

ERIE COUNTY LEGISLATURE
MEETING NO. 8
APRIL 27, 2023

The Legislature was called to order by Chair Baskin.

All members present, except Legislators Meyers and Mills.

An Invocation was held, led by Mr. Gilmour, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Johnson.

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 7 from 2023. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – Miscellaneous Resolutions were offered, as follows:

JOHNSON	Congratulating and Recognizing Wane Thomas Barnes on a Phenomenal Career
BASKIN & JOHNSON	Remembering the Life of Quinton R. Smith
JOHNSON & GILMOUR	In Remembrance of Duryll S.D. Anderson
MINORITY CAUCUS	Honoring Jeff Miers on His Retirement from the Buffalo News
MILLS	Honoring Marilyn Cordia for Over 50 Years of Service to the Farnham Volunteer Fire Department Ladies Auxiliary
MILLS	Honoring Superintendent James Bialasik on School Lunch Hero Day
MILLS	Honoring Cafeteria Staff on “School Lunch Hero Day”
GREENE	Recognizing Summit Center and Proclaiming April as Autism Awareness Month in Erie County

GREENE	Recognizing the Farooq Family for Their Efforts to Improve Our Environment
TODARO	Honoring Mark Pruitt for Thirty-Four Years of Service to the Village of Alden Department of Public Works
TODARO	Honoring and Celebrating Ronny's Take Out Pizza on its 40th Anniversary
TODARO	Honoring the Bowmansville Garden Club on National Gardening Day
TODARO	Honoring the Lancaster Garden Club on National Gardening Day
TODARO	Honoring and Congratulating Chief William Karn on His Retirement
VINAL	Indian Heritage Month (May 2023)
JOHNSON	National Black Barbershop Appreciation Day
MAJORITY CAUCUS	Recognizing National Library Workers Day
JOHNSON	Recognizing Military Appreciation Month 2023
BASKIN	Honoring The Buffalo Club of the National Association of Negro Business and Professional Women's Clubs Inc. – Acknowledging "Sojourner Truth Day" in Buffalo
BASKIN	Celebrating and Honoring Día de los Niños/El Día de los Libros (Children's Day/Book Day)
BARGNESI & KOOSHOIAN	Recognizing Eileen Koterak Elibol - Newest Member of the KVIS
BARGNESI	Honoring James P. Stauffiger Town of Tonawanda Police Chief - Citizen of the Month, April 2023
VINAL	Congratulating and Recognizing C.R. Rao - 2023 International Prize in Statistics Recipient
VINAL	In Remembrance of Kara Margaret Stein
MALCZEWSKI	Celebrating the 75th Anniversary of the East Aurora American Legion Post 362 Auxiliary

MALCZEWSKI	Commemorating the 40th Anniversary of the East Aurora Vietnam Veterans Club
GREENE	Celebrating National Adopt a Shelter Pet Day in Erie County and Recognizing Buddy's Second Chance Rescue
TODARO	Honoring Erie 1 BOCES' Career and Technical Education on National Skilled Trades Day
GREENE	Recognizing Akron Central Schools Nutrition Service Staff on "School Lunch Hero Day"

MR. GILMOUR moved for consideration of the above twenty-nine items. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. GILMOUR moved for approval of the above twenty-nine items as amended. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 6 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2022 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 7 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2022 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 8 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2023 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 9 – MR. GILMOUR moved to take Local Law Intro. No. 1 (Print #2) 2023 from the table. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

LOCAL LAW TO BE ENACTED BY
THE ERIE COUNTY LEGISLATURE
IN THE
COUNTY OF ERIE
LOCAL LAW INTRO. – NO. 1-2 - 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, Malczewski, Baskin, Meyers, Johnson, Kooshoian, Bargnesi, Vinal and Gilmour

MR. GILMOUR moved to approve Local Law Intro. No. 1 (Print #2) 2023. MR. TODARO seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. GREENE, MR. MALCZEWSKI, MR. TODARO, MR. BARGNESI, CHAIR BASKIN, MR. GILMOUR, MR. JOHNSON, MR. KOOSHOIAN and MS. VINAL. NOES: None. (AYES: 9; NOES: 0)

CARRIED UNANIMOUSLY.

Item 10 – CHAIR BASKIN directed that Local Law No. 2 (Print #2) 2023 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Item 11 – MR. GILMOUR moved to take Local Law Intro. No. 4 (Print #1) 2023 from the table. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE
LOCAL LAW INTRO. NO. 4-1 - 2023
LOCAL LAW NO. _____-2023

THE VIDEOCONFERENCING PARTICIPATION ACT

A Local Law providing for remote public meetings and remote participation of the Legislature in the County of Erie.

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

Section 1. Legislative Findings and Intent

It is the intent of this local law to give the Erie County Legislature (“Legislature”) the authority to participate in meetings via videoconference in a manner consistent with the Legislature’s videoconferencing policy and the authority granted in Public Officers Law §103-a.

Section 2. Authority

This local law is adopted pursuant to Public Officers Law § 103-a which expressly authorizes the

Legislature to adopt a local law giving the Legislature the authority to participate in meetings via videoconference from locations not accessible to the public so long as a quorum of the Legislature participates from locations where the public may be physically present and other conditions are met.

Section 3. Videoconferencing for Public Meetings

The Legislature hereby authorizes members of the Legislature to participate in meetings using videoconferencing technology in a manner consistent with Public Officers Law § 103-a and the Legislature's videoconferencing policy approved by the 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.

