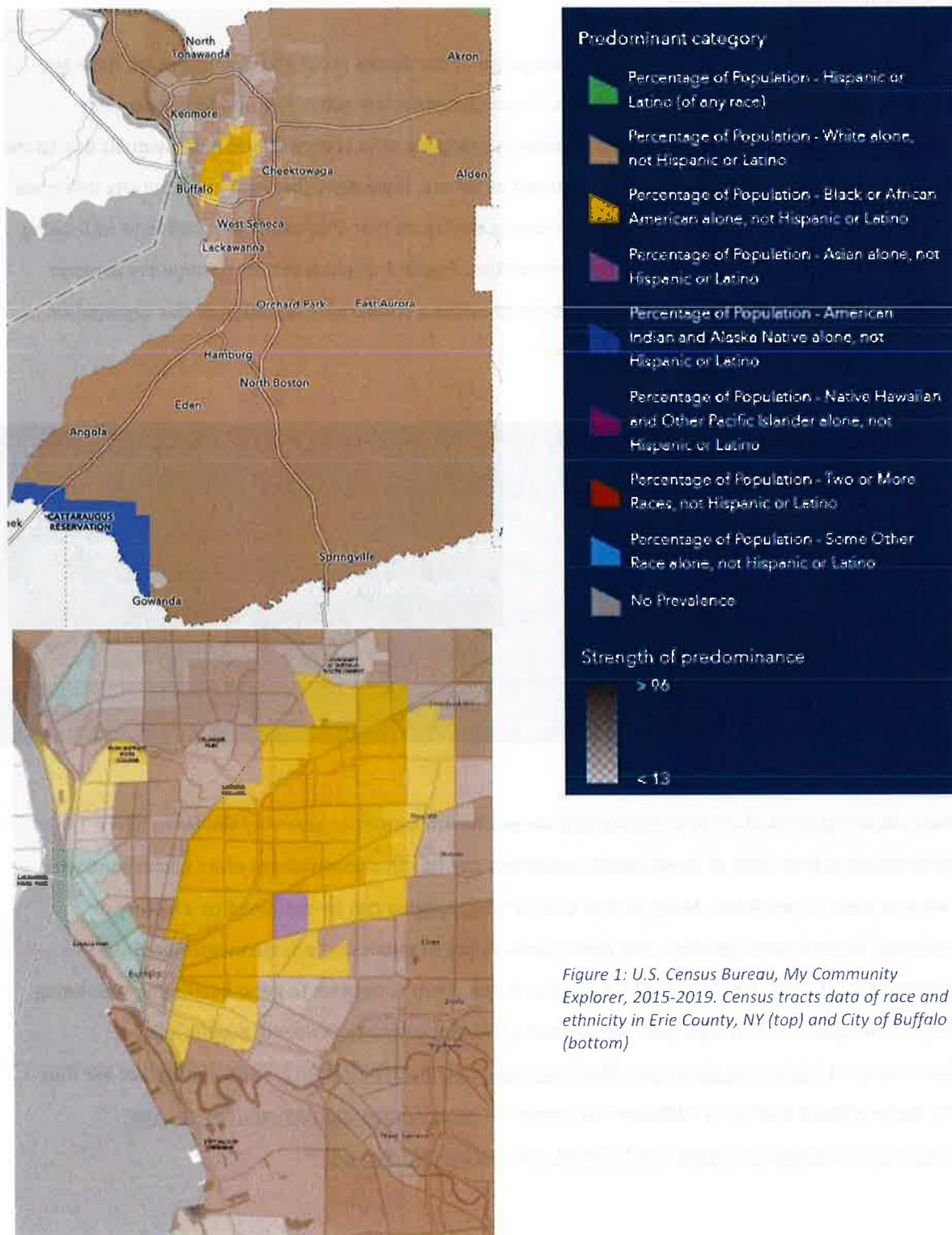


Figure 1: U.S. Census Bureau, My Community Explorer, 2015-2019. Census tracts data of race and ethnicity in Erie County, NY (top) and City of Buffalo (bottom)

Inequities in the health of Erie County residents span from the beginning of life to the end of life. Low birthweight rates are often used to describe the health of a community. As the County Health Rankings website explains, birthweight can be an indicator of the mother’s health as well as a predictor of the infant’s future health.<sup>4</sup> Risk factors for low birthweight, which is often a result of preterm birth, include multiple births, infection, pre-eclampsia, inadequate maternal nutrition, inadequate prenatal care, stress, and exposure to pollution or toxic substances. Infants born with low birthweight may experience

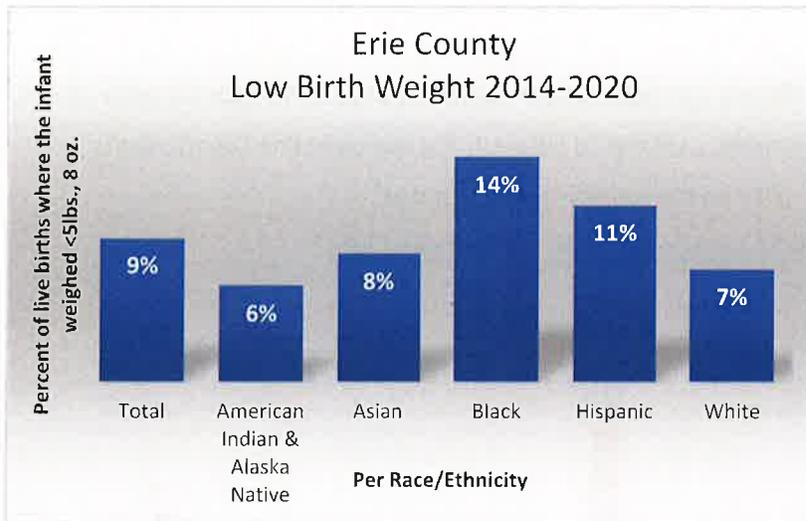


Figure 2: County Health Rankings, 2014-2020 data of low-birth-weight percentages for Erie County, NY

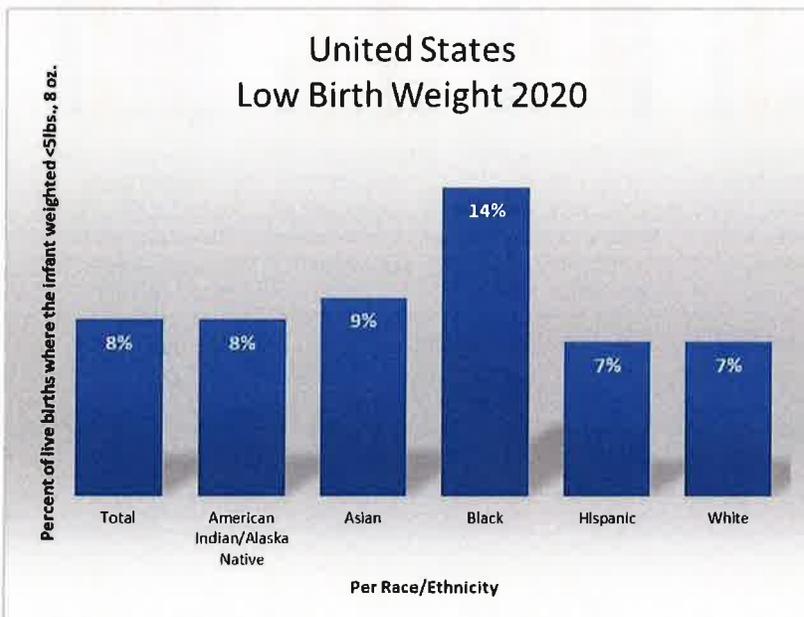


Figure 3: National Vital Statistics, 2020 data of low-birth weight percentages for the United States (Note: Percentages rounded to the nearest whole number)

**ABOUT THE DATA:**  
 Age distribution of mothers at time of birth may influence rates per race and ethnicity, as giving birth as a teen or over the age of 35 are also risk factors for low birthweight. For example, in 2020, Asian mothers in the United States gave birth over the age of 35 at a higher rate than any other race group.<sup>40</sup> Therefore, if we were to control for age of mother, they may have a relatively lower rate of low birthweight.

decreased physical growth and impaired cognitive development and are more likely to develop chronic conditions as adults.<sup>39</sup> Low birth weight rates per race and ethnicity are fairly consistent with rates at the national level, as seen in Figure 3.<sup>40</sup>

These inequitable rates carry over to infant mortality. According to the 2022 County Health Rankings Report, from 2014-2020, non-Hispanic Black infants in Erie County were three times more likely to die than non-Hispanic White infants and Hispanic infants were nearly two times more likely to die than non-Hispanic White infants.<sup>4</sup>

There are a number of chronic conditions and health outcomes in Erie County in which inequities across race and ethnicity are particularly striking, as shown in Figure 4. The complete *Erie County Health Indicators by Race/Ethnicity, 2017-2019* on Erie County can be found at <https://www.health.ny.gov/statistics/community/minority/county/erie.htm>.<sup>41</sup>

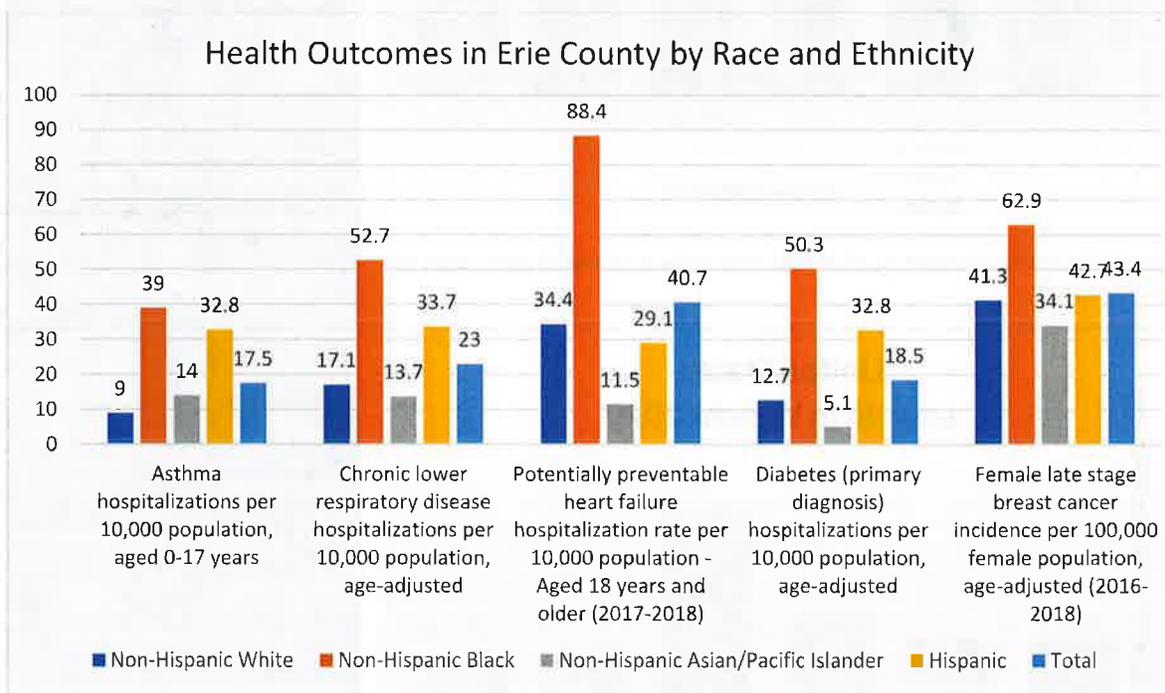


Figure 4: NYS County Health Indicators Report, 2017-2019, for Health Outcomes in Erie County by Race and Ethnicity

Many of the health outcomes where inequitable rates occur by race, such as diabetes and heart disease, are largely influenced by behavior. However, the fact that these behavior-linked outcome rates are so different across racial and ethnic communities indicates that there are systemic, societal, environmental, and/or policy factors that are unequally beneficial or detrimental depending on the communities to which a person belongs. In years past, health promotion focused heavily on education. While a knowledge of healthy behaviors is critical to achieve healthy living, knowledge is only a portion of what is required to be able to execute these behaviors. Focusing on the upstream SDOH is more powerful and beneficial.

*The fact that these behavior-linked outcome rates are so different across racial and ethnic communities indicates that there are systemic, societal, environmental, and/or policy factors that are unequally beneficial or detrimental depending on the communities to which a person belongs.*

The COVID-19 pandemic was and is trying for everyone. However, the impacts of the disease itself, as well as the efforts to mitigate it, were experienced to different degrees across different community

groups. Figure 5, displaying data provided by the Erie County Department of Health, shows the Black community is only slightly over-represented in the Erie County mortality data. However, Figure 6, presenting the average age of COVID deaths in Erie County, tells a different story, revealing that more deaths occurred at younger ages in Black communities as compared to White deaths.<sup>1</sup> This may be an indicator of poorer relative health in the younger age groups of Black communities as well differences in access to care. Furthermore, people in these communities may be more likely to have occupations that put them at higher risk of direct COVID-19 exposure, such as personal care aides, bus drivers, and other frontline workers.<sup>42</sup>

#### COVID Deaths in Erie County by Race and Ethnicity (2019-2022)

| Race/Ethnicity                 | Number of COVID Deaths | Percentage of COVID Deaths | Percentage of Population in Erie County |
|--------------------------------|------------------------|----------------------------|---|
| White                          | 2405                   | 78.9%                      | 71.5%                                   |
| Black                          | 465                    | 14.8%                      | 13.5%                                   |
| Hispanic                       | 80                     | 2.6%                       | 6.3%                                    |
| Other                          | 39                     | 1.5%                       | 3.7%                                    |
| Asian/Pacific Islander         | 34                     | 1.1%                       | 4.9%                                    |
| American Indian/Alaskan Native | 14                     | 0.4%                       | 0.4%                                    |
| Unknown                        | 19                     | 0.7%                       | NA                                      |
| <b>Total</b>                   | <b>3056</b>            |                            |   |

Figure 5: Data from Erie County Department of Health, COVID-19 Fatalities, 2019-2022. Fatalities by Race/Ethnicity. Population from 2020 Census.

Average Age of COVID Deaths in Erie County by Race and Ethnicity (2019-2022)

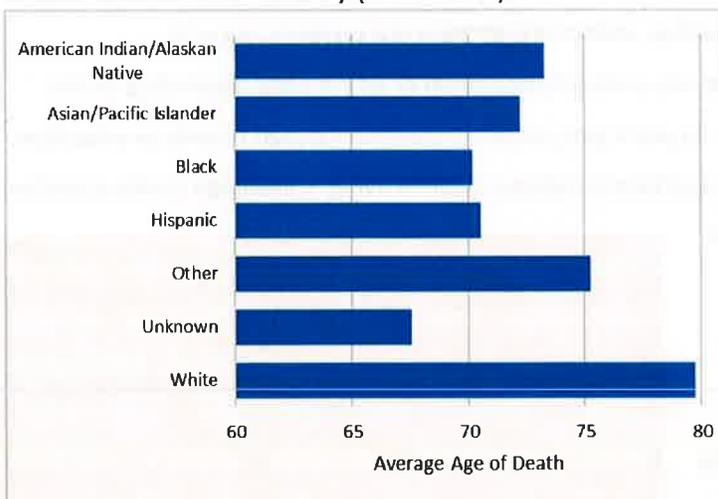


Figure 6: Data from Erie County Department of Health, COVID-19 Fatalities, 2019-2022. Fatalities by Race/Ethnicity for Erie County

**ABOUT THE DATA:**  
 COVID deaths contain fields for both race and ethnicity. The Hispanic category in these figures represents all persons of Hispanic heritage including all races (Black-Hispanic, White-Hispanic, and other/unknown-Hispanic). All other races listed, including other and unknown, represent persons of non-Hispanic and unknown ethnicity.

**Healthy People 2030 Social Determinants of Health Domain: Education Access and Quality**

Educational attainment is often both a product of health as well as a predictor of health. Children who are well-nourished and in good health are more likely to perform well in school. Conversely, there is a

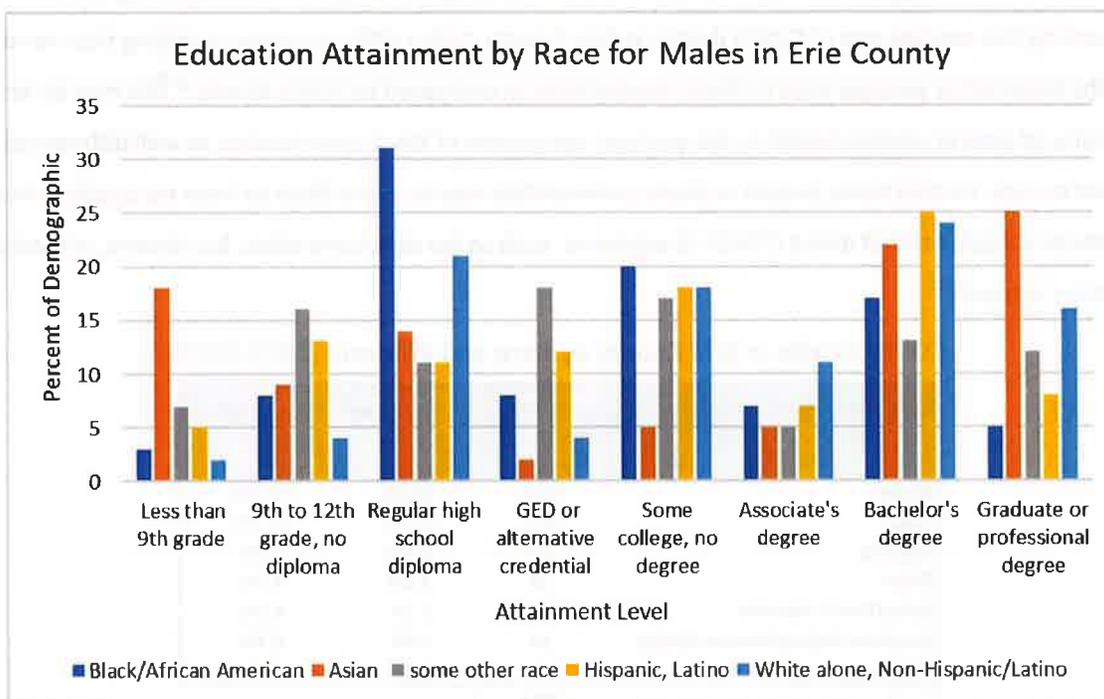


Figure 7: U.S. Census Bureau, American Communities Survey, 2021 1-year Estimates of Male Education Attainment by Race

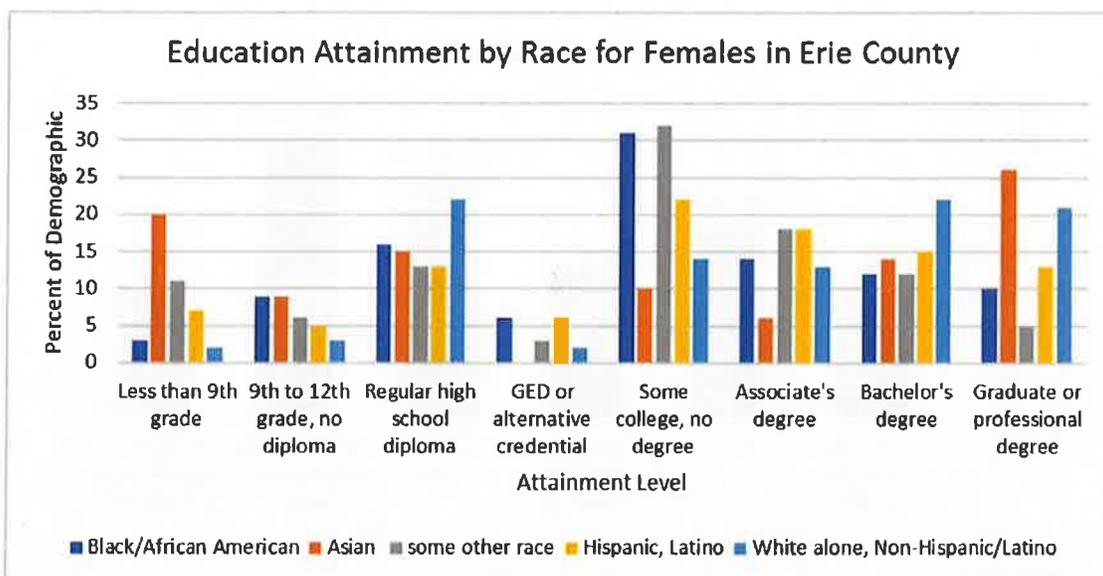


Figure 8: U.S. Census Bureau, American Communities Survey, 2021 1-year Estimates of Female Education Attainment by Race positive correlation between educational attainment and good health in adulthood.<sup>43</sup> The 2021 American Communities Survey reveals differences in educational attainment by race and gender, as seen in Figures 7 and 8.<sup>3</sup>

**ABOUT THE DATA:** Of note, the Asian population had the highest rates in both the lowest attainment category, *less than 9th grade*, and the highest, *graduate or professional degree*.<sup>3</sup> This is likely a reflection of the high percentage of Asian Americans who are first- or second-generation immigrants, as well as the many different circumstances under which people of Asian descent migrate to the United States and live. For example, people who are Chinese or Indian may be more likely to come on work or student visas with adequate resources, while people who are Burmese or Bhutanese are more likely to come as refugees with fewer resources. This highlights the need for the Asian population to be disaggregated in data collection.

**Healthy People 2030 Social Determinants of Health**

**Domain: Economic Stability**

There are a number of studies that demonstrate how the effects of poverty hinder healthy development of both the mind and body.<sup>44</sup> Erie County experiences vast inequities in poverty and income. Figure 9 shows the differences in median income by race and ethnicity.

**Live Well Erie Focus Area: Empower Working Families**

Goal 2: Families in Erie County will have greater financial security.

This goal focuses on increasing the number of families earning high wages through innovative approaches such as workforce development, work readiness, and upskill training.

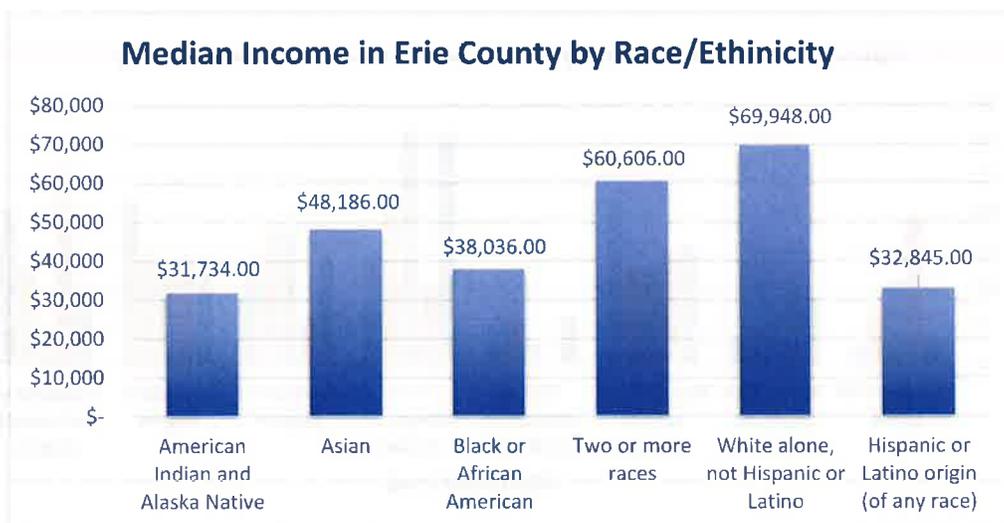


Figure 9: American Communities Survey, 2021 1-year Estimates of Median Income in Erie County by Race/Ethnicity

**% Children in Poverty**

**18%**

**American Indian & Alaska Native**

**25%**

**Asian**

**38%**

**Black**

**40%**

**Hispanic**

**37%**

**White**

**9%**

Figure 10: 2021 American Communities Survey, 2021 1-year Estimates of Percentages of Children in Poverty in Erie County by Race/Ethnicity. Chart taken from County Health Rankings.

**ABOUT THE DATA:** While examining median income is a simplified way of determining economic disparities, it does not provide the full picture of wealth distribution. The 2022 County Health Rankings report disaggregated the percent of children in poverty by race and ethnicity.<sup>4</sup> Some of the differences in median income per race do not seem to corroborate with the rates of child poverty per race, such as in the Asian community. An explanation for this may be the wide range in income and age distribution amongst the subpopulations (i.e., Chinese, Bangladeshi, Bhutanese), again highlighting the need to disaggregate these groups in data collection. This may be explained by the wide range in income as well as age distribution in certain groups such as the Asian community.

**Healthy People 2030 Social Determinants of Health Domain: Neighborhoods and Built Environment — Housing**

Healthy People 2030 recognizes that stable housing lays a foundation for an individual’s health. Individuals experiencing homelessness are more likely to suffer from chronic disease and premature

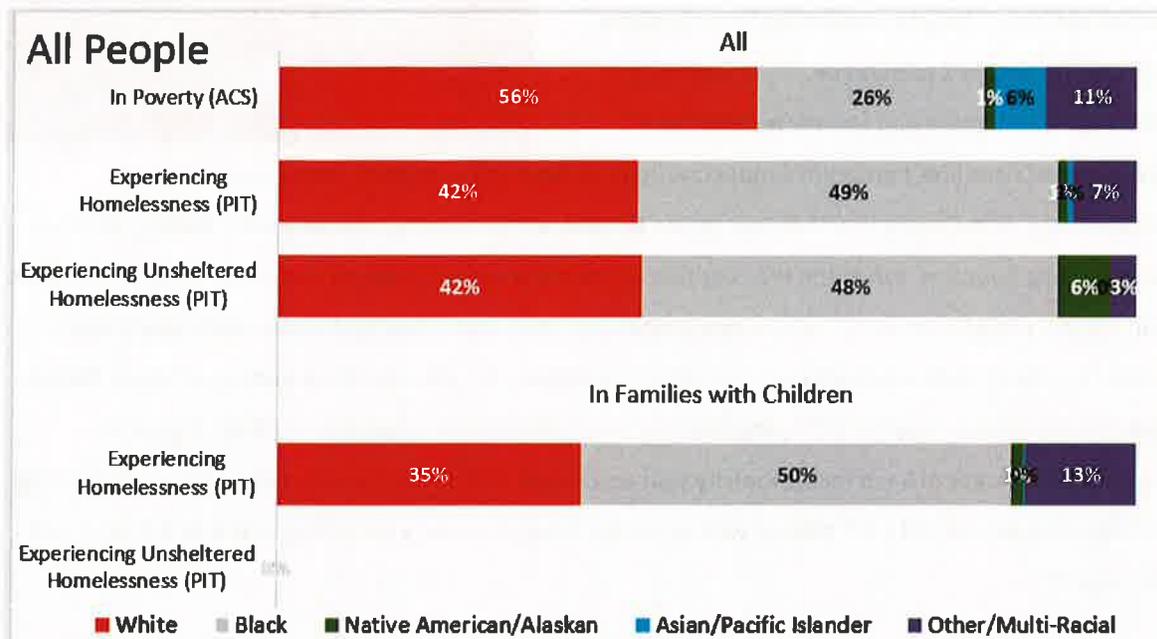


Figure 11: HUD, 2021 COC Racial Equity Analysis Tool of poverty and homelessness within the United States

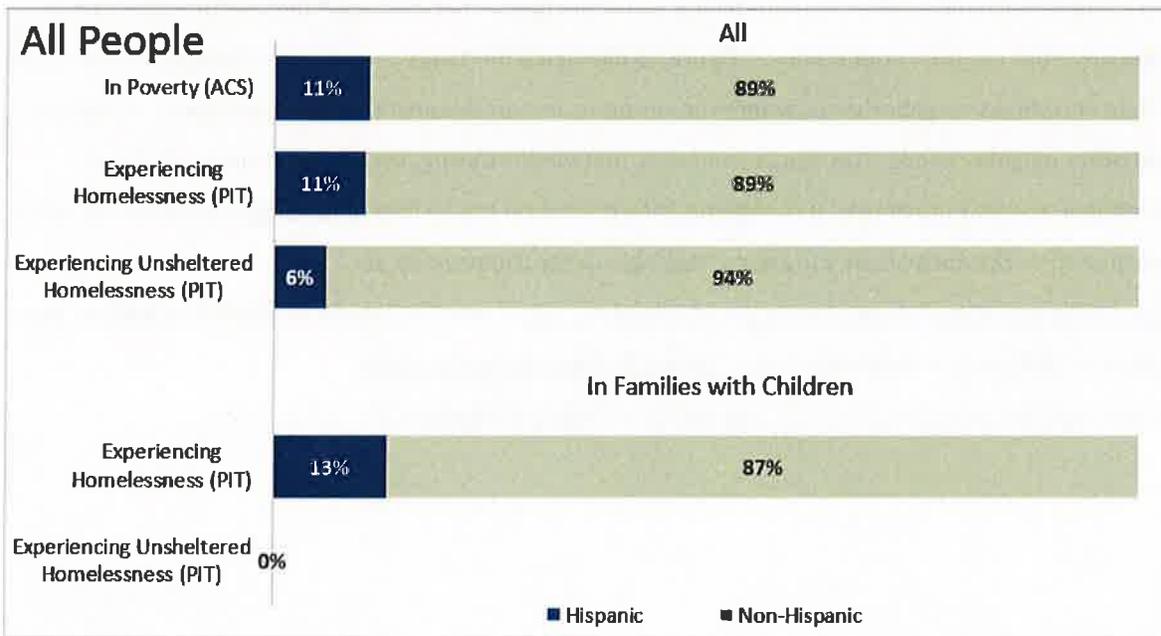


Figure 12: HUD, 2021 COC Racial Equity Analysis Tool of poverty and homelessness within the Buffalo, Niagara Falls/Erie, Niagara, Orleans, Genesee, Wyoming Counties

death.<sup>45</sup> On average, from January through September 2022, people who identified as Black accounted for 34% of the Erie County Department of Mental Health Single Point of Access program monthly housing waitlist additions, despite accounting for only about 12.5% of the county's population.<sup>3,46</sup> At least every other year the Housing and Urban Development

### Live Well Erie Focus Area: Empower Working Families

Goal 1: Families in Erie County will have safe, affordable housing.

This goal focuses on securing affordable housing and providing thriving wages through a sustainable, long-term approach.

Continuum of Care (CoC) program conducts a Point in Time (PIT) count of people experiencing homelessness. Erie County is within CoC region NY-508, which also includes Niagara, Orleans, Genesee, and Wyoming Counties. While the PIT county level data are not available by race and ethnicity, numbers from the 2022 PIT Count for NY-508 demonstrate that racial and ethnic minorities, particularly Black people, are vastly over-represented.<sup>6</sup> Even when controlling for poverty, Black people are more likely to experience homelessness.<sup>6</sup> In 2022, the Point in Time Count occurred on January 26th. Figure 12 displays percentages of each race/ethnicity that accounted for the total number of people experiencing homelessness on the 2022 PIT date as well as people living in poverty according to the ACS 2021 1-year estimates.<sup>6,47</sup>

Buffalo, like many cities, has a history of housing discrimination. A 2021 report by the New York State Department of Financial Services on redlining in Buffalo found that mortgage originations continue to underserve our minority populations.<sup>48</sup> Figure 13 highlights mortgage originations throughout the city of Buffalo and shows neighborhoods where the residents are predominantly Black have fewer mortgages than other neighborhoods. The report concludes that while housing discrimination may not be as intentional as it was previously, it is ongoing. Information on the history of housing discrimination can be explored in *The Racial Equity Dividend: Buffalo's Great Opportunity* at <https://racialequitybuffalo.org/resources/dividend-report/><sup>37</sup> and *The Harder We Run; The State of Black Buffalo in 1990 and the Present* at <https://ubwp.buffalo.edu/aps-cus/wp-content/uploads/sites/16/2021/10/TaylorHL-The-Harder-We-Run.pdf>.<sup>38</sup>

### City of Buffalo Mortgage Originations (2016-2019)

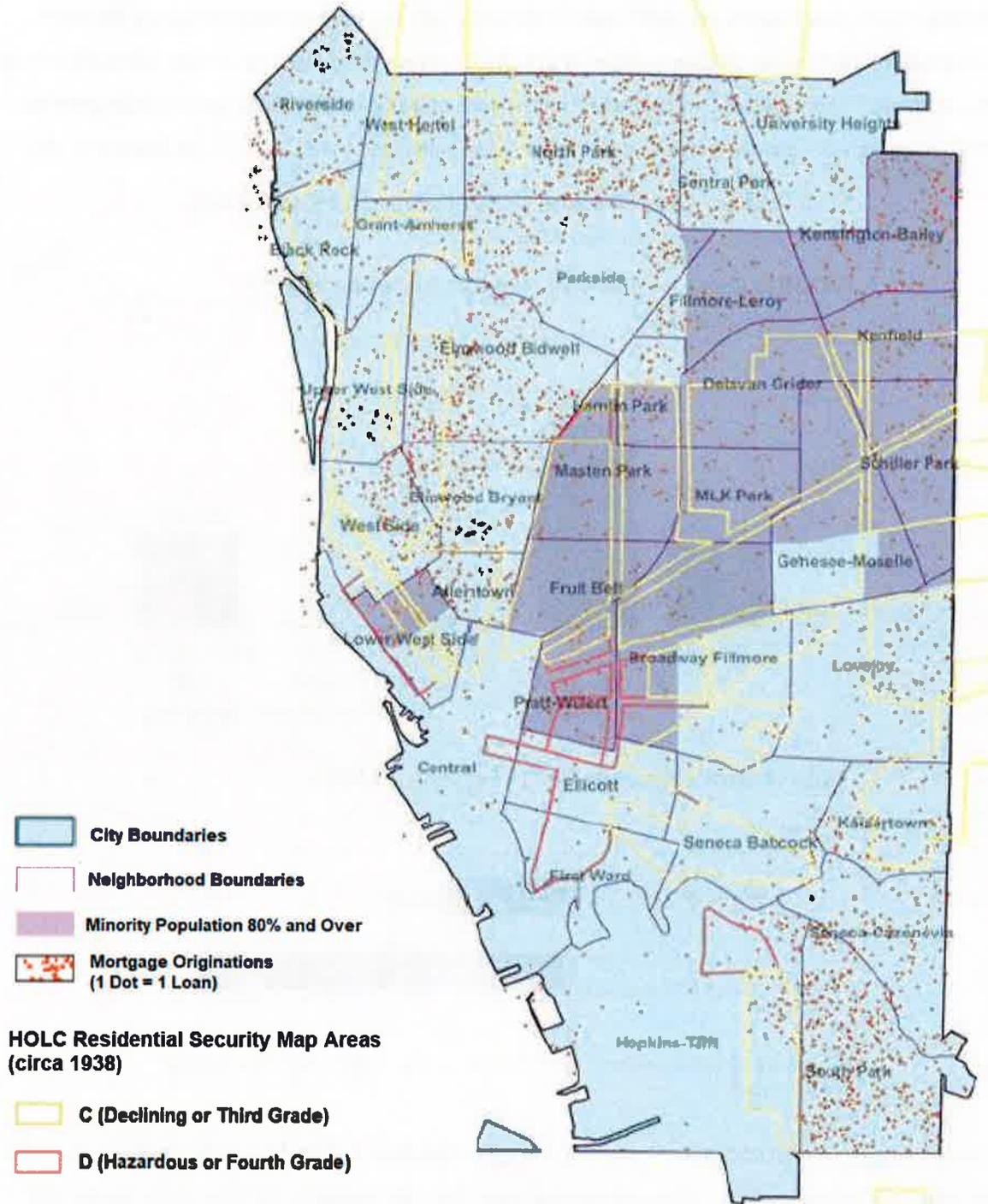


Figure 13: Mortgage Originations in Erie County, NYS Department of Financial Services, Report on Inquiry into Redlining in Buffalo, New York, 2021

### Healthy People 2030 Social Determinants of Health Domain: Social and Community Context

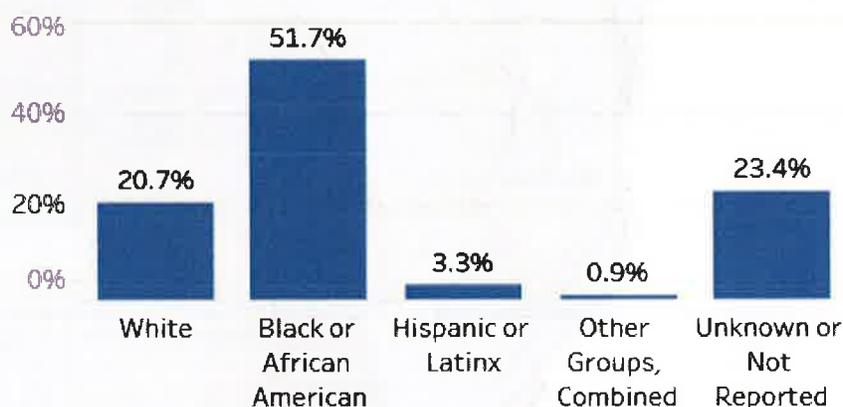
An individual's race impacts the likelihood of interacting with law enforcement. Following the 2020 protests after the murder of George Floyd, Mayor Byron Brown announced reforms to the Buffalo Police Department.<sup>49</sup> This included a mandate for the issuance of traffic receipts that collect information on the demographics—including race and ethnicity—of all individuals being stopped. An analysis of this

#### Traffic Receipts by Race (Hover Over Bars for Total)

24 June 2020 through 14 Feb 2022

Simulate Race for "Unknown" Records for Comparability?

No - Show Raw Data



#### Rate of Traffic Receipts per 1k Persons, by Race

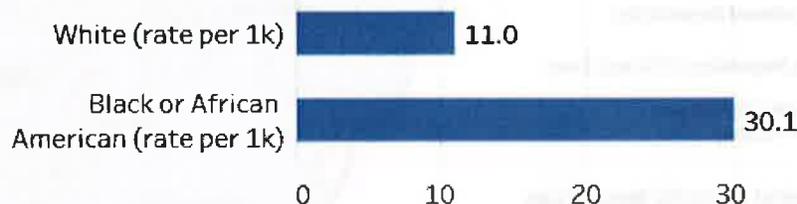


Figure 14: News Channel 4 with Cornell ILR Buffalo Co-Lab. Traffic receipt data in City of Buffalo, 2020-2022

receipt data by Cornell's School of Industrial and Labor Relations Buffalo Co-Lab found that "when the receipts in which the race is unknown were removed, Black people were 2.5 times more likely to be stopped by police in Buffalo than people, despite making up a smaller share of the city's total population."<sup>50</sup> This data is reflected in Figure 14. Despite that demographic data is missing for about 25% of the receipts analyzed in this report, it provides important insight and oversight into the actions of the

Buffalo Police Department. Collection of this data demonstrates transparency, and it is a step toward addressing these types of disparities.<sup>51</sup> While, some US States and other jurisdictions have created laws requiring this data be collected, New York State has not. Legislation has been introduced to address this issue.<sup>52</sup> Disproportionate rates of contact with law enforcement increase the risk of arrests and incarceration for certain minority communities.

### Healthy People 2030 Literature Summary on Incarceration as a Social Determinant of Health

The Healthy People 2030 literature summary on incarceration discusses how SDOH, such as low education level, low income level, and unemployment, affect the risk of incarceration and recidivism.<sup>53</sup> The minority groups in Figure 15 that are over-represented in arrest rates experience higher rates of these risk factors.<sup>54</sup> The literature summary also discusses that incarceration itself is a SDOH as it increases the risk of poor health and well-being for individuals who are incarcerated or have a history of being incarcerated as well as their families and communities.<sup>53</sup>

Figure 15 implies that among those who have been arrested, people who are Black or Hispanic are more likely to receive prison sentences than White people. Improving the social determinants of health in these minority groups as well as controlling for bias in sentencing may decrease the risk of the detrimental effects of incarceration in these communities.

| Erie County    |                  |             |               |             |                      |             |                  |             |
|----------------|------------------|-------------|---------------|-------------|----------------------|-------------|------------------|-------------|
| Race/Ethnicity | Population (18+) |             | Adult Arrests |             | Felony Adult Arrests |             | Prison Sentences |             |
|                | #                | % of Total  | #             | % of Total  | #                    | % of Total  | #                | % of Total  |
| White          | 572,010          | 78%         | 5,398         | 48%         | 1,602                | 38%         | 49               | 21%         |
| Black          | 92,397           | 13%         | 4,488         | 40%         | 2,131                | 50%         | 154              | 66%         |
| Hispanic       | 36,311           | 5%          | 912           | 8%          | 408                  | 10%         | 30               | 13%         |
| Asian          | 27,742           | 4%          | 98            | <1%         | 20                   | <1%         | 0                | 0%          |
| Other-Unknown  | 4,388            | <1%         | 246           | 2%          | 73                   | 2%          | 0                | 0%          |
| <b>Total</b>   | <b>732,848</b>   | <b>100%</b> | <b>11,142</b> | <b>100%</b> | <b>4,234</b>         | <b>100%</b> | <b>233</b>       | <b>100%</b> |

Figure 15: 2020 Erie County Adult Arrests and Prison Sentences - NYS Department of Criminal Justice Services

## Immigrant and Refugee Status

### Healthy People 2030 Social Determinants of Health Workgroup

**Objective: Increase the proportion of federal data sources that include country of birth.<sup>55</sup>**

People migrate to Erie County from around the globe for various reasons. Some come to live with family and loved ones, some come for education and career advancement, and some come because it's a matter of safety or even life and death. Each immigrant community comes with unique cultures, skill

Erie County, NY Top Ten Countries of Origin of Foreign-Born Erie County Residents (2015-2020)

|    |            |      |
|----|------------|------|
| 1  | Canada     | 4426 |
| 2  | India      | 4421 |
| 3  | China      | 4246 |
| 4  | Bangladesh | 3512 |
| 5  | Yemen      | 2234 |
| 6  | Burma      | 2123 |
| 7  | Italy      | 2038 |
| 8  | Germany    | 2008 |
| 9  | Iraq       | 1829 |
| 10 | Korea      | 1634 |

Figure 16: American Communities Survey, 2015-2020 5-year estimates foreign-born Erie County residents

sets, and challenges. The number of resources each of these communities brings also varies. Immigrant and refugee communities may have characteristics that are protective to health, such as healthy cultural diets. Some may experience factors that are challenging to good health, such as physical and emotional trauma from events in their countries of origin or on their journeys to the United States. The Healthy People 2030 objective of “increasing the proportion of federal data sources that include country of birth” would help to identify the unique risk factors as well as protective factors for each of these communities. Country of birth is valuable for data at the local level as well.

According to the CDC, immigrants and refugees may also face disparities after resettling in the United States due to lack of health insurance, barriers to access to quality healthcare, poor workplace

conditions, lack of education or challenges in education, and low income and poverty.<sup>56</sup> The World Health Organization finds this to hold true with migrants across the world and considers migration a key determinant of health.<sup>57</sup>

*The World Health Organization considers migration a key determinant of health due to inadequate access to health services, poor living and working conditions, discrimination, and xenophobia faced by refugees and migrants.<sup>57</sup>*

In September 2022, the University at Buffalo's Jacobs School of Medicine and Biomedical Sciences hosted its 8<sup>th</sup> Annual New American and Refugee Health

Summit, featuring speakers who came to Western New York as refugees from all over the world, as well as care providers for local refugees and new Americans. Some common themes were discussed that fit within the Healthy People 2030 SDOH domains, as outlined below.<sup>58</sup>

#### **Healthy People 2030 Social Determinants of Health Domain: Health Care Access and Quality**

- Preventative care is an unfamiliar concept for many new Americans, particularly refugees, as their lives may have been focused on survival, one day at a time.
- Mental health is also an unfamiliar concept for many new Americans as it is not discussed or acknowledged in many of their countries of origin.
- Lack of an appropriate interpreter is often a challenge.
- Cultural differences between patient and provider can also be a barrier. These differences are particularly challenging when addressing mental health. Appropriate care is very important for many refugee families because the effects of trauma can be passed down from generation to generation.

#### **Healthy People 2030 Social Determinants of Health Domains: Economic Stability, Education Access and Quality**

- Foreign-acquired skills and professional assets often do not transfer to the United States. Educational degrees and credentials from other countries are often not accepted in the United States and there are many barriers to acquiring equivalent qualifications here.

#### **Healthy People 2030 Social Determinants of Health Domain: Social and Community Context**

- Cultural differences as well as language barriers can make it difficult to connect with people in community settings such as school and workplaces, leading to feelings of isolation.

## Gender and Sexual Identity

The Erie County lesbian, gay, bisexual, transgender, queer, questioning, intersex, and Two-Spirit (LGBTQ+) community is quite diverse. The LGBTQ+ community includes people of all ages, races, ethnicities, and other social and economic groups. Because of this community's diversity, health disparities impact many different areas of health.

*Approximately 66,797 members of the LGBTQ+ community live in Erie County.<sup>59</sup>*

An important aspect of understanding the LGBTQ+ community—and the data associated with health disparities in the LGBTQ+ community—is knowing the differences between sexual orientation, gender identity, and gender expression.

- Sexual orientation is defined as a person's enduring physical, romantic and/or emotional attraction to another person. Sexual orientations can include heterosexual (straight), lesbian, gay, bisexual, queer, asexual, and other orientations.<sup>27</sup>
- Gender identity is a person's innermost concept of self as male, female, a blend of male and female or neither (non-binary). This is how individuals perceives themselves. A person's gender identity can be either the same or different from their sex assigned at birth.<sup>27</sup>
- Gender expression is the external presentation and appearance of a person's gender identity. This is usually expressed by an individual's behavior, clothing, and other observable factors. This expression may or may not conform with socially defined behaviors and characteristics that have been traditionally associated with being male/masculine or female/feminine.<sup>27</sup>

Individuals in the LGBTQ+ community experience several significant health disparities. This community often has higher rates of certain illnesses, can be at increased risk for some medical and mental health conditions, generally has less access to health care, and can experience worse health outcomes.<sup>60</sup> These health disparities stem from many of the social determinants of health.

**The Healthy People 2030 Lesbian, Gay, Bisexual, and Transgender Health Workgroup objectives include<sup>54</sup>:**

- **Increase the number of national surveys that collect data on transgender populations.**

Data collection is a vital tool to understand and address disparities facing LGBTQ+ communities. Lack of data, particularly around gender identity and transgender populations, remains a barrier for policymakers, researchers, service providers, and advocates seeking to improve the health of the LGBTQ+ community.

- **Increase the number of national surveys that collect data on lesbian, gay, and bisexual populations.**

Community-based, national level surveys can provide important opportunities to learn much more about smaller sexual and gender minority populations, such as people who are asexual, same-gender-loving, or Two-Spirit.

The major challenge in describing health issues in the LGBTQ+ community is that most of health data collected only recorded sex at birth or falsely assumes that asking or documenting a patients/respondent's "sex" at one point in time is a clear question, where a consistent response throughout one's life span is expected.

*Lack of data, particularly around gender identity and transgender populations, remains a barrier for policymakers, researchers, service providers, and advocates seeking to improve the health of the LGBTQ+ community.<sup>61</sup>*

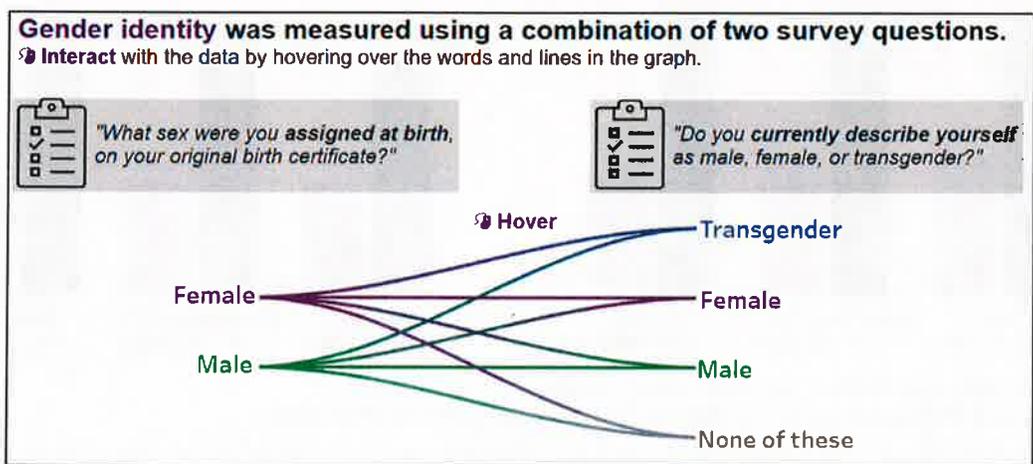


Figure 17: CDC Household Pulse Survey, 2022. How Gender Identity was measured in Household Pulse Survey.

Additionally, the only response options are often only “male” or “female.” When sexual orientation, gender identity, and gender expression questions are not included in a survey’s demographic assessment, questionnaire, or medical

**ABOUT THE DATA:** A review of regional and county level health surveys found data limited, lacking, or non-existent when it came to gender identify and sexual orientation. As a result, the majority of data available on this group is based on statewide or national data sets. However, some data collection improvements have occurred regarding LGBTQ+ data and many electronic medical records and other healthcare systems are increasingly collecting gender identify and sexual orientation information.

record, it is not possible to accurately compare health outcomes between the straight/heterosexual and cisgender population to the LGBTQ+ population. Some national health surveys and systems do collect additional information on sexual orientation and/or gender identity. One example is the U.S. Census Bureau’s Household Pulse Survey (Figure 17).<sup>62</sup>

Use of these fields allowed the Household Pulse survey to show that during the COVID-19 pandemic, the percentage of adults with symptoms of anxiety and depression was over twice as high in LGBT than non-LGBT adults in 2021-2022 (Figure 18).<sup>62</sup>

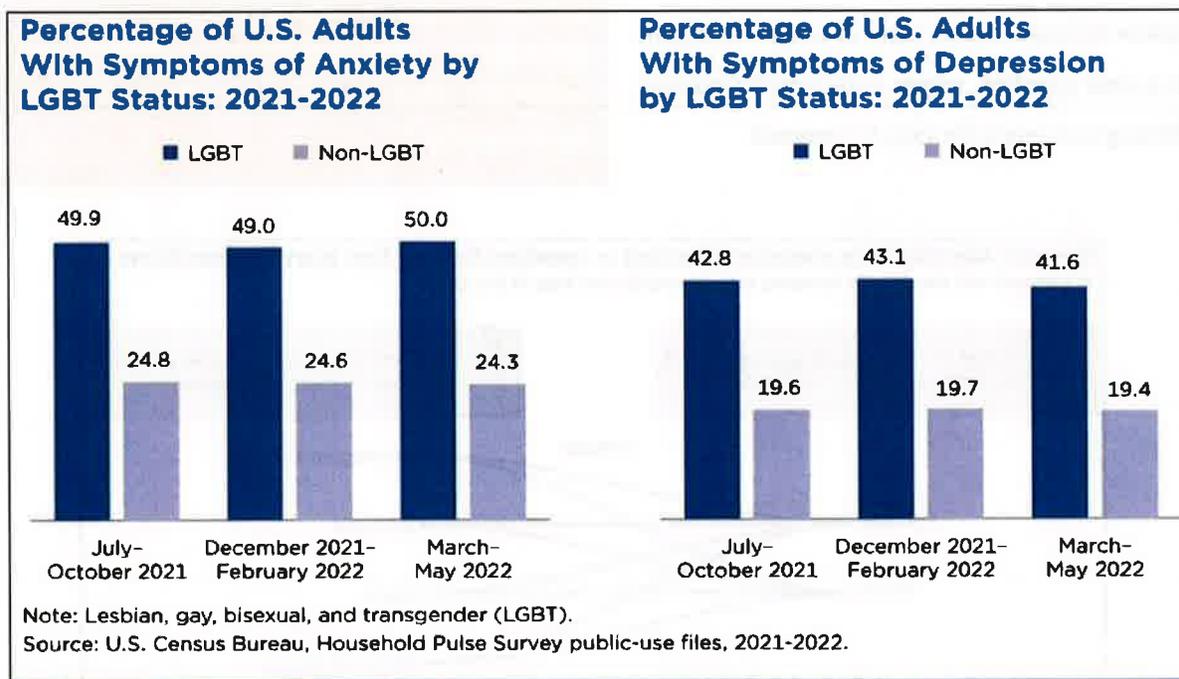
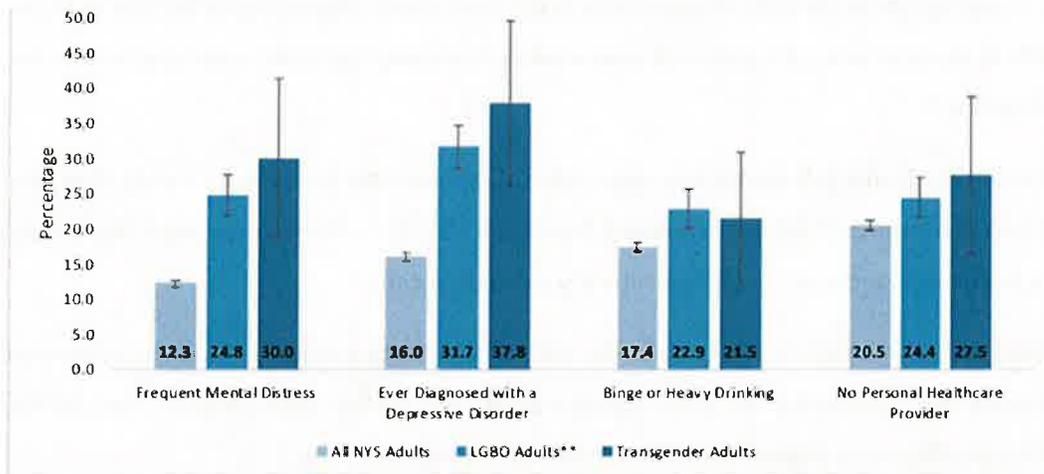


Figure 18: CDC, BRFSS 2019-2020, Prevalence of Select Health Indicators among Adults Who Self-Identify as Lesbian, Gay, Bisexual, Other Sexual Orientation, or Transgender

According to the NYS Behavioral Risk Factor Surveillance Survey (BRFSS), adults who identify as LGBTQ+ were significantly more likely to experience frequent mental distress, were more often diagnosed with a depressive disorder, report heavy or binge drinking, and were less likely have no personal healthcare provider (Figure 19).<sup>59</sup> The transgender community also experiences a multitude of health disparities,

Prevalence of Select Health Indicators among Adults Who Self-Identify as Lesbian, Gay, Bisexual, Other Sexual Orientation, or Transgender (2019-2020)



\* Includes pooled BRFSS survey data years 2019-2020. \*\* LGBO is an acronym used to reference adults who self-identify as lesbian, gay, bisexual, or other sexual orientation.

Figure 19: NYS BRFSS 2019-2020, Prevalence of Select Health Indicators among Adults Who Self-Identify as Lesbian, Gay, Bisexual, Other Sexual Orientation, or Transgender in New York State

Prevalence of Select Health Indicators among Adults Who Self-Identify as Lesbian, Gay, Bisexual, Other Sexual Orientation, or Transgender (2019-2020)

| Health Risk Behaviors  |  |             |                                      |                     |   |             |  |             |
|------------------------|--|-------------|--------------------------------------|---------------------|---|-------------|--|-------------|
|                        | Current Smoker <sup>a</sup>                |             | Binge or Heavy Drinking <sup>b</sup> |                     | Sugar-sweetened Beverage Consumption 1+ Times per Day |             | No Leisure Time Physical Activity <sup>c</sup>         |             |
|                        | %  | 95% CI      | %                                    | 95% CI              | %   | 95% CI      | %  | 95% CI      |
| All NYS Adults         | 12.3                                       | (11.7-12.9) | 17.4                                 | (16.8-18.1)         | 19.8  | (18.8-20.8) | 26.4   | (25.6-27.1) |
| LGBO Adults**          | 14.6                                       | (12.3-16.9) | 22.9                                 | (20.1-25.7)         | 21.5  | (17.7-25.2) | 25.5   | (22.5-28.4) |
| Transgender Adults     | 15.8                                       | (7.5-24.2)  | 21.5                                 | (12.1-30.9)         | 34.6  | (15.9-53.4) | 28.9   | (16.5-41.2) |
| Health Conditions      |  |             |                                      |                     |   |             |  |             |
|                        | Fair or Poor Self-Assessed Health          |             | Obese <sup>d</sup>                   |                     | Frequent Mental Distress <sup>e</sup>                 |             | Ever Diagnosed with a Depressive Disorder <sup>f</sup> |             |
|                        | %  | 95% CI      | %                                    | 95% CI              | %   | 95% CI      | %  | 95% CI      |
| All NYS Adults         | 14.9                                       | (14.3-15.5) | 26.7                                 | (25.9-27.5)         | 12.3  | (11.7-12.8) | 16.0   | (15.4-16.6) |
| LGBO Adults**          | 16.8                                       | (14.4-19.2) | 27.4                                 | (24.3-30.4)         | 24.8  | (21.9-27.8) | 31.7   | (28.6-34.7) |
| Transgender Adults     | 20.6                                       | (11.1-30.2) | 21.5                                 | (11.5-31.4)         | 30.0  | (18.7-41.4) | 37.8   | (26.1-49.6) |
| Health Care Indicators |  |             |                                      |                     |   |             |  |             |
|                        | No Personal Doctor or Health Care Provider |             |                                      | No Health Insurance |   |             |  |             |
|                        | %  | 95% CI      |                                      | %                   | 95% CI  |             |  |             |
| All NYS Adults         | 20.5                                       | (19.8-21.2) |                                      | 12.3                | (11.6-12.9)   |             |  |             |
| LGBO Adults**          | 24.4                                       | (21.6-27.3) |                                      | 14.3                | (11.8-16.8)   |             |  |             |
| Transgender Adults     | 27.5                                       | (16.3-38.8) |                                      | 18.9                | (8.6-29.2)  |             |  |             |

Technical Notes: Estimates are deemed unstable where a confidence interval has a half width or greater than 10; use caution when interpreting. \*\* LGBO is an acronym used to reference adults who self-

Figure 20: NYS 2019-2020 BRFSS, Prevalence of Select Health Indicators among Adults Who Self-Identify as Lesbian, Gay, Bisexual, Other Sexual Orientation, or Transgender in New York State

particularly with access to health care. As seen in Figure 20, a much higher percentage of transgender individuals report no health care provider or no health insurance.

### Healthy People 2030 Social Determinants of Health Domain: Health Care Access and Quality

Many people in the LGBTQ+ community don't get the quality health care services that they need. Healthy People 2030 focuses on improving health by helping people get timely, high-quality health care services. As highlighted in the 2021 Niagara Pride needs assessment survey (Figure 21), the LGBTQ+ community in Western New York indicated their main concern was that health care services are not LGBTQ+ friendly.<sup>63</sup>

The Human Rights Campaign's national surveys and studies found that this community also has less access to health insurance.<sup>64</sup> Additional surveys found that LGBTQ+ individuals are more likely to delay accessing health care and report a lack of culturally competent care.

Other SDOH also impact the LGBTQ+ community, such as barriers to employment due to harassment and discrimination at the workplace. Safe housing is another SDOH that greatly impacts the LGBTQ+ community, as reflected in higher rates of homelessness among the group.

#### Top Reported Concerns Preventing the Seeking of Physical Health Care Services

These are the top concerns that participants reported that keep them from seeking physical health care services:

(in order of greatest concern)

1. Services would not be LGBTQ-friendly
2. Not being able to afford this service
3. Accessing care would take too much time
4. Not knowing how or where to access the service
5. Services would not be trans-friendly
6. Services would not be friendly to people my age
7. Services would not be culturally sensitive
8. Afraid someone I know would find out I was using this service
9. Not having a way to get there
10. Afraid that my parents/guardians or Child Protective Services would be notified

Figure 21: Niagara Pride, LGBTQ+ Need Assessment, 2021. Top Reported Concerns Prevention the Seeking of Physical Health Care Services.

## Disability Status

The American Communities Survey provides demographic data on Erie County residents living with disabilities, as seen in Figures 22, 23, and 24.<sup>3</sup> The prevalence of disabilities is slightly higher in Erie County (13.6%) than the rest of New York State (12.0%).<sup>3</sup> Figure 22 shows that the likelihood of Erie County residents reporting living with a disability increases with age. This is a natural disparity as people are more prone to developing disabilities as their bodies age. Figure 23 depicts that the likelihood of people living with disabilities varies by race.<sup>3</sup> These inequities are indicators of external circumstances, as race does not have a natural, biological impact on rates of disability.

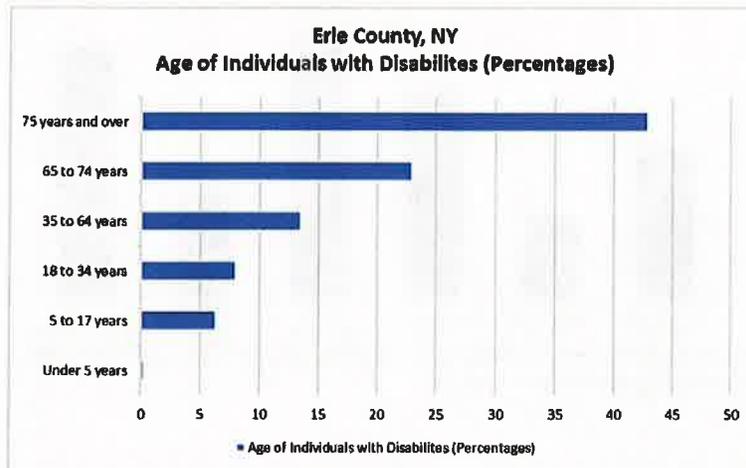


Figure 22: American Communities Survey, 2021 1-year estimates of the Age of Individuals with Disabilities

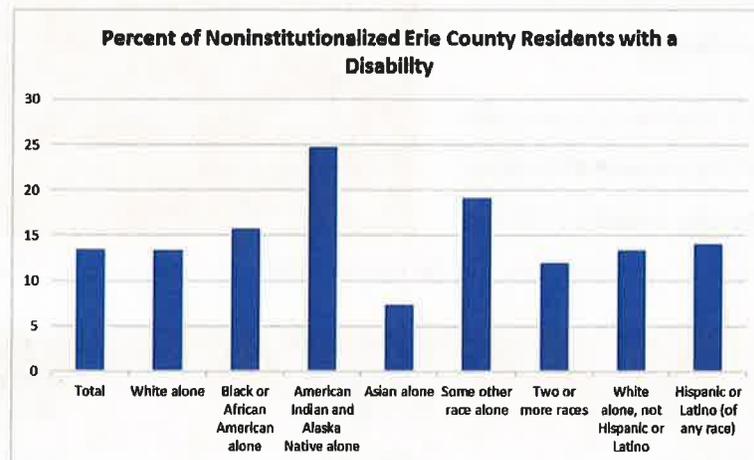


Figure 23: American Communities Survey, 2021 1-year estimates of Percentage of Noninstitutionalized Erie County, NY Residents with a Disability

### Healthy People 2030 Disability and Health Workgroup

**Goal: Improve health and well-being in people with disabilities.** People with disabilities often face additional challenges with the SDOH. Some examples include reports of lower income, reduced likelihood of employment, reduced likelihood of achieving higher education, and an increased likelihood of missing healthcare visits. Healthy People 2030 highlights the need to increase accessibility in homes, schools, workplaces, and public places to improve the health and well-being of people with disabilities.<sup>65</sup>

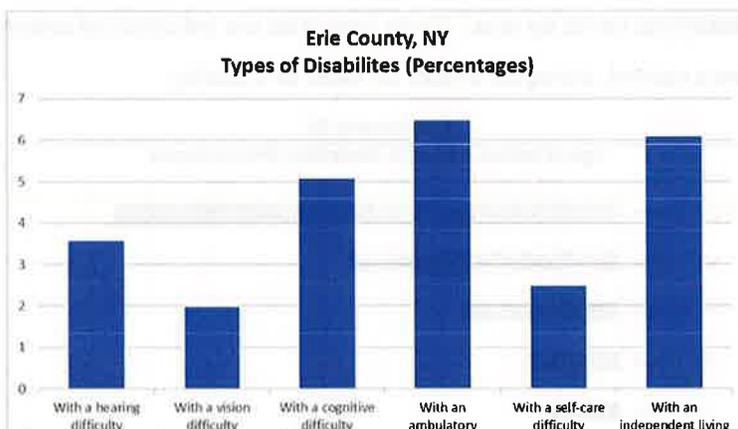


Figure 24: American Communities Survey, 2021 1-year estimates of Percentages of Disabilities within Erie County, NY.

### Healthy People 2030 Social Determinants of Health Domains: Economic Stability & Education Access and Quality

Living with a disability is not synonymous with being non-functional. People with disabilities, like everyone else, possess valuable skills and

*People with disabilities often face additional challenges with the social determinants of health, like lower income, lower rates of employment, and higher rates of missed healthcare visits.<sup>65</sup>*

assets. With reasonable accommodations and the opportunity to fully participate in their communities,

|  | Erie County Residents with a Disability | Erie County Residents with No Disability |
|--|---|--|
| <b>Bachelor's degree of higher</b>     | 21.20%                                  | 43.00%                                   |
| <b>Median Earnings</b>                 | \$26,649                                | \$41,272                                 |
| <b>Below 100% of the poverty level</b> | 20.50%                                  | 10.80%                                   |

Figure 25: American Communities Survey, 2021 1-year estimates of prevalence of disabilities within the categories of the social determinates of health within Erie County, NY.

they can meaningfully contribute as well as improve their own quality of life. Figure 25 displays

examples of SDOH disparities experienced by the disability community.<sup>3</sup> As this is a very diverse community, with unique skills as well as needs, there is no single solution to address these disparities. For example, some individuals may be truly unable to participate in the general education system or workforce, while others have the potential to pursue meaningful careers and remain self-sufficient with some reasonable accommodation.

#### Healthy People 2030 Social Determinants of Health domain: Health Care Access and Quality

Nationally, individuals with disabilities are less likely to receive preventative care, including vaccines, compared to individuals without disabilities. The National Immunization Survey Adult COVID Module revealed that despite the lowered prevalence of COVID-19 vaccination, adults with disabilities were more likely to say that they would seek to be vaccinated.<sup>66</sup> Endorsement of the COVID-19 vaccines was high among unvaccinated adults with disabilities.

Analysis from this survey concluded that reduction of barriers preventing vaccine scheduling and accessibility to vaccination sites would be important to the health of people with disabilities.<sup>66</sup>

Furthermore, the Healthy People 2030 People with Disabilities workgroup discusses that many adults with disabilities are not receiving preventative care in general due to cost. Telemedicine, coordinated care, and shared decision-making may make preventative care more accessible to this community.<sup>65</sup>

#### Live Well Erie Focus Area: Supporting our Seniors

Goal 2: Erie County will be accessible to people of all ages.

This goal aims to make life more accessible and healthier for everyone regardless of age or ability—including older adults who often have a more restricted range of abilities—by focusing on expanding options to live full and independent lives.

## Additional Populations and Communities of Note

### Maternal Health

For the purposes of this report, the term “maternal” is used to describe those who have experienced pregnancy or have given birth. This is in alignment with the language used by Healthy People 2030.

#### Healthy People 2030 Maternal, Infant, and Child Health Workgroup

On a national level, while many of the Healthy People 2030 objectives outcomes concerning infants are improving, maternal outcomes are worsening.<sup>67</sup>

**Objective: Reduce Maternal Deaths.** To address maternal deaths, Healthy People 2030 calls for improvement in the Social Determinant of Health Domain: Health Care Access and Quality.<sup>67</sup> This is particularly important for Black mothers.

Pregnancy, giving birth, and recovering from giving birth are more dangerous in the United States than in most other countries of comparable socioeconomic status. Between 2018 and 2020, maternal mortality rates increased in the United States.<sup>68</sup> Rates varied based on race and age; Black mothers died at a higher rate, as well as older mothers, particularly 40 years and older.<sup>68</sup> The 2022 March of Dimes Report Card gave the United States a D+ for infant and maternal health. New York State received a C.<sup>69</sup> While New York State scored better compared to the United States as a whole, if we take a closer look, there are larger inequities between racial groups in New York State as compared to the nation.<sup>70</sup>

**NYS Three-Year Rolling Average Maternal Mortality Rate by Race**

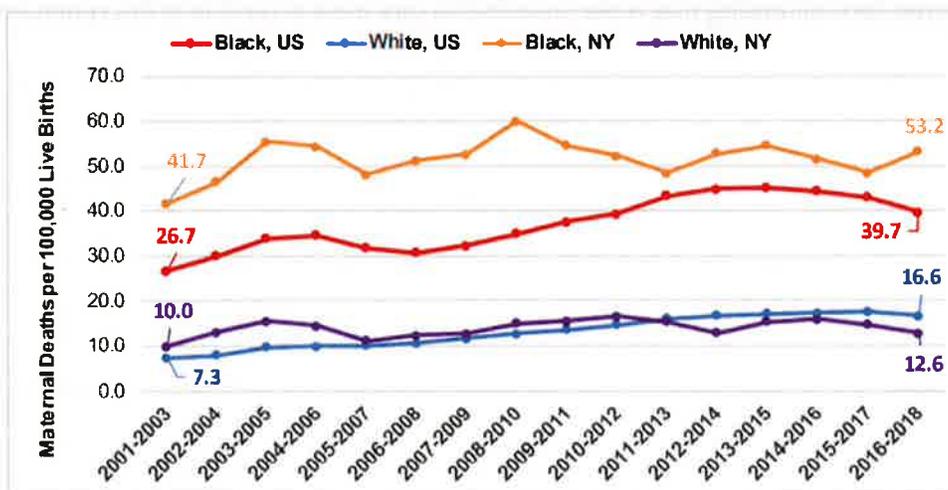


Figure 26: CDC WONDER Database of NYS, 2001-2018 NYS Vital Statistics, Three-Year Rolling Average Maternal Mortality Rate by Race.

A review of 2018 New York State pregnancy-associated deaths revealed that non-Hispanic Black women comprised 51.2% of pregnancy-related deaths while accounting for only 14.3% of all live births.<sup>70</sup>

**ABOUT THE DATA:** Asian and American Indian/Alaska Native communities are not represented in the *NYS Report on Pregnancy Associated Deaths in 2018*, likely due to low numbers. Historically, on a national level, mortality rates for Asian mothers are comparable to those of White mothers while mortality rates for American Indian/Alaska Native mothers are lower than those of Black mothers but higher than the other racial communities.<sup>71</sup>

Contributing factors to the deaths were considered at the following levels: Community, facility, patient/family, provider, and system. In summary, the report reveals that the majority of maternal deaths were preventable, and that the leading causes of death with highly disproportionate impacts on non-Hispanic Black women were at the provider, facility, and systems of care levels. Discrimination was found to be one of the top contributing factors.<sup>70</sup> Other demographic factors examined in the review are displayed in Figure 27.

NYS Maternal Mortality Rate by Race (2001-2018)

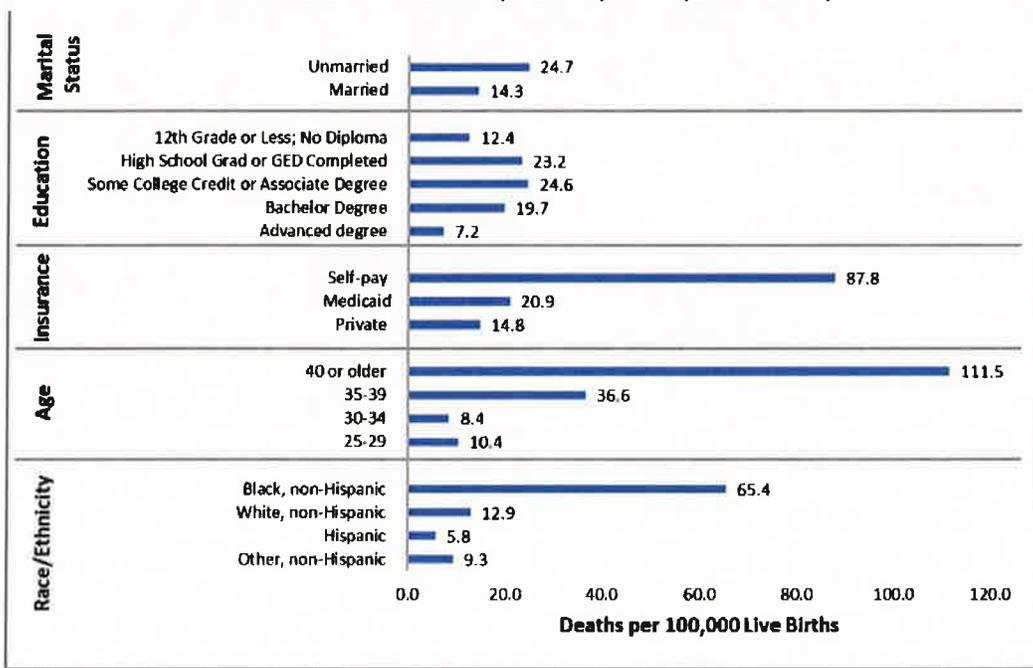


Figure 27: Maternal Mortality Review, 2001-2018 New York State Data of Pregnancy-Related Mortality Ratio by Demographics

The full report can be reviewed here:

[https://health.ny.gov/community/adults/women/docs/maternal\\_mortality\\_review\\_2018.pdf](https://health.ny.gov/community/adults/women/docs/maternal_mortality_review_2018.pdf).

Comparable data at the county or subcounty level has not been accessed. However, the *Race and Ethnicity* section of this report highlights that some of the systems-level factors as described in the NYS review, such as lower income as a barrier to accessing care, occur in Erie County. These SDOH are associated with the higher rates of poor pre-existing health and chronic conditions, such as obesity and hypertension which, in turn, can result in severe maternal morbidity (poor health outcomes).<sup>72</sup> Maternal health is also closely tied to infant health, where we see racial disparities. Furthermore, research has shown that mothers who live in neighborhoods that are predominantly Black experience higher rates of severe maternal mortality than their counterparts who live in neighborhoods that are predominantly White.<sup>73</sup> The racial segregation, SDOH inequities, overall health, and infant outcomes as described in this report indicate that Black mothers in Erie County face elevated risks of maternal morbidity and mortality.

*The majority of maternal deaths were preventable, and the leading causes of death with highly disproportionate impacts on non-Hispanic Black mothers were at the provider, facility, and systems of care levels.<sup>70</sup>*

Youth

Children and adolescents face unique health related challenges. In Erie County, like many other areas of the country, youth are more diverse and therefore more likely to belong to a racial or ethnic minority community and/or to be foreign born compared to older individuals. As highlighted in the sections *Race and Ethnicity* and *Immigrant and Refugee Status*, this often puts youth at higher risk for poor health outcomes.

Live Well Erie Focus Area: Give Every Child a Chance to Succeed

Goal 2: Children will achieve comprehensive health.

This goal focus on a comprehensive approach, including social, mental health, and physical health aspects, including reducing the rate of children who are overweight or obese.

Youth obesity rates are one example of how SDOH factors like location, food access, and economics all impact physical health. As seen in Figure 28, the Erie County school districts with the highest obesity rates are Buffalo City Schools (labeled as 140600, a majority Black school district) and North Collins School District (labeled as 142201, a rural majority White school district).<sup>36</sup>

Youth and Adolescent Obesity Rate, by School District 2017-2019

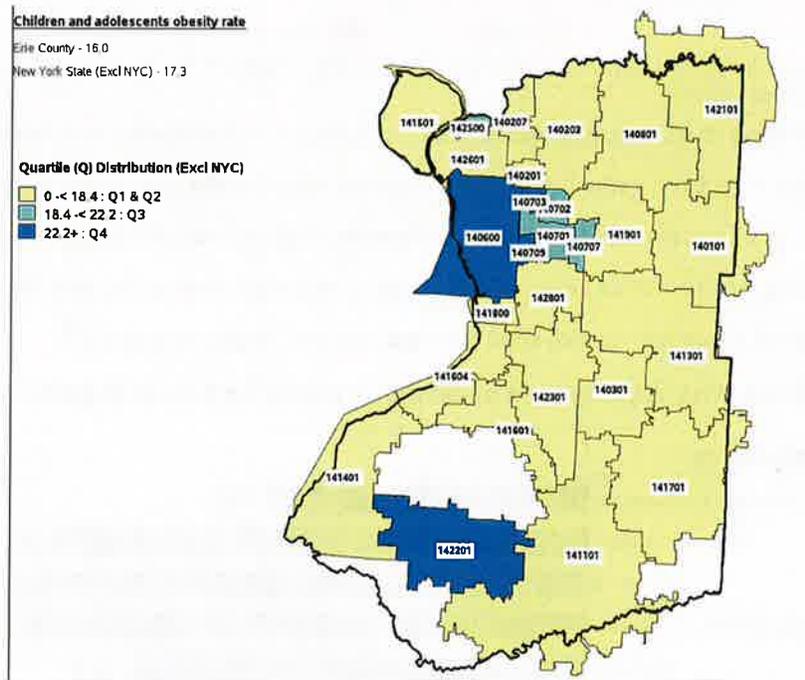


Figure 28: New York State Prevention Agenda Dashboard, 2017-2019 Percentages of Children and Adolescents with Obesity via School District Map in Erie County

Other significant disparities exist for youth mental health. These disparities are particularly evident among LGBTQ+ youth.

**Healthy People 2030 Social Determinants of Health Domain: Social and Community Context**

**Objectives:**

- **Reduce bullying of transgender students.** Transgender and other gender diverse youth experience discrimination and stigma that increases their risk for experiencing violence, poor mental health, and engaging in risky behaviors.<sup>74</sup> Healthy People notes that issues related to trans people do not yet have reliable baseline data, highlighting the need for gender-identity to be more disaggregated more specifically in data collection.<sup>75</sup>
- As shown in Figure 29, rates of depression, thoughts of suicide and victimization are much higher in transgender youth as compared to their cisgender peers.<sup>76</sup>

Depression, Suicidality and Victimization of Transgender Youth, 2019

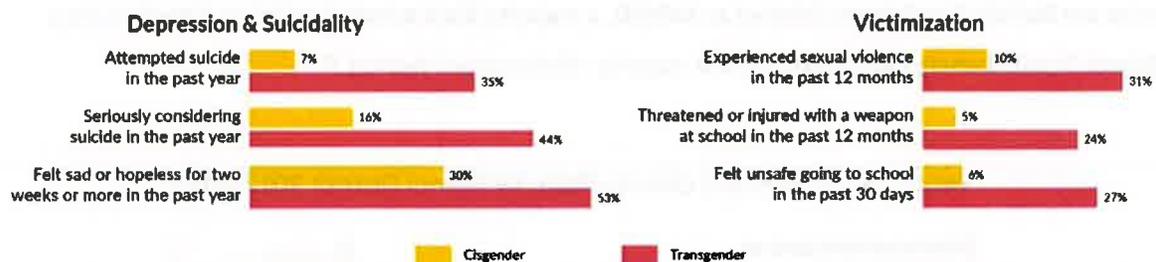


Figure 29: CDC, Youth Risk Behavior Survey, 2019, Summarized and presented by The Trevor Project. Depression, Suicidality and Victimization of Transgender Youth.