Sponsor: April N.M. Baskin

MR. GILMOUR moved to approve Local Law Intro. No. 4 (Print #1) 2023. MR. JOHNSON seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. GREENE, MR. MALCZEWSKI, MR. TODARO, MR. BARGNESI, CHAIR BASKIN, MR. GILMOUR, MR. JOHNSON, MR. KOOSHOLIAN and MS. VINAL. NOES: None. (AYES: 9; NOES: 0)

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS

Item 12 – MR. GILMOUR presented the following report, moved to separate item Numbers 1a, 1b, and 1c, and approve the balance of the report. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 57

April 20, 2023	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR TODARO.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6E-9 (2023)
COUNTY EXECUTIVE: “ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Systems Improvements Project”
(Chair’s Ruling)
 - b. COMM. 6E-10 (2023)
COUNTY EXECUTIVE: “ECSD No. 6 - Ridgewood Village Sanitary Sewer Service Lateral Connection Lining Project”
(Chair’s Ruling)
 - c. COMM. 6E-11 (2023)
COUNTY EXECUTIVE: “ECSD No. 2 - Big Sister Creek WRRF IT Infrastructure Improvements”
(Chair’s Ruling)
 - d. COMM. 7E-3 (2023)
BASKIN: “Letter to Democratic Party Caucus Regarding Position of Commissioner of the ECWA”
(Chair’s Ruling)
 - e. COMM. 7E-4 (2023)
BASKIN: “Letter to Republican Party Caucus Regarding Position of Commissioner of the ECWA”
(Chair’s Ruling)
 - f. COMM. 7E-5 (2023)
BASKIN: “Letter to Conservative Party Member Regarding Position of Commissioner of the ECWA”
(Chair’s Ruling)
 - g. COMM. 7E-19 (2023)
COUNTY EXECUTIVE: “ECSD No. 3 - Engineer Contract Agreement”
(Chair’s Ruling)
 - h. COMM. 7E-20 (2023)
COUNTY EXECUTIVE: “ECSD No. 8 - East Aurora Water Resource Recovery Facility Control Building Improvements”
(Chair’s Ruling)

- i. COMM. 7E-21 (2023)
COUNTY EXECUTIVE: “ECSD No. 6 - Engineer Term Contract Agreement”
(Chair’s Ruling)
- j. COMM. 7E-22 (2023)
COUNTY EXECUTIVE: “ECSD No. 2 - Engineering Term Contract Agreement”
(Chair’s Ruling)
- k. COMM. 7D-2 (2023)
CLERK OF LEGISLATURE: “Letters of Interest & Resumes for Position of Commissioner of the ECWA”
(Chair’s Ruling)
- l. COMM. 7M-4 (2023)
DEC: “DEC Invites Public Comment About Draft Plan to Investigate Contamination at Brownfield Site on Crowley Ave., Buffalo”
(Chair’s Ruling)
- m. COMM. 7M-5 (2023)
DEC: “DEC Invites Public Comment About Brownfield Application & Draft Work Plan for Site on Main St., Buffalo”
(Chair’s Ruling)
- n. COMM. 7M-6 (2023)
DEC: “DEC Invites Public Comment About Brownfield Application & Draft Work Plan for Site on Fillmore Ave., Buffalo”
(Chair’s Ruling)
- o. COMM. 7M-7 (2023)
NYSERDA: “Notice of Intent to Undertake an Action Within an Agricultural District – Town of Grand Island”
(Chair’s Ruling)

2. COMM. 5E-7 (2023) AS AMENDED
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bids for Contract Nos. 73-A and 73-D at 10:00 a.m. on March 29, 2023:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 73-A General/Mechanical	Hohl Industrial Services Inc. 770 Riverview Blvd Tonawanda, NY 14150	\$ 2,893,000.00
Contract 73-D Electrical	CIR Electric Construction Corporation 2517 Long Road Grand Island, NY 14072	\$ 351,760.00

and

WHEREAS, the aforementioned lowest responsible bidders have successfully completed projects for the Division of Sewerage Management 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 Influent Screenings Replacement Project, Erie County Sewer District No. 3, Contract Nos. 73-A and 73-D be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 73-A General/Mechanical	Hohl Industrial Services Inc. 770 Riverview Blvd Tonawanda, NY 14150	\$ 2,893,000.00
Contract 73-D Electrical	CIR Electric Construction Corporation 2517 Long Road Grand Island, NY 14072	\$ 351,760.00

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 \$3,000,000.00 in Capital Account No. C.21150 (American Rescue Plan funds) to fund Contract Nos. 73-A and 73-D; and be it further

RESOLVED, that authorization is hereby provided for the partial closing of up to \$244,760.00 in ECSD No. 3 Capital Reserve Account C.00007, Fund 430, Funds Center 183 to fund Contract Nos. 73-A and 73-D; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$244,760.00 from ECSD No. 3 Capital Reserve Account C.00007 and a transfer of \$3,000,000.00 in Capital Account No. C.21150 to Erie County Sewer District No. 3 Capital Bond Account C.17301, Fund 430, Funds Center 183; and be it further

RESOLVED, that \$3,244,760.00 be allocated in Erie County Sewer District No. 3 Capital Bond Account C.17301 to fund Contract Nos. 73-A and 73-D; 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 any unused funds for this Contract will be returned to Erie County Sewer District No. 3 Capital Reserve Account C.00007 based on guidance from the Division of Sewerage Management and the budget for the Capital Reserve Account 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.
(4-0)

3. COMM. 7E-17 (2023)
COUNTY EXECUTIVE

WHEREAS, New York State Energy Research and Development Authority (NYSERDA) has awarded regional energy hub grants to community-based organizations across the state, with the Western New York Clean Energy Hub being awarded to People United for Sustainable Housing, Inc; and

WHEREAS, Erie County is specified by NYSERDA as a grant sub-awardee for \$329,628, to provide community engagement support to the WNY Hub; and

WHEREAS, the WNY Hub is an important strategy for achieving the County's goals to reduce the community's carbon footprint, lower energy costs for low- and moderate-income households, and improve access to renewable energy; and

WHEREAS, to proceed with the project it is necessary for Erie County to execute an agreement with People United for Sustainable Housing, Inc., adopt a project budget; and create a new Junior Environmental Compliance Specialist (JG7) position in the Department of Environment & Planning (DEP).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$329,628 from People United for Sustainable Housing, Inc. as a sub-awardee from NYSERDA and be made available as a multi-year grant to DEP in Fund 281, Fund Center 1620020 as follows:

Department of Environment & Planning
WNY Regional Clean Energy Hub Project
162WNYRCEHP2327
May 1, 2023 to December 31, 2027

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
409010	State Aid - Other	\$329,628
TOTAL REVENUE		\$329,628

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Salaries	\$202,603
502000	Fringe Benefits	\$127,025
TOTAL APPROPRIATIONS:		\$329,628

and be it further

RESOLVED, that the following position will be created in the Department of Environment and Planning and funded by grant 162WNYRCEHP2327 in Fund 281:

Junior Environmental Compliance Specialist (JG-7)
B-100 No. 13721

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; Commissioner of Environment and Planning; and Deputy Commissioner of Environment and Planning – Compliance.