- **Reduce bullying of lesbian, gay, and bisexual students.** Students who identify as lesbian, gay, or bisexual are more likely to be bullied than students who identify as heterosexual. Being bullied increases risk of anxiety, depression, sleep disorder, and underachievement in school.<sup>77</sup>
- As seen in figures 30 and 31 heterosexual students reported lower rates of bullying and had lower rates of attempted suicide than their gay, lesbian, or bisexual peers.<sup>78</sup>

**High School Students Who Were Bullied on School Property by Sexual Identity, New York, 2019**



Figure 30: CDC, Youth Risk Behavior Survey, New York State, 2019. High School Students Who Were Bullied on School Property.

### High School Students Who Attempted Suicide by Sexual Identity, New York, 2019

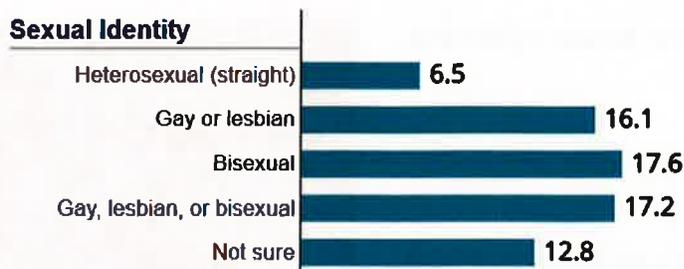


Figure 31: CDC, Youth Risk Behavior Survey, New York State, 2019. High School Students Who Attempted Suicide.

Intersectionality is an important factor when understanding health disparities based on gender identity along with other identities, such as race. These factors can compound and interact, resulting in additional health disparities. For example, a study in the *American Journal of Preventative Medicine* highlighted that LGBTQ+ Black individuals were more likely to report longer periods of being physically or mentally unwell than Black individuals who are heterosexual and cisgender.<sup>79</sup> Another example from the United States Interagency Council on Homelessness found that Black LGBTQ+ youth have an 83% higher risk of experiencing homelessness as compared to LGBTQ+ youth of other races.<sup>80</sup>

***Intersectionality is an important factor when understanding health disparities based on gender identity along with other identities, such as race. These factors can compound and interact, resulting in additional health disparities.***

Older Adults

**Healthy People 2030 Objective: Increase Health and Well-Being for Older Adults**

According to the American Communities Survey 2021, 1-year estimates, about 19% of Erie County’s population is over 64 years old, which is considered the age-dependent range.<sup>3</sup> The old age dependency ratio (30.7) in Erie County is slightly higher than that of the nation (27.6).<sup>3</sup> As previously demonstrated in this

**Live Well Erie Focus Area:  
Supporting our Seniors**

**Goal 1: Older adults will be able to maintain an active and stimulating social life as they age.**

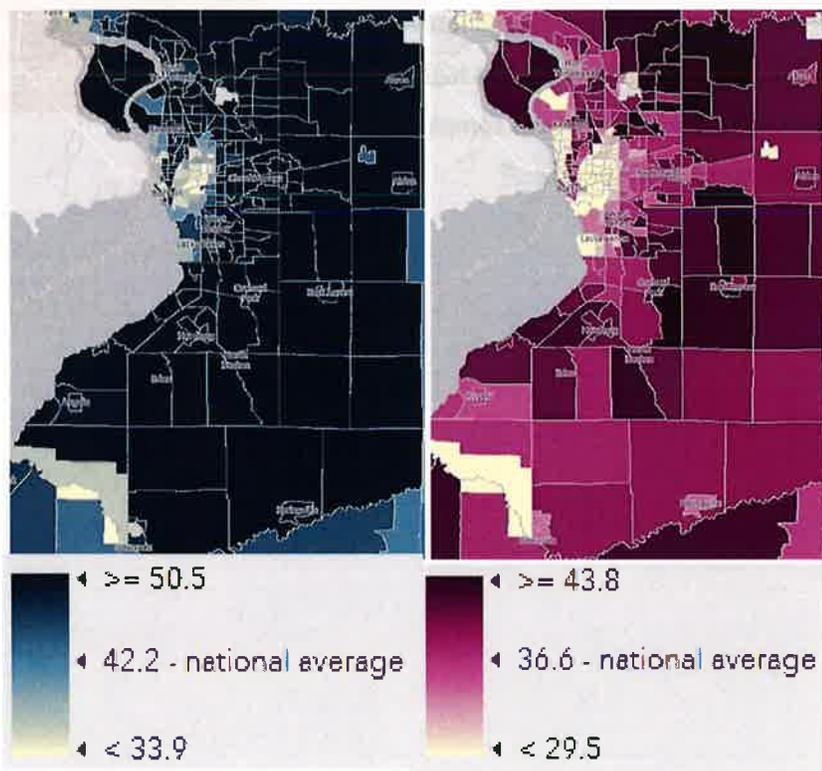
This goal aims to increase access to transportation, reduce social isolation, and increase connectedness throughout the community.

report, older adults are much more likely to live with disabilities. Any public planning efforts should consider the needs of older adults. The *We Stand with New York Seniors Coalition* provide recommendations for making communities accessible accommodating for older adults in their *Community Priorities for New York’s Master Plan for Aging*.<sup>81</sup> This plan can be accessed here: <https://hfwcny.org/wp-content/uploads/Community-Priorities-for-New-Yorks-Master-Plan-for-Aging.pdf>.

**Prevalence (%) of Erie County Older Adults Who Have Access to Preventative Services**

Figure 32 (left image): CDC PLACES Interactive Map, Preventive Services (Older Men). NOTE: Darker blue is increased access to preventative care, while light blue/white is lower access to preventative care.

Figure 33 (right image): CDC PLACES Interactive Map, Preventive Services (Older Women). NOTE: Darker purple is increased access to preventative care, while light purple/white is lower access to preventative care.



Older adults experience many of the same SDOH inequities as younger populations. These inequities may be amplified due to complications of age, such as decreased mobility, hearing and vision loss, lack of transportation, and challenges with an increasingly digital world. Figure 32 (men) and Figure 33 (women) show that older adults lacking preventative care live in the same neighborhoods that experience most of the overall health inequities.<sup>82</sup>

### Rural Communities

Figure 34 displays the areas of Erie County that fit the definition for “rural” according to the 2010 Decennial Census. According to that definition, “rural” encompasses all population, housing, and territory not included within an urban area, whereas “urbanized areas” have a population of 50,000 or more and “urban clusters” have a population of at least 2,500 and less than 50,000.<sup>83</sup> The 2010 Decennial Census found that about 9.4% of Erie County’s population resides in rural areas.<sup>10</sup> Estimates from the 2020 Decennial Census using new definitions will be released in 2023.

Rural Population Density by Census Tract, Erie County (2010)

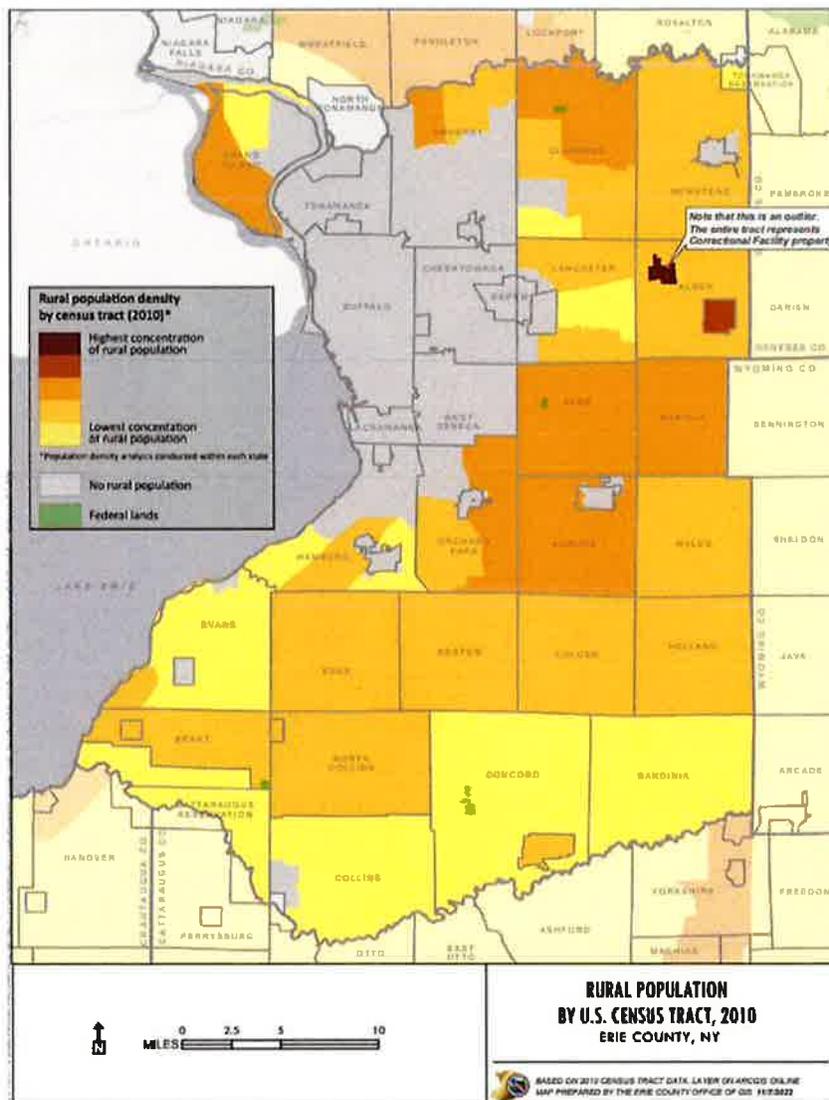


Figure 34: US Census Bureau, Rural Populations by US Census Tract, 2010 for Erie County

**Healthy People 2030 SDOH Domain: Health Care Access and Quality**

Access to healthcare is a challenge for many rural communities. Figure 35 is a map from a Health Resources and Services Administration dashboard, which displays Areas of Unmet Needs. This map shows that most unmet needs are in the city of Buffalo and in the rural areas of Erie County, particularly the Southwest corner. The Federally Qualified Health Centers (FQHCs)—safety-net providers that offer outpatient services—and FQHC lookalikes in the county are all located in the city of Buffalo. Erie County residents in rural communities are more likely to live farther away from specialty providers, such as oncologists and obstetricians, and emergency services.<sup>84</sup> Furthermore, rural residents on Medicaid may struggle to find providers that accept Medicaid and may have to travel long distances to receive care.

Areas of Unmet Needs Score\*(UNS) by Zip Code, Erie County Area

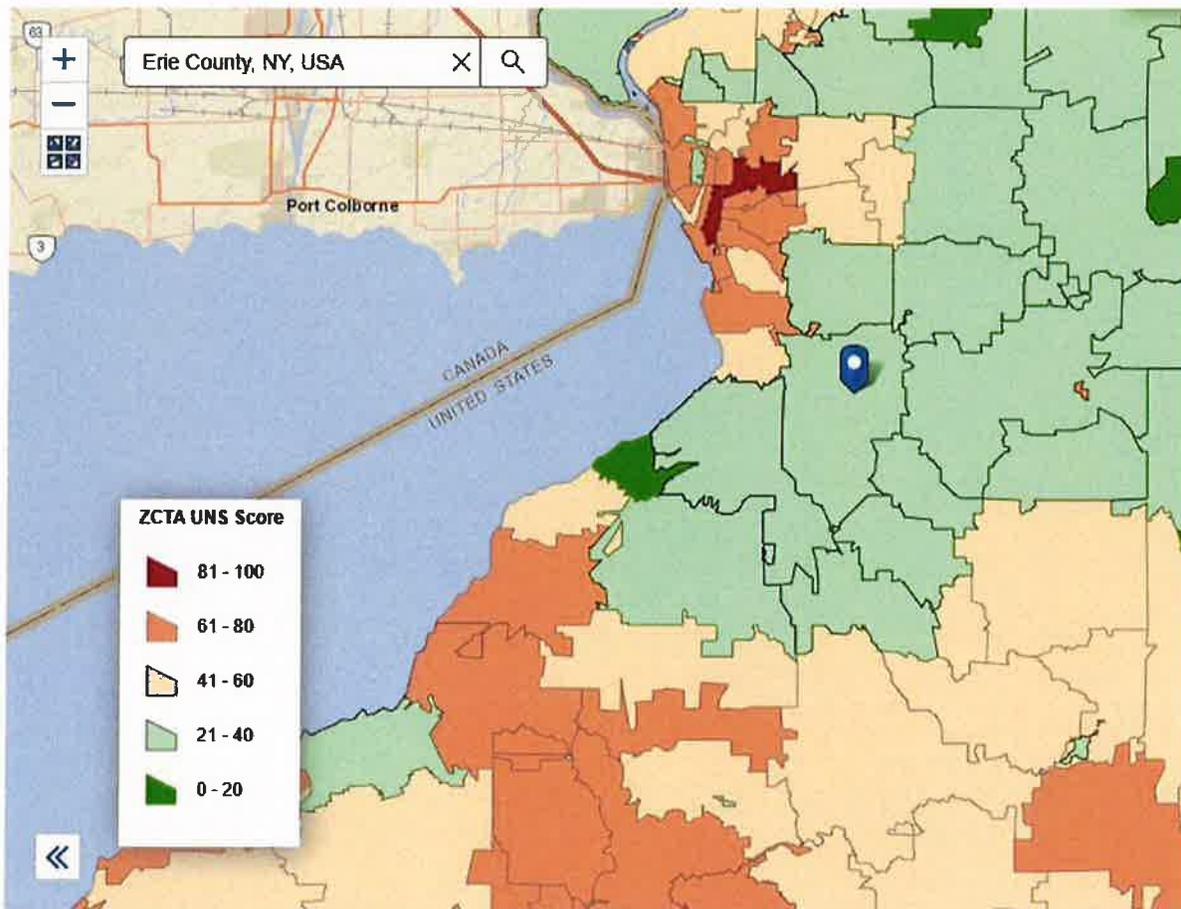


Figure 35: Health Resources and Services Administration, Areas of Unmet Needs Score, Erie County Area, Interactive map

**Healthy People 2030 SDOH Domain: Neighborhood and Built Environment**

In addition to limited access to healthcare, infrastructure conducive to healthy lifestyles and well-being, such as grocery stores, gyms, and broadband internet, is often lacking in rural areas.<sup>84</sup> Anecdotal accounts shared with ECOHE at outreach events in rural communities within the county describe a lack of quality and options where resources do exist.



## Other Geographic Populations

### **Healthy People 2030 Objective: Create neighborhoods and environments that promote health and safety.**

Prevalence of health outcomes as well as health factors and SDOH vary by geography. These differences may manifest as a result of the natural environment, the built environment, policies, as well as the culture and behavioral norms of the communities residing in a particular area. In this section, we will explore some of these differences. It is important to note that many inequities within geographic regions intersect with disparities

*Many inequities within geographic regions intersect with disparities across race due to segregation. Maps displaying prevalence of both health outcomes and health factors look very much the same across metrics. This is particularly striking within the city of Buffalo.*

across race due to segregation. Maps displaying prevalence of both health outcomes and health factors—such as health behaviors, health care access and quality, social and economic factors, and environmental factors—look very much the same across metrics. This is particularly striking within the city of Buffalo.

The Social Vulnerabilities Index (SVI), developed by the CDC Agency for Toxic Substances and Disease Registry, available at <https://www.atsdr.cdc.gov/placeandhealth/svi/index.html>, determines vulnerability in the event of stressors such as natural disasters, human-caused disasters, or disease outbreaks based on 16 U.S. Census variables.<sup>85</sup> These variables are categorized into four themes: Socioeconomic Status, Household Characteristics, Racial and Ethnic Minority Status, and Housing Type and Transportation. The 2020 SVI summary page can be found in Appendix H. The areas in the county with the highest vulnerability rankings include the Western region of Tonawanda, the East and West sides of Buffalo, Lackawanna, and the Cattaraugus Indian Reservation.

**PLACES: Local Data for Better Health** is a collaboration between the CDC, the CDC Foundation, and the Robert Wood Johnson Foundation. PLACES compiles data from various surveys, including BRFSS 2020 or 2019, Census 2010 population counts, census county population estimates of 2020 or 2019, and American Communities Survey 2015-2019.<sup>82</sup> These data can be explored at <https://www.cdc.gov/places/>. Below are some snapshots from the interactive map on the PLACES website.

Current Asthma Crude Prevalence (%) in Erie County

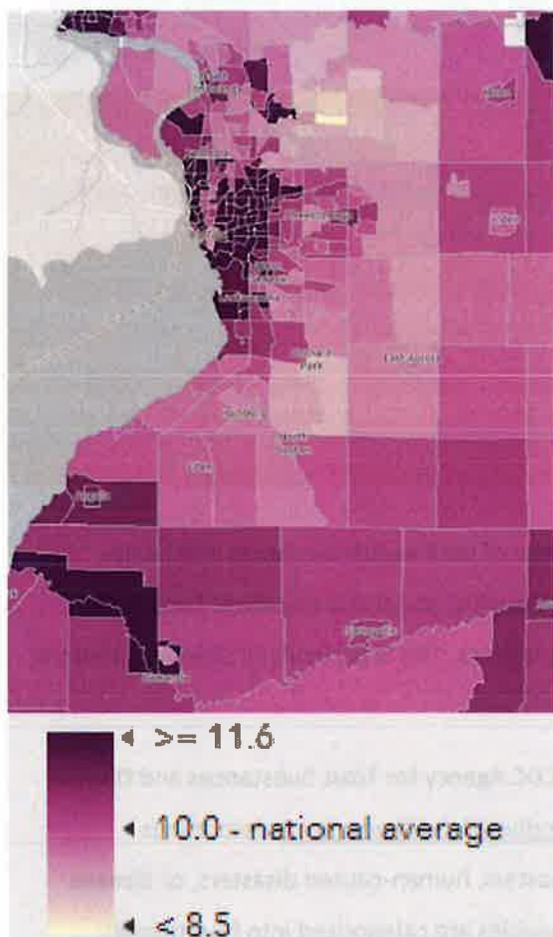


Figure 36: CDC PLACES Interactive Map, Asthma Prevalence.  
Note: darker purple is higher asthma prevalence.

Current Smoking Crude Prevalence (%) in Erie County

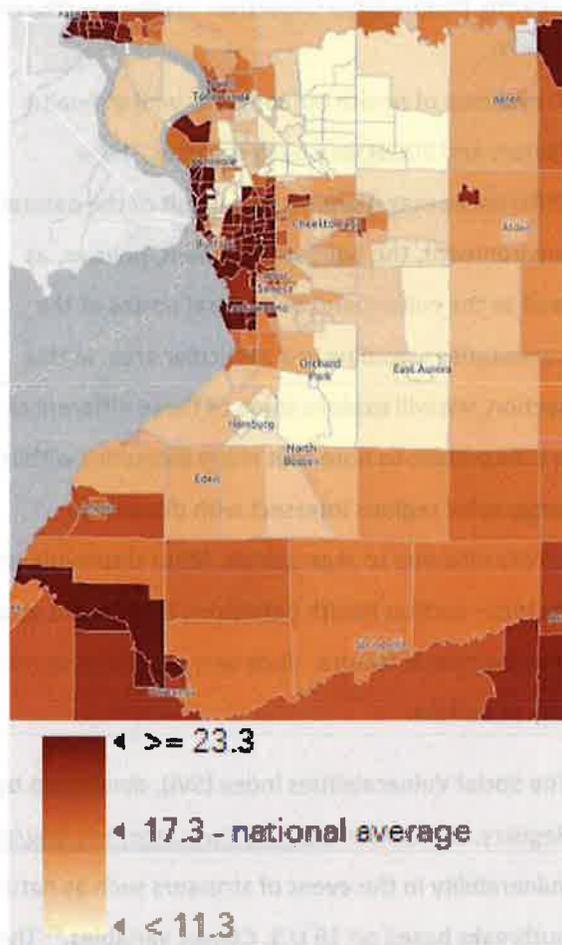


Figure 37: CDC PLACES Interactive Map, Smoking Prevalence.  
Note: Darker brown is higher smoking prevalence.

While risk of developing asthma is linked to genetics, environmental factors also increase the likelihood of a person developing asthma, such as air pollution, mold, and secondhand tobacco smoke.<sup>86</sup> These environmental risk factors are largely preventable. Figure 36, displaying the percent of adults reporting current asthma from PLACES data, shows that there are distinct geographic communities with higher rates of asthma. One explanation may be high rates of smoking in these areas. Figure 37 displays smoking rates within Erie County compiled by PLACES. Some factors that may influence smoking and tobacco use rates in communities include targeting by the tobacco industry, psychosocial stressors, and access to care and programs that support cessation.<sup>87</sup>

Diabetes is an important condition to monitor in communities because it is an indicator of health challenges, such as limited access to healthy foods or opportunities to exercise. Furthermore, it is a risk factor for many other health conditions, such as heart disease, kidney disease, vision loss, and complications from infections. Figure 38 displays the varying rates of diabetes across geographic areas in Erie County.

Diabetes Crude Prevalence (%) in Erie County

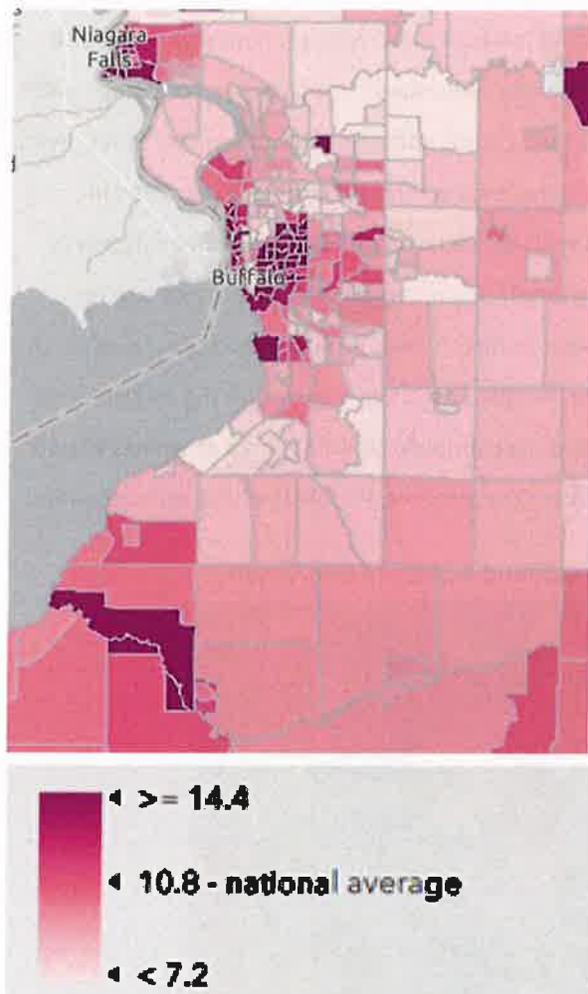


Figure 38: CDC PLACES Interactive Map, Prevalence of Diabetes. Note: darker purple is higher diabetes prevalence.

Frequent Mental Health Distress Crude Prevalence (%) in Erie County

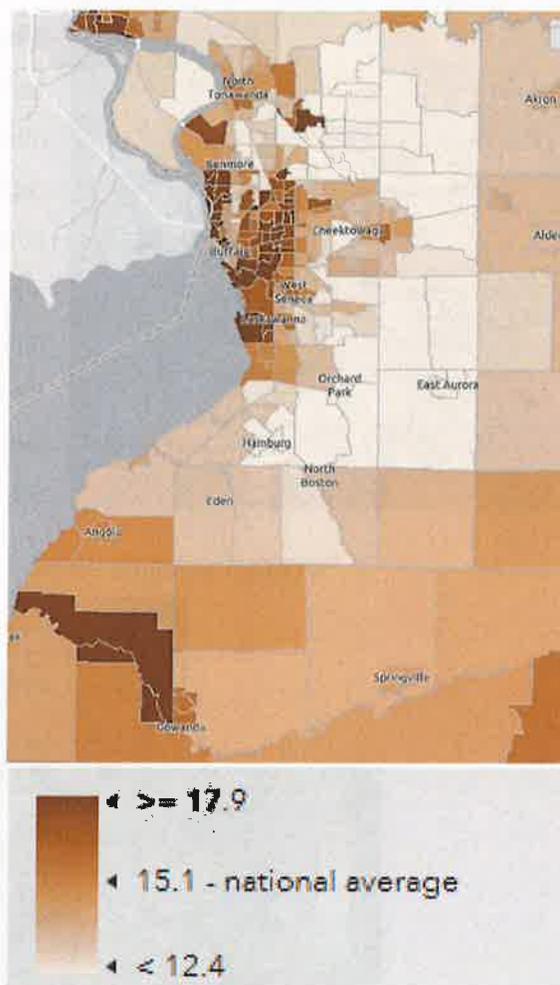


Figure 39: CDC PLACES Interactive Map, Prevalence of Frequent Mental Health Distress. Note: darker brown is higher prevalence of frequent mental health distress.

The PLACES Dashboard also demonstrates geographic disparities in mental health. The Healthy People 2030 Mental Health and Mental Disorders Workgroup reports that mental disorders are increasing in the United States and are the most common cause of disability. Mental health plays an important role in physical health as well as a person’s capacity to participate in their community. Research shows that

people are less likely to receive high-quality mental health care if they are members of racial or ethnic populations, have lower socio-economic status, or reside in a rural community.<sup>88</sup>

**ABOUT THE DATA:** Age

influences the risk level of many health outcomes. Some census tracts may have median age ranges that are outside the norm, often due to infrastructure and establishments within the community.

For example, the census tracts containing Buffalo State College and University at Buffalo residence halls are markedly younger, while census tracts containing several senior-living or assisted living residences may skew the data in the other direction.

**Healthy People 2030 Social Determinants of Health**

**Domain: Neighborhood and Built Environment**

**Healthy People 2020 Objective: Increase the proportion of adults with broadband internet**

Broadband Internet is increasingly important to health and well-being. Broadband is an asset in accessing health information, coordinating health care, and at times, even receiving healthcare through telemedicine when in-person visits prove to be difficult. Broadband access is also extremely advantageous to the more upstream influences on health. Modern-day education relies on the Internet. People post their resumes on the Internet and join web-based employment networks as well as search for work on the Internet. People find and access needed

NYS Digital Equity Portal – Broadband Access in Erie County

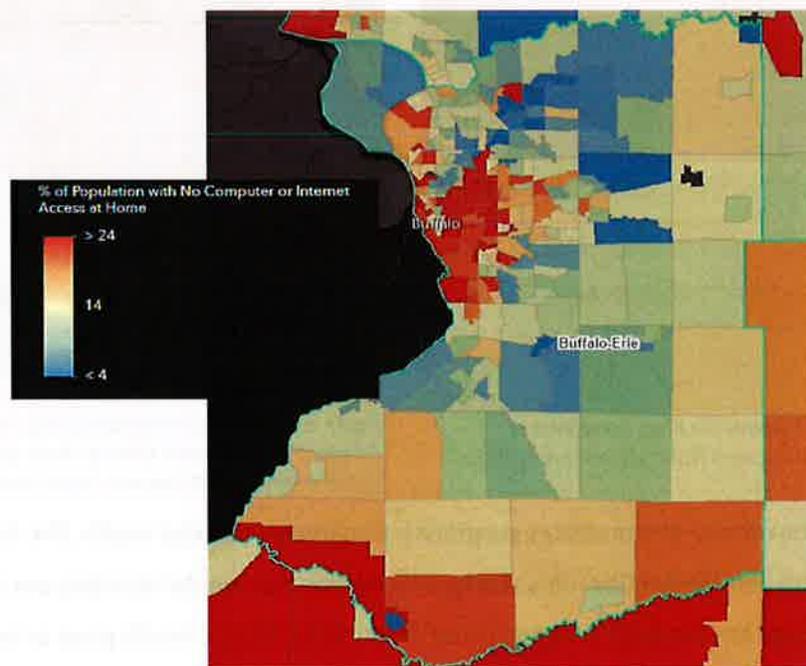


Figure 40: Cornell University, NYS Digital Equity Portal. 2015-2019, Broadband Access in Erie County

resources and services via the Internet. People with disabilities use web-based tools and software to allow them to more fully participate in society.<sup>89</sup> Broadband Internet access may be particularly helpful to individuals in rural areas where certain services that are challenging to access due to distance can be accessed digitally.

This map (Figure 40) from the New York State Digital Equity Portal displays percentages of the population with no home computer or Internet access.<sup>90</sup>

### **Healthy People 2030 Social Determinants of Health Domain: Social and Community Context: Crime and Violence and Incarceration.**

*Many forms of violence are present in Erie County, from structural violence like poverty and racism to family violence like child maltreatment and elder abuse. The World Health Organization (WHO) defines violence as “the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation.”<sup>91</sup> For the purposes of this report, the WHO definition of violence will be used.*

The Healthy People literature review on this topic explains that in addition to suffering from injuries sustained through crime and violence, people exposed to these events may experience lasting emotional trauma and other health effects such as eating disorders, hypertension, and stroke.<sup>92</sup> The issue of incarceration and the implications thereof are complex. Incarceration may make a neighborhood safer by incapacitating people who may commit more crimes. Yet, it may challenge communities by incapacitating people who have committed crimes and are now absent as parents, laborers, spenders, and voters. Both crime and high rates of incarceration can be understood as stressors on community health and well-being.

#### **Healthy People 2030 related objectives:**

- **Reduce the rate of minors and young adults committing violent crimes.** Most crime is committed in young adulthood.<sup>93</sup> This focus on youth and young adults is important to reduce crime as well as reduce the number of individuals who get trapped in the cycle of crime and incarceration.
- **Reduce firearm-related deaths.** NYS has one of the lowest rates of gun deaths in the country.<sup>94</sup> However, between 2017 and 2021, Erie County averaged a rate of violent crimes with firearms that was more than double the average rate for NYS in that time period.<sup>95</sup> Black people experience a vastly disproportionate amount of gun violence in Erie County. Between 2018 and

2020 the homicide rate due to firearms amongst Black people was 25.9 per 100,000 people, while the rate for all races combined was 4.9 per 100,000 people.<sup>95</sup>

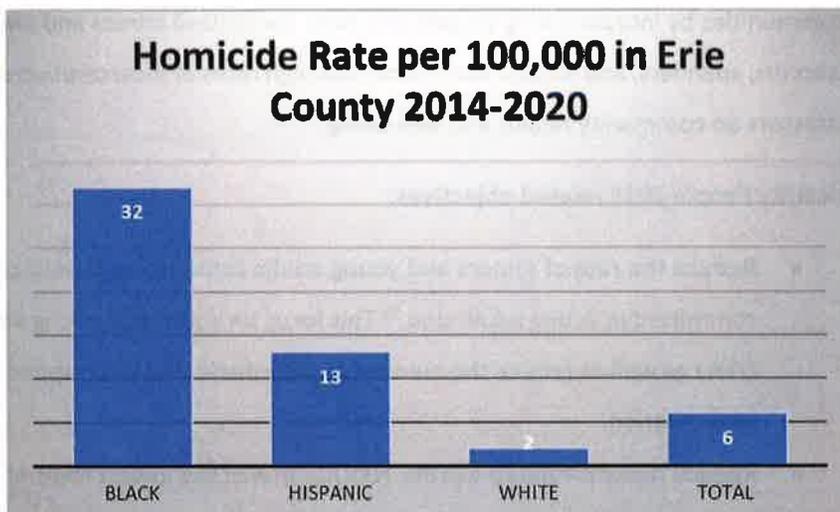
- **Reduce the proportion of children with a parent or guardian who has served jail time.** Children whose parent or guardian has served jail time are more likely to experience low socioeconomic status, housing instability, and trauma. Furthermore, these children are more likely to experience speech, attention, and behavioral challenges. They are also at higher risk of serving jail time as adults.<sup>96</sup>

The National Academy of Science’s Committee on Reducing Racial Inequality In the Criminal Justice System recently published a report reviewing research to explain the large racial inequalities in crime, victimization, and criminal justice

*Racial segregation is noted as the cornerstone for racial inequality, from which patterns of underinvestment, toxic exposures, and income inequality are formed.<sup>93</sup>*

involvement, and to offer evidence-based advice on reducing inequality. The committee found these inequalities not only across race, but also by gender, education level, age, and income level. There was also compiled evidence that revealed influences on a geographic community-level. For example, an individual living in a neighborhood with a high poverty rate is at higher risk of involvement with the criminal justice system, even when controlling for their own income level.<sup>93</sup>

Figure 41: County Health Rankings, 2014-2020, Homicide rate per 100,000 in Erie County



It is impossible to examine crime and criminal justice in Erie County across geographic communities and through an equity lens without considering race. In the National Academy of Science report mentioned above, racial segregation is noted as the cornerstone for racial inequality, from which patterns of underinvestment, toxic exposures, and income inequality are formed.<sup>93</sup> This creates areas and cycles of concentrated racial inequity. The report references studies in several cities which reveal that living in a community that lacks public and private investment is strongly associated with high levels of stress, fear, poor mental health, and violent crime.<sup>93</sup>

Figure 42 demonstrates that certain Buffalo neighborhoods have a disproportionate representation in state prisons.<sup>97</sup> This map also reflects the racial segregation within the city of Buffalo, as seen in Figure 1 in the *Race and Ethnicity* section of this report.<sup>5</sup> Thus, there is a strong argument that issues associated with segregation and deprivation contribute to crime and criminal justice involvement in these areas.

## Buffalo neighborhoods have vastly different imprisonment rates

The 3 neighborhoods missing the largest portion of their residents to state prisons account for only 7% of the city's total population, but are home to 18% of the city's imprisoned population.

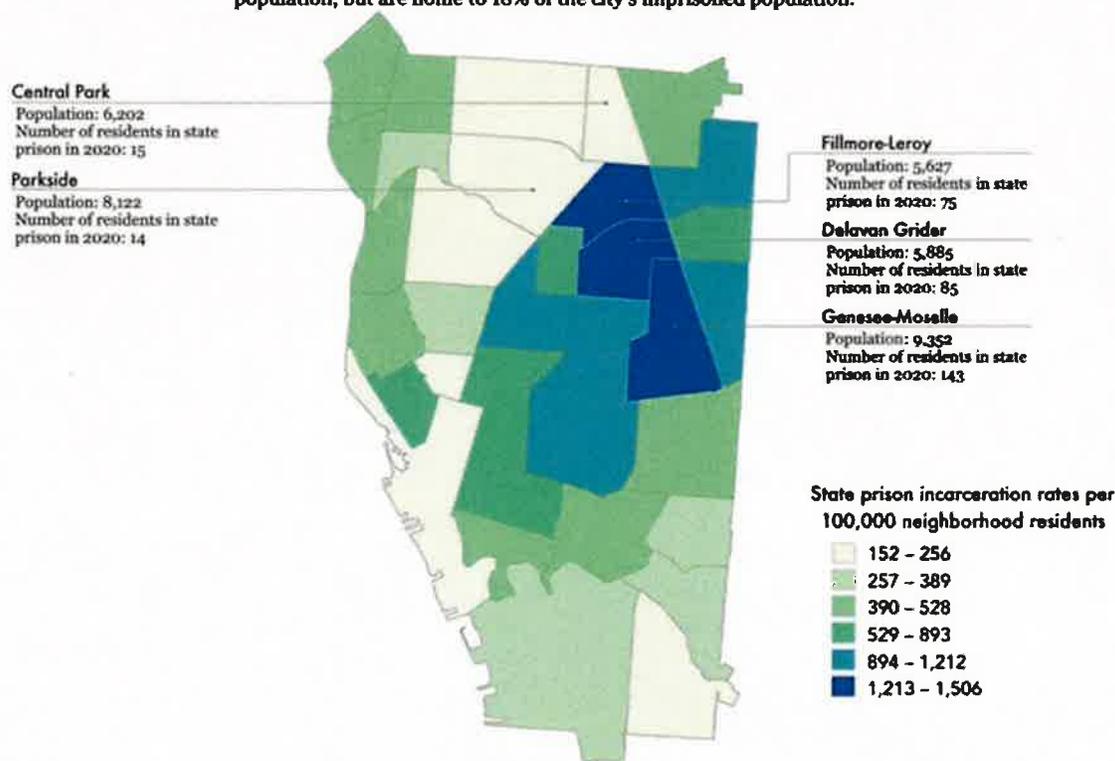


Figure 42: PrisonPolicy.org. Prison Policy Initiative. Buffalo imprisonment rates.

Furthermore, the United States Sentencing Commission has repeatedly found that on a national level, Black male offenders receive longer sentences than similarly situated White male offenders, regardless of criminal history.<sup>98</sup> While local sentencing data has not been accessed to be able to conclude that Black male offenders receive longer prison sentences in Erie County, it does appear that they are more likely to receive prison sentences rather than alternative sentences as compared to their White counterparts (see page 34.) Such potential biases should be considered when contemplating solutions to the over-representation of Black people in jails and prisons.

Place-based environmental interventions show promise in reducing crime. Examples of these strategies include repairing abandoned buildings and vacant lots, cleaning and preserving neighborhood green spaces, and good maintenance of neighborhood housing.<sup>38,99</sup> Furthermore, considering the relationship between disinvested communities and crime, improving the general living conditions and SDOH, such as quality education and employment opportunities, in the most impacted neighborhoods may help to break the cycles of crime and incarceration.<sup>38</sup>

## ACTIONS OF THE ERIE COUNTY OFFICE OF HEALTH EQUITY

Although the ECOHE is still within its first year of operation, the program has been busy working on numerous projects and has had extensive interactions and engagement with the Erie County Department of Health leadership and programs, local equity-focused groups and organizations, and the community. Below are summaries of some of these actions as well as an outline of the ECOHE's future plans.

### **Community Assessment Survey**

The ECOHE recognized the need for better and more specific data to understand the current health needs of the people of Erie County. To collect these data, the ECOHE formed a community survey workgroup (see table of the ECOHE Community Survey Workgroup below) of key stakeholders that planned and developed the first ECOHE Community Wellness survey. ECOHE staff brought the survey to community events, partner organizations, and other public healthcare services to collect feedback from a variety of individuals from across the county (see table of the ECOHE Community Survey Community Partners below).

### **Community Survey Collaborations**

In partnership with the Buffalo Center for Health Equity and the Witness Project, the ECOHE survey was taken door-to-door to the community by the community. This effort resulted in about a thousand additional survey responses from some of the areas of the city of Buffalo that experience the most extreme health disparities.



In collaboration with the Erie County Department of Social Services (ECDSS), the ECOHE is using ECDSS's technology and resources to call Erie County residents, inform them of our community survey, and provide residents with multiple methods by which they can complete the survey. This is done by directing residents to the web-based survey or by passing their phone number to the ECOHE for completion of a phone-based survey.

### **Community Focus Groups**

To supplement the data collected as part of the ECOHE Community Survey, ECOHE will facilitate focus groups with a variety of community groups in 2023.

**ECOHE Community Survey Workgroup**

|                       |   |
|-----------------------|---|
| Frank Cammarata       | Erie County Office for People with Disabilities |
| Frank Cerny           | Rural Outreach Center                           |
| Rita Hubbard Robinson | Neuwater & Associates                           |
| Stan Martin           | Cicatelli Associates Inc.                       |
| Kate Mendola          | Erie County Medical Center Corporation          |
| Tim Murphy            | University at Buffalo                           |
| Heather Orom          | University at Buffalo                           |
| Heidi Romer           | Jericho Road                                    |
| Esmeralda Sierra      | Hispanics Heritage Council of Western New York  |
| Henry Taylor          | University at Buffalo                           |

The ECOHE survey is an exploration of the everyday challenges that may prevent individuals from practicing the behaviors that would lead to better health, understanding that these challenges are unique and often vary according to who you are and where you live.

**ECOHE Community Survey Community Partners**

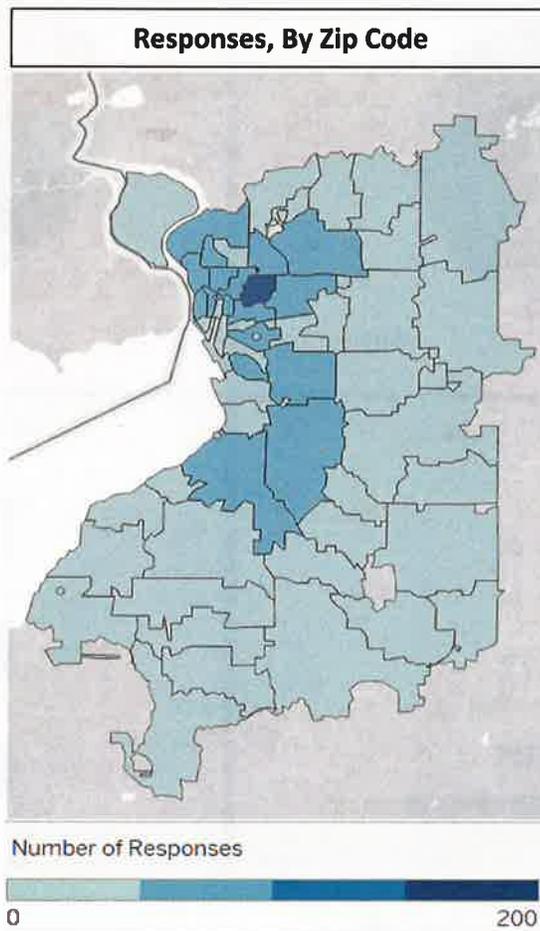
|  |   |
|--|---|
| Salud Market: Marielyn Santiago-Miller                               | D'Youville University: Rachel Laster                                  |
| Jericho Road: Heidi Romer/Kennedy George                             | C&R Housing: Mr. L. Blyden  |
| Upstate NY Black and Latino Pride: Tajé Jenkins/Alexandre Burgos     | Evergreen Health Services, Matt Crehan Higgins                        |
| MOCHA: DeJuan Burnell  | PRIDE Center of WNY: Tee Douglas                                      |
| Community Access Services: Teouria Johnson/Kimberly Brown            | Community Health Center of Buffalo: Rahsaan Delain                    |
| Board of Block Clubs: Debbie Lombardo                                | Neighborhood Health Center: Taje' Jenkins/Marissa Sims/Kenyon Baker   |
| Division of Citizens Services: Michael TA Smith                      | Eden-North Collins Food Pantry: Ellen Kindley                         |
| Buffalo Go Green (Kaleida Health): Rachel Roberson                   | Buffalo Municipal Housing Authority: Robert Debereaux                 |
| Independent Health (Good for the Neighborhood): Raby Ba              | (Lackawanna) Mount Olive Baptist Church: Pastor Keith Mobley          |
| It Takes A Community: Bette Dehr                                     | Second Baptist Church: Pastor Mark Blue                               |
| Springville Trading Post: Peggy Austin                               | The NY Immigration Coalition: Brandon Lee                             |
| Lackawanna Stakeholders Coalition: Brandon Redmond /Judith Faircloth | Town of Amherst Youth and Recreation Department: Antonella Stravalaci |
| West Side Community Services: Mary Schaefer                          | Buffalo University District: Doris Corley                             |

The ECOHE survey is intentional in identifying specific, diverse groups, including but not limited to: Asian groups disaggregated by country of origin, Hispanic and Latino/a/x/e groups disaggregated by country of origin, LGBTQ+ communities disaggregated by identity, people of Middle Eastern and North African descent, and rural communities.

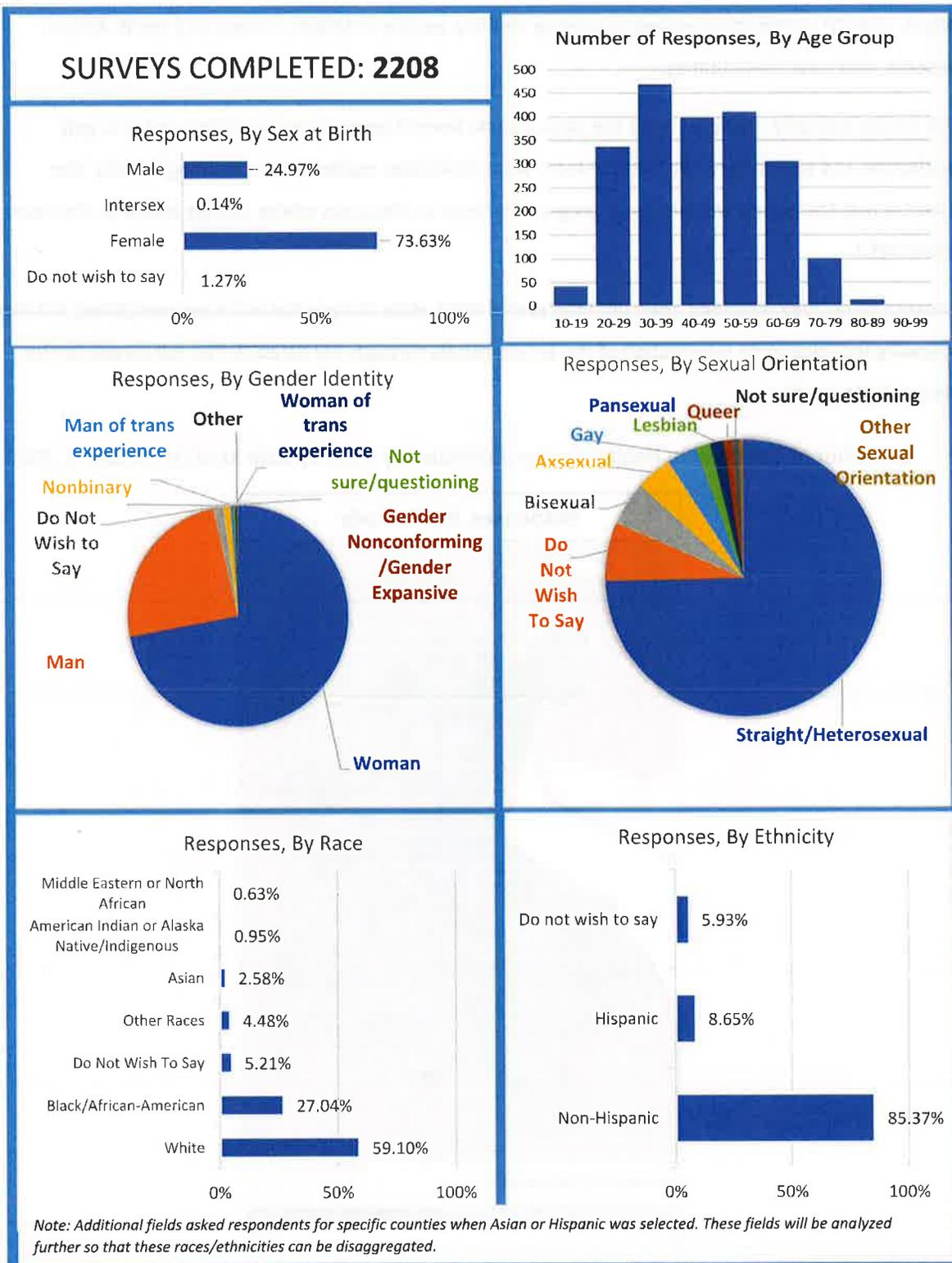
The survey is largely multiple choice but does include several open-ended questions and is largely qualitative and exploratory. We hope to learn what challenges residents face to being healthy. Our intent is that these data will direct our program to focus on the areas where change would be the most meaningful.

Because the survey remained open until the end of 2022, data analysis has not been completed, but the following includes some information of the survey results through 11/30/2022. The full survey can be viewed in Appendix I.

Snapshot of Community Health Surveys Collected by ECOHE, Data as of December 1, 2022



Snapshot of Community Health Surveys Collected by ECOHE, Data as of December 1, 2022



### Community Newsletter and Email Distribution List

The ECOHE develops and distributes a monthly newsletter that focuses on health equity topics. ECOHE newsletters are designed to inform, remind, and connect Erie County communities to resources and knowledge of health equity topics such as food access, mental health, and living with disabilities. Newsletters are distributed in Arabic, Bengali, Burmese, English, Spanish, and Swahili to over 6,300 recipients across Erie County each month. While primarily distributed in print to community-based organizations, each newsletter is available in both print and digital formats. Partners for distribution include health centers, community centers, and local nonprofit service providers. By the close of 2022, the ECOHE distributed six editions of the newsletter.

Visit <https://www3.erie.gov/health/health-equity> to view and download each full newsletter.



### Erie County Gun Violence Prevention Task Force

The Erie County Gun Violence Prevention Task Force, created by Executive Order #22 in July 2021, is charged with preparing programs and initiatives to decrease gun violence among youth; increase funding to programs specifically designed to reduce gun violence; work with local law enforcement agencies to create strategies to reduce the number of illegal firearms in Erie County; work with marginalized populations to provide education on gun violence, issues and solutions; advocate for relevant policies that improve health in communities of color; and support local, state, and federal programs that advance anti-gun violence initiatives. The Task Force is a collaboration of Erie County

departments along with local law enforcement, including the Erie County Sheriff's office, the Erie County District Attorney's office, and the Buffalo Police Department as well as members of the Erie County Legislature, local anti-violence organizations and leaders, and the Live Well Erie Task Force. The Erie County Gun Violence Prevention Task Force worked over the past year to form and nurture partnerships, educate communities, and raise awareness of the public health crisis that gun violence has become in Erie County. For more information on the Erie County Gun Violence Prevention Task Force, see Appendix B.

### **Community Health Assessment and Community Health Improvement Plan (CHA/CHIP)**

Beginning in 2023, the 3-year-long process of developing, writing, and monitoring the Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP) will be shifted to the Erie County Office of Health Equity. The CHA and CHIP are vital documents that work in alignment with the New York State Prevention Agenda. Together, these health improvement plans are the blueprint for action to improve the health and well-being of our residents and to promote health equity. For additional information on the New York State Prevention Agenda visit:

[https://www.health.ny.gov/prevention/prevention\\_agenda/2019-2024/](https://www.health.ny.gov/prevention/prevention_agenda/2019-2024/)

### **Grants**

The ECOHE has secured funding from the New York State Department of Health to participate in the Children and Youth with Special Health Care Needs (CYSHCN) program. The CYSHCN program seeks to improve the systems of care for children and youth with special health care needs from birth and up to 21 years of age and their families. The program helps to shape public policy so families can get the best health care for their children. For additional information on the CYSHCN program visit:

[https://www.health.ny.gov/community/special\\_needs/](https://www.health.ny.gov/community/special_needs/)

The ECOHE is collaborating with the Buffalo Urban League, Highmark Health, and Jericho Road Community Health Center to apply for the latest round of BUILD Health Challenge® (BUILD) funding. BUILD seeks to support communities in their efforts to advance health equity and to ensure that no one is disadvantaged from achieving their full health potential because of social position or other socially determined circumstances. The focus of the partnership's application is maternal health equity.

A key member of the ECOHE team is our Grant Specialist. This position is designed to aid the ECOHE team in pursuing funding to support its functions and goals of advancing health equity and reducing disparities. Beginning in 2023, the Grant Specialist position will also serve the Erie County community in

providing grant writing and grant management expertise, support, and technical assistance to partners that are interested in applying for and receiving health equity-focused grant funding but may not have the in-house resources to do so.

### **Mental Health First Aid**

It takes years to increase the number of mental health professionals through traditional higher education options. While higher education institutions are working to increase students enrolling and graduating with the various degrees to treat people seeking mental health help, we can immediately increase the number of peers and lay people that are trained in how to identify and respond to someone experiencing a mental health or substance use challenge.

The ECOHE is delivering Mental Health First Aid for Adults and Mental Health First Aid for Adults Assisting Children and Youth. The programs will be deployed in community, civic, educational, and faith-based settings across the county at no charge to the participants. The ECOHE plans to bring the Mental Health First Aid programs to 2,000 Erie County residents.



**Mental Health FIRST AID**  
*from* NATIONAL COUNCIL FOR MENTAL WELLBEING

## DISCUSSION OF HEALTH DISPARITIES

Historic and ongoing health disparities experienced by minority, marginalized, and disadvantaged groups in Erie County have been intensified by recent events such as the COVID-19 pandemic, the Buffalo Tops massacre, and the severe blizzard. As a result, the SDOH underlying many of these gaps in health have been exposed. The need for an equity lens when it comes to the health of the people of Erie County has never been clearer and is further emphasized by the data and findings included in this report, as well as the significant gaps in existing data at the county and sub-county levels.

Health equity cannot be addressed or attained without acknowledging the historic and systemic factors that continue to contribute to current health disparities, like the impacts of systemic racism, generational trauma, and segregation on the well-being of racial minority groups. This is especially true for Erie County's Black community, which experiences the highest rates of homelessness, exposure to violence, and children living in poverty, as well as the highest rates of chronic health conditions, low birth weight, and poor disease outcomes when compared to residents of other races. Erie County maps that visualize segregation by race look very similar to Erie County maps representing rates of chronic disease and other key health factors, demonstrating a connection between a person's place of residence and race and the rates of these health conditions and factors.

Without knowledge of the existing health disparities and the SDOH and other contributing factors, health outcomes can neither be adequately addressed nor improved. Foremost in next steps for the Erie County Office of Health Equity is the collection of relevant and accurate local data, both in quality and quantity, describing the current health of Erie County residents. Data specificity is crucial to ensure that the needs of frequently underrepresented groups—like Indigenous peoples, MENA communities, rural populations, and the LGBTQ+ community—can be adequately presented and addressed. Additionally, the limitations of the existing data presented in this report exposed a need for further disaggregation of typically broad, standard racial and ethnic categories like Asian, because they may conceal important health disparities due to the substantial diversity of the individuals and communities that fall under these categories.

Future ECOHE reports will analyze new data collected by the ECOHE team in addition to sharing findings of analysis of other public and private data sources. The ECOHE will work to incorporate an equity lens into the work of the county, promoting public awareness, piloting innovative programs, and making policy recommendations at all levels. In the pursuit of health equity in Erie County, the ECOHE will serve

as a resource to organizations and community members that are also working tirelessly toward reducing health disparities, providing subject matter expertise and skills in grant writing and management, data collection, analysis, and reporting to those who would like assistance or support in these areas.

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1. The first part of the document discusses the importance of maintaining accurate records of all business transactions. It emphasizes that proper record-keeping is essential for the success of any enterprise, as it provides a clear and concise overview of the company's financial health and operational performance. This section also highlights the various methods and tools available for managing business records, ranging from traditional paper-based systems to modern digital solutions.

2. The second part of the document focuses on the legal and regulatory requirements that govern business record-keeping. It details the specific rules and regulations that apply to different types of businesses and industries, ensuring that all records are maintained in accordance with the law. This section also discusses the consequences of non-compliance with these regulations, including potential fines and legal action.

3. The third part of the document explores the role of business records in decision-making and strategic planning. It explains how a thorough understanding of the company's historical data can help management identify trends, anticipate future challenges, and make informed decisions about the company's direction. This section also discusses the importance of regularly reviewing and updating business records to reflect the most current information.

4. The fourth part of the document addresses the security and confidentiality of business records. It discusses the various risks associated with data breaches and the importance of implementing robust security measures to protect sensitive information. This section also provides practical advice on how to ensure the integrity and confidentiality of business records, including the use of encryption, access controls, and secure storage solutions.

5. The fifth part of the document discusses the importance of business records in the event of a dispute or litigation. It explains how well-maintained records can provide crucial evidence in court and help resolve disputes more quickly and efficiently. This section also discusses the importance of preserving records for the appropriate period of time and the potential consequences of failing to do so.

6. The sixth part of the document discusses the role of business records in tax reporting and compliance. It explains how accurate records are essential for calculating taxes correctly and filing tax returns on time. This section also discusses the importance of keeping records of all tax-related transactions and the potential consequences of inaccurate or incomplete records.

7. The seventh part of the document discusses the importance of business records in the event of a business sale or merger. It explains how a thorough and accurate record-keeping system can provide valuable information to potential buyers or investors, helping to maximize the value of the business. This section also discusses the importance of maintaining records of all business transactions and the potential consequences of failing to do so.

8. The eighth part of the document discusses the importance of business records in the event of a business failure or liquidation. It explains how well-maintained records can provide crucial information to creditors and the liquidator, helping to ensure that all claims are paid and the business is liquidated in an orderly manner. This section also discusses the importance of maintaining records of all business transactions and the potential consequences of failing to do so.

9. The ninth part of the document discusses the importance of business records in the event of a business expansion or relocation. It explains how accurate records are essential for understanding the company's current performance and identifying areas for growth. This section also discusses the importance of maintaining records of all business transactions and the potential consequences of failing to do so.

10. The tenth part of the document discusses the importance of business records in the event of a business closure or bankruptcy. It explains how well-maintained records can provide crucial information to the bankruptcy court and the liquidator, helping to ensure that all claims are paid and the business is liquidated in an orderly manner. This section also discusses the importance of maintaining records of all business transactions and the potential consequences of failing to do so.

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SUBJECT

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|------------|--|----------------------------|
| COMM. 5D-2 | DEPUTY<br>COMMISSIONER OF<br>ENVIRONMENT &<br>PLANNING | 2022 Climate Action Update |
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Attachments

23COMM. 5D-2

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**MEMORANDUM  
COUNTY OF ERIE  
DEPT. OF ENVIRONMENT & PLANNING**

EC LEG MOR 3/23 AM 2:38

TO: Honorable Erie County Legislature  
CC: Daniel Castle, Commissioner  
FROM: Bonnie Lawrence, Deputy Commissioner  
DATE: March 3, 2023  
RE: 2022 Climate Action Update

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Attached please find the 2022 update for *Erie County Commits to Paris and Climate Action & Sustainability Plan - Internal Operations*. Please let me know if you have any questions about the report.

# 2022 Erie County Climate Action Update

## Key Takeaways

Since last year's report, Erie County has made substantial progress implementing the initiatives outlined in *Erie County Commits to Paris* and *Climate Action and Sustainability Plan – internal operations (CASP)*, including the successful implementation of several large projects. This report gives an overview of the progress on these initiatives. The most recent greenhouse gas (GHG) inventory of Erie County's government operations, which captures 2021 emissions, shows a decrease of 31.4% compared to the 2005 baseline.

Much of 2022 was focused on continuing the development of an equity-centered *Community Climate Action Plan (CCAP)* to expand on earlier community climate action planning efforts. The actions outlined in the CCAP are directed at meeting the County's community GHG emission reduction goals and increasing our climate resiliency.

## Background

The CASP, adopted by the Erie County Legislature in early 2019, focuses on internal strategies to reduce GHG emissions. This plan was developed by the Erie County Green Team: a committee with representatives from all Erie County Departments serving under the County Executive, as well as representatives from the offices of other County elected officials. Since the release of the CASP, the Green Team has continued to meet quarterly, with its Transportation, Energy, and Waste committees meeting quarterly or more frequently.

The CASP set aggressive greenhouse gas (GHG) emission reduction targets, including a 50% reduction from the baseline of 2005 by 2025 for the County's internal operations, and an 80% reduction by 2040. The GHG inventory for the County's internal operations for 2021 is included in this report. Notably, many of the CASP initiatives are nearing completion; consequently, the Green Team will begin revising the CASP in late 2023.

The County also committed in the CASP to procure all electricity for County operations from renewable sources by 2030. The Departments of Public Works (DPW) and Department of Environment and Planning (DEP) have investigated developing renewable energy to provide the Renewable Energy Credits (RECs) required to meet this goal, or alternately, purchasing RECs. Because of aggressive New York State goals announced in 2020, including a goal of 70% renewable energy statewide by 2030, the County will only need RECs to offset 30% of its energy consumption in 2030. Assuming current market conditions and energy consumption, and assuming the purchase of in-state Tier 1 RECs, this would add about 7% to the County's electric costs or about \$360,000 per year.

In 2018, the *Erie County Commits to Paris* report was released in response to the County's Executive Order 17. The Order committed the County to the U.S. GHG reduction goals stated in the Paris Climate Accord. Specifically, this sets a goal of 26-28% GHG reduction (from the 2005 baseline) by 2025 for both internal operations and the community as a whole. At the time of the initial report, the internal reductions had been met, but the GHG emissions in the community had only been reduced by 12% from the 2005 baseline.

To better address climate change, and reduce GHG emissions in the community, Erie County established the Community Climate Change Task Force as the official advisory board on the issue. The Task Force is a committee of the Environmental Management Council, which advises the County on environmental issues, and includes representatives from community-based organizations, not-for-profits, colleges, municipalities,

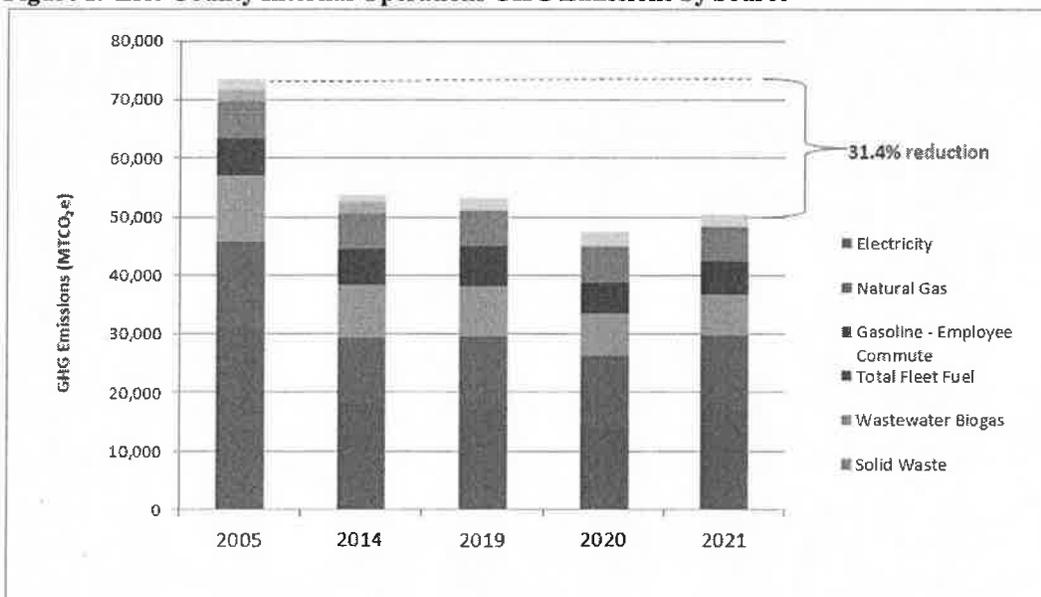
business representatives, NFTA, National Grid, the Greater Buffalo Niagara Transportation Council, the Buffalo & Erie County Public Library, the Buffalo Museum of Science, and the WNY Youth Climate Council. For more than a year and a half the Task Force has been working on creating an equity-focused Community Climate Action Plan (CCAP). Over 100 volunteers from throughout the County are participating on ten working groups to develop chapters of the plan. A website, [www.erie.gov/climateaction](http://www.erie.gov/climateaction), contains documents for public comment as well as several ways for community members to get involved in the development of the CCAP. A release of the draft Erie County Community Climate Action Plan is anticipated in spring 2023. The CCAP climate actions will expand on and replace the actions in the community-facing actions in the *Erie County Commits to Paris* report.

As the County initiated the community climate action planning process, New York State adopted the Climate Leadership and Community Protection Act (CLCPA) that specified new goals for the mitigation of climate change impacts. This specified an 85% reduction of GHG emissions from a 1990 level by 2040 and also 100% zero emission electricity by 2040. Moreover, the CLCPA calls for 35-40% of investment & benefits of the climate actions be directed to historically disadvantaged communities. The Task Force recommended to adopt these goals within its forthcoming Community Climate Action Plan (CCAP). With anticipated support from federal, state and other partners, the CCAP will put the County in an excellent position to bring investments to our community.

### 2021 Greenhouse Gas Inventory for Internal Operations

The 2021 GHG inventory for the County’s internal operations shows a 31.4% reduction in GHG emissions compared to the 2005 baseline. This is a slight increase from the 2020 inventory and appears to reflect a higher level of onsite work by Erie County staff, as the COVID pandemic subsided. Since the first GHG inventory in 2014, which was done as part of the CASP, the County’s largest emission reductions are from reduced employee commuting, elimination of a district heating system in 2016, utilizing less electricity, and less fleet fuel use.

**Figure 1. Erie County Internal Operations GHG Emissions by Source**



The County has implemented many energy conservation, waste reduction, and renewable energy projects, which have resulted in GHG emission reductions. Those projects are described below and in the attached tables. It is important to note that key projects, including the Energy Performance Contract, were only partially implemented by the end of 2021. Thus, they are not fully captured by the 2021 GHG inventory.

The County set a goal of 50% greenhouse gas reduction by 2025. Additional building performance savings, including from the Energy Performance Contract and fleet savings from purchase of electric vehicles, will help move us toward that goal, but it will be challenging to achieve this near-term goal. Deeper reductions later this decade will be achieved as the state implements its Clean Energy Standard for renewable energy in the grid, as electric vehicles become more available, and as we revise and implement additional actions from the CASP.

### **Progress on Initiatives**

Tables with updates on initiatives in the *Erie County Commits to Paris* and the CASP are attached. Below are several significant projects and achievements that were accomplished over the past year.

**Remote Work** – The COVID pandemic accelerated policies and investments that allowed remote work by some County staff, which has resulted in significant reduction in commuting related emissions. Policies have now been put in place to allow remote work to continue where appropriate, including negotiating remote work provisions into some civil service contracts. Since 2014 emission reductions from employee commuting have resulted in a 4% reduction of the County’s overall GHG inventory.

**Energy Performance Contract** – The first phase of the Energy Performance Contract was completed in 2022 and involved more than 100 projects at 40 County-owned buildings. These projects have improved the energy efficiency of the buildings; some examples include installing energy-efficient heating and cooling systems, installing high-tech digital controls for building equipment, and installing power-saving LED fixtures. The energy savings are projected to save the County over \$400,000 per year and GHG emissions from County buildings will be reduced by over 13%. Energy savings are guaranteed by the contractor. The success of this first phase has prompted the County to pursue more energy savings projects with a second phase Energy Performance Contract.

**Electric Vehicles** - In 2022 the County leased its first electric vehicles (EVs), which are less expensive to maintain and operate than traditional vehicles and result in substantial emission reductions. Five Ford E-Transit cargo vans and three Chevrolet Bolt EVs were purchased, and chargers were installed at county facilities. Furthermore, the County purchased a fleet of electric bicycles for the Sheriff’s office to add to their fleet of 30 hybrid electric Ford Interceptor patrol vehicles. The County anticipates more EV leases in 2023, especially as EVs like pickup trucks become more available.

**Building Electrification** – In 2022, the Ellicott Creek Park Superintendent’s Building was upgraded to air source heat pump heating. This building was previously heated with propane, and the project is resulting in significant cost savings and GHG emission reductions. Additionally, DPW broke ground on upgrading the Sprague Brook Park Casino to a ground source heat pump heating system. This will be the first ground source heat pump installed at a County property.

**Climate Action (Paris) Fund** – This fund, established in the 2020 budget, reinvests half of cost savings achieved through energy conservation and waste reduction projects into additional sustainability initiatives. Due to how the Energy Performance Contract is structured, the fund does not include the

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savings from those projects. The fund is overseen by the Core Green Team, the steering committee of the Green Team, which includes representatives from DPW, DEP, Parks, Social Services, and Budget. The fund is utilized to implement action items identified in the CASP, as well as other projects identified by the Green Team. Whenever possible the fund is used to leverage additional funding through grants and rebates. In 2022, the Climate Action Fund supported the purchase of electric vehicles and battery powered landscaping equipment, energy conservation projects, electric bicycles for Sheriff's personnel, EV chargers for County buildings, the Sprague Brook Park Casino ground source heat pump project, a solid waste study, and editing and graphics support for of the CCAP.

**State and National Recognition** – Erie County is one of only four counties to receive Silver Certification, currently the highest level, in NYSDEC's Climate Smart Communities program by demonstrating the extensive work being done across the county to reduce greenhouse gas emissions and prepare for the changing climate. In 2022, Erie County also became the first large community in NYS to achieve the highest progress tier in the New York State Energy Research and Development Authority's (NYSERDA) Clean Energy Communities program. This achievement resulted in the County receiving a \$250K grant award from NYSERDA for additional energy conservation projects. Finally, the National Association of Counties recognized the CASP with a 2022 Achievement Award.

## **Conclusion**

With the passage in 2022 of the federal Inflation Reduction Act, the Infrastructure Investment and Jobs Act, the state Environmental Bond Act and the release of the NYS Climate Action Council Draft Scoping Plan, we have entered an exciting time when for the federal, state, and county government are all pulling the same direction on this important issue. However, as we can see in headlines every day, the impacts from climate change are increasing and we have much work ahead of us. Thanks to the leadership of the County Executive Mark Poloncarz, the support of the Erie County Legislature, and the hard work of County staff from many departments, stakeholders and community volunteers, substantial progress has been made on this critical work.

## **What's Next in 2023**

In the next year our focus will include completing the equity-centered Community Climate Action Plan, developing a Heat Emergency Plan, and rolling out the Erie County Low Income Program for Sustainable Energy. We also will be aggressively pursuing eligible sources of funding from the federal Inflation Reduction Act, the Infrastructure Investment and Jobs Act, the state Environmental Bond Act, and via the NYS Climate Action Plan to advance our climate related initiatives.

As we continue this work, our guiding principles remain the same: to do our part as a community to reduce greenhouse gas emissions, strengthen Erie County's economy and create good jobs as we transition to clean energy, and above all protect businesses and residents from the impacts of climate change, especially those who are most vulnerable.

Summary Table of Paris Report Initiatives and Partnerships

| 2022 Update |                               |            |            |   |
|-------------|-------------------------------|------------|------------|---|
| Number      | Sector                        | Lead Dept. | % complete |   |
| I-1         | Bldgs/Energy                  | DPW        | 100%       | GHG emissions reductions and cost savings were included in the original report.   |
| I-2         | Bldgs/Energy                  | DPW        | 100%       | GHG emissions reductions and cost savings were included in the original report.   |
| I-3         | Bldgs/Energy                  | DEP - DSM  | 100%       | GHG emissions reductions and cost savings were included in the original report.   |
| I-4         | Bldgs/Energy                  | DEP - DSM  | 100%       | GHG emissions reductions and cost savings were included in the original report.   |
| I-5         | Transportation                | DPW        | 30%        | In 2022 the County leased its first fully electric vehicles. Five Ford eTransit electric vehicle (EV) cargo vans were leased to replace gasoline-powered vans, and three Chevrolet Bolt EVs replaced Chevrolet Volt plug-in hybrids. Last year the Sheriff's Office added 20 hybrid Ford Interceptors to their fleet.   |
| I-6         | Bldgs/<br>Renewable<br>Energy | DPW        | 100%       | 2 MW solar array is in place. GHG emissions reductions were already included in the original <i>Erie County Commits to Paris</i> report.  |
| I-7         | Bldgs/Energy                  | DPW        | 100%       | The first phase of the Energy Performance Contract has been completed. The energy savings are projected to save the County over \$400,000 per year and greenhouse gas emissions from County buildings will be reduced by over 13%. Through the Energy Performance Contract, the County conducted more than 100 projects at 40 County-owned buildings. These projects update heating and cooling equipment to modern energy-efficient technology, upgrade lighting to power-saving LED fixtures and improve the control over building equipment by adding high-tech digital controls. The energy savings are guaranteed by the contractor. The success of this first phase has prompted the County to pursue further energy savings with a second phase Energy Performance Contract. |
| I-8         | Bldgs/Energy                  | DPW        | 100%       | The remaining lights within the County have been switched to LED completing the transformation to high-efficiency lighting. Due to advances in LED technology, the Rath building is undergoing a 2nd retrofit to save even more energy.   |
| COMM. 5D-2  | Bldgs/Energy                  | DEP        | 100%       | The County has continued to pursue the solar projects with the consortium of partners, led by UB, as part of the "REV Campus Challenge." A 445 kW array was constructed on County property. The array has been producing clean energy since March 2022, and has saved the County nearly \$20,000 in electric costs since that time.   |

Summary Table of Paris Report Initiatives and Partnerships

|        |                       |            |            | 2022 Update   |
|--------|-----------------------|------------|------------|---|
| Number | Sector                | Lead Dept. | % complete |   |
| I-10   | Methane/ Waste        | DEP        | 100%       | The composting project, which includes a compost site and a food waste collection program, is in full operation at the Erie County Correctional Facility. The project, which is supported by a NYS Department of Environmental Conservation Climate Smart Community Grant, composts 90% of the food waste at the facility. A second NYSDEC grant has been awarded to expand the collection of food waste to other County facilities. That project is scheduled to begin in 2023.  |
| I-11   | Transportation        | DPW        | 30%        | The Transportation Committee of the Green Team has created a draft fleet efficiency policy, which establishes goals for reducing excess idling in the fleets. This policy will be reviewed by DPW. It is anticipated that the idling policy will be implemented in stages, after the baseline is created from monitoring AVLs. A new AVL system has been piloted with plans to be in place later this year.   |
| I-12   | Policy                | DEP        | 15%        | The Procurement and Waste Committee has discussed and outlined the procedures to review bids and specs to identify products being purchased by the County that are not environmentally preferable and determine alternative products. The Committee will meet in 2023 to discuss implementation strategy.   |
| I-13   | Transportation/Policy | DEP        | 50%        | Currently, because of IRS rules about transit pass distribution by employers, the Niagara Frontier Transportation Authority's fare system does not readily allow the County to offer pre-tax bus and train passes to County Employees. The NFTA is updating to a smart card based system very shortly, which will allow for this benefit, and Personnel and DEP are investigating options for offering this benefit. The County is also considering participating in NFTA's Corporate Pass program, allowing County staff to receive a \$20 discount off of monthly transit passes. |

Summary Table of Paris Report Initiatives and Partnerships

|        |                               |            |            | 2022 Update   |
|--------|-------------------------------|------------|------------|---|
| Number | Sector                        | Lead Dept. | % complete |   |
| I-14   | Transportation/<br>Policy     | DEP/DPW    | 65%        | <p>Erie County has worked with partners such as GObike Buffalo and GO Buffalo Niagara to make alternative commuting a safer and viable option for employees. The secure bicycle parking garage that was constructed in front of the Rath building for employees for convenient, safe and free bike storage is used frequently. Currently 124 employees participate in the NY511 rideshare program, which is an on-line resource for employees to find easy, affordable, and sustainable alternatives to driving alone. In 2022, GO Buffalo conducted outreach to County employees to educate them about alternative commute options.</p> <p>The County has added 14 charging stations at 10 locations throughout the county. These locations include Sprague Brook, Isleview, Emery, Elma Meadows, Ellicott Creek, ECC South (2), Bennet Beach, Grover Cleveland, ECC North (2),and ECC City.</p> <p>The Greater Buffalo Niagara Regional Transportation Council (GBNRTC) Regional Bicycle Master Plan was finalized in 2021 and Erie County has developed implementation procedures to assist municipalities in the implementation of the plan. Municipalities will coordinate with GBNRTC for bicycle infrastructure on County-owned roads within their community.</p> <p>The County completed the construction of a 450kW system to add to its 2 MW portfolio.</p> <p>The County continues towards its goal of 100% renewable energy through energy conservation, renewable production and REC purchasing.</p> <p>The County has defined the criteria for placing solar panels onto County buildings. A review is currently being conducted to determine prime candidates.</p> <p>Erie County recognizes the benefits of switching from fossil fuels to electrified heating and cooling. In 2021, four small buildings were retrofitted with air-source heat pumps which eliminated their fossil fueled heating equipment. In 2022, further progress has been made in switching buildings to clean heating and cooling when legacy equipment reaches the end of its lifespan. Erie County has evaluated the cost effectiveness of removing propane as a heating fuel source and is actively replacing equipment ahead of schedule. Several buildings have been identified as candidates for similar technologies and strategies are being examined to address multi-story buildings.</p> |
| I-15   | Bldgs/<br>Renewable<br>Energy | DPW        | 50%        |   |
| I-16   | Bldgs/<br>Renewable<br>Energy | DPW        | 60%        |   |
| I-17   | Renewable<br>Energy           | DPW        | 65%        |   |

Summary Table of Paris Report Initiatives and Partnerships

| Number | Sector                    | Lead Dept. | % complete | 2022 Update  |
|--------|---------------------------|------------|------------|--|
| I-18   | Funding Mechanism/ Policy | Budget     | 100%       | <p>The Erie County Green Team and DEP oversee a funding mechanism for clean energy and sustainability projects originally called the Paris Fund, and since renamed the Climate Action Fund. DEP documents ongoing cost savings from energy conservation and waste projects (not including the Energy Performance Contract), and requests 50% of these savings are included in the County budget for the Climate Action Fund to be used for additional sustainability projects. Funded projects to date include heating and cooling projects in Parks' buildings, electric vehicles, electric vehicle chargers, and electric landscaping equipment, electric bicycles for the Sheriff's Office, energy conservation projects, support for a County waste study, and support of the Community Climate Action Plan.</p> |
| I-19   | Policy                    | DEP        | 60%        | <p>The County has implemented low-mow and no-mow areas as outlined in the Parks Master Plan Update. A tree planting policy has been established. The need to update the Forest Management Plan remains.</p>  |

| 2022 Update   |        |                   |            |            |
|---|--------|-------------------|------------|------------|
| Initiative  | Number | Sector            | Lead Dept. | % complete |
| WNY Sustainable Business Roundtable   | C1     | All               | DEP        | 100%       |
| Solarize Campaign   | C2     | Renewable Energy  | DEP        | 100%       |
| ECLIPSE: Erie County Low Income Program for Sustainable Energy                  | C3     | Energy/ Policy    | DEP        | 35%        |
| Climate Smart Communities - Certification & Community Climate Change Task Force | C4     | All               | DEP        | 100%       |
| PACE - Property Assessed Clean Energy Financing                                 | C5     | Funding Mechanism | DEP        | 100%       |

This initiative is ongoing. The Roundtable continues to work with businesses to reduce their environmental impact, including GHG reductions. In early 2019 the Roundtable directly hired a Coordinator for the first time, and began charging member dues, both of which are important steps as this organization matures.

Erie County partnered with WNY Sustainable Business Roundtable to offer Solarize to its member businesses including Erie County employees. The campaign was completed in February 2018, with 185 kilowatts of solar energy installed on employee homes, resulting in 66 tons of avoided GHG emissions annually.

Low and moderate income households spend a disproportionately larger percentage of their income on energy bills, and are often unable to take advantage of the cost savings from renewable energy alternatives. The Erie County Low-Income Program for Sustainable Energy (ECLIPSE) will address these impacts on Home Energy Assistance Program (HEAP) eligible families. Funded by the New York State Energy Research & Development Authority (NYSERDA) and an in-kind County match, this program is currently analyzing community needs and intervention strategies, and will then implement the most effective solutions. ECLIPSE will focus on bulk energy and green-energy purchasing, access to community solar and related energy efficiency and resiliency improvements. The program involves many County Departments including Environment and Planning, Social Services and Public Works. The program will release a feasibility study in spring 2023, comparing options for the community energy program.

Through the work of its Green Team and Sustainability Coordinator, Erie County has implemented and submitted actions to the program and achieved Climate Smart Communities Silver Certification - currently the highest level in the program.

The Erie County Community Climate Change Task Force was created as a subcommittee of the Environmental Management Council (EMC) to provide expert guidance and community input to the County as it makes decisions about its climate change mitigation, resilience, and other sustainability actions. The group meets monthly to discuss pertinent topics/categories that affect climate change. The group is now guiding the creation of the Erie County Community Climate Action Plan which will be released in 2023, and is helping with community outreach.