(4-0)

**TIMOTHY J. MEYERS
CHAIR**

CHAIR BASKIN directed that item Numbers 1a, 1b, and 1c be returned to committee for further consideration.

Item 13 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 58

April 20, 2023	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 7E-7 (2023)
COMPTROLLER: “Dec. 2022 - Feb. 2023 Sales & Compensating Use Tax Report”
(Chair’s Ruling)
 - b. COMM. 7E-9 (2023)
COMPTROLLER: “Department of Law Risk Retention Fund Spending - Jan. & Feb. 2023”
(Chair’s Ruling)
 - c. COMM. 7D-1 (2023)
DEPUTY COMPTROLLER OF AUDIT: “Audit of the Department of Law - Notification of Expanded Scope of the Indigent Defense Program to Include Claim Reimbursements”
(Chair’s Ruling)
 - d. COMM. 7D-4 (2023)
DEPUTY COMPTROLLER OF AUDIT: “EC Comptroller's Office Audit of the Department of Law”
(Chair’s Ruling)
 - e. COMM. 7M-8 (2023)
NYS DEPARTMENT OF TAXATION & FINANCE: “List of Certified 2023 State Equalization Rates”
(Chair’s Ruling)
 - f. COMM. 7M-9 (2023)
NYS DEPARTMENT OF TAXATION & FINANCE: “List of Certified 2023 State Equalization Rates”
(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 250042 through 250070, 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. 250,042.00

ASSESSOR Cancel
S-B-L 107.00-8-14 1636 Sandridge Rd 142089 ALDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 Town/SpecialDist/School
Charge To : 142089 ALDEN
Relevy School \$199.76 142001 ALDEN CENTRAL

RPTL 550(2): Applied school tax payment to wrong parcel
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,043.00

ASSESSOR Cancel \$255.71
S-B-L 108.15-3-7 1804 Crittenden Rd 142001 ALDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$255.71 Town/SpecialDist/School
Charge To : 142001 ALDEN \$255.71
Relevy School \$255.71 142001 ALDEN CENTRAL

RPTL 550(2): Applied school payment to wrong parcel
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,044.00

ASSESSOR Refund \$1,328.19
S-B-L 28.42-1-4 30 Coriander Ct 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,328.19 Town/SpecialDist/School
Charge To : 142289 AMHERST \$1,328.19

RPTL 550(2): Applied incorrect sewer units
Refund to be issued to Frances Mary Egloff

FISCAL YEAR 2023 Petition No. 250,045.00

ASSESSOR Refund \$424.94
S-B-L 69.10-2-17.2/7F 610 Youngs Rd Uni 142289 AMHERST

Acct. No. 112 \$247.72 County
Acct. No. 132 \$177.22 Town/SpecialDist/School
Charge To : 142289 AMHERST \$177.22

RPTL 550(2): Failed to apply senior exemption
Refund to be issued to Gary C. Francescone

FISCAL YEAR 2023 Petition No. 250,046.00

ASSESSOR Cancel \$1,671.62
S-B-L 176.05-2-44 62 Olean St 142401 EAST AURORA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,671.62 Town/SpecialDist/School
Charge To : 142401 EAST AURORA \$1,671.62

Relevy Village \$1,671.62 Village of EAST AURORA
RPTL 550(2): Failed to apply partial payment to village taxes
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 250,047.00

ASSESSOR Cancel \$1,593.28
S-B-L 92.14-1-1.112 Moorman Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,593.28 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$1,593.28
Relevy School \$1,593.28 143002 CHEEK. UNION #2

RPTL 550(7): Failed to apply town owned exemption, RS 8
Refund to be issued to Town of Cheektowaga

FISCAL YEAR 2023 Petition No. 250,048.00

ASSESSOR Refund \$1,191.35
S-B-L 92.14-1-1.112 Moorman Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$473.65 County
Acct. No. 132 \$717.70 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$717.70

RPTL 550(7): Failed to apply town owned exemption, RS 8
Refund to be issued to Town of Cheektowaga

FISCAL YEAR 2023 Petition No. 250,049.00

ASSESSOR Refund\$229.85
S-B-L 91.11-7-18 696 Maryvale Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$229.85 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$229.85
Relevy School \$229.85 143002 CHEEK. UNION #2

RPTL 550(2): Failed to apply on time school tax payment
Refund issued to Jeffery & Christine Walsh

FISCAL YEAR 2023 Petition No. 250,050.00

ASSESSOR Refund\$257.41
S-B-L 113.21-5-27 151 Roland St 143001 SLOAN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$257.41 Town/SpecialDist/School
Charge To : 143001 SLOAN \$257.41
Relevy School \$257.41 143009 SLOAN UNION #9

RPTL 550(2): Failed to apply timely school tax payment
Refund to be issued to Joseph M. Fouchie

FISCAL YEAR 2023 Petition No. 250,051.00

ASSESSOR Cancel \$15,900.00
S-B-L 123.28-6-11 75 Pleasant Pkwy 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$15,900.00 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$15,900.00

RPTL 550(2): Applied incorrect amount on clean up charge.
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,052.00

ASSESSOR Cancel \$32.77
S-B-L 103.76-3-17 4596 Broadway St 143003 DEPEW

Acct. No. 112 \$0.00 County
Acct. No. 132 \$32.77 Town/SpecialDist/School
Charge To : 143003 DEPEW \$32.77

RPTL 550(2): Failed to apply capital improvement exemption
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 250,053.00

ASSESSOR Refund\$911.19
S-B-L 103.12-3-6.111 Rossiter Ave 143001 SLOAN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$911.19 Town/SpecialDist/School
520 Code SC520 \$538.03
Charge To : 143001 SLOAN \$373.16
Relevy School \$373.16 143007 DEPEW UNION-CHEEK

RPTL 550(7): Failed to apply village owned exemption, RS 8
Refund to be issued to Village of Depew

FISCAL YEAR 2023 Petition No. 250,054.00

ASSESSOR Refund\$709.65
S-B-L 103.12-3-6.111 Rossiter Ave 143003 DEPEW

Acct. No. 112 \$100.09 County
Acct. No. 132 \$609.56 Town/SpecialDist/School
Charge To : 143003 DEPEW \$609.56

RPTL 550(7): Failed to apply village owned exemption, RS 8.
Refund to be issued to Village of Depew

FISCAL YEAR 2022 Petition No. 250,055.00

ASSESSOR Refund\$6.38
S-B-L 274.00-2-13.11 10690 Springville 143889 CONCORD

Acct. No. 112 \$0.00 County
Acct. No. 132 \$6.38 Town/SpecialDist/School
Charge To : 143889 CONCORD \$6.38
Relevy School \$6.38 143801 SPRING-GRIFFITH

RPTL 550(1): Incorrect acreage
Refund to be issued to Donna Felger

FISCAL YEAR 2023 Petition No. 250,056.00

ASSESSOR Refund\$4.67
S-B-L 274.00-2-13.11 10690 Springville 143889 CONCORD

Acct. No. 112 \$1.79 County
Acct. No. 132 \$2.88 Town/SpecialDist/School

38019 CONCORD FIRE PROTECT \$1.36
Charge To : 143889 CONCORD \$1.52

RPTL 550(2): Incorrect acreage
Refund to be issued to Donna Felger

FISCAL YEAR 2023 Petition No. 250,057.00

ASSESSOR Refund\$549.93
S-B-L 255.00-3-8 9550 Sisson Hwy 144000 EDEN

Acct. No. 112 \$308.19 County
Acct. No. 132 \$241.74 Town/SpecialDist/School
Charge To : 144000 EDEN\$241.74

RPTL 550(2): Failed to calculate aged exemption properly
Refund to be issued to Robert P. & Cecilia B. Mols

FISCAL YEAR 2022 Petition No. 250,058.00

ASSESSOR Refund\$300.00
S-B-L 253.00-1-2 2071 Carpenter Rd 144000 EDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$300.00 Town/SpecialDist/School
40049 ECSD2 Flat Usage Fee \$300.00
Charge To : 144000 EDEN\$0.00

RPTL 550(2): Applied ECSD flat usage fee in error
Refund to be issued to Lewis A Yager Jr.

FISCAL YEAR 2021 Petition No. 250,059.00

ASSESSOR Refund\$300.00
S-B-L 253.00-1-2 2071 Carpenter Rd 144000 EDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$300.00 Town/SpecialDist/School
40049 ECSD2 Flat Usage Fee \$300.00
Charge To : 144000 EDEN\$0.00

RPTL 550(2): Applied ECSD flat usage fee in error.
Refund to be issued to Lewis A. Yager Jr.

FISCAL YEAR 2023 Petition No. 250,060.00

ASSESSOR Refund\$315.00

S-B-L 253.00-1-2 2071 Carpenter Rd 144000 EDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$315.00 Town/SpecialDist/School
40049 ECSD2 Flat Usage Fee \$315.00
Charge To : 144000 EDEN\$0.00

RPTL 550(2): Applied ECSD flat usage fee in error
Refund to be issued to Lewis A Yager Jr.

FISCAL YEAR 2022 Petition No. 250,061.00

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
Charge To : 144600 GRAND ISLAND \$7,630.51
Relevy School \$7,630.51 144601 GRND ISLN CENTRAL

RPTL 550(2): Failed to apply Solar PILOT exemption
New tax bill to be issued.

FISCAL YEAR 2023 Petition No. 250,062.00

ASSESSOR Cancel \$230.64
S-B-L 23.00-1-17.111 126 Industrial Pkwy 144600 GRAND ISLAND

Acct. No. 112 \$73.66 County
Acct. No. 132 \$156.98 Town/SpecialDist/School
Charge To : 144600 GRAND ISLAND \$156.98

RPTL 550(2): Failed to apply Solar PILOT agreement
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 250,063.00

ASSESSOR Refund\$370.00
S-B-L 139.13-4-11 S-1886 Two Rod R 145400 MARILLA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$370.00 Town/SpecialDist/School
Charge To : 145400 MARILLA \$370.00

RPTL 550(2): Incorrect sanitation units
Refund to be issued to David Cegielski

FISCAL YEAR 2022 Petition No. 250,064.00

ASSESSOR Refund\$370.00
S-B-L 139.13-4-11 S 1886 Two Rod R 145400 MARILLA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$370.00 Town/SpecialDist/School
Charge To : 145400 MARILLA \$370.00

RPTL 550(2): Incorrect sanitary units
Refund to be issued to David Cegielski

FISCAL YEAR 2023 Petition No. 250,065.00

ASSESSOR Refund\$370.00
S-B-L 139.13-4-11 S 1886 Two Rod R 145400 MARILLA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$370.00 Town/SpecialDist/School
Charge To : 145400 MARILLA \$370.00

RPTL 550(2): Incorrect sanitation units
Refund to be issued to David Cegielski

FISCAL YEAR 2023 Petition No. 250,066.00

ASSESSOR Cancel \$137.51
S-B-L 157.00-6-10./GG Four Rod Rd 145400 MARILLA

Acct. No. 112 \$112.86 County
Acct. No. 132 \$24.65 Town/SpecialDist/School
54019 MARILLA FIRE PROTECT \$19.18
Charge To : 145400 MARILLA \$5.47