PACE (Property Assessed Clean Energy) is a financing mechanism for energy conservation and renewable energy projects in commercially owned buildings. In NYS, PACE is operated by the Energy Improvement Corporation (EIC). The most current version of PACE is called Open C-PACE. To enable Open C-PACE, municipalities pass a local law and sign an EIC municipal agreement. EIC bills the property owner and directs them to remit the funds to the capital provider, removing any collection obligation from the municipality. As the program administrator, EIC reviews and approves each financing, ensuring it conforms with the enabling legislation and NYSERDA C-PACE guidelines. Erie County completed all the necessary items to bring PACE to all towns and villages in Spring 2021.

|   |        | 2022 Update             |            |            |
|---|--------|-------------------------|------------|------------|
| Initiative  | Number | Sector                  | Lead Dept. | % complete |
| Property Tax Exemptions   | C6     | Policy                  | DEP        | 100%       |
| Revolving Loan Fund   | C7     | Funding Mechanism       | DEP        | 25%        |
| Community Solar   | C8     | Renewable Energy        | DEP        | 25%        |
| Renewable Heating and Cooling   | C9     | Renewable Energy        | DEP        | 100%       |
| Purchasing Renewables through Utilities Aggregation   | C10    | Renewable Energy        | DPW        | 35%        |
| Parking Lot Policy: Public Electric Vehicle Charging Stations, Green Infrastructure & Solar Installations | C11    | Policy/Renewable Energy | DPW        | 60%        |
| Carbon Pricing  | C12    | Policy                  | DEP        | 10%        |
| Energy Performance Ratings  | C13    | Policy                  | DEP        | 0%         |

After investigating the experience of the program in Niagara County, this initiative is on hold. Negative findings from their program include lack of support from other taxing jurisdictions, underutilization of the program and backlash regarding equity issues. This will be looked at again as we work with municipalities within the County.

The County will look into ways to establish a revolving loan fund through the ECLIPSE project.

Erie County worked with the WNYsBR to procure and offer community solar for Erie County employees. The selected contractor offered two webinars for County employees, and more than 40 employees signed up. Participating employees will save about \$120 per year in electric costs while supporting the County's community greenhouse gas reduction goals. Because this program satisfied criteria for a NYSERDA Clean Energy Communities grant, Erie County will receive a grant \$15,000 to for climate action work in our community. Erie County is working on a community solar program focused on low and moderate income residents (see Initiative C-4, ECLISPE)

In 2018, DEP partnered on a successful grant application led by PUSH Buffalo for a NYSERDA grant to run a Thermalize campaign in Erie County. The project is facilitating low-cost ground and air source heat pump installations, and includes a component focused on low- and moderate-income residents.

The County has continued to investigate methods for acquiring Renewable Energy Credits. Also, the ECLIPSE Project (C-3) is investigating using the utility fund as a vehicle for providing low-cost renewable energy to HEAP recipients.

The County has established 14 Level 2 charging locations throughout the County. These new locations include numerous parks and County-owned golf courses, and ECC campuses. The County is planning to develop its first high-speed Level 3 EV charging sites in 2023.

This is being considered at the state level as part of the NYS Climate Leadership and Community Protection Act. The County will follow this development.

DEP has had informal discussion with NYSERDA about this action, but nothing has materialized. DEP will continue to look for opportunities to move this forward.

Summary Table of Paris Report Initiatives and Partnerships

|                                  |        |                |            |            | 2022 Update  |
|----------------------------------|--------|----------------|------------|------------|--|
| Initiative                       | Number | Sector         | Lead Dept. | % complete |  |
| Intra-County                     | P1     | All            | DEP        | ongoing    | A Community Climate Change Task Force, as a committee of the Environmental Management Council, has been active since January 2019. The Task Force includes municipal representatives from Tonawanda, Buffalo, and Clarence. The Task Force is advising the County on developing a Community Climate Action Plan that has equity as its focus and is aligned with the New York State Climate Leadership and Community Protection Act.       |
| Inter-County                     | P2     | All            | DEP/DPW    | ongoing    | The New York State Association of Counties' Climate Resiliency Committee, which was initiated and chaired for more than a year by County Executive Poloncarz, meets regularly and is now a standing committee. Deputy Commissioner Bonnie Lawrence serves as co-vice chair. This committee has provided a format for counties across the state to learn from each other, as well as from state agencies that participate on the committee. |
| Regional Transportation          | P3     | Transportation | DPW/DEP    | ongoing    | The Greater Buffalo Niagara Regional Transportation Council (GBNRTC) Regional Bicycle Master Plan was finalized in 2021 and Erie County has developed implementation procedures to assist municipalities in the implementation of the plan. Municipalities will coordinate with GBNRTC for bicycle infrastructure on County-owned roads within their community.  |
| Utility Infrastructure           | P4     | Energy         | DEP        | ongoing    | Erie County continues to work with its utility partners. For example, National Grid is a member of the Community Climate Change Task Force. Moreover, through work with the WNY Sustainable Business Roundtable, Erie County has helped to promote the utilities' energy conservation and electric vehicle programs.   |
| Outreach & Training Partnerships |        |                |            |            | Erie County continues to work with its partners to coordinate outreach and training events. For example, the County has worked with UB Regional Institute on a variety of learning sessions. The County also worked with the WNY Sustainable Business Roundtable to coordinate workshops related to climate change.  |
|                                  | P5     | All            | DEP        | ongoing    | The County has also hosted clean energy trainings for local governments in recent years. In the spring of 2022, Erie County worked with NYSERDA and the NYS Department of State to host a four-part Clean Energy Communities Learning Series. The trainings were for local government leaders, board members and staff, and covered battery Storage and solar for comprehensive plans, and battery storage and solar energy permitting.    |

## 2022 Summary Table of Initiatives - Erie County Climate Action and Sustainability Plan - Internal Operations - Priority Tier 1

| Initiative   | Sector                         | Lead Dept. | % complete | 2022 Update   |
|--|--------------------------------|------------|------------|---|
| C-1 - Reducing Single occupancy Vehicle Commuting                    | Transportation - Commute       | Personnel  | 65%        | DEP is working with GoBuffaloNiagara to strategize new approaches to influence employee commuting at the County. Currently, because of IRS rules about transit pass distribution by employers, the Niagara Frontier Transportation Authority's fare system does not readily allow the County to offer pre-tax bus and train passes to County Employees. The NFTA is updating to a smart card based system very shortly, which will allow for this benefit.  |
| C-2 - Employee Education on Commute Alternatives                     | Transportation - Commute       | DEP        | On-going   | Erie County has worked with partners such as GObike Buffalo and GOBuffaloNiagara to make alternatives to single occupancy vehicle commuting a safer and viable option for employees. Currently 124 employees participate in the NY511 rideshare program, which is an on-line resource for employees to find easy, affordable, and sustainable alternatives to driving alone. In 2022, GOBuffalo conducted outreach to County employees to educate them about alternative commute options:   |
| C-3 - Construct Buildings and Parking to Support Alt. Transportation | Transportation                 | DPW        | 65%        | The County has added 14 charging stations at 10 locations throughout the county. These locations include the following parks and ECC locations: Sprague Brook, Isleview, Emery, Elma Meadows, Ellicott Creek, ECC South (2), Bennet Beach, Grover Cleveland, ECC North (2), and ECC City.<br><br>The Greater Buffalo Niagara Regional Transportation Council (GBNRTC) Regional Bicycle Master Plan was finalized in 2021 and Erie County has developed implementation procedures to assist municipalities in the implementation of the plan. Municipalities are coordinating with GBNRTC for bicycle infrastructure on County-owned roads within their community. |
| F-1 - Preventative Fleet Maintenance Program                         | Transportation                 | DPW        | 65%        | The fleet inventory is continually updated by DPW to identify older, less efficient vehicles to target for replacement. Maintenance records of non-leased vehicles are kept at the department level. Information is shared through the Green Team Transportation Committee.   |
| F-2 - Reducing Vehicle Idling  | Transportation                 | DPW        | 25%        | The transportation committee has created a draft fleet efficiency policy which establishes goals for reducing excess idling in the fleets. This policy will be reviewed by DPW. It is anticipated that the idling policy will be implemented in stages, after the baseline is created from monitoring automatic vehicle locators (AVLs). A new AVL system has been installed, but idle times have not been reviewed. Transportation committee to discuss policy and departmental next steps in 2023   |
| F-3 - Increase Use of Alternatively Fueled Vehicles                  | Transportation                 | DPW        | On-going   | In 2022 the County leased its first fully electric vehicles. Five Ford eTransit electric vehicle (EV) cargo vans were leased to replace gasoline-powered vans, and three Chevrolet Bolt EVs replaced Chevrolet Volt plug-in hybrids. Last year the Sheriff's Office added 20 hybrid Ford Interceptors to their fleet.   |
| F-4 - Improve Fleet Deployment and Monitoring                        | Transportation                 | DPW        | 60%        | New AVL system installation is essentially complete. Department heads will need to be instructed on how to utilize the technology.  |
| F-5 - Departmental Waste Plans                                       | Waste Management and Recycling | DEP        | 15%        | Departments will be reengaged in this topic after the waste audit of County facilities, being paid for by the Climate Action Fund, is conducted in the first half of 2023.  |

|  |                                | 2022 Update |            |
|--|--------------------------------|-------------|------------|
| Initiative   | Sector                         | Lead Dept.  | % complete |
| W-2 - Paper Reduction                                  | Waste Management and Recycling | DISS        | 40%        |
| W-3 - Construction & Demolition Waste Policy           | Waste Management and Recycling | DPW         | 5%         |
| W-4 Meeting & Event Guidelines                         | Waste Management and Recycling | DEP         | 60%        |
| W-5 - Organic Waste Reduction Compost Program          | Waste Management and Recycling | DEP         | 65%        |
| E-1 - Building Performance and Operations Improvements | Buildings and Energy           | DPW         | 75%        |
| E-2 - Building Energy Efficiency Improvements          | Buildings and Energy           | DPW         | On-going   |
| E-3 - Renewable Energy                                 | Buildings and Energy           | DPW         | 50%        |
| L-1 - Landscape Management Guidelines                  | Land Management                | DPW         | 40%        |
| L-2 - Natural Resource Inventory                       | Land Management                | DEP         | 100%       |
| L-3 - Native Plant Policy                              | Land Management                | DEP         | 40%        |

We continue to reap the benefits of the paper reduction efforts that took place four years ago. The Green Team will look at ways to reengage employees on the topic in 2023.

This action will continue to be discussed at committee meetings in 2023.

This action will continue to be discussed at committee meetings in 2023.

Through much of 2022, we were unable to move forward with implementing the plans from the NYSDEC grant which includes collecting kitchen scraps from the Holding Center due to Covid-related restrictions and severe staffing shortages. However, plans are in place to start this program in early 2023.

The County utilizes Building Management Software (BMS) to operate many of the electrical and mechanical operations in County Buildings. Several buildings have incorporated a Real-Time Energy Management System into the BMS system to improve operations. Further work is being conducted through the Energy Performance Contract (see E-2) to coordinate scheduling with hours of operations and eliminate energy use during unoccupied hours. Further digitization of equipment will allow more operations to be tracked and optimized.

The County utilizes EPA Portfolio Manager to enter energy data from utility accounts to track electric and natural gas consumption over time. This allows the County to identify trends and address anomalies.

Through the Energy Performance Contract (EPC), the County is addressing more than 100 projects at over 40 County-owned buildings. These projects update the heating and cooling equipment to modern energy-efficient technology, upgrade the lighting to power saving LED fixtures and improve the control over building equipment by adding high-tech digital controls. The first phase of the EPC is estimated to reduce GHG emissions from County buildings by over 13%. A second EPC has been approved which will continue to reduce greenhouse gases by switching to electric fuel sources and reducing energy consumption at additional sites.

The County completed the construction of a 450kW system to add to its 2 MW portfolio.

The County continues towards its goal of 100% renewable energy through energy conservation, renewable production and REC purchasing.

The County has implemented low-mow and no-mow areas as outlined in the Parks Master Plan Update and wildflower areas are being designated throughout County Parks. A tree planting policy has been established. The need to update the Forest Management Plan remains.

The Erie County Natural Resource Inventory has been completed and is available on the Erie County website for internal and public use.

The Native Plant Policy has been drafted. A list of native and invasive plants exists, but needs to be scaled down and sorted by availability. To assist in this task, a survey may be created for local nurseries.

|  |                                   |            | 2022 Update |   |
|--|-----------------------------------|------------|-------------|---|
| Initiative   | Sector                            | Lead Dept. | % complete  |   |
| Wa-1 - Implement Green Infrastructure Projects   | Water Conservation and Stormwater | DEP        | On-going    | This is an ongoing initiative that will be completed on a project by project basis.   |
| Wa-2 - Educate Employees on Water Conservation and Protection  | Water Conservation and Stormwater | DEP        | On-going    | Employee education consisted of 9 employee trainings on the following topics: NYS stormwater permit regulations, illicit discharge detection, sampling and elimination, stormwater management practices/inspection, erosion and sediment control, construction site inspection, pollution prevention/good housekeeping, facility self-assessments.<br><br>The Lake Erie Watershed Protection Alliance (LEWPA), which Erie County participates in, developed watershed training videos for municipal officials and promoted them through local government training channels and the Erie County Earth Day Challenge. LEWPA conducted outreach at the Roaming Gnome Festival in downtown Buffalo in July 2022 on impervious vs. pervious surfaces and the impacts on water quality. LEWPA also assisted in planning a local government training on watershed and coastal resiliency issues in November 2022. LEWPA held four septic system maintenance workshops in fall 2022 throughout the tri-county area.<br><br>There has been no progress on evaluating alternative biosolids disposal methods as there are presently numerous unknowns due to pending Federal/State regulations. Improvements continue with regard to optimizing biosolids dewatering/stabilization. Design is in progress regarding the use of alternative fuels in the incineration process at the Southtowns Advanced Wastewater Treatment Facility (AWTF). Additionally, work has been bid for the anaerobic digester improvements at the Lackawanna Water Resource Recovery Facility (WRRF) and construction started in 2022.<br><br>The Strategic Energy Management pilots have been completed at the Southtowns AWTF and Big Sister Creek WRRF. Several initiatives have been implemented, with others in progress. There has been no progress on potential combined heat/power - likely this will be considered after the anaerobic digesters at the Lackawanna WRRF are upgraded. |
| S-1 - Investigate alternative means to manage biosolids at County owned water resource recovery facilities | Sewerage Management               | DSM        | 30%         |   |
| S-2 - Address GHG Impacts at Water Resource Recovery Facilities  | Sewerage Management               | DSM        | 75%         |   |
| S-3 - Triple Bottom Line Decision Making Process for Large Capital Projects                                | Sewerage Management               | DSM        | 100%        | A triple bottom line analysis was developed for evaluating options associated with major upgrades at the South towns facility.  |
| P-1 - Environmentally Friendly Procurement   | Purchasing                        | DEP        | 15%         | The Procurement and Waste Committee has discussed and outlined the procedures to review bids and specs to identify products being purchased by the County that are not environmentally preferable and determine alternative products. The Committee will meet in 2023 to discuss implementation strategy.   |

| Initiative                                    | Sector | Lead Dept. | % complete | 2022 Update   |
|---|--------|------------|------------|---|
| P-2 - Financial Mechanism for Climate Actions | Budget | DEP        | 100%       | <p>The Erie County Green Team and DEP oversee a funding mechanism for clean energy and sustainability projects originally called the Paris Fund, and since renamed the Climate Action Fund. DEP documents ongoing cost savings from energy conservation and waste projects (not including the Energy Performance Contract), and requests 50% of these savings are included in the County budget for the Climate Action Fund to be used for additional sustainability projects. Funded projects to date include heating and cooling projects in Parks' buildings, electric vehicles, electric vehicle chargers, and electric landscaping equipment, electric bicycles for the Sherriff's Office, energy conservation projects, support for a County waste study, and support of the Community Climate Action Plan.</p> |

## 2022 Summary Table of Initiatives - Erie County Climate Action and Sustainability Plan - Internal Operations - Priority Tier 2

| Initiative   | Sector                         | Lead Dept. | % complete | 2022 Update  |
|--|--------------------------------|------------|------------|--|
| C-4 - Expand Current Commuter Programs   | Transportation                 | DEP        | 25%        | Currently, because of IRS rules about transit pass distribution by employers, the Niagara Frontier Transportation Authority's fare system does not readily allow the County to offer pre-tax bus and train passes to County Employees. The NFTA is updating to a smart card based system very shortly, which will allow for this benefit.  |
| C-5 - Employee Schedule - Implement and promote a comprehensive flexible work schedule | Transportation                 | Personnel  | 75%        | A Work From Home Policy was developed and adopted by the County. A compressed work week policy is being rolled out in 2023.  |
| F-5 - Strategies to promote walking & Bicycling  | Transportation                 | DPW        | 40%        | Erie County participated in the development of the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) Regional Bicycle Master Plan, which was finalized in 2021. Erie County has developed implementation procedures to assist municipalities in the implementation of the plan. Municipalities will coordinate with GBNRTC for bicycle infrastructure on County-owned roads within their community.<br><br>DEP is on the Live Well Erie (LWE) Older Adult Transportation sub-committee discussing walkability and has started conversations with the Health Department as they are looking at Complete Street infrastructure to improve walkability in Erie County. |
| W-7 - Divert Waste from Landfill, Increase Recycling & Reuse                           | Waste Management and Recycling | DEP        | On-going   | Co-mingled or single-stream recycling has returned on a limited basis in the Rath Building and other sites as deemed possible by Buildings and Grounds. No progress on reviving the printer cartridge recycling program. A compost program for coffee grounds is being rolled out in 2023.   |
| E-4 - Increased Standards for Building Design and Construction                         | Buildings and Energy           | DPW        | On-going   | All newly constructed buildings are evaluated for LEED eligibility with the Erie Community College STEM building and the Botanical Gardens Expansion being recent examples of LEED certified projects. Smaller construction projects are subject to the NYS 2020 Energy Code to maximize energy efficiency.  |
| L-5 - Reuse/repurpose underutilized properties for sustainability projects             | Land Management                | DEP        | On-going   | Erie County completed the construction of a 445kw solar array on the existing brownfield located at 303 Woodward Avenue. DPW and the solar contractor worked with DEC to create a plan that would minimize soil disturbance to the area.   |

| Initiative   | Sector                            | Lead Dept. | % complete | 2022 Update   |
|--|-----------------------------------|------------|------------|---|
| Wa-3 - Conserve Water in County Owned Buildings                        | Water Conservation and Stormwater | DPW        | On-going   | Erie County upgraded all sink faucets and bathroom flush valves to touchless fixtures. These modern fixtures have reduced the consumption of water by an estimated 6 million gallons per year.  |
| Wa-4 - Erosion and Flooding Control using Natural or Organic materials | Water Conservation and Stormwater | DEP        | on-going   | The Lake Erie Watershed Protection Alliance (LEWPA) has continued implementing riparian buffers in Erie County. Additionally LEWPA is continuing to conduct stream assessments that include bank assessments. Approximately 61 miles of streams in the Headwaters Cattaraugus Creek Sub-watershed have been mapped. |
| S-4 - Assess Sewer Collection System Carbon Footprint                  | Sewerage Management               | DSM        | on-going   | The Division of Sewerage Management is continually investing in the collection systems of the Erie County Sewer Districts to eliminate infiltration/inflow (I/I) to decrease the amount of flow that must be pumped and treated.  |

## Acronyms

|                |  |                |  |
|----------------|--|----------------|--|
| <b>AVL</b>     | Automatic Vehicle Locator                                  | <b>KW</b>      | Kilowatt   |
| <b>AWTF</b>    | Advanced Wastewater Treatment Facility                     | <b>LED</b>     | Light Emitting Diode                                     |
| <b>CASP</b>    | Climate Action & Sustainability Plan - Internal Operations | <b>LEED</b>    | Leadership in Energy and Environmental Design            |
| <b>CCAP</b>    | Community Climate Action Plan                              | <b>LEWPA</b>   | Lake Erie Watershed Protection Alliance                  |
| <b>CLCPA</b>   | Climate Leadership and Community Protection Act            | <b>LWE</b>     | Live Well Erie   |
| <b>DEP</b>     | Department of Environment and Planning                     | <b>MCO2E</b>   | Metric tons of carbon dioxide equivalent                 |
| <b>DISS</b>    | Division of Information Support and Services               | <b>MW</b>      | Megawatt   |
| <b>DPW</b>     | Department of Public Works                                 | <b>NFTA</b>    | Niagara Frontier Transportation Authority                |
| <b>DSM</b>     | Department of Sewerage Management                          | <b>NRI</b>     | Natural Resource Inventory                               |
| <b>DSS</b>     | Department of Social Services                              | <b>NYSDEC</b>  | New York State Department of Environmental Conservation  |
| <b>EC</b>      | Erie County  | <b>NYSERDA</b> | New York State Energy Research and Development Authority |
| <b>ECC</b>     | Erie Community College                                     | <b>C-PACE</b>  | Commercial - Property Assessed Clean Energy              |
| <b>ECCF</b>    | Erie County Correctional Facility                          | <b>REC</b>     | Renewable Energy Certificate                             |
| <b>ECLIPSE</b> | Erie County Low Income Program for Sustainable Energy      | <b>RFP</b>     | Request for proposals                                    |
| <b>ECMC</b>    | Erie County Medical Center                                 | <b>SOP</b>     | Standard Operating Procedure                             |
| <b>EIC</b>     | Energy Improvement Corporation                             | <b>STEM</b>    | Science, technology, engineering and math                |
| <b>EMC</b>     | Environmental Management Council                           | <b>SUNY</b>    | State University of New York                             |
| <b>EPC</b>     | Energy Performance Contract                                | <b>SWPPP</b>   | Stormwater pollution prevention plan                     |
| <b>EV</b>      | Electric Vehicle   | <b>UB</b>      | University at Buffalo                                    |
| <b>GBNRTC</b>  | Greater Buffalo Niagara Regional Transportation Council    | <b>WFH</b>     | Work from home   |
| <b>GHG</b>     | Greenhouse gas   | <b>WNY</b>     | Western New York   |
| <b>HD</b>      | Heavy Duty   | <b>WNYSBR</b>  | Western New York Sustainable Business Roundtable         |
| <b>HEAP</b>    | Home Energy Assistance Program                             | <b>WRRF</b>    | Water resource recovery facilities                       |
| <b>HVAC</b>    | Heating, ventilation, and air conditioning                 | <b>YD</b>      | Youth Detention  |
| <b>I/I</b>     | Infiltration/inflow  |                |  |
| <b>IRS</b>     | Internal Revenue Service                                   |                |  |

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SUBJECT

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|            |                                |   |
|------------|--------------------------------|---|
| COMM. 5D-3 | DIVISION OF AUDIT &<br>CONTROL | Audit of Erie County Department of Senior<br>Services - Congregate Dining Nutrition |
|------------|--------------------------------|---|

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Attachments

23COMM. 5D-3

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**March 2023**

EC LEG MAR 3 '23 PM 1:58

**Audit of the Erie County Department of Senior  
Services Congregate Dining Nutrition  
Grant 163III-C-12021  
January 1, 2021 through December 31, 2021**



**KEVIN R. HARDWICK  
ERIE COUNTY COMPTROLLER**

**HON. KEVIN R. HARDWICK  
ERIE COUNTY COMPTROLLER'S OFFICE  
DIVISION OF AUDIT & CONTROL  
95 FRANKLIN STREET  
BUFFALO, NEW YORK 14202**



March 3, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

Dear Honorable Members:

The Erie County Comptroller's Office has completed an audit of Erie County's Department of Senior Services Congregate Dining Nutrition Grant 163III-C-12021 for the period of January 1, 2021, through December 31, 2021.

Our objectives were to test the participant contribution transactions and to evaluate the internal controls that were established to handle the revenue transactions.

The scope of our audit included testing the SAP accounting entries and supporting documentation including bank deposits of participant contributions in Fund 281, Business Area 163. In addition, the report details the methodology employed during the audit, which can be found in Appendix A.

Management of the Department of Senior Services is responsible for establishing and maintaining a system of internal controls. The objectives of such a system are to provide management with reasonable, but not absolute assurance that transactions are properly recorded and executed in accordance with management's authorization. Due to the inherent limitations in the system of internal controls, errors or irregularities could occur and may not be detected.

Our responsibility is to express an opinion based on our audit. We conducted our audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, and appropriate evidence to provide a reasonable basis for our results and comments based on our audit objectives. We believe that based on our audit objectives, the evidence obtained provides a reasonable basis for our results and comments.

**Opinion**

In our opinion, the internal controls over the handling and reporting of participant contributions are adequately designed and operating effectively.

No other specific matters adversely affecting compliance and procedures came to our attention. Our audit was conducted for the purpose previously discussed and would not necessarily disclose all instances of noncompliance with respect to areas of operations not audited.

## **BACKGROUND**

The purpose of the Congregate Dining Nutrition Grant 163III-C-12021 is to help elderly persons maintain their nutritional well-being and social independence. The grant is funded by both Federal and County funding, in addition to voluntary participant contributions. This grant is a continuation of an existing grant from the New York State Office for the Aging (NYSOFA). NYSOFA oversees the Senior Services Congregate Dining Program, providing program and reporting guidelines.

The Congregate Dining Program, also known as the Stay Fit Dining Program, provides hot meals at midday to congregate sites throughout Erie County on most weekdays. An individual must be 60 years of age or older to be an eligible participant. Eligible participants are asked to make a suggested voluntary contribution. Persons under the age of 60 can participate however, they must make a specified contribution to purchase a meal.

## **AUDIT RESULTS**

All audit results were communicated to the Department of Senior Services during the audit.

### **1. General Ledger ("GL") Revenue Account 417000 Participant Contributions:**

A sample of 79 of the total 1961 transactions recorded in SAP for this GL account during the audit period were tested for the following:

- Verified the Congregate Dining Weekly Reports were completed and submitted by each dining site. These weekly reports record the number of lunches that were served and the total amount of participant contributions that were collected.
- Verified the amount collected matched the M&T Bank Nutrition deposit ticket.
- Verified the amount collected matched the M&T Bank Nutrition deposit receipt.
- Verified the amount collected traced to the M&T Bank Nutrition bank statement.

No discrepancies were noted.

### **2. For the audit period, participant contributions deposited into the M&T Bank Nutrition account were verified and traced to the M&T Bank General Fund account.**

- All congregate dining sites, except for the Evans, Alden, and Akron, deposit participant contributions into the M&T Bank Nutrition account. The Comptroller's Office Accounting Division transfers the monthly balances from the M&T Bank Nutrition account into the M&T Bank General Fund account. All deposits that went into the M&T Bank Nutrition account were traced to the M&T Bank General Fund account for the audit period.
- The Akron dining site deposits the participant contributions into a designated Erie County Nutrition account at Bank on Buffalo; the Comptroller's Office has custody of this account.

- The Alden dining site deposits the participant contributions into a designated Erie County Nutrition account at Alden State Bank; the Comptroller's Office has custody of this account.
- The Evans dining site deposits the participant contributions into a Trust in Agency account at Evans Bank under the custody of the Town of Evans, and then weekly they write a check to Erie County and mail it along with the Congregate Dining Weekly Report to the attention of the Senior Services Department for processing.

No discrepancies were noted.

3. SAP General Ledger monthly deposit transactions recorded in the SAP GL Nutrition account were verified and traced to the SAP GL General Fund for the audit period.

- SAP general ledger deposits are posted from a BAI (Bank Administration Institute) upload file from M&T Nutrition Bank account to the SAP general ledger M&T Bank account (Debit) and the SAP general ledger revenue account (Credit) 417000 Participant Contributions. The Comptroller's Office Accounting Division transfers the monthly general ledger balances from the SAP Nutrition account into the SAP General Fund account. All transactions for the audit period were tested.

No discrepancies were noted.

4. Bank Reconciliations

- Participant contributions for the audit period were traced back to the M&T Bank Nutrition Bank statement reconciliation and M&T Bank General Fund Bank statement reconciliation for the audit period.

No discrepancies were noted.

5. Congregate Dining Weekly Sheets

- Sample of 28 Weekly Congregate Dining Sheets were reviewed for completeness, accuracy, and proper approval by the site manager.

No discrepancies were noted.

6. Large Dollar (Unusual) Transactions

- For the audit period, all revenue transactions in account 417000 Participant Contributions, with a dollar value above \$900 were examined for supporting documentation.

No discrepancies were noted, however 3 transactions resulted in Audit Comment #3.

## **AUDITOR COMMENTS and RECOMMENDATIONS**

All audit COMMENTS and RECOMMENDATIONS were communicated to the Comptroller's Office and Department of Senior Services during the audit.

### **1. Cash Balances in Alden State Bank and Bank on Buffalo Nutrition bank accounts**

- This AUDIT COMMENT and RECOMMENDATION are a restatement from the 2019 Congregate Dining Grant Audit. Inspection of both the Alden State Bank and Bank on Buffalo bank statements revealed cash balances continue to accumulate and have yet to be transferred to the M&T Bank General Fund account. The combined cash balances of these two bank accounts total appropriately \$465,000 at the end of 2021.

We recommend the Comptroller's Office Accounting Division schedule periodic transfers to the M & T Bank General Fund account from Alden State Bank and Bank on Buffalo Nutrition bank accounts.

### **2. Bank Signature Cards for the Alden State Bank and Bank on Buffalo bank accounts.**

- A discussion with the Deputy Comptroller revealed that as of July 7, 2022, the Comptroller's Office had updated the signature cards for the Alden State Bank account to reflect current authorized signers, signature cards for the Bank of Buffalo account were updated on January 6, 2023.
- We recommend the Comptroller's Office Accounting Division manage and schedule timely changes when authorized signers change on all Erie County depository and investment accounts. Bank signature cards are essential documents proving authentic identity in financial transactions and are a key internal control designed to reduce and manage the risk of theft of public funds.

### **3. Congregate Dining Grant 163III-C-12021 deposits recorded in prior year 2020 Grant.**

- The Comptroller's Office recorded the monthly participant contribution deposits for January, February and March 2021 in the prior year 2020 Grant. The Comptroller's Office made the necessary adjustments in March of 2021 to properly reflect the deposits in the 2021 Grant.
- We recommend the Comptroller's Office review procedures to accurately record the grant's fiscal information in the proper grant and year. This will allow for timely and proper financial reporting and management.

## **RESULTS OF EXIT CONFERENCE**

An exit conference was held February 17, 2023, with the Commissioner of Senior Services, members of her staff, and the Deputy Comptroller. The draft audit report was reviewed and discussed. The Commissioner of Senior Services and Deputy Comptroller were in general agreement. The Commissioner of Senior Services provided a written response to Audit Comment 3 and the Deputy Comptroller provided a written response to Audit Comments 1 & 2.

The Erie County Comptroller's Office would like to thank the Commissioner of Senior Services and her staff members as well as the Deputy Comptroller and his staff members for the courtesy extended to us during the audit.

## **ERIE COUNTY COMPTROLLER'S OFFICE**

cc: Angela Marinucci, Commissioner of Senior Services  
Hon. Mark C. Poloncarz, Erie County Executive  
Hon. Kevin R. Hardwick, Erie County Comptroller  
Robert. W. Keating, Director, Division of Budget, and Management  
Erie County Fiscal Stability Authority

## APPENDIX

### Appendix A:

#### Audit Methodology

The goals of this audit were to test and evaluate the revenue transactions for participant contributions and to evaluate the internal controls that applied to the revenue transactions.

To achieve these goals, we tested the internal controls currently being followed by the Senior Services' dining program, grant administration, as well as three congregate dining sites. Internal Control and Systems Control Questionnaires were utilized to document discussions with the staff related to the Senior Services Department policy & procedures used to process and record financial transactions in the accounting system ("SAP").

Tests of controls were designed, executed, and then reviewed for adequacy. Tests were performed by sampling 79 participant contribution revenue transactions in SAP and comparing them to supporting documentation that included:

- 1) Weekly Congregate Dining Reports
- 2) M&T Nutrition Bank Deposit Tickets
- 3) M&T Bank Deposit Receipts
- 4) M&T Bank Statements

In addition to testing the 79 individual transactions, the 2021 monthly deposits for participant contributions in the M&T Bank Nutrition account were traced to the M&T Bank General Fund. Testing included tracing the 2021 monthly SAP revenue transactions for participant contributions from the Nutrition GL account to the General Fund GL account.

Because Alden, Akron and Evans dining sites do not have access locally to a M&T Bank, deposits of participant contributions were deposited into Alden State Bank, Bank on Buffalo, and Evans Bank respectively, and deposits were tested to verify they were being transferred periodically to the M&T Bank Nutrition account, with the proper SAP revenue reporting.

Bank Reconciliations were tested to verify that the M&T Bank Nutrition account, M&T Bank General Fund account, Alden State Bank and Bank on Buffalo accounts are reconciled monthly by the Comptroller's Office.

The Alden State Bank and Bank on Buffalo signature cards were reviewed to ensure proper authorized signers were updated.

A sample of Weekly Congregate Dining Reports were reviewed for completeness, accuracy, and documented approval according to Senior Services' policy and procedures.

Review of large dollar transactions was done to test for supporting documentation of the transaction and assess why the transaction was completed and authorized.

This evidence, taken as a whole, was used to form an opinion based on our objectives.

## **Appendix B: Auditee's Response to the Audit Report**

### **Comptroller's Office response to the draft audit report - Auditor Comments 1,2 & 3**

#### **Auditor Comment 1**

After consulting with the Department of Senior Services and holding a meeting with them, the Division of Accounting made the decision in January 2023 (prior to the draft audit report being issued) to close the two nutrition accounts and to transfer their balances to the nutrition account at M&T Bank. In January 2023, we asked the Towns of Newstead (Village of Akron) and Alden to stop depositing participant contributions in each bank account and to instead, deposit the funds into their government accounts, and then to write checks payable to the County for the deposited amount (similar to what happens with the Town of Evans). The towns agreed to do so. At the request of Senior Services, however, we have not yet closed the accounts. Senior Services requested more time for the two towns to make deposits under the new protocol before we close the Alden State Bank and Bank on Buffalo nutrition bank accounts. We expect to be able to close the accounts in March 2023.

#### **Auditor Comment 2**

The Division of Accounting contacted the Bank on Buffalo. After several email exchanges, the Bank on Buffalo confirmed that the Bank Signature Cards reflect the current Comptroller and Deputy Comptroller as of January 6, 2023.

#### **Auditor Comment 3**

The Comptroller's Office did not update the 2021 Grant in the BAI configuration in SAP until March 29, 2021, after being advised by Senior Services Grant Administration on March 23, 2021. This resulted in Q1 2021 participant contribution transactions being recorded in the prior year 2020 grant. Adjusting journal entries by the Comptroller's Office were required to properly record the revenue in the 2021 grant.

### **Senior Services' response to the draft audit report - Auditor Comment 3**

Following the Department of Senior Services' standard process, the Department, via email, notified the Comptroller's Office on December 22, 2020 that as of January 1, 2021 deposits in the nutrition bank account needed to be booked to the 163III-C-12021 grant, the 2021 grant. The Comptroller's Office did not update the deposits to the 2021 grant until the Comptroller's Office was notified a second time of the appropriate grant by the Department of Senior Services in March 2021.

Since March of 2021, the Department of Senior Services has begun confirming in January of each new year that deposits are allocated by the Comptroller's Office to the proper grant, in addition to the standard protocol of notifying the Comptroller's Office in December of each year of new grant numbers.

Erie County Legislature  
Meeting Date: 03/09/2023

15. 4.

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SUBJECT

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COMM. 5D-4

COUNTY ATTORNEY

Transmittal of New Claims Against Erie  
County

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Attachments

23COMM. 5D-4

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EC LEG MAR 6 '23 AM 11:11

# COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

MARK C. POLONCARZ  
COUNTY EXECUTIVE

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

## MEMORANDUM

TO: Robert M. Graber, Clerk, Erie County Legislature  
FROM: Jeremy C. Toth, First Assistant County Attorney  
DATE: March 3, 2023  
RE: Transmittal of New Claims Against Erie County

*JCT/dld*

Mr. Graber:

In accordance with the Resolution passed by the Erie County Legislature on June 25, 1987 (Int. 13-14), attached please find 11 new claims brought against the County of Erie. The claims are as follows:

### Claim Name

1. Aaron Griffin v. County of Erie;
2. Kellie Bolden v. County of Erie, et al.;
3. Christopher Greeley v. County of Erie, et al.;
4. Brandon Baumeister v. Erie County Sheriff's Office, et al.;
5. Charlene Thurman v. Erie County Sheriff's Office, et al.;
6. Linda Gaydek v. ECMCC and County of Erie;
7. Julie Lang v. County of Erie, et al.;
8. Perez Aughtry v. Erie County Holding Center;
9. Suzanne Davies v. County of Erie;
10. Andrea George v. County of Erie, et al.; and
11. Concordia Ministries of New York, Inc. v. County of Erie, et al.

JCT:dld  
Attachments



JEREMY C. TOTH  
COUNTY ATTORNEY

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

DEPARTMENT OF LAW

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

January 27, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |  |
|----------------------|--|
| File Name:           | <i>Griffin, Aaron A. v. County of Erie</i>                                       |
| Document Received:   | EEOC Charge of Discrimination  |
| Name of Claimant:    | Aaron A. Griffin<br>2911 William Street, Apt. 222<br>Cheektowaga, New York 14227 |
| Claimant's attorney: | Claimant is <i>pro se</i> .  |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.



**PRIVACY ACT STATEMENT:** Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

#### **NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW**

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

#### **NOTICE OF NON-RETALIATION REQUIREMENTS**

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.



# COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

**MARK C. POLONCARZ**

COUNTY EXECUTIVE  
DEPARTMENT OF LAW

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 1, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

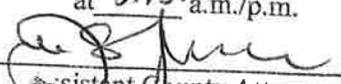
|                      |   |
|----------------------|---|
| File Name:           | <i>Bolden, Kellie P. v. County of Erie and<br/>Erie County Water Authority</i>  |
| Document Received:   | Notice of Claim   |
| Name of Claimant:    | Kellie P. Bolden<br>1033 Ellicott Street, Apt. 2<br>Buffalo, New York 14209   |
| Claimant's attorney: | Thomas M. Mercure, Esq.<br>Lipsitz Green Scime Cambria LLP<br>42 Delaware Avenue, Suite 120<br>Buffalo, New York 14202-3924 |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

This paper received at the  
Erie County Attorney's Office  
from ROCCO ZENDANO, JR.  
the 6<sup>th</sup> day of OCTOBER 20 22  
at 3:15<sup>pm</sup> a.m./p.m.  
  
Assistant County Attorney

---

In the Matter of the Claim of

KELLIE P. BOLDEN,

**NOTICE OF CLAIM**

Claimant,

- against -

COUNTY OF ERIE and  
ERIE COUNTY WATER AUTHORITY

---

TO: COUNTY OF ERIE  
Edward A. Rath County  
Office Building  
95 Franklin Street, 16<sup>th</sup> Floor  
Buffalo, NY 14202

ERIE COUNTY WATER AUTHORITY  
295 Main Street, Room 350  
Buffalo, NY 14203

PLEASE TAKE NOTICE, that KELLIE P. BOLDEN, has and hereby makes claim against COUNTY OF ERIE and ERIE COUNTY WATER AUTHORITY, and in support of said claim states the following:

1. The Post Office address of the claimant is 1033 Ellicott Street, Apartment 2, Buffalo, NY 14209.
2. The attorneys for the claimant are LIPSITZ GREEN SCIME CAMBRIA LLP, and their Post Office address is 42 Delaware Avenue, Suite 120, Buffalo, New York 14202-3924.
3. The claim of KELLIE P. BOLDEN is for personal injuries, including without limitation, loss of income and medical expenses.
4. The claim arose at the intersection of Union Road and Fath Drive, located in the Town of Cheektowaga, County of Erie and State of New York.

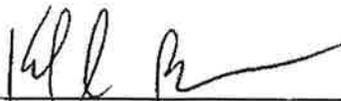
5. The claim arose in substance as follows: On the 9<sup>th</sup> day of August, 2022, at approximately 1:23 p.m., the claimant, KELLIE P. BOLDEN, was operating her vehicle on Union Road at a point near its intersection with Fath Drive, both public highways located within the Town of Cheektowaga, County of Erie and the State of New York, when a vehicle operated by COUNTY OF ERIE and ERIE COUNTY WATER AUTHORITY came into contact with the vehicle operated by the claimant, resulting in serious injuries to the claimant.

6. Upon information and belief, the incident herein described and the resultant injuries and damages sustained were caused as a result of the negligence, carelessness, recklessness and/or unlawful conduct on the part of the agents, servants and/or employees of COUNTY OF ERIE and ERIE COUNTY WATER AUTHORITY.

7. Upon information and belief, as a result of the aforesaid incident, the claimant, KELLIE P. BOLDEN, sustained severe bodily injuries and was painfully and seriously injured; was rendered sick, sore, lame and disabled; sustained pain and suffering and shock to her nerves and nervous system; and more particularly, KELLIE P. BOLDEN, sustained injuries to her head, right hand, left shoulder, right knee, right hip and back. Upon information and belief, these injuries will result in permanent defects.

WHEREFORE, claimant requests that COUNTY OF ERIE and ERIE COUNTY WATER AUTHORITY honor and pay the claim on behalf of KELLIE P. BOLDEN.

DATED: Buffalo, New York  
September 30, 2022

  
KELLIE P. BOLDEN

**LIPSITZ GREEN SCIME CAMBRIA LLP**

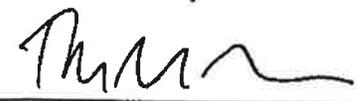
By:   
THOMAS M. MERCURE, ESQ.  
Attorneys for Claimant  
Office and P.O. Address  
42 Delaware Avenue, Suite 120  
Buffalo, New York 14202-3924  
(716) 849-1333  
[TMM: #71698.0001]

STATE OF NEW YORK    )  
                                  ) SS.:  
COUNTY OF ERIE        )

KELLIE P. BOLDEN, being duly sworn deposes and says that she is the claimant above named; and makes this claim on behalf of self; she has read the foregoing claim and knows the contents thereof; the same is true to the knowledge of the claimant except for the matters herein alleged upon information and belief, and as to those matters, she believes them to be true.

  
KELLIE P. BOLDEN

Sworn to before me on this  
30<sup>th</sup> day of September, 2022.

  
\_\_\_\_\_  
Notary Public

THOMAS M. MERCURE  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 17, 2023



# COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

**MARK C. POLONCARZ**

COUNTY EXECUTIVE  
DEPARTMENT OF LAW

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 1, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |   |
|----------------------|---|
| File Name:           | <i>Greeley, Christopher v. County of Erie,<br/>et al.</i>                                   |
| Document Received:   | Notice of Claim   |
| Name of Claimant:    | Christopher Greeley<br>2796 West Pleasant Avenue<br>Eden, New York 14057                    |
| Claimant's attorney: | Jason M. Telaak, Esq.<br>Campbell & Associates<br>38 Lake Street<br>Hamburg, New York 14075 |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

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IN THE MATTER OF THE CLAIM OF  
CHRISTOPHER GREELEY,

Claimant,

-vs-

ERIE COUNTY MEDICAL CENTER,  
ERIE COUNTY MEDICAL CENTER CORPORATION,  
and COUNTY OF ERIE,

Respondents.

---

**NOTICE OF CLAIM**

This paper received at the  
Erie County Attorney's Office  
from Doug D. Fuppe on  
the 12 day of January, 2023  
at 1:05 a.m./p.m.  
G.M.  
Assistant County Attorney

TO: ERIE COUNTY MEDICAL CENTER  
462 Grider Street  
Buffalo, New York 14215

TO: ERIE COUNTY MEDICAL CENTER CORPORATION  
462 Grider Street  
Buffalo, New York 14215

TO: COUNTY OF ERIE  
Erie County Attorney  
95 Franklin Street  
Room 1634  
Buffalo, New York 14202

PLEASE TAKE NOTICE that the Claimant herein makes Claim and demand against the  
ERIE COUNTY MEDICAL CENTER, ERIE COUNTY MEDICAL CENTER CORPORATION,  
and COUNTY OF ERIE, as follows:

(1) The name and post office address of the Claimant is:

Christopher Greeley  
2796 West Pleasant Ave  
Eden, New York 14057

(2) The name and post office address of the Claimant's attorney is:

Jason M. Telaak, Esq.  
CAMPBELL & ASSOCIATES  
38 Lake Street  
Hamburg, New York 14075

(3) The nature of the Claim is for injuries and related damages caused by the negligence and medical malpractice of ERIE COUNTY MEDICAL CENTER, ERIE COUNTY MEDICAL CENTER CORPORATION, and COUNTY OF ERIE, and their agents, servants, and/or employees.

(4) The Claim arose in connection with post-surgical care and treatment of Claimant, CHRISTOPHER GREELEY, after he underwent right arm surgery, which consisted of right upper extremity exploration; primary repair right brachial artery; repair of right brachial artery with interposition graft using great saphenous vein in a reverse fashion; harvest of the left great saphenous vein; control and ligation of lacerated brachial veins; and complex multilayered repair of right antecubital fossa laceration. That surgery was performed on or about October 9, 2021 through October 10, 2021, by Jeffrey J. Brewer, MD, Helen A. Potter, MD (RES), and Sikandar Khan, MD, MBBS. It was performed at ERIE COUNTY MEDICAL CENTER, 462 Grider Street, City of Buffalo, County of Erie, State of New York, a facility owned and operated by ERIE COUNTY MEDICAL CENTER CORPORATION and/or COUNTY OF ERIE. Following that surgery, Claimant remained under the custody and care of ERIE COUNTY MEDICAL CENTER, ERIE COUNTY MEDICAL CENTER CORPORATION, and/or COUNTY OF ERIE, their agents, servants, and/or employees, until his discharge on or about November 1, 2021. During that time period, Claimant developed compartment syndrome of his left lower extremity, and the Respondents failed to timely and properly diagnose and treat his condition, as set forth herein.

It is alleged that ERIE COUNTY MEDICAL CENTER, ERIE COUNTY MEDICAL CENTER CORPORATION, and COUNTY OF ERIE, their agents, servants, and/or employees, failed to timely and properly diagnose and treat Claimant's left lower extremity compartment syndrome, causing Claimant to sustain severe and permanent injuries, including but not limited to left foot drop, and requiring him to undergo multiple surgeries of the left lower extremity.

It is alleged, upon information and belief, that ERIE COUNTY MEDICAL CENTER, ERIE COUNTY MEDICAL CENTER CORPORATION, and COUNTY OF ERIE, and their agents, servants, and/or employees, negligently, carelessly, and/or recklessly: failed to meet required standards of care; failed to properly hire, train, and supervise employees and staff; failed to properly monitor and document the patient's condition; failed to properly examine the patient; failed to observe and report relevant signs and/or symptoms; failed to properly treat, monitor, and observe the patient; failed to properly communicate and/or consult with other medical professionals; failed to provide properly trained and knowledgeable personnel; failed to recognize and address relevant symptoms; failed to properly respond to and/or investigate patient complaints; failed to provide proper and complete post-surgical monitoring and care; failed to recognize and/or properly address patient's post-surgical swelling, pain, and development of left lower extremity compartment syndrome and left foot drop; and failed to timely and properly identify and/or respond to serious, life-threatening conditions.

It is alleged, upon information and belief, the injury was caused, in whole or in part, by the negligence, carelessness, recklessness, and/or malpractice of ERIE COUNTY MEDICAL CENTER, ERIE COUNTY MEDICAL CENTER CORPORATION, and/or COUNTY OF ERIE, by and through their agents, servants, and/or employees, without any fault on the part of the Claimant herein.

(5) The items of damages and injuries sustained by the Claimant, CHRISTOPHER GREELEY, as known at this juncture, include: acute compartment syndrome of the left lower extremity; left foot drop with left leg anterolateral compartment edema and overlying bruising; left peroneal nerve palsy; necrosis of the musculature in the left lower leg; permanent muscle and nerve damage; loss of dorsiflexion of the left foot; the need for multiple surgeries resulting in permanent scarring and disfigurement of the left lower extremity; all with associated pain, suffering, and loss of strength and mobility.

On October 18, 2021, Claimant underwent left leg anterolateral fasciotomy, performed by Sikandar Khan, MBBS, at ERIE COUNTY MEDICAL CENTER.

On October 22, 2021, Claimant underwent exploration and debridement of left leg fasciotomy wound, sharp excisional debridement of muscle using electrocautery and scissors, performed by Sikandar Khan, MBBS, at ERIE COUNTY MEDICAL CENTER.

On October 26, 2021, Claimant underwent exploration and debridement of the left leg fasciotomy wound, sharp excisional debridement of muscle using electrocautery and scissors, performed by Sikandar Khan, MBBS, at ERIE COUNTY MEDICAL CENTER.

On October 29, 2021, Claimant had a wound VAC placed to the left lower extremity fasciotomy site, performed at ERIE COUNTY MEDICAL CENTER.

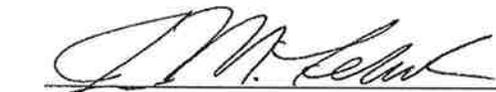
Upon information and belief, the aforementioned injuries are permanent and progressive in nature, will require future medical care and treatment and possible surgical intervention, together with the risks attendant thereto, as well as the development of pain and suffering, the full nature and extent of which are unknown at this time.

Claimant will seek to charge the Respondents herein with all items of loss and damages allowable by law, including but not limited to past and future damages for medical, hospital, and

other related expenses; past and future loss of earnings; past and future conscious pain and suffering; past and future loss of use and function; and past and future scarring and disfigurement.

Dated: Hamburg, New York  
July 6, 2022

  
CHRISTOPHER GREELEY

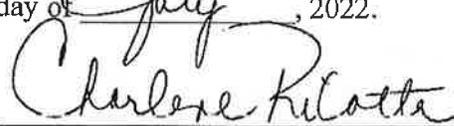
  
Jason M. Telaak, Esq.  
CAMPBELL & ASSOCIATES  
Attorneys for Claimant  
38 Lake Street  
Hamburg, New York 14075  
(716) 992-2222

VERIFICATION

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF ERIE             )

CHRISTOPHER GREELEY, being duly sworn, deposes and says that he is the Claimant in the within action; that he has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to his own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, deponent believes it to be true.

  
\_\_\_\_\_  
CHRISTOPHER GREELEY

Sworn to before me this 6<sup>th</sup>  
day of July, 2022.  
  
\_\_\_\_\_  
Notary Public

CHARLENE RICOTTA  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01R16217489  
Qualified in Erie County  
My Commission Expires February 08, 2026





# COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

**MARK C. POLONCARZ**

COUNTY EXECUTIVE  
DEPARTMENT OF LAW

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 1, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |  |
|----------------------|--|
| File Name:           | <i>Baumeister, Brandon v. Erie County,<br/>Erie County Sheriff's Office, et al.</i>                                |
| Document Received:   | Notice of Claim  |
| Name of Claimant:    | Brandon G. Baumeister<br>Erie County Correctional Facility<br>11581 Walden Avenue<br>Alden, New York 14004         |
| Claimant's attorney: | Robert M. Corp<br>Lipsitz Green Scime Cambria LLP<br>42 Delaware Avenue, Suite 120<br>Buffalo, New York 14202-3924 |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

In the Matter of the Claim of

BRANDON G. BAUMEISTER

**NOTICE OF CLAIM**

Claimant,

-against-

ERIE COUNTY,  
ERIE COUNTY SHERIFF'S OFFICE,  
CITY OF BUFFALO,  
BUFFALO POLICE DEPARTMENT,  
NIAGARA COUNTY,  
NIAGARA COUNTY SHERIFF'S DEPARTMENT,  
CITY OF NIAGARA FALLS,  
NIAGARA FALLS POLICE DEPARTMENT,  
VILLAGE OF LEWISTON,  
TOWN OF LEWISTON,  
LEWISTON POLICE DEPARTMENT,  
POLICE OFFICER CERVONI (FIRST NAME UNKNOWN),  
POLICE OFFICER BAUER (FIRST NAME UNKNOWN),  
POLICE OFFICER KUHN (FIRST NAME UNKNOWN),  
POLICE OFFICER LISKIEWICZ (FIRST NAME UNKNOWN),  
POLICE OFFICER LAZARCYZK (FIRST NAME UNKNOWN),  
POLICE OFFICER SOLURI (FIRST NAME UNKNOWN),  
POLICE OFFICER ELLIS (FIRST NAME UNKNOWN),  
POLICE OFFICER KIEFFER (FIRST NAME UNKNOWN),  
POLICE OFFICER JONATHAN EMMONS,  
POLICE OFFICER JOSHUA BELIN,  
POLICE OFFICER S. FURY (FIRST NAME UNKNOWN),  
POLICE OFFICER J. VILIANI (FIRST NAME UNKNOWN),  
POLICE OFFICER J. SCHWARZMUELLER (FIRST NAME UNKNOWN),  
POLICE OFFICER A. MOEN (FIRST NAME UNKNOWN),  
POLICE OFFICER M. KIDDER (FIRST NAME UNKNOWN),  
JOHN DOE #1-20

TO: ERIE COUNTY,  
ERIE COUNTY SHERIFF'S DEPARTMENT,  
CITY OF BUFFALO,

This paper received at the  
Erie County Attorney's Office  
from Ryan Maccarrick  
On 13th day of Dec, 2022  
at 8:58 a.m./p.m.  
[Signature]  
Assistant County Attorney

BUFFALO POLICE DEPARTMENT,  
NIAGARA COUNTY,  
NIAGARA COUNTY SHERIFF'S DEPARTMENT,  
CITY OF NIAGARA FALLS,  
NIAGARA FALLS POLICE DEPARTMENT,  
VILLAGE OF LEWISTON,  
TOWN OF LEWISTON,  
LEWISTON POLICE DEPARTMENT,  
POLICE OFFICER CERVONI (FIRST NAME UNKNOWN),  
POLICE OFFICER BAUER (FIRST NAME UNKNOWN),  
POLICE OFFICER KUHN (FIRST NAME UNKNOWN),  
POLICE OFFICER LISKIEWICZ (FIRST NAME UNKNOWN),  
POLICE OFFICER LAZARCYZK (FIRST NAME UNKNOWN),  
POLICE OFFICER SOLURI (FIRST NAME UNKNOWN),  
POLICE OFFICER ELLIS (FIRST NAME UNKNOWN)  
POLICE OFFICER KIEFFER (FIRST NAME UNKNOWN),  
POLICE OFFICER JONATHAN EMMONS,  
POLICE OFFICER JOSHUA BELIN,  
POLICE OFFICER S. FURY (FIRST NAME UNKNOWN),  
POLICE OFFICER J. VILIANI (FIRST NAME UNKNOWN),  
POLICE OFFICER J. SCHWARZMUELLER (FIRST NAME UNKNOWN),  
POLICE OFFICER A. MOEN (FIRST NAME UNKNOWN),  
POLICE OFFICER M. KIDDER (FIRST NAME UNKNOWN),  
JOHN DOE #1-20

PLEASE TAKE NOTICE, that BRANDON G. BAUMEISTER, has and hereby makes claim against ERIE COUNTY, ERIE COUNTY SHERIFF'S OFFICE, CITY OF BUFFALO, BUFFALO POLICE DEPARTMENT, NIAGARA COUNTY, NIAGARA COUNTY SHERIFF'S DEPARTMENT, CITY OF NIAGARA FALLS, NIAGARA FALLS POLICE DEPARTMENT, VILLAGE OF LEWISTON, TOWN OF LEWISTON, LEWISTON POLICE DEPARTMENT, POLICE OFFICER CERVONI (FIRST NAME UNKNOWN), POLICE OFFICER BAUER (FIRST NAME UNKNOWN), POLICE OFFICER KUHN (FIRST NAME UNKNOWN), POLICE OFFICER LISKIEWICZ (FIRST NAME UNKNOWN), POLICE OFFICER LAZARCYZK (FIRST NAME UNKNOWN), POLICE OFFICER SOLURI (FIRST NAME UNKNOWN), POLICE OFFICER ELLIS (FIRST NAME

UNKNOWN), POLICE OFFICER KIEFFER (FIRST NAME UNKNOWN), POLICE OFFICER JONATHAN EMMONS, POLICE OFFICER JOSHUA BELIN, POLICE OFFICER S. FURY (FIRST NAME UNKNOWN), POLICE OFFICER J. VILIANI (FIRST NAME UNKNOWN), POLICE OFFICER J. SCHWARZMUELLER (FIRST NAME UNKNOWN), POLICE OFFICER A. MOEN (FIRST NAME UNKNOWN), POLICE OFFICER M. KIDDER (FIRST NAME UNKNOWN), and JOHN DOE #1-20, and in support of said claim states the following:

1. The Claimant is currently incarcerated at Erie County Correctional Facility, 11581 Walden Avenue, Alden, NY 14004.

2. The attorneys for Claimant are LIPSITZ GREEN SCIME CAMBRIA LLP, and their Post Office address is 42 Delaware Avenue, Suite 120, Buffalo, New York 14202-3924.

3. The claim of BRANDON G. BAUMEISTER is for personal injuries and civil rights violations, including without limitation, loss income and medical expenses, and for consequential, general and equitable damages generally, along with punitive damages, attorneys' fees and costs.

4. The claim arose on Kentucky Street near O'Connell Street in the City of Buffalo, County of Erie and State of New York and in each of the locations as described in Paragraph 5 below. The Lewiston Police Department's police report relating to the incident is attached as Exhibit A.

5. The claim arose in substance as follows: On the 18<sup>th</sup> day of September, 2022, at approximately 2:00 a.m., the claimant BRANDON G. BAUMEISTER was operating a black 2020 GMC Yukon on Kentucky Street in the City of Buffalo with passenger Miranda L. Bova when an Erie County Sheriff Officer began pursuing him. Police officers from the Erie County Sheriff's Office, the Buffalo Police Department, the New York State Police,

the New York State Park Police, the Lewiston Police Department, the Niagara County Sheriff's Department, and the Niagara Falls Police Department engaged in a high-speed and dangerous chase of Claimant through several streets in the City of Buffalo, Town of Cheektowaga, Town of Tonawanda, Town of Grand Island, Town of Niagara, Village of Lewiston, and City of Niagara Falls. Claimant attempted to surrender to police officers on Water Street in the Village of Lewiston, but as he attempted to do so, numerous currently unknown officers began violently striking the windows of the vehicle Claimant was in. Numerous officers had handguns drawn. A police officer fired a shot through the window of the vehicle Claimant was in. Due to the danger presented at the scene, Claimant resumed driving through the Village of Lewiston and the City of Niagara Falls. Claimant came to a stop on Buffalo Avenue near Point Avenue and South 91<sup>st</sup> Street in Niagara Falls, near National Grid pole # 9112. Claimant exited the Yukon with his hands up, was unarmed, and was complying with the orders of officers. Despite claimant acting in compliance, unnamed policed officers violently tackled Claimant and began punching and striking Claimant repeatedly in the back, shoulders, neck, and head. Despite Claimant having been apprehended by many more than a dozen officers and not resisting his arrest, claimant was kicked in the face and head by responding officers. Claimant BRANDON G. BAUMEISTER was subjected to a violation of Claimant's Civil Rights under 42 USC Section 1983, assault, battery, excessive force, police brutality, negligence, abuse of process, and failure to train and supervise, resulting in serious injuries and constitutional deprivations to Claimant.

6. Upon information and belief, the incident herein described and the resultant injuries and damages sustained were caused as a result of the negligence, carelessness, recklessness and/or unlawful conduct on the part of the agents, servants and/or employees of ERIE COUNTY, ERIE COUNTY SHERIFF'S OFFICE, CITY OF BUFFALO, BUFFALO

POLICE DEPARTMENT, NIAGARA COUNTY, NIAGARA COUNTY SHERIFF'S DEPARTMENT, CITY OF NIAGARA FALLS, NIAGARA FALLS POLICE DEPARTMENT, VILLAGE OF LEWISTON, TOWN OF LEWISTON, LEWISTON POLICE DEPARTMENT, POLICE OFFICER CERVONI (FIRST NAME UNKNOWN), POLICE OFFICER BAUER (FIRST NAME UNKNOWN), POLICE OFFICER KUHN (FIRST NAME UNKNOWN), POLICE OFFICER LISKIEWICZ (FIRST NAME UNKNOWN), POLICE OFFICER LAZARCYZK (FIRST NAME UNKNOWN), POLICE OFFICER SOLURI (FIRST NAME UNKNOWN), POLICE OFFICER ELLIS (FIRST NAME UNKNOWN), POLICE OFFICER KIEFFER (FIRST NAME UNKNOWN), POLICE OFFICER JONATHAN EMMONS, POLICE OFFICER JOSHUA BELIN, POLICE OFFICER S. FURY (FIRST NAME UNKNOWN), POLICE OFFICER J. VILIANI (FIRST NAME UNKNOWN), POLICE OFFICER J. SCHWARZMUELLER (FIRST NAME UNKNOWN), POLICE OFFICER A. MOEN (FIRST NAME UNKNOWN), POLICE OFFICER M. KIDDER (FIRST NAME UNKNOWN), and JOHN DOE #1-20, acting individually and/or in concert, and more particularly, among other things, by violating the Constitutional rights and privileges of BRANDON G. BAUMEISTER, secured, embodied and expressly guaranteed in the Fourth and Fourteenth Amendments of the United States Constitution and under 42 USC 1983, and Article 1, Sections 8 and 9 of the New York State Constitution by using unnecessary and unlawful excessive force in the performance of their duties as police officers in assaulting Claimant without provocation; in failing and/or omitting to be cognizant or aware that their actions or inactions would foreseeable cause injury to Claimant; in failing and/or omitting to use appropriate care and discretion; in violating policy and law in the high speed pursuit and chase across multiple counties; in failing and/or omitting to provide police officers with training when pursuing a suspect; in negligently and recklessly firing a weapon at an unarmed individual; and in failing and/or omitting to provide police officers with training when

taking an individual into custody; furthermore, the incident and resultant injuries and damages were caused by those acts and omissions of the agents, servants and/or employees of the named entities, and the regulations, rules and standards promulgated thereunder; failing or omitting to be cognizant or aware that their actions or inactions would foreseeably cause injury to Claimant; in failing or omitting to use appropriate care and discretion; in failing and/or omitting to properly and adequately train, supervise, instruct its police officers and/or employees.

7. Upon information and belief, as a result of the aforesaid incident, the claimant, BRANDON G. BAUMEISTER, sustained severe bodily injuries and was painfully and seriously injured; was rendered sick, sore, lame and disabled; sustained pain and suffering and shock to his nerves and nervous system; and more particularly, BRANDON G. BAUMEISTER, sustained injuries in the nature of concussion, fractured nose, disc herniation in neck, upper extremity injury, injuries to bilateral lower extremities, rib injuries, injury to sternum, damage to left eye, injury to left orbit and left cheek, back injury, soreness in kidneys, intense and frequent headaches, difficulty breathing, difficulty sleeping, and extensive scraping and bruising of his face, head, upper extremity, back and arms. Upon information and belief, certain of these injuries will result in permanent defects.

WHEREFORE, claimant requests that ERIE COUNTY, ERIE COUNTY SHERIFF'S OFFICE, CITY OF BUFFALO, BUFFALO POLICE DEPARTMENT, NIAGARA COUNTY, NIAGARA COUNTY SHERIFF'S DEPARTMENT, CITY OF NIAGARA FALLS, NIAGARA FALLS POLICE DEPARTMENT, VILLAGE OF LEWISTON, TOWN OF LEWISTON, LEWISTON POLICE DEPARTMENT, POLICE OFFICER CERVONI (FIRST NAME UNKNOWN), POLICE OFFICER BAUER (FIRST NAME UNKNOWN), POLICE OFFICER KUHN (FIRST NAME UNKNOWN), POLICE OFFICER LISKIEWICZ (FIRST NAME UNKNOWN), POLICE OFFICER LAZARCYZK (FIRST NAME UNKNOWN),

POLICE OFFICER SOLURI (FIRST NAME UNKNOWN), POLICE OFFICER ELLIS (FIRST NAME UNKNOWN), POLICE OFFICER KIEFFER (FIRST NAME UNKNOWN), POLICE OFFICER JONATHAN EMMONS, POLICE OFFICER JOSHUA BELIN, POLICE OFFICER S. FURY (FIRST NAME UNKNOWN), POLICE OFFICER J. VILIANI (FIRST NAME UNKNOWN), POLICE OFFICER J. SCHWARZMUELLER (FIRST NAME UNKNOWN), POLICE OFFICER A. MOEN (FIRST NAME UNKNOWN), POLICE OFFICER M. KIDDER (FIRST NAME UNKNOWN), and JOHN DOE #1-20 honor and pay the claim on behalf of BRANDON G. BAUMEISTER, including an award of attorneys' fees and costs pursuant to 42 USC 1988.

DATED: Buffalo, New York  
December 12, 2022

  
\_\_\_\_\_  
BRANDON G. BAUMEISTER

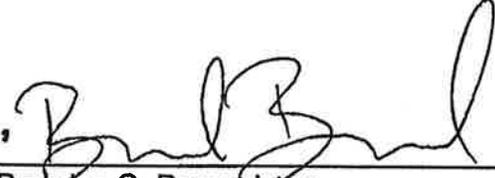
LIPSITZ GREEN SCIME CAMBRIA LLP

By:   
\_\_\_\_\_  
ROBERT M. CORP, ESQ.

Attorneys for Claimant  
Office and P.O. Address  
42 Delaware Avenue, Suite 120  
Buffalo, New York 14202-3924  
(716) 849-1333

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF ERIE )

BRANDON G. BAUMEISTER, being duly sworn deposes and says that he is the claimant above named and makes this claim on behalf of himself. He has read the foregoing claim and knows the contents thereof; the same is true to the knowledge of the claimant except for the matters herein alleged upon information and belief, and as to those matters, he believes them to be true.

  
\_\_\_\_\_  
Brandon G. Baumeister

Sworn to before me on this  
9<sup>th</sup> day of December, 2022.

  
\_\_\_\_\_  
Notary Public

ROBERT M. CORP  
NO. 02CO6432876  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires May 24, 2026



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

DEPARTMENT OF LAW

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 7, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |   |
|----------------------|---|
| File Name:           | <i>Thurman, Charlene v. Erie County Sheriff's Office, et al.</i>  |
| Document Received:   | Notice of Claim   |
| Name of Claimant:    | Charlene E. Thurman<br>126 Shirley Avenue<br>Buffalo, New York 14215  |
| Claimant's attorney: | Anjelika Abrahamyan, Esq.<br>William Mattar, P.C.<br>6720 Main Street, Suite 100<br>Williamsville, New York 14221 |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

**IN THE MATTER OF THE CLAIM OF:**

**CHARLENE E. THURMAN**  
126 Shirley Avenue  
Buffalo, NY 14215

Claimant,

-against-

**BUFFALO POLICE DEPARTMENT**  
74 Franklin Street  
Buffalo, NY 14202

**CITY OF BUFFALO**  
65 Niagara Square  
Buffalo, NY 14202

**ERIE COUNTY SHERIFF'S OFFICE**  
10 Delaware Avenue  
Buffalo, NY 14202

**SHERIFF JOHN GARCIA**  
10 Delaware Avenue  
Buffalo, NY 14202

**NOTICE OF CLAIM**

Respondents.

**PLEASE TAKE NOTICE** that **CHARLENE E. THURMAN**, hereby present in accordance with General Municipal Law Section 50, this Notice of claim and hereby makes claim against the **BUFFALO POLICE DEPARTMENT** and in support thereof Claimant alleges:

1. That the undersigned Claimant, **CHARLENE E. THURMAN**, residing at 126 Shirley Avenue, Buffalo, NY 14215, by and through her attorney, **ANJELIKA ABRAHAMYAN**, 6720 Main Street, Suite 100, Williamsville, NY 14221-5986, claims damages against the **BUFFALO POLICE DEPARTMENT, THE CITY OF BUFFALO, ERIE COUNTY SHERIFF'S**

OFFICE and SHERIFF JOHN GARCIA, for personal injuries, pain and suffering, general and special damages, medical expenses, property damages, and all other damages allowed by law resulting from the injuries suffered by the Claimant, CHARLENE E. THURMAN, as a reckless disregard, negligence and carelessness on behalf of the Buffalo Police department, The City of Buffalo, Erie County Sheriff's Office and Sheriff John Garcia.

2. That the said injuries were sustained by CHARLENE E. THURMAN on September 4, 2022 at approximately 4:30 P.M., at or near the intersection of Jefferson Avenue and Broadway Street, in the city of Buffalo, New York. On that approximate date and time, Claimant CHARLENE E. THURMAN was struck by a motor vehicle that was being pursued by a servant, agent, or employee of Buffalo Police Department, The City of Buffalo, Erie County Sheriff's Office and Sheriff John Garcia, resulting in permanent and serious injuries to Claimant CHARLENE E. THURMAN. A copy of the police collision report is attached hereto as Exhibit A.

3. That the Claimant's damages and injuries occurred as a result of the negligence, carelessness, and reckless disregard for the safety of others including Claimant, CHARLENE E. THURMAN, by the Buffalo Police Department, The City of Buffalo, Erie County Sheriff's Office and Sheriff John Garcia, its servants, agents, or employees in failing to do due diligence with regards to the apprehension of a suspect, along with the other acts of negligence, carelessness, and recklessness.

4. That the aforesaid Buffalo Police Department, The City of Buffalo, Erie County Sheriff's Office, and Sheriff John Garcia by and through her agents, servants and employees had actual or constructive notice of the dangerous condition and hazard caused by said activity.

5. That as a result of the foregoing, the Claimant, CHARLENE E. THURMAN, sustained very serious injuries, sustaining a broken toe, injured shoulder, left wrist, foot and other severe injuries. Some of these injuries will be of a permanent or indefinite duration, and Claimant, CHARLENE E. THURMAN, has and will, in the future be forced to expend sums of money for hospitals, doctors and other medical expenses.

6. That the said injuries were occasioned solely and wholly as a result of the negligence of the Buffalo Police Department, the City of Buffalo, Erie County Sheriff's Office and Sheriff John Garcia, and through her agents, servants, and employees and without any negligence on the part of the Claimant contributing thereto.

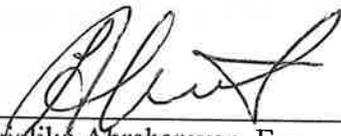
7. As a result of the negligence, carelessness, and recklessness of the Respondents jointly and severally, its servants, agents or employees in unreasonably and without proper consideration of their surroundings giving chase to a vehicle through city streets with pedestrians and other vehicles around. Such negligence, carelessness, and recklessness included, but was not limited to, accelerating at an unreasonable and imprudent speed, failing to provide a safe location for transit, failing to take reasonably prudent steps to avoid the incident, along with such other and further acts of negligence, carelessness, and recklessness.

PLEASE TAKE FURTHER NOTICE that unless a hearing under GML section 50 is made within thirty (30) days from the date of service of this Notice of Claim, said Claimant fully intends to commence an action in Supreme Court of the State of New York against the BUFFALO POLICE DEPARTMENT, THE CITY OF BUFFALO, ERIE COUNTY SHERIFF'S OFFICE and

SHERIFF JOHN GARCIA for a sum which exceeds jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest, costs and disbursements.

**WHEREFORE**, the Claimant, CHARLENE E. THURMAN, requests that this claim be allowed and paid by the Respondents.

DATED:           Williamsville, New York  
                    November 13, 2022

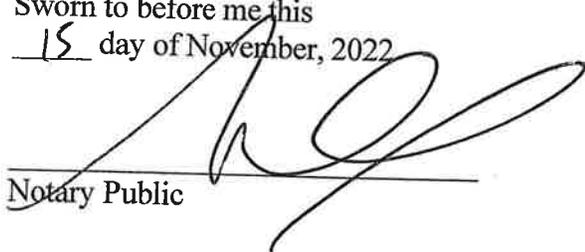
  
\_\_\_\_\_  
Angelika Abrahamyan, Esq.  
WILLIAM MATTAR, P.C.  
Attorney for Claimant  
Office and P.O. Address  
6720 Main Street, Suite 100  
Williamsville, NY 14221-5986  
(716) 633-3535

STATE OF NEW YORK     )  
COUNTY OF ERIE        ) ss:

CHARLENE E. THURMAN, being duly sworn, depose and say that she is the Claimant in this action; that she has read the foregoing Notice of Claim and know the contents thereof; that the same is true to the knowledge of deponents, except as to matters therein stated to be alleged on information and belief, and that as to those matters they believe them to be true.

*Ms Charlene E. Thurman*  
CHARLENE E. THURMAN

Sworn to before me this  
15 day of November, 2022

  
Notary Public

MATTHEW J. GLOSE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02GL6349156  
Qualified in Erie County  
My Commission Expires 10-11-2026



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

DEPARTMENT OF LAW

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 7, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |   |
|----------------------|---|
| File Name:           | <i>Gaydek, Linda v. ECMCC and County of Erie</i>  |
| Document Received:   | Notice of Claim   |
| Name of Claimant:    | Linda Gaydek<br>3119 South Park Avenue, Lower<br>Lackawanna, New York 14218   |
| Claimant's attorney: | Brian R. Wood, Esq.<br>Law Offices of Robert D. Berkun<br>Main Place Tower - Suite 2150<br>350 Main Street<br>Buffalo, New York 14202 |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

**IN THE MATTER OF THE CLAIM OF:**

---

**LINDA GAYDEK,**

Claimant,

v.

**NOTICE OF CLAIM**

**ERIE COUNTY MEDICAL CENTER and  
ERIE COUNTY**

Respondents.

---

TO: Thomas J. Quatroche, Jr.  
Erie County Medical Center CEO  
462 Grider Street  
Buffalo, New York 14215

Erie County Attorney  
Jeremy C. Toth  
95 Franklin Street  
Room 1634  
Buffalo, NY 14202

***PLEASE TAKE NOTICE***, that the Claimant, LINDA GAYDEK, by and through her attorneys, the Law Offices of Robert D. Berkun, 350 Main Street, Suite 2150, Buffalo, New York 14202, hereby makes a claim against the Respondent, CITY OF BUFFALO, as follows:

1. The Claimant's full name is LINDA GAYDEK, and her date of birth is September 29, 1955.
2. The Claimant resides at 3119 South Park Avenue- Lower, Lackawanna, NY 14218.
3. The claims of negligence and recklessness are for damages, including medical expenses, past, present and future pain and suffering and loss of enjoyment of life, sustained by the Claimant, LINDA GAYDEK, as a result of the failure of the ERIE COUNTY MEDICAL CENTER AND THE COUNTY OF ERIE to properly maintain the sidewalk and entrance way to the Erie County Medical Center in the City of Buffalo and State of New York.

Specifically, upon information and belief, ERIE COUNTY MEDICAL CENTER AND THE COUNTY OF ERIE was negligent in its maintenance of said sidewalk in that it allowed for a hazardous condition to persist, consisting of an unreasonable accumulation of ice and/or snow thereon.

4. That on or about the 30th day of January, 2023 at approximately 1:00 p.m., the Claimant was caused to slip and fall on the aforementioned sidewalk due to the dangerous and hazardous condition as described above, sustaining serious injuries thereon.

5. Upon information and belief, said sidewalk was installed by and is maintained by the ERIE COUNTY MEDICAL CENTER AND THE COUNTY OF ERIE.

6. That the incident described above was caused by the negligence of the ERIE COUNTY MEDICAL CENTER AND THE COUNTY OF ERIE its agents, servants, employees and/or contractors, in that the ERIE COUNTY MEDICAL CENTER AND THE COUNTY OF ERIE did not take all adequate, reasonable, and necessary steps to provide for the safety of the Claimant. That specifically, ERIE COUNTY MEDICAL CENTER AND THE COUNTY OF ERIE its agents, servants, employees and/or contractors, were careless, negligent and reckless in the following ways: failing to ensure that the sidewalk in front of, adjacent to and/or appurtenant to The Erie County Medical Center, was in a condition safe for the normal use of persons lawfully on the premises, such as the Claimant; allowing a hazardous condition to exist on the premises; in failing to properly remove, maintain, and/or treat in anyway the unreasonable accumulation of ice and/or snow on the sidewalk in front of the Erie County Medical Center when the Respondent knew, or should have known in the exercise of reasonable care, that such a condition would pose a foreseeable risk of bodily harm to persons lawfully thereon; failing to salt, sand or apply other ice melter to said sidewalk; failing to correct the hazardous and dangerous condition of the

aforementioned sidewalk which was in existence for hours, days and/or weeks prior to the Claimant's fall; Respondent knew, or should have known in the exercise of reasonable care, that the condition of the aforementioned sidewalk was not fit for ordinary use and failed to take any measures to block access to the sidewalk to prevent injury to those lawfully thereon; Claimant was injured as a result of the dangerous condition which was allowed to occur and continue on the premises due to the acts and omissions of the Respondent; Respondent had a non-delegable duty to properly inspect and maintain the premise, and keep the same in a reasonably safe condition to prevent foreseeable injury to other persons on the premises; Respondent failed to exercise ordinary and reasonable care in that the Respondent was generally careless and negligent, causing injury to the Claimant, who was lawfully on the premises.

7. That as a result of this fall, the Claimant, LINDA GAYDEK, sustained serious personal injuries, including, but not limited to fractures to her right orbital bone, lacerations, abrasions, and severe swelling and disfigurement of her face.

8. Attached hereto and made a part hereof are three photographs depicting the location of the Claimant's fall, taken the same day as the fall but not contemporaneous to the fall.

9. That the Claimant, LINDA GAYDEK, has incurred various medical expenses and is continuing to treat with medical providers for the injuries she sustained due to the negligence of the Respondents, ERIE COUNTY MEDICAL CENTER AND THE COUNTY OF ERIE

10. That the Claimant, LINDA GAYDEK, hereby makes a claim against the Respondents, ERIE COUNTY MEDICAL CENTER AND THE COUNTY OF ERIE for her personal injuries, medical expenses, past, present and future pain suffering and loss of enjoyment of life suffered as a result of the incident that occurred on or about January 30, 2023 on the sidewalk in front of, adjacent to and/or appurtenant to The Erie County Medical Center.

11. That the Claimant, LINDA GAYDEK, respectfully reserves the right to amend this Notice of Claim if necessary.

***PLEASE TAKE NOTICE***, that in the event that the Respondent fails to resolve the matter, the Claimant intends to commence an action in the Supreme Court of the State of New York, County of Erie, to recover damages in an amount which is currently undetermined, together with the costs and disbursements of this action, and for such other and further relief as the Court deems just and proper.

DATED: Buffalo, New York  
January 31, 2023

---

Brian R. Wood, Esq.  
LAW OFFICES OF ROBERT D. BERKUN  
*Attorneys for Plaintiff*  
Office and P.O. Address  
Main Place Tower – Suite 2150  
350 Main Street  
Buffalo, New York 14202  
(716) 855-3255

**IN THE MATTER OF THE CLAIM OF:**

GAYDEK  
**LINDA GAYEK,**

Claimant,

v.

**NOTICE OF CLAIM**

**ERIE COUNTY MEDICAL CENTER and  
ERIE COUNTY**

Respondents.