RPTL 550(2): Incorrect assessed value
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 250,067.00

ASSESSOR Refund\$1,111.17
S-B-L 65.68-1-6 194 Henderson Ave 146489 TONAWANDA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,111.17 Town/SpecialDist/School
520 Code SC520 \$1,111.17
Charge To : 146489 TONAWANDA \$0.00

RPTL 550(2): Incorrect calculation of exemption removal charge
Refund to be issued to David G. Economou

FISCAL YEAR 2023 Petition No. 250,068.00

ASSESSOR Refund\$2,041.67
S-B-L 65.68-1-6 194 Henderson Ave 146489 TONAWANDA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,041.67 Town/SpecialDist/School
64999 EXEMPTION REMOVAL \$2,041.67
Charge To : 146489 TONAWANDA \$0.00

RPTL 550(2): Incorrect calculation of exemption removal charge
Refund to be issued to David G. Economou

FISCAL YEAR 2022 Petition No. 250,069.00

ASSESSOR Refund\$1,419.00
S-B-L 143.14-3-57 750 Fisher Rd 146800 WEST SENECA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,419.00 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$1,419.00
Relevy School\$1,419.00 146801 WEST SENECA CENT

RPTL 550(2): Failed to apply exemptions
Refund to be issued to Edwina & Jeffrey Kwiatkowski

FISCAL YEAR 2023 Petition No. 250,070.00

ASSESSOR Refund\$1,089.60
S-B-L 143.14-3-57 750 Fisher Rd 146800 WEST SENECA

Acct. No. 112 \$419.82 County
Acct. No. 132 \$669.78 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$669.78

RPTL 550(2): Failed to apply vet exemptions
Refund to be issued to Edwina & Jeffrey Kwiatkowski

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.

(5-0)

TIMOTHY J. MEYERS
CHAIR

Item 14 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 59

April 20, 2023	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

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

a. COMM. 7M-3 (2023)
NFTA: “NFTA Revised Budget for FYE 24”
(Chair’s Ruling)

2. COMM. 7E-14 (2023)
COUNTY EXECUTIVE

WHEREAS, the 2022 Miscellaneous Culvert Group Construction (Project CUL-MISC-2-22) (the “Project”), for the replacement of two (2) culverts was approved by your Honorable Body via COMM 13E-20 (July 21, 2022); and

WHEREAS, constructability and additional slope failure at the Emery Road (CR 67) culvert in the Town of Aurora, it was determined that this culvert needed to be removed from this contract for further design and investigation; and

WHEREAS, a culvert carrying East Eden Road (CR 220) between Schintzius Road (CR 483) and Hardt Road (CR 473) in the Town of Eden was substituted for the Emery Road culvert for replacement; and

WHEREAS, changing the Project name and number to the Replacement of 2022 Culvert Group 1 (Project CAP-CUL-2022) will clarify the pre and post amended resolution; and

WHEREAS, there are no financial changes in the project previously approved.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the amendment to remove the Emery Road (CR 67) culvert from the Project and the addition of the East Eden Road (CR 220) culvert to the Project; and be it further

RESOLVED, that the project be known as the Replacement of 2022 Culvert Group 1 (Project CAP-CUL-2022); and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.
(5-0)

3. COMM. 7E-16 (2023)
COUNTY EXECUTIVE

WHEREAS, consistent with Erie County's Commitment to Paris goals, the County encourages the development of solar facilities which reduce dependence upon fossil fuels and further climate goals to mitigate global warming; and

WHEREAS, Project Owner, (Grand Island Sunrise LLC) has submitted a Notice of Intent to the Taxing Jurisdictions that it plans to build and operate a Solar Energy System as defined in New York Real Property Tax Law ("RPTL") Section 487(1)(b) (the "Project") with an expected nameplate capacity ("Capacity") of approximately 5.00 Megawatts AC on an approximately 167-acre parcel of land located within the Town of Grand Island, identified as 871 Whitehaven Road, SBL: 38.09-3-1; and

WHEREAS, the County has not opted out of RPTL § 487; and

WHEREAS, pursuant to RPTL § 487(9)(a) the County has indicated their intent to require a Payment in Lieu of Taxes Agreement ("PILOT") with the Project Owner, under which the Project Owner will be required to make annual payments to the Taxing Jurisdictions for each year during the term of this Agreement; and

WHEREAS, the Project Owner has submitted or will submit to the Assessor of the Town of Grand Island an Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems ("Form RP-487"); and

WHEREAS, the Real Property not part of the Project will be assessed for any statutory real property taxes levied by the Taxing Jurisdictions.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Grand Island Sunrise LLC, and any other organizations necessary to complete this PILOT Agreement, pertaining to the Real Property located at 871 Whitehaven Road, Grand Island New York (SBL: 38.09-3-1); and be it further

RESOLVED, that said Agreement shall include an annual approximate PILOT payment in the amount \$17,500.00, subject to annual escalation of 2%; and be it further

RESOLVED, that said Agreement shall include an estimated annual PILOT based on 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 Erie County Executive's Office; Division of Budget and Management; Department of Real Property Tax Services; Department of Environment and Planning; County Comptroller; and the County Attorney.

Schedule A
PILOT Schedule*

PILOT Term Year	Calendar Year	County Payment Amount
Year 1	2024	\$ 17,500.00
Year 2	2025	\$ 17,850.00
Year 3	2026	\$ 18,207.00
Year 4	2027	\$ 18,571.14
Year 5	2028	\$ 18,942.56
Year 6	2029	\$ 19,321.41
Year 7	2030	\$ 19,707.84
Year 8	2031	\$ 20,102.00
Year 9	2032	\$ 20,504.04
Year 10	2033	\$ 20,914.12
Year 11	2034	\$ 21,332.40
Year 12	2035	\$ 21,759.05
Year 13	2036	\$ 22,194.23
Year 14	2037	\$ 22,638.12
Year 15	2038	\$ 23,090.88

*Please note that, as per the PILOT Agreement, this payment schedule is subject to adjustment if the capacity of the Project changes.

(5-0)

4. COMM. 7E-18 (2023)
COUNTY EXECUTIVE

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

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

WHEREAS, County of Erie, City of Lackawanna, Erie County Industrial Development Agency, continue to work cooperatively toward achieving the redevelopment of the former Bethlehem Steel site; and

WHEREAS, the relocation of existing railroad lines is necessary to develop the site into a shovel ready site ready for development; and

WHEREAS, the Erie County Industrial Development Agency has extensive experience in

contracting with consultants and contractors specializing in design of railroad infrastructure; and

WHEREAS, the County of Erie has approved funding in the County Budget to be utilized specifically for infrastructure and redevelopment on the former Bethlehem Steel site.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contracts with the Erie County Industrial Development Agency or Buffalo and Erie County Industrial Land Development Corporation, or other state and federal agencies, and consultants in amounts not to exceed a total of \$600,000, for the purpose of the design and construction of railroad on the former Bethlehem Steel site in the City of Lackawanna; and be it further

RESOLVED, that the County Executive is authorized to enter into agreements with the Genesee and Wyoming Railroad Inc., New York State Department of Transportation, Erie County Water Authority as necessary to execute this project and complete the work; and be it further

RESOLVED, that the source of these funds shall be in SAP accounts A.19025 in the amount of \$237,367.56 and A.13012 in the amount of \$362,632.44 available respectively as part of the approved County budgets; 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 will be forwarded to the Erie County Executive's Office, County Attorney, Comptroller's Office, Division of Budget and Management, and the Department of Environment & Planning.

(5-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 15 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 60

April 20, 2023	PUBLIC SAFETY COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6D-3 (2023)

ERIE COUNTY PROBATION COMMISSIONER: “Erie County Conditional Release Commission - 2022 Annual Report”
(Chair’s Ruling)

b. COMM. 7E-1 (2023)
MILLS: “Board Appointment Recommendation”
(Chair’s Ruling)

2. COMM. 7E-11 (2023)
SHERIFF

WHEREAS, the Erie County Sheriff’s Division of Correctional Health is responsible for the medical care of individuals in its custody; and

WHEREAS, this medical care requires access to prescription medicine for preexisting and diagnosed conditions while incarcerated; and

WHEREAS, the Sheriff’s Division of Correctional Health and its chief medical officer monitor the incarcerated population’s medical conditions, continue therapies, or order new medicinal treatments; and

WHEREAS, Correctional Health issued a Request for Proposal (RFP) for an expiring pharmaceutical supplier and received five proposals; and

WHEREAS, Westwood’s proposal was deemed the overall best proposal by the review committee; and

WHEREAS, the Sheriff’s Office recommends that MAO Pharmacy Inc. (D/B/A Westwood Pharmacy) be awarded the contract for RFP #2023-003VF; and

WHEREAS, this is a two-year agreement with the option of up to three one-year extensions; and

WHEREAS, either party may terminate the agreement, with or without cause, with thirty days written notice; and

WHEREAS, there are no fiscal implications on the operating budget. The professional services contract for pharmacy services at the Erie County Holding Center and the Erie County Correctional Facility are funded in accounts:

516020	Professional Services	\$2,000,000.00
505800	Medical and Health Supplies	\$25,000.00

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff’s Office to award RFP #2023-003VF to MAO Pharmacy, Inc., d/b/a Westwood Pharmacy,

5823 Patterson Avenue, Richmond, VA 23226, for comprehensive pharmacy management services to the Erie County Sheriff's Division of Correctional Health; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff to enter into a contract with MAO Pharmacy, Inc., d/b/a Westwood Pharmacy, 5823 Patterson Avenue, Richmond, VA 23226; and be it further

RESOLVED, the terms of the agreement are for two years with up to three additional one-year extensions; and be it further

RESOLVED, the contract is funded in Fund Center 11650, in the following accounts:

516020	Professional Services	\$2,000,000.00
505800	Medical and Health Supplies	\$25,000.00

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make the necessary transfers and to make any technical adjustments necessary to effectuate these transfers should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of the approved resolution shall be sent to the County Executive, the County Attorney, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.

(5-0)

3. COMM. 7E-12 (2023)
SHERIFF

WHEREAS, the US Department of Homeland Security, through the NYS Division of Homeland Security and Emergency Services, has awarded \$139,500.00 for FY22 to Erie County in funding to increase security; and

WHEREAS, the Erie County Sheriff's Office will coordinate with police agencies from the cities of Buffalo, Lackawanna, and Tonawanda and the towns of Brant, Evans, Hamburg, Lancaster, and Tonawanda; and

WHEREAS, these operations support the U.S. Border Patrol's mission of protecting the international borders from human trafficking and illegal drug operations as well as apprehending terrorists and others intent on conducting illegal activities on U.S. soil; and

WHEREAS, the funds will be used for overtime, fringe benefits, and equipment of the participating law enforcement agencies while participating in Operation Stonegarden; and

WHEREAS, this resolution accepts \$139,500.00 in grant funding and will provide for all expenses needed to support this program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff to enter into a contract with the New York State Department of Homeland Security to accept \$139,500.00 for FY22; and be it further

RESOLVED, the Fund Center is 11510, and the grant will be allocated to the following accounts:

ERIE COUNTY SHERIFF'S OFFICE		
FY 2022 Operation Stonegarden Grant		
September 1, 2022, to August 31, 2025		
REVENUE		DECREASE
414000	Federal Revenue	\$139,500.00
APPROPRIATION		INCREASE
501000	Overtime	\$22,000.00
502000	Fringe Benefits	\$5,760.00
516010	Contractual Payments	\$106,740.00
516410	Lab and Tech Equipment	\$5,000.00
	Total Revenue	\$139,500.00

and be it further

RESOLVED, that the County Executive and the Erie County Sheriff's Office are authorized to enter into sub-contracts with the cities of Buffalo, Lackawanna, and Tonawanda, and the towns of Brant, Evans, Hamburg, Lancaster, and Tonawanda to reimburse the expenses the agency incur while participating in Operation Stonegarden and border security operations; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make the necessary transfers and to make any technical adjustments necessary to effectuate these transfers should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of the approved resolution shall be sent to the County Executive, the County Attorney, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.