LINDA GAYEK being duly sworn, deposes and says, that the deponent is the plaintiff in the within action; that the deponent has read the foregoing NOTICE OF CLAIM and knows the contents hereof; that the same is true to the deponent's knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters the deponent believes them to be true.

*Linda Gayek*  
LINDA ~~GAYEK~~  
GAYDEK (sw)

Sworn to before me this 31 day  
of January, 2023 (sw)

  
\_\_\_\_\_  
NOTARY PUBLIC

Brian R. Wood  
Notary Public, State of New York  
Qualified in Montgomery County  
Reg. No. 02W06274892  
Commission Expires: Jan. 14 2025



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

DEPARTMENT OF LAW

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 7, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |  |
|----------------------|--|
| File Name:           | <i>Lang, Julie v. County of Erie, City of Buffalo, City of Lackawanna</i>  |
| Document Received:   | Notice of Claim  |
| Name of Claimant:    | Julie Lang<br>26 Tanglewood Drive, West<br>Orchard Park, New York 14127  |
| Claimant's attorney: | Aaron F. Glazer, Esq.<br>Gibson McAskill & Crosby, LLP<br>69 Delaware Avenue, Suite 900<br>Buffalo, New York 14202 |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

---

JULIE LANG  
26 Tanglewood Drive, West  
Orchard Park, New York 14127

**NOTICE OF CLAIM**

Claimant,

vs.

COUNTY OF ERIE  
95 Franklin Street  
Buffalo, New York 14202

CITY OF BUFFALO  
65 Niagara Square  
City Hall – 11<sup>th</sup> Floor  
Buffalo, New York 14202

CITY OF LACKAWANNA  
714 Ridge Road  
Lackawanna, New York 14218

This paper received at the  
Erie County Attorney's Office  
from Anthony DeCarlo on  
the 22 day of Dec, 2022  
at 10:20 a.m./p.m.

Anthony DeCarlo  
Assistant County Attorney

Respondents.

---

**TO:** COUNTY OF ERIE  
95 Franklin Street  
Buffalo, New York 14202

CITY OF BUFFALO  
65 Niagara Square  
City Hall – 11<sup>th</sup> Floor  
Buffalo, New York 14202

CITY OF LACKAWANNA  
714 Ridge Road  
Lackawanna, New York 14218

**PLEASE TAKE NOTICE** that JULIE LANG as Claimant, hereby makes a claim against the COUNTY OF ERIE, CITY OF BUFFALO and CITY OF LACKAWANNA, and in support of such claim states the following:

1. The name and post office address of the Claimant are as follows: JULIE LANG, 26 Tanglewood Drive, West, Orchard Park, New York, 14127.

2. The attorneys for the Claimant are: Gibson, McAskill & Crosby, 69 Delaware Avenue, Suite 900, Buffalo, New York 14202.

3. The claims of Claimant arise from: serious and permanent injuries sustained by the Claimant as the result of the negligence, carelessness, and recklessness of Respondents in creating and allowing a dangerous, defective, hazardous and/or unsafe condition to exist at or around the bleachers (specifically the bleachers on the left if you are facing the two sets of bleachers from the football field/See Exhibit A) at the George J. Hartman Play Fields located at 255 Tiffit Street, Buffalo, New York, 14203. Specifically, Respondents were negligent, careless and reckless in providing a premises dangerous, defective, hazardous, unsafe and/or unsuited to the purposes for which Respondents knew it was to be used; in causing and allowing the bleachers to break and twist, to become uneven, jagged, unstable and unsupported, in failing to correct a dangerous, defective, hazardous and/or unsafe condition consisting of broken, twisted, jagged and uneven bleachers, in failing to warn Claimant, and others similarly situated, of a dangerous, defective, hazardous and/or unsafe condition consisting of broken, twisted, unstable, jagged, uneven and unsupported bleachers at or near the aforementioned premises; in failing to make any reasonable effort to remedy said conditions at or near the aforementioned premises; in failing to properly train their employees; in failing to properly staff the aforementioned location, in failing to properly barricade or "tape-off" a dangerous, defective, unsafe and/or hazardous condition; and in being otherwise negligent, careless and reckless, which caused Claimant to sustain serious and permanent injuries. Photographs depicting the location of the dangerous, defective, hazardous and/or unsafe condition that caused Claimant's injury are attached as **Exhibit A**.

4. The facts and circumstances of this claim are as follows: that on September 24, 2022, while lawfully attending a youth sporting event during daylight hours, Claimant did walk along the second from the bottom bleacher to exit the aforementioned bleachers, when without warning, she stepped on a broken, twisted, uneven and unsupported bleacher, causing her to fall and sustain serious and permanent injuries. The specific area that caused the fall is circled on **Exhibit A**.

5. As a result of the aforesaid incident and as noted above, Claimant suffered certain severe, permanent and painful injuries, both internal and external, was rendered sick, sore, lame and disabled, sustained pain, suffering and shock to the nerves and nervous system, was caused to seek medical aid and attention, was caused to and did incur great medical expense, will be compelled to spend large sums of money for future medical expenses and was caused to be incapacitated from performing her usual and customary activities. Specifically, Claimant sustained a rupture of the flexor tendons in her lower left leg along with an Achilles tendon tear.

6. As a result of the aforesaid incident, Claimant claims damages against the COUNTY OF ERIE, CITY OF BUFFALO and CITY OF LACKAWANNA, for past and future pain and suffering, loss of enjoyment of life, past and future lost wages, past and future medical bills and the permanent effect of her injuries, in an amount in excess of the jurisdictional limits of all lower courts.

**WHEREFORE**, claimant, JULIE LANG, respectfully requests that Respondents honor and pay the claims of Claimant as set forth in the aforementioned paragraphs herein.

Dated: December 21, 2022  
Buffalo, New York

**GIBSON, McASKILL & CROSBY, LLP**

By: \_\_\_\_\_

  
Aaron F. Glazer, Esq.  
*Attorneys for Claimant*  
69 Delaware Avenue, Suite 900  
Buffalo, New York 14202  
Telephone: (716) 856-4200

**VERIFICATION**

STATE OF NEW YORK    )  
  : SS.:  
COUNTY OF ERIE        )

Aaron F. Glazer, being duly sworn, deposes and says that he is a member of Gibson, McAskill & Crosby, LLP, attorneys for the claimant, JULIE LANG, herein; that he has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those, deponent believes same to be true.

The sources of deponent's information and the grounds for his belief are reports and correspondence from representatives of the claimant presently in the file of this case in deponent's office.

  
\_\_\_\_\_  
AARON F. GLAZER, ESQ.

Sworn to before me this  
22 day of December, 2022.

  
\_\_\_\_\_  
Notary Public

KELLY ERIN WODOWSKI  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Dec. 18 25



JEREMY C. TOTH  
COUNTY ATTORNEY

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE  
DEPARTMENT OF LAW

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 9, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |   |
|----------------------|---|
| File Name:           | <i>Aughtry, Perez v. Erie County Holding Center</i>   |
| Document Received:   | Notice of Claim   |
| Name of Claimant:    | Perez Aughtry<br>ICN #63496<br>Erie County Holding Center<br>40 Delaware Avenue<br>Buffalo, New York 14202-3999 |
| Claimant's attorney: | Zdarsky, Sawicki & Agostinelli LLP<br>1600 Main Place Tower<br>350 Main Street<br>Buffalo, New York 14202       |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

STATE OF NEW YORK  
COUNTY OF ERIE

To: Attorney General of the State of New York

Perez Aughtry  
Petitioner  
ICN 63496 Eclz

Affidavit in Support of  
Notice of Intent to Sue

vs.

Erie county Holding center  
Respondent

1. Perez m. Aughtry being duly Sworn, For the following relief.
2. I am the petitioner herein and I seek CIVIL action against the Erie county holding center for there negligence, do to the injuries I sustained on November 8, 2022 at approximately time 10:30 AM AS I WAS WATCHING television on bravo low. Short side housing unit, when somebody come from behind me and hit me in the back of the head with unknown object causing me to Fall to the floor then additional suspects started Kicking punching me in the face and body area for about two minute's causing me to go unconscious for about 20 to 30 second's.

This assault happen on the petitioner approximately 10 feet from the officer post.

3. the petitioner sustained multiple face head injuries, a possible right hand bone fracture, shoulder pain, back bruises, leg bruises, jaw pain and when the petitioner eat's food his jaw lock's from this incident.

4. before the assault took place on the petitioner other's and similar assault's took place on this same housing unit. VI reports and other disciplinary report's prove bravo short housing unit was in fact a know dangers housing unit, putting <sup>the</sup> facility on notice that this housing unit was dangers before the assault took play on the petitioner.

5. WHEREFORE, the petitioner respectfully request \$1,000,000 million dollars for the injures the petitioner sustaned do to the Facility negligence.

6. the petitioner/Attorney reserve our right to file any additional motions as may become necessary.

7. WHEREFORE, your deponent prays that the court issue an order accordingly.

VERIFICATION

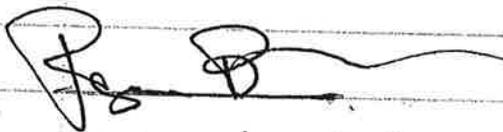
STATE OF NEW YORK

COUNTY OF ERIE

Perez M. Aughtry, being duly sworn, deposes and say that he has read the foregoing notice of intent petition and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters deponent believes the same to be true.

SWORN to before me this 24 day of January month, 2023 This notice of intent was placed in the Erie Court Holding Center Facility mail box on the same day as the notary sign this letter.

Sworn to before me this 24 day of January, 2023



Notary Public

Roger A. Brennan  
Commissioner of Deeds  
In and For the City of Buffalo  
Erie County, NY  
Commission Exp. Dec. 31, 2023

~~Perez M. Aughtry~~  
Perez M. Aughtry

cc. File

TO: JOHN C. GARCIA



JEREMY C. TOTH  
COUNTY ATTORNEY

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE  
DEPARTMENT OF LAW

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 8, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

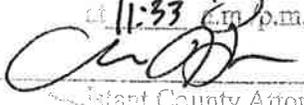
|                      |  |
|----------------------|--|
| File Name:           | <i>Davies, Suzanne v. County of Erie</i>   |
| Document Received:   | Notice of Claim  |
| Name of Claimant:    | Suzanne Davies<br>6552 Bunting Road<br>Orchard Park, New York 14127                              |
| Claimant's attorney: | Michael J. Lovecchio, Esq.<br>Cellino Law, LLP<br>800 Delaware Avenue<br>Buffalo, New York 14209 |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

This paper received at the  
Erie County Attorney's Office  
by Joe Scobilia on  
the 31 day of Jan, 2023  
at 11:33 a.m. p.m.  
  
Assistant County Attorney

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE  
\*\*\*\*\*

SUZANNE DAVIES,

Claimant,

**NOTICE OF CLAIM**

v.

COUNTY OF ERIE,

Respondent,

\*\*\*\*\*

**TO: COUNTY OF ERIE  
95 Franklin Street  
Buffalo, New York 14202**

**PLEASE TAKE NOTICE**, that the above named claimant claims and demands from the respondents, COUNTY OF ERIE, recompense for personal injuries and damages sustained by claimant by reason of the wrongful, negligent and careless acts and omissions of the respondents, their agents, servants and/or employees, and in support there of, the claimant states:

1. Claimant's address is 6552 Bunting Road, Orchard Park, NY 14127.
2. The claimant is represented by Cellino Law, LLP. with offices located at 800 Delaware Avenue, Buffalo, New York, 14209, telephone (800) 555-5555. The incident in which personal injuries were sustained by the claimant occurred on or about December 29, 2022 at approximately 3:49 p.m. when the claimant was struck by a vehicle owned by Union Concrete & Construction, which upon information and belief, was under contract with County of Erie. **(See Exhibit A – Police Accident Report)**

3. By virtue of the negligence of the employees, agents or servants of COUNTY OF ERIE, claimant has incurred medical and hospital expenses, which are to date undetermined and will incur loss of earnings, impairment of health and permanent injuries.

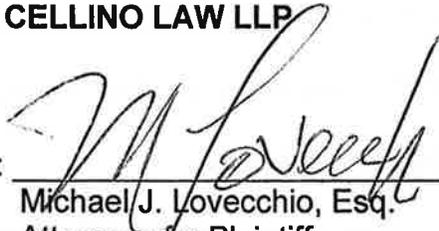
4. Upon information and belief, claimant will be obligated further medical expenses including drugs, medicines and prosthetic devices, the amount of which cannot be reasonably calculated at this time.

**TAKE NOTICE** that claimant demands payment of his claim as set forth above.

DATED: Buffalo, New York  
January 23, 2023

Yours, etc.,

**CELLINO LAW LLP**

By: 

Michael J. Lovecchio, Esq.  
Attorneys for Plaintiff  
800 Delaware Avenue  
Buffalo, NY 14209  
(800) 555-5555

**VERIFICATION**

STATE OF NEW YORK    )  
COUNTY OF ERIE       : SS.:  
CITY OF BUFFALO        )

**SUE DAVIES** being duly sworn, deposes and says that she is the plaintiff in the within action; that she has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes them to be true.

  
\_\_\_\_\_  
SUE DAVIES

STATE OF NEW YORK    )  
COUNTY OF ERIE       : SS.:  
CITY OF BUFFALO        )

On the 26 day of January, in the year 2013 before me, the undersigned, personally appeared SUE DAVIES, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in his capacity and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public/Commissioner of Deeds

MICHAEL JOSEPH LOVECCHIO  
Notary Public  
In And For The City Of Buffalo, New York  
My Commission Expires September 6, 2014



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

DEPARTMENT OF LAW

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

February 15, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |  |
|----------------------|--|
| File Name:           | <i>George, Andrea M. v. County of Erie, et al.</i>               |
| Document Received:   | NYS Division of Human Rights Charge of Discrimination            |
| Name of Claimant:    | Andrea M. George<br>405 Weimar Street<br>Buffalo, New York 14206 |
| Claimant's attorney: | Claimant is <i>pro se</i> .                                      |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

NEW YORK STATE  
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION OF  
HUMAN RIGHTS on the Complaint of

ANDREA M. GEORGE,

Complainant,

v.

ERIE COUNTY, DEPARTMENT OF SOCIAL  
SERVICES, MICHELLE SCHAFFER, MARY ELLEN  
BROCKMYRE, JILL MATTHEWS, HEATHER  
JOHNSON, JAMIE DONOVAN, TANEKA HEARD,  
DAVE KULINSKI,

Respondents.

COMPLAINT  
Pursuant to Executive Law,  
Article 15

Case No.  
**10222733**

Federal Charge No. 16GC301743

I, Andrea M. George, residing at 405 Weimar Street, Buffalo, NY, 14206, charge the above named respondents, whose address is 95 Franklin St., Buffalo, NY, 14202 with an unlawful discriminatory practice relating to employment in violation of Article 15 of the Executive Law of the State of New York (Human Rights Law) because of disability.

Date most recent or continuing discrimination took place is 11/1/2021.

The allegations are:

SEE ATTACHED.

Based on the foregoing, I charge respondents with an unlawful discriminatory practice relating to employment because of disability, in violation of the New York State Human Rights Law (Executive Law, Article 15), Section 296.

I also charge the above-named respondents with violating the Americans with Disabilities Act (ADA) (covers disability relating to employment). I hereby authorize SDHR to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission (EEOC) subject to the statutory limitations contained in the aforementioned law(s).

# New York State Division of Human Rights Complaint Form

Individual filing the complaint

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**Please provide the information requested below.**

**First Name**

Andrea

**Middle Initial**

**Last Name**

M George

**Street Address**

405 Weimar Street

**City**

Buffalo

**State**

NY

**Zip**

14206

**Are you completing this form for someone else?**

No

**Your complaint**

---

**Jurisdiction**

Employment

**Employment**

---

**Please specify where the discrimination occurred**

Employment (including paid internship and domestic workers)

**Are you currently working for the employer you are filing against?**

Yes

**Date of hire**

03/31/2009

**Position held or applied for**

Senior Social Welfare Examiner

**For employment and internships, how many employees does this person/company have?**

20 or more

**Acts of alleged discrimination: What did the person/company you are complaining against do? Check all that apply**

Denied me training

Gave me a disciplinary notice or negative performance review

Gave me different or worse job duties than other workers doing the same job

Denied my request for an accommodation for my disability, or pregnancy-related condition

Harassed or intimidated me on any basis indicated here

RECEIVED  
OCT 8 2022  
Buffalo FAX/INBOX

## Basis

---

### **Basis of alleged discrimination in employment:**

**Disability** (a physical or mental condition; includes denial of reasonable accommodation)

#### **Please specify disability:**

Anxiety, Depression, ADHD, PTSD

### **You are filing a complaint against**

---

#### **Entity that discriminated against you:**

##### **Name of entity**

Erie County Department of Social Services - Medicaid

##### **Street Address**

95 Franklin St

##### **City**

Buffalo

##### **State**

NY

##### **Zip**

14202

##### **In what county or borough did the violation take place?**

Erie

##### **Phone Number**

716-858-8000

##### **Email address**

##### **Fax Number**

##### **Company Website**

www.erie.gov

#### **Please provide the name, last name, and title of individual people who discriminated against you.**

- 1.) Michelle Schaffer - Director of Medicaid & Public Health Programs
- 2.) Mary Ellen Brockmyre - Second Deputy Commissioner - Social Services
- 2.) Jill Matthews - Head Social Welfare Examiner
- 3.) Heather Johnson-Lindstrom - Chief Social Welfare Examiner
- 4.) Jamie Donovan - Head Social Welfare Examiner
- 5.) Taneka Heard - Head Social Welfare Examiner
- 6.) Dave Kulinski - Head Social Welfare Examiner

#### **Date of the most recent act of alleged discrimination**

11/01/2021

### **Description of discrimination**

---

**Tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and other details. You must explain why you think these acts were discriminatory and how these acts are connected to the protected class (race, color, sex, disability, etc.) you selected previously.**

On 11/1/21 Head Social Welfare Examiner, Jill Matthews, called me into her office and gave me an Erie County Record of Counseling stating I was in violation of Erie County Employee Handbook citing dates between 9/1/21-11/1/21. This Record of Counseling was similar in language and context to a previous Record of Counseling given to me by Jill

Matthews on 8/31/20. On 12/7/20 the 8/31/20 Record of Counseling was removed from my personnel file because it was deemed by the US Department Labor to be in violation of FMLA law. When given the similar Record of Counseling on 11/1/21 I asked Jill Matthews how she was able to give me almost the same counseling as the last one was deemed unlawful, she stated she was advised by Second Deputy Commissioner of Social Services, Mary Ellen Brockmyre, if the term 'FMLA' was not used in the counseling dated 11/1/21. I did not sign the 11/1/21 Record of Counseling and advised Jill Matthews I would be contacting the US Department of Labor again.

On 11/5/21 I submitted a Work from Home request effective 11/15/21 as work from home was open to staff again.

On 11/10/21 Director of Medicaid and Public Health, Michelle Schaffer, emailed me and advised to see her in her office once I arrived at work. When I met with Michelle Schaffer on 11/10/21 she told me I would be moving from current role in Medicaid Long Term Care Nursing Home Recertification team to Community Medicaid. That I would be keeping my title of Senior Social Welfare Examiner but that my role would be completely changed. Michelle Schaffer stated the reason for the move was because NYS would be beginning recertifications in the coming months and she feared I would not be able to keep up with my caseload due to the amount of FMLA time I was using. This was the first time any person of supervision mentioned concerns of my ability to work in relation to FMLA. I have also included the most recent evaluation given to me by Jill Matthews on 1/28/21. At the time of the meeting on 11/10/21 I told Michelle that as of that day I was not behind on any work and that I felt exceedingly knowledgeable and organized in my current role. She stated still that I would be moving effective 11/22/21. At this meeting she denied my Work from Home Request stating "Changes will be occurring which may require training in the office".

As of today's date, 10/31/22 NYS has not begun recertifications causing me to believe I was moved on false pretenses related to my use of FMLA.

On 11/12/21 Jill Matthews emailed me well wishes in my new department and advised to reach out if there was anything she could do to help. On 11/15/21 I emailed FMLA liaison Timothy Benton, Jill Matthews, Michelle Schaffer and Mary Ellen Brockmyre asking for the counseling memo to be removed and to remain in my current role in the Medicaid Long Term Care Nursing Home Recertification Team. I went into detail explaining why I felt as though it was the worst option for me relative to my FMLA related serious health condition. The only person to respond to this email was Mary Ellen Brockmyre who stated "Good Morning Andrea. We acknowledge that you have FMLA; however, you are still required to call in accordance with County Policies as noted in the Counseling Memo." She did not address my request to remain in my current role. Therefore, I had no choice other than to move as directed to Community Medicaid on 11/22/21.

This was very traumatic for me as I felt this move was in direct relation to receiving the Record of Counseling on 11/1/21 and retaliation for not signing and advising supervision I would be reaching out to the US Department of Labor to have it removed. I was given no instructions from Jill Matthews or Michelle Schaffer how to wrap up my current cases & workload and out of embarrassment and shame packed up my belongings and moved to my new office after work hours to avoid any questions from fellow coworkers.

I went into my role in Community Medicaid feeling shame, embarrassment & helplessness, although I kept an open mind. I've included an email between myself my new supervisor Head Social Welfare Examiner Dave Kulinski and my new Chief Social Welfare Examiner Heather Lindstrom-Johnson I previously worked in Community Medicaid as a Social Welfare Examiner from 11/18/13-3/17/17 prior to moving to Long Term Care. Community Medicaid changed in many ways in the 4 years and 8 months I was in Long Term Care and returning was not going to be easy for me as I needed a total refresher, re-training & new training on current procedures & regulations related due to virtual processing & COVID19.

I began working in Community Medicaid 11/22/21. At that time I sat with Head Social Welfare Examiner Taneka Heard who trained me to process a specific type of Medicaid Application called MIPPAS. I felt as though I pick this up quickly and continued to work on MIPPA until directed to do otherwise.

On 12/10/21 I received an email from Heather Lindstrom-Johnson CC-ing all Head Social Welfare Examiners and a Senior Social Welfare Examiner Gail Connors asking Gail Connors to notify me when Gail will be offering training on topics that may be beneficial to me. I was not notified by Gail of any training topics going forward.

On 1/3/22 Head Social Welfare Examiner Jamie Donovan asked me to call her. We went over a few topics regarding my training, and she followed up with me by sending an email. I followed her instructions and worked on cases from the queue asking Gail and other Senior Examiners questions along the way. It was never disclosed what an appropriate level of output is for my title.

On 1/20/22 Jamie Donovan emailed me an update regarding training stating effective immediately I would begin to listen in on phone calls and cover reception. That I would also be walked through DD2 process. At this time I was not given a call center headset or agent number and that is why I was only able to listen in on calls. Dave Kulinski notified me by email on 1/21/22 that a service request was submitted ordering me a call center headset. On 1/21/22 Heather Lindstrom-Johnson sent out a department email asking examiners if we can take call center phone calls through Jabber. I responded on 1/25/22 that I do not have that capability.

On 1/25/22 Head Social Welfare Examiner Sheila Herrmann emailed me my assignments for the day, one of which is

phone training with a Senior Examiner referencing a call center training email sent on 1/18/22 from Head Social Welfare Examiner Kevin Connors. I responded to Sheila stating I did not receive the email from Kevin and brought to her attention that I did not believe I was listed on Kevin's email list. She forwarded me his email. This was 1 of 2 days I was scheduled to be conference in on call center calls with a Senior Examiner. After these trainings I advised Jamie Donovan verbally that I felt more than comfortable to begin my own call center shifts and believed being on phones would provide me excellent training opportunities by presenting me with vast and various Medicaid questions posed by clients, requiring me to resolve by looking through old transactions previously completed by examiners. No plan was communicated to me as to when I'd begin call center shifts.

On 2/16/22 I noticed 7 or 8 cases assigned to me in my number that I was unaware were assigned. I immediately contacted my Chief Social Welfare Examiner Heather Lindstrom-Johnson to let her know. She explained that supervision assigns examiners additional cases and that they do not notify examiners by email and that it is the examiner's responsibility to check daily for any new assigned work. This was never communicated to me until I already had 7 or 8 cases assigned to me. All 7-8 cases required a type of transaction called a Spenddown, which I consider the most difficult transaction in Medicaid. I had not processed a Spenddown in over 4 years and 8 months. This situation caused a severe hardship in my training. I felt completely overwhelmed and unqualified to process 7-8 Spenddowns, let alone 1. I was overwhelmed and began working on each spenddown until I ran into a question, I then compiled all questions and emailed Gail Connors on 2/23/22 asking her to go over my questions when I'm in office on 2/24/22 to have a better understanding of Spenddowns and be able to tackle each one at a time.

On 2/24/22 I received an email from Jamie Donovan stating that based on my 2/18/22 Day Sheet I was behind on my work. On the 2/18/22 Day Sheet I wrote that I had questions pertaining to the Spenddowns assigned and would like to sit with staff to have questions answered. That I should not be holding work while working remotely and should be reaching out to staff via Jabber or Email. I handled the assignment of 7-8 Spenddowns to the best of my ability by working on what I could. I followed previous supervision by asking questions and reaching out to Gail as directed. Due to supervisions opinion that I mishandled the assignments I was now directed to email a copy of my day sheet to Jamie Donovan and Taneka Heard daily in order for them to help me make a plan to get caught up in my queue. In my opinion the cases should have been reassigned to staff who were trained and qualified to process and that going forward I would be trained thoroughly on how to process a Spenddown.

I responded to Jamie's email on 2/24/22 explaining the above. I notified Jamie that Gail advised she'd be available between 930-11 on 2/24/22 to go over my spenddown questions although when I Jabbered her, she stated she was already training someone else. I was also given an Excess Income spiral notebook at some point in the past without any direction. I did not realize I was to review and reference this material in relation to Spenddowns as I did not know who placed on my desk and without any direction. I was also notified that day by a Senior Examiner that a Spenddown training was taking place on 2/24/22 at 11 p.m. I was confused why Jamie Donovan nor Gail Connors by designated trainer failed to notify me of the Spenddown training seeing as all my questions and back up in my queue was due to my lack of knowledge and training on Spenddowns. I attended the training on 2/24/22. Jamie later stated they were temporarily not assigning me any further trainings for 1 week. I still had 7-8 Spenddowns to process at this time. It was an impossible feat for me to complete all 7-8 in one weeks' time having minimal training and having experienced a grand setback.

On 2/23/22 I jabbered Taneka Heard 4 questions pertaining to a case. She did not answer me back. I sent her an email on 2/28/22 reminding her of my questions in which we responded with answers on 3/1/22 stating she saw my jabber and forgot to answer it.

On 3/4/22 I jabbered Taneka Heard a question that went unanswered. I emailed her on 3/7/22 reminding her of my question. She replied with a screen shot of her answer to me via jabber. Her answer did not appear on my Jabber, and it appeared to me that she did not answer my question which was why I emailed her.

On 3/10/22 I received 2 emails one from Taneka Heard and one from Heather Lindstrom Johnson stating my work from home was being revoked eff 3/14/22 as my timestamps were not reflecting morning work, that I was not reaching out to supervision and/or Senior Examiners to their likeness, although I felt as if I had been actively communicating with staff, that I was not completing an adequate amount of work and struggling with the retraining process.

At this point they have not trained me on reception coverage, I had still not received a call center headset, did not go over DD2 process with me. I received very sparse and minimal training. I was given no help or plan from Jamie Donovan or Taneka Heard on how to bring my queue current as they stated they would do so on 2/24/22. My anxiety and depression levels were at an all-time high. I was experiencing constant fight, flight, or freeze trauma responses related to work. I felt as if I was set up to fail starting with my move to Community Medicaid on 11/22/21. There was no training plan set in place for me from the beginning. I should have had a call center headset in my possession my first day 11/22/21 as this move was known and planned by Director Michelle Schaffer.

On 3/11/22 Taneka sent a department wide email referencing a previous email sent my Head Social Welfare Examiner Tony Bartolotta. I never received the email reference and asked Taneka when it was sent. It was then brought to my attention that I was also not included on another Head Social Welfare's email list further reinforcing the lack of planning,

communication and planning on supervisions behalf. It is unknown how many emails supervision sent department wide that I was not included on. After being in Community Medicaid for over 3 months I was finally for the first time included on two Head Social Welfare Examiners email lists & my Chief Head Social Welfare's Heather Lindstrom Johnson email list on 3/22/22.

Throughout this time from 11/1/21 through 3/22/22 I was in contact with US Department of Labor worker Elliott Morales who was working as a liaison with Erie County to have the Record of Counseling removed as it was deemed unlawful. This process was time consuming and stressful. Elliott Morales advised me in the beginning of March that the 11/1/21 Record of Counseling was removed from my personnel file although I did not hear anything from Erie County.

On 3/22/22 I scheduled an appt to review my personnel file and also, I emailed Timothy Benton, Mary Ellen Brockmyre, Michelle Schaffer, Heather Lindstrom-Johnson and Jill Matthews asking for conformation that it was removed. Timothy Benton and Mary Ellen Brockmyre responded that it was removed. Mary Ellen also mentioned me reviewing my personnel file that day, was not sure why she needed to include that. In my opinion it is my employer's responsibility to communicate to me that their unlawful Record of Counseling had been removed. I should not have to email multiple people and schedule an appointment to review my personnel file in order to be notified and have confirmation.

When I returned to onsite work on 3/23/22 a headset was finally on my desk. This felt like a coincidence after all that happened in the last 4 months the headset appearing on my desk lined up perfectly with my return to onsite work. I find this to be irresponsible of supervision and the department.

On 3/24/22 Dave Kulinski sent me an email referencing old CSEA Union paperwork stating that I was not calling in properly. That I need to call an hour before my start time and not 30 minutes as I believed to be true. I forwarded email to Heather on 3/28/22 and added my questions and concerns that CSEA had previously updated the paperwork Dave referenced and that employees could call in 30 mins prior to start time. Heather asked I send her documentation of current CSEA material after I already asked her to investigate it as she is my superlor and provided her with reference links to the current CSEA Collective Bargaining Agreement. It was determined on 3/28/22 that I was in fact calling in correctly 30 minutes prior to my shift. I felt as if I now had new hurdles to overcome. I felt like I was constantly on defense between the Record of Counseling, my training, my return to onsite work, my time issues. Once one issue was resolved another began. It felt never-ending.

On 3/28/22 Dave Kulinski sent me an email questioning a leave request I submitted to him asking why I didn't receive the proper accruals. Yet again another hurdle. I was correct in my request, and I did not receive my accruals that pay period because I did not work more than 40 hours in a pay period. By this time, I was relying on the use of my FMLA. I felt as though I could no longer handle going to work and feeling like a constant failure and feeling like I anything I did was good enough and was going to be questioned. I lived in fear of constant rejection.

On 4/1/22 Taneka Heard sent me an email asking me to sign into the Call Center for my scheduled shift. I was not signed in because my computer crashed and I was unable to restart, because of this I called the Help Desk to request to reset my desktop for me to sign back into my computer. I emailed Taneka back once I was able to access my emails and programs explaining my situation. She responded that if this were to happen again, I should not immediately call the help desk (which in my mind is the quickest solution to the problem) that I should get up from my desk, walk to the other side of the room and notify a supervisor. And that I was not signing into the call center to her likeness and that "effective today..." I will need to sign into the Call Center based on a new rule. Although this has nothing to do with my computer crashing and me deciding what I thought was the most effective solution by calling the helpdesk. Another thing to my list. Now the issues were coming at me for frequently.

I reached my tipping point on 4/7/22. I could not handle feeling as if all responsibility was falling on me. I needed to let supervision know what it was like from my perspective. I sent Heather and Jamie an email on 4/7/22 explaining I felt like my voice wasn't being heard. That there was a lot of miscommunication and misdirection on their behalf. I gave them an example that happened that day and how I was left feeling lost, and concerned.

1/18/22 email from Dave explaining to not wait until deadline to submit SAP requests. 2/17 reminded me to update SAP requests, 1 week of ULU.

On 4/8/22 I submit a request to leave to Sheila Herrman because Dave Kulinski was not in the office. Sheila emailed me and advised that shed mark my day off in calendar, but I needed to resubmit my time to Dave Kulinski. It was my understanding up to that point that all staff may submit time to any supervisor in the office and know this to be true as fact. I responded stating I sent the requests to her as it was a short pay week and wanted to make sure it was approved and that I was following Dave's prior instruction to submit time in a timely manner. Heather responded and stated it appears as though I have not been submitting my time in a timely manner. Like I stated before I was relying on my FMLA and was taking a lot of FMLA as needed. It became a lot for me keep my use of FMLA in order and to submit FMLA to supervision, according to supervision I was not submitting in a timely manner. I emailed Personnel 4/11/22 asking questions regarding times referenced in Heathers email – Personnel never responded to my email.

On 4/13/22 Heather responded to my 4/7/22 email. Citing that I had been in Community Medicaid for 6 months and although processes have slightly changed the program has the same foundations as Nursing Home, that they've offered

me trainings, and have been told to reach out to supervision. That my time off is not the problem and that I complete few to none of my cases. That she does not agree that miscommunication and misdirection are top contributing factors to my lack of success in my transition. And with that said supervision hears my concerns and is here to support me. And then was given 4 new rules I need to follow and to continue to reach out to Senior Examiners and supervisors.

They failed to hear my concerns and support me; they continue to give me directives that did not work and are not working. At this point they are gaslighting me. They failed to take any accountability and again placed all responsibility back on me. I was reaching out to supervision and senior examiners all along. I have COUNTLESS emails and Jabbers and to prove this. I emailed them in hopes of having a voice, as a last-ditch effort, as an admittance that I know I am failing and that I need HELP. They failed to address any of my concerns and only further contributed to the ongoing hardship I've experienced since 11/1/21 starting with the Record of Counseling and the transfer of departments on 11/22/21.

There were numerous emails back and forth between myself and Dave Kulinski regarding my time off requests and time submissions whether I was submitting at appropriate times. These emails occurred frequently between 6/14/22 – 8/1/22. I also email Personnel a few times asking questions regarding time documenting policies, these emails went ignored. \

When I transferred to Community Medicaid, I was excited to know I was going to be working under Heather as I previously developed an excellent working relationship with her 5 years prior when she was my Head Social Welfare Examiner. Heather always has an open-door policy and was always available to speak with me by phone. As time progressed our working relationship worsened. Many phone calls took place between her and I between 11/22/21 & 7/31/22. I do not have these phone conversations precisely documented, but can recall a few in particular -

I presented a few ideas if I applied for an ADA accommodation. We did not get into much detail in regard to my ideas rather she feared if I applied for an accommodation, it would have a negative effect on Michelle Schaffer's opinion whether I was capable of doing my job. Heather was very candid in voicing her concern that Michelle may try to block my accommodation and turn it around on me that my disability restricts my ability to complete my job requirements. I was fearful of this to be true and feared Michelle Schaffer therefore I did not apply for an accommodation. As I did not want to attract any more negative attention in my direction.

Another time Heather called me and prefaced that the call was personal in nature even though it took place during work hours. She asked me if I knew how or where to file a complaint against Michelle Schaffer for discriminatory practices that Heather witnessed. I gave her contact information for NYS Department of Human Rights. I did not follow up with Heather whether or not she filed a complaint against Michelle Schaffer.

I began searching for and interviewing for new jobs in March 2022. I began a new position as a Case Assistant in Child Protective Services on 8/1/22, where I am very happy and treated with the upmost respect and kindness.

## Declaration

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**Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.**

**I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (If you have another action pending and still wish to file, please contact our office to discuss.)**

**Please initial:**

AMG

**I affirm under penalties of perjury, that I am the complainant herein; that I have read (or had read to me) the foregoing complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.**

Andrea M George



# COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

February 28, 2023

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |   |
|----------------------|---|
| File Name:           | <i>Concordia Ministries of New York, Inc.<br/>v. County of Erie, et al.</i>                                       |
| Document Received:   | Verified Petition   |
| Name of Claimant:    | Cocordia Ministries of New York, Inc.<br>134 Marwood Road<br>Cabot, Pennsylvania 16023                            |
| Claimant's attorney: | James P. Giambrone, Jr., Esq.<br>Tiveron Law PLLC<br>2410 North Forest Road, Suite 301<br>Amherst, New York 14068 |

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over the typed name of the sender.

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF ERIE

CONCORDIA MINISTRIES OF NEW YORK, INC., a domestic non-profit charitable corporation 134 Marwood Road Cabot, Pennsylvania 16023,

Petitioner,

For a Judgment Under Article 78,

-against-

JENEEN M. HILL, Assessor SCA, TOWN OF EVANS, NEW YORK 8787 Erie Road Angola, New York 14006

TOWN OF EVANS, NEW YORK 8787 Erie Road Angola, New York 14006

COUNTY OF ERIE, NEW YORK Edward A. Rath County Office Bldg. 95 Franklin Street Buffalo, New York 14202

LAKESHORE CENTRAL SCHOOL DISTRICT 959 Beach Road Angola, New York 14006,

Respondents.

Index No.

NOTICE OF PETITION

Oral argument requested

PLEASE TAKE NOTICE, that upon the annexed verified Petition, the undersigned will make application before this Court in Room \_\_\_ at \_\_\_, Buffalo, NY 14202 on the \_\_\_th day of \_\_\_, 2023 at 9:30 in the forenoon of that day, or as soon thereafter as counsel may be heard, for an order and judgment pursuant to C.P.L.R. Art. 78,

A. Declaring that Respondent JENEEN M. HILL has and retains jurisdiction to

retroactively determine the issue of Petitioner’s real property tax exemption for the tax years 2021-2022 and 2022-2023, pursuant to Real Property Tax Law Section 420-A;

B. Compelling Respondent JENEEN M. HILL to personally inspect Petitioner’s real property commonly known as 9324 Lake Shore Rd., Angola, NY 14006 and certify in writing that it satisfies all of the requirements for the real property school tax exemption for the tax years 2021-2022 and 2022-2023, set forth in Real Property Tax Law Section 420-A;

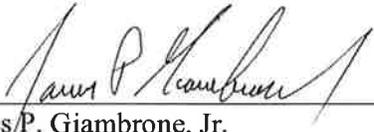
C. Compelling Respondent JENEEN M. HILL to retroactively grant Petitioner the mandatory real property tax exemption for the tax years 2021-2022 and 2022-2023, pursuant to Real Property Tax Law Section 420-A;

D. Compelling Respondents to refund forthwith to Petitioner the sum of \$84,074.33, representing the school taxes for tax years 2021-2022 and 2022-2023, and the further sum of \$99,675.41, representing the 2023 Town/County taxes, paid to Respondents by Petitioner under protest, with interest from the dates of said payments;

E. Granting Petitioner the costs and reasonable attorney’s fees to cover expenses incurred in this proceeding. *See* N.Y. CPLR §§ 7806, 8601; and

F. Granting Petitioner such other and further relief as the Court deems just and proper.

Date: Buffalo, New York  
February 6, 2023

By:   
James P. Giambrone, Jr.  
TIVIRON LAW, PLLC.  
Attorneys for Petitioner  
2410 N. Forest Road, Ste. 301  
Getzville, New York 14068  
(716) 636-7600

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SUBJECT

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|            |                          |   |
|------------|--------------------------|---|
| COMM. 5M-1 | VISIT BUFFALO<br>NIAGARA | Visit Buffalo Niagara - 2022 Quarterly Report<br>Q4 |
|------------|--------------------------|---|

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Attachments

23COMM. 5M-1

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EC LEG FEB 24 '23 AM 10:41

visit  
**Buffalo**  
**Niagara**



BUFFALO  
NIAGARA  
CONVENTION  
CENTER



# 2022 QUARTERLY REPORT

**Q4**

**FEBRUARY 8, 2023**

## FROM THE CEO



Dear Industry Partners,

As I look back on 2022, my favorite example of the new era ahead was the NCAA basketball tournament last spring. Throngs of fans filled the arena to its capacity of 18,000.

The city teemed with people. Our hotels, bars and restaurants were packed. It was the perfect opportunity to continue Visit Buffalo Niagara's tradition of random acts of kindness. We surprised about 30 visitors by welcoming them to Buffalo and paying for their lunches. The fans we met told us they were delighted to be here.

Happily, the travel press reached the same conclusion. Some of this year's terrific coverage started at the beginning of 2022 with a bucket-list "Best Things to do in Buffalo" guide by the millennial-focused website Fifty Grande. Architectural Digest put Buffalo on its post-pandemic-getaway list and on its list of 23 places to visit in 2023. Dave LeBlanc, a Toronto Globe and Mail columnist and "architourist," wrote two features about our new "Great Wright Road Trip" itinerary from Buffalo to Pennsylvania.

To help visitors have an easier time exploring Buffalo, VBN took a new approach to sharing maps and touring guides. We debuted "Seymour," a van and mobile visitor center, designed to help people "see more." It got started with stops at the Buffalo Niagara Convention Center's Auto Show, Home Show and Motorama show and continued through the summer season's festivals and happenings: From the Chiclets Cup street hockey competition in July, which drew 5,000, to the National Buffalo Wing Festival, which counted 22,000 from nearly every state and some foreign countries, at Orchard Park's Highmark Stadium.

Online, VBN has also increased its reach. In 2022 we worked with Madden Media to reorient the website and make finding information easier with a focus on telling the unique stories of our region. The redesign won an Adrian Award, a hospitality industry recognition for innovation and excellence. The results are impressive: We tracked 1.5 million web sessions, which was a 31 percent increase from last year.

VBN's updated web design also made it easier for us to support and re-launch Restaurant Week after a pandemic hiatus. It was a resounding success: 80 restaurants signed up, shared prix fixe menus and captured the attention of diners. Sunshine Vegan Eats and Park Vue Soul Food were featured

in interviews with Spectrum and WIVB Channel 4. The region-wide feedback we got – from downtown's Osteria 166 to the East Aurora's Roycroft Inn – was that this year's promotion influenced a remarkable uptick in dining out.

This successful effort will return next year along with another new initiative: Buffalo Theater Month, with ticket price savings that spanned the September opening of the season through October. It led to 6,500 landing page visits and 37,000 theater video plays. Stay tuned. Next year the promotion will expand to include the World Theatre Day celebration on March 27.

The newly retooled website is also helping us tell more stories that capitalize on Buffalo's humor, spirit and authenticity with short-form video.

This year's social media innovations included TikTok video stories. Since we started posting on TikTok in the fall 2021, we've been celebrating Buffalo's new places and happenings. Audiences found us quickly. We went from 4,000 followers in January 2022 to 18,000 followers this winter. Our story about the milkshake-style mixed drinks at Mr. Sizzle's, a new burger and cocktail joint, was the year's viral hit, with 243,000 views.

Our success attracted industry attention, too. Visit Buffalo Niagara was invited by Simpleview, the company that handles our content management system, to explain our TikTok approach to colleagues in the industry. It was their most well attended education session to date, with 350 people joining the call.

Our traditional, in-person outreach also yielded solid results. In September, the Sales Department hosted a familiarization, or FAM tour with 19 operators and meeting planners for a weekend of stops at places like RiverWorks, the Martin House and a suite at KeyBank Center to watch the Goo Goo Dolls concert. The scheduling of more group tours and meetings followed. *(continued on next page)*



Holiday and New Year Wishes from the VBN Team

Finally, this year, the VBN team was proud to win a series of professional accolades. In addition to the Adrian hospitality award for the website, the New York State Tourism Association recognized our Upstate Eats Trail and our new book club for tour operators with Tourism Excellence Awards.

Four of our videos, produced in collaboration with Paget Films, won Telly Awards, the premier recognition for excellence in video and television. Watch our wins for features about Frank Lloyd Wright’s Buffalo legacy, a shop-local video that celebrated pandemic recovery and Buffalo as the perfect mid-sized city for meetings and conventions.

We’re extremely pleased with the recognition. These wins captured the energy and creativity of our community and help spark the imagination and curiosity of potential visitors.

The VBN team loves sharing the keys to discovery and the best our hometown has to offer. The revelations capture hearts. The year ahead is full of promise and opportunity to do what we do best: Getting visitors, and locals, to explore our community’s abundant art, culture, history, outdoor fun, and meet interesting people as they discover Buffalo’s great stories. With the May opening of the Buffalo AKG Art Museum on the horizon, media and visitor interest has already started to surge. We will continue our collaborations and make sure Buffalo’s comeback soars in 2023.

Sincerely and with many good wishes for a happy, healthy and prosperous year ahead,

Patrick Kaler  
President and CEO

Q4 FINANCIAL SUMMARY

| Q4 Financials                            | Projected           | Budgeted            | Variance            | % Variance    |
|--|---------------------|---------------------|---------------------|---------------|
| <b>Revenues</b>                          | <b>\$4,130,683</b>  | <b>\$4,363,830</b>  | <b>(\$ 233,192)</b> | <b>-5.34%</b> |
| <b>Expenses</b>                          |                     |                     |                     |               |
| Marketing & Communications               | \$1,763,954         | \$1,697,465         | \$ 66,489           | 3.92%         |
| Convention Sales & Services              | 1,683,187           | 1,796,905           | (158,718)           | -8.83%        |
| Destination Development                  | 222,305             | 245,460             | (23,155)            | -9.43%        |
| Administrative & Finance                 | 954,941             | 924,000             | 30,941              | 3.35%         |
| <b>TOTAL EXPENSES</b>                    | <b>\$4,579,387</b>  | <b>\$4,663,830</b>  | <b>(\$ 84,443)</b>  | <b>-1.81%</b> |
| <b>Increase (Decrease) In Net Assets</b> | <b>(\$ 448,749)</b> | <b>(\$ 300,000)</b> | <b>\$ 148,749</b>   |               |

Q4 STAFF COMMUNITY AND BUSINESS INVOLVEMENT



Patrick presenting at Erie County Department of Senior Citizens University Express program.



← James, Kate and Emma participating in the Buffalo Niagara Partnership’s BN360 Young Professionals program.



→ Emma participating in a park clean-up as part of the 2022 Young Professionals for Olmsted Parks program.

## YEAR-END SMITH TRAVEL WITH 2021 AND 2019 COMPARISON

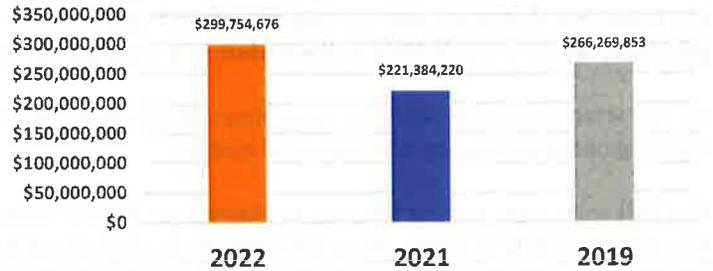
**Hotel Revenue** is the total hotel lodging revenue for all hotel/motel properties in Erie County reported for the year. 2022 hotel revenue compared to 2021 saw a **35.4%** increase year-over-year. While still in the Covid-19 recovery phase, Erie County saw an **12.6%** increase over 2019 revenue.

**Hotel Occupancy** is the percentage of available rooms sold during the year in Erie County. Occupancy is calculated by dividing the number of rooms sold by the number of rooms available. For the year ending 2022, hotel occupancy increased **15.0%** over 2021, but remained **2.9%** down from 2019.

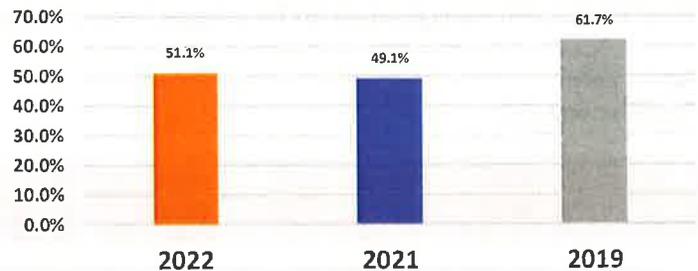
**Hotel Average Daily Rate (ADR)** is the measure of the average rate paid for hotel/motel rooms sold for the previous year. It is calculated by dividing room revenue by the number of rooms sold for that time period. In 2022, Erie County saw significant growth year-over-year from 2021 with **17.2%** increase in ADR as well as a **16.3%** increase over 2019.

**Hotel Revenue Per Available Room (RevPAR)** is the total room revenue for the previous year divided by the total number of available rooms. RevPAR generated in 2022 **32.7%** increase over 2021 and a **12.8%** increase over 2019.

Hotel Revenue



Hotel Occupancy



Hotel Average Daily Rate

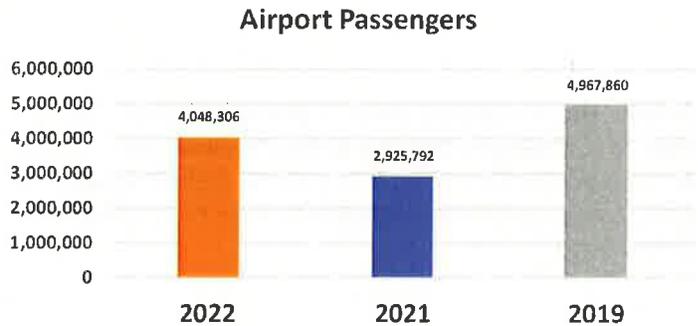


Hotel RevPAR

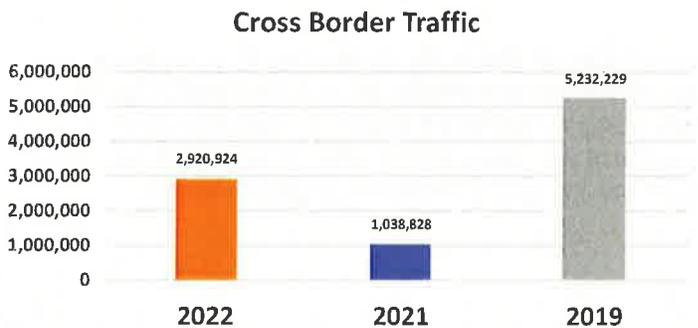


## YEAR-END DESTINATION METRICS WITH 2021 AND 2019 COMPARISON

**Airport Passengers** is the total annual air traffic passengers at Buffalo Niagara International Airport as reported by NFTA. 2022 passenger count compared to 2021 saw a **38.4%** increase year-over-year, however remained **18.5%** behind 2019 air traffic passengers.



**Cross Border Traffic** calculates the monthly border crossings between the United States and Canada for the year end. Travel between the two countries through the Erie and Niagara County access points, remain behind 2019. 2022 saw a **181.2%** increase over 2021, however 2022 was still down **44.2%** from 2019 border crossings.



## YEAR-END SALES & SERVICES METRICS WITH 2021 AND 2019 COMPARISON

**Sales Leads Distributed** are the annual total of tentative sales leads sent to hotel partners and tourism related service providers in Buffalo and Erie County. In 2022, the VBN sales department's productivity in sales leads increased **66.6%** over 2021 but remained **24.4%** below leads distributed in 2019.



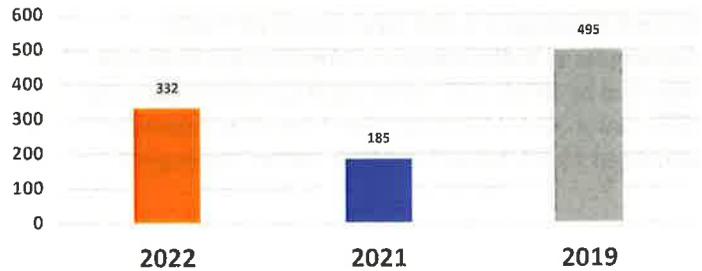
**Lead Hotel Room Nights** are the annual room nights represented in the sales leads distributed to hotel partners in Buffalo and Erie County. An **86.9%** increase in room nights were generated in 2022 over 2021, while a **19.4%** decrease compared to lead hotel room nights reported in 2019.



## YEAR-END SALES & SERVICES METRICS WITH 2021 AND 2019 COMPARISON *CONTINUED*

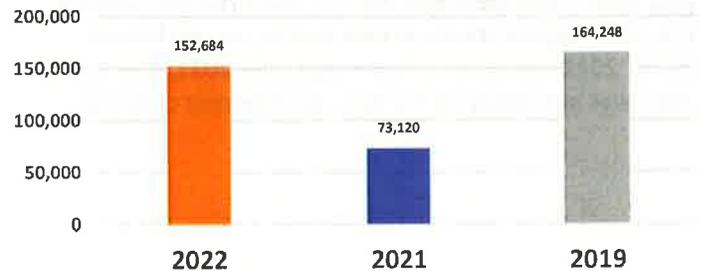
### Definite Leads

**Definite Leads** represent the annual tentative leads that went to contract (i.e. definite) with hotels and venues in Buffalo and Erie County for future years. Definite leads in 2022 were **66.6%** higher than in 2021 but paced **32.9%** behind 2019.



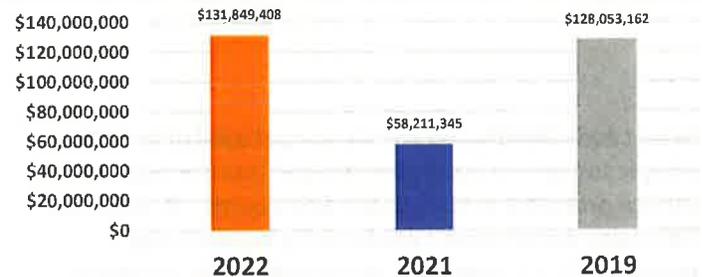
### Definite Room Nights

**Definite Room Nights** are the number of hotel rooms associated with the definite leads contracted for future business in Buffalo and Erie County. Definite rooms booked in 2022 were **86.9%** higher than in 2021 but were behind 2019 definite room nights by **19.4%**



### Definite Estimated Economic Impact

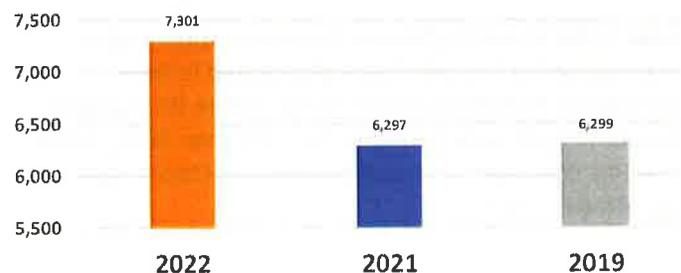
**Definite Estimated Economic Impact** represents the potential overall economic impact of the definite business contracted for the year. The estimated economic impact for 2022 is **126.5%** over 2021 and **3.0%** over the economic impact potential for future definite business booked in 2019



## YEAR-END INDUSTRY RELATIONS METRICS WITH 2021 AND 2019 COMPARISON

### Touring Guide Requests

**Touring Guide Requests** are the annual total number of touring guides (VBN visitor guide publication) requests made and distributed for the calendar year. The number of requests in 2022 were **15.9%** higher in 2021 and **17.2%** higher than 2019.



## YEAR-END MARKETING METRICS WITH 2021 AND 2019 COMPARISON

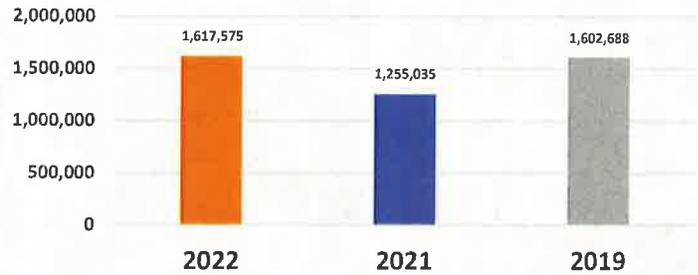
**Website Sessions** represent the annual website sessions to VisitBuffaloNiagara.com. Website sessions in 2022 were **28.9%** higher than sessions in 2021, and **0.9%** higher than in 2019.

**Website Page Views** are the total annual page views on VisitBuffaloNiagara.com for both desktop and mobile user sessions. Page views increased by **33.1%** from 2021 to 2022, and an increase of **0.5%** for 2022 compared to 2019.

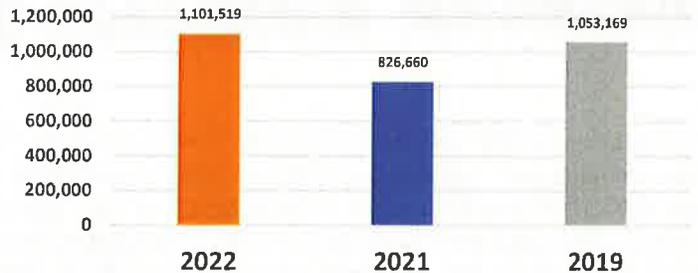
**Video Shares** represent the total annual video views of VBN produced video content that is posted on Facebook, Twitter, Instagram, YouTube and TikTok social media platforms. VBN's video content views in 2022 on all platforms increased by **1394.8%** over 2021 and **249.5%** over 2019.

**Media Placements** are the total number of clips from online, print or broadcast media that Visit Buffalo Niagara was involved with the publication and or writer producing the content. In 2022 a **62.2%** increase in media placements occurred due to VBN's efforts compared to 2021 and a **13.2%** increase over 2019.

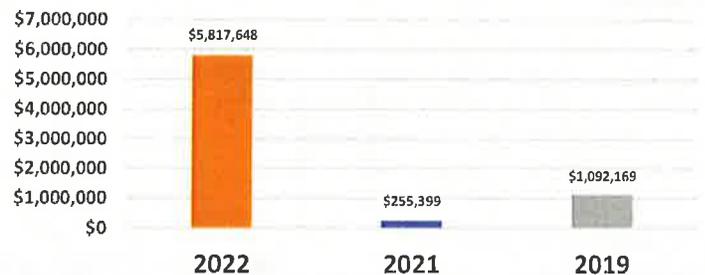
Website Sessions



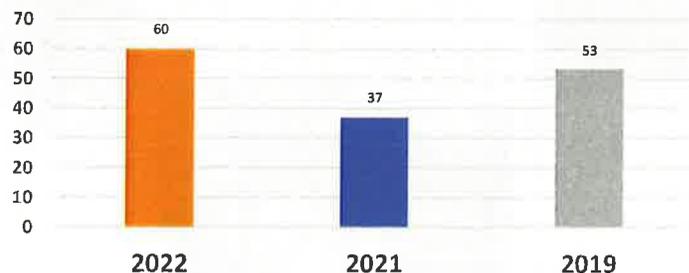
Website Page Views



All Video Shares



Media Placements



## MARKETING AND COMMUNICATIONS DEPARTMENT UPDATE



Visit Buffalo Niagara's top monthly viewed videos for Q4:

October – Cereal Spot  
37,900 views

November – Hartman's Distilling  
63,000 Views

December - Tom & Jerry  
132,000 views

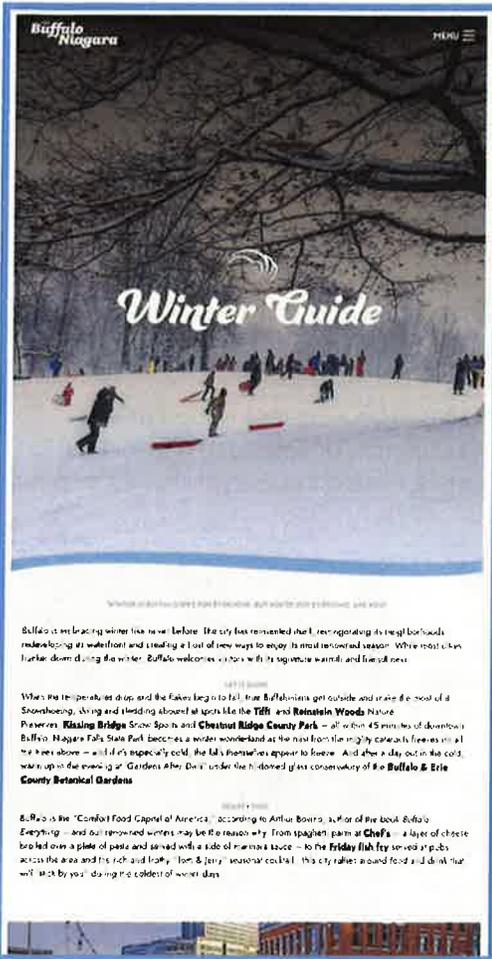
In October, Visit Buffalo Niagara's Communications Manager, Michelle Kearns joined professional travel writers at the Winter Media Night sponsored by I Love NY tourism office in New York City. She met with several writers including those who write for TripAdvisor, Fodor's, Forbes and Travel+Leisure. Her networking and new connections with travel writers, state destination organization colleagues and state tourism representatives will help us make the most of our share of the 2023 limelight.



Some of the exceptional media coverage that was generated by Visit Buffalo's media relations efforts included three separate articles with TravelingMitch featuring stories on the Martin House, Inn Buffalo and Top Things to Do In Buffalo. USATODAY also featured Buffalo's Taste of Buffalo as one of their Top Ten events in the country.



## MARKETING AND COMMUNICATIONS DEPARTMENT UPDATE



The Visit Buffalo Niagara Marketing Department continued to create engaging and original content through the end of the 2022 calendar year. In anticipation of the holidays, a Holiday Guide was curated for the months of November and December with a Winter Guide created for the end of 2022 through the first quarter of 2023. Original blog content through staff and local writers continues to tell the stories of unexpected Buffalo experiences such as flyfishing for Steelhead Trout.



Q4 also proved to be a new “awards season” for Visit Buffalo Niagara both monetarily and with a trophy.



In response to a Market NY grant application, VBN was awarded \$200,000 to create a music tourism program in 2023 and 2024. Erie County is rich with live music and VBN is excited to share these musical experiences with visitors and residents alike. This will be a community collaboration with musicians, venues, colleges and universities, promoters and event organizers. Nothing is better than the sounds, rhythms and excitement of live music to welcome visitors to our destination.

Visit Buffalo Niagara has been awarded a Bronze Hospitality Sales and Marketing Association International award for our new destination website which spotlights the energy and better connects residents and visitors to Buffalo’s brand identity.

## SALES AND SERVICES DEPARTMENT UPDATE



Visit Buffalo Niagara attended and held one-on-one meeting planner appointments at **Small Market Meetings SUMMIT** in Wichita, KS in October. VBN and the Buffalo Niagara Convention Center will host the SUMMIT in 2025. Pictured are Small Market Meetings CEO, Charlie Presley and team with VBN's Meaghan Zimmer.

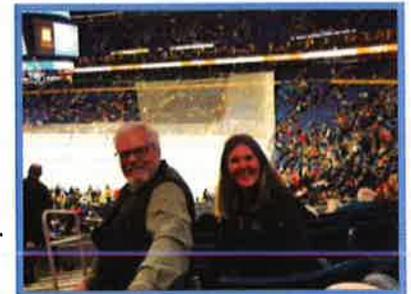


Shannon Jenkins, Visit Buffalo Niagara's National Sales Director based in Washington, DC attended the **Society of Government Meeting Professionals (SGMP) Fall NATCAP** event.

Visit Buffalo Niagara's Senior Director of Tourism Sales, Leah Mueller attended the October marketplace of **Bus Association of New York**. In addition to co-sponsoring a client reception, VBN participated on a panel discussion and attended a motivational session led by former VBN sales staff member, Dionne Williamson.



Visit Buffalo Niagara's Senior Director of Tourism Sales, Leah Mueller doing a product development tour with **Mayflower Tours** taking in a Buffalo Sabres game. They also visited and toured, the destination's Frank Lloyd Wright sites – The Martin House and Graycliff, TR Site, Kazoo Factory Museum and of course sampled some great Buffalo Wings.



Buffalo Niagara Sports Commission's newest staff member, Greg Gelinas - Director of Sports Development along with James Adler - Sports Sales Manager attended the **TEAMS '23 Conference + Expo** presented by Sports Travel in The Palm Beaches in October. For more than 20 years, TEAMS has helped define the sports-event and appointment-based tradeshow that attracts over 1,000 attendees including CEOs, executive directors and event managers from sports organizations. TEAMS has consistently provided direct contact with sporting event rights holders while also providing exceptional professional development for the BNSC staff.

## DESTINATION DEVELOPMENT DEPARTMENT UPDATE

### Seemore Buffalo Around Town

In less than one year of operation, Visit Buffalo Niagara's mobile visitor center "Seemore" was a big success. The van, our staff and volunteers greeted and engaged with 236,946 visitors and residents at 36 events since hitting the road in 2022. We look forward to having a robust calendar of events in 2023 for even more engagement and sharing of the amazing things to see and do in Buffalo and Erie County.



Visit Buffalo Niagara launched two new annual initiatives in 2022 – Theater Month and Restaurant Week.

Thanks to Legislator Vinal and the Erie County Legislature for designating \$100K to VBN to launch a theater program for residents and visitors. Launched during Curtain Up! VBN promoted hotel packages with theater performances. VBN is currently creating individual video content for over twenty theater companies throughout Erie County for promotional purposes during Theater Month and through the year. We are thrilled to put the spotlight on our theater community.



At the urging of many Erie County restaurant proprietors, VBN took over the organizing and messaging for Restaurant Week which will occur twice a year. This year's event surpassed all expectations with over 70 restaurants participating, and visitation to the Restaurant Week landing page generated over 100,000 views in one week. Success never tasted so good.

## BUFFALO NIAGARA CONVENTION CENTER UPDATE



In the last quarter of 2022, Erie County released an exciting video update of the façade construction at the Buffalo Niagara Convention Center. Unfortunately, due to impending winter weather, the project had to be put on pause until the Spring when consistent temperatures could be guaranteed to finish the project. However, other internal painting has been completed in all the hallways and meeting rooms with the exception of the ballroom which is expected to be painted in the first part of 2023

## QUANTITATIVE ORGANIZATIONAL RECAP – Q4

### Smith Travel Research (Hotels) – Q4

| Month    | Revenue      | Occupancy | Demand  | Average Daily Rate | RevPAR   |
|----------|--------------|-----------|---------|--------------------|----------|
| October  | \$36,813,351 | 75.0%     | 225,750 | \$143.81           | \$85.72  |
| November | \$36,007,138 | 75.6%     | 258,358 | \$139.37           | \$105.39 |
| December | \$30,510,860 | 69.2%     | 228,912 | \$133.29           | \$92.29  |

### Key Data (Airbnb/Vacation Rentals) – Q4

| Month    | Revenue     | Occupancy | Demand | Average Daily Rate | RevPAR   |
|----------|-------------|-----------|--------|--------------------|----------|
| October  | \$3,657,753 | 54.7%     | 6,143  | \$189.00           | \$103.00 |
| November | \$3,633,862 | 50.8%     | 6,332  | \$186.00           | \$94.00  |
| December | \$3,470,370 | 60.6%     | 5,287  | \$177.00           | \$82.00  |

### Sales and Services – Q4 Total (Months of October, November and December)

| Sales Leads Distributed | Room Nights (Leads)         | Person to Person Prospects   | Indirect Prospects              | Lost Business |
|-------------------------|-----------------------------|------------------------------|---------------------------------|---------------|
| 130                     | 95,231                      | 1,258                        | 21                              | 64            |
| Definite Events Booked  | Definite Room Nights Booked | Definite Expected Attendance | Definite Events Economic Impact |               |
| 78                      | 54,924                      | 50,299                       | \$43,475,388                    |               |
| Events Held             | Room Nights                 | Attendance                   | Groups Serviced                 |               |
| 51                      | 16,637                      | 17,501                       | 39                              |               |

### Marketing & Communications – Q4 Total or Average (Months of October, November and December)

| Website Sessions          | Mobile Site Sessions     | Q4 YTD Duration on Site    | Website Page Views      | Shared Social Media Posts |
|---------------------------|--------------------------|----------------------------|-------------------------|---------------------------|
| 366,136                   | 252,441                  | 1:15                       | 882,513                 | 563                       |
| Q4 YTD Facebook Followers | Q4 YTD Twitter Followers | Q4 YTD Instagram Followers | Q4 YTD TikTok Followers | All Platforms Video Views |
| 100,102                   | 29,590                   | 46,912                     | 18,005                  | 505,326                   |
| Media Placements          | Media Impressions        | Media Social Shares        | Media Touchpoints       | Media Visits              |
| 16                        | 560,260,271              | 29,681                     | 253                     | 33                        |

### Industry Relations – Q4 Total or Average (Months of July, August, and September)

| Volunteer Hours – Conventions                    | Volunteer Hours – Mobile VC         | Total Volunteer Hours       |
|--|-------------------------------------|-----------------------------|
| 66   | 0                                   | 66                          |
| Q4 YTD Weekly Lodging Dashboard Distribution     | Q4 YTD Tourism Insider Distribution | Industry Events Attendance  |
| 427  | 2,750                               | 80                          |
| Destination/Customer Service Training Attendance | Extranet Training Attendance        | Industry Meeting Attendance |
| 65   | 33                                  | 0                           |

### Visit Buffalo Niagara Board of Directors

Mary Roberts, The Martin House - Chair  
Cindy Abbott-Letro, Law Offices of Francis A. Letro - Vice Chair  
Huseyin Taran, Buffalo Marriot HarborCenter - Treasurer  
Jonathan A. Dandes, Rich Products Corp. - Immediate Past Chair  
Mark Alnutt, University of Buffalo Department of Athletics  
Thomas Beauford, Buffalo Urban League  
Scott Bieler, West Herr Auto Group  
Daniel Castle, Erie County Dept. of Environment & Planning  
Matt Chiazza, Reikart House  
Dottie Gallagher, Buffalo Niagara Partnership  
Mark Glasgow, Erie County Legislature Majority Caucus Appointee  
Patrick Kaler, Visit Buffalo Niagara – President & CEO  
Thomas Long, The Westin Buffalo  
Kim Minkel, Niagara Frontier Transportation Authority  
William Paladino, Ellicott Development, Inc.  
Don Spasiano, Trocaire College  
Gail Wells, Coppertown Blockclub & Buffalo Freedom Gardens



### Visit Buffalo Niagara Staff

James Adler, Sports Sales Manager  
Jo Ann Blatner, Industry Relations Assistant  
Drew Brown, Marketing Manager  
Michele Butlak, Accounting & Benefits Manager  
Emma Carlo, National Sales Manager  
Karen Cox, Convention Sales & Services Manager  
Mike Even, Vice President of Sales & Services  
Karen Fashana, Director of Marketing  
Pete Harvey, Director Sports Development  
Ed Healy, Vice President of Marketing  
Patrick Kaler, President & CEO  
Michelle Kearns, Communications Manager  
Shannon Jenkins, National Association Sales Director  
David Marzo, Chief Financial Officer  
Leah Mueller, Director of Tourism Sales  
Heather Nowakowski, Business Intelligence Manager  
Kathryn Scaduto, Marketing and Social Media Specialist  
Judy Smith, Director of Administration  
Renata Toney, Vice President of Destination Experience  
Marisa Urbano, Administrative Sales Assistant  
Lauren Vargo, Sports Services Manager  
Meaghan Zimmer, National Sales Director

### Buffalo Niagara Convention Center Staff

Melissa Burke, Senior Director of Sales  
Jeff Calkins, Vice President & General Manager  
Tom Christy, Controller  
Lorna Cullen, Office Manager  
Patrick Kaler, President & CEO  
Sue Kimmins, Sales and Catering Manager  
Craig Landseadel, Executive Chef  
Mary Ann Martin, Bookkeeper & Benefits Manager  
Mark McMahon, Maintenance Supervisor  
Terry O'Brien, Director of Operations  
Heather Petrino, Sales & Service Coordinator  
Ken Sanford, Chief Engineer  
Christie Walker, Convention and Event Service Manager  
Cory Watson, Food and Beverage Manager  
Michael Will, Assistant Director of Operations  
Colleen Willis, Sales Manager  
Danielle Winiarski, Assistant General Manager  
Alishia Vega, Front Desk Receptionist

## VISIT BUFFALO NIAGARA VISION AND MISSION STATEMENTS

### VISION:

To be the most surprising destination you'll ever visit.

### MISSION:

Transforming our community by inspiring visitors and locals to discover Buffalo and Erie County.