(5-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 16 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 61

April 20, 2023	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 6E-8 (2023)
COUNTY EXECUTIVE: “Buffalo Niagara Convention & Visitors Bureau Board Appointment”
(Chair’s Ruling)
2. COMM. 7E-15 (2023)
COUNTY EXECUTIVE
WHEREAS, the Erie County Legislature must approve contracts in excess of \$50,000 for SUNY Erie; and

WHEREAS, the Erie County Legislature authorized at its September 22, 2022, meeting, SUNY Erie to enter into a three-year initial term and for up to two additional one-year periods contract with PLS III LLC (aka Cedar Bus LLC) to provide intercampus student transportation; and

WHEREAS, the college's initial contract was for 105 days of services for year one at \$271,912 and 115 days for year two and three at \$289,316 per year, making the total contract for three years \$850,544; and

WHEREAS, SUNY Erie now intends to amend the contract to increase year one's services to 136 days at \$350,213 and years two and three's services to 149 days at \$376,184 per year, making the total contract amount for three years \$1,102,581; and

WHEREAS, the contractor is responsible for all labor, services, materials, and appliances required to complete the work without any extra charges; and

WHEREAS, the contractor is required to report the progress of work to the College and maintain a detailed daily log; and

WHEREAS, the SUNY Erie Board of Trustees at their February 16th 2023 Board meeting approved to amend the agreement for Intercampus Student Transportation between SUNY Erie and PLS III LLC (aka Cedar Bus LLC).

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie does hereby authorize SUNY Erie to amend the Agreement for Intercampus Student Transportation with PLS III LCC (aka Cedar Bus LLC); and be it further

RESOLVED, that SUNY Erie Officer in Charge is given the authority to modify the Agreement for Intercampus Student Transportation with PLS III LLC (also known as Cedar Bus LLC) by extending the service period to 136 days in the first year at a cost of \$350,213 and to 149 days in the second and third years at a cost of \$376,184 per year. As a result, the total value of the contract for the three-year period would be \$1,102,581; and be it further

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

JOHN J. GILMOUR
CHAIR

LEGISLATOR RESOLUTIONS

Item 17 – MR. GILMOUR presented the following resolution and moved for immediate consideration and approval. MR. TODARO seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. GREENE, MR. MALCZEWSKI, MR. TODARO, MR. BARGNESI, MR. GILMOUR and MR. KOOSHOIAN. NOES: CHAIR BASKIN, MR. JOHNSON and MS. VINAL.
(AYES: 6; NOES: 3)

CARRIED.

RESOLUTION NO. 62

RE: Opposing Federal Government's
Change in Loan-Level Price
Adjustment Matrix
(INTRO. 8-1)

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

WHEREAS, the Federal Government has recently made changes to the Loan-Level Price Adjustment Matrix, resulting in higher mortgage payments for borrowers with good credit scores and lower fees for riskier borrowers; and

WHEREAS, this change will create an unfair and unjust system that punishes responsible borrowers with good credit scores and rewards risky borrowers who pose a greater risk of defaulting on their loans; and

WHEREAS, this change goes against the principles of a fair and just lending system, which should incentivize responsible borrowing behavior and discourage risky behavior; and

WHEREAS, this change will disproportionately affect low- and middle-income borrowers with good credit scores, who may not have the financial resources to absorb the higher mortgage payments resulting from the change; and

WHEREAS, the current economic climate, with economic uncertainty, makes it even more important to protect borrowers from unfair and predatory lending practices.

NOW, THEREFORE, BE IT

RESOLVED, that the legislative body opposes the Federal Government's change in the Loan-Level Price Adjustment Matrix and urges the Federal Government to reverse this decision and work towards creating a fair and just lending system that incentivizes responsible borrowing behavior and protects borrowers from unfair and predatory lending practices; and be it further

RESOLVED, that copies of this resolution be sent to the President of the United States, the Secretary of the Treasury, Congressman Brian Higgins and Congressman Nick Langworthy, urging them to act to reverse the change in the Loan-Level Price Adjustment Matrix and to support policies that promote fair and just lending practices.

Item 18 – MR. GILMOUR presented the following resolution and moved for immediate consideration and approval. MR. GREENE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 63

RE: Opposing SkyWest Airlines'
Request for Reclassification
(INTRO. 8-2)

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

WHEREAS, SkyWest Airlines has requested to be reclassified from a "major airline" to a "commuter airline," which would significantly reduce the safety rules that it is subject to; and

WHEREAS, the tragic crash of Flight 3407 on February 12, 2009, which claimed the lives of 50 people, revealed the serious deficiencies in the aviation industry's safety regulations; and

WHEREAS, Flight 3407 was operated by a regional airline, Colgan Air, which had a poor safety record and was known for its low pay and poor working conditions for its pilots; and

WHEREAS, the National Transportation Safety Board (NTSB) investigation into the crash of Flight 3407 found that the pilots were inadequately trained and fatigued, and that the airline's safety culture was severely lacking; and

WHEREAS, the NTSB made numerous recommendations for improving the safety of regional airlines, including enhancing pilot training and qualification requirements, improving fatigue management programs, and enhancing safety culture and oversight; and

WHEREAS, since the crash of Flight 3407 and the subsequent passage of the Airline Safety and Federal Aviation Administration Act of 2010, commercial aviation fatalities have reduced by 99.8%; and

WHEREAS, reclassifying SkyWest Airlines as a commuter airline would weaken the safety regulations that were put in place following the crash of Flight 3407 and would put the lives of passengers and crew at risk; and

WHEREAS, it is the responsibility of the legislature to prioritize the safety of its citizens, including those who travel by air.