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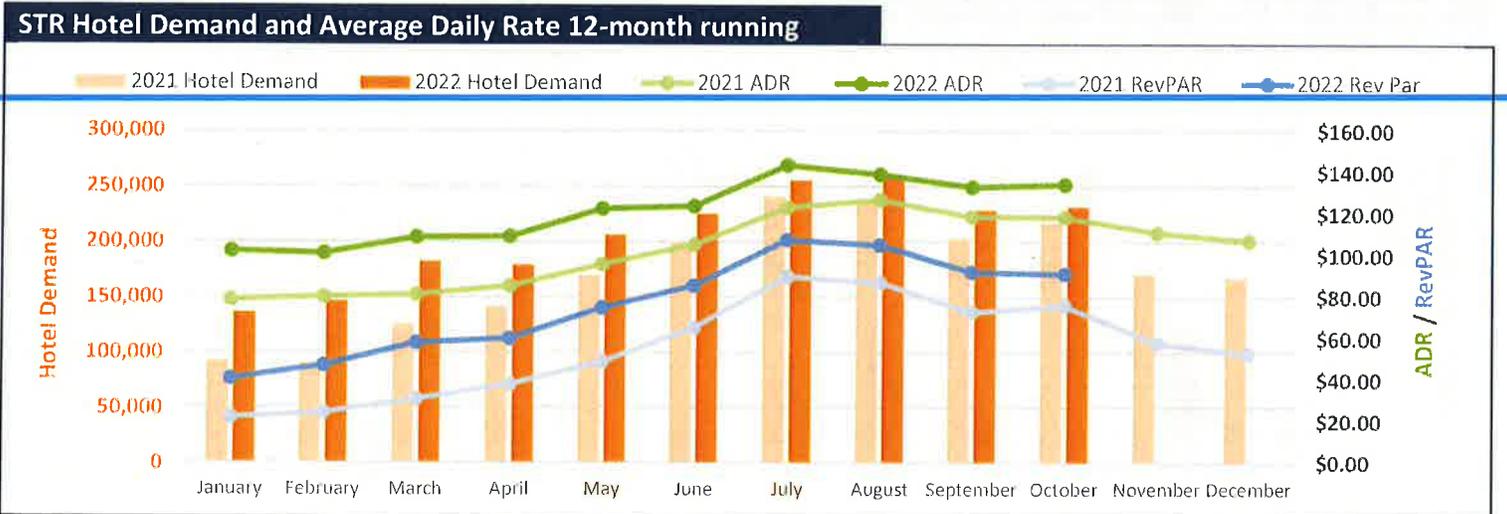
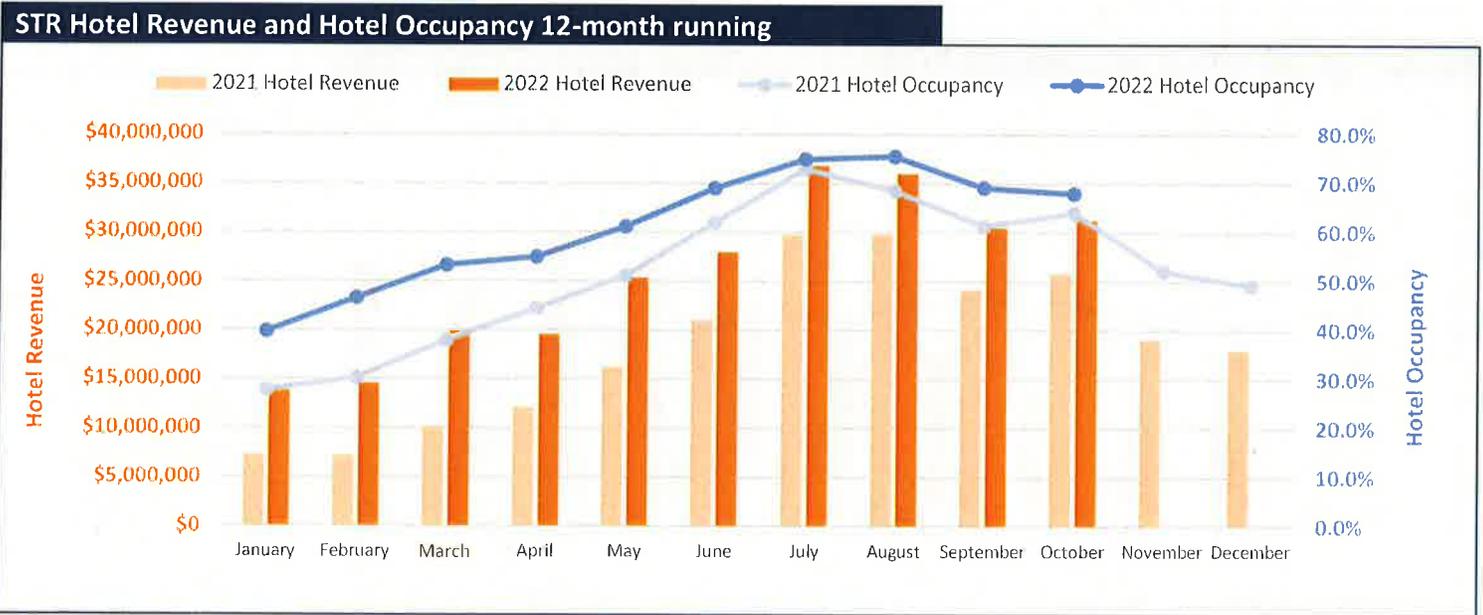
# Destination Performance Report



October 2022 \*Source: STR, Inc. Republication or other use of this data without the express written permission of STR is strictly prohibited. Simpleview CRM

| Hotel and Visitor Overview –October 2022 |  |                                      |                              |                                      |
|--|--|--------------------------------------|------------------------------|--------------------------------------|
| <b>Hotel Revenue</b><br>\$31,241,738     | <b>Hotel Occupancy</b><br>68.0%        | <b>Hotel Demand</b><br>232,220       | <b>Hotel ADR</b><br>\$134.54 | <b>Hotel RevPAR</b><br>\$91.45       |
| Sept 2022 2.4%                           | Sept 2022 -1.7%                        | Sept 2022 1.4%                       | Sept 2022 1.0%               | Sept 2022 -0.9%                      |
| <b>Airport Passengers</b><br>380,910     | <b>Cross Border Traffic</b><br>326,357 | <b>Touring Guide Requests</b><br>298 | <b>Mobile VC Events</b><br>3 | <b>MVC Event Attendance</b><br>5,600 |
| Sept 2022 2.4%                           | Sept 2022 16.2%                        | Sept 2022 25.7%                      | Sept 2022 -25.0%             | Sept 2022 -85.8%                     |

| Hotel and Visitor Overview Comparison YOY 2022 vs. 2019 and 2021 |  |  |                                   |  |
|--|--|--|-----------------------------------|--|
| <b>YTD Hotel Revenue</b><br>\$256,295,366                        | <b>YTD Hotel Occupancy</b><br>61.3%          | <b>YTD Hotel Demand</b><br>2,049,016       | <b>YTD Hotel ADR</b><br>\$125.08  | <b>YTD Hotel RevPAR</b><br>\$76.69         |
| 2021 39.6%   | 2021 17.0%                                   | 2021 19.7%                                 | 2021 16.6%                        | 2021 36.3%                                 |
| 2019 10.7%   | 2019 -3.9%                                   | 2019 -4.2%                                 | 2019 15.6%                        | 2019 11.0%                                 |
| <b>YTD Airport Passengers</b><br>3,467,906                       | <b>YTD Cross Border Traffic</b><br>2,344,546 | <b>YTD Touring Guide Requests</b><br>7,019 | <b>YTD Mobile VC Events</b><br>35 | <b>YTD MVC Event Attendance</b><br>236,696 |
| 2021 49.1%   | 2021 220.0%                                  | 2021 19.6%                                 | 2021 NA                           | 2021 NA                                    |
| 2019 -17.5%  | 2019 -47.3%                                  | 2019 22.1%                                 | 2019 NA                           | 2019 NA                                    |



# Destination Performance Report

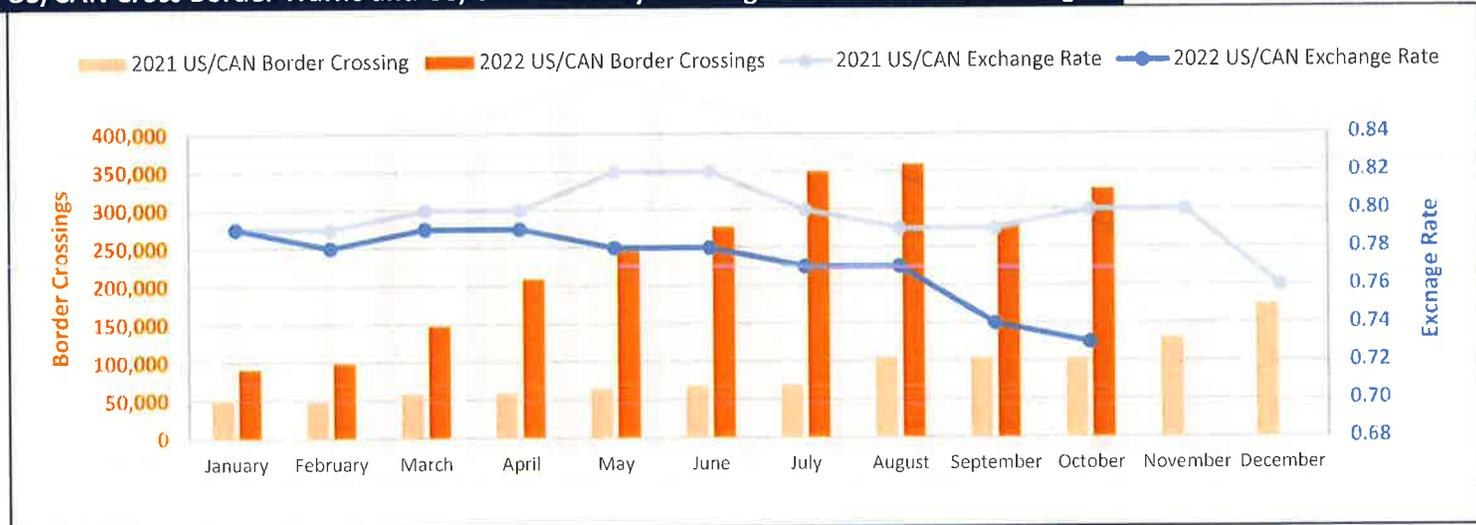
October 2022 \*Source: STR, Inc. Republication or other use of this data without the express written permission of STR is strictly prohibited. Simpleview CRM



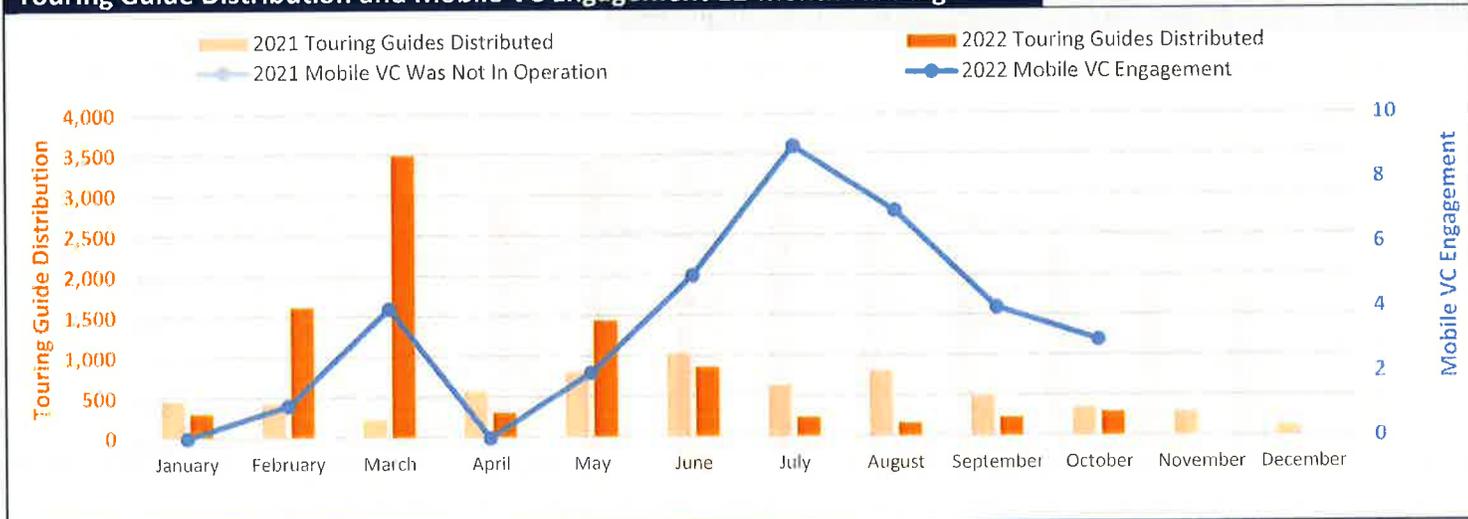
## Airport Passengers vs. Hotel Occupancy\* 12-month running



## US/CAN Cross Border Traffic and US/CAN Currency Exchange Rate 12-month running



## Touring Guide Distribution and Mobile VC Engagement 12-month running



# Destination Performance Report

October 2022 **\*\*Source: Key Data. Republication or other use of this data without the express written permission of Key Data is strictly prohibited.**



## Short Term Rental Data –October 2022

| Short Term Rental Revenue** | Short Term Rental Occupancy** | Short Term Rental Bookings** | Short Term Rental ADR** | Short Term Rental RevPAR** |
|-----------------------------|-------------------------------|------------------------------|-------------------------|----------------------------|
| <b>\$2,741,723</b>          | <b>41.2%</b>                  | <b>5,131</b>                 | <b>\$176.00</b>         | <b>\$73.00</b>             |
| Sept 2022 <b>-21.0%</b>     | Sept 2022 <b>-32.0%</b>       | Sept 2022 <b>-3.0%</b>       | Sept 2022 <b>-0.6%</b>  | Sept 2022 <b>-11.0%</b>    |

## Short Term Rental Data Comparison YOY 2022 vs. 2019 and 2021

| YTD Short Term Rental Revenue** | YTD Short Term Rental Occupancy** | YTD Short Term Rental Bookings** | YTD Short Term Rental ADR** | YTD Short Term Rental RevPAR** |
|---------------------------------|-----------------------------------|----------------------------------|-----------------------------|--------------------------------|
| <b>31,894,611</b>               | <b>43.3%</b>                      | <b>59,096</b>                    | <b>\$169.00</b>             | <b>\$73.00</b>                 |
| 2021 <b>83.4%</b>               | 2021 <b>-36.5%</b>                | 2021 <b>74.2%</b>                | 2021 <b>14.2%</b>           | 2021 <b>Null</b>               |
| 2019 <b>NA</b>                  | 2019 <b>NA</b>                    | 2019 <b>NA</b>                   | 2019 <b>NA</b>              | 2019 <b>NA</b>                 |

## KeyData ADR, RevPAR and Occupancy\*\* 12-month running



## KeyData ADR, RevPAR and Occupancy\*\* 12-month running



## 2019 Tourism Economics Annual Performance Report – Erie County

Erie County Tourism Impact

**\$1,879,000,000**

Erie County Travel Spend – Amounts in millions of nominal dollars

| Lodging               | Recreation        | Food & Beverage                   | Retail            | Transportation            | 2 <sup>nd</sup> Home Purchase |
|-----------------------|-------------------|-----------------------------------|-------------------|---------------------------|-------------------------------|
| <b>\$333.8</b>        | <b>\$201.0</b>    | <b>\$712.9</b>                    | <b>\$373.9</b>    | <b>\$238.4</b>            | <b>\$19.0</b>                 |
| Tourism Related Taxes |                   | Erie County Tourism Related Labor |                   | Tax Savings Per Household |                               |
| New York State Taxes  | Erie County Taxes | Employment                        | Labor Income      | <b>\$598</b>              |                               |
| <b>\$155,040</b>      | <b>\$184,602</b>  | <b>32,395</b>                     | <b>\$1,561.8M</b> |                           |                               |

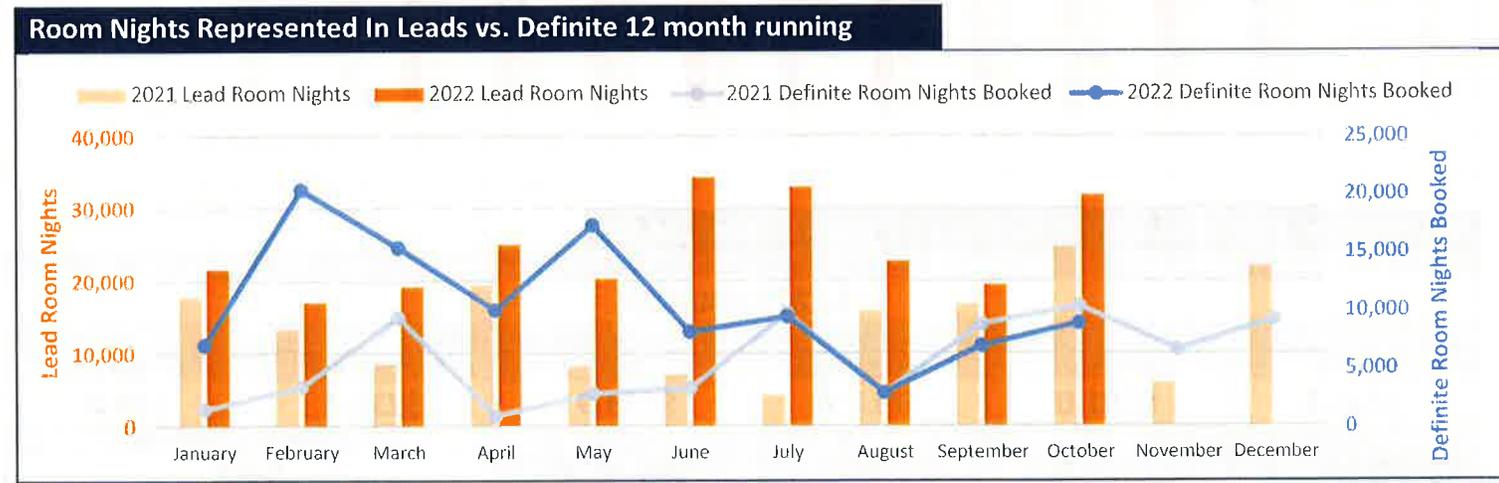
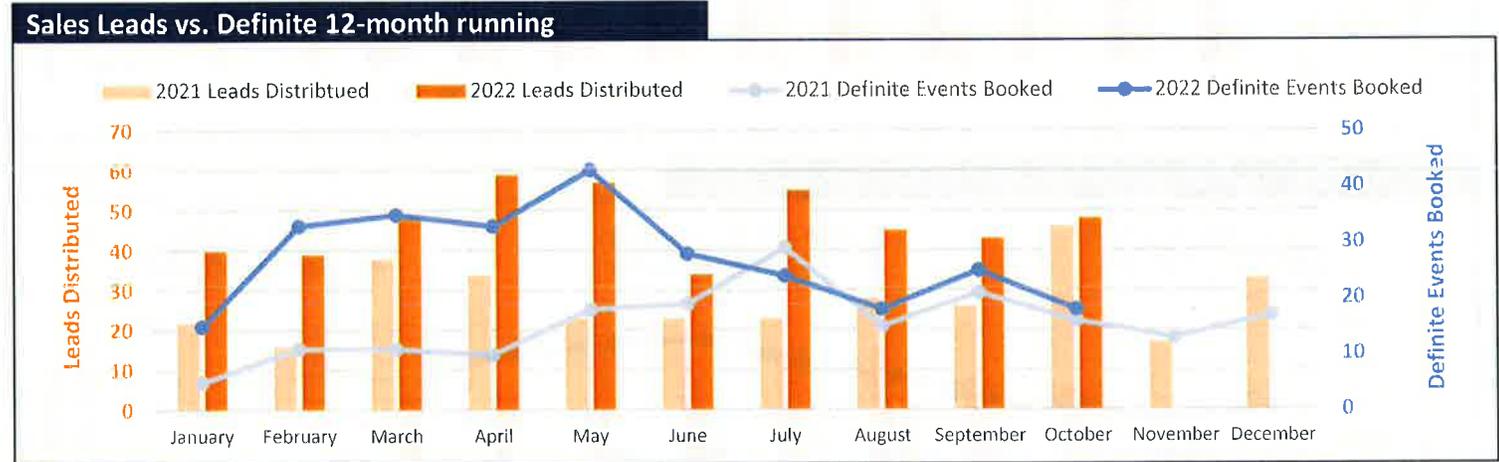
# Sales and Services Performance Report



October 2022 Source: Simpleview CRM

| Sales Leads, Bookings and Outreach – October 2022              |   |  |  |  |
|--|---|--|--|--|
| Sales Leads Distributed<br><b>48</b><br>Sept 2022 <b>11.6%</b> | Room Nights (Leads)<br><b>31,858</b><br>Sept 2022 <b>60.0%</b>        | Person to Person Prospects<br><b>481</b><br>Sept 2022 <b>14.0%</b>     | Indirect Prospects<br><b>0</b><br>Sept 2022 <b>-100.0%</b>                     | Lost Business<br><b>19</b><br>Sept 2022 <b>35.7%</b> |
| Definite Events Booked<br><b>18</b><br>Sept 2022 <b>-28.0%</b> | Definite Room Nights Booked<br><b>8,907</b><br>Sept 2022 <b>27.8%</b> | Definite Expected Attendance<br><b>6,470</b><br>Sept 2022 <b>15.3%</b> | Definite Event Economic Impact<br><b>\$6,863,943</b><br>Sept 2022 <b>39.1%</b> |  |
| Events Held<br><b>29</b><br>Sept 2022 <b>3.6%</b>              | Room Nights<br><b>4,787</b><br>Sept 2022 <b>-20.4%</b>                | Attendance<br><b>5,961</b><br>Sept 2022 <b>4.2%</b>                    | Groups Served<br><b>22</b><br>Sept 2022 <b>Null</b>                            |  |

| Sales Leads, Bookings and Outreach – YOY 2022 vs. 2019 and 2021                      |  |  |  |  |
|--|--|--|--|--|
| YTD Sales Leads Distributed<br><b>469</b><br>2021 <b>68.0%</b><br>2019 <b>-16.2%</b> | YTD Room Nights (Leads)<br><b>244,861</b><br>2021 <b>78.8%</b><br>2019 <b>-21.3%</b>         | YTD Person to Person Prospects<br><b>5,117</b><br>2021 <b>25.7%</b><br>2019 <b>NA</b>      | YTD Indirect Prospects<br><b>10</b><br>2021 <b>-28.6%</b><br>2019 <b>NA</b>                          | YTD Lost Business<br><b>182</b><br>2021 <b>10.3%</b><br>2019 <b>-19.7%</b> |
| YTD Definite Events Booked<br><b>272</b><br>2021 <b>75.5%</b><br>2019 <b>-28.4%</b>  | YTD Definite Room Nights Booked<br><b>106,662</b><br>2021 <b>100.3%</b><br>2019 <b>-0.5%</b> | YTD Definite Expected Attendance<br><b>95,850</b><br>2021 <b>88.8%</b><br>2019 <b>1.7%</b> | YTD Definite Event Economic Impact<br><b>\$95,282,964</b><br>2021 <b>123.5%</b><br>2019 <b>-5.9%</b> |  |
| YTD Events Held<br><b>230</b><br>2021 <b>76.9%</b><br>2019 <b>-38.8%</b>             | YTD Room Nights<br><b>97,905</b><br>2021 <b>149.2%</b><br>2019 <b>-33.4%</b>                 | YTD Attendance<br><b>83,760</b><br>2021 <b>144.9%</b><br>2019 <b>-32.4%</b>                | YTD Groups Served<br><b>138</b><br>2021 <b>165.4%</b><br>2019 <b>-23.8%</b>                          |  |

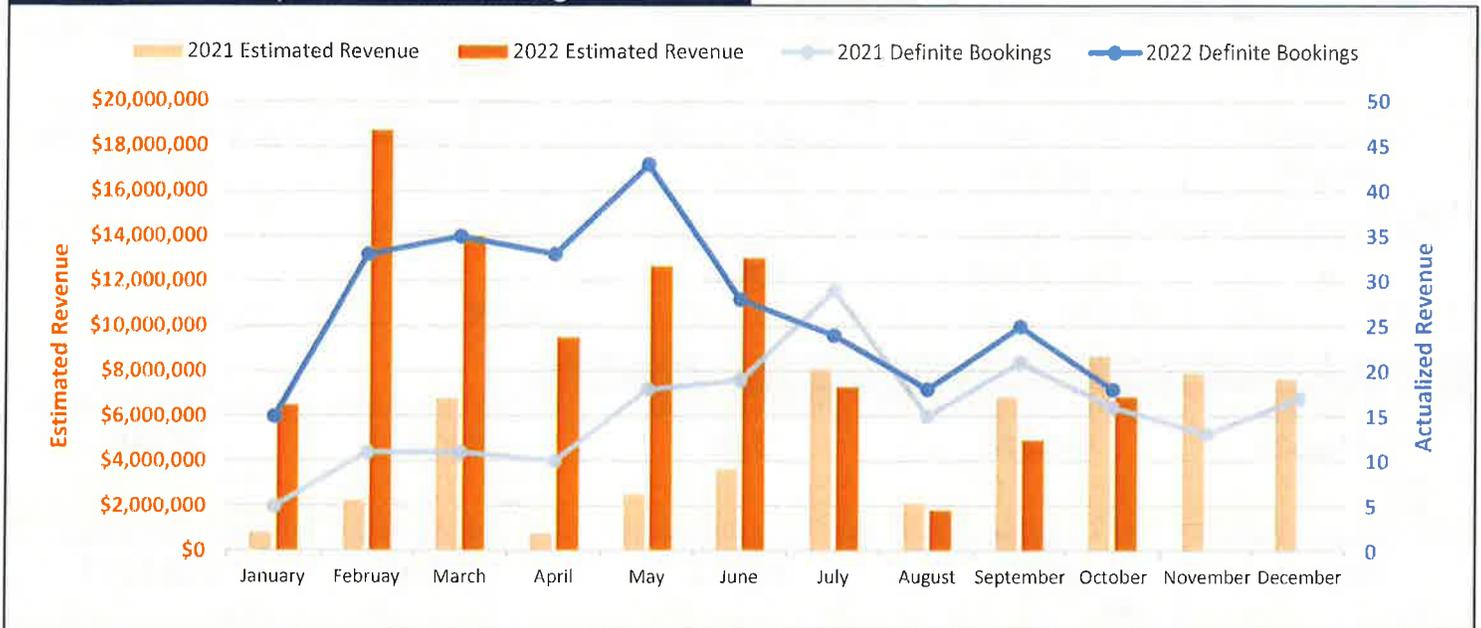


# Sales and Services Performance Report

October 2022 Source: Simpleview CRM



## Future Economic Impact 12-month running



## Sales Outreach By Month – Fiscal Year 2021

| Month of Year | Person-to-Person Outreach | Percent Change | Indirect Outreach | Percent Change |
|---------------|---------------------------|----------------|-------------------|----------------|
| January       | 721                       | 79.8%          | 2                 | -66.7%         |
| February      | 572                       | -20.7%         | 0                 | -100.0%        |
| March         | 661                       | 16.0%          | 2                 | 200.0%         |
| April         | 517                       | -21.8%         | 1                 | -50.0%         |
| June          | 481                       | -7.0%          | 2                 | 100.0%         |
| July          | 385                       | -20.0%         | 0                 | -100.0%        |
| July          | 366                       | -4.9%          | 2                 | 200.0%         |
| August        | 511                       | 39.6%          | 2                 | Null           |
| September     | 422                       | -17.4%         | 1                 | -50.0%         |
| October       | 481                       | 14.0%          | 0                 | -100.0%        |
| November      |                           |                |                   |                |
| December      |                           |                |                   |                |

## Group Events Held by Month and Room Nights Generated – Fiscal Year 2021

| Month of Year | Group Events This Month | Percent Change | Room Nights Generated | Percent Change |
|---------------|-------------------------|----------------|-----------------------|----------------|
| January       | 5                       | -16.7%         | 5,064                 | 98.9%          |
| February      | 14                      | 180.0%         | 9,687                 | 91.3%          |
| March         | 29                      | 107.1%         | 26,174                | 170.2%         |
| April         | 19                      | -34.8%         | 6,144                 | -76.5%         |
| May           | 23                      | 21.1%          | 5,830                 | -5.1%          |
| June          | 25                      | 8.7%           | 11,746                | 101.5%         |
| July          | 39                      | 56.0%          | 15,934                | 35.7%          |
| August        | 19                      | -51.3%         | 6,525                 | -43.3%         |
| September     | 28                      | 47.4%          | 6,014                 | -7.8%          |
| October       | 18                      | -28.0%         | 8,907                 | 27.8%          |
| November      |                         |                |                       |                |
| December      |                         |                |                       |                |

# Marketing Performance Report

October 2022

Sources: Clson, Google Analytics, Madden Media, Simpleview CRM



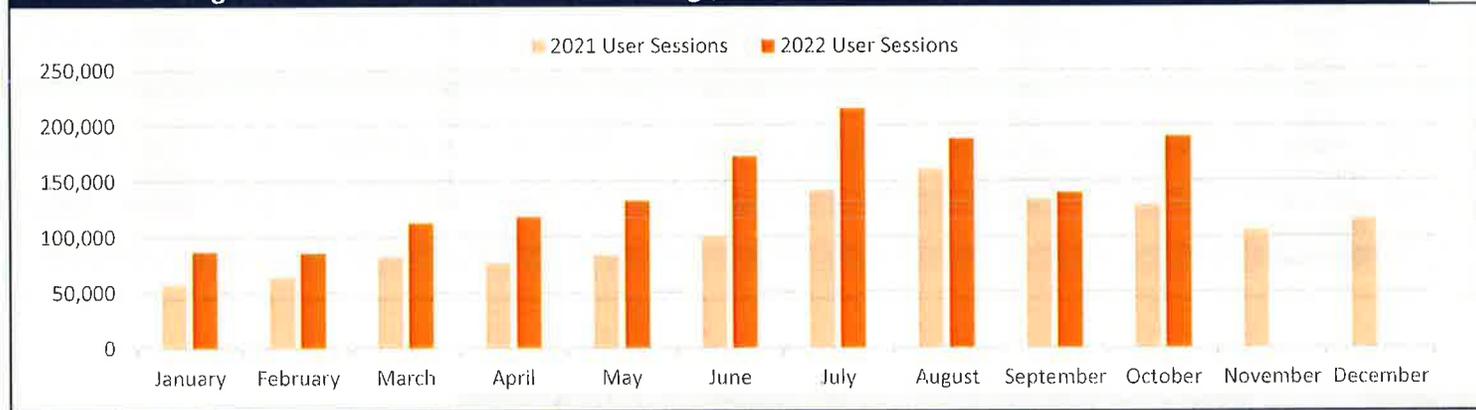
## Marketing Metrics Overview – October 2022

|   |  |  |  |  |
|---|--|--|--|--|
| <b>Website Sessions</b><br><b>190,247</b><br>Sept 2022 <b>36.3%</b> | <b>Mobile Site Sessions</b><br><b>133,798</b><br>Sept 2022 <b>40.6%</b>  | <b>Duration on Site</b><br><b>3:03</b><br>Sept 2022 <b>2:10</b>        | <b>Website Page Views</b><br><b>558,930</b><br>Sept 2022 <b>115.1%</b> | <b>Shared Social Media Posts</b><br><b>184</b><br>Sept 2022 <b>-1.1%</b>     |
| <b>Facebook Followers</b><br><b>99,918</b><br>Sept 2022 <b>0.2%</b> | <b>Twitter Followers</b><br><b>29,986</b><br>Sept 2022 <b>0.2%</b>       | <b>Instagram Followers</b><br><b>45,911</b><br>Sept 2022 <b>0.4%</b>   | <b>Tiktok Followers</b><br><b>16,850</b><br>Sept 2022 <b>1.5%</b>      | <b>All Platforms Video Views</b><br><b>256,161</b><br>Sept 2022 <b>-6.0%</b> |
| <b>Media Placements</b><br><b>6</b><br>Sept 2022 <b>-14.3%</b>      | <b>Media Impressions</b><br><b>19,130,326</b><br>Sept 2022 <b>-84.9%</b> | <b>Media Social Shares</b><br><b>9,841</b><br>Sept 2022 <b>5190.9%</b> | <b>Media Touchpoints</b><br><b>11</b><br>Sept 2022 <b>-21.4%</b>       | <b>Media Visits</b><br><b>1</b><br>Sept 2022 <b>-75.0%</b>                   |

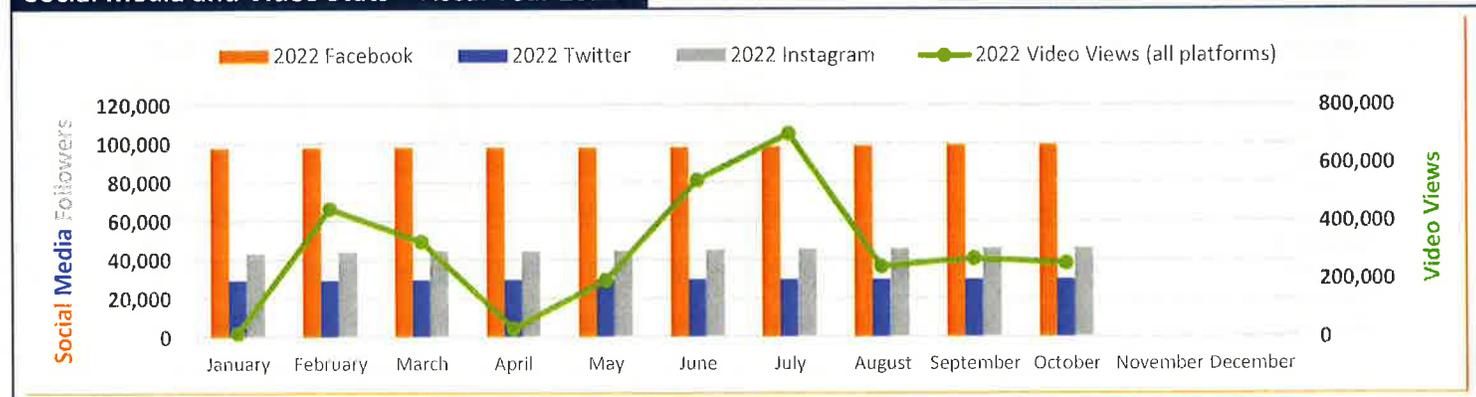
## Marketing Metrics Overview Comparison YOY 2022 vs. 2019 and 2021

|  |  |   |   |   |
|--|--|---|---|---|
| <b>YTD Website Sessions</b><br><b>1,441,626</b><br>2021 <b>39.7%</b><br>2019 <b>3.3%</b> | <b>YTD Mobile Site Sessions</b><br><b>982,876</b><br>2021 <b>44.7%</b><br>2019 <b>7.6%</b> | <b>YTD Duration on Site</b><br><b>3:03</b><br>2021 <b>1:23</b><br>2019 <b>1:35</b>        | <b>YTD Website Page Views</b><br><b>2,800,683</b><br>2021 <b>2.3%</b><br>2019 <b>-10.9%</b> | <b>YTD Shared Soc Med Posts</b><br><b>2,040</b><br>2021 <b>20.6%</b><br>2019 <b>19.1%</b>   |
| <b>YTD Facebook Followers</b><br><b>99,918</b><br>2021 <b>3.3%</b><br>2019 <b>5.2%</b>   | <b>YTD Twitter Followers</b><br><b>29,986</b><br>2021 <b>3.1%</b><br>2019 <b>4.6%</b>      | <b>YTD Instagram Followers</b><br><b>45,911</b><br>2021 <b>14.9%</b><br>2019 <b>33.7%</b> | <b>YTD Avg Tiktok Followers</b><br><b>16,850</b><br>2021 <b>NA</b><br>2019 <b>NA</b>        | <b>YTD All Video Views</b><br><b>3,036,757</b><br>2021 <b>1342.1%</b><br>2019 <b>266.5%</b> |
| <b>YTD Media Placements</b><br><b>43</b><br>2021 <b>46.9%</b><br>2019 <b>NA</b>          | <b>YTD Media Impressions</b><br><b>702,252,142</b><br>2021 <b>81.2%</b><br>2019 <b>NA</b>  | <b>YTD Media Social Shares</b><br><b>19,001</b><br>2021 <b>803.5%</b><br>2019 <b>NA</b>   | <b>YTD Media Touchpoints</b><br><b>176</b><br>2021 <b>22.2%</b><br>2019 <b>NA</b>           | <b>YTD Media Visits</b><br><b>22</b><br>2021 <b>83.3%</b><br>2019 <b>NA</b>                 |

## VisitBuffaloNiagara.com Web Stats 12-month running (Total Combined Sessions – Website and Mobile)



## Social Media and Video Stats – Fiscal Year 2021



# Marketing Performance Report

October 2022

Sources: Clision, Google Analytics, Madden Media, Simpleview CRM



## Print & Broadcast Value & Impressions – Fiscal Year 2022

| Month of Year | Publicity Value – Print/Broadcast | Percent Change | Print Impressions | Percent Change |
|---------------|-----------------------------------|----------------|-------------------|----------------|
| January       |                                   |                |                   |                |
| February      |                                   |                |                   |                |
| March         |                                   |                |                   |                |
| April         |                                   |                |                   |                |
| May           |                                   |                |                   |                |
| June          |                                   |                |                   |                |
| July          |                                   |                |                   |                |
| August        |                                   |                |                   |                |
| September     |                                   |                |                   |                |
| October       |                                   |                |                   |                |
| November      |                                   |                |                   |                |
| December      |                                   |                |                   |                |

## Online Publicity Value and Impressions – Fiscal Year 2022

| Month of Year | Publicity Value - Online | Percent Change | Estimated Impressions - Online | Percent Change |
|---------------|--------------------------|----------------|--------------------------------|----------------|
| January       | -                        | -              | -                              | -              |
| February      | -                        | -              | -                              | -              |
| March         | -                        | -              | -                              | -              |
| April         | -                        | -              | -                              | -              |
| May           | -                        | -              | -                              | -              |
| June          | -                        | -              | -                              | -              |
| July          | -                        | -              | -                              | -              |
| August        | -                        | -              | -                              | -              |
| September     | -                        | -              | -                              | -              |
| October       | -                        | -              | -                              | -              |
| November      | -                        | -              | -                              | -              |
| December      | -                        | -              | -                              | -              |

## Media Placements & Touchpoints – Fiscal Year 2022

| Month of Year | Media Touchpoints - Interactions | Percent Change | Significant Placements | Percent Change |
|---------------|----------------------------------|----------------|------------------------|----------------|
| January       | 36                               | 62.0%          | 2                      | 100.0%         |
| February      | 39                               | 8.3%           | 8                      | 300.0%         |
| March         | 12                               | -69.2%         | 7                      | -12.5%         |
| April         | 12                               | Null           | 3                      | -57.1%         |
| May           | 8                                | -33.3%         | 4                      | 33.3%          |
| June          | 21                               | 162.5%         | 4                      | Null           |
| July          | 22                               | 4.8%           | 5                      | 20.0%          |
| August        | 15                               | -31.8%         | 7                      | 40.0%          |
| September     | 14                               | -6.7%          | 7                      | Null           |
| October       | 11                               | -21.4%         | 6                      | -14.3%         |
| November      |                                  |                |                        |                |
| December      |                                  |                |                        |                |

## Social Media & Video Views (All Platforms – Fiscal Year 2021)

| Month of Year | Facebook Followers | Percent Change | Twitter Followers | Percent Change | Instagram Followers | Percent Change | Video Views | Percent Change |
|---------------|--------------------|----------------|-------------------|----------------|---------------------|----------------|-------------|----------------|
| January       | 97,970             | 0.3%           | 29,400            | 0.3%           | 43,071              | 3.7%           | 15,068      | -1.3%          |
| February      | 98,066             | 0.3%           | 29,502            | 0.3%           | 43,797              | 3.7%           | 458,909     | 229.0%         |
| March         | 98,216             | 0.2%           | 29,644            | 0.8%           | 44,379              | 3.0%           | 329,913     | -25.7%         |
| April         | 98,241             | 0.02%          | 29,688            | 0.1%           | 44,370              | -0.02%         | 31,860      | -90.3%         |
| May           | 98,289             | 0.2%           | 29,720            | 0.1%           | 44,511              | 0.3%           | 197,623     | 520.2%         |
| June          | 98,388             | 0.1%           | 29,857            | 0.5%           | 44,750              | 0.5%           | 542,483     | 175.5%         |
| July          | 98,632             | 0.2%           | 29,898            | 0.1%           | 45,202              | 1.0%           | 702,026     | 29.4%          |
| August        | 99,106             | 0.5%           | 29,909            | 0.003%         | 45,457              | 0.6%           | 245,309     | -65.1%         |
| September     | 99,688             | 0.6%           | 29,930            | 0.07%          | 45,706              | 0.5%           | 272,473     | 11.1%          |
| October       | 99,918             | 0.2%           | 29,986            | 0.2%           | 45,911              | 0.4%           | 256,161     | -6.0%          |
| November      |                    |                |                   |                |                     |                |             |                |
| December      |                    |                |                   |                |                     |                |             |                |

# Industry Relations Performance Report

October 2022

Source: Simpleview CRM, Cervis, Salesforce



## Industry Relations Metrics Overview – October 2022

| Volunteer Hours – Conventions                      | Volunteer Hours – Mobile VC                        | Total Volunteer Hours                              |
|--|--|--|
| <b>66</b>  | <b>0</b>   | <b>66</b>  |
| Sept 2022 <span style="float:right">53.5%</span>   | Sept 2022 <span style="float:right">-100.0%</span> | Sept 2022 <span style="float:right">-39.4%</span>  |
| Weekly Lodging Dashboard                           | Tourism Insider Distribution                       | Industry Night Events Attendance                   |
| <b>424</b>   | <b>2,747</b>                                       | <b>0</b>   |
| Sept 2022 <span style="float:right">0.7%</span>    | Sept 2022 <span style="float:right">0.6%</span>    | Sept 2022 <span style="float:right">Null</span>    |
| Destination/Customer Service Training Attend       | Extranet Training Attendance                       | Industry Meeting Attendance                        |
| <b>65</b>  | <b>19</b>  | <b>0</b>   |
| Sept 2022 <span style="float:right">6500.0%</span> | Sept 2022 <span style="float:right">280.0%</span>  | Sept 2022 <span style="float:right">-100.0%</span> |

## Industry Relations Metrics Overview Comparison YOY 2022 vs. 2019 and 2021

| YTD Volunteer Hours – Conventions            | YTD Volunteer Hours – Mobile VC             | YTD Total Volunteer Hours                   |
|--|---|---|
| <b>151</b>                                   | <b>347</b>                                  | <b>498</b>                                  |
| 2021 <span style="float:right">-57.9%</span> | 2021 <span style="float:right">NA</span>    | 2021 <span style="float:right">38.7%</span> |
| 2019 <span style="float:right">NA</span>     | 2019 <span style="float:right">NA</span>    | 2019 <span style="float:right">NA</span>    |
| YTD Weekly Lodging Dashboard                 | YTD Tourism Insider Distribution            | YTD Industry Events Attendance              |
| <b>424</b>                                   | <b>2,730</b>                                | <b>32</b>                                   |
| 2021 <span style="float:right">65.0%</span>  | 2021 <span style="float:right">13.2%</span> | 2021 <span style="float:right">Null</span>  |
| 2019 <span style="float:right">NA</span>     | 2019 <span style="float:right">-2.4%</span> | 2019 <span style="float:right">Null</span>  |
| YTD Dest/Customer Service Training Attend    | YTD Extranet Training Attendance            | YTD Industry Meeting Attendance             |
| <b>84</b>                                    | <b>43</b>                                   | <b>247</b>                                  |
| 2021 <span style="float:right">Null</span>   | 2021 <span style="float:right">30.3%</span> | 2021 <span style="float:right">Null</span>  |
| 2019 <span style="float:right">-6.7%</span>  | 2019 <span style="float:right">Null</span>  | 2019 <span style="float:right">Null</span>  |

# Destination Performance Report - Glossary

## Destination Performance Metrics

**Hotel Revenue** – Total lodging revenue for all property types reported for the previous month. Data is provided by Smith Travel Research (STR).

**Hotel Occupancy** – Percentage of available rooms sold during the previous month. Occupancy is calculated by dividing the number of rooms sold by rooms available. Data is provided by Smith Travel Research (STR).

**Hotel Average Daily Rate (ADR)** – A measure of the average rate paid for rooms sold for the previous month, calculated by dividing room revenue by rooms sold. Data is provided by Smith Travel Research (STR).

**Hotel Demand** – The number of rooms sold in the previous month (excludes complimentary rooms). Data is provided by Smith Travel Research (STR).

**Hotel Revenue Per Available Room (RevPAR)** – Total room revenue for the previous month divided by the total number of available rooms. Data is provided by Smith Travel Research (STR).

**Total Airport Passengers** – Total monthly air traffic reported for the previous month. Data is provided by Buffalo Niagara International Airport.

**Cross Border Traffic** – Total monthly border crossings between US and Canada in the previous month. Data is provided by Buffalo and Fort Erie Public Bridge Authority.

**Touring Guide Requests** – Total number of touring guides (visitor guide publication) requests made and distributed in the previous month. Data is provided by Visit Buffalo Niagara staff.

**Mobile Visitor Center Events** – Total number of events that mobile visitor center was staged in the previous month. Data is provided by Simpleview CRM.

**Mobile Visitor Center Engagements** – Total number of people engaged at mobile visitor center in the previous month. Data is provided by Simpleview CRM.

**Short Term Rental Revenue** – Total lodging revenue for all short-term rentals reported for the previous month. Data is provided by Key Data.

**Short Term Rental Occupancy** – Percentage of available short-term rentals sold during the previous month. Occupancy is calculated by dividing the number of rental units sold by rental units available. Data is provided by Key Data.

**Short Term Rental Average Daily Rate (ADR)** – A measure of the average rate paid for short-term rental units sold for the previous month, calculated by dividing rental units revenue by rental units sold. Data is provided by Smith Travel Research (STR).

**Short Term Rental Demand** – The number of short-term rental units sold in the previous month. Data is provided by Key Data.

**Short Term Rental Revenue Per Available Room (RevPAR)** – Total short term rental units revenue for the previous month divided by the total number of available rental units. Data is provided by Key Data.

## Sales Performance Metrics

**Sales Leads Issued** – Monthly tentative sales leads sent to hotel partners & service providers in Buffalo/ Erie County. Data is provided by Simpleview CRM.

**Room Nights (Leads)** – Monthly room nights represented in the tentative leads sent to hotel partners. Data is provided by Simpleview CRM.

**Leads Turned Definite** – Monthly room nights represented in definite leads. Data is provided by Simpleview CRM.

**Estimated Revenue** – Estimated monthly review of definite leads booked. Data is provided by Simpleview CRM.

**P2P Outreach** – Monthly person-to-person interactions between the sales team and clients/prospects. Includes virtual meetings, in-person, solicitation efforts via phone and email. Data is provided by Simpleview CRM.

**Indirect Outreach** – Monthly communications from the sales team to more than one client at a time. Includes direct mail and mass e-mail communications. Data is provided by Simpleview CRM.

**Group Events Held** – The number of groups who were sourced through VBN and met in Buffalo/Erie County during the given month. Data is provided by Simpleview CRM.

**Room Nights Generated** – Room nights generated by the groups held who were sourced through VBN and met in Buffalo/Erie County during the given month. Data is provided by hotel partners and compiled by Simpleview CRM.

**Groups Serviced** – Groups who met in Buffalo/Erie County who received or were offered additional planning services by VBN during the given month. Data is provided by Simpleview CRM.

## Marketing Performance Metrics

**Website User Sessions** – Number of monthly website sessions to VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Mobile Site Visits** – Number of monthly website sessions from mobile or tablet devices to VisitBuffaloNiagaa.com. Data is provided by Google Analytics.

**Website Time on Site** – Average time in minutes and seconds spent on VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Website Page Views** – Number of monthly page views on VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Shared Social Media Posts** – Number of monthly individual shared Visit Buffalo Niagara Facebook and Instagram posts. Data provided by Google Analytics.

**Total Facebook Fans** – Total number of Facebook fans for Visit Buffalo Niagara Facebook page reported monthly. Data is provided by Facebook.

**Total Twitter Followers** – Total number of Twitter followers for Visit Buffalo Niagara Twitter account reported monthly. Data is provided by Twitter.

**Total Instagram Followers** – Total number of Instagram followers for Visit Buffalo Niagara Instagram account reported monthly. Data is provided by Instagram.

**Total Tiktok Followers** – Total number of Tiktok followers for Visit Buffalo Niagara Tiktok account reported monthly. Data is provided by Tiktok. This will be a new social media platform that will be measured in 2022.

**Video Views (All Platforms)** – Figures for total monthly video views on all platforms. Data is provided by YouTube, Vimeo, Facebook and Instagram and does not include advertising campaign views.

**Media Placements** – Clips from online, print, or broadcast media that Visit Buffalo Niagara had a hand in securing or that feature Buffalo/Erie County predominantly that have a reach of a certain threshold. Reported for the previous month. Data is provided by Cision.

**Media Social Shares** – Number of monthly social media shares of media placements that Visit Buffalo Niagara has a hand in securing. Reported for the previous month. Data is provided by Cision.

**Media Touchpoints** – Monthly contact that members of the Visit Buffalo Niagara staff and/or contracted media relations firm had with various media outlets or journalists for the previous month. Data is provided by Visit Buffalo Niagara and Madden Media teams.

**Media Visits** – Monthly visits to Buffalo/Erie County by journalists and hosted by Visit Buffalo Niagara and local tourism partners in the previous month. Data is provided by the Visit Buffalo Niagara and Madden Media teams.

## Industry Relations Performance Metrics

**Volunteer Hours – Sales Events** – Number of total monthly hours worked by volunteers at meetings/conventions or sporting events. Data is provided by Simpleview CRM.

**Volunteer Hours – Mobile Visitor Center** – Number of total monthly hours worked by volunteers at events where mobile visitor center was staged. Data is provided by Simpleview CRM.

**Total Volunteer Hours** – Total number of total monthly hours worked by volunteers. Data is provided by Simpleview CRM.

**Weekly Lodging Dashboard** – Weekly lodging comparison report of occupancy, ADR and RevPAR for hotels and rental units. Data is provided by STR and Key Data.

**Tourism Insider Distribution** – Total monthly recipients of Tourism Insider. Data is provided by Simpleview CRM.

**Industry Events Attendance** – Total monthly attendance by industry, stakeholder, and staff at VBN events. Data is provided by Simpleview CRM.

**Destination/Customer Service Training Attendance** – Total monthly attendance by industry taking part in VBN Destination/Customer Service Training program. Data is provided by Simpleview CRM.

**Extranet Training Attendance** – Total monthly attendance by industry taking part in VBN CRM Training program. Data is provided by Simpleview CRM.

**Industry Meeting Attendance** – Total monthly attendance by industry taking part in VBN industry meeting. Data is provided by Simpleview CRM.

## Data Sources

**Cervis Technologies** – Cervis is a volunteer/event management software program specifically geared toward the uses of non-profit organizations.

**Cision** – Cision is a leading global provider of earned media software and services to public relations and marketing communications professionals. Cision's software allows users to identify key influencers, craft and distribute strategic content, and measure meaningful impact.

**Google Analytics** – Google Analytics is a web analytics service offered by Google that tracks and reports website traffic, currently as a platform inside the Google Marketing Platform brand.

**Key Data** – Key Data Dashboard provides business intelligence and benchmarking tools for the vacation rental space. ***Republication or other use of this data without the express written permission of Key Data is strictly prohibited.***

**Madden Media** – Madden Media is one of the nation's leading providers of custom and cooperative destination marketing solutions, in both digital and print. The company produces award-winning tourism promotions, offering more than 950 Destination Marketing Organizations around the country innovative, effective, and affordable media programs.

**SalesForce Marketing Cloud** – Salesforce Marketing Cloud is a provider of digital marketing automation and analytics software and services.

**Simpleview** – The company offers integrated products and services, including the industry's most advanced customer relationship management (CRM) and content management system (CMS) platforms, powerful forecasting and reporting tools, dynamic websites, sites for mobile web, search engine optimization and interactive marketing.

**STR (Smith Travel Research)** – STR is the leading provider of premium global data benchmarking, analytics, and marketplace insights across multiple market sectors. We provide data that is confidential, reliable, accurate and actionable, and our comprehensive reports empower our clients to strategize and compete within their markets. ***Republication or other use of STR data without the express written permission of STR is strictly prohibited.***

**Tourism Economics** – Tourism Economics is an Oxford Economics company with a singular objective: combine an understanding of tourism dynamics with rigorous economics to answer the most important questions facing destinations, developers, and strategic planners.



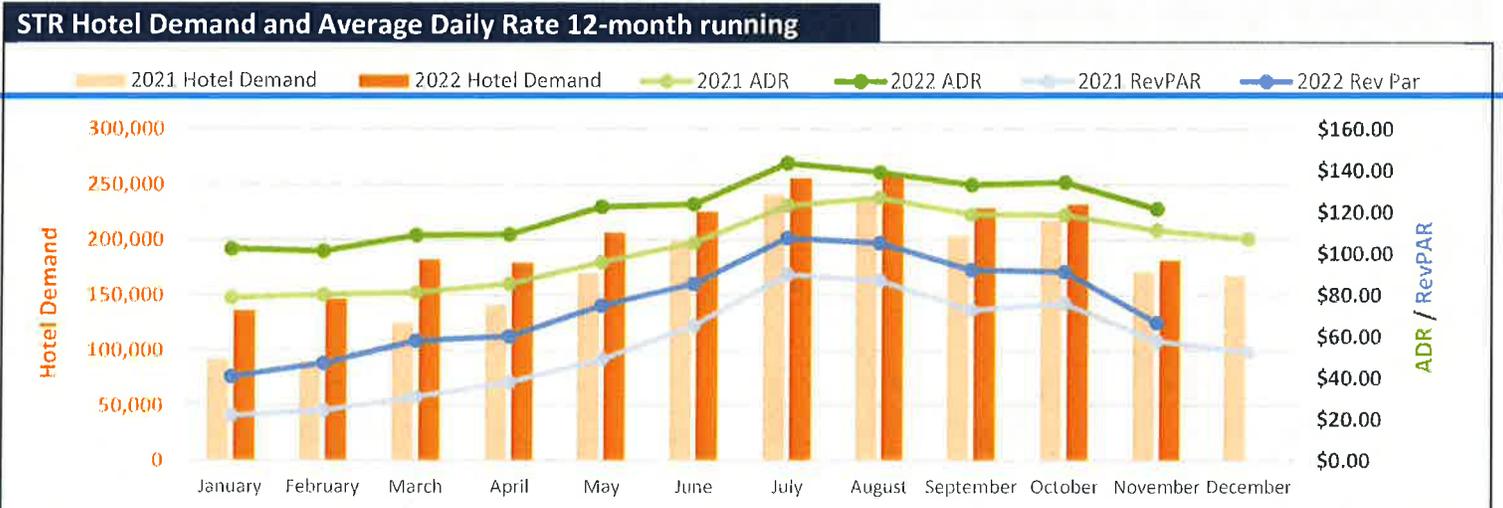
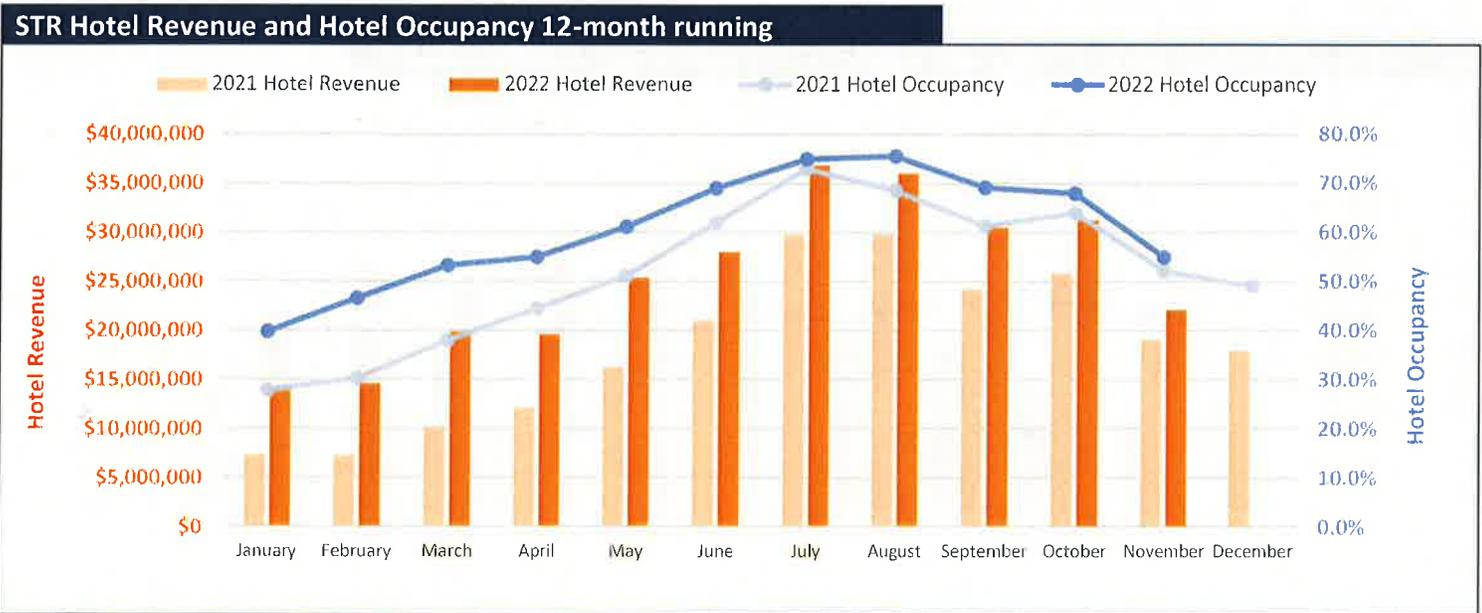
# Destination Performance Report

November 2022 \*Source: STR, Inc. Republication or other use of this data without the express written permission of STR is strictly prohibited. Simpleview CRM



| Hotel and Visitor Overview –November 2022   |   |   |                                     |   |
|---|---|---|-------------------------------------|---|
| <b>Hotel Revenue</b><br><b>\$22,121,564</b> | <b>Hotel Occupancy</b><br><b>55.0%</b>        | <b>Hotel Demand</b><br><b>181,761</b>       | <b>Hotel ADR</b><br><b>\$121.70</b> | <b>Hotel RevPAR</b><br><b>\$66.90</b>     |
| Oct 2022 <b>-29.2%</b>                      | Oct 2022 <b>-19.1%</b>                        | Oct 2022 <b>-21.7%</b>                      | Oct 2022 <b>-9.5%</b>               | Oct 2022 <b>-26.8%</b>                    |
| <b>Airport Passengers</b><br><b>309,862</b> | <b>Cross Border Traffic</b><br><b>272,950</b> | <b>Touring Guide Requests</b><br><b>162</b> | <b>Mobile VC Events</b><br><b>1</b> | <b>MVC Event Attendance</b><br><b>250</b> |
| Oct 2022 <b>-18.7%</b>                      | Oct 2022 <b>-16.4%</b>                        | Oct 2022 <b>-45.6%</b>                      | Oct 2022 <b>-66.7%</b>              | Oct 2022 <b>-95.5%</b>                    |

| Hotel and Visitor Overview Comparison YOY 2022 vs. 2019 and 2021 |   |   |  |   |
|--|---|---|--|---|
| <b>YTD Hotel Revenue</b><br><b>\$278,532,734</b>                 | <b>YTD Hotel Occupancy</b><br><b>60.7%</b>          | <b>YTD Hotel Demand</b><br><b>2,231,395</b>       | <b>YTD Hotel ADR</b><br><b>\$124.82</b>  | <b>YTD Hotel RevPAR</b><br><b>\$75.82</b>         |
| 2021 <b>37.4%</b>  | 2021 <b>15.8%</b>                                   | 2021 <b>18.5%</b>                                 | 2021 <b>15.9%</b>                        | 2021 <b>34.4%</b>                                 |
| 2019 <b>11.1%</b>  | 2019 <b>-3.8%</b>                                   | 2019 <b>-4.2%</b>                                 | 2019 <b>15.9%</b>                        | 2019 <b>11.5%</b>                                 |
| <b>YTD Airport Passengers</b><br><b>3,777,768</b>                | <b>YTD Cross Border Traffic</b><br><b>2,663,054</b> | <b>YTD Touring Guide Requests</b><br><b>7,211</b> | <b>YTD Mobile VC Events</b><br><b>36</b> | <b>YTD MVC Event Attendance</b><br><b>236,946</b> |
| 2021 <b>43.5%</b>  | 2021 <b>171.4%</b>                                  | 2021 <b>169%</b>                                  | 2021 <b>NA</b>                           | 2021 <b>NA</b>                                    |
| 2019 <b>-17.6%</b>   | 2019 <b>-51.6%</b>                                  | 2019 <b>21.1%</b>                                 | 2019 <b>NA</b>                           | 2019 <b>NA</b>                                    |



# Destination Performance Report

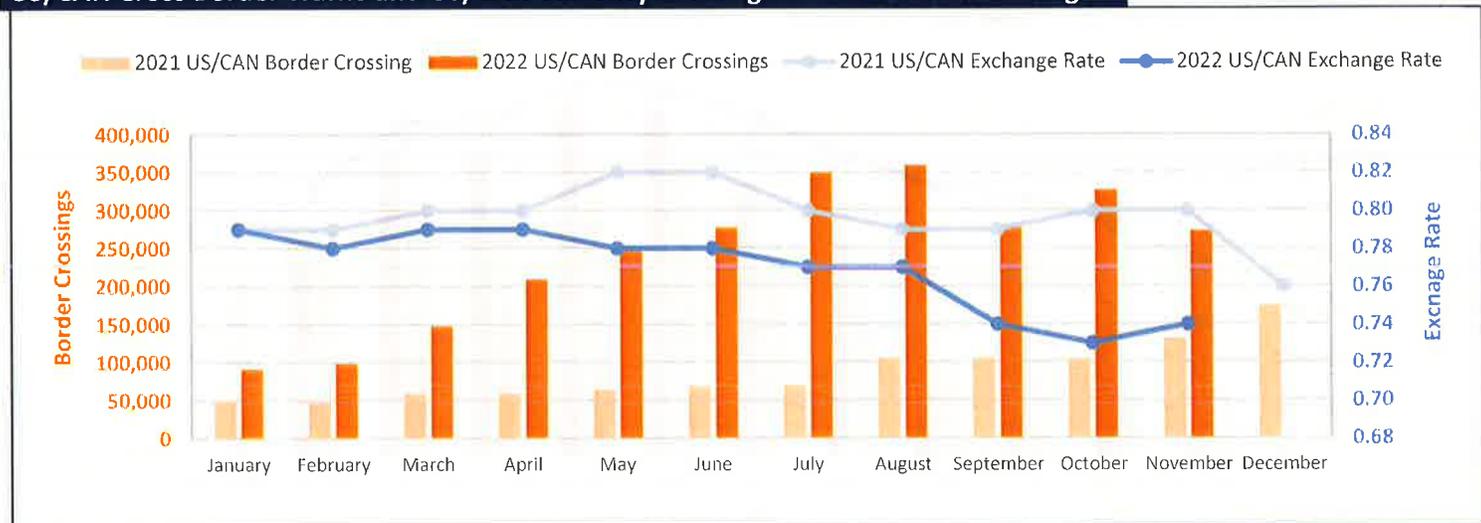
November 2022 \*Source: STR, Inc. Republication or other use of this data without the express written permission of STR is strictly prohibited. Simpleview CRM



## Airport Passengers vs. Hotel Occupancy\* 12-month running



## US/CAN Cross Border Traffic and US/CAN Currency Exchange Rate 12-month running



## Touring Guide Distribution and Mobile VC Engagement 12-month running



# Destination Performance Report

November 2022

\*\*Source: Key Data. Republication or other use of this data without the express written permission of Key Data is strictly prohibited.



## Short Term Rental Data –November 2022

| Short Term Rental Revenue** | Short Term Rental Occupancy** | Short Term Rental Bookings** | Short Term Rental ADR** | Short Term Rental RevPAR** |
|-----------------------------|-------------------------------|------------------------------|-------------------------|----------------------------|
| <b>\$2,017,849</b>          | <b>34.6%</b>                  | <b>4,402</b>                 | <b>\$168.00</b>         | <b>\$58.00</b>             |
| Oct 2022 <b>-26.4%</b>      | Oct 2022 <b>-19.1%</b>        | Oct 2022 <b>-14.2%</b>       | Oct 2022 <b>-4.5%</b>   | Oct 2022 <b>-20.5%</b>     |

## Short Term Rental Data Comparison YOY 2022 vs. 2019 and 2021

| YTD Short Term Rental Revenue** | YTD Short Term Rental Occupancy** | YTD Short Term Rental Bookings** | YTD Short Term Rental ADR** | YTD Short Term Rental RevPAR** |
|---------------------------------|-----------------------------------|----------------------------------|-----------------------------|--------------------------------|
| <b>\$33,236,553</b>             | <b>42.6%</b>                      | <b>62,154</b>                    | <b>\$169.00</b>             | <b>\$72.00</b>                 |
| 2021 <b>71.2%</b>               | 2021 <b>-37.4%</b>                | 2021 <b>64.8%</b>                | 2021 <b>12.7%</b>           | 2021 <b>-1.4%</b>              |
| 2019 <b>NA</b>                  | 2019 <b>NA</b>                    | 2019 <b>NA</b>                   | 2019 <b>NA</b>              | 2019 <b>NA</b>                 |

## KeyData ADR, RevPAR and Occupancy\*\* 12-month running



## KeyData ADR, RevPAR and Occupancy\*\* 12-month running



## 2019 Tourism Economics Annual Performance Report – Erie County

Erie County Tourism Impact

**\$1,879,000,000**

Erie County Travel Spend – Amounts in millions of nominal dollars

| Lodging               | Recreation        | Food & Beverage                   | Retail            | Transportation            | 2 <sup>nd</sup> Home Purchase |
|-----------------------|-------------------|-----------------------------------|-------------------|---------------------------|-------------------------------|
| <b>\$333.8</b>        | <b>\$201.0</b>    | <b>\$712.9</b>                    | <b>\$373.9</b>    | <b>\$238.4</b>            | <b>\$19.0</b>                 |
| Tourism Related Taxes |                   | Erie County Tourism Related Labor |                   | Tax Savings Per Household |                               |
| New York State Taxes  | Erie County Taxes | Employment                        | Labor Income      | <b>\$598</b>              |                               |
| <b>\$155,040</b>      | <b>\$184,602</b>  | <b>32,395</b>                     | <b>\$1,561.8M</b> |                           |                               |

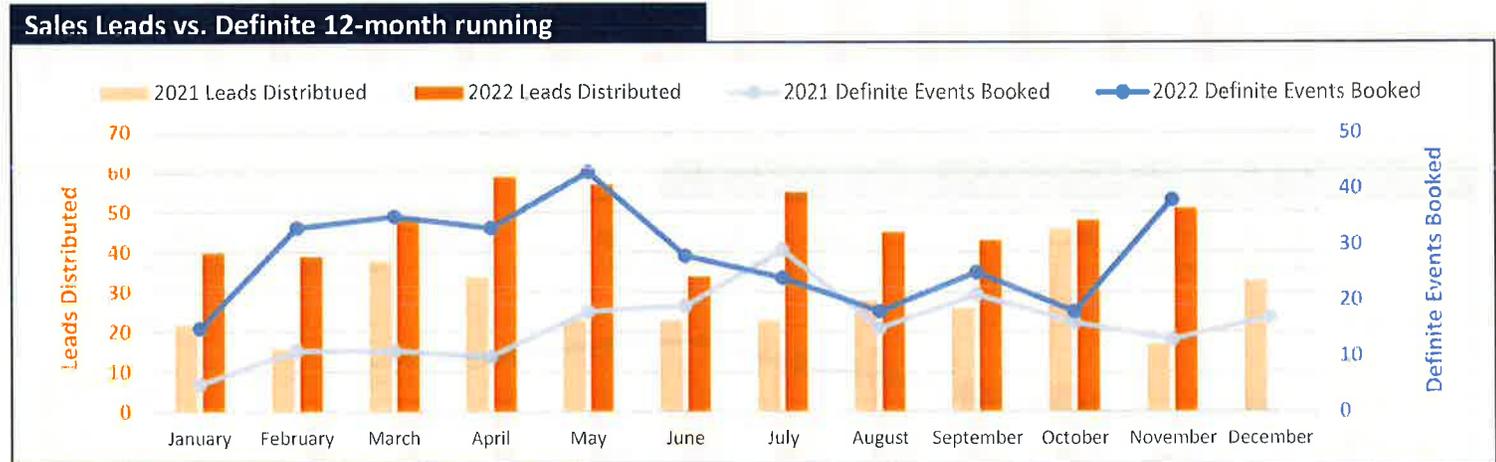
# Sales and Services Performance Report



November 2022 Source: Simpleview CRM

| Sales Leads, Bookings and Outreach – November 2022     |   |  |  |   |
|--|---|--|--|---|
| Sales Leads Distributed<br><b>51</b><br>Oct 2022 6.3%  | Room Nights (Leads)<br><b>32,955</b><br>Oct 2022 3.4%           | Person to Person Prospects<br><b>370</b><br>Oct 2022 -24.0%      | Indirect Prospects<br><b>0</b><br>Oct 2022 Null                          | Lost Business<br><b>16</b><br>Oct 2022 -15.8% |
| Definite Events Booked<br><b>38</b><br>Oct 2022 111.1% | Definite Room Nights Booked<br><b>26,161</b><br>Oct 2022 193.7% | Definite Expected Attendance<br><b>21,600</b><br>Oct 2022 233.8% | Definite Event Economic Impact<br><b>\$19,547,743</b><br>Oct 2022 184.8% |   |
| Events Held<br><b>14</b><br>Oct 2022 -51.7%            | Room Nights<br><b>5,302</b><br>Oct 2022 10.8%                   | Attendance<br><b>6,750</b><br>Oct 2022 13.2%                     | Groups Served<br><b>9</b><br>Oct 2022 -59.1%                             |   |

| Sales Leads, Bookings and Outreach – YOY 2022 vs. 2019 and 2021        |   |  |   |  |
|--|---|--|---|--|
| YTD Sales Leads Distributed<br><b>520</b><br>2021 75.7%<br>2019 -24.6% | YTD Room Nights (Leads)<br><b>277,816</b><br>2021 94.4%<br>2019 -24.1%          | YTD Person to Person Prospects<br><b>5,487</b><br>2021 22.3%<br>2019 NA        | YTD Indirect Prospects<br><b>10</b><br>2021 100.0%<br>2019 NA                           | YTD Lost Business<br><b>198</b><br>2021 13.1%<br>2019 -16.8% |
| YTD Definite Events Booked<br><b>310</b><br>2021 84.5%<br>2019 -32.6%  | YTD Definite Room Nights Booked<br><b>132,823</b><br>2021 107.9%<br>2019 -13.2% | YTD Definite Expected Attendance<br><b>117,180</b><br>2021 97.5%<br>2019 -0.6% | YTD Definite Event Economic Impact<br><b>\$114,830,706</b><br>2021 127.2%<br>2019 -5.7% |  |
| YTD Events Held<br><b>244</b><br>2021 75.5%<br>2019 -38.2%             | YTD Room Nights<br><b>103,207</b><br>2021 108.0%<br>2019 -34.2%                 | YTD Attendance<br><b>90,510</b><br>2021 112.9%<br>2019 -29.3%                  | YTD Groups Served<br><b>147</b><br>2021 162.5%<br>2019 -22.6%                           |  |

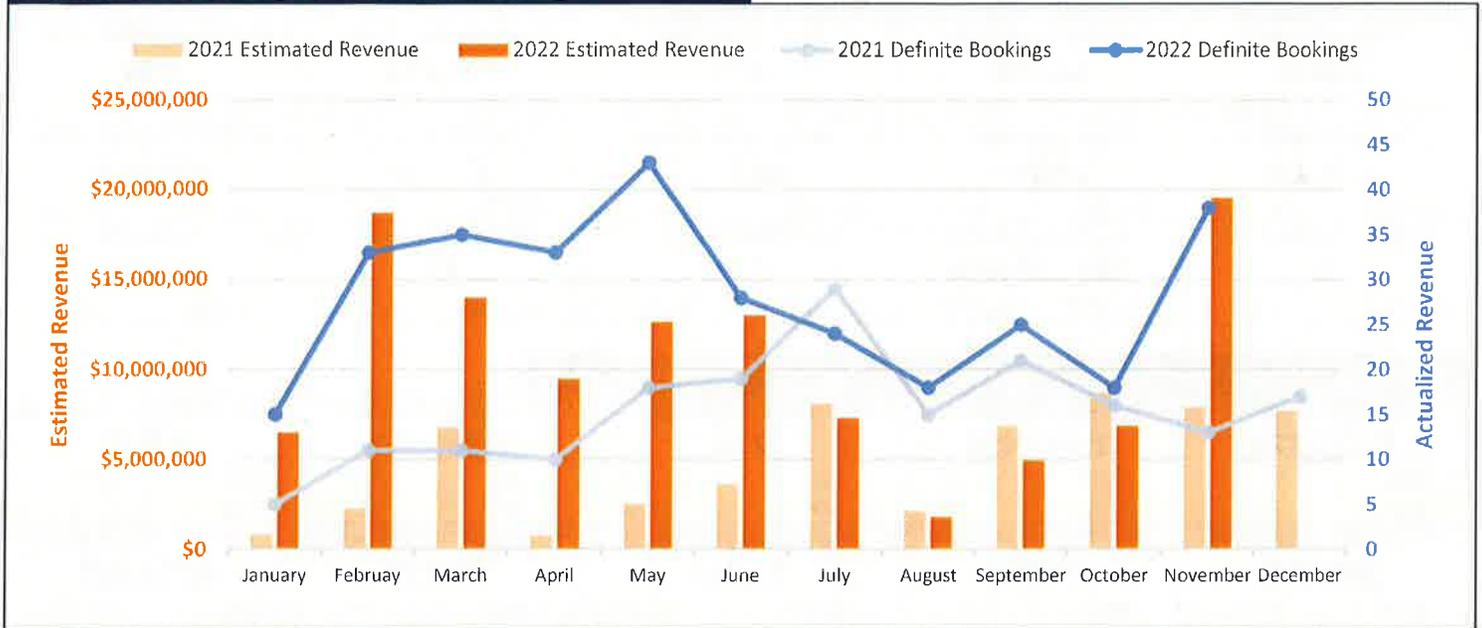


# Sales and Services Performance Report

November 2022 Source: Simpleview CRM



## Future Economic Impact 12-month running



## Sales Outreach by Month – Fiscal Year 2021

| Month of Year | Person-to-Person Outreach | Percent Change | Indirect Outreach | Percent Change |
|---------------|---------------------------|----------------|-------------------|----------------|
| January       | 721                       | 79.8%          | 2                 | -66.7%         |
| February      | 572                       | -20.7%         | 0                 | -100.0%        |
| March         | 661                       | 16.0%          | 2                 | 200.0%         |
| April         | 517                       | -21.8%         | 1                 | -50.0%         |
| June          | 481                       | -7.0%          | 2                 | 100.0%         |
| July          | 385                       | -20.0%         | 0                 | -100.0%        |
| July          | 366                       | -4.9%          | 2                 | 200.0%         |
| August        | 511                       | 39.6%          | 2                 | Null           |
| September     | 422                       | -17.4%         | 1                 | -50.0%         |
| October       | 481                       | 14.0%          | 0                 | -100.0%        |
| November      | 370                       | -24.0%         | 0                 | Null           |
| December      | -                         | -              | -                 | -              |

## Group Events Held by Month and Room Nights Generated – Fiscal Year 2021

| Month of Year | Group Events This Month | Percent Change | Room Nights Generated | Percent Change |
|---------------|-------------------------|----------------|-----------------------|----------------|
| January       | 5                       | -16.7%         | 5,064                 | 98.9%          |
| February      | 14                      | 180.0%         | 9,687                 | 91.3%          |
| March         | 29                      | 107.1%         | 26,174                | 170.2%         |
| April         | 19                      | -34.8%         | 6,144                 | -76.5%         |
| May           | 23                      | 21.1%          | 5,830                 | -5.1%          |
| June          | 25                      | 8.7%           | 11,746                | 101.5%         |
| July          | 39                      | 56.0%          | 15,934                | 35.7%          |
| August        | 19                      | -51.3%         | 6,525                 | -43.3%         |
| September     | 28                      | 47.4%          | 6,014                 | -7.8%          |
| October       | 18                      | -28.0%         | 8,907                 | 27.8%          |
| November      | 38                      | 111.1%         | 26,161                | 193.7%         |
| December      | -                       | -              | -                     | -              |

# Marketing Performance Report

November 2022

Sources: Clson, Google Analytics, Madden Media, Simpleview CRM



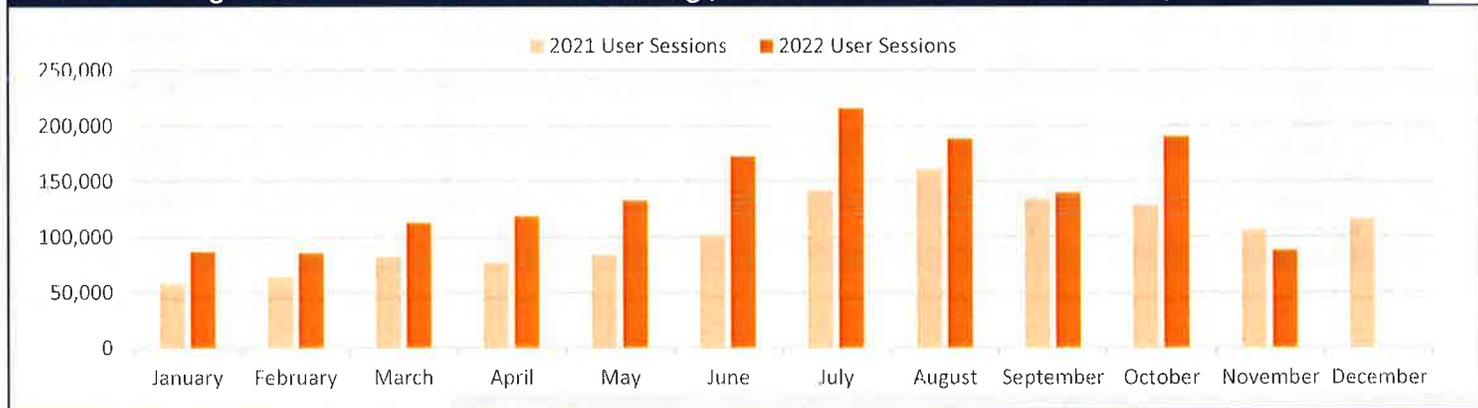
## Marketing Metrics Overview – November 2022

|   |  |   |   |  |
|---|--|---|---|--|
| <b>Website Sessions</b><br><b>87,888</b><br>Oct 2022 <b>-53.8%</b>  | <b>Mobile Site Sessions</b><br><b>58,614</b><br>Oct 2022 <b>-56.2%</b>   | <b>Duration on Site</b><br><b>2:01</b><br>Oct 2022 <b>-1:02</b>     | <b>Website Page Views</b><br><b>167,870</b><br>Oct 2022 <b>-70.0%</b> | <b>Shared Social Media Posts</b><br><b>188</b><br>Oct 2022 <b>2.2%</b>     |
| <b>Facebook Followers</b><br><b>100,009</b><br>Oct 2022 <b>0.1%</b> | <b>Twitter Followers</b><br><b>29,704</b><br>Oct 2022 <b>-0.9%</b>       | <b>Instagram Followers</b><br><b>46,111</b><br>Oct 2022 <b>0.4%</b> | <b>Tiktok Followers</b><br><b>17,738</b><br>Oct 2022 <b>5.3%</b>      | <b>All Platforms Video Views</b><br><b>275,565</b><br>Oct 2022 <b>7.6%</b> |
| <b>Media Placements</b><br><b>6</b><br>Oct 2022 <b>Null</b>         | <b>Media Impressions</b><br><b>141,965,964</b><br>Oct 2022 <b>642.1%</b> | <b>Media Social Shares</b><br><b>233</b><br>Oct 2022 <b>-97.6%</b>  | <b>Media Touchpoints</b><br><b>17</b><br>Oct 2022 <b>54.5%</b>        | <b>Media Visits</b><br><b>1</b><br>Oct 2022 <b>Null</b>                    |

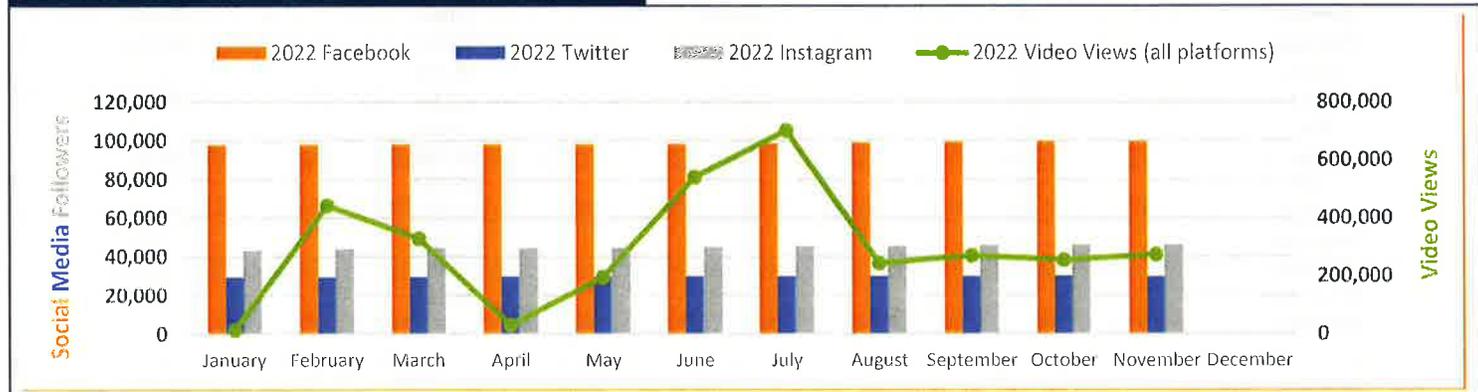
## Marketing Metrics Overview Comparison YOY 2022 vs. 2019 and 2021

|  |  |  |  |   |
|--|--|--|--|---|
| <b>YTD Website Sessions</b><br><b>1,529,874</b><br>2021 <b>34.4%</b><br>2019 <b>2.0%</b> | <b>YTD Mobile Site Sessions</b><br><b>1,041,490</b><br>2021 <b>39.1%</b><br>2019 <b>6.0%</b> | <b>YTD Duration on Site</b><br><b>2:01</b><br>2021 <b>21 seconds</b><br>2019 <b>48 seconds</b> | <b>YTD Website Page Views</b><br><b>2,968,253</b><br>2021 <b>38.3%</b><br>2019 <b>4.7%</b> | <b>YTD Shared Soc Med Posts</b><br><b>2,228</b><br>2021 <b>19.4%</b><br>2019 <b>19.1%</b>   |
| <b>YTD Facebook Followers</b><br><b>100,009</b><br>2021 <b>3.3%</b><br>2019 <b>5.2%</b>  | <b>YTD Twitter Followers</b><br><b>29,704</b><br>2021 <b>2.0%</b><br>2019 <b>3.7%</b>        | <b>YTD Instagram Followers</b><br><b>46,111</b><br>2021 <b>15.1%</b><br>2019 <b>34.3%</b>      | <b>YTD Avg Tiktok Followers</b><br><b>17,738</b><br>2021 <b>NA</b><br>2019 <b>NA</b>       | <b>YTD All Video Views</b><br><b>3,312,322</b><br>2021 <b>1279.4%</b><br>2019 <b>152.0%</b> |
| <b>YTD Media Placements</b><br><b>56</b><br>2021 <b>55.6%</b><br>2019 <b>NA</b>          | <b>YTD Media Impressions</b><br><b>979,969,674</b><br>2021 <b>147.5%</b><br>2019 <b>NA</b>   | <b>YTD Media Social Shares</b><br><b>19,420</b><br>2021 <b>498.6%</b><br>2019 <b>NA</b>        | <b>YTD Media Touchpoints</b><br><b>207</b><br>2021 <b>23.2%</b><br>2019 <b>NA</b>          | <b>YTD Media Visits</b><br><b>27</b><br>2021 <b>80.0%</b><br>2019 <b>NA</b>                 |

## VisitBuffaloNiagara.com Web Stats 12-month running (Total Combined Sessions – Website and Mobile)



## Social Media and Video Stats – Fiscal Year 2021



# Marketing Performance Report

November 2022 Sources: Cision, Google Analytics, Madden Media, Simpleview CRM



## Print & Broadcast Value & Impressions – Fiscal Year 2022

| Month of Year | Publicity Value – Print/Broadcast | Percent Change | Print Impressions | Percent Change |
|---------------|-----------------------------------|----------------|-------------------|----------------|
| January       |                                   |                |                   |                |
| February      |                                   |                |                   |                |
| March         |                                   |                |                   |                |
| April         |                                   |                |                   |                |
| May           |                                   |                |                   |                |
| June          |                                   |                |                   |                |
| July          |                                   |                |                   |                |
| August        |                                   |                |                   |                |
| September     |                                   |                |                   |                |
| October       |                                   |                |                   |                |
| November      |                                   |                |                   |                |
| December      |                                   |                |                   |                |

## Online Publicity Value and Impressions – Fiscal Year 2022

| Month of Year | Publicity Value - Online | Percent Change | Estimated Impressions - Online | Percent Change |
|---------------|--------------------------|----------------|--------------------------------|----------------|
| January       | -                        | -              | -                              | -              |
| February      | -                        | -              | -                              | -              |
| March         | -                        | -              | -                              | -              |
| April         | -                        | -              | -                              | -              |
| May           | -                        | -              | -                              | -              |
| June          | -                        | -              | -                              | -              |
| July          | -                        | -              | -                              | -              |
| August        | -                        | -              | -                              | -              |
| September     | -                        | -              | -                              | -              |
| October       | -                        | -              | -                              | -              |
| November      | -                        | -              | -                              | -              |
| December      | -                        | -              | -                              | -              |

## Media Placements & Touchpoints – Fiscal Year 2022

| Month of Year | Media Touchpoints - Interactions | Percent Change | Significant Placements | Percent Change |
|---------------|----------------------------------|----------------|------------------------|----------------|
| January       | 36                               | 62.0%          | 2                      | 100.0%         |
| February      | 39                               | 8.3%           | 8                      | 300.0%         |
| March         | 12                               | -69.2%         | 7                      | -12.5%         |
| April         | 12                               | Null           | 3                      | -57.1%         |
| May           | 8                                | -33.3%         | 4                      | 33.3%          |
| June          | 21                               | 162.5%         | 4                      | Null           |
| July          | 22                               | 4.8%           | 5                      | 20.0%          |
| August        | 15                               | -31.8%         | 7                      | 40.0%          |
| September     | 14                               | -6.7%          | 7                      | Null           |
| October       | 11                               | -21.4%         | 6                      | -14.3%         |
| November      | 17                               | 54.5%          | 6                      | Null           |
| December      |                                  |                |                        |                |

## Social Media & Video Views (All Platforms – Fiscal Year 2021)

| Month of Year | Facebook Followers | Percent Change | Twitter Followers | Percent Change | Instagram Followers | Percent Change | Video Views | Percent Change |
|---------------|--------------------|----------------|-------------------|----------------|---------------------|----------------|-------------|----------------|
| January       | 97,970             | 0.3%           | 29,400            | 0.3%           | 43,071              | 3.7%           | 15,068      | -1.3%          |
| February      | 98,066             | 0.3%           | 29,502            | 0.3%           | 43,797              | 3.7%           | 458,909     | 229.0%         |
| March         | 98,216             | 0.2%           | 29,644            | 0.8%           | 44,379              | 3.0%           | 329,913     | -25.7%         |
| April         | 98,241             | 0.02%          | 29,688            | 0.1%           | 44,370              | -0.02%         | 31,860      | -90.3%         |
| May           | 98,289             | 0.2%           | 29,720            | 0.1%           | 44,511              | 0.3%           | 197,623     | 520.2%         |
| June          | 98,388             | 0.1%           | 29,857            | 0.5%           | 44,750              | 0.5%           | 542,483     | 175.5%         |
| July          | 98,632             | 0.2%           | 29,898            | 0.1%           | 45,202              | 1.0%           | 702,026     | 29.4%          |
| August        | 99,106             | 0.5%           | 29,909            | 0.003%         | 45,457              | 0.6%           | 245,309     | -65.1%         |
| September     | 99,688             | 0.6%           | 29,930            | 0.07%          | 45,706              | 0.5%           | 272,473     | 11.1%          |
| October       | 99,918             | 0.2%           | 29,986            | 0.2%           | 45,911              | 0.4%           | 256,161     | -6.0%          |
| November      | 100,009            | 0.1%           | 29,704            | -0.9%          | 46,111              | 0.4%           | 275,565     | 7.6%           |
| December      |                    |                |                   |                |                     |                |             |                |

# Industry Relations Performance Report

November 2022

Source: Simpleview CRM, Cervis, Salesforce



## Industry Relations Metrics Overview – November 2022

| Volunteer Hours – Conventions                | Volunteer Hours – Mobile VC  | Total Volunteer Hours            |
|--|------------------------------|----------------------------------|
| <b>0</b>                                     | <b>0</b>                     | <b>0</b>                         |
| Oct 2022 <b>-100.0%</b>                      | Oct 2022 <b>Null</b>         | Oct 2022 <b>-100.0%</b>          |
| Weekly Lodging Dashboard                     | Tourism Insider Distribution | Industry Night Events Attendance |
| <b>427</b>                                   | <b>2,750</b>                 | <b>40</b>                        |
| Oct 2022 <b>0.7%</b>                         | Oct 2022 <b>0.1%</b>         | Oct 2022 <b>400.0%</b>           |
| Destination/Customer Service Training Attend | Extranet Training Attendance | Industry Meeting Attendance      |
| <b>0</b>                                     | <b>7</b>                     | <b>0</b>                         |
| Oct 2022 <b>-100.0%</b>                      | Oct 2022 <b>-63.2%</b>       | Oct 2022 <b>Null</b>             |

## Industry Relations Metrics Overview Comparison YOY 2022 vs. 2019 and 2021

| YTD Volunteer Hours – Conventions         | YTD Volunteer Hours – Mobile VC  | YTD Total Volunteer Hours       |
|---|----------------------------------|---------------------------------|
| <b>151</b>                                | <b>347</b>                       | <b>498</b>                      |
| 2021 <b>-57.3%</b>                        | 2021 <b>NA</b>                   | 2021 <b>38.7%</b>               |
| 2019 <b>NA</b>                            | 2019 <b>NA</b>                   | 2019 <b>NA</b>                  |
| YTD Weekly Lodging Dashboard              | YTD Tourism Insider Distribution | YTD Industry Events Attendance  |
| <b>427</b>                                | <b>2,750</b>                     | <b>71</b>                       |
| 2021 <b>63.6%</b>                         | 2021 <b>13.3%</b>                | 2021 <b>Null</b>                |
| 2019 <b>NA</b>                            | 2019 <b>-6.1%</b>                | 2019 <b>Null</b>                |
| YTD Dest/Customer Service Training Attend | YTD Extranet Training Attendance | YTD Industry Meeting Attendance |
| <b>84</b>                                 | <b>43</b>                        | <b>247</b>                      |
| 2021 <b>Null</b>                          | 2021 <b>22.0%</b>                | 2021 <b>Null</b>                |
| 2019 <b>-6.7%</b>                         | 2019 <b>-15.3%</b>               | 2019 <b>Null</b>                |

# Destination Performance Report - Glossary

## Destination Performance Metrics

**Hotel Revenue** – Total lodging revenue for all property types reported for the previous month. Data is provided by Smith Travel Research (STR).

**Hotel Occupancy** – Percentage of available rooms sold during the previous month. Occupancy is calculated by dividing the number of rooms sold by rooms available. Data is provided by Smith Travel Research (STR).

**Hotel Average Daily Rate (ADR)** – A measure of the average rate paid for rooms sold for the previous month, calculated by dividing room revenue by rooms sold. Data is provided by Smith Travel Research (STR).

**Hotel Demand** – The number of rooms sold in the previous month (excludes complimentary rooms). Data is provided by Smith Travel Research (STR).

**Hotel Revenue Per Available Room (RevPAR)** – Total room revenue for the previous month divided by the total number of available rooms. Data is provided by Smith Travel Research (STR).

**Total Airport Passengers** – Total monthly air traffic reported for the previous month. Data is provided by Buffalo Niagara International Airport.

**Cross Border Traffic** – Total monthly border crossings between US and Canada in the previous month. Data is provided by Buffalo and Fort Erie Public Bridge Authority.

**Touring Guide Requests** – Total number of touring guides (visitor guide publication) requests made and distributed in the previous month. Data is provided by Visit Buffalo Niagara staff.

**Mobile Visitor Center Events** – Total number of events that mobile visitor center was staged in the previous month. Data is provided by Simpleview CRM.

**Mobile Visitor Center Engagements** – Total number of people engaged at mobile visitor center in the previous month. Data is provided by Simpleview CRM.

**Short Term Rental Revenue** – Total lodging revenue for all short-term rentals reported for the previous month. Data is provided by Key Data.

**Short Term Rental Occupancy** – Percentage of available short-term rentals sold during the previous month. Occupancy is calculated by dividing the number of rental units sold by rental units available. Data is provided by Key Data.

**Short Term Rental Average Daily Rate (ADR)** – A measure of the average rate paid for short-term rental units sold for the previous month, calculated by dividing rental units revenue by rental units sold. Data is provided by Smith Travel Research (STR).

**Short Term Rental Demand** – The number of short-term rental units sold in the previous month. Data is provided by Key Data.

**Short Term Rental Revenue Per Available Room (RevPAR)** – Total short term rental units revenue for the previous month divided by the total number of available rental units. Data is provided by Key Data.

## Sales Performance Metrics

**Sales Leads Issued** – Monthly tentative sales leads sent to hotel partners & service providers in Buffalo/ Erie County. Data is provided by Simpleview CRM.

**Room Nights (Leads)** – Monthly room nights represented in the tentative leads sent to hotel partners. Data is provided by Simpleview CRM.

**Leads Turned Definite** – Monthly room nights represented in definite leads. Data is provided by Simpleview CRM.

**Estimated Revenue** – Estimated monthly review of definite leads booked. Data is provided by Simpleview CRM.

**P2P Outreach** – Monthly person-to-person interactions between the sales team and clients/prospects. Includes virtual meetings, in-person, solicitation efforts via phone and email. Data is provided by Simpleview CRM.

**Indirect Outreach** – Monthly communications from the sales team to more than one client at a time. Includes direct mail and mass e-mail communications. Data is provided by Simpleview CRM.

**Group Events Held** – The number of groups who were sourced through VBN and met in Buffalo/Erie County during the given month. Data is provided by Simpleview CRM.

**Room Nights Generated** – Room nights generated by the groups held who were sourced through VBN and met in Buffalo/Erie County during the given month. Data is provided by hotel partners and compiled by Simpleview CRM.

**Groups Serviced** – Groups who met in Buffalo/Erie County who received or were offered additional planning services by VBN during the given month.

Data is provided by Simpleview CRM.

## Marketing Performance Metrics

**Website User Sessions** – Number of monthly website sessions to VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Mobile Site Visits** – Number of monthly website sessions from mobile or tablet devices to VisitBuffaloNiagaa.com. Data is provided by Google Analytics.

**Website Time on Site** – Average time in minutes and seconds spent on VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Website Page Views** – Number of monthly page views on VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Shared Social Media Posts** – Number of monthly individual shared Visit Buffalo Niagara Facebook and Instagram posts. Data provided by Google Analytics.

**Total Facebook Fans** – Total number of Facebook fans for Visit Buffalo Niagara Facebook page reported monthly. Data is provided by Facebook.

**Total Twitter Followers** – Total number of Twitter followers for Visit Buffalo Niagara Twitter account reported monthly. Data is provided by Twitter.

**Total Instagram Followers** – Total number of Instagram followers for Visit Buffalo Niagara Instagram account reported monthly. Data is provided by Instagram.

**Total Tiktok Followers** – Total number of Tiktok followers for Visit Buffalo Niagara Tiktok account reported monthly. Data is provided by Tiktok. This will be a new social media platform that will be measured in 2022.

**Video Views (All Platforms)** – Figures for total monthly video views on all platforms. Data is provided by YouTube, Vimeo, Factbook and Instagram and does not include advertising campaign views.

**Media Placements** – Clips from online, print, or broadcast media that Visit Buffalo Niagara had a hand in securing or that feature Buffalo/Erie County predominantly that have a reach of a certain threshold. Reported for the previous month. Data is provided by Cision.

**Media Social Shares** – Number of monthly social media shares of media placements that Visit Buffalo Niagara has a hand in securing. Reported for the previous month. Data is provided by Cision.

**Media Touchpoints** – Monthly contact that members of the Visit Buffalo Niagara staff and/or contracted media relations firm had with various media outlets or journalists for the previous month. Data is provided by Visit Buffalo Niagara and Madden Media teams.

**Media Visits** – Monthly visits to Buffalo/Erie County by journalists and hosted by Visit Buffalo Niagara and local tourism partners in the previous month. Data is provided by the Visit Buffalo Niagara and Madden Media teams.

## Industry Relations Performance Metrics

**Volunteer Hours – Sales Events** – Number of total monthly hours worked by volunteers at meetings/conventions or sporting events. Data is provided by Simpleview CRM.

**Volunteer Hours – Mobile Visitor Center** – Number of total monthly hours worked by volunteers at events where mobile visitor center was staged. Data is provided by Simpleview CRM.

**Total Volunteer Hours** – Total number of total monthly hours worked by volunteers. Data is provided by Simpleview CRM.

**Weekly Lodging Dashboard** – Weekly lodging comparison report of occupancy, ADR and RevPAR for hotels and rental units. Data is provided by STR and Key Data.

**Tourism Insider Distribution** – Total monthly recipients of Tourism Insider. Data is provided by Simpleview CRM.

**Industry Events Attendance** – Total monthly attendance by industry, stakeholder, and staff at VBN events. Data is provided by Simpleview CRM.

**Destination/Customer Service Training Attendance** – Total monthly attendance by industry taking part in VBN Destination/Customer Service Training program. Data is provided by Simpleview CRM.

**Extranet Training Attendance** – Total monthly attendance by industry taking part in VBN CRM Training program. Data is provided by Simpleview CRM.

**Industry Meeting Attendance** – Total monthly attendance by industry taking part in VBN industry meeting. Data is provided by Simpleview CRM.

## Data Sources

**Cervis Technologies** – Cervis is a volunteer/event management software program specifically geared toward the uses of non-profit organizations.

**Cision** – Cision is a leading global provider of earned media software and services to public relations and marketing communications professionals.

Cision's software allows users to identify key influencers, craft and distribute strategic content, and measure meaningful impact.

**Google Analytics** – Google Analytics is a web analytics service offered by Google that tracks and reports website traffic, currently as a platform inside the Google Marketing Platform brand.

**Key Data** – Key Data Dashboard provides business intelligence and benchmarking tools for the vacation rental space. ***Republication or other use of this data without the express written permission of Key Data is strictly prohibited.***

**Madden Media** – Madden Media is one of the nation's leading providers of custom and cooperative destination marketing solutions, in both digital and print. The company produces award-winning tourism promotions, offering more than 950 Destination Marketing Organizations around the country innovative, effective, and affordable media programs.

**SalesForce Marketing Cloud** – Salesforce Marketing Cloud is a provider of digital marketing automation and analytics software and services.

**Simpleview** – The company offers integrated products and services, including the industry's most advanced customer relationship management (CRM) and content management system (CMS) platforms, powerful forecasting and reporting tools, dynamic websites, sites for mobile web, search engine optimization and interactive marketing.

**STR (Smith Travel Research)** – STR is the leading provider of premium global data benchmarking, analytics, and marketplace insights across multiple market sectors. We provide data that is confidential, reliable, accurate and actionable, and our comprehensive reports empower our clients to strategize and compete within their markets. ***Republication or other use of STR data without the express written permission of STR is strictly prohibited.***

**Tourism Economics** – Tourism Economics is an Oxford Economics company with a singular objective: combine an understanding of tourism dynamics with rigorous economics to answer the most important questions facing destinations, developers, and strategic planners.



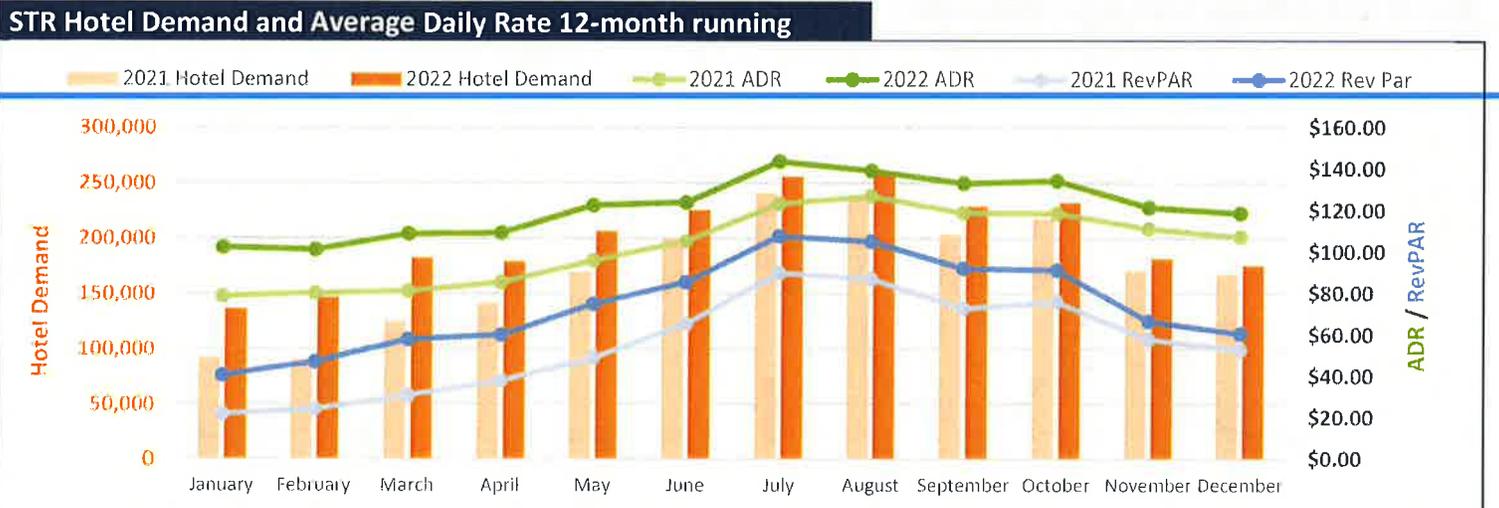
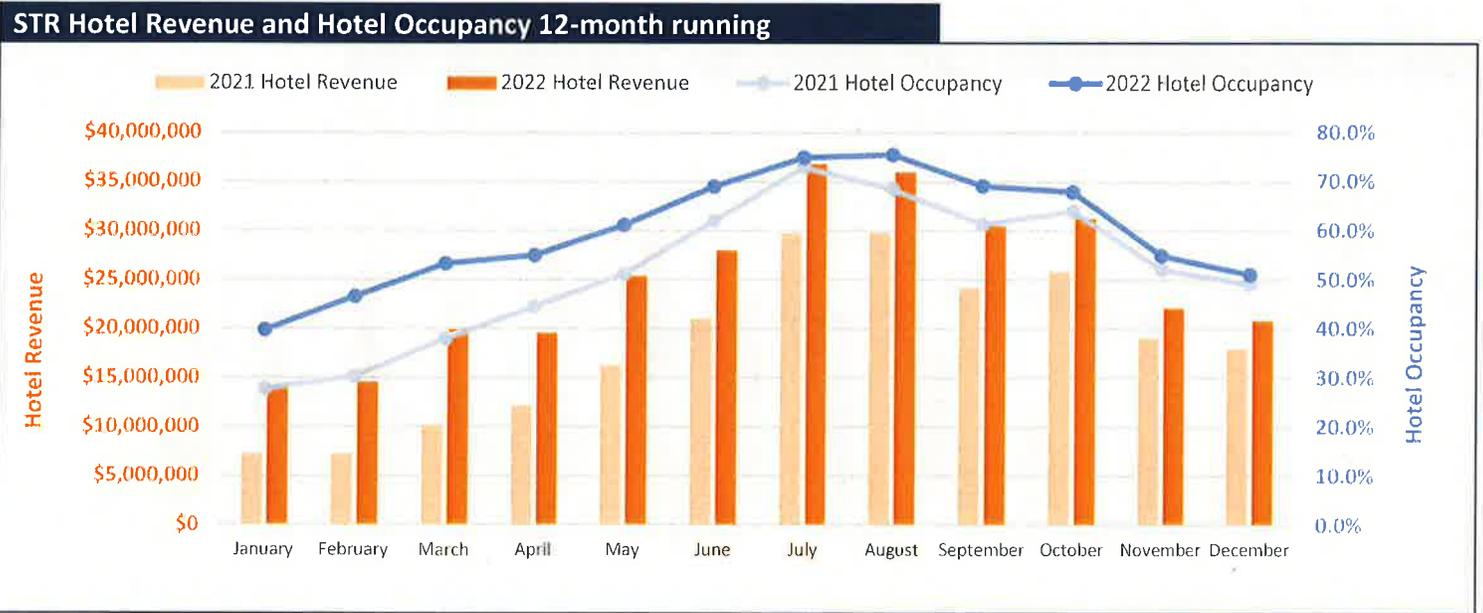
# Destination Performance Report



December 2022 \*Source: STR, Inc. Republication or other use of this data without the express written permission of STR is strictly prohibited. Simpleview CRM

| Hotel and Visitor Overview –December 2022   |   |  |                                     |   |
|---|---|--|-------------------------------------|---|
| <b>Hotel Revenue</b><br><b>\$20,840,490</b> | <b>Hotel Occupancy</b><br><b>51.1%</b>        | <b>Hotel Demand</b><br><b>175,272</b>      | <b>Hotel ADR</b><br><b>\$118.90</b> | <b>Hotel RevPAR</b><br><b>\$60.81</b>   |
| Nov 2022 <b>-5.6%</b>                       | Nov 2022 <b>-7.1%</b>                         | Nov 2022 <b>-3.6%</b>                      | Nov 2022 <b>-2.3%</b>               | Nov 2022 <b>-9.1%</b>                   |
| <b>Airport Passengers</b><br><b>270,538</b> | <b>Cross Border Traffic</b><br><b>257,870</b> | <b>Touring Guide Requests</b><br><b>90</b> | <b>Mobile VC Events</b><br><b>0</b> | <b>MVC Event Attendance</b><br><b>0</b> |
| Nov 2022 <b>-12.7%</b>                      | Nov 2022 <b>-5.5%</b>                         | Nov 2022 <b>-44.4%</b>                     | Nov 2022 <b>-100.0%</b>             | Nov 2022 <b>-100.0%</b>                 |

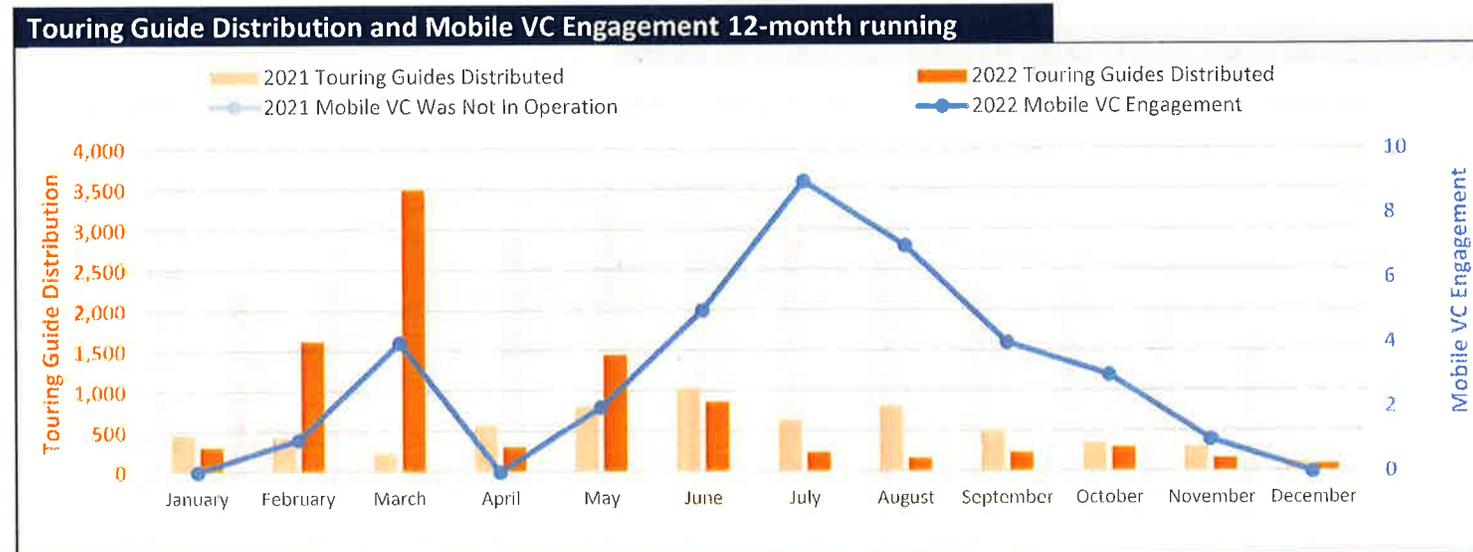
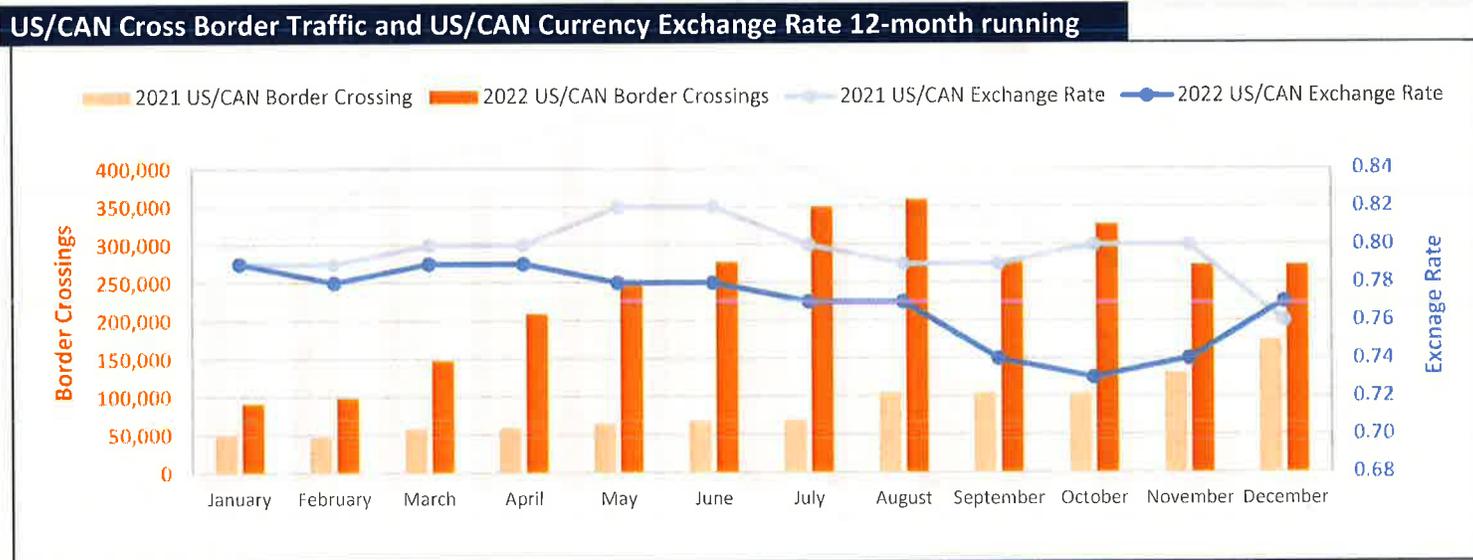
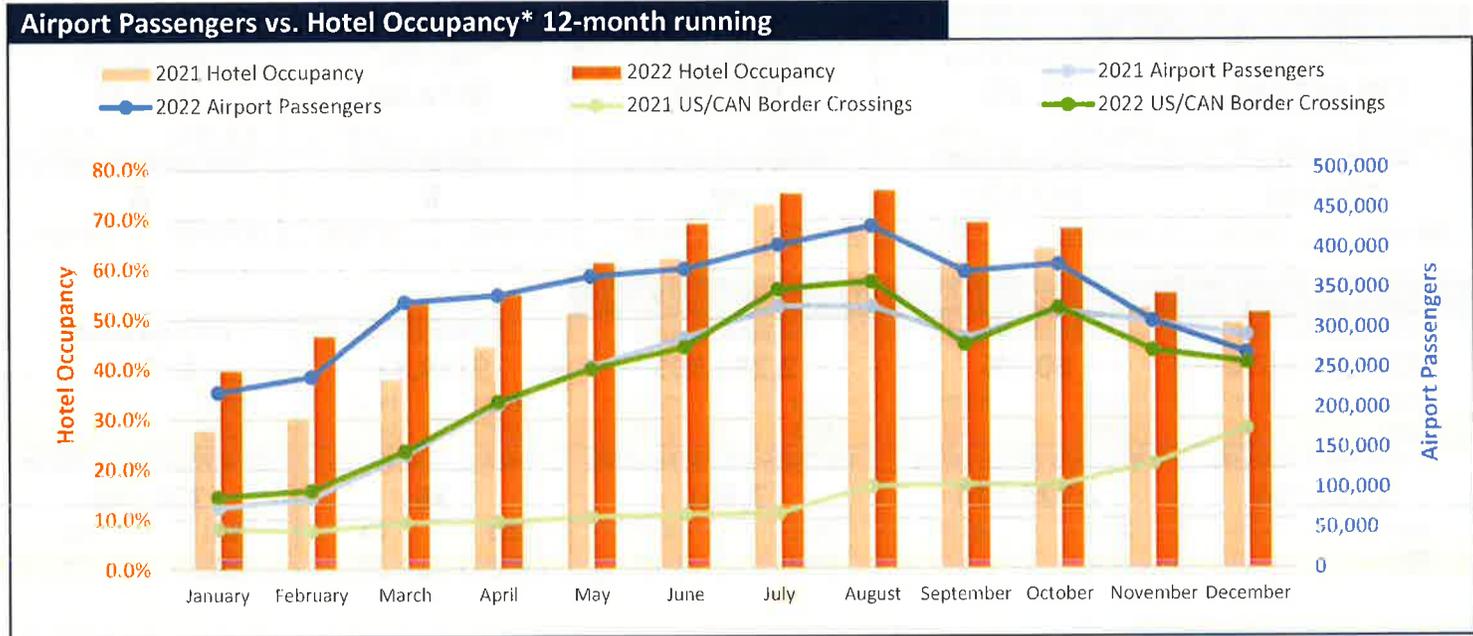
| Hotel and Visitor Overview Comparison YOY 2022 vs. 2019 and 2021 |   |   |  |   |
|--|---|---|--|---|
| <b>YTD Hotel Revenue</b><br><b>\$299,754,676</b>                 | <b>YTD Hotel Occupancy</b><br><b>60.7%</b>          | <b>YTD Hotel Demand</b><br><b>2,231,395</b>       | <b>YTD Hotel ADR</b><br><b>\$124.82</b>  | <b>YTD Hotel RevPAR</b><br><b>\$75.82</b>         |
| 2021 <b>35.4%</b>  | 2021 <b>15.8%</b>                                   | 2021 <b>18.5%</b>                                 | 2021 <b>15.9%</b>                        | 2021 <b>34.4%</b>                                 |
| 2019 <b>12.6%</b>  | 2019 <b>-3.8%</b>                                   | 2019 <b>-4.2%</b>                                 | 2019 <b>15.9%</b>                        | 2019 <b>11.5%</b>                                 |
| <b>YTD Airport Passengers</b><br><b>3,777,768</b>                | <b>YTD Cross Border Traffic</b><br><b>2,920,924</b> | <b>YTD Touring Guide Requests</b><br><b>7,301</b> | <b>YTD Mobile VC Events</b><br><b>36</b> | <b>YTD MVC Event Attendance</b><br><b>236,946</b> |
| 2021 <b>43.5%</b>  | 2021 <b>181.2%</b>                                  | 2021 <b>15.9%</b>                                 | 2021 <b>NA</b>                           | 2021 <b>NA</b>                                    |
| 2019 <b>-17.6%</b>   | 2019 <b>-44.2%</b>                                  | 2019 <b>17.2%</b>                                 | 2019 <b>NA</b>                           | 2019 <b>NA</b>                                    |



# Destination Performance Report



December 2022 \*Source: STR, Inc. Republication or other use of this data without the express written permission of STR is strictly prohibited. Simpleview CRM



# Destination Performance Report

December 2022 **\*\*Source: Key Data. Republication or other use of this data without the express written permission of Key Data is strictly prohibited.**



## Short Term Rental Data –December 2022

| Short Term Rental Revenue** | Short Term Rental Occupancy** | Short Term Rental Bookings** | Short Term Rental ADR** | Short Term Rental RevPAR** |
|-----------------------------|-------------------------------|------------------------------|-------------------------|----------------------------|
| <b>\$2,498,796</b>          | <b>36.1%</b>                  | <b>4,276</b>                 | <b>\$159.00</b>         | <b>\$57.00</b>             |
| Nov 2022 <b>28.3%</b>       | Nov 2022 <b>4.3%</b>          | Nov 2022 <b>-2.9%</b>        | Nov 2022 <b>-5.3%</b>   | Nov 2022 <b>1.7%</b>       |

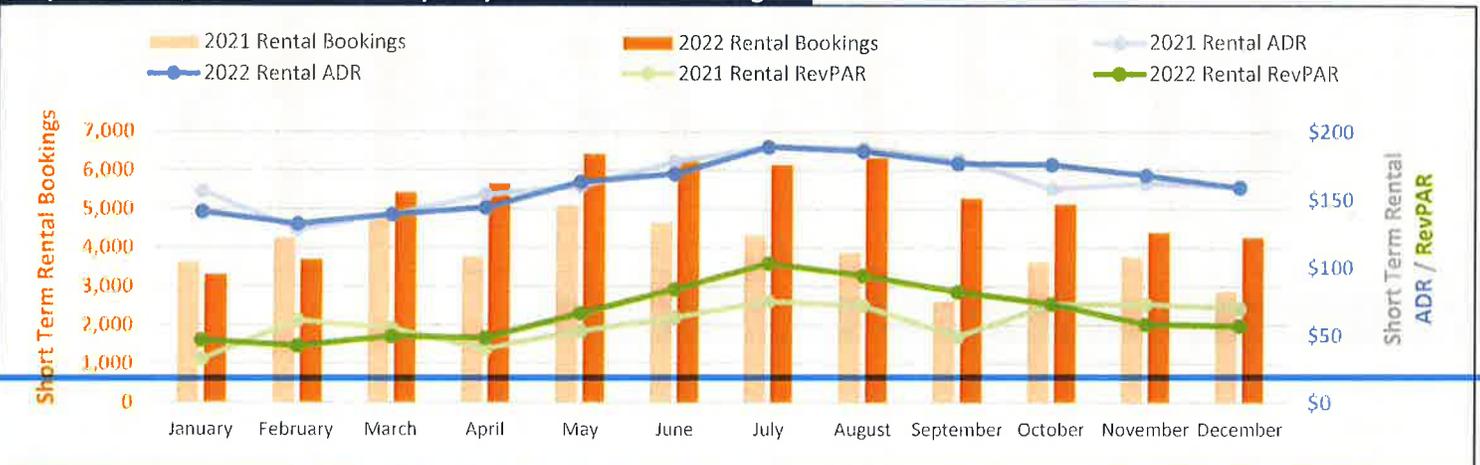
## Short Term Rental Data Comparison YOY 2022 vs. 2019 and 2021

| YTD Short Term Rental Revenue** | YTD Short Term Rental Occupancy** | YTD Short Term Rental Bookings** | YTD Short Term Rental ADR** | YTD Short Term Rental RevPAR** |
|---------------------------------|-----------------------------------|----------------------------------|-----------------------------|--------------------------------|
| <b>\$35,210,930</b>             | <b>42.0%</b>                      | <b>65,536</b>                    | <b>\$168.00</b>             | <b>\$71.00</b>                 |
| 2021 <b>69.1%</b>               | 2021 <b>-10.4%</b>                | 2021 <b>60.9%</b>                | 2021 <b>13.4%</b>           | 2021 <b>1.4%</b>               |
| 2019 <b>NA</b>                  | 2019 <b>NA</b>                    | 2019 <b>NA</b>                   | 2019 <b>NA</b>              | 2019 <b>NA</b>                 |

## KeyData ADR, RevPAR and Occupancy\*\* 12-month running



## KeyData ADR, RevPAR and Occupancy\*\* 12-month running



## 2019 Tourism Economics Annual Performance Report – Erie County

Erie County Tourism Impact

**\$1,879,000,000**

Erie County Travel Spend – Amounts in millions of nominal dollars

| Lodging               | Recreation        | Food & Beverage                   | Retail            | Transportation            | 2 <sup>nd</sup> Home Purchase |
|-----------------------|-------------------|-----------------------------------|-------------------|---------------------------|-------------------------------|
| <b>\$333.8</b>        | <b>\$201.0</b>    | <b>\$712.9</b>                    | <b>\$373.9</b>    | <b>\$238.4</b>            | <b>\$19.0</b>                 |
| Tourism Related Taxes |                   | Erie County Tourism Related Labor |                   | Tax Savings Per Household |                               |
| New York State Taxes  | Erie County Taxes | Employment                        | Labor Income      | <b>\$598</b>              |                               |
| <b>\$155,040</b>      | <b>\$184,602</b>  | <b>32,395</b>                     | <b>\$1,561.8M</b> |                           |                               |

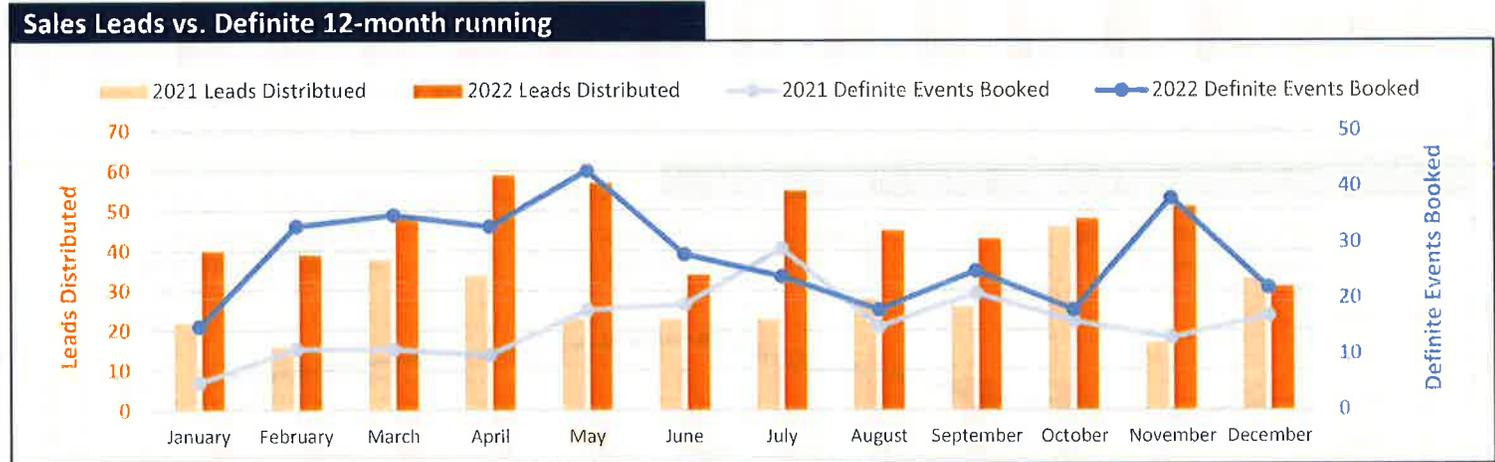
# Sales and Services Performance Report



December 2022 Source: Simpleview CRM

| Sales Leads, Bookings and Outreach – December 2022 |                             |                              |                                |                        |
|--|-----------------------------|------------------------------|--------------------------------|------------------------|
| Sales Leads Distributed                            | Room Nights (Leads)         | Person to Person Prospects   | Indirect Prospects             | Lost Business          |
| <b>31</b>  | <b>30,691</b>               | <b>407</b>                   | <b>0</b>                       | <b>16</b>              |
| Nov 2022 <b>-25.5%</b>                             | Nov 2022 <b>-6.9%</b>       | Nov 2022 <b>10.0%</b>        | Nov 2022 <b>Null</b>           | Nov 2022 <b>-15.8%</b> |
| Definite Events Booked                             | Definite Room Nights Booked | Definite Expected Attendance | Definite Event Economic Impact |                        |
| <b>22</b>  | <b>19,861</b>               | <b>22,229</b>                | <b>\$17,063,702</b>            |                        |
| Nov 2022 <b>-42.1%</b>                             | Nov 2022 <b>-24.1%</b>      | Nov 2022 <b>-29.0%</b>       | Nov 2022 <b>-12.7%</b>         |                        |
| Events Held  | Room Nights                 | Attendance                   | Groups Served                  |                        |
| <b>8</b>   | <b>6,548</b>                | <b>4,790</b>                 | <b>8</b>                       |                        |
| Nov 2022 <b>-42.9%</b>                             | Nov 2022 <b>23.5%</b>       | Nov 2022 <b>-29.0%</b>       | Nov 2022 <b>-11.1%</b>         |                        |

| Sales Leads, Bookings and Outreach – YOY 2022 vs. 2019 and 2021 |                                 |                                  |                                    |                   |
|---|---------------------------------|----------------------------------|------------------------------------|-------------------|
| YTD Sales Leads Distributed                                     | YTD Room Nights (Leads)         | YTD Person to Person Prospects   | YTD Indirect Prospects             | YTD Lost Business |
| <b>558</b>  | <b>308,507</b>                  | <b>5,894</b>                     | <b>31</b>                          | <b>227</b>        |
| 2021 <b>66.6%</b>   | 2021 <b>86.9%</b>               | 2021 <b>20.6%</b>                | 2021 <b>90.3%</b>                  | 2021 <b>26.1%</b> |
| 2019 <b>-24.4%</b>  | 2019 <b>-19.4%</b>              | 2019 <b>NA</b>                   | 2019 <b>NA</b>                     | 2019 <b>-8.8%</b> |
| YTD Definite Events Booked                                      | YTD Definite Room Nights Booked | YTD Definite Expected Attendance | YTD Definite Event Economic Impact |                   |
| <b>332</b>  | <b>152,684</b>                  | <b>139,409</b>                   | <b>\$131,849,408</b>               |                   |
| 2021 <b>79.5%</b>   | 2021 <b>108.8%</b>              | 2021 <b>93.4%</b>                | 2021 <b>126.5%</b>                 |                   |
| 2019 <b>-329%</b>   | 2019 <b>-7.0%</b>               | 2019 <b>-6.8%</b>                | 2019 <b>3.0%</b>                   |                   |
| YTD Events Held   | YTD Room Nights                 | YTD Attendance                   | YTD Groups Served                  |                   |
| <b>252</b>  | <b>109,755</b>                  | <b>95,300</b>                    | <b>155</b>                         |                   |
| 2021 <b>73.8%</b>   | 2021 <b>110.4%</b>              | 2021 <b>112.0%</b>               | 2021 <b>158.3%</b>                 |                   |
| 2019 <b>-37.6%</b>  | 2019 <b>-31.1%</b>              | 2019 <b>-28.4%</b>               | 2019 <b>-20.9%</b>                 |                   |



# Sales and Services Performance Report

December 2022 Source: Simpleview CRM



## Future Economic Impact 12-month running



## Sales Outreach by Month – Fiscal Year 2021

| Month of Year | Person-to-Person Outreach | Percent Change | Indirect Outreach | Percent Change |
|---------------|---------------------------|----------------|-------------------|----------------|
| January       | 721                       | 79.8%          | 2                 | -66.7%         |
| February      | 572                       | -20.7%         | 0                 | -100.0%        |
| March         | 661                       | 16.0%          | 2                 | 200.0%         |
| April         | 517                       | -21.8%         | 1                 | -50.0%         |
| June          | 481                       | -7.0%          | 2                 | 100.0%         |
| July          | 385                       | -20.0%         | 0                 | -100.0%        |
| July          | 366                       | -4.9%          | 2                 | 200.0%         |
| August        | 511                       | 39.6%          | 2                 | Null           |
| September     | 422                       | -17.4%         | 1                 | -50.0%         |
| October       | 481                       | 14.0%          | 0                 | -100.0%        |
| November      | 370                       | -24.0%         | 0                 | Null           |
| December      | 407                       | 10.0%          | 21                | 2001.0%        |

## Group Events Held by Month and Room Nights Generated – Fiscal Year 2021

| Month of Year | Group Events This Month | Percent Change | Room Nights Generated | Percent Change |
|---------------|-------------------------|----------------|-----------------------|----------------|
| January       | 5                       | 16.7%          | 5,064                 | 98.9%          |
| February      | 14                      | 180.0%         | 9,687                 | 91.3%          |
| March         | 29                      | 107.1%         | 26,174                | 170.2%         |
| April         | 19                      | -34.8%         | 6,144                 | -76.5%         |
| May           | 23                      | 21.1%          | 5,830                 | -5.1%          |
| June          | 25                      | 8.7%           | 11,746                | 101.5%         |
| July          | 39                      | 56.0%          | 15,934                | 35.7%          |
| August        | 19                      | -51.3%         | 6,525                 | -43.3%         |
| September     | 28                      | 47.4%          | 6,014                 | -7.8%          |
| October       | 18                      | -28.0%         | 8,907                 | 27.8%          |
| November      | 38                      | 111.1%         | 26,161                | 193.7%         |
| December      | 22                      | -42.1%         | 19,861                | -24.5%         |

# Marketing Performance Report

December 2022

Sources: Cision, Google Analytics, Madden Media, Simpleview CRM



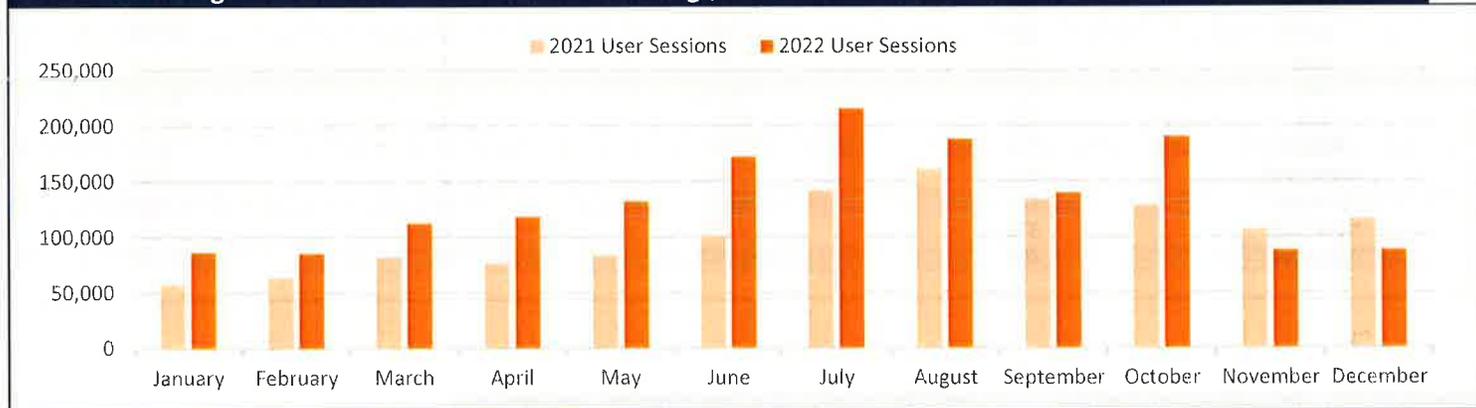
## Marketing Metrics Overview – December 2022

|   |  |   |  |   |
|---|--|---|--|---|
| <b>Website Sessions</b><br><b>88,001</b><br>Nov 2022 <b>0.1%</b>    | <b>Mobile Site Sessions</b><br><b>60,029</b><br>Nov 2022 <b>2.4%</b>     | <b>Duration on Site</b><br><b>1:15</b><br>Nov 2022 <b>-46 seconds</b> | <b>Website Page Views</b><br><b>155,713</b><br>Nov 2022 <b>-7.2%</b> | <b>Shared Social Media Posts</b><br><b>191</b><br>Nov 2022 <b>1.6%</b>      |
| <b>Facebook Followers</b><br><b>100,102</b><br>Nov 2022 <b>0.1%</b> | <b>Twitter Followers</b><br><b>29,590</b><br>Nov 2022 <b>-0.4%</b>       | <b>Instagram Followers</b><br><b>46,912</b><br>Nov 2022 <b>1.7%</b>   | <b>Tiktok Followers</b><br><b>18,005</b><br>Nov 2022 <b>1.5%</b>     | <b>All Platforms Video Views</b><br><b>505,326</b><br>Nov 2022 <b>83.4%</b> |
| <b>Media Placements</b><br><b>4</b><br>Nov 2022 <b>-33.3%</b>       | <b>Media Impressions</b><br><b>399,163,981</b><br>Nov 2022 <b>181.2%</b> | <b>Media Social Shares</b><br><b>187</b><br>Nov 2022 <b>-19.7%</b>    | <b>Media Touchpoints</b><br><b>18</b><br>Nov 2022 <b>5.9%</b>        | <b>Media Visits</b><br><b>4</b><br>Nov 2022 <b>300.0%</b>                   |

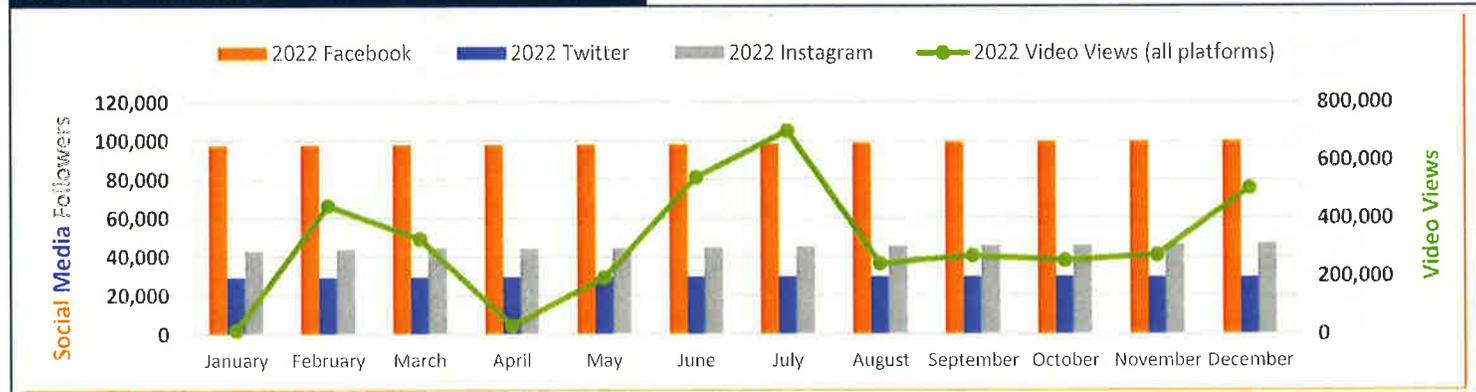
## Marketing Metrics Overview Comparison YOY 2022 vs. 2019 and 2021

|  |  |   |  |   |
|--|--|---|--|---|
| <b>YTD Website Sessions</b><br><b>1,617,515</b><br>2021 <b>28.9%</b><br>2019 <b>0.9%</b> | <b>YTD Mobile Site Sessions</b><br><b>1,101,519</b><br>2021 <b>33.2%</b><br>2019 <b>4.6%</b> | <b>YTD Duration on Site</b><br><b>1:15</b><br>2021 <b>-25 seconds</b><br>2019 <b>-3 seconds</b> | <b>YTD Website Page Views</b><br><b>3,123,906</b><br>2021 <b>33.1%</b><br>2019 <b>0.5%</b> | <b>YTD Shared Soc Med Posts</b><br><b>2,419</b><br>2021 <b>18.3%</b><br>2019 <b>0.2%</b>    |
| <b>YTD Facebook Followers</b><br><b>100,102</b><br>2021 <b>3.2%</b><br>2019 <b>5.1%</b>  | <b>YTD Twitter Followers</b><br><b>29,590</b><br>2021 <b>1.6%</b><br>2019 <b>2.8%</b>        | <b>YTD Instagram Followers</b><br><b>46,912</b><br>2021 <b>16.8%</b><br>2019 <b>35.8%</b>       | <b>YTD Avg Tiktok Followers</b><br><b>17,738</b><br>2021 <b>NA</b><br>2019 <b>NA</b>       | <b>YTD All Video Views</b><br><b>5,817,648</b><br>2021 <b>1394.8%</b><br>2019 <b>249.5%</b> |
| <b>YTD Media Placements</b><br><b>60</b><br>2021 <b>62.2%</b><br>2019 <b>NA</b>          | <b>YTD Media Impressions</b><br><b>1,370,132,655</b><br>2021 <b>245.0%</b><br>2019 <b>NA</b> | <b>YTD Media Social Shares</b><br><b>19,607</b><br>2021 <b>321.2%</b><br>2019 <b>NA</b>         | <b>YTD Media Touchpoints</b><br><b>225</b><br>2021 <b>30.1%</b><br>2019 <b>NA</b>          | <b>YTD Media Visits</b><br><b>31</b><br>2021 <b>55.0%</b><br>2019 <b>NA</b>                 |

## VisitBuffaloNiagara.com Web Stats 12-month running (Total Combined Sessions – Website and Mobile)



## Social Media and Video Stats – Fiscal Year 2021



# Marketing Performance Report

December 2022 Sources: Cision, Google Analytics, Madden Media, Simpleview CRM



## Print & Broadcast Value & Impressions – Fiscal Year 2022

| Month of Year | Publicity Value – Print/Broadcast | Percent Change | Print Impressions | Percent Change |
|---------------|-----------------------------------|----------------|-------------------|----------------|
| January       |                                   |                |                   |                |
| February      |                                   |                |                   |                |
| March         |                                   |                |                   |                |
| April         |                                   |                |                   |                |
| May           |                                   |                |                   |                |
| June          |                                   |                |                   |                |
| July          |                                   |                |                   |                |
| August        |                                   |                |                   |                |
| September     |                                   |                |                   |                |
| October       |                                   |                |                   |                |
| November      |                                   |                |                   |                |
| December      |                                   |                |                   |                |

## Online Publicity Value and Impressions – Fiscal Year 2022

| Month of Year | Publicity Value - Online | Percent Change | Estimated Impressions - Online | Percent Change |
|---------------|--------------------------|----------------|--------------------------------|----------------|
| January       | -                        | -              | -                              | -              |
| February      | -                        | -              | -                              | -              |
| March         | -                        | -              | -                              | -              |
| April         | -                        | -              | -                              | -              |
| May           | -                        | -              | -                              | -              |
| June          | -                        | -              | -                              | -              |
| July          | -                        | -              | -                              | -              |
| August        | -                        | -              | -                              | -              |
| September     | -                        | -              | -                              | -              |
| October       | -                        | -              | -                              | -              |
| November      | -                        | -              | -                              | -              |
| December      | -                        | -              | -                              | -              |

## Media Placements & Touchpoints – Fiscal Year 2022

| Month of Year | Media Touchpoints - Interactions | Percent Change | Significant Placements | Percent Change |
|---------------|----------------------------------|----------------|------------------------|----------------|
| January       | 36                               | 62.0%          | 2                      | 100.0%         |
| February      | 39                               | 8.3%           | 8                      | 300.0%         |
| March         | 12                               | -69.2%         | 7                      | -12.5%         |
| April         | 12                               | Null           | 3                      | -57.1%         |
| May           | 8                                | -33.3%         | 4                      | 33.3%          |
| June          | 21                               | 162.5%         | 4                      | Null           |
| July          | 22                               | 4.8%           | 5                      | 20.0%          |
| August        | 15                               | -31.8%         | 7                      | 40.0%          |
| September     | 14                               | -6.7%          | 7                      | Null           |
| October       | 11                               | -21.4%         | 6                      | -14.3%         |
| November      | 17                               | 54.5%          | 6                      | Null           |
| December      | 18                               | 5.9%           | 4                      | -33.3%         |

## Social Media & Video Views (All Platforms – Fiscal Year 2021)

| Month of Year | Facebook Followers | Percent Change | Twitter Followers | Percent Change | Instagram Followers | Percent Change | Video Views | Percent Change |
|---------------|--------------------|----------------|-------------------|----------------|---------------------|----------------|-------------|----------------|
| January       | 97,970             | 0.3%           | 29,400            | 0.3%           | 43,071              | 3.7%           | 15,068      | -1.3%          |
| February      | 98,066             | 0.3%           | 29,502            | 0.3%           | 43,797              | 3.7%           | 458,909     | 229.0%         |
| March         | 98,216             | 0.2%           | 29,644            | 0.8%           | 44,379              | 3.0%           | 329,913     | -25.7%         |
| April         | 98,241             | 0.02%          | 29,688            | 0.1%           | 44,370              | -0.02%         | 31,860      | -90.3%         |
| May           | 98,289             | 0.2%           | 29,720            | 0.1%           | 44,511              | 0.3%           | 197,623     | 520.2%         |
| June          | 98,388             | 0.1%           | 29,857            | 0.5%           | 44,750              | 0.5%           | 542,483     | 175.5%         |
| July          | 98,632             | 0.2%           | 29,898            | 0.1%           | 45,202              | 1.0%           | 702,026     | 29.4%          |
| August        | 99,106             | 0.5%           | 29,909            | 0.003%         | 45,457              | 0.6%           | 245,309     | -65.1%         |
| September     | 99,688             | 0.6%           | 29,930            | 0.07%          | 45,706              | 0.5%           | 272,473     | 11.1%          |
| October       | 99,918             | 0.2%           | 29,986            | 0.2%           | 45,911              | 0.4%           | 256,161     | -6.0%          |
| November      | 100,009            | 0.1%           | 29,704            | -0.9%          | 46,111              | 0.4%           | 275,565     | 7.6%           |
| December      | 100,102            | 0.1%           | 29,704            | -0.4%          | 46,912              | 1.7%           | 505,326     | 83.4%          |

# Industry Relations Performance Report

December 2022

Source: Simpleview CRM, Cervis, Salesforce



## Industry Relations Metrics Overview – December 2022

| Volunteer Hours – Conventions   | Volunteer Hours – Mobile VC  | Total Volunteer Hours  |
|---|--|--|
| <b>0</b><br>Nov 2022 <span style="color: green;">Null</span>  | <b>0</b><br>Nov 2022 <span style="color: green;">Null</span>   | <b>0</b><br>Nov 2022 <span style="color: green;">Null</span>   |
| <b>Weekly Lodging Dashboard</b><br><b>436</b><br>Nov 2022 <span style="color: green;">2.1%</span>                   | <b>Tourism Insider Distribution</b><br><b>2,750</b><br>Nov 2022 <span style="color: red;">-0.5%</span> | <b>Industry Night Events Attendance</b><br><b>40</b><br>Nov 2022 <span style="color: green;">400.0%</span> |
| <b>Destination/Customer Service Training Attend</b><br><b>0</b><br>Nov 2022 <span style="color: green;">Null</span> | <b>Extranet Training Attendance</b><br><b>3</b><br>Nov 2022 <span style="color: red;">-57.1%</span>    | <b>Industry Meeting Attendance</b><br><b>74</b><br>Nov 2022 <span style="color: green;">740.0%</span>      |

## Industry Relations Metrics Overview Comparison YOY 2022 vs. 2019 and 2021

| YTD Volunteer Hours – Conventions  | YTD Volunteer Hours – Mobile VC   | YTD Total Volunteer Hours  |
|--|---|--|
| <b>151</b><br>2021 <span style="color: red;">-57.9%</span><br>2019 <span style="color: black;">NA</span>   | <b>347</b><br>2021 <span style="color: black;">NA</span><br>2019 <span style="color: black;">NA</span>  | <b>498</b><br>2021 <span style="color: green;">38.7%</span><br>2019 <span style="color: black;">NA</span>  |
| <b>YTD Weekly Lodging Dashboard</b><br><b>436</b><br>2021 <span style="color: green;">63.9%</span><br>2019 <span style="color: black;">NA</span>             | <b>YTD Tourism Insider Distribution</b><br><b>2,750</b><br>2021 <span style="color: green;">12.7%</span><br>2019 <span style="color: red;">-6.1%</span> | <b>YTD Industry Events Attendance</b><br><b>71</b><br>2021 <span style="color: green;">Null</span><br>2019 <span style="color: green;">Null</span>     |
| <b>YTD Dest/Customer Service Training Attend</b><br><b>84</b><br>2021 <span style="color: green;">Null</span><br>2019 <span style="color: red;">-6.7%</span> | <b>YTD Extranet Training Attendance</b><br><b>46</b><br>2021 <span style="color: green;">Null</span><br>2019 <span style="color: red;">-30.3%</span>    | <b>YTD Industry Meeting Attendance</b><br><b>321</b><br>2021 <span style="color: green;">136.0%</span><br>2019 <span style="color: red;">-62.5%</span> |

# Destination Performance Report - Glossary

## Destination Performance Metrics

**Hotel Revenue** – Total lodging revenue for all property types reported for the previous month. Data is provided by Smith Travel Research (STR).

**Hotel Occupancy** – Percentage of available rooms sold during the previous month. Occupancy is calculated by dividing the number of rooms sold by rooms available. Data is provided by Smith Travel Research (STR).

**Hotel Average Daily Rate (ADR)** – A measure of the average rate paid for rooms sold for the previous month, calculated by dividing room revenue by rooms sold. Data is provided by Smith Travel Research (STR).

**Hotel Demand** – The number of rooms sold in the previous month (excludes complimentary rooms). Data is provided by Smith Travel Research (STR).

**Hotel Revenue Per Available Room (RevPAR)** – Total room revenue for the previous month divided by the total number of available rooms. Data is provided by Smith Travel Research (STR).

**Total Airport Passengers** – Total monthly air traffic reported for the previous month. Data is provided by Buffalo Niagara International Airport.

**Cross Border Traffic** – Total monthly border crossings between US and Canada in the previous month. Data is provided by Buffalo and Fort Erie Public Bridge Authority.

**Touring Guide Requests** – Total number of touring guides (visitor guide publication) requests made and distributed in the previous month. Data is provided by Visit Buffalo Niagara staff.

**Mobile Visitor Center Events** – Total number of events that mobile visitor center was staged in the previous month. Data is provided by Simpleview CRM.

**Mobile Visitor Center Engagements** – Total number of people engaged at mobile visitor center in the previous month. Data is provided by Simpleview CRM.

**Short Term Rental Revenue** – Total lodging revenue for all short-term rentals reported for the previous month. Data is provided by Key Data.

**Short Term Rental Occupancy** – Percentage of available short-term rentals sold during the previous month. Occupancy is calculated by dividing the number of rental units sold by rental units available. Data is provided by Key Data.

**Short Term Rental Average Daily Rate (ADR)** – A measure of the average rate paid for short-term rental units sold for the previous month, calculated by dividing rental units revenue by rental units sold. Data is provided by Smith Travel Research (STR).

**Short Term Rental Demand** – The number of short-term rental units sold in the previous month. Data is provided by Key Data.

**Short Term Rental Revenue Per Available Room (RevPAR)** – Total short term rental units revenue for the previous month divided by the total number of available rental units. Data is provided by Key Data.

## Sales Performance Metrics

**Sales Leads Issued** – Monthly tentative sales leads sent to hotel partners & service providers in Buffalo/ Erie County. Data is provided by Simpleview CRM.

**Room Nights (Leads)** – Monthly room nights represented in the tentative leads sent to hotel partners. Data is provided by Simpleview CRM.

**Leads Turned Definite** – Monthly room nights represented in definite leads. Data is provided by Simpleview CRM.

**Estimated Revenue** – Estimated monthly review of definite leads booked. Data is provided by Simpleview CRM.

**P2P Outreach** – Monthly person-to-person interactions between the sales team and clients/prospects. Includes virtual meetings, in-person, solicitation efforts via phone and email. Data is provided by Simpleview CRM.

**Indirect Outreach** – Monthly communications from the sales team to more than one client at a time. Includes direct mail and mass e-mail communications. Data is provided by Simpleview CRM.

**Group Events Held** – The number of groups who were sourced through VBN and met in Buffalo/Erie County during the given month. Data is provided by Simpleview CRM.

**Room Nights Generated** – Room nights generated by the groups held who were sourced through VBN and met in Buffalo/Erie County during the given month. Data is provided by hotel partners and compiled by Simpleview CRM.

**Groups Serviced** – Groups who met in Buffalo/Erie County who received or were offered additional planning services by VBN during the given month.

Data is provided by Simpleview CRM.

## Marketing Performance Metrics

**Website User Sessions** – Number of monthly website sessions to VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Mobile Site Visits** – Number of monthly website sessions from mobile or tablet devices to VisitBuffaloNiagaa.com. Data is provided by Google Analytics.

**Website Time on Site** – Average time in minutes and seconds spent on VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Website Page Views** – Number of monthly page views on VisitBuffaloNiagara.com. Data is provided by Google Analytics.

**Shared Social Media Posts** – Number of monthly individual shared Visit Buffalo Niagara Facebook and Instagram posts. Data provided by Google Analytics.

**Total Facebook Fans** – Total number of Facebook fans for Visit Buffalo Niagara Facebook page reported monthly. Data is provided by Facebook.

**Total Twitter Followers** – Total number of Twitter followers for Visit Buffalo Niagara Twitter account reported monthly. Data is provided by Twitter.

**Total Instagram Followers** – Total number of Instagram followers for Visit Buffalo Niagara Instagram account reported monthly. Data is provided by Instagram.

**Total Tiktok Followers** – Total number of Tiktok followers for Visit Buffalo Niagara Tiktok account reported monthly. Data is provided by Tiktok. This will be a new social media platform that will be measured in 2022.

**Video Views (All Platforms)** – Figures for total monthly video views on all platforms. Data is provided by YouTube, Vimeo, Facebook and Instagram and does not include advertising campaign views.

**Media Placements** – Clips from online, print, or broadcast media that Visit Buffalo Niagara had a hand in securing or that feature Buffalo/Erie County predominantly that have a reach of a certain threshold. Reported for the previous month. Data is provided by Cision.

**Media Social Shares** – Number of monthly social media shares of media placements that Visit Buffalo Niagara has a hand in securing. Reported for the previous month. Data is provided by Cision.

**Media Touchpoints** – Monthly contact that members of the Visit Buffalo Niagara staff and/or contracted media relations firm had with various media outlets or journalists for the previous month. Data is provided by Visit Buffalo Niagara and Madden Media teams.

**Media Visits** – Monthly visits to Buffalo/Erie County by journalists and hosted by Visit Buffalo Niagara and local tourism partners in the previous month. Data is provided by the Visit Buffalo Niagara and Madden Media teams.

## Industry Relations Performance Metrics

**Volunteer Hours – Sales Events** – Number of total monthly hours worked by volunteers at meetings/conventions or sporting events. Data is provided by Simpleview CRM.

**Volunteer Hours – Mobile Visitor Center** – Number of total monthly hours worked by volunteers at events where mobile visitor center was staged. Data is provided by Simpleview CRM.

**Total Volunteer Hours** – Total number of total monthly hours worked by volunteers. Data is provided by Simpleview CRM.

**Weekly Lodging Dashboard** – Weekly lodging comparison report of occupancy, ADR and RevPAR for hotels and rental units. Data is provided by STR and Key Data.

**Tourism Insider Distribution** – Total monthly recipients of Tourism Insider. Data is provided by Simpleview CRM.

**Industry Events Attendance** – Total monthly attendance by industry, stakeholder, and staff at VBN events. Data is provided by Simpleview CRM.

**Destination/Customer Service Training Attendance** – Total monthly attendance by industry taking part in VBN Destination/Customer Service Training program. Data is provided by Simpleview CRM.

**Extranet Training Attendance** – Total monthly attendance by industry taking part in VBN CRM Training program. Data is provided by Simpleview CRM.

**Industry Meeting Attendance** – Total monthly attendance by industry taking part in VBN industry meeting. Data is provided by Simpleview CRM.

## Data Sources

**Cervis Technologies** – Cervis is a volunteer/event management software program specifically geared toward the uses of non-profit organizations.

**Cision** – Cision is a leading global provider of earned media software and services to public relations and marketing communications professionals.

Cision's software allows users to identify key influencers, craft and distribute strategic content, and measure meaningful impact.

**Google Analytics** – Google Analytics is a web analytics service offered by Google that tracks and reports website traffic, currently as a platform inside the Google Marketing Platform brand.

**Key Data** – Key Data Dashboard provides business intelligence and benchmarking tools for the vacation rental space. *Republication or other use of this data without the express written permission of Key Data is strictly prohibited.*

**Madden Media** – Madden Media is one of the nation's leading providers of custom and cooperative destination marketing solutions, in both digital and print. The company produces award-winning tourism promotions, offering more than 950 Destination Marketing Organizations around the country innovative, effective, and affordable media programs.

**SalesForce Marketing Cloud** – Salesforce Marketing Cloud is a provider of digital marketing automation and analytics software and services.

**Simpleview** – The company offers integrated products and services, including the industry's most advanced customer relationship management (CRM) and content management system (CMS) platforms, powerful forecasting and reporting tools, dynamic websites, sites for mobile web, search engine optimization and interactive marketing.

**STR (Smith Travel Research)** – STR is the leading provider of premium global data benchmarking, analytics, and marketplace insights across multiple market sectors. We provide data that is confidential, reliable, accurate and actionable, and our comprehensive reports empower our clients to strategize and compete within their markets. *Republication or other use of STR data without the express written permission of STR is strictly prohibited.*

**Tourism Economics** – Tourism Economics is an Oxford Economics company with a singular objective: combine an understanding of tourism dynamics with rigorous economics to answer the most important questions facing destinations, developers, and strategic planners.





**Buffalo Niagara Convention & Visitors Bureau, Inc.**

**FINANCIAL STATEMENTS**

**DECEMBER 31, 2022 AND 2021**

**UNAUDITED**

*Approved at the Board of Directors Meeting on Wednesday  
February 8, 2023*



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**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.**  
**BALANCE SHEET**  
**DECEMBER 31, 2022 AND 2021**

**UNAUDITED**

|                                   | <b>2022</b>         | <b>2021</b>         |
|-----------------------------------|---------------------|---------------------|
| <b><u>ASSETS</u></b>              |                     |                     |
| <b>Current assets:</b>            |                     |                     |
| Cash and cash equivalents         | \$ 2,004,005        | \$ 2,915,473        |
| Accounts Receivable - Erie County | -                   | -                   |
| Accounts Receivable - Trade       | 73,881              | 24,958              |
| Grants Receivable                 | 60,000              | 125,000             |
| Prepaid expenses and supplies     | 210,282             | 166,148             |
|                                   | <b>2,348,168</b>    | <b>3,231,579</b>    |
| <b>Total current assets</b>       |                     |                     |
| Property and equipment, net       | 47,638              | 40,409              |
|                                   | <b>\$ 2,395,806</b> | <b>\$ 3,271,988</b> |
| <b>Total assets</b>               |                     |                     |

**LIABILITIES AND NET ASSETS**

|   |                     |                     |
|---|---------------------|---------------------|
| <b>Current liabilities:</b>             |                     |                     |
| Short-term borrowings                   | \$ -                | \$ -                |
| Accounts payable and accrued expenses   | 156,064             | 584,216             |
| Accounts payable - Foundation           | 16,085              | 12,010              |
| Deferred revenue - Other                | 160,600             | 200,482             |
| Deferred revenue - Erie County Grant    | 40,192              | -                   |
| SBA - EIDL Loan                         | 144,241             | 147,907             |
|   | <b>517,182</b>      | <b>944,615</b>      |
| <b>Total current liabilities</b>        |                     |                     |
| Net assets                              | 1,878,624           | 2,327,373           |
|   | <b>\$ 2,395,806</b> | <b>\$ 3,271,988</b> |
| <b>Total liabilities and net assets</b> |                     |                     |

COMMUNICATIONS SECTION  
STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC SAFETY

REGISTRATION

| REGISTRATION NO. | REGISTRATION TYPE | REGISTRATION CLASS | REGISTRATION STATUS |
|------------------|-------------------|--------------------|---------------------|
| 123456789        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 987654321        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 111111111        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 222222222        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 333333333        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 444444444        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 555555555        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 666666666        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 777777777        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 888888888        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 999999999        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |

REGISTRATION

| REGISTRATION NO. | REGISTRATION TYPE | REGISTRATION CLASS | REGISTRATION STATUS |
|------------------|-------------------|--------------------|---------------------|
| 123456789        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 987654321        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 111111111        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 222222222        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 333333333        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 444444444        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 555555555        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 666666666        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 777777777        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 888888888        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |
| 999999999        | REGISTRATION      | REGISTRATION CLASS | REGISTRATION STATUS |

**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.**  
**STATEMENT OF ACTIVITIES**  
**FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2022 AND 2021**

|                                      | Actual<br>12 Month(s)<br>12/31/22 | Budgeted<br>12 Month(s)<br>12/31/22 | \$ Variance<br>Over<br>(Under) | % Variance<br>Over<br>(Under)  | Annual<br>Budget<br>2022 | Actual<br>12 Month(s)<br>12/31/21 |
|--------------------------------------|-----------------------------------|-------------------------------------|--------------------------------|--|--------------------------|-----------------------------------|
| REVENUES                             | <u>\$ 4,130,638</u>               | <u>\$ 4,363,830</u>                 | <u>\$ (233,192)</u>            | <u>-5.34%</u>  | <u>\$ 4,363,830</u>      | <u>\$ 6,216,430</u>               |
| MARKETING DEPARTMENT EXPENSES        | \$ 1,763,954                      | \$ 1,697,465                        | \$ 66,489                      | 3.92%  | \$ 1,697,465             | \$ 3,521,707                      |
| SALES & SERVICES DEPARTMENT EXPENSES | 1,638,187                         | 1,796,905                           | (158,718)                      | -8.83%   | 1,796,905                | 1,321,517                         |
| DESTINATION DEVELOPMENT              | 222,305                           | 245,460                             | (23,155)                       | -9.43%   | 245,460                  | 242,551                           |
| AIRPORT VISITOR CENTER EXPENSES      | -                                 | -                                   | -                              | -  | -                        | 13,853                            |
| BUFFALO VISITOR CENTER EXPENSES      | -                                 | -                                   | -                              | -  | -                        | 9,030                             |
| ADMINISTRATIVE & FINANCE EXPENSES    | 954,941                           | 924,000                             | 30,941                         | 3.35%  | 924,000                  | 949,341                           |
| TOTAL EXPENSES                       | <u>\$ 4,579,387</u>               | <u>\$ 4,663,830</u>                 | <u>\$ (84,443)</u>             | <u>-1.81%</u>  | <u>\$ 4,663,830</u>      | <u>\$ 6,057,999</u>               |
| INCREASE (DECREASE) IN NET ASSETS    | \$ (448,749)                      | \$ (300,000)                        | \$ (148,749)                   |  | \$ (300,000)             | \$ 158,431                        |
| NET ASSETS - BEGINNING               | 2,327,373                         | 2,327,373                           | -                              |  | 2,327,373                | 2,168,942                         |
| NET ASSETS - ENDING                  | <u>\$ 1,878,624</u>               | <u>\$ 2,027,373</u>                 | <u>\$ (148,749)</u>            | <u>-7.34%</u>  | <u>\$ 2,027,373</u>      | <u>\$ 2,327,373</u>               |



**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.**  
**TOTAL REVENUES**  
**FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2022 AND 2021**

|  | <b>Actual<br/>12 Month(s)<br/>12/31/22</b> | <b>Budgeted<br/>12 Month(s)<br/>12/31/22</b> | <b>\$ Variance<br/>Over<br/>(Under)</b> | <b>% Variance<br/>Over<br/>(Under)</b> | <b>Annual<br/>Budget<br/>2022</b> | <b>Actual<br/>12 Month(s)<br/>12/31/21</b> |
|--|--|--|---|--|-----------------------------------|--|
| <b>Erie County Grant</b>                     | \$ 3,739,861                               | \$ 3,739,861                                 | \$ -                                    | 0.00%                                  | \$ 3,739,861                      | \$ 3,630,933                               |
| <b>Erie County - Theatre/ARP Act Grant</b>   | 59,808                                     | -  | 59,808                                  | -                                      | -                                 | 1,995,943                                  |
| <b>PPP Loan Forgiveness</b>                  | -  | 363,190                                      | (363,190)                               | -100.00%                               | 363,190                           | 363,190                                    |
| <b>Advertising Sales</b>                     | 118,311                                    | 105,000                                      | 13,311                                  | 12.68%                                 | 105,000                           | 7,228                                      |
| <b>Assessments - Convention</b>              | -  | -  | -                                       | -                                      | -                                 | -  |
| <b>NYS Matching Funds Program</b>            | 48,897                                     | 50,000                                       | (1,103)                                 | -2.21%                                 | 50,000                            | 29,052                                     |
| <b>Joint/Co-Op - Marketing</b>               | 31,533                                     | 5,000  | 26,533                                  | 530.66%                                | 5,000                             | 58,079                                     |
| <b>Joint/Co-Op - Sales</b>                   | 64,003                                     | 30,000                                       | 34,003                                  | 113.34%                                | 30,000                            | 25,939                                     |
| <b>Joint/Co-Op - Destination Development</b> | 2,555                                      | 7,500  | (4,945)                                 | -65.93%                                | 7,500                             | -  |
| <b>Grant Revenues</b>                        | 60,272                                     | 60,000                                       | 272                                     | 0.45%                                  | 60,000                            | 77,365                                     |
| <b>Merchandising Revenues - BVC</b>          | -  | -  | -                                       | -                                      | -                                 | 2,858                                      |
| <b>Merchandising Revenues - Airport VC</b>   | -  | -  | -                                       | -                                      | -                                 | 4,829                                      |
| <b>Interest Income</b>                       | 399  | 500  | (101)                                   | -20.20%                                | 500                               | 777  |
| <b>Miscellaneous Income</b>                  | 3,357                                      | 2,779  | 578                                     | 20.80%                                 | 2,779                             | 19,872                                     |
| <b>Merchandising Revenues - Conventions</b>  | 1,642                                      | -  | 1,642                                   | -                                      | -                                 | 365  |
| <b>Total Revenues</b>                        | <b>\$ 4,130,638</b>                        | <b>\$ 4,363,830</b>                          | <b>\$ (233,192)</b>                     | <b>-5.34%</b>                          | <b>\$ 4,363,830</b>               | <b>\$ 6,216,430</b>                        |



BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.  
TOTAL EXPENSES  
FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2022 AND 2021

|   | Actual<br>12 Month(s)<br>12/31/22 | Budgeted<br>12 Month(s)<br>12/31/22 | \$ Variance<br>Over<br>(Under) | % Variance<br>Over<br>(Under) | Annual<br>Budget<br>2022 | Actual<br>12 Month(s)<br>12/31/21 |
|---|-----------------------------------|-------------------------------------|--------------------------------|-------------------------------|--------------------------|-----------------------------------|
| <b><u>Personnel Costs:</u></b>                    |                                   |                                     |                                |                               |                          |                                   |
| Salaries  | \$ 1,683,402                      | \$ 1,739,850                        | \$ (56,448)                    | -3.24%                        | \$ 1,739,850             | \$ 1,394,171                      |
| Payroll Taxes & Fringe Benefits                   | 289,436                           | 347,000                             | (57,564)                       | -16.59%                       | 347,000                  | 257,125                           |
| Training  | 34,755                            | 46,500                              | (11,745)                       | -25.26%                       | 46,500                   | 8,681                             |
| <b>Total Personnel Costs</b>                      | <b>\$ 2,007,593</b>               | <b>\$ 2,133,350</b>                 | <b>\$ (125,757)</b>            | <b>-45.09%</b>                | <b>\$ 2,133,350</b>      | <b>\$ 1,659,977</b>               |
| <b><u>Sales &amp; Marketing Expenditures:</u></b> |                                   |                                     |                                |                               |                          |                                   |
| Advertising                                       | \$ 786,495                        | \$ 700,000                          | \$ 86,495                      | 12.36%                        | \$ 700,000               | \$ 2,982,417                      |
| Convention Commitments                            | 107,100                           | 130,000                             | (22,900)                       | -17.62%                       | 130,000                  | 31,515                            |
| Visitor Guide                                     | 97,996                            | 140,000                             | (42,004)                       | -30.00%                       | 140,000                  | -                                 |
| Tradeshows  | 189,306                           | 164,985                             | 24,321                         | 14.74%                        | 164,985                  | 61,124                            |
| Printing  | 7,967                             | 53,000                              | (45,033)                       | -84.97%                       | 53,000                   | 62,456                            |
| Postage   | 2,960                             | 6,000                               | (3,040)                        | -50.67%                       | 6,000                    | 1,961                             |
| Sales Bids & Promotions                           | 146,837                           | 159,000                             | (12,163)                       | -7.65%                        | 159,000                  | 94,644                            |
| Convention Sales & Services                       | 28,642                            | 34,500                              | (5,858)                        | -16.98%                       | 34,500                   | 18,378                            |
| Travel & Meetings                                 | 31,678                            | 44,000                              | (12,322)                       | -28.00%                       | 44,000                   | 20,807                            |
| Receptions  | 40,912                            | 74,250                              | (33,338)                       | -44.90%                       | 74,250                   | 2,000                             |
| Research  | 191,957                           | 130,400                             | 61,557                         | 47.21%                        | 130,400                  | 153,808                           |
| Website Development/Hosting                       | 159,803                           | 167,500                             | (7,697)                        | -4.60%                        | 167,500                  | 153,339                           |
| Familiarization Tours                             | 91,447                            | 72,000                              | 19,447                         | 27.01%                        | 72,000                   | 10,656                            |
| Professional Fees & Public/Media Relations        | 55,100                            | 40,000                              | 15,100                         | 37.75%                        | 40,000                   | 32,220                            |
| Freelance/Graphic Artist                          | 32,969                            | 20,000                              | 12,969                         | 64.85%                        | 20,000                   | 34,320                            |
| Regional Marketing                                | 8,167                             | 12,500                              | (4,333)                        | -34.66%                       | 12,500                   | 6,542                             |
| Airport Visitor Center Operations                 | -                                 | -                                   | -                              | -                             | -                        | 13,853                            |
| Market Arcade Visitor Center Operations           | -                                 | -                                   | -                              | -                             | -                        | 9,030                             |
| Promotional Items                                 | 6,179                             | 17,000                              | (10,821)                       | -63.65%                       | 17,000                   | 7,228                             |
| Destination Development                           | 72,443                            | 95,450                              | (23,007)                       | -24.10%                       | 95,450                   | 116,294                           |



**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.**  
**TOTAL EXPENSES**  
**FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2022 AND 2021**

|   | <b>Actual<br/>12 Month(s)<br/>12/31/22</b> | <b>Budgeted<br/>12 Month(s)<br/>12/31/22</b> | <b>\$ Variance<br/>Over<br/>(Under)</b> | <b>% Variance<br/>Over<br/>(Under)</b> | <b>Annual<br/>Budget<br/>2022</b> | <b>Actual<br/>12 Month(s)<br/>12/31/21</b> |
|---|--|--|---|--|-----------------------------------|--|
| <b>Film/Video/Photo Productions</b>             | 108,903                                    | 115,000                                      | (6,097)                                 | -5.30%                                 | 115,000                           | 50,130                                     |
| <b>Photography</b>                              | 31,658                                     | 25,000                                       | 6,658                                   | 26.63%                                 | 25,000                            | 28,513                                     |
| <b>Online Media Resource</b>                    | -  | -  | -                                       | -                                      | -                                 | -  |
| <b>Social Networking/Wing<br/>Trail</b>         | 6,966                                      | 10,000                                       | (3,034)                                 | -30.34%                                | 10,000                            | 12,075                                     |
| <b>Total Sales &amp; Marketing Expenditures</b> | <u>\$ 2,205,485</u>                        | <u>\$ 2,210,585</u>                          | <u>\$ (5,100)</u>                       | <u>-0.23%</u>                          | <u>\$ 2,210,585</u>               | <u>\$ 3,903,310</u>                        |
| <b>Technology &amp; Equipment</b>               | 6,285                                      | 11,000                                       | (4,715)                                 | -42.86%                                | 11,000                            | 15,349                                     |
| <b>Departmental Administrative Expenses</b>     | 360,024                                    | 308,895                                      | 51,129                                  | 16.55%                                 | 308,895                           | 479,363                                    |
| <b>Total Expenses</b>                           | <u>\$ 4,579,387</u>                        | <u>\$ 4,663,830</u>                          | <u>\$ (84,443)</u>                      | <u>-1.81%</u>                          | <u>\$ 4,663,830</u>               | <u>\$ 6,057,999</u>                        |

STATE OF CALIFORNIA  
DEPARTMENT OF REVENUE  
SALES TAX REPORT

| DATE       | AMOUNT  | TAX    | TOTAL   | STATE  | COUNTY | LOCAL |
|------------|---------|--------|---------|--------|--------|-------|
| 12/31/2010 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2011 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2012 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2013 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2014 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2015 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2016 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2017 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2018 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2019 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2020 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2021 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2022 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2023 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2024 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2025 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2026 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2027 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2028 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2029 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |
| 12/31/2030 | 1000000 | 100000 | 1100000 | 100000 | 0      | 0     |

| <b>BUFFALO NIAGARA CONVENTION CENTER</b>   |                    |                    |                 |
|--|--------------------|--------------------|-----------------|
| <b>Q4 Revenue</b>  | <b>Goal</b>        | <b>Actual</b>      | <b>Variance</b> |
| Rent Revenue   | \$135,602          | \$184,948          | 36.39%          |
| F&B Revenue  | \$656,975          | \$810,123          | 23.31%          |
| Electrical Service   | \$20,753           | \$6,400            | -69.16%         |
| Other Revenue  | \$19,623           | \$33,617           | 71.31%          |
| <b>TOTAL REVENUE</b>   | <b>\$832,953</b>   | <b>\$1,063,595</b> | <b>27.69%</b>   |
| <b>YTD Revenue</b>   | <b>2022</b>        | <b>2021</b>        | <b>Variance</b> |
| Rent Revenue   | \$707,483          | \$106,746          | 562.77%         |
| F&B Revenue  | \$2,126,000        | \$305,658          | 595.55%         |
| Electrical Service   | \$116,816          | \$5,380            | 2071.30%        |
| Other Revenue  | \$218,777          | \$401,708          | -45.54%         |
| <b>TOTAL REVENUE</b>   | <b>\$3,169,076</b> | <b>\$819,380</b>   | <b>286.77%</b>  |
| <b>Q4 YTD Events</b>   | <b>2022</b>        | <b>2021</b>        | <b>Variance</b> |
| Number of Events   | 88                 | 21                 | 319.50%         |
| Attendance   | 170,477            | 21,669             | 686.73%         |
| F&B Profit Margin  | 19.3%              | -55.1%             | -135.03%        |
| Guest Satisfaction Survey  | N/A                | N/A                | N/A             |
| <b>Comments Q4</b>   |                    |                    |                 |
| F&B revenue increase for Q4 was driven by several food-centric events in October, namely United Reformed Churches of North America (\$75k) and NYS Innovation Summit (new) (\$90k) as well as the Roswell Foundation dinner (\$58k). |                    |                    |                 |

| <b>Q4 Major Events Hosted</b> |   |                            |
|-------------------------------|---|----------------------------|
| <b>Month</b>                  | <b>Event Name</b>   | <b>Number of Attendees</b> |
| Oct                           | City of Buffalo/Office of the Mayor - Reading Rules               | 1,800                      |
| Oct                           | National Craft Show - Craft Show                                  | 1,500                      |
| Oct                           | Buffalo Black Achievers - Dinner /Achievement Recognition         | 1,012                      |
| Oct                           | The Bison Scholarship Fund - Annual Celebration Luncheon          | 950                        |
| Oct                           | Roswell Park Alliance Foundation - All Star Gala                  | 800                        |
| Oct                           | Fuzehub - NYS Innovation Summit                                   | 546                        |
| Nov                           | YMCA Buffalo Niagara - Turkey Trot Post Race Party                | 11,949                     |
| Nov                           | Conesus Fest For Charity - World's Largest Disco                  | 7,020                      |
| Nov                           | UB Dental Alumni Association - Buffalo Niagara Dental Meeting     | 2,150                      |
| Nov                           | Buffalo Urban League - 2022 Gala                                  | 756                        |
| Nov                           | Greater Buffalo Sports Hall of Fame - Induction Ceremony & Dinner | 734                        |
| Nov                           | WILD Dance Intensive - 2022 Dance Intensive                       | 523                        |
| Dec                           | Pinnacle Production Group - Dinosaur Adventure                    | 1,850                      |
| Dec                           | Kaleida Health Foundation - Festival of Trees                     | 850                        |
| Dec                           | Roswell Park Cancer Institute - Carly's Club                      | 667                        |
| Dec                           | NYS DECA - DECA Regional Competition                              | 454                        |



| Q4 Major Events Booked |  |                  |
|------------------------|--|------------------|
| Year                   | Event Name   | Expected Revenue |
| 2022                   | SABAH - Starlight Night Auction & Gala   | \$21,000         |
| 2022                   | Pinnacle Production Group - Dinosaur Adventure                                     | \$20,000         |
| 2022                   | NYSERDA - Offshore Wind Supplier Forum   | \$13,000         |
| 2023                   | Department of Human Resources, Division of Civil Services - Police Department Exam | \$19,200         |
| 2023                   | National Association of College Fairs - Buffalo College Fair                       | \$17,670         |
| 2024                   | NUVO Productions - NUVO Dance Convention   | \$20,815         |
| 2024                   | New York City Dance Alliance - Annual Convention                                   | \$26,250         |
| 2025                   | New York City Dance Alliance - Annual Convention                                   | \$26,250         |

| Q4 Notable BNCC Activities |  |
|----------------------------|--|
| Date                       | Program  |
| Oct                        | Attended BN 360 Young Professionals Launch Networking Event  |
| Nov                        | Site Inspection with National Indian Education   |
| Nov                        | Site Inspection with National Environmental Health Association   |
| Nov                        | Brainstorming with VBN to strategize local client outreach in 2023   |
| Dec                        | Overhauled the monthly expense report process through new credit card procedures   |
| Dec                        | Participated in ESSAE virtual Membership Meeting   |
| Ongoing                    | BNCC construction continues with lobby space reduced and temporary return of the front entrance. Work is now suspended until April due to weather. |
| Ongoing                    | Regular and ongoing client outreach. Assist with securing future dates and provide updated facility information                                    |
| Ongoing                    | Attend bi-weekly meetings to review upcoming city and county projects  |
| Ongoing                    | Paychex Upgrade: Streamlined and upgraded our payroll system to incorporate an electronic Time & Attendance system to a singular process.          |
| Ongoing                    | Ungerboeck: Progressing towards implementation of financial integration  |
| Ongoing                    | Website Upgrade: Complete re-vamp of website to a cutting-edge design with user friendliness, as well as having complete control of its content.   |

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures that the financial statements are reliable and can be audited without issue.

Furthermore, it is noted that the accounting system should be updated regularly to reflect any changes in the business's operations. This includes recording new assets, liabilities, and income, as well as adjusting for depreciation and amortization.

In addition, the document highlights the need for transparency and communication with stakeholders. Regularly reviewing the financial statements with management and investors helps to identify potential risks and opportunities early on. This proactive approach is essential for the long-term success of the organization.

Finally, it is stressed that the accounting department should maintain a high level of integrity and objectivity. All transactions should be recorded as they occur, without any bias or manipulation. This commitment to accuracy and honesty is the foundation of sound financial management.



**Buffalo Niagara Convention Center Management  
Corporation**

**FINANCIAL STATEMENTS**

**DECEMBER 31, 2022 and 2021**

**UNAUDITED**

**Approved at the Board of Directors Meeting Wednesday February 8, 2023**

# STATE OF CALIFORNIA COMMISSION ON THE JUDICIAL BRANCH

REPORT OF THE COMMISSION ON THE JUDICIAL BRANCH  
ON THE PROPOSED CHANGES TO THE JUDICIAL BRANCH

FOR THE YEAR 1995

OFFICE OF THE CLERK OF THE SUPREME COURT

1995

STATE OF CALIFORNIA

**BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORP.**  
**BALANCE SHEET**  
**DECEMBER 31, 2022 AND 2021**

**UNAUDITED**

|                                    | <b>2022</b>         | <b>2021</b>         |
|------------------------------------|---------------------|---------------------|
| <b><u>ASSETS</u></b>               |                     |                     |
| <b>Current assets:</b>             |                     |                     |
| Cash and cash equivalents          | \$ 934,360          | \$ 1,326,840        |
| Accounts receivable (net)          | 477,417             | 42,091              |
| Accounts Receivable - County Grant | -                   | -                   |
| Inventory                          | 44,753              | 44,798              |
| Prepaid expenses                   | 57,842              | 27,939              |
| <b>Total current assets</b>        | <b>1,514,372</b>    | <b>1,441,668</b>    |
| Property and equipment, net        | -                   | -                   |
| <b>Total assets</b>                | <b>\$ 1,514,372</b> | <b>\$ 1,441,668</b> |

**LIABILITIES AND NET ASSETS**

|   |                     |                     |
|---|---------------------|---------------------|
| <b>Current liabilities:</b>             |                     |                     |
| Short-term borrowings                   | \$ -                | \$ -                |
| Current portion of long-term debt       | -                   | -                   |
| Accounts payable and accrued expenses   | 564,782             | 185,902             |
| Deferred revenue - Erie County Grant    | -                   | -                   |
| Deferred revenue - Other                | 73,364              | 107,837             |
| <b>Total current liabilities</b>        | <b>638,146</b>      | <b>293,739</b>      |
| Long-term debt                          | -                   | -                   |
| <b>Net Assets:</b>                      |                     |                     |
| Net assets - unrestricted               | 876,226             | 1,147,929           |
| <b>Total liabilities and net assets</b> | <b>\$ 1,514,372</b> | <b>\$ 1,441,668</b> |

COMMUNICATIONS SECTION  
STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC SAFETY  
CALIFORNIA POSTAL SERVICE  
COMMUNICATIONS SECTION  
STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC SAFETY  
CALIFORNIA POSTAL SERVICE

**BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORP.**  
**STATEMENT OF ACTIVITIES**  
**FOR THE MONTH ENDED DECEMBER 31, 2022 AND 2021**

**UNAUDITED**

|  | <u>Actual<br/>December<br/>2022</u> | <u>Budget<br/>December<br/>2022</u> | <u>\$ Variance<br/>Over<br/>(Under)</u> | <u>% Variance<br/>Over<br/>(Under)</u> | <u>Actual<br/>December<br/>2021</u> |
|--|-------------------------------------|-------------------------------------|---|--|-------------------------------------|
| County Grant Funds                       | \$ 160,298                          | \$ 160,298                          | \$ -                                    | 0%                                     | \$ 155,629                          |
| Other revenues                           | 401,457                             | 69,200                              | 332,257                                 | 480%                                   | 5,427                               |
| <b>Total (Net) Revenues</b>              | <u>561,755</u>                      | <u>229,498</u>                      | <u>332,257</u>                          | <u>145%</u>                            | <u>161,056</u>                      |
| Payroll and related costs                | 188,085                             | 192,268                             | (4,183)                                 | -2%                                    | 171,753                             |
| Professional fees                        | 12,091                              | 10,198                              | 1,893                                   | 19%                                    | 14,522                              |
| Supplies                                 | 11,284                              | 13,862                              | (2,578)                                 | -19%                                   | 7,207                               |
| Telephone                                | 10,375                              | 6,270                               | 4,105                                   | 65%                                    | 3,959                               |
| Postage and Freight                      | 285                                 | 60                                  | 225                                     | 375%                                   | 109                                 |
| Occupancy costs                          | 113,862                             | 60,832                              | 53,030                                  | 87%                                    | 58,443                              |
| Equipment rental and maintenance         | 12,010                              | 8,651                               | 3,359                                   | 39%                                    | 5,166                               |
| Travel expenses                          | 1,333                               | 2,591                               | (1,258)                                 | -49%                                   | 478                                 |
| Promotional expenses                     | 16,759                              | 3,750                               | 13,009                                  | 347%                                   | 6,227                               |
| Other Expenses                           | 29,249                              | 2,584                               | 26,665                                  | 1032%                                  | 1,422                               |
| Capital Equipment Purchases              | 5,556                               | -                                   | 5,556                                   | 0%                                     | -                                   |
| <b>Total Operating expenses</b>          | <u>400,889</u>                      | <u>301,066</u>                      | <u>99,823</u>                           | <u>33%</u>                             | <u>269,286</u>                      |
| <b>Increase (decrease) in net assets</b> | 160,866                             | (71,568)                            | 232,434                                 | -325%                                  | (108,230)                           |
| <b>Net assets - previous balance</b>     | 715,360                             | 1,219,496                           | (504,136)                               | -41%                                   | 1,256,159                           |
| <b>Net assets - ending</b>               | <u>\$ 876,226</u>                   | <u>\$ 1,147,928</u>                 | <u>\$ (271,702)</u>                     | <u>-24%</u>                            | <u>\$ 1,147,929</u>                 |



**BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORP.**  
**STATEMENT OF ACTIVITIES**  
**FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2022 AND 2021**

**UNAUDITED**

|  | <u>Actual<br/>December<br/>2022</u> | <u>Budget<br/>December<br/>2022</u> | <u>\$ Variance<br/>Over<br/>(Under)</u> | <u>% Variance<br/>Over<br/>(Under)</u> | <u>Actual<br/>December<br/>2021</u> |
|--|-------------------------------------|-------------------------------------|---|--|-------------------------------------|
| County Grant Funds                       | \$ 1,923,578                        | \$ 1,923,578                        | \$ -                                    | 0%                                     | \$ 1,867,551                        |
| Other revenues                           | 1,664,887                           | 1,455,938                           | 208,949                                 | 14%                                    | 345,553                             |
| <b>Total Revenues</b>                    | <u>3,588,465</u>                    | <u>3,379,516</u>                    | <u>208,949</u>                          | <u>6%</u>                              | <u>2,213,104</u>                    |
| Payroll and related costs                | 2,278,003                           | 2,146,874                           | 131,129                                 | 6%                                     | 1,269,191                           |
| Professional fees                        | 162,846                             | 147,399                             | 15,447                                  | 10%                                    | 128,442                             |
| Supplies                                 | 214,166                             | 166,369                             | 47,797                                  | 29%                                    | 80,836                              |
| Telephone                                | 132,641                             | 75,241                              | 57,400                                  | 76%                                    | 62,709                              |
| Postage and Freight                      | 2,758                               | 710                                 | 2,048                                   | 288%                                   | 531                                 |
| Occupancy costs                          | 674,484                             | 631,998                             | 42,486                                  | 7%                                     | 509,331                             |
| Equipment rental and maintenance         | 159,491                             | 103,825                             | 55,666                                  | 54%                                    | 128,130                             |
| Travel expenses                          | 14,865                              | 31,100                              | (16,235)                                | -52%                                   | 1,588                               |
| Promotional expenses                     | 42,435                              | 45,000                              | (2,565)                                 | -6%                                    | 24,567                              |
| Other Expenses                           | 82,735                              | 31,000                              | 51,735                                  | 167%                                   | 6,280                               |
| Capital Equipment Purchases              | 95,744                              | -                                   | 95,744                                  | 0%                                     | 201,454                             |
| <b>Total Operating expenses</b>          | <u>3,860,168</u>                    | <u>3,379,516</u>                    | <u>480,652</u>                          | <u>14%</u>                             | <u>2,413,059</u>                    |
| <b>Increase (decrease) in net assets</b> | (271,703)                           | -                                   | (271,703)                               |  | (199,955)                           |
| <b>Net assets - beginning</b>            | 1,147,929                           | 1,147,929                           | -                                       | 0%                                     | 1,347,884                           |
| <b>Net assets - ending</b>               | <u>\$ 876,226</u>                   | <u>\$ 1,147,929</u>                 | <u>\$ (271,703)</u>                     | <u>-24%</u>                            | <u>\$ 1,147,929</u>                 |



**BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORP.**  
**SCHEDULE OF FOOD SERVICE OPERATIONS**  
**FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2022 AND 2021**

**UNAUDITED**

|                                   | <b>For the Month</b> |                | <b>Year To date</b> |                | <b>Year To Date</b> |                |
|-----------------------------------|----------------------|----------------|---------------------|----------------|---------------------|----------------|
|                                   | <b>December</b>      |                | <b>December</b>     |                | <b>December</b>     |                |
|                                   | <b>2022</b>          | <b>%</b>       | <b>2022</b>         | <b>%</b>       | <b>2021</b>         | <b>%</b>       |
| <b><u>Sales:</u></b>              |                      |                |                     |                |                     |                |
| Sales - Food                      | \$ 163,288           | 58.10%         | \$ 1,772,054        | 83.35%         | \$ 172,337          | 56.38%         |
| Sales - Beverage                  | 116,775              | 41.55%         | 350,242             | 16.47%         | 132,997             | 43.51%         |
| Sales - Vending all               | 982                  | 0.35%          | 3,704               | 0.17%          | 325                 | 0.11%          |
| Sales - Non-foods Other           | -                    | 0.00%          | -                   | 0.00%          | -                   | 0.00%          |
| <b>Total Sales</b>                | <b>281,045</b>       | <b>100.00%</b> | <b>2,126,000</b>    | <b>100.00%</b> | <b>305,659</b>      | <b>100.00%</b> |
| <b><u>Cost of Sales:</u></b>      |                      |                |                     |                |                     |                |
| Cost of Sales - Food              | 187,734              | 114.97%        | 691,882             | 39.04%         | 67,564              | 22.10%         |
| Cost of Sales - Beverage          | 42,589               | 36.47%         | 113,277             | 32.34%         | 27,356              | 8.95%          |
| Cost of Sales - Vending all       | (301)                | -30.65%        | 2,775               | 74.92%         | 224                 | 0.07%          |
| Cost of Sales - Non foods & Other | 4,484                | 1.60%          | 25,219              | 1.19%          | 1,718               | 0.56%          |
| Cost of Sales - Employee meals    | -                    | 0.00%          | -                   | 0.00%          | -                   | 0.00%          |
| <b>Total Cost of Sales</b>        | <b>234,506</b>       | <b>83.44%</b>  | <b>833,153</b>      | <b>39.19%</b>  | <b>96,862</b>       | <b>31.69%</b>  |
| <b>Gross Profit</b>               | <b>46,539</b>        | <b>16.56%</b>  | <b>1,292,847</b>    | <b>60.81%</b>  | <b>208,797</b>      | <b>68.31%</b>  |
| <b><u>Operating Expenses:</u></b> |                      |                |                     |                |                     |                |
| Salaries & Benefits               | 29,704               | 10.57%         | 768,772             | 36.16%         | 243,077             | 79.53%         |
| Professional fees/Contracts       | -                    | 0.00%          | -                   | 0.00%          | -                   | 0.00%          |
| Supplies and Freight              | 8,177                | 2.91%          | 95,467              | 4.49%          | 25,243              | 8.26%          |
| Occupancy                         | 13,485               | 4.80%          | 94,260              | 4.43%          | 98,418              | 32.20%         |
| Equipment rental & maintenance    | 301                  | 0.11%          | 7,260               | 0.34%          | 1,160               | 0.38%          |
| Travel expenses                   | -                    | 0.00%          | -                   | 0.00%          | 128                 | 0.04%          |
| Promotion                         | 3,143                | 1.12%          | 14,968              | 0.70%          | 5,508               | 1.80%          |
| Other                             | 33,402               | 11.88%         | 36,518              | 1.72%          | 3,543               | 1.16%          |
| <b>Total Operating Expenses</b>   | <b>88,212</b>        | <b>31.39%</b>  | <b>1,017,245</b>    | <b>47.85%</b>  | <b>377,077</b>      | <b>123.37%</b> |
| <b>Net Income Food Service</b>    | <b>\$ (41,673)</b>   | <b>-14.83%</b> | <b>\$ 275,602</b>   | <b>12.96%</b>  | <b>\$ (168,280)</b> | <b>-55.05%</b> |

STATE OF CALIFORNIA  
DEPARTMENT OF REVENUE  
REGISTRATION DIVISION  
REGISTRATION STATEMENT

| REGISTRATION STATEMENT | REGISTRATION STATEMENT | REGISTRATION STATEMENT | REGISTRATION STATEMENT | REGISTRATION STATEMENT | REGISTRATION STATEMENT | REGISTRATION STATEMENT |
|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| 1                      | 2                      | 3                      | 4                      | 5                      | 6                      | 7                      |
| 8                      | 9                      | 10                     | 11                     | 12                     | 13                     | 14                     |
| 15                     | 16                     | 17                     | 18                     | 19                     | 20                     | 21                     |
| 22                     | 23                     | 24                     | 25                     | 26                     | 27                     | 28                     |
| 29                     | 30                     | 31                     | 32                     | 33                     | 34                     | 35                     |
| 36                     | 37                     | 38                     | 39                     | 40                     | 41                     | 42                     |
| 43                     | 44                     | 45                     | 46                     | 47                     | 48                     | 49                     |
| 50                     | 51                     | 52                     | 53                     | 54                     | 55                     | 56                     |
| 57                     | 58                     | 59                     | 60                     | 61                     | 62                     | 63                     |
| 64                     | 65                     | 66                     | 67                     | 68                     | 69                     | 70                     |
| 71                     | 72                     | 73                     | 74                     | 75                     | 76                     | 77                     |
| 78                     | 79                     | 80                     | 81                     | 82                     | 83                     | 84                     |
| 85                     | 86                     | 87                     | 88                     | 89                     | 90                     | 91                     |
| 92                     | 93                     | 94                     | 95                     | 96                     | 97                     | 98                     |
| 99                     | 100                    | 101                    | 102                    | 103                    | 104                    | 105                    |
| 106                    | 107                    | 108                    | 109                    | 110                    | 111                    | 112                    |
| 113                    | 114                    | 115                    | 116                    | 117                    | 118                    | 119                    |
| 120                    | 121                    | 122                    | 123                    | 124                    | 125                    | 126                    |
| 127                    | 128                    | 129                    | 130                    | 131                    | 132                    | 133                    |
| 134                    | 135                    | 136                    | 137                    | 138                    | 139                    | 140                    |
| 141                    | 142                    | 143                    | 144                    | 145                    | 146                    | 147                    |
| 148                    | 149                    | 150                    | 151                    | 152                    | 153                    | 154                    |
| 155                    | 156                    | 157                    | 158                    | 159                    | 160                    | 161                    |
| 162                    | 163                    | 164                    | 165                    | 166                    | 167                    | 168                    |
| 169                    | 170                    | 171                    | 172                    | 173                    | 174                    | 175                    |
| 176                    | 177                    | 178                    | 179                    | 180                    | 181                    | 182                    |
| 183                    | 184                    | 185                    | 186                    | 187                    | 188                    | 189                    |
| 190                    | 191                    | 192                    | 193                    | 194                    | 195                    | 196                    |
| 197                    | 198                    | 199                    | 200                    | 201                    | 202                    | 203                    |
| 204                    | 205                    | 206                    | 207                    | 208                    | 209                    | 210                    |
| 211                    | 212                    | 213                    | 214                    | 215                    | 216                    | 217                    |
| 218                    | 219                    | 220                    | 221                    | 222                    | 223                    | 224                    |
| 225                    | 226                    | 227                    | 228                    | 229                    | 230                    | 231                    |
| 232                    | 233                    | 234                    | 235                    | 236                    | 237                    | 238                    |
| 239                    | 240                    | 241                    | 242                    | 243                    | 244                    | 245                    |
| 246                    | 247                    | 248                    | 249                    | 250                    | 251                    | 252                    |
| 253                    | 254                    | 255                    | 256                    | 257                    | 258                    | 259                    |
| 260                    | 261                    | 262                    | 263                    | 264                    | 265                    | 266                    |
| 267                    | 268                    | 269                    | 270                    | 271                    | 272                    | 273                    |
| 274                    | 275                    | 276                    | 277                    | 278                    | 279                    | 280                    |
| 281                    | 282                    | 283                    | 284                    | 285                    | 286                    | 287                    |
| 288                    | 289                    | 290                    | 291                    | 292                    | 293                    | 294                    |
| 295                    | 296                    | 297                    | 298                    | 299                    | 300                    | 301                    |
| 302                    | 303                    | 304                    | 305                    | 306                    | 307                    | 308                    |
| 309                    | 310                    | 311                    | 312                    | 313                    | 314                    | 315                    |
| 316                    | 317                    | 318                    | 319                    | 320                    | 321                    | 322                    |
| 323                    | 324                    | 325                    | 326                    | 327                    | 328                    | 329                    |
| 330                    | 331                    | 332                    | 333                    | 334                    | 335                    | 336                    |
| 337                    | 338                    | 339                    | 340                    | 341                    | 342                    | 343                    |
| 344                    | 345                    | 346                    | 347                    | 348                    | 349                    | 350                    |
| 351                    | 352                    | 353                    | 354                    | 355                    | 356                    | 357                    |
| 358                    | 359                    | 360                    | 361                    | 362                    | 363                    | 364                    |
| 365                    | 366                    | 367                    | 368                    | 369                    | 370                    | 371                    |
| 372                    | 373                    | 374                    | 375                    | 376                    | 377                    | 378                    |
| 379                    | 380                    | 381                    | 382                    | 383                    | 384                    | 385                    |
| 386                    | 387                    | 388                    | 389                    | 390                    | 391                    | 392                    |
| 393                    | 394                    | 395                    | 396                    | 397                    | 398                    | 399                    |
| 400                    | 401                    | 402                    | 403                    | 404                    | 405                    | 406                    |
| 407                    | 408                    | 409                    | 410                    | 411                    | 412                    | 413                    |
| 414                    | 415                    | 416                    | 417                    | 418                    | 419                    | 420                    |
| 421                    | 422                    | 423                    | 424                    | 425                    | 426                    | 427                    |
| 428                    | 429                    | 430                    | 431                    | 432                    | 433                    | 434                    |
| 435                    | 436                    | 437                    | 438                    | 439                    | 440                    | 441                    |
| 442                    | 443                    | 444                    | 445                    | 446                    | 447                    | 448                    |
| 449                    | 450                    | 451                    | 452                    | 453                    | 454                    | 455                    |
| 456                    | 457                    | 458                    | 459                    | 460                    | 461                    | 462                    |
| 463                    | 464                    | 465                    | 466                    | 467                    | 468                    | 469                    |
| 470                    | 471                    | 472                    | 473                    | 474                    | 475                    | 476                    |
| 477                    | 478                    | 479                    | 480                    | 481                    | 482                    | 483                    |
| 484                    | 485                    | 486                    | 487                    | 488                    | 489                    | 490                    |
| 491                    | 492                    | 493                    | 494                    | 495                    | 496                    | 497                    |
| 498                    | 499                    | 500                    | 501                    | 502                    | 503                    | 504                    |
| 505                    | 506                    | 507                    | 508                    | 509                    | 510                    | 511                    |
| 512                    | 513                    | 514                    | 515                    | 516                    | 517                    | 518                    |
| 519                    | 520                    | 521                    | 522                    | 523                    | 524                    | 525                    |
| 526                    | 527                    | 528                    | 529                    | 530                    | 531                    | 532                    |
| 533                    | 534                    | 535                    | 536                    | 537                    | 538                    | 539                    |
| 540                    | 541                    | 542                    | 543                    | 544                    | 545                    | 546                    |
| 547                    | 548                    | 549                    | 550                    | 551                    | 552                    | 553                    |
| 554                    | 555                    | 556                    | 557                    | 558                    | 559                    | 560                    |
| 561                    | 562                    | 563                    | 564                    | 565                    | 566                    | 567                    |
| 568                    | 569                    | 570                    | 571                    | 572                    | 573                    | 574                    |
| 575                    | 576                    | 577                    | 578                    | 579                    | 580                    | 581                    |
| 582                    | 583                    | 584                    | 585                    | 586                    | 587                    | 588                    |
| 589                    | 590                    | 591                    | 592                    | 593                    | 594                    | 595                    |
| 596                    | 597                    | 598                    | 599                    | 600                    | 601                    | 602                    |
| 603                    | 604                    | 605                    | 606                    | 607                    | 608                    | 609                    |
| 610                    | 611                    | 612                    | 613                    | 614                    | 615                    | 616                    |
| 617                    | 618                    | 619                    | 620                    | 621                    | 622                    | 623                    |
| 624                    | 625                    | 626                    | 627                    | 628                    | 629                    | 630                    |
| 631                    | 632                    | 633                    | 634                    | 635                    | 636                    | 637                    |
| 638                    | 639                    | 640                    | 641                    | 642                    | 643                    | 644                    |
| 645                    | 646                    | 647                    | 648                    | 649                    | 650                    | 651                    |
| 652                    | 653                    | 654                    | 655                    | 656                    | 657                    | 658                    |
| 659                    | 660                    | 661                    | 662                    | 663                    | 664                    | 665                    |
| 666                    | 667                    | 668                    | 669                    | 670                    | 671                    | 672                    |
| 673                    | 674                    | 675                    | 676                    | 677                    | 678                    | 679                    |
| 680                    | 681                    | 682                    | 683                    | 684                    | 685                    | 686                    |
| 687                    | 688                    | 689                    | 690                    | 691                    | 692                    | 693                    |
| 694                    | 695                    | 696                    | 697                    | 698                    | 699                    | 700                    |
| 701                    | 702                    | 703                    | 704                    | 705                    | 706                    | 707                    |
| 708                    | 709                    | 710                    | 711                    | 712                    | 713                    | 714                    |
| 715                    | 716                    | 717                    | 718                    | 719                    | 720                    | 721                    |
| 722                    | 723                    | 724                    | 725                    | 726                    | 727                    | 728                    |
| 729                    | 730                    | 731                    | 732                    | 733                    | 734                    | 735                    |
| 736                    | 737                    | 738                    | 739                    | 740                    | 741                    | 742                    |
| 743                    | 744                    | 745                    | 746                    | 747                    | 748                    | 749                    |
| 750                    | 751                    | 752                    | 753                    | 754                    | 755                    | 756                    |
| 757                    | 758                    | 759                    | 760                    | 761                    | 762                    | 763                    |
| 764                    | 765                    | 766                    | 767                    | 768                    | 769                    | 770                    |
| 771                    | 772                    | 773                    | 774                    | 775                    | 776                    | 777                    |
| 778                    | 779                    | 780                    | 781                    | 782                    | 783                    | 784                    |
| 785                    | 786                    | 787                    | 788                    | 789                    | 790                    | 791                    |
| 792                    | 793                    | 794                    | 795                    | 796                    | 797                    | 798                    |
| 799                    | 800                    | 801                    | 802                    | 803                    | 804                    | 805                    |
| 806                    | 807                    | 808                    | 809                    | 810                    | 811                    | 812                    |
| 813                    | 814                    | 815                    | 816                    | 817                    | 818                    | 819                    |
| 820                    | 821                    | 822                    | 823                    | 824                    | 825                    | 826                    |
| 827                    | 828                    | 829                    | 830                    | 831                    | 832                    | 833                    |
| 834                    | 835                    | 836                    | 837                    | 838                    | 839                    | 840                    |
| 841                    | 842                    | 843                    | 844                    | 845                    | 846                    | 847                    |
| 848                    | 849                    | 850                    | 851                    | 852                    | 853                    | 854                    |
| 855                    | 856                    | 857                    | 858                    | 859                    | 860                    | 861                    |
| 862                    | 863                    | 864                    | 865                    | 866                    | 867                    | 868                    |
| 869                    | 870                    | 871                    | 872                    | 873                    | 874                    | 875                    |
| 876                    | 877                    | 878                    | 879                    | 880                    | 881                    | 882                    |
| 883                    | 884                    | 885                    | 886                    | 887                    | 888                    | 889                    |
| 890                    | 891                    | 892                    | 893                    | 894                    | 895                    | 896                    |
| 897                    | 898                    | 899                    | 900                    | 901                    | 902                    | 903                    |
| 904                    | 905                    | 906                    | 907                    | 908                    | 909                    | 910                    |
| 911                    | 912                    | 913                    | 914                    | 915                    | 916                    | 917                    |
| 918                    | 919                    | 920                    | 921                    | 922                    | 923                    | 924                    |
| 925                    | 926                    | 927                    | 928                    | 929                    | 930                    | 931                    |
| 932                    | 933                    | 934                    | 935                    | 936                    | 937                    | 938                    |
| 939                    | 940                    | 941                    | 942                    | 943                    | 944                    | 945                    |
| 946                    | 947                    | 948                    | 949                    | 950                    | 951                    | 952                    |
| 953                    | 954                    | 955                    | 956                    | 957                    | 958                    | 959                    |
| 960                    | 961                    | 962                    | 963                    | 964                    | 965                    | 966                    |
| 967                    | 968                    | 969                    | 970                    | 971                    | 972                    | 973                    |
| 974                    | 975                    | 976                    | 977                    | 978                    | 979                    | 980                    |
| 981                    | 982                    | 983                    | 984                    | 985                    | 986                    | 987                    |
| 988                    | 989                    | 990                    | 991                    | 992                    | 993                    | 994                    |
| 995                    | 996                    | 997                    | 998                    | 999                    | 1000                   | 1001                   |

**BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORP.**  
**OTHER REVENUES RECAP**  
**FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2022 AND 2021**

UNAUDITED

|                             | For The Month              |                            |                                |                               | Year to Date               |                            |                            |                                |                               |                            |
|-----------------------------|----------------------------|----------------------------|--------------------------------|-------------------------------|----------------------------|----------------------------|----------------------------|--------------------------------|-------------------------------|----------------------------|
|                             | Actual<br>December<br>2022 | Budget<br>December<br>2022 | \$ Variance<br>Over<br>(Under) | % Variance<br>Over<br>(Under) | Actual<br>December<br>2021 | Actual<br>December<br>2022 | Budget<br>December<br>2022 | \$ Variance<br>Over<br>(Under) | % Variance<br>Over<br>(Under) | Actual<br>December<br>2021 |
| <b>Earned Revenues:</b>     |                            |                            |                                |                               |                            |                            |                            |                                |                               |                            |
| Rentals/Rents               | \$ 87,055                  | \$ -                       | \$ 87,055                      |                               | \$ (2,721)                 | \$ 707,483                 | \$ 725,135                 | \$ (17,652)                    | -2%                           | \$ 106,746                 |
| Equipment Rentals           | 4,340                      | 3,041                      | 1,299                          | 43%                           | -                          | 51,316                     | 36,500                     | 14,816                         | 41%                           | 7,520                      |
| Electrical Services         | 4,085                      | 4,000                      | 85                             | 2%                            | -                          | 119,776                    | 142,526                    | (22,750)                       | -16%                          | 5,380                      |
| Commissions                 | -                          | 500                        | (500)                          | -100%                         | 61                         | 9,164                      | 6,000                      | 3,164                          | 53%                           | 112                        |
| Net Catering Revenues       | (41,674)                   | 58,659                     | (100,333)                      | -171%                         | 8,087                      | 275,602                    | 509,777                    | (234,175)                      | -46%                          | (168,281)                  |
| Investment Income           | -                          | -                          | -                              | 0%                            | -                          | -                          | -                          | -                              | 0%                            | -                          |
| Other                       | 347,651                    | 3,000                      | 344,651                        | 11488%                        | -                          | 501,546                    | 36,000                     | 465,546                        | 1293%                         | 394,006                    |
| <b>Total Other Revenues</b> | <b>\$ 401,457</b>          | <b>\$ 69,200</b>           | <b>\$ 332,257</b>              | <b>480%</b>                   | <b>\$ 5,427</b>            | <b>\$ 1,664,887</b>        | <b>\$ 1,455,938</b>        | <b>\$ 208,949</b>              | <b>14%</b>                    | <b>\$ 345,553</b>          |

STATE OF CALIFORNIA  
DEPARTMENT OF REVENUE  
REGISTRATION DIVISION

| REGISTRATION NO. | REGISTRATION TYPE | REGISTRATION DATE | REGISTRATION EXPIRES | REGISTRATION FEE | REGISTRATION STATUS | REGISTRATION CLASSIFICATION | REGISTRATION CATEGORY | REGISTRATION SUB-CATEGORY | REGISTRATION SUB-CATEGORY | REGISTRATION SUB-CATEGORY |
|------------------|-------------------|-------------------|----------------------|------------------|---------------------|-----------------------------|-----------------------|---------------------------|---------------------------|---------------------------|
| 123456789        | REGISTRATION      | 01/01/2020        | 01/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 987654321        | REGISTRATION      | 02/01/2020        | 02/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 567890123        | REGISTRATION      | 03/01/2020        | 03/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 234567890        | REGISTRATION      | 04/01/2020        | 04/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 890123456        | REGISTRATION      | 05/01/2020        | 05/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 456789012        | REGISTRATION      | 06/01/2020        | 06/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 012345678        | REGISTRATION      | 07/01/2020        | 07/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 678901234        | REGISTRATION      | 08/01/2020        | 08/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 345678901        | REGISTRATION      | 09/01/2020        | 09/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 901234567        | REGISTRATION      | 10/01/2020        | 10/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 567890123        | REGISTRATION      | 11/01/2020        | 11/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |
| 123456789        | REGISTRATION      | 12/01/2020        | 12/01/2021           | \$100.00         | ACTIVE              | REGISTRATION                | REGISTRATION          | REGISTRATION              | REGISTRATION              | REGISTRATION              |

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SUBJECT

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|            |                          |                                      |
|------------|--------------------------|--------------------------------------|
| COMM. 5M-2 | VISIT BUFFALO<br>NIAGARA | Budget Accountability Act Submission |
|------------|--------------------------|--------------------------------------|

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Attachments

23COMM. 5M-2

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EC LEG FEB 22 '23 PM1:16

February 4, 2023

Erie County Legislature  
Attention: Mr. Robert M. Graber Clerk of the Legislature  
Old County Hall  
92 Franklin Street 4<sup>th</sup> Floor  
Buffalo, NY 14202-3973

Dear Mr. Graber,

Pursuant to the e-mail dated February 3, 2022, please find enclosed the required information as per Budget Resolution No. 85 that requires a listing of personnel including titles, job descriptions and salaries for all employees of the Buffalo Niagara Convention & Visitors Bureau, Inc. for fiscal year 2022.

Also as required by Budget Resolution No. 85 a copy of the 2022 Operating Budget, 2022 Business Plan and the current five-year Strategic Plan for the Buffalo Niagara Convention & Visitors Bureau, Inc have been enclosed.

If you should have any questions or need additional information, please do not hesitate to give me a call at (716) 218-2935.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Marzo", is written over the word "Sincerely,".

David Marzo CPA  
Chief Financial Officer



**Buffalo Niagara Convention & Visitors Bureau, Inc.**  
**Employee Listing**  
**2023**

| Name       |          | Department                  | Job Title                                     | Hire Date | Annual Salary |
|------------|----------|-----------------------------|---|-----------|---------------|
| Kaler      | Patrick  | Administration & Finance    | President/CEO                                 | 01/06/14  | \$ 240,000    |
| Marzo      | David    | Administration & Finance    | Chief Financial Officer                       | 03/16/98  | \$ 123,624    |
| Smith      | Judy     | Administration & Finance    | Director of Administration & HR               | 03/14/88  | \$ 80,935     |
| Butlak     | Michele  | Administration & Finance    | Accounting/Benefits Manager                   | 07/18/05  | \$ 56,120     |
| Nowakowski | Heather  | Administration & Finance    | Business Intelligence Manager                 | 09/12/18  | \$ 54,800     |
| Even       | Michael  | Convention Sales & Services | VP of Sales & Services/Sports Commission      | 04/01/94  | \$ 120,641    |
| Gelinas    | Gregory  | Convention Sales & Services | Director of Sports Development                | 10/11/22  | \$ 75,000     |
| Mueller    | Leah     | Convention Sales & Services | Director of Tourism Sales                     | 03/19/01  | \$ 62,700     |
| Jenkins    | Shannon  | Convention Sales & Services | Director of National Association Sales        | 11/15/21  | \$ 75,765     |
| Cox        | Karen    | Convention Sales & Services | Director of Convention Services               | 03/25/03  | \$ 45,000     |
| Zimmer     | Meaghan  | Convention Sales & Services | National Sales Manager                        | 01/17/19  | \$ 59,565     |
| Carlo      | Emma     | Convention Sales & Services | National Sales Manager                        | 08/30/21  | \$ 55,380     |
| Adler      | James    | Convention Sales & Services | Sports Sales Manager                          | 08/09/21  | \$ 55,380     |
| Vargo      | Lauren   | Convention Sales & Services | Sports Services Manager                       | 07/01/15  | \$ 45,055     |
| Urbano     | Marisa   | Convention Sales & Services | Sales Administrative Assistant                | 11/01/22  | \$ 39,000     |
| Healy      | Edward   | Marketing                   | Vice President of Marketing                   | 04/23/01  | \$ 117,565    |
| Fashana    | Karen    | Marketing                   | Senior Director of Marketing                  | 08/17/00  | \$ 67,925     |
| Brown      | Drew     | Marketing                   | Director of Media & Content Strategy          | 02/22/16  | \$ 57,000     |
| Kearns     | Michelle | Marketing                   | Communications Manager                        | 07/01/22  | \$ 57,475     |
| Scaduto    | Kathryn  | Marketing                   | Marketing & Social Media Specialist           | 04/11/22  | \$ 48,005     |
| Toney      | Renata   | Industry Relations          | Vice President of Destination Experience      | 07/11/22  | \$ 94,050     |
| Cynthia    | Kincaide | Industry Relations          | CRM Database Specialist - Part-time           | 07/01/22  | \$30.00/hr.   |
| Blatner    | Joanne   | Industry Relations          | Destination Development Assistant - Part-time | 10/25/15  | \$17.40/hr.   |

**Buffalo Niagara Convention & Visitors Bureau, Inc.**  
**Buffalo Niagara Convention Center Management Corporation, Inc.**  
**Position Description**  
**President/Chief Executive Officer**

**President/Chief Executive Officer**

The President is the chief executive officer of the Buffalo Niagara Convention & Visitors Bureau, Inc. (the "Bureau") and the Buffalo Niagara Convention Center Management Corporation, Inc. ("BNCCMC").

The President and CEO has the primary responsibility of accomplishing the mission of the Bureau and BNCCMC through achievement of the objectives set forth in the Strategic Plan and the annual Marketing Plan. The President and CEO leads these community-based organizations while successfully maintaining the day-to-day managerial duties. The President/CEO is responsible for aligning all functions, systems and processes within the organization and building organizational commitment to common goals. The President and CEO must also lead and manage the organizations' human assets, ensuring that the necessary performance processes are in place.

**Reporting Relationship**

The President shall report to the Chairman of the Board of the Bureau/BNCCMC and/or Officers Committee.

**Duties and Responsibilities**

The President is responsible for the operation of the Bureau and BNCCMC and for the accomplishment of their missions:

1. Drives all administrative, operating, marketing and sales functions of the Bureau and BNCCMC.
2. Drives the preparation and implementation of the Bureau's and BNCCMC's annual Marketing Plans, designed to effectuate the goals and objectives of the organizations; and allocates and manages the resources of the organizations as necessary to accomplish such objectives.
3. Prepares the Bureau's and BNCCMC's annual budgets, providing for the appropriate allocation of the projected resources to implement the Marketing Plan and goals of the organization; and oversees the financial affairs of the Bureau.
4. Implements the execution of the strategies, objectives and goals as set forth in the long range Strategic Plan.

5. Directs the staff of the Bureau and BNCCMC to maximize productivity and, in particular, is responsible to the Board for the performance by Bureau and department heads of their respective duties and responsibilities.
6. Establishes strong collaborative relationships with all stakeholder groups and evaluates their input and concerns; this includes government (County, City, State), hospitality industry partners, community and business organizations (BNP, BNE).
7. Effectively communicate a vision for the organization to diverse audiences and engages the community in the mission of the Bureau and BNCCMC.
8. Identifies and drives alternative revenue sources to the organization, such as state, city, federal, foundation, sponsorships, etc.
9. Directs and oversees public relations activities of the Bureau and serves as the face and voice of the organization and the industry throughout the community.
10. Attends all meetings of the Board and other designated committees and provides reports to each.
11. Serves as a member of the Nominating and Board Development Committee, assists the Committee in identifying potential Board members, assists the Committee in recruiting new Board members; orients new Board members concerning the mission, goals, policies and activities of the Bureau and BNCCMC; and assists the Board and its individual members in carrying out their duties as Directors.
12. Develops and maintains effective organizational policies and ensures all Bureau activities are implemented within these established policies, guidelines, laws and ethical standards.
13. Responsible for achieving performance measurements established by the Board of Directors for the organization and individuals.
14. Performs such other duties as may be assigned by the Chairman and/or Board from time to time.

**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.  
BUFFALO NIAGARA CONVENTION & VISITORS BUREAU FOUNDATION, INC.  
BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION, INC.**

**JOB DESCRIPTION**

**POSITION:** Chief Financial Officer

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** President/CEO

**SUMMARY – CHIEF FINANCIAL OFFICER**

Serves as chief financial officer and directs financial affairs of the Buffalo Niagara Convention & Visitors Bureau, Inc. (the “BNCVB”), The Buffalo Niagara Convention & Visitors Bureau Foundation, Inc. (the “Foundation”) and the Buffalo Niagara Convention Center Management Corporation, Inc. (“BNCCMC”). As such, the CFO has the primary responsibility for monitoring and reporting on the financial position of the organization and the achievement of the objectives from a financial perspective as set forth in the Marketing Plan. Develops and directs organization’s financial and human resource policies and procedures, financial management procedures, prepares financial statements and reports and manages accounting personnel.

**DUTIES AND RESPONSIBILITIES:**

- Coordinates budget planning and approval process; produces and publishes annual budgets for BNCVB, The Foundation and BNCCMC.
- Monitors budget and prepares reports which summarize and forecast activity and financial position in areas of income, expense, earnings and net assets, assets and liabilities, based on past, present and projected operations.
- Establishes and monitors a system of internal controls to safeguard assets and maintain the integrity of BNCVB, Foundation and BNCCMC operations and transactions.
- Review vendor/service contracts for compliance and informs appropriate personnel of results, termination/renewal dates, insurance and other contractual requirements.
- Reviews and approves disbursements; supervises accounts payable; signs checks.
- Reviews and approves financial transactions subject to approval of the President.
- Directs the Treasurer in activities as custodian of funds, securities and assets.
- Review and approves single and multi year contracts; advises management of problems and opportunities with contracts.

- Reviews and monitors purchasing activities of department heads.
- Analyze, review and monitor hotel tax collections; assist county government with annual budgeting of projected hotel tax revenues and reports to the President and Board regarding the same.
- Maintains banking relationships and investment policies; monitors bank transactions and bank account reconciliations.
- Advises management about insurance coverage for protection against losses and potential liabilities.
- Advises management on desirable operational adjustments so as to comply with tax code provisions; monitors tax code revisions to ensure compliance.
- Arranges for audits of BNCVB, Foundation and BNCCMC books and accounts.
- Supervises the maintenance of all financial records. Directs the periodic review of these records to assure completeness.
- Prepares reports for regulatory agencies and various taxing authorities.
- Supervises payroll and human resources functions.
- Responds to request for financial information from department heads. Assists them with interpretation and budget management issues
- Provides support assistance and training to accounting personnel in the use of various computer applications in an effort to increase efficiency and productivity.
- Conducts special projects as assigned by the President/CEO and Board.
- Active involvement in development of revenue generating initiatives.
- Perform other related duties.

**REQUIREMENTS:**

- Four year degree from an academic institution accredited in accounting; MBA/CPA.
- Five to seven years related experience and training.
- Good judgment, integrity and extensive management experience.
- Good verbal and communication skills.
- Strong accounting and computer skills; ability to manage staff.

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Employee Signature

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President/CEO

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D. Marzo



**Visit Buffalo Niagara  
JOB DESCRIPTION**

**POSITION:** Director of Administration

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** President/CEO

**SUMMARY:**

Manage the day-to-day general business operations of Visit Buffalo Niagara ("VBN") under the direction of the President and serve as executive assistant to the President.

**DUTIES AND RESPONSIBILITIES:**

- Work with senior staff in developing a coordinated and integrated marketing and operations effort, consistent with the business plan and budget.
- Serve as executive assistant to the President, including management and coordination of calendar, travel arrangements, preparation of correspondence, reports, and annual marketing plan.
- Carry out operational and managerial level tasks on behalf of the President. Manage special projects assigned by the President, such as Strategic Plan.
- Maintain Destinations International DMAP certification; prepare annual reports and certification renewal.
- Perform the duties of corporate secretary as required by the by-laws of the corporation for VBN and Buffalo Niagara Convention Center ("BNCC") Boards, coordinate quarterly meetings and maintain corporate minute books.
- Serve as secretary for VBN and BNCC Finance & Audit Committee in coordinating meetings and preparing meeting minutes.
- Maintain Board and organizational compliance with NYS Not for Profit Laws such as requirements regarding Conflict of Interest and Whistleblower Policies. Work with legal counsel on updates to by-laws and required policies.
- Prepare and submit quarterly reports and financial statements to County administrative and legislative offices as a requirement of funding contract. Schedule quarterly meetings for President and Board Chair with County Executive and County Administrative staff.
- Work with CFO in negotiating lease for office space when required. Coordinate all logistics related to office moves. Recommend and coordinate changes to office layout for better efficiency.

- Work with Paychex HR representative to comply with federal, state, and local employment laws and regulations, and recommended best practices.
- Assist in development and implementation of human resource policies to maintain compliance. Maintain employee handbook through Paychex system.
- Recruit administrative personnel, including job postings, review resumes, conduct initial interviews and make recommendations for interviews of qualified candidates with department heads.
- Assist department supervisors with recruiting for management positions through job postings, interviews, follow up to applicants, offer letter, orientation, etc.
- Provide counsel and support to department supervisors and support staff on various HR-related topics; and work to resolve any issues that may arise.
- Provide office orientation for new employees including equipment training and programming.
- Negotiate contracts and agreements with vendors for purchase of equipment, supplies and office furniture.
- Coordinate third-party IT vendor through managed services contract for office technology needs.
- Work with CFO and IT vendor on recommendations for technology upgrades and purchases and coordinate installations.
- Coordinate with building management for maintenance/cleaning as required in leased office space.
- Maintain inventory of office supplies, office stationery and coordinate printing when necessary.
- Perform all other duties as required.

## **SKILLS AND REQUIREMENTS**

- College degree in related field or equivalent work experience.
- Strong communication skills, both verbal and written, are required.
- Proficient in Microsoft Office Suite.
- Time management and organizational skills.
- Ability to multi-task and meet deadlines.
- High level of attention to detail.
- Knowledge of the visitor amenities in the Buffalo Niagara Region.
- Physical demands of the job include, but are not limited to, sitting, bending and lifting up to 35 pounds.

**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.**  
**JOB DESCRIPTION**

**POSITION:** Accounting and Benefits Manager  
**STATUS:** Full-Time; (*Non-Exempt Position*)  
**REPORTS TO:** Chief Financial Officer

**SUMMARY:**

Directs and coordinates human resources activities, such as employment, compensation, benefits, training and employee services. Maintains accounts receivable and payable functions and provides monthly analysis. Assist with data entry, review of reports and other support duties. Assist CFO in administration/management of all financial, accounting and benefit/human resource operations and policies of the CVB.

**DUTIES AND RESPONSIBILITIES:**

- Maintains all files, controls copies and reports related to accounts payable.
- Processes accounts payable invoices and expense reports ensuring Bureau policies, government and IRS regulations are followed.
- Reconciles monthly accounts payable to general ledger and vendors.
- Processes and audits 1099's at year end.
- Opens and distributes all company mail.
- Prepares Customer Invoices and follow up on open receivables.
- Processes monthly accounts receivable billing statements.
- Posts all journal entries and maintains journals and subsidiary ledgers of accounts receivable and accounts payable and balances and reconciles accounts monthly.
- Assists with year end audit process.
- Plans and conducts new employee orientation to foster positive attitude toward Bureau's goals.
- Process employee separation notices and related documentation, and conducts exit interviews to determine reasons behind separations.
- Maintains and monitors an effective employee relations program.

- Maintains records of insurance coverage, pension plan and personnel transactions such as hires, promotions, performance reviews and terminations.
- Investigates accidents and prepares reports for insurance.
- Oversees the analysis, maintenance and communication of records required by law or local governing bodies or other departments in the organization.
- Monitors and administers performance evaluations for all wage and salaried personnel.
- Administers payroll procedures, time off accruals, and timely distribution of paychecks.
- Any other duties as assigned.

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Employee Signature

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Department Head Signature

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**VISIT BUFFALO NIAGARA  
JOB DESCRIPTION**

**POSITION:** Business Intelligence Manager  
**STATUS:** Full-time (*Non-Exempt Position*)  
**REPORTS TO:** President & CEO

**SUMMARY:**

This position will develop, implement, and manage a comprehensive visitor research information program for Visit Buffalo Niagara and oversee Simpleview CRM. The position will work with VBN's President & CEO on research projects, consumer research, analysis of marketing and sales efforts, destination insights and economic impacts, interpretation, reports, and presentations. The manager will also engage in ongoing dialogue with department heads to develop and implement new initiatives that position Visit Buffalo Niagara as the destination management and marketing resource and destination leader. It will be critical for this position to understand, evaluate and utilize data/insights from various sources (including online analytical tools) that will contribute to strategies and actionable items that will create ROI and deliver on the mission of generating overnight lodging visitation in Erie County.

**FUNCTIONS:**

- Manage research projects ranging from surveys to focus groups, vendor-driven projects to in-house analysis.
- Select appropriate research methodology and techniques, applying consistently and constantly evaluating to determine if present way is most efficient and most effective.
- Interpret data, write reports, develop presentations, and make actionable recommendations.
- Report visitation statistics and community outreach activity to President & CEO on a monthly basis.
- Coordinate analysis of weekly/monthly STR report and Key Data.
- Serve as the organization lead for Simpleview CRM.

- Maintain a well-informed working knowledge of all hotels, attractions, and services, both public and private, available in the county.
- Utilize Economic Impact Calculators to produce reports for meetings/conventions, sporting groups and special events that involve VBN.
- Conduct post-event evaluations and pickup reports.
- Collect attendance data on an annual basis from museums, cultural attractions, and venues.
- Design, develop and manage ongoing performance reporting programs to provide accurate and timely assessments.
- Manage vendor research contracts and provide direction and oversight on structure, methodology and presentation style.
- Work closely with the marketing department on Google Analytics, Facebook insights, Madden Media, and other available analytical tools and research to analyze marketing efforts and ad campaigns and generate actionable strategic insights.
- Work with the sales department on various evaluations of the outlook and opportunities for group sales, including compression impacts, seasonal and market segment opportunities and forecasting models.
- Work with the President and CEO to provide strategic insights for stakeholder engagement and development related communications.
- Liaison with I Love New York and Empire State Development on state and regional travel research projects and data.
- Liaison with U.S. Travel Association and Destinations International on national and international travel research projects and data.
- Other duties as assigned.

## **EDUCATION & EXPERIENCE**

A minimum of a bachelor's degree in Marketing, Business Administration, Economics, Statistics or related research disciplines, or an acceptable combination of education, training and experience is required.

A minimum of three years' experience in business-related or market research is preferred. Strong writing, presentation, Excel, and PowerPoint skills are required. In-depth knowledge of primary market and consumer research approaches and tools, including survey design, focus groups, and statistical modeling techniques and research methods are necessary. In depth experience with Google Analytics is highly preferred. Experience dealing with research vendors required.

## **KEY SKILLS AND KNOWLEDGE**

- Strong analytics skills with some experience in statistical modeling and analysis.
- A thoughtful, data driven and research approach to solve business problems.
- Proficient in qualitative and quantitative methods.
- Strong written and verbal communications skills with the ability to take complex data and statistics and articulate them in easily understood concepts.
- Entrepreneurial self-starter characteristics.
- Demonstrated ability to work independently as well as collaboratively with other staff.
- Proven experience as a strategic thinker.
- Ability to work in a fast-paced, multi-task environment that faces frequent interruptions.
- Capable of managing both time and priorities within an environment of multiple deadlines.
- A commitment to delivering measurable results and a proven ability to manage projects to successful completion.
- Excellent organizational, project management, analytical, and technical skills.
- High attention to details.

**Buffalo Niagara Convention & Visitors Bureau**  
**Position Description**

Position: Vice President of Convention Sales, Group Tour, Amateur Sports, Special Events and Services  
(Exempt Position)

Reports To: President/CEO

**Purpose of Position**

The Vice President of Convention Sales, Group Tours and Services Department shall be responsible for the day to day activities of the Convention Sales, Amateur Sports, and Special Events and Services Department programs of the Bureau.

**Job Duties and Responsibilities**

- Supervise the Staff of the Convention Sales, Group Tours, Amateur Sports, Special Events and Services Departments.
- Prepare the annual budget and marketing plan and strategies for the Convention Sales, Group Tours, Amateur Sports, Special Events and Services Departments.
- Analyze market segments and determine direction for sales efforts.
- Assigns all new accounts, manage all client site inspections, evaluate convention and event, bids, sales presentations, sales blitzes and familiarization tours, oversee local organizing committees (LOC) as necessary, oversee event marketing and sports related grant applications.
- Attend meetings and committees relative to the Convention Sales, Group Tours, Amateur Sports, Special Events and Services Departments.
- Coordinate and monitor workflow including assigning, transferring and deleting accounts.
- Maintains statistical data pertaining to conventions held and special events, meetings, group tours, conventions booked and their economic impact on our community.
- Develop a program for the timely contact of Convention Sales, Group Tours, Amateur Sports, Special Events and Services Department accounts through personal, electronic and written communication by sales managers.
- Review all leads, definites and cancellations for Convention Sales, Group Tours, Amateur Sports, Special Events and Services Departments to ensure accuracy.
- Assemble group booking information from hotels and compile accurate projections of Bureau/hotel bookings.
- Maintain a high profile in the convention association community as well as the local hospitality community.

- Coordinate efforts of the Convention Marketing Committee and subsequent subcommittees by acting as liaison to Directors of Sales and/or General Managers of the hotels and the Buffalo Niagara Convention and Visitors Bureau.
  - Maintain close working relationships with the area hotels, municipal facilities and serve as liaison between the client and these facilities.
  - Coordinate sales effort of the Buffalo Niagara Convention Center with the Buffalo Niagara Convention & Visitors Bureau sales staff.
  - Oversee all travel schedules of all sales managers and prospective clients, client entertainment; negotiate event sponsorships to be within budget projection.
  - Prepare and disseminate all sales and service reports.
  - Work with computer services and database software provider to maintain fully functional system for sales and services department. Review software on a regular basis to ensure effectiveness and make recommendations accordingly.
  - Direct and train sales managers and services staff in all matters pertaining to convention, group tours and amateur sport event sales, maintain periodicals and sales tools for this purpose.
  - Oversee sales incentive program for Convention Sales, Group Tours, Amateur Sports, Special Events and Services staff.
  - Oversee memberships in pertinent convention/meeting/exhibit/amateur sports trade/group tours organizations.
  - Assist in the development of promotional sales material for Convention Sales, Group Tours, Amateur Sports, Special Events and Services marketing.
  - Works closely with communications department in all Convention Sales, Group Tours, Amateur Sports, Special Events and Services public relations opportunities and advertising projects.
  - Conduct weekly sales meetings with departmental staff to discuss up coming conventions, tours events and outstanding leads and special projects.
- 
- Perform all other duties as may be required.

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Employee Signature

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Department Head Signature

M. Even  
01/09



**VISIT BUFFALO NIAGARA  
JOB DESCRIPTION**

**POSITION:** Director of Sports Development

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** Vice President Sales & Services

**SUMMARY:**

Responsible for sales and marketing activities that promote Erie County to rights holders/event organizers to act as host to amateur sporting events, sports related conventions, trade shows, and conferences.

**DUTIES AND RESPONSIBILITIES**

- Solicit by phone, e-mail, letter, direct mail and personal sales calls within assigned markets: National Governing Bodies, Amateur Sports disciplines and rights holders who have the potential to bring events to Buffalo.
- Prepare comprehensive bid proposals, this will include but is not limited to collecting hotel room block information outlining availability and rates for hotel rooms and competition sites, in addition to any other pertinent material required in RFP.
- Assist in the development of marketing brochures and other collateral material to be used in the overall sales effort.
- Maintain an effective filing system, traces in CRM to allow for orderly contact and follow up to potential rights holders/event planners that would consider the Buffalo/Niagara area as a host to their event.
- Make personal bid presentations to sporting/special event organizations as required.
- Help supervise the coordination of housing of attendees and registration services if needed.
- Work closely with the communications department to ensure proper press coverage and visibility for secured events.
- Work with communications department and convention services department in assisting organizations in suggesting area tours, entertainment, attractions, and PR opportunities.
- Create and manage Local Organizing Committees when appropriate for large sporting events. Prepare agendas to keep projects on a timeline and on budget.

- Coordinate travel schedules and participate in appropriate trade shows as described in marketing plan.
- Preparation and dissemination of external reports to area hotels.
- Assist in organization, coordination and participation of sales blitzes, familiarization tours and work closely with committees.
- Assist in providing information for the preparation of the annual budget and marketing plan preparation, etc.
- File comprehensive reports of sales trips, trade shows. Prepare other reports as required, including expense accounts, monthly reports, annual market actions plans, etc.
- Maintain good working relationships with the Area University, College Athletic department staff, operations managers of area athletic venues, local sports and community organizations and Facility Managers.
- Achieve and/or exceed sales goals for leads, definites and hotel room nights as outlined by the Vice President of Sales and Services.
- Oversee activities of the Sports Sales Manager and Sports Services Manager as necessary.
- Public Relations to brand Sports Commission Locally & Nationally.
- Perform all other duties as required or requested.

**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.**  
**JOB DESCRIPTION**

**POSITION:** Director of Tourism Sales

**STATUS:** Full-time; (*Exempt Position*)

**REPORTS TO:** V.P. of Convention Sales, Amateur Sports, Special Events and Services

**SUMMARY:**

Responsible for generating business from the group market including tour operators, travel agents, AAA offices, and any other markets that may be related. Assists with development and implementation of overall sales and marketing programs and promoting the Tourism industry in Buffalo, Erie County and Greater Niagara as a travel destination.

**DUTIES AND RESPONSIBILITIES:**

- Market the destination with an emphasis on overnight visitation to Buffalo and Erie County, as well as the sites and attractions throughout the Greater Niagara Region.
- Solicit Motorcoach Operators, Tour Operators, and Group Travel Planners to include Buffalo, Erie County & Greater Niagara in travel itineraries and packages. Meet and achieve annual sales goals.
- Assist in development of travel brochures, e-newsletters, sample itineraries, packages and other promotional materials to be used in overall tourism sales and marketing.
- Generate group tour sales leads and definite bookings. Maintain effective tracking system designed to allow effective contact follow-up. Maintain weekly performance reports.
- Maintain close working relationships with the Buffalo & Erie County hotels, attractions and cultural community. Assist in the development of travel packages and collateral for this market segment.
- Assist in the development of the group tour sales advertising program.
- Work with and maintain relationship with public officials and private sector organizations to keep aware of legislative matters and to assist in increasing funding for tourism-related programs.

- Make sales calls on Tour Operators, AAA's & CAA's to promote Buffalo and Erie County as a destination. Create leads and 12 RD's for follow up for future sales.
- Work closely with V.P. of Marketing to ensure proper press coverage and visibility of tourism news and programs.
- Assist with onsite marketing such as familiarization tours, site inspections and group tour leader programs.
- Attend regularly scheduled Tourism Marketing Meetings, coordinate subcommittees and direct as needed.
- Assist in development of V.P. of Sales Department annual Marketing Plan and Budget.
- Attend travel trade shows, sales blitzes and other sales and marketing programs as needed. Perform timely trip reports and direct follow-up as required.
- Act as project director the New York State Matching Funds program, coordinate Matching Funds program for Erie County and also the Greater Niagara Region.
- Work closely with WNY Tourism Promotion Agencies and Southern Ontario Agencies to promote tourism on a regional basis.
- Perform other related duties as required or requested by the V.P. of Sales.

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Employee Signature

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Department Head Signature

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Visit Buffalo Niagara  
Position Description

Position: Director of National Association Sales (Exempt Position)

Reports To: Vice President of Sales and Services

### **SUMMARY**

Promote and sell Buffalo, New York as a convention and meeting destination for national associations; achieve specific sales goals as assigned.

### **DUTIES AND RESPONSIBILITIES**

- Generate convention center and hotel lead opportunities and definite bookings from the National Association Market Segments as assigned.
- Create and maintain client base in the assigned Market Segments.
- Achieve quarterly goals from assigned Market Segments.
- Develop and maintain professional relationships with clients; consult daily newspapers, business journals, social media, and other sources to uncover leads.
- Use available research tools, conducts solicitation telephone calls and emails for prospecting new opportunities.
- Prepare written or make personal presentations to local members of assigned Market Segments to enlist their aid in booking future conventions.
- Prepare written or make personal presentations to boards of directors, convention delegates or site selection committees as needed to book that organization at the convention and meeting sites.
- Attend tradeshows, sales missions, networking opportunities to develop relationships with planners in assigned market. Solicit convention meeting planners through target marketing, arrange pre and post tradeshow communications. Responsible for trade show registrations, booth transport and setup, and travel arrangements for assigned sales activities within the allotted budget.
- Coordinate and conduct site tours for meeting planners, showcasing facilities, hotels, and attractions in the city.
- Participate in familiarization (fams) programs for groups of meeting planners from across the country; responsible for inviting qualified meeting planners from assigned Market Segments.
- Analyze tradeshow values to determine best return on investment.
- Assist meeting planners with referrals to VBN services manager or other service provider.

- During convention/meeting, maintain contact with convention meeting planner, upon completion of the convention have immediate contact with the individual(s) responsible for decision of returning in future year(s).
- Maintain research on competitive destinations regarding their marketing and sales strategies.
- Work closely with the Marketing and Communications Department to assist in garnering proper public relations, press and media opportunities for secured conventions.
- File written reports that coincide with the annual market actions such as: sales trips, tradeshow results, expense reports in a timely manner.
- Assist in the preparation of the annual budget and marketing plan.
- Perform all other duties as required or requested.

## **KNOWLEDGE AND SKILLS**

- Working knowledge of effective sales and marketing principles, practices, and procedures.
- Ability to perform general mathematical calculations.
- Proficient with all Microsoft applications and CRM database programs.
- Strong communication skills, both verbal and written, are required.
- Four-year college degree in related field or equivalent work experience.
- Must have a strong working knowledge of Buffalo and Erie County, with a deep understanding of hotel, venue, and off-site capabilities.
- Occasional overnight, weekday and weekend travel is required and must be able to work off hours on occasion.
- Must have reliable transportation and be able to travel to off-site appointments.
- Must have valid registration, appropriate insurance, a good driving record, and possess a valid NY Driver's License.
- Must always maintain a professional appearance keeping within industry standards.
- Always demonstrates professional and ethical conduct in accordance with Visit Buffalo policy.
- Physical demands of this position include the ability to lift and/or carry up to 50# and setting up the tradeshow booth, which may include climbing a ladder, hanging lights, displaying literature, bending, and lifting.



## VISIT BUFFALO NIAGARA JOB DESCRIPTION

**POSITION:** Director of Convention Services

**STATUS:** Full-time (Non-Exempt)

**REPORTS TO:** Vice President Sales & Services

### SUMMARY

The Director of Convention Services is responsible for leading the integrated servicing efforts for conventions, meetings, and events for Visit Buffalo Niagara. This includes directing everyday project alignments between internal departments. This position supervises the Convention Services Manager and reports directly to the Vice President of Sales and Services.

### DUTIES AND RESPONSIBILITIES

Manage and perform professional level work in planning and implementing comprehensive integrated servicing efforts.

Demonstrate leadership and ownership on all projects and assignments from initiation through delivery. This includes making sure each project or assignment is completed on time and with superior quality, while staying within budget, working effectively with outside partners (if applicable) and handling and organizing all paperwork and documentation.

Update Vice President of Sales & Services and appropriate management team members with verbal and/or written reports.

#### Administrative Duties

- Develop annual budget and departmental business plan for the department
- Submit all necessary DMAI –MINT reports and follow up on any delinquent reports.
- Maintain all future pre/post-convention statistics within CRM including numbers of conventions, number of delegates, dates, room pickup and economic impact.
- Assign groups to convention services managers by calendar availability. VIP groups that require additional servicing will be overseen by director. This would include collateral, signage and customized gifts.

- Maintain, select and order inventory of Buffalo Box, customized water and other giveaway items.
- Organize and categorize trade show booths and skins. Coordinate requests for new booth(s) and/or images with marketing, sales and VP of Sales.
- Work with marketing department to keep relevant convention services section via Visit Buffalo Niagara website.
- Conduct quarterly department meetings with Buffalo Niagara Convention Center & convention services representatives from partner hotels.
- Ensure that Visit Buffalo Niagara offers the latest attendance building resources.
- Coordinate volunteer program with Industry Relations assistant to fulfill requests for volunteers. Assist with quarterly functions and volunteer recruitment.
- Work in partnership with Industry Relations staff, assisting with training of hospitality partners.

### CSM Duties

- Review definite groups booked, and financial commitment reports to determine bureau's responsibility for each booked convention.
- Assist meeting planner with pre-convention promotions.
- Manage Meetingmax housing system and train services staff on system.
- Assist sales assistant in coordinating site inspections.
- Assist sales assistant, when needed, with coordination of departmental FAM's and CAC programs to include securing hotel rooms, flight itineraries, scheduling activities, transportation logistics, purchase amenities and planned meal functions.
- Facilitate and attend pre-cons.
- Coordinate a post evaluation survey distributed to meeting planners for meetings and conventions. Maintain a 60% average rate of response with a measurable department score of 3.5 on a scale of 1-5.
- Provide transportation and logistics management between meeting planners and transportation vendors.
- Promote Buffalo through attendance building promotional trips for assigned groups.
- Recruit, manage and coordinate VBN internship program with local or state university, college or community colleges.
- Maintain knowledge of present and future event facilities, hotels and unique venues within Erie County.
- Set-up communication link and housing services with State Emergency Agencies during natural disasters.

Visit Buffalo Niagara  
Position Description

Position: National Sales Manager  
(Exempt Position)

Reports To: Vice President of Sales, Amateur Sports, and Services

**Purpose of Position**

Promotes and sells Buffalo, New York as a convention and meeting destination for associations; achieves specific room night sales goals as assigned.

**Job Duties and Responsibilities**

- Generate convention center and hotel bookings from the Market Segments as assigned.
- Create and maintain client base in the assigned Market Segments; assigned a quarterly lead, definite piece of business and hotel room night goal, to be achieved from these Market Segments.
- Develop and maintain professional relationships with clients; consults daily newspapers, business journals and other sources to uncover leads.
- Uses available research tools, conducts solicitation telephone calls, emails for prospecting new opportunities, writes or makes presentations to local members of assigned Market Segments to enlist their aid in booking future conventions.
- Makes written or personal presentations to boards of directors, convention delegates or site selection committees across the United States as needed in order to book an organization at the destination's various convention and meeting sites.
- Attends tradeshows, sales missions, networking meetings and local meetings to solicit convention and meeting business; responsible for pre-planning, target marketing, pre and post mailers and all trade show booth and travel arrangements for assigned tradeshows within the allotted budget.
- Coordinates and conducts site tours for meeting planners, showcasing facilities and attractions in the city. Participates in familiarization (fams) programs for groups of meeting planners from across the country; responsible for inviting qualified meeting planners from assigned Market Segments.
- Analyzes tradeshow values to determine best return on the company's money.
- Assist meeting planners with referrals to services manager or other service providers and national sales managers in determining sales opportunities that benefit the community.

- During convention/meeting, maintain contact with executive meeting planner, upon completion of the convention have immediate contact with the individual(s) responsible for decision of returning in future year(s).
- May be responsible for developing and implementing a sales training program.
- Maintain research on competition regarding their marketing and sales strategies.
- Work closely with the Marketing and Communications Department to assist in garnering proper public relations, press and media opportunities for secured conventions.
- Files written reports that coincide with the annual market actions such as: sales trips, tradeshow results, expense reports in a timely manner etc.
- Assist in the preparation of the annual budget and marketing plan.
- Perform all other duties as required or requested.

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Employee Signature

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Department Head Signature



**VISIT BUFFALO NIAGARA  
JOB DESCRIPTION**

**POSITION:** National Sales Manager

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** Vice President of Sales, Amateur Sports, and Services

**SUMMARY**

The National Sales Manager promotes and sells Erie County as a convention and meeting destination for associations; achieves specific room night sales goals as assigned.

**RESPONSIBILITIES AND DUTIES**

- Generate convention center and hotel bookings from the Market Segments as assigned.
- Create and maintain client base in the assigned Market Segments; assigned a quarterly lead, definite piece of business and hotel room night goal, to be achieved from these Market Segments.
- Develop and maintain professional relationships with clients; consults daily newspapers, business journals and other sources to uncover leads.
- Uses available research tools, conducts solicitation telephone calls, emails for prospecting new opportunities, writes or makes presentations to local members of assigned Market Segments to enlist their aid in booking future conventions.
- Makes written or personal presentations to boards of directors, convention delegates or ~~site selection committees across the United States as needed to book an organization at~~ the destination's various convention and meeting sites.
- Prepare comprehensive bid proposals as required. This will include but is not limited to collecting hotel room block information from hotel and motels outlining availability and rates for hotel rooms and meeting facilities, in addition to any other pertinent material required in RFP.

- Attends tradeshow, sales missions, networking meetings and local meetings to solicit convention and meeting business; responsible for pre-planning, target marketing, pre and post mailers and all trade show booth and travel arrangements for assigned tradeshow within the allotted budget.
- Coordinates and conducts site tours for meeting planners, showcasing facilities and attractions in the city. Participates in familiarization (fams) programs for groups of meeting planners from across the country; responsible for inviting qualified meeting planners from assigned Market Segments.
- Analyzes tradeshow values to determine best return on the company's money.
- Assist meeting planners with referrals to services manager or other service providers and national sales managers in determining sales opportunities that benefit the community.
- During convention/meeting, maintain contact with executive meeting planner, upon completion of the convention have immediate contact with the individual(s) responsible for decision of returning in future year(s).
- May be responsible for developing and implementing a sales training program.
- Maintain research on competition regarding their marketing and sales strategies.
- Work closely with the Marketing and Communications Department to assist in garnering proper public relations, press and media opportunities for secured conventions.
- Files reports that coincide with the annual market actions such as: sales trips, tradeshow results, expense reports in a timely manner etc.
- Assist in the preparation of the annual budget and marketing plan.
- Perform all other duties as required.

## **KNOWLEDGE AND SKILLS**

- Working knowledge of effective sales and marketing principles, practices, and procedures.
- Ability to perform general mathematical calculations.
- Proficient with all Microsoft applications and CRM database programs.
- Strong communication skills, both verbal and written, are required.
- College degree in related field or equivalent work experience.
- Physical demands of this position include the ability to lift and/or carry up to 50#, setting up the tradeshow booth, which may include climbing a ladder, hanging lights, displaying literature, bending, and lifting.



**VISIT BUFFALO NIAGARA  
JOB DESCRIPTION**

**POSITION:** Sports Sales Manager

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** V.P. of Sales, Amateur Sports, and Services

**SUMMARY:**

Sports Sales Manager is responsible for sales and marketing activities that promote the area to amateur sport event planners for their competition, special events, trade shows, and conferences.

**DUTIES AND RESPONSIBILITIES**

- Solicit by phone, letter, direct mail, and personal sales calls within assigned markets: National Governing Bodies, Amateur Sports disciplines and rights holders who have the potential to bring events to Buffalo.
- Prepare comprehensive bid proposals as required. This will include but is not limited to collecting hotel room block information from hotel and motels outlining availability and rates for hotel rooms and competition sites, in addition to any other pertinent material required in RFP.
- Assist in the development of marketing brochures and other collateral material to be used in the overall sales effort.
- Maintain accurate notes and traces in CRM to allow for orderly contact and follow up to potential event planners that would consider the Buffalo/Niagara area as a host to their event. Maintain assigned computer files, as well as the creation of new files through new business development.
- Make personal bid presentations to sporting/special event organizations as required.
- Help supervise the coordination of housing of attendees and registration services if needed.
- Work closely with the communications department to ensure proper press coverage and visibility for secured events.

- Work with communications department and sports services department in assisting organizations in suggesting area tours, entertainment, attractions, and PR opportunities.
- Create and manage Local Organizing Committees when appropriate for large sporting events. Prepare agendas to keep projects on a timeline and on budget.
- Coordinate travel schedules and participate in appropriate trade shows as described in marketing plan.
- Preparation and dissemination of external reports to area hotels.
- Assist in organization, coordination and participation of sales blitzes, familiarization tours and work closely with committees.
- Assist in providing information for the preparation of the annual budget and marketing plan preparation, etc.
- File reports of trips. Prepare other reports as required, including expense accounts, monthly reports, annual market actions plan, etc.
- Networking and relationship building, maintain good working relationships with the Area University and College athletic department staff and operations managers of area athletic venues.
- Achieve and/or exceed sales goals for leads, definites and room nights as outlined by the Director of Sales and Services.
- Knowledge of the Buffalo Niagara Region
- Oversee activities of Sports Services Manager, as necessary.
- Some travel, evening and weekend hours are required.
- Perform all other duties as required.

## **KNOWLEDGE AND SKILLS**

- Working knowledge of effective sales and marketing principles, practices, and procedures.
- Ability to perform general mathematical calculations.
- Proficient with all Microsoft applications and CRM database programs.
- Strong communication skills, both verbal and written, are required.
- College degree in related field or equivalent work experience.
- Physical demands of this position include the ability to lift and/or carry up to 50#, setting up the tradeshow booth, which may include climbing a ladder, hanging lights, displaying literature, bending, and lifting.

**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.**  
**JOB DESCRIPTION**

**POSITION:** Sports Services Manager  
Buffalo Niagara Sports Commission

**STATUS:** Full-time (*Non-Exempt Position*)

**REPORTS TO:** Director of Sports Development  
Vice President of Sales and Services

**SUMMARY:**

Assist with administration of all sports special programs and events for the Buffalo Niagara Sports Commission. Provide sales assistance and support to Sports sales managers.

**DUTIES AND RESPONSIBILITIES:**

- Work in conjunction with Sales, Marketing, Finance and Communications staff to meet and exceed goals and objectives set forth through the annual marketing plan.
- Serve as liaison between Rights Holders, clients, locals organizing committees and the Sports Commission
- Assess the facility needs of clients and work with local venues.
  - Find facilities for events
- Research and qualify new events as required
  - research event history; operating budget, host city fees, subsidies, hotel room pickup, number of participants, attendees etc.
- Preparation of hotel related communications. This includes working with the Simpleview program to manage leads, definite bookings and lost business report
- Collect and coordinate appropriate material and insure accuracy of amateur athletic bid book documents, which could include proposals, contracts for transportation, attractions, venue requirements and political support letters, etc.
- Solicit the following event categories by phone, email, letter, direct mail and personal sales calls to the National Governing Bodies and rights holders who have the potential to bring events to Buffalo.

- Table tennis
- Fencing
- Darts
- Curling
- Sports Meetings
- Dragon Boat
- NJCAA Events
- Triathlon
- Themed Runs/Mud Runs
- Orienteering
- Additional Niche Events

- Produce and maintain sales goals for events within the following categories:
  - Leads 2 per month
  - Definites 1 per month
  - Room Nights 1,200 per year
 (Goals will be evaluated and revised annually and monitored regularly)
- Update and maintain database of event planners.
- Manage the Sports Services Program
  - Welcome desks
  - Signage
  - Visitor readiness
- Provide appropriate level of services to all upcoming sports events and meetings
- Maintain continuing communication with sports clients regarding their needs for events
- When necessary participate in the creation of sponsor opportunities and the fulfillment of sponsor packages
- Update, plan, implement and maintain accuracy and content of the sport website, including online facility guide
- Assist in the management of the relationship between of the Buffalo Niagara Sports Commission staff and Advisory Council.
- Recruit, develop and train volunteers as needed for special events.
- Supervise volunteers during actual event dates when appropriate.
- Recruit and coordinate the Sports Internship Program
- Assist in Managing the continued growth of the Buffalo Niagara Sports Commission brand.
- Coordinate press opportunities with Visit Buffalo Niagara's communications department.
- Write, design and coordinate quarterly sports e-newsletter.
- Provide backup support to convention sales/service departments when necessary.
- Assist in organization, coordination and participation of sales blitzes, familiarization tours.
- Manage and implement the Empire State Games Legacy Scholarship Program.
- Assist in coordination of annual marketing plan and budget.
- Greet visitors to our office and cover for reception desk when needed.
- Complete all other duties and responsibilities as required or requested.

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Employee Signature

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Department Head Signature



## Visit Buffalo Niagara JOB DESCRIPTION

**POSITION:** Administrative Assistant / Sales Department

**STATUS:** Full-time (Non-Exempt Position)

**REPORTS TO:** Vice President of Sales and Services

### SUMMARY

Responsible for administrative and clerical support for the convention sales department as outlined below.

### RESPONSIBILITIES

- Provide assistance to sales team with regard to sales leads by creating support letters, follow up with hotels for proposals and subsidy forms, and create bid books.
- Work with convention services team when business turns definite – assign CS managers to business, assign traces, prepare CS letter and services folder.
- Prepare sales reports from Simpleview CRM as requested by Vice President of Sales.
- Assist sales team with tradeshow registration, preparation, shipping and follow up.
- Assist with sales receptions, site inspections and preparation for sales missions and follow up.
- Plan, organize and manage annual Customer Advisory Council events and annual client Familiarization Tours.
- Trace and collect trip reports after sales directors return from tradeshows, sales missions, etc.
- Update and maintain accounts in Simpleview Meeting Sales Module.
- Assist with VBN Book Club mailings, etc.
- Assist with scheduling, preparing for and taking minutes at quarterly Director of Sales meetings.
- Input partner in-kind contributions and paid partner services into Simpleview CRM.
- Maintain VBN Teams calendar.
- Assist with scheduling departmental meetings.
- Serve as backup receptionist as needed.
- Perform other duties as required.

## **EDUCATION AND EXPERIENCE**

- Minimum Associates Degree and/or 3-5 years of related experience.

## **SKILLS AND REQUIREMENTS**

- Oral and written communication skills.
- Proficient in Microsoft Office Suite.
- Excellent customer service skills.
- Time management and organizational skills.
- Ability to multi-task and meet deadlines.
- High level of attention to detail.
- Knowledge of the visitor amenities in the Buffalo Niagara Region.
- Physical demands of the job include, but are not limited to, sitting, bending and lifting up to 35 pounds.
- Preferred experience or familiarity with CRM programs.
- Some local travel is required. Must have a valid driver's license, current automobile insurance and own or have access to an automobile.

**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC  
JOB DESCRIPTION**

**POSITION:** Vice President of Marketing

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** President/CEO

**SUMMARY:**

The Vice President of Marketing is responsible for the formulation and implementation of programs and practices designed to foster an efficient and effective public relations and communications operation to promote the CVB's mission. The position shall function as an advisor to the CVB president, management team and staff on issues involving public relations, media relations, marketing, advertising, crisis communications, print and electronic media issues and promotions. The Vice President of Marketing will be responsible for supervising the Bureau's branding message, image and public relations campaigns, graphic standards, related communications functions and managing the staff assigned to the marketing department, as well as agencies on retainer.

**DUTIES AND RESPONSIBILITIES:**

- Development of annual CVB marketing plan for public relations, graphics and communications activities which position the Bureau as Buffalo Niagara's tourism and convention marketing agency.
  - Development of marketing department's budget to support the marketing plan.
  - Development and coordination of media relations program for CVB. Personal contact and relationship development with local media representatives to enhance CVB's position within local media community.
  - Responsible for hiring, directing and supervising graphic artist/creative services manager, marketing manager, online content manager, communications manager and administrative positions.
  - Assist president in the dissemination of information and publicity for public affairs issues impacting the hospitality industry, speech/letter writing.
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- Coordinate and supervise production of CVB multi-media projects, including CVB promotional videos, power point presentations, commercials and PSA's.
  - Supervise maintenance of an active and updated media list on local, regional and national publications and outlets.
  - Responsible for overseeing coordination of CVB press conferences.

- Responsible for development and maintenance of CVB web sites.
- Responsible for production of new electronic media, including Blogs, Flash Videos, and Podcasts.
- Oversee creation of sales and marketing materials, including consumer and trade advertisements.
- Responsible for implementation of cultural tourism marketing initiatives. Serve as staff liaison to Board level Cultural Tourism Committee.
- Coordinate development and release of information specifically targeted to various media outlets; develops materials and writes articles in a continuing effort to obtain maximum media coverage, such as press kits, guidebooks, newspapers and magazines.
- Responsible for coordinating efforts between creative vendors (e.g. ad agency, public relations firm, web developers) and Bureau.
- Oversee development of advertising schedule and placements for Bureau.
- Supervision of tracking system for CVB publicity, promotions and media campaigns.
- Supervise production of CVB support materials, which may include ads, graphics, multi-media presentations, marketing campaigns and promotional/sales efforts; researches and writes promotional literature provided to convention attendees, tourists and media.
- Responsible for BNCVB Foundation development initiatives, including grant writing. Serve as staff liaison to local foundations.
- Serve as a staff liaison to assigned CVB committees. Serve as a public relations advisor to CVB's Board of Directors.
- Oversee production of annual report and electronic and print newsletters.
- Provides information assistance and services to travel writers, convention writers, food writers and other media; coordinates press trips and familiarization (FAM) tours.
- Other duties and responsibilities as assigned by the CVB president.

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Employee Signature

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Department Head Signature

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**VISIT BUFFALO NIAGARA  
JOB DESCRIPTION**

**POSITION:** Senior Director of Marketing

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** Vice President of Marketing

**SUMMARY:**

Assists Vice President of Marketing in developing and implementing consumer marketing initiatives; responsible for development and content supervision of VBN publishing platforms, including website, mobile site, IPAD apps, etc.; and manages advertising and co-op sales efforts. Manages viral marketing strategies designed to engage customers in ongoing conversations.

**DUTIES AND RESPONSIBILITIES:**

- Assist with overall marketing for the Buffalo Niagara area as a travel destination with an emphasis on overnight visitation.
- Develop and supervise content production with Communications Manager and coordinate engagement of freelance writers.
- Development of products that serve our customers and provide real value to our partners.
- Manage advertising and co-op sales efforts of VBN to increase revenues.
- Lead VBN in understanding and adoption of new technologies that will allow us to better serve our partners.
- Maintain a close working relationship with Buffalo & Erie County hotel, attractions, cultural community and other hospitality-related businesses. Provide them with regular updates on marketing initiatives.
- Provides current tourism partners and community partners with up-to-date and accurate information about VBN projects. Arrange and host quarterly industry meeting.
- Researches, writes and distributes e-newsletters. Maintains production schedule, develops editorial topics, coordinates contests and special promotions, analyzes click through and open rates, tests subject lines. Responsible for subscription growth.
- Responsible for implementation of social media strategies, including Facebook, Twitter, Flickr and other emerging viral technologies.

- Conducts ongoing consumer marketing research via web-based and email surveys. Analyzes zip code data in conjunction with the Visitor Center Manager.
- Assists with coordination of familiarization tours, site visits, press trips and other related marketing initiatives and programs.
- Creates new seasonal promotional packages, and other contests and promotions as needed.
- Work with local colleges/universities in recruiting interns and subsequently managing the intern.
- Develops business relationships with travel, hotel, restaurant, and retail partners to facilitate effective consumer promotions and contests.

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Employee Signature

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Department Head Signature



## VISIT BUFFALO NIAGARA JOB DESCRIPTION

**POSITION:** Director of Media & Content Strategy

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** Vice President of Marketing

### SUMMARY:

The Director of Media & Content Strategy is responsible for creating and implementing innovative marketing communications strategies across platforms that engage consumers, influencers and travel media. The position requires a high level of proficiency with social media, media relations, advertising and video production tools and tactics. Grounded in an understanding of consumer analytics, the Director develops and designs strategic communications and content that builds and maintains the Buffalo brand.

### FUNCTIONS:

- Coordinates overall media and content strategy for the Buffalo Niagara area as a travel destination with an emphasis on overnight visitation.
- Manages the creation of content for the VBN website, blog and social platforms.
- Responsible for researching and identifying relevant new technologies and digital marketing strategies.
- Coordinates press trips and influencer visits.
- Oversees updating and revising of sales and marketing collateral, including the Restaurant Guide, Product Guide, African American Heritage Guide, Handmade in Buffalo, Shopping Guide, Visitor Map and Touring Guide.
- Produces short videos for distribution via VBN website and social platforms.
- Works with Director of Marketing on the production of e-newsletters and promotional emails.
- Oversees Visit Buffalo Niagara social media channels, including but not limited to Facebook, Twitter, Instagram, Pinterest, Snapchat and TikTok.
- Manages the work of the Marketing & Social Media Specialist in creating and posting social media content across platforms.

## **KEY SKILLS AND KNOWLEDGE**

- Exceptional writing skills
- High level of competence with videography and video editing
- High level of competence with photography and Photoshop
- Excellent interpersonal communications skills
- Effective listener
- Excellent organizational skills
- Self-motivated
- Passion for the Buffalo Niagara region
- Familiarity and engagement with current events in the Buffalo Niagara region
- Excellent computer skills, including Microsoft Office
- Ability to juggle multiple tasks and meet deadlines
- High level of attention to detail
- High degree of engagement with social media
- Creative thinker



**VISIT BUFFALO NIAGARA  
JOB DESCRIPTION**

**POSITION:** Communications Manager

**STATUS:** Full-time (*Exempt Position*)

**REPORTS TO:** Vice President of Marketing

**SUMMARY**

The Communications Manager leads local and regional media relations, manages media outreach and hosts journalists and influencers. The Communications Manager identifies interesting and unexpected destination story angles, seeks breakthrough publicity opportunities and tracks trends to ensure Visit Buffalo Niagara maximizes earned media opportunities, elevating the Buffalo brand to consumer and industry audiences. The successful candidate will possess exceptional writing and editing skills and have a proven track record in crafting pitches and writing press releases and blog posts.

**RESPONSIBILITIES AND DUTIES**

- Establish and maintain positive relationships with local, regional and national media.
- Serve as a point of contact for media inquiries and fulfill requests.
- Coordinate and staff desk side meetings in key media markets.
- Plan itineraries and accompany visiting writers on familiarization tours, as needed.
- Prepare written content for speeches, videos, newsletters, website, press materials, sales and marketing collateral and other projects as assigned.
- ~~Generate and distribute media advisories and press releases.~~
- Curate and maintain database of local, regional and national media contacts.
- Work with local media to generate news stories and features about tourism-related topics and the work of Visit Buffalo Niagara.
- Update and maintain the press section of the website.
- Serve as an official spokesperson both on and off camera as needed.
- Assist with internal communications/PR needs, including coordinating with other departments on their needs.

- Maintain cordial and effective relationships with co-workers, clients, community officials, partner organizations and other contacts.
- Various other duties as assigned by the Vice President of Marketing.

## **EDUCATION, EXPERIENCE AND REQUIRED SKILLS**

- Four-year degree in a relevant field of study, including Public Relations, Journalism, Communications, New Media. Supplemented by three to five years of experience performing communications and public relations work.
- Strong writing, proof reading and editing skills.
- Highly motivated self-starter; ability to take initiative with projects; ability to work both collaboratively and independently.
- Strong interpersonal skills, maturity, good judgment and capable of communicating in a professional manner with a diverse range of individuals.
- Skilled in verbal presentations.
- Efficient organizational skills; detail oriented; proven problem analysis and resolution skills.
- Ability to prioritize and manage multiple priorities/projects/responsibilities simultaneously while meeting stringent deadlines.
- Proficient technology application skills, including Microsoft Office.
- Ability to work frequent nights and weekends as needed. Reliable, dependable, flexible and responsive.
- Ability to travel domestically and internationally.
- Ability to lift at least 25 lbs. on an occasional basis.

**VISIT BUFFALO NIAGARA  
JOB DESCRIPTION**

**POSITION:**

Marketing and Social Media Specialist

**STATUS:**

Full-time (**Non-Exempt Position**)

**REPORTS TO:**

Senior Director of Marketing

**SUMMARY:**

Assists with creating content for our social channels, website and blog. Helps implement a variety of sales and marketing initiatives. Coordinates marketing and promotional activities aimed at attracting leisure travelers and conventions and sporting events to Buffalo Niagara.

**FUNCTIONS:**

- Assists with managing Visit Buffalo Niagara social media channels, including but not limited to Facebook, Twitter, Instagram, Pinterest, Snapchat and TikTok.
- Assists with managing Buffalo Niagara Convention Center social media channels, including but not limited to Facebook, Twitter, Instagram, Pinterest, Snapchat and TikTok.
- Assists with overall marketing for the Buffalo Niagara area as a travel destination with an emphasis on overnight visitation.
- Responsible for distribution of content across online channels including travel related websites such as iloveny.com, visittheusa.com, TripAdvisor, Lonely Planet, etc.
- Compiles and edits content for print and online projects as assigned.
- Updates and maintains the calendar of events listings on the homepage of visitbuffaloniagara.com utilizing the CMS.
- Assists with the creation of content for the VBN website, blog and social platforms in conjunction with the Marketing Manager and Director of Marketing.
- Works with the Marketing Manager and Director of Marketing in researching and identifying relevant new technologies and digital marketing strategies.
- Helps Marketing Manager coordinate press trips and other related marketing initiatives and programs.
- Assists with updating and revising of sales and marketing collateral, including the Restaurant Guide, Product Guide, African American Heritage Guide, Handmade in Buffalo, Shopping Guide, Visitor Map and Touring Guide.
- Assists with in-house production of short videos for distribution via VBN website and social platforms.

- Aggregates testimonials, quotes and tweets from visiting press for re-purposing on VBN website and advertising.
- Assists Director of Industry Relations in producing Member/Partner reports.
- Assists Marketing Manager and Director of Marketing with production of e-newsletters and promotional emails.
- Performs special projects and other duties as assigned.

## **KEY SKILLS AND KNOWLEDGE**

- Exceptional writing skills
- High level of competence with videography and video editing
- Excellent interpersonal communications skills
- Effective listener
- Excellent organizational skills
- Self-motivated
- Passion for the Buffalo Niagara region
- Familiarity and engagement with current events in the Buffalo Niagara region
- Excellent computer skills, including Microsoft Office
- Ability to juggle multiple tasks and meet deadlines
- High level of attention to detail
- High degree of participation and engagement with social media and blogging platforms
- Creative thinker

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Employee Signature

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Department Head Signature



**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU  
JOB DESCRIPTION**

**POSITION:** Vice President of Destination Experience  
**STATUS:** Full-time (Exempt Position)  
**REPORTS TO:** President & CEO

**SUMMARY**

The Vice President of Destination Experience for Visit Buffalo Niagara (VBN) will oversee the organization's destination and visitor experience service model. The position will be responsible for providing leadership in customer service, relationship growth, project management, and stakeholder engagement to drive value for VBN and the countywide destination.

**RESPONSIBILITIES AND DUTIES**

**Destination Experience**

- Responsible for all in-destination and visitor experience execution.
- Design, implement and evaluate tourism development short-term and long-term strategic plans and programs that enhance the Buffalo Niagara tourism experience.
- Continue to build neighborhood-specific experiential visitor product and implement other Strategic Plan initiatives.
- Responsible for the implementation of niche program development and execution including but not limited to: Restaurant Weeks, Theater Months, 2024 Eclipse.
- Direct destination mobile visitor center including the coordination of programming and staffing.
- Coordinate all in-bound visitor destination inquiries.

**Industry Relations**

- Oversee the standards, procedures, and maintenance of organizational and partner portions (anything non-sales department related) of CRM.
- Plan and execute quarterly industry meetings, industry nights and two front-line FAM tours.
- Develop and manage annual National Travel and Tourism Week activations.

- Recruit and maintain industry partners for inclusion in organization CRM, website listings and calendar of events.
- Design and implement processes and programs that ensure Partners understand Visit Buffalo Niagara's mission and stay engaged with VBN.
- Provide guidance and direction to ensure that Partners understand and take advantage of their Partner benefits.
- Serve as editor for weekly digital member/partner communications; Tourism Insider and 7-in-7 update.
- Analyze metrics associated with member/partner database to identify trends and marketing opportunities.
- Oversee partner extranet training program.
- Serve as point of contact for Partners as needed.

### Community Engagement

- Cultivate relationships with appropriate community and regional organizations to develop collaboration, partnerships, and other destination management opportunities.
- Oversee organization's programs related to inclusion, diversity, equity, and accessibility.
- Work with CEO to implement Tourism Accelerator Program.
- Participate in and attend community, industry, and Visit Buffalo Niagara events to foster support for and represent VBN to increase organization's visibility in the community and create greater awareness of the organization, the value of tourism and visitor spending.
- Administer Official Destination Ambassador volunteer program including, but not limited to recruitment, training, regular communication, and scheduling.
- In concert with the CEO, act as the organization's collaboration liaison with the Buffalo School of Culinary and Hospitality Management for programming, mentoring and education opportunities.

### Administration

- Serve, advocate and be a steward of the VBN mission, brand promise and values.
- Manage and direct department staff reports.
- Prepare monthly metrics for quarterly Board reports.
- Oversee organizational use and procedures of CRM system.

### Education/Experience

Bachelor's degree with 10 years of destination development, tourism, and community engagement experience. Degree in hospitality, business management, marketing, tourism, or related field. Equivalent combination of education and experience will be considered.

### **Required Skills, Knowledge, and Competencies**

- Knowledge and appreciation of Buffalo Niagara and the hospitality industry.
- Ability to positively interact with Visit Buffalo Niagara partners, industry representatives and stakeholders.
- Ability to maintain and enhance existing relationships and to cultivate new relationships.
- Experience in identifying target audiences and devising strategies that engage, inform, and motivate and build consensus.
- Ability to adapt to change, be open to new ideas, take on new responsibilities and make adjustment to meet changing organizational and community needs.
- Collaborative and team-driven work ethic.
- Strong and effective written and verbal communication skills.
- Critical and analytical thinker.
- Exude positive energy.
- Mission driven goal getter, reliable in meeting deadlines, well-organized.
- Demonstrate integrity and professionalism at all times in accordance with VBN policy.
- Ability to lead, manage and develop staff.
- Working knowledge of Microsoft Office software and understanding of CRM systems.

**Buffalo Niagara Convention & Visitors Bureau  
JOB DESCRIPTION**

**POSITION:** Industry Relations & Destination Development Assistant

**STATUS:** Part-Time (Non-Exempt Position)

**REPORTS TO:** Director of Industry Relations & Destination Development

**Basic Function:** Assisting in the coordination of events, training and communications for Visit Buffalo Niagara

**Responsibilities:**

1. Calendar of events: Update weekly calendar of events; approve partner-submitted entries and follow up to determine interest in becoming industry partner
  - Monthly report of the number of events added, new partners, added
  - Update I Love NY calendar of events website
2. Work with services department to monitor volunteer opportunities; send out weekly update to all volunteers with reminders
  - Monthly progress report
3. Liaison to Director for industry training (Buffalo Niagara Visitor Champions) which includes monitoring progress of learners, sending reminders for live classes, preparing materials for monthly classes generating certificates of completion along with reporting of same.
4. Liaison to director for quarterly industry meetings and special events (Beacon Awards; Destination Marketing Summit). This includes:
  - Selecting venue and ensuring needs of Visit Buffalo Niagara are met (parking, a/v, etc.)
  - Refreshments
  - ~~Sending reminders and updating CRM after event has taken place.~~
5. Visitor Center activities — handling inquiries, merchandise, and other duties as requested by visitor center manager.
6. Other duties and responsibilities as required.

**Skills**

Oral communications  
Written communications  
Telephone etiquette

Diplomacy  
Professionalism  
Organization and good time  
management  
Computer literacy

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**VISIT BUFFALO NIAGARA  
JOB DESCRIPTION**

**POSITION:** CRM/Extranet Assistant

**STATUS:** Part-Time/Temporary (Non-Exempt Position)

**REPORTS TO:** Vice President of Destination Experience

**JOB RESPONSIBILITIES**

- Update and maintain Member/Partner portal in Simpleview CRM.
- Research and create accounts in CRM for new industry partners with contact and listing information.
- Conduct Simpleview extranet training for industry partners.



*Buffalo Niagara Convention & Visitors Bureau, Inc.*

*2023 Proposed Operating Budget*

Approved at the Board of Directors meeting on Wednesday November 16, 2022

**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.**

**SUMMARY OF REVENUES and EXPENSES  
PROPOSED OPERATING BUDGET  
2023**

|  | Proposed<br>Budget<br>2023 | Projected<br>2022 | Budget<br>2022 | Actual<br>2021 | 2023-2022<br>Budget<br>\$ Variance | 2023-2022<br>Budget<br>% Variance | 2023-2022<br>Projected<br>\$ Variance | 2023-2022<br>Projected<br>% Variance |
|--|----------------------------|-------------------|----------------|----------------|------------------------------------|-----------------------------------|---------------------------------------|--------------------------------------|
| <b>Revenues</b>                              | \$ 4,191,536               | \$ 4,026,220      | \$ 4,363,830   | \$ 6,216,430   | \$ (172,294)                       | -3.95%                            | \$ 165,316                            | 4.11%                                |
| <b>Expenses:</b>                             |                            |                   |                |                |                                    |                                   |                                       |                                      |
| Sales & Services Department Expenses         | \$ 1,796,905               | \$ 1,581,175      | \$ 1,796,905   | \$ 1,321,517   | \$ -                               | 0.00%                             | \$ 215,730                            | 13.64%                               |
| Marketing Department Expenses                | 1,571,090                  | 1,688,838         | 1,697,465      | 3,521,707      | (126,375)                          | -7.44%                            | (117,748)                             | -6.97%                               |
| Destination Development                      | 292,780                    | 240,490           | 245,460        | 242,551        | 47,320                             | 19.28%                            | 52,290                                | 21.74%                               |
| Airport Visitor Center                       | -                          | -                 | -              | 9,030          | -                                  | -                                 | -                                     | -                                    |
| Buffalo Visitor Center                       | -                          | -                 | -              | 13,853         | -                                  | -                                 | -                                     | -                                    |
| Administrative & Finance Department Expenses | 930,761                    | 978,074           | 924,000        | 949,341        | 6,761                              | 0.73%                             | (47,313)                              | -4.84%                               |
| <b>Subtotal expenses</b>                     | \$ 4,591,536               | \$ 4,488,577      | \$ 4,663,830   | \$ 6,057,999   | \$ (72,294)                        | -1.55%                            | \$ 102,959                            | 2.29%                                |
| <b>NET EXCESS OF REVENUES</b>                | \$ (400,000)               | \$ (462,357)      | \$ (300,000)   | \$ 158,431     | \$ (100,000)                       | N/A                               | \$ 62,357                             | N/A                                  |
| <b>OVER EXPENSES</b>                         |                            |                   |                |                |                                    |                                   |                                       |                                      |

Buffalo Niagara Convention & Visitors Bureau, Inc.  
 Operating Budget  
 Revenues  
 2023

|   | <u>Proposed<br/>Budget<br/>2023</u> | <u>Projected<br/>2022</u> | <u>Budget<br/>2022</u> | <u>Actual<br/>2021</u> | <u>2023-2022<br/>Budget<br/>\$ Variance</u> | <u>2023-2022<br/>Budget<br/>% Variance</u> | <u>2023-2022<br/>Projected<br/>\$ Variance</u> | <u>2023-2022<br/>Projected<br/>% Variance</u> |
|---|-------------------------------------|---------------------------|------------------------|------------------------|---|--|--|---|
| Erie County Grant                                 | \$ 3,847,057                        | \$ 3,734,861              | \$ 3,734,861           | \$ 3,625,933           | \$ 112,196                                  | 3.00%                                      | \$ 112,196                                     | 3.00%   |
| Erie County Sport Fishing Grant                   | 5,000                               | 5,000                     | 5,000                  | 5,000                  | -   | 0.00%                                      | -  | 0.00%   |
| Erie County - ARP Act Grant                       | -                                   | -                         | -                      | 1,995,943              | -   | -  | -  | -   |
| PPP Loan Forgiveness                              | -                                   | -                         | -                      | 363,190                | -   | -  | -  | -   |
| Visitor Guide Advertising                         | 150,000                             | 111,425                   | 105,000                | 7,228                  | 45,000                                      | 42.86%                                     | 38,575   | 34.62%  |
| Assessments - Convention                          | 15,000                              | -                         | -                      | -                      | 15,000                                      | -  | 15,000   | -   |
| NYS Matching Funds Program                        | 47,000                              | 48,897                    | 50,000                 | 29,052                 | (3,000)                                     | -6.00%                                     | (1,897)  | -3.88%  |
| Joint Co-op - Destination Development             | 5,000                               | -                         | 7,500                  | -                      | (2,500)                                     | -33.33%                                    | 5,000  | 0.00%   |
| Joint/Co-Op - Marketing                           | 7,500                               | 3,500                     | 5,000                  | 58,079                 | 2,500                                       | 50.00%                                     | 4,000  | 114.29%                                       |
| Joint/Co-Op - Sales                               | 35,000                              | 32,900                    | 30,000                 | 25,939                 | 5,000                                       | 16.67%                                     | 2,100  | 6.38%   |
| Grant Revenues                                    | 75,000                              | 75,000                    | 423,190                | 77,365                 | (348,190)                                   | -82.28%                                    | -  | 0.00%   |
| Merchandising Revenues - Brisbane Visitors Center | -                                   | -                         | -                      | 2,858                  | -   | -  | -  | -   |
| Merchandising Revenues - Airport Visitors Center  | -                                   | -                         | -                      | 4,829                  | -   | -  | -  | -   |
| Merchandising Revenues - Conventions              | -                                   | -                         | -                      | 365                    | -   | -  | -  | 0.00%   |
| Interest Income                                   | 500                                 | 462                       | 500                    | 777                    | -   | 0.00%                                      | 38   | 8.23%   |
| Miscellaneous Income                              | 4,479                               | 14,175                    | 2,779                  | 19,872                 | 1,700                                       | 61.17%                                     | (9,696)  | -68.40%                                       |
| <b>Total Revenues</b>                             | <b>\$ 4,191,536</b>                 | <b>\$ 4,026,220</b>       | <b>\$ 4,363,830</b>    | <b>\$ 6,216,430</b>    | <b>\$ (172,294)</b>                         | <b>-3.95%</b>                              | <b>\$ 165,316</b>                              | <b>4.11%</b>                                  |

Buffalo Niagara Convention & Visitors Bureau, Inc.

Operating Budget

Total Expenses

2023

|  | Proposed<br>Budget<br>2023 | Projected<br>2022  | Budget<br>2022     | Actual<br>2021     | 2023-2022<br>Budget<br>\$ Variance | 2023-2022<br>Budget<br>% Variance | 2023-2022<br>Projected<br>\$ Variance | 2023-2022<br>Projected<br>% Variance |
|--|----------------------------|--------------------|--------------------|--------------------|------------------------------------|-----------------------------------|---------------------------------------|--------------------------------------|
| <u>Personnel Costs:</u>                    |                            |                    |                    |                    |                                    |                                   |                                       |                                      |
| Salaries                                   | \$ 1,833,729               | \$ 1,706,762       | \$ 1,739,850       | \$ 1,394,171       | \$ 93,879                          | 5.40%                             | \$ 126,967                            | 7.44%                                |
| Payroll Taxes & Fringe Benefits            | 353,292                    | 339,184            | 347,000            | 257,125            | 6,292                              | 1.81%                             | 14,108                                | 4.16%                                |
| Professional Development - Staff           | 45,500                     | 34,350             | 46,500             | 8,681              | (1,000)                            | -2.15%                            | 11,150                                | 32.46%                               |
| <b>Total Personnel Costs</b>               | <b>\$2,232,521</b>         | <b>\$2,080,296</b> | <b>\$2,133,350</b> | <b>\$1,659,977</b> | <b>\$ 99,171</b>                   | <b>4.65%</b>                      | <b>\$ 152,225</b>                     | <b>7.32%</b>                         |
| <u>Sales &amp; Marketing Expenditures:</u> |                            |                    |                    |                    |                                    |                                   |                                       |                                      |
| Advertising                                | \$ 605,000                 | \$ 753,000         | \$ 700,000         | \$ 1,011,814       | \$ (95,000)                        | -13.57%                           | \$ (148,000)                          | -19.65%                              |
| Convention Commitments                     | 150,000                    | 105,100            | 130,000            | 31,515             | 20,000                             | 15.38%                            | 44,900                                | 42.72%                               |
| Visitor Guide                              | 160,000                    | 97,750             | 140,000            | -                  | 20,000                             | 14.29%                            | 62,250                                | 63.68%                               |
| Tradeshows                                 | 148,000                    | 118,348            | 164,985            | 61,124             | (16,985)                           | -10.29%                           | 29,652                                | 25.05%                               |
| Printing                                   | 12,500                     | 49,250             | 53,000             | 62,456             | (40,500)                           | -76.42%                           | (36,750)                              | -74.62%                              |
| Postage                                    | 3,000                      | 2,948              | 6,000              | 1,961              | (3,000)                            | -50.00%                           | 52                                    | 1.76%                                |
| Sales Bids & Promotions                    | 130,000                    | 123,750            | 159,000            | 94,644             | (29,000)                           | -18.24%                           | 6,250                                 | 5.05%                                |
| Convention Sales & Services                | 35,050                     | 34,285             | 34,500             | 18,378             | 550                                | 1.59%                             | 765                                   | 2.23%                                |

**Buffalo Niagara Convention & Visitors Bureau, Inc.**

**Operating Budget**

**Total Expenses**

2023

|  | <b>Proposed<br/>Budget<br/>2023</b> | <b>Projected<br/>2022</b> | <b>Budget<br/>2022</b> | <b>Actual<br/>2021</b> | <b>2023-2022<br/>Budget<br/>\$ Variance</b> | <b>2023-2022<br/>Budget<br/>% Variance</b> | <b>2023-2022<br/>Projected<br/>\$ Variance</b> | <b>2023-2022<br/>Projected<br/>% Variance</b> |
|--|-------------------------------------|---------------------------|------------------------|------------------------|---|--|--|---|
| <b>Destination Development</b>               | 82,950                              | 94,922                    | 95,450                 | 116,294                | (12,500)                                    | -13.10%                                    | (11,972)                                       | -12.61%                                       |
| <b>Travel &amp; Meetings</b>                 | 39,000                              | 26,494                    | 44,000                 | 20,807                 | (5,000)                                     | -11.36%                                    | 12,506   | 47.20%  |
| <b>Receptions</b>                            | 47,500                              | 44,950                    | 74,250                 | 2,000                  | (26,750)                                    | -36.03%                                    | 2,550  | 5.67%   |
| <b>Research</b>                              | 160,000                             | 145,600                   | 130,400                | 153,808                | 29,600                                      | 22.70%                                     | 14,400   | 9.89%   |
| <b>Digital Development/CRM<br/>Hosting</b>   | 101,500                             | 158,725                   | 167,500                | 153,339                | (66,000)                                    | -39.40%                                    | (57,225)                                       | -36.05%                                       |
| <b>Familiarization Tours</b>                 | 100,000                             | 58,000                    | 72,000                 | 10,656                 | 28,000                                      | 38.89%                                     | 42,000   | 72.41%  |
| <b>Public/Media Relations</b>                | 42,000                              | 40,000                    | 40,000                 | 32,220                 | 2,000                                       | 5.00%                                      | 2,000  | 5.00%   |
| <b>Freelance Writer/Graphic Artist</b>       | 40,000                              | 33,732                    | 20,000                 | 34,320                 | 20,000                                      | 100.00%                                    | 6,268  | 18.58%  |
| <b>Regional Marketing</b>                    | 8,040                               | 12,500                    | 12,500                 | 6,542                  | (4,460)                                     | -35.68%                                    | (4,460)  | -35.68%                                       |
| <b>Buffalo Visitor Center<br/>Operations</b> | -                                   | -                         | -                      | 13,853                 | -   | -  | -  | -   |
| <b>Airport Visitor Center<br/>Operations</b> | -                                   | -                         | -                      | 9,030                  | -   | -  | -  | -   |
| <b>Promotional Items</b>                     | 24,500                              | 9,300                     | 17,000                 | 7,228                  | 7,500                                       | 44.12%                                     | 15,200   | 163.44%                                       |
| <b>Film/Video/Photo Productions</b>          | 62,000                              | 105,500                   | 115,000                | 24,790                 | (53,000)                                    | -46.09%                                    | (43,500)                                       | -41.23%                                       |
| <b>Photography</b>                           | 22,500                              | 24,057                    | 25,000                 | 28,513                 | (2,500)                                     | -10.00%                                    | (1,557)  | -6.47%  |

Buffalo Niagara Convention & Visitors Bureau, Inc.

Operating Budget

Total Expenses

2023

|   | Proposed<br>Budget<br>2023 | Projected<br>2022   | Budget<br>2022      | Actual<br>2021      | 2023-2022<br>Budget<br>\$ Variance | 2023-2022<br>Budget<br>% Variance | 2023-2022<br>Projected<br>\$ Variance | 2023-2022<br>Projected<br>% Variance |
|---|----------------------------|---------------------|---------------------|---------------------|------------------------------------|-----------------------------------|---------------------------------------|--------------------------------------|
| <b>Online Media Resource</b>                    | -                          | -                   | -                   | -                   | -                                  | -                                 | -                                     | -                                    |
| <b>Promotional Packages</b>                     | 6,500                      | 6,000               | 10,000              | 12,075              | (3,500)                            | -35.00%                           | 500                                   | 8.33%                                |
| <b>Total Sales &amp; Marketing Expenditures</b> | <u>1,980,040</u>           | <u>2,044,212</u>    | <u>2,210,585</u>    | <u>1,907,367</u>    | <u>\$ (230,545)</u>                | <u>-10.43%</u>                    | <u>\$ (64,171)</u>                    | <u>-3.14%</u>                        |
| <b>Technology &amp; Equipment</b>               | 45,000                     | 39,500              | 11,000              | 27,265              | 34,000                             | 309.09%                           | 5,500                                 | 13.92%                               |
| <b>Department Administrative Expenses</b>       | 333,975                    | 324,570             | 308,895             | 467,447             | 25,080                             | 8.12%                             | 9,405                                 | 2.90%                                |
| <b>Total Expenses</b>                           | <u>\$ 4,591,536</u>        | <u>\$ 4,488,577</u> | <u>\$ 4,663,830</u> | <u>\$ 4,062,056</u> | <u>\$ (72,294)</u>                 | <u>-1.55%</u>                     | <u>\$ 102,959</u>                     | <u>2.29%</u>                         |



# Visit Buffalo Niagara Strategic Plan

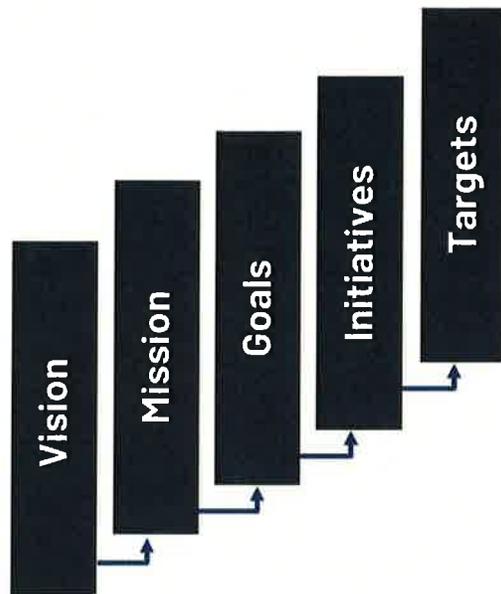
2022-2024



# Strategic Plan

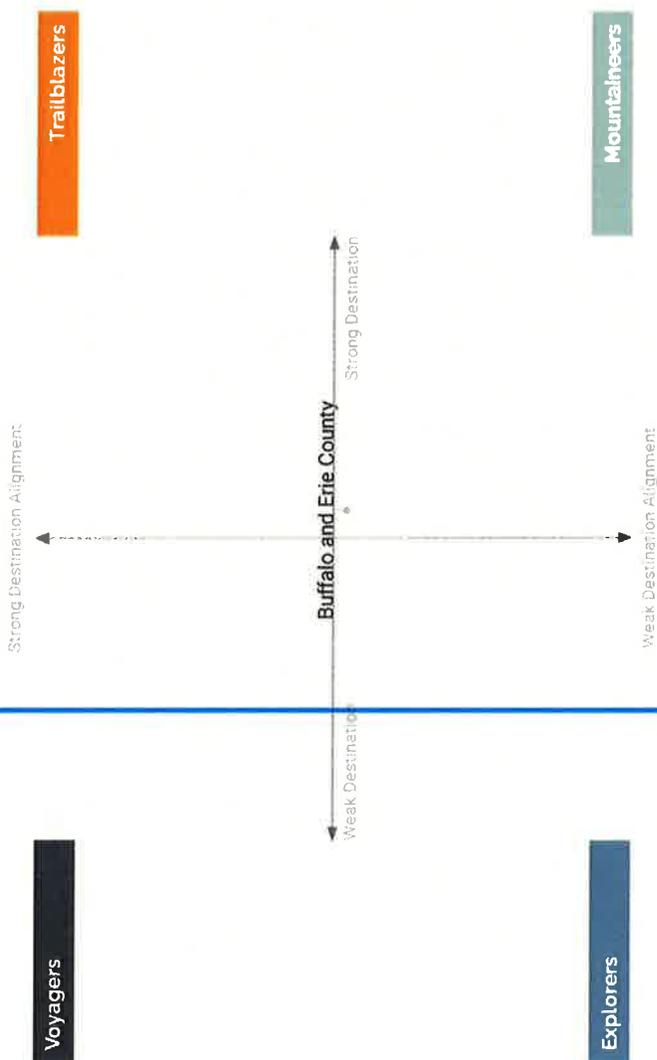
- Visit Buffalo Niagara worked with MMGY NextFactor to develop a new 3-year Strategic Plan. The new Plan includes five core elements, shown in the diagram opposite.
- A significant amount of engagement was completed to help develop the new Strategic Plan, including:
  - 40+ stakeholder Interviews
  - 95 responses from clients and industry, government, community leaders in DestinationNEXT 2.0 Assessment
  - +1,400 responses in the Resident Sentiment Survey
  - Feedback and input from the Board and Leadership Team:
    - Leadership Team Strategic Visioning Session Sep 21, 2021
    - Board of Directors Strategic Visioning Session Sep 22, 2021

## Strategic Plan Elements



# Key Takeaways from DestinationNEXT

- Buffalo & Erie County is in the Mountaineers quadrant with above average scores for Destination Strength and below average scores for Destination Alignment.



There are several opportunities for improvement in Buffalo & Erie County as per the lowest rated variables shown:

| Destination Strength            |  | Performance ▲ |
|---------------------------------|--|---------------|
| Variable                        |  |               |
| 1. Conventions & Meetings       |  | 3.10          |
| 2. Local Mobility & Access      |  | 3.26          |
| 3. Health & Safety              |  | 3.30          |
| 4. Communication Infrastructure |  | 3.36          |
| 5. Destination Access           |  | 3.58          |

| Destination Alignment                 |  | Performance ▲ |
|---------------------------------------|--|---------------|
| Variable                              |  |               |
| 1. Funding Support & Certainty        |  | 2.26          |
| 2. Workforce Development              |  | 3.18          |
| 3. Emergency Preparedness             |  | 3.64          |
| 4. Sustainability & Resilience        |  | 3.77          |
| 5. Community Group & Resident Support |  | 3.79          |

# Vision

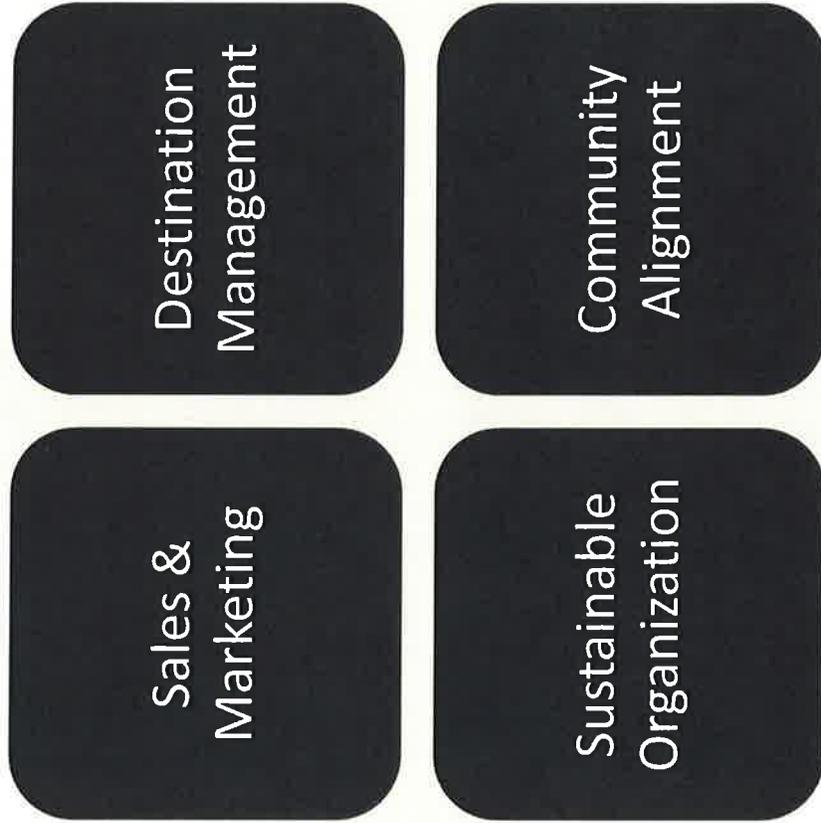
To be the most surprising destination  
you'll ever visit

# Mission

Transforming our community by  
inspiring visitors and locals to  
discover Buffalo and Erie County



# Strategic Goals



# Sales & Marketing



| Strategic Initiatives  | Lead                         | Timeline |         |         |  |
|--|------------------------------|----------|---------|---------|--|
|  |                              | FY 2022  | FY 2023 | FY 2024 |  |
| a. Expand off-peak leisure visitation & address seasonality                                      | Marketing                    |          |         |         |  |
| b. Expand off-peak group business and address seasonality  | Sales                        |          |         |         |  |
| c. Build global brand as a unique architectural, art & cultural destination                      | Marketing                    |          |         |         |  |
| d. Promote Buffalo as a culinary & agritourism destination                                       | Marketing                    |          |         |         |  |
| e. Address and improve DEI practices in marketing efforts  | Marketing/Industry Relations |          |         |         |  |
| f. Promote ecotourism and outdoor experiences  | Marketing                    |          |         |         |  |
| g. Develop meeting strategy with legacy impacts  | Sales                        |          |         |         |  |
| h. Promote amateur sporting opportunities  | Sales                        |          |         |         |  |
| i. Strategize incentive support program for high return meetings/conventions and sporting events | Sales                        |          |         |         |  |
| j. Establish and monitor sales KPIs in cooperation with BNCC strategy                            | Sales                        |          |         |         |  |

## Targets

- 9 million visitors by 2024
- 160,000 room-nights generated in 2024
- \$1.9 billion economic impact by 2024
- \$300 million state and local taxes generated by 2024

# Destination Management

| Strategic Initiatives   | Lead               | Timeline |         |         |
|---|--------------------|----------|---------|---------|
|   |                    | FY 2022  | FY 2023 | FY 2024 |
| <p><b>Targets</b></p> <ul style="list-style-type: none"> <li>Establish Visitor Satisfaction score metrics by 2022</li> <li>New shuttle to Niagara Falls announced by 2023</li> <li>Complete convention center renovations by 2023</li> <li>Revisit new convention center by 2024</li> </ul> |                    |          |         |         |
| a. Advocate for a new Convention Center while also advocating for continued capital improvements to existing center   | Admin              |          |         |         |
| b. Develop coordinated approach to address mobility, transportation & accessibility issues  | Admin              |          |         |         |
| c. Promote increased events to drive visitation   | Industry Relations |          |         |         |
| d. Promote short term improvements to the current Convention Center   | Admin              |          |         |         |
| e. Promote and integrate "leave no trace" initiatives for festivals & events  | Industry Relations |          |         |         |
| f. Advocate for beautification, public art & improved wayfinding  | Industry Relations |          |         |         |
| g. Curate and promote unique off-site venues for meetings/conventions   | Sales              |          |         |         |
| h. Continue to build neighborhood-specific experiential visitor product   | Industry Relations |          |         |         |

# Community Alignment

| Strategic Initiatives   | Lead                           | Timeline |         |         |
|---|--------------------------------|----------|---------|---------|
|   |                                | FY 2022  | FY 2023 | FY 2024 |
| a. Increase regional government support   | Admin                          |          |         |         |
| b. Advocate for & educate residents on power of overall tourism and relevance of convention center/business             | Admin                          |          |         |         |
| c. Strengthen relationship with key industry groups   | Admin                          |          |         |         |
| d. Expand relationship with the airport & public transportation   | Admin                          |          |         |         |
| e. Promote improved sustainability initiatives  | Industry Relations             |          |         |         |
| f. Improve relationships with economic agencies and municipalities to address issues such as workforce                  | Admin                          |          |         |         |
| g. Continue to expand local awareness through out of home marketing activations and engagement of mobile visitor center | Marketing / industry Relations |          |         |         |

### Targets

- Attain Resident Sentiment Score by 2022
- Revisit aligned destination and economic development campaign by 2022/2023
- Establish a Tourism Accelerator for implementation by 2023
- Regain Trailblazer score in DNEXT Assessment in 2024

# Sustainable Organization

|  |       | Timeline |         |         |  |
|--|-------|----------|---------|---------|--|
|  |       | FY 2022  | FY 2023 | FY 2024 |  |
| <b>Strategic Initiatives</b><br>a. Achieve dedicated & increased DMO funding<br><br>b. Expand data intelligence & technology platforms<br><br>c. Rebuild team strategically & develop succession plans for leadership team & employees<br><br>d. Address and improve DEI practices in the organization<br><br>e. Complete planning for future office | Lead  |          |         |         |  |
|  | Admin |          |         |         |  |
| <b>Targets</b><br><ul style="list-style-type: none"> <li>Achieve Destination International DMAP recertification by 2022</li> <li>Establish countywide TRID by 2023</li> <li>Achieve Destinations International DEI certification by 2023</li> <li>Staff professional development/succession completed by 2023</li> </ul>                             |       |          |         |         |  |



STRATEGIC GOALS



# VISION I

To be the most surprising destination you'll ever visit

# MISSION I

Transforming our community by inspiring visitors and locals to discover Buffalo and Erie County

2022-2024 STRATEGIC GOALS

Sales & Marketing

Destination Management

Community Alignment

Sustainable Organization

2022-2024 KEY INITIATIVES

- Expand off-peak leisure visitation & address seasonality
- Expand off-peak group business and address seasonality
- Build global brand as a unique architectural, art & cultural destination
- Promote Buffalo as a culinary & agritourism destination
- Address and improve DEI practices in marketing efforts
- Promote ecotourism and outdoor experiences
- Develop meeting strategy with legacy impacts
- Promote amateur sporting opportunities
- Strategize incentive support program for high return meetings/conventions and sporting events
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- Advocate for a new Convention Center while also advocating for continued capital improvements to existing center
- Develop coordinated approach to address mobility, transportation & accessibility issues
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- Promote short term improvements to the current Convention Center
- Promote and integrate "leave no trace" initiatives for festivals & events
- Advocate for beautification, public art & improved wayfinding
- Curate and promote unique off-site venues for meetings/conventions
- Continue to build neighborhood-specific experiential visitor product

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- Achieve dedicated & increased DMO funding
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- Address and improve DEI practices in the organization
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SUBJECT

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COMM. 5M-3

HOPKINS SORGI &  
MCCARTHY PLLC

Notice of Town of Yorkshire Zoning  
Regulations, Restrictions or Boundaries

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Attachments

23COMM. 5M-3

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EC LEG FEB 15 '23 PM 4:13

February 12, 2023

Village Clerk  
Village of Delevan  
PO Box 216  
Delevan, NY 14042

Town Clerk  
Town of Ashford  
9377 Route 240  
West Valley, NY 14171

Town Clerk  
Town of Machias  
PO Box 87  
Machias, NY 14101

Town Clerk  
Town of Freedom  
PO Box 89  
Sandusky, NY 14133

Town Clerk  
Town of Concord  
PO Box 368  
Springville, NY 14141

Town Clerk  
Town of Sardinia  
PO Box 219  
Sardinia, NY 14134

Town Clerk  
Town of Arcade  
7340 Route 98  
Arcade, NY 14009

**HOPKINS SORGI & MCCARTHY PLLC**

Attorneys at Law

726 Main Street, Suite B • East Aurora, New York 14052

Office: 716-805-7191 Ext 2 • Mobile: 716-908-3289 • E-Mail: [psorgi@hsmlegal.com](mailto:psorgi@hsmlegal.com)  
[hsmlegal.com](http://hsmlegal.com)

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

Clerk of Wyoming County Board of Supervisors  
143 North Main Street  
Warsaw, NY 14569

**Re: NY Town Law § 264(2)(a-d) Notice of Proposed Town of Yorkshire Zoning  
Regulations, Restrictions or Boundaries**

To All Those Addressed Above:

I am the Yorkshire Town Attorney. This Written Notice and its enclosures are sent pursuant to New York Town Law § 264(2)(a-d) which requires:

2. Service of written notice. At least ten days prior to the date of the public hearing, written notice of any proposed regulations, restrictions or boundaries of such districts, including any amendments thereto, affecting property within five hundred feet of the following shall be served personally or by mail by the town upon each person or persons listed below:

- (a) The property of the housing authority erecting or owning a housing project authorized under the public housing law; upon the executive director of such housing authority and the chief executive officer of the municipality providing financial assistance thereto.
- (b) The boundary of a city, village or town; upon the clerk thereof.
- (c) The boundary of a county; upon the clerk of the board of supervisors or other person performing like duties.
- (d) The boundary of a state park or parkway; upon the regional state park commission having jurisdiction over such state park or parkway.

This Notice is being sent because the above named government entities are border the Town of Yorkshire and therefore is required pursuant to New York Town Law § 264(2)(a-d) Accordingly, this letter and its enclosures are Written Notice of a Public Hearing on February 22,

2023 at 7PM at Yorkshire Town Hall located at 82 South Main Street, Delevan, NY 14042, regarding Town of Yorkshire proposed Local Law Number 1 of 2023, which proposes to amend the Town of Yorkshire Zoning Law regarding Major Collection Solar Systems.

Enclosed please find:

1. Proposed Town of Yorkshire Local Law Number 1 of 2023 with Proposed Amendments (additions and deletions) in red underlined on existing section of Town of Yorkshire Zoning Law regarding Major Solar Collection Systems; and
2. Part 1 of the Full Environmental Assessment Form per New York State Environmental Quality Review Act.

If you have any questions or require further information, please contact me via e-mail at [psorgi@hsmlegal.com](mailto:psorgi@hsmlegal.com) or at 716.805.7191, extension 2.

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC



Peter J. Sorgi, Esq.

Enc.

cc: Yorkshire Town Board  
Christopher Lexer, Town of Yorkshire Code Enforcement Officer

**Local Law No. 1 of the Year 2023**

**Amendment to Zoning Laws regarding Major Solar Energy Collection Systems**

**Town of Yorkshire, New York**

Be it enacted by the Town Board of the Town of Yorkshire, County of Cattaraugus, to protect the health, safety and welfare of the residents of the Town of Yorkshire, as follows:

7.11 Major Solar collection Systems or Solar Farm

Because it is in the public interest to provide for and encourage renewable energy systems and a sustainable quality of life, the purpose of this section is to facilitate the development and operation of renewable energy systems based on sunlight. A Solar Energy Production Facility (aka Major Solar Collection System or Solar Farm) shall be permitted under a Special Use Permit in the following districts; Agricultural Residential (AR), Industrial (I), Commercial (C) , when measures are taken , as provided in this section, to minimize adverse impacts on neighboring properties and protect the public health, safety and welfare. This section shall pertain *only to major solar collection systems or solar farms*. Where other Sections of the Code conflict with the Section, provisions of this Section shall control.

7.11.1 **Design Standards** for Major Solar Collection System or Solar Farm

1. The design of a major collection system or solar farm shall adhere to existing structural height requirements of the underlying zoning district. If the solar farm requires a roof mounting on buildings on the property, the roof mounted installation may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district.
2. The design of the solar farm shall adhere to existing **Section 5.12 Accessory Buildings and Structures** setback requirements of the underlying zoning district. If the solar farm will be constructed by utilization of ground mounting, then a ground mounting plan and process must be submitted during the Special Use Permit application process. The found mounting plan may consist of standard solar manufacturer installation plans and processes for ground mounting and/or may be addressed in the applicants site plans.
3. Glare shall not be directed onto adjacent buildings, properties or roadways.
4. System shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, balloons, flags, banners, or similar materials, with the exception of the following: +Necessary equipment information, warnings, or indication of ownership shall be allowed on any equipment of the System or where required by New York State Building Code
5. No System or any of its components shall be illuminated, except to the degree minimally necessary for public safety and, or maintenance and only in compliance with the **Town of Yorkshire Zoning Ordinance, article 6 Development Standards Section 6.10 Signage**

6. All mechanical equipment, including any structure for batteries or storage cells, shall be screened and fenced from adjacent properties to restrict unauthorized access.
7. No System shall be used or constructed such that it becomes a private or public nuisance or hazard.
8. Storm water and snowmelt runoff and erosion control shall be managed in a manner consistent with all applicable federal, state and local regulations and shall not impact neighboring properties.
9. Systems which have not been in active and continuous service for one (1) year shall be removed at the owners' or operators' expense.
10. The site shall be restored to as natural conditions as possible within six (6) months of the removal of the system.
11. Removal of trees and other existing vegetation should be minimized or offset with planting elsewhere on the property.
12. A recorded plot or survey of the tract on which the solar farm is to be placed.
13. Any other relevant studies, reports, certificates and approvals as may be reasonably requested by the Town Board, including but not limited to design review, maintenance plans, etc.

7.11.2 Decommissioning. The issuance of a special use permit for a Major Solar Collection System shall be conditioned upon the execution by the Operator of a decommissioning agreement in favor of the Town. The decommissioning agreement shall address the following, and any other matters required by the Town Board:

1. Solar Energy Systems that have been abandoned and/or not producing commercially material amounts of electricity for a period of twelve months shall be decommissioned and removed at the Owner and/or Operator's expense. Decommissioning shall include removal of all energy facilities, structures and equipment including any subsurface wires and footings from the parcel. Any access roads created for building or maintaining the system shall also be removed and re-planted with vegetation.
2. The parcel shall be fully restored to its original state prior to construction of the Solar Energy System, or as close thereto as is reasonably possible, with photographs of the property prior to construction is required, unless such restoration is demonstrated to be unreasonable or unnecessary as determined by the Town Board.
3. The agreement shall include a decommissioning plan addressing the following:
  - 3.1 Anticipated life of the proposed panels and of the Solar Energy System itself, based on the actual Solar Panels to be used in the Solar Energy System. Any change in the character, make, model or composition of any such Solar Panels shall require an

amendment to the decommissioning plan addressing how such change affects the plan and/or the security for performance thereof.

3.2 Estimated decommissioning costs including contingency costs of at least 20% (in current dollars), as provided by an appropriately experienced licensed engineer.

3.3 A verifiable means of determining if the decommissioning plan needs to be activated due to cessation of use, such as a letter from the electric utility stating that it will notify the Code Enforcement Officer within ten (10) business days if electricity is not received from any array within the Solar Energy System for any thirty (30) consecutive days.

3.4 The Applicant's plan to legally dispose offsite all hazardous waste contained in the Solar Energy System.

4. The decommissioning agreement shall require at its execution the deposit, executions, or filing with the Town Clerk of cash, bond, or other form of security reasonably acceptable to the attorney and/or engineer for the Town. The amount of the cash, bond or security shall be 125 % of the cost of removal of the Major Solar collection Systems and restoration of the property, with a 2 % annual escalator, for the life of the Solar Energy System. In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the cash deposit, bond, or security shall be forfeited to the Town, which shall be entitled to maintain an action thereon. The cash deposit, bond, or security shall remain in full force and effect until restoration of the property as set forth in the decommissioning plan is completed.

5. Decommissioning shall be completed in accordance with the decommissioning plan within 360 days after notice from the Code Enforcement Officer that the Solar Energy System has been abandoned and/or has ceased providing commercially material amounts of electricity for a period of twelve months.

6. Decommissioning by the Town. In the event decommissioning of a Solar Energy System is not completed in accordance with the requirements of the applicable decommissioning agreement, the Town may, at its option, complete the decommissioning to such standards as the Town shall determine. The Town may apply the proceeds of the bond, the cash deposit or other security maintained by the Town under the decommissioning agreement to the costs incurred by the Town in the decommissioning, which costs may include engineering, legal and other professional fees and expenses. Any such expenses in excess of the bond proceeds, cash

deposit or other security may be levied upon the land upon which the Energy System is situated and collected by the Town with the next installment of Town taxes.

### **7.11.27.11.3 Abandonment**

1. All applications for a solar farm shall be accompanied by a decommissioning plan to be implemented upon abandonment, or cessation of activity, or in conjunction with removal of the facility, prior to issuance of a building permit.

Construction of the Major Solar Collection must be commenced within 18 months following issuance of a special use permit and substantially completed within 24 months following issuance of a special use permit, failing which the special use permit shall expire and the Operator will be required to re-apply for the special use permit in order to commence or resume construction of the Solar Energy System. The Town Board may extend these deadlines by up to 180 days upon good cause shown by the Operator for failure to commence and/or complete construction as required. If the applicant begins but does not complete construction of the project within 18-24 months after receiving final site plan approval and special use permit, this the Town may be deemed abandonment the rights under any such site plan, special use permit and building permit abandoned and of the project and require implementation of the decommissioning plan to the extent applicable.

### **7.11.4 Host Community Off-Site Mitigation Agreement**

If the Town Board finds that any proposed Major Solar Collection System will likely cause negative impacts which cannot be mitigated on-site, then, as a condition of the issuance of a special use permit, the Applicant shall propose a Host Community Off-Site Mitigation with the Town which shall, at the discretion of the Town Board, adequately mitigate the negative impacts which cannot be mitigated on-site by off-site mitigation in a form that the Town Board deems to be acceptable to accomplish the aforesaid mitigation.

### **7.11.5 Applicant to reimburse Town for any review fees**

Any applicant for a site plan application and special use permit application for a Major Solar Collection system shall reimburse the Town for the Town's actual costs of any review fees incurred by the Town from the Town's consultants including but not limited to engineering review, technical and legal associated with any site plan application and special use permit application for a Major Solar Collection system. No Building Permit shall be issued until said payment is made to Town and for any such fees incurred by the Town after issuance of the Building Permit, no Certificate of Occupancy or Certificate of Completion shall be issued by the Town prior to reimbursement to the Town of any such fees.

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

|  |                         |  |
|--|-------------------------|--|
| Name of Action or Project:<br>Amendments to Town Zoning Law regarding Major Solar Collection Systems   |                         |  |
| Project Location (describe, and attach a general location map):<br>Entire Town of Yorkshire  |                         |  |
| Brief Description of Proposed Action (include purpose or need):<br>Proposed Amendments to Town of Yorkshire Zoning Law amending the sections pertaining to Major Solar Collection Systems provisions:<br>1. Additions to Decommissioning Requirements;<br>2. Adding section on Host Community Off-Site Mitigation Agreement; and<br>3. Adding section requiring Applicant to reimburse Town for all review fees (engineering, technical, legal, etc) |                         |  |
| Name of Applicant/Sponsor:<br>Yorkshire Town Board   | Telephone: 716.492.1640 | E-Mail: yorkshiresupervisor@roadrunner.com |
| Address: PO Box 6  |                         |  |
| City/PO: Delevan   | State: NY               | Zip Code: 14042                            |
| Project Contact (if not same as sponsor; give name and title/role):<br>Peter J. Sorgi, Esq., Town Attorney   | Telephone: 716.908.3289 | E-Mail: hsmlegal.com                       |
| Address:<br>726 Main Street, Suite B   |                         |  |
| City/PO:<br>East Aurora  | State:<br>NY            | Zip Code:<br>14052                         |
| Property Owner (if not same as sponsor):<br>Not Applicable -- entire Town  | Telephone:              | E-Mail:                                    |
| Address:   |                         |  |
| City/PO:   | State:                  | Zip Code:                                  |

**B. Government Approvals**

| <b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)   |   |   |
|---|---|---|
| <b>Government Entity</b>  | <b>If Yes: Identify Agency and Approval(s) Required</b> | <b>Application Date (Actual or projected)</b> |
| a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   | Yorkshire Town Board -- Enactment of Local Law          | February 2023                                 |
| b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |   |   |
| c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |   |   |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |   |   |
| e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |   |   |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |   |   |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |   |   |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |   |   |
| i. Coastal Resources. <ul style="list-style-type: none"> <li>i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</li> <li>ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</li> <li>iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</li> </ul> |   |   |

**C. Planning and Zoning**

| <b>C.1. Planning and zoning actions.</b>   |   |
|--|---|
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?                                    | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>  |   |
| <b>C.2. Adopted land use plans.</b>  |   |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s):  |   |
| _____  |   |
| _____  |   |
| _____  |   |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s):  |   |
| _____  |   |
| _____  |   |
| _____  |   |

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 Allowed in following zoning districts with site plan approval and special use permit – Agricultural-Residential; Industrial and Commercial

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Springville-Griffith, Yorkshire Pioneer and West Valley

b. What police or other public protection forces serve the project site?  
Cattaraugus County Sheriff and NYS Police

c. Which fire protection and emergency medical services serve the project site?  
Yorkshire Fire Department and various emergency medical services

d. What parks serve the project site?  
All Village, Town, County and NYS Parks in Town of Yorkshire

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
 \_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
 \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

|                             | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
|-----------------------------|-------------------|-------------------|---------------------|---------------------------------------|
| Initial Phase               | _____             | _____             | _____               | _____                                 |
| At completion of all phases | _____             | _____             | _____               | _____                                 |

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No  
 If Yes:  
 i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:  
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_  
\_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_  
\_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No  
 If Yes:  
 i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_  
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_  
 iv. Does the proposed action include any shared use parking?  Yes  No  
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_  
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
 If Yes:  
 i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_  
 iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_  
 ii. During Operations:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

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n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)
- Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

| Land use or Covertypes   | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces                               |                 |                                  |                    |
| • Forested   |                 |                                  |                    |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) |                 |                                  |                    |
| • Agricultural (includes active orchards, field, greenhouse etc.)                        |                 |                                  |                    |
| • Surface water features (lakes, ponds, streams, rivers, etc.)                           |                 |                                  |                    |
| • Wetlands (freshwater or tidal)   |                 |                                  |                    |
| • Non-vegetated (bare rock, earth or fill)   |                 |                                  |                    |
| • Other Describe: _____  |                 |                                  |                    |

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_

iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No

If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No

If Yes:

i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 \_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_  
 \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No  
 If Yes:  
 i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District  
 ii. Name: \_\_\_\_\_  
 iii. Brief description of attributes on which listing is based: \_\_\_\_\_

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No  
 If Yes:  
 i. Describe possible resource(s): \_\_\_\_\_  
 ii. Basis for identification: \_\_\_\_\_

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No  
 If Yes:  
 i. Identify resource: \_\_\_\_\_  
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_  
 iii. Distance between project and resource: \_\_\_\_\_ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No  
 If Yes:  
 i. Identify the name of the river and its designation: \_\_\_\_\_  
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

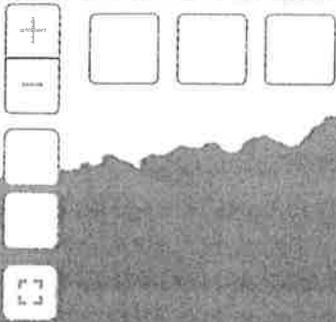
**G. Verification**

I certify that the information provided is true to the best of my knowledge.

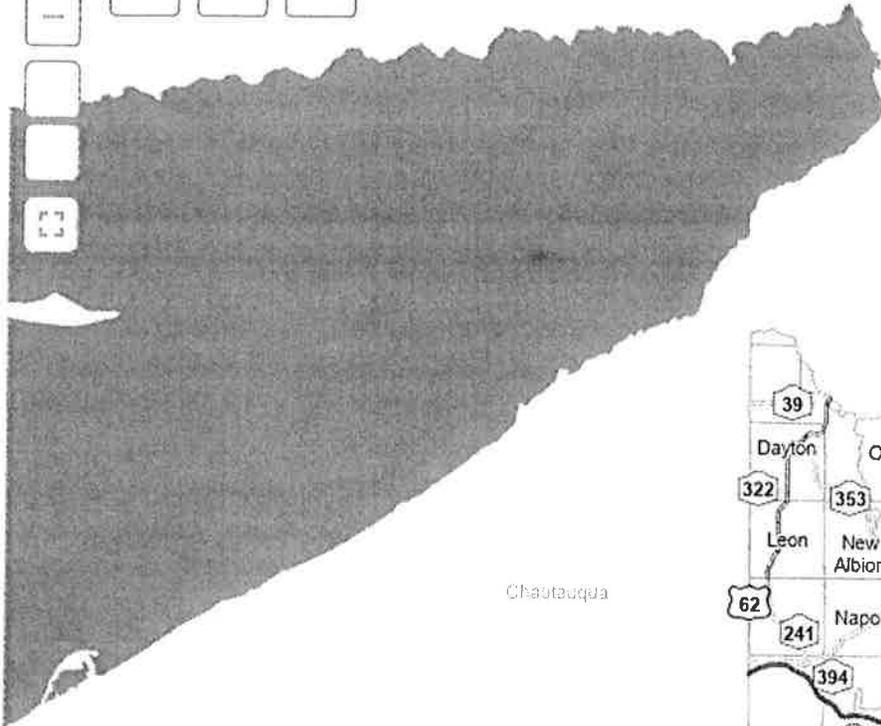
Applicant/Sponsor Name Yorkshire Town Board Date 2.10.2023

Signature  Title Town Attorney

**PRINT FORM**



Genesee



*Town of Yorkshire*



Erie

Chautauqua

Allegheny

Warren

McKean

Crawford



20mi

-77.54525 42.13110 Degrees

App State

Click to restore the map extent and layers visibility where you left off.

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SUBJECT

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COMM. 5M-4

NYS DEC

DEC Public Comment on Brownfield  
Application for Site on East Ferry St., Buffalo

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Attachments

23COMM. 5M-4

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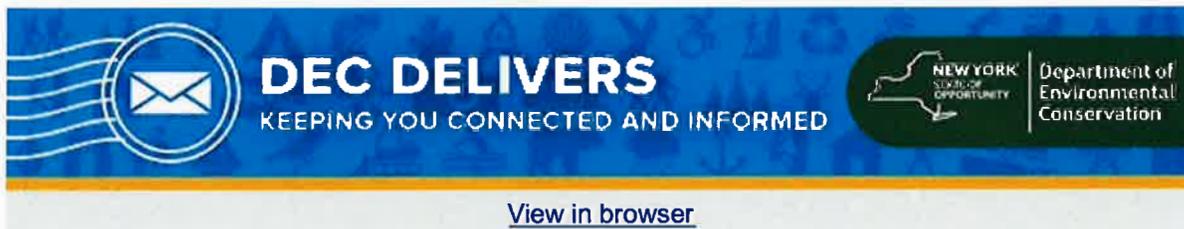
**Graber, Robert**

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**From:** New York State Department of Environmental Conservation  
<nysdec@public.govdelivery.com>  
**Sent:** Wednesday, March 1, 2023 1:32 PM  
**To:** Graber, Robert  
**Subject:** Buffalo Foundry & Machine Park of Innovation Site (Buffalo) - Public Comment Invited on Brownfield Application

EC LEG MAR 1 '23 PM 2:41

[Caution: this email is **not** from an Erie County employee: attachments or links may not be safe.]



## DEC Invites Public Comment About Brownfield Application for Site on East Ferry St., Buffalo

The New York State Department of Environmental Conservation (DEC) has received a Brownfield Cleanup Program (BCP) application from BFMC 1901 LLC for a site known as **Buffalo Foundry & Machine Park of Innovation, site ID #C915392**. This site is located in the City of Buffalo, within the County of Erie, and is located at 750 East Ferry Street.

Access the application and other relevant documents online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/C915392/>. The documents also are available at the document repository located at the Buffalo & Erie County Public Library, 1 Lafayette Square, Buffalo, NY, 14203.

There are several ways to comment on BCP applications. Comments can be submitted to the site Project Manager Benjamin McPherson at 700 Delaware Avenue, Buffalo, NY, 14209; via email at [benjamin.mcperson@dec.ny.gov](mailto:benjamin.mcperson@dec.ny.gov); or by calling (716) 851-7235. **All comments must be submitted by March 31, 2023.**

Site information can be viewed by entering the site ID noted above at: <https://www.dec.ny.gov/cfm/external/index.cfm?pageid=3>

### What is the Brownfield Cleanup Program?

New York's Brownfield Cleanup Program (BCP) is designed to encourage private-sector cleanups of brownfields and to promote their redevelopment as a means to revitalize economically blighted communities. The BCP is an alternative to "greenfield" (land not previously developed or contaminated) development and is intended to remove some of the barriers to, and provide tax incentives for, the redevelopment of brownfields. Since its inception

(2003), the BCP has catalyzed the cleanup of more than 500 contaminated sites statewide and incentivized redevelopment. There are more than 550 active sites in the BCP.

Additional information on the State's Brownfield program is available at DEC's website:

<https://www.dec.ny.gov/chemical/8450.html>

The [New York State Department of Environmental Conservation](#) respects your right to [privacy](#) and welcomes your [feedback](#) | [Update preferences or unsubscribe](#) | [Learn more about DEC Delivers](#)

Connect with DEC:       SHARE

Basil Seggos, Commissioner

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This email was sent to robert.graber@erie.gov using GovDelivery Communications Cloud on behalf of: New York State Department of Environmental Conservation · 625 Broadway · Albany, NY 12233 · (518) 402-8013

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SUBJECT

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COMM. 5M-5

NYS DEC

DEC Public Comment on Brownfield  
Application for Site on Laborers Wy., Buffalo

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Attachments

23COMM. 5M-5

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**Graber, Robert**

**From:** New York State Department of Environmental Conservation  
<nysdec@public.govdelivery.com>  
**Sent:** Wednesday, February 15, 2023 12:31 PM  
**To:** Graber, Robert  
**Subject:** 24 Laborers Way Site (Buffalo) - DEC Invites Public Comment About Proposed Site Cleanup

EC LEG MAR 1 '23 PM 2:41

[Caution: this email is not from an Erie County employee: attachments or links may not be safe.]



[View in browser](#)

## DEC Invites Public Comment About Proposal to Address Contamination at Brownfield Site on Laborers Wy., Buffalo

This link opens a fact sheet that invites the public to comment on a proposed remedy to address contamination related to the **24 Laborers Way Site #C915385 (Buffalo, Erie County)** within New York's Brownfield Cleanup Program:

<https://www.dec.ny.gov/data/der/factsheet/c915385cuprop.pdf>

**DEC is accepting public comments about the proposal through April 1, 2023.** Please see fact sheet for details about the proposal and how to comment.

The fact sheet is in PDF format. You can save, open, and read the fact sheet by using Adobe Acrobat Reader. If you do not have Adobe Acrobat Reader, you can go to the following web page on the DEC web site to download the program: <https://www.dec.ny.gov/about/590.html>

Please do not respond to this email. Replies go to an untended mailbox. If you have questions about the contaminated site identified above, please use the contact information provided in the fact sheet.

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Basil Seggos, Commissioner

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SUBJECT

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|            |  |                               |
|------------|--|-------------------------------|
| COMM. 5M-6 | ASSOCIATION OF ERIE<br>COUNTY<br>GOVERNMENTS | Opposition to Natural Gas Ban |
|------------|--|-------------------------------|

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Attachments

23COMM. 5M-6

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**WHEREAS**, the costs to transition the state's energy infrastructure grid should go through a more thorough review to understand how this will impact the energy production and distribution system as a whole, as well as the impact on residential energy systems, before any action is taken.

**NOW, THEREFORE, BE IT**

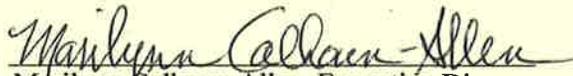
**RESOLVED**, that the Association of Erie County Governments hereby urges Governor Hochul and the New York State Legislature to pause in their rush and to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them; and, be it further

**RESOLVED**, that certified copies of this resolution be forwarded to Governor Hochul's Office, the Western New York Delegation to the New York State Senate and Assembly, and any other party deemed necessary and proper.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Honorable Governor Kathy Hochul, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Senate Majority Leader Andrea Stewart-Cousins, Honorable Democratic Senate Minority Leader Robert G. Ort, Honorable Majority Leader of the Assembly Crystal D. Peoples-Stokes, Honorable Minority Leader of the Assembly William A. Barclay, and the Western New York Delegation and Erie County Executive Mark Poloncarz and the Erie County Legislature.

I, Marilyn Calhoun-Allen, Executive Director of the Association of Erie County Governments, do hereby certify that the foregoing is a full and true transcript of the resolution passed at the meeting of the Associations of Erie County Governments, as held in the City of Lackawanna on the February 23, 2023, and that said meeting was duly called and duly constituted and that a quorum was present.

WITNESS my hand and the seal of the Association of Erie County Governments this February 26, 2023.

  
Marilynn Calhoun-Allen, Executive Director

MEMBERS: CITIES/ Buffalo\* Lackawanna\* Tonawanda \*COUNTY of Erie \* TOWNS/ Alden\* Amherst\* Aurora\* Boston\* Brant\* Cheektowaga\* Clarence\* Colden\* Collins\* Concord\* Eden\* Elma\* Evans\* Grand Island\* Hamburg\* Holland\* Lancaster\* Marilla\* Newstead\* North Collins\* Orchard Park\* Sardinia\* Tonawanda\* Wales\* West Seneca \* VILLAGES/ Akron\* Alden\* Angola\* Blasdell\* Depew\* East Aurora\* Farnham\* Gowanda\* Hamburg\* Kenmore\* Lancaster\* North Collins\* Orchard Park\* Sloan\* Springville\* Williamsville\*