NOW, THEREFORE, BE IT

RESOLVED, that the legislature opposes SkyWest Airlines' reclassification request and calls on the Federal Aviation Administration to reject this request in order to maintain the safety regulations that are currently in place for major airlines; and be it further

RESOLVED, that the legislature urges the Federal Aviation Administration to continue to prioritize safety in all aspects of the aviation industry, including regional airlines, in order to prevent future tragedies like the crash of Flight 3407; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Congressman Nick Langworthy, Congressman Brian Higgins and Secretary of the United States Department of Transportation Pete Buttigieg.

Item 19 – MR. GILMOUR presented the following resolution and moved for immediate consideration and approval. MR. MALCZEWSKI seconded.

CHAIR BASKIN directed that the resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 8-3 from MALCZEWSKI. Opposing NYS Senate Proposal to Add a Surcharge on Ride Sharing Services.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 20 – MR. GILMOUR moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 7E-26 (2023). MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 64

RE: 2023 Public Works Projects –
Authorization to Appropriate Funds &
Enter Into Contracts
(COMM. 7E-26, 2023)

MR. GILMOUR moved to amend the item. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Insert the Following:

WHEREAS, it is critical that the Department of Public Works accomplish as many highway rehabilitation projects as possible and commence projects as soon as possible, including taking advantage of the short construction season and the availability of lower pricing by contractors by early bidding; and

WHEREAS, due to the condition of County facilities, every effort must be made to expedite this work, which includes seeking pre-approval from the Erie County Legislature to award highway, bridge and culvert construction, construction engineering services, design, and testing contracts and to appropriate funds for 2023 highway and related work; and

WHEREAS, the County of Erie desires to advance the Construction phase of Federal Aid Projects by making a commitment for the Federal and non-Federal share of the costs of the project and execute New York State and local fed aid agreements to obtain Federal and State reimbursement funds.

NOW, THEREFORE, BE IT

RESOLVED, that to best promote the public interest and expedite 2023 highway work, the award of 2023 highway division construction, construction engineering services, design, and testing contracts as designated by the Commissioner of Public Works for projects listed in Exhibit A and any other necessary projects added to the 2023 road list by the Commissioner of Public Works are hereby preapproved by the Erie County Legislature and the County Executive is hereby authorized and directed to execute said contracts; and be it further

RESOLVED, that pre-approval is contingent upon the advertisement and award of all 2023 highway construction projects pursuant to applicable Local and New York State public bidding laws; and be it further

RESOLVED, that the Commissioner of Public Works shall determine the lowest responsible construction bidders and submit recommendations to the County Executive; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into Agreements with the New York State Department of Transportation (NYSDOT) for the Federal Aid projects in Exhibit A; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of Federal and non-Federal shares of the cost of construction and construction inspection phases of the Projects or portions thereof with the understanding that qualified costs may be eligible for federal-aid and or state-aid reimbursement; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept any Federal, New York State Marchiselli or other revenue that is available and to increase the budgets in the capital projects in Fund 420, Funds Center 123 accordingly; and be it further

RESOLVED, that the pre-approved contract authorization shall apply to the 2023 highway project contracts, as designated by the Commissioner of Public Works and noted on the attached Exhibit A document, and shall not exceed an aggregate total of \$29,694,770.09 from the following fund sources:

2017, 2018, 2019, 2020, 2021 and 2022 Bond Proceeds, Federal Aid, and Pay-As-You-Go	\$11,502,360.00
2023 Bond Proceeds and Pay-As-You-Go	\$18,192,410.09
<hr/> Total Funding	<hr/> \$29,694,770.09

and be it further

RESOLVED, the authorization is hereby given for the expenditures of the funding provided for the above pre-approved projects be extended into 2024 if construction work is unable to be completed in 2023; and be it further

RESOLVED, that authorization is hereby provided to the Director of Budget and Management to make any necessary adjustments to the revenues and expenses to the projects included in Exhibit A; and be it further

RESOLVED, that the Comptroller's Office is directed to effectuate the release of funds for road projects based on requests from the Department of Public Works from the above-noted funding sources or related sources of funds made available in 2023; and be it further

RESOLVED, that periodic informational reports shall be filed with the Legislature by the Department of Public Works indicating awarded 2023 highway project contracts and contractors; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

****See attachment: [COMM. 7E-26 \(2023\) Erie County Department of Public Works - 2023 Road Program Exhibit A](#)

MR. GILMOUR moved to approve the item as amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 21 – MR. GILMOUR moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of INTRO. 23-2 (2022). MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 65

RE: In Support of the Proposed
"3 Bell System" for Buffalo
Public Schools
(INTRO. 23-2, 2022)

WHEREAS, approximately 1,500 Buffalo Public School students aged 3-13 (grades PK - 8) have not had access to a bus that picks them up and transports them to school on time or that efficiently takes them home after school since the beginning of the 2022-2023 school year; and

WHEREAS, some students wait for hours at the end of their school day for a bus to pick them up and transport them home; and

WHEREAS, teachers load some children onto buses thirty minutes before a school's designated end time in order to accommodate transportation schedules; and

WHEREAS, this amounts to a segment of students losing between 1 and 3 hours of instruction each day or spending between 1 and 3 hours either waiting for or on the bus at the end of the day; and

WHEREAS, what might have begun as a logistical matter has quickly devolved into an issue of profound inequity, with hundreds of students waiting for morning buses and losing academic learning time; and

WHEREAS, hundreds more are impacted at the end of each day, with tens of thousands of Buffalo Public School students being deprived of field trips, essential extended learning time activities, and modified sports; and

WHEREAS, Superintendent Dr. Tonja Williams, with input from teachers and parents, has put together a solution to this busing crisis called the 3 Bell System; and

WHEREAS, this proposal includes adoption of a three-bell schedule and shifting school start times by no more than 30 minutes to 7:30 a.m., 8:30 a.m., and 9:30 a.m.; and

WHEREAS, the benefits to this plan are clear as it would provide predictable and consistent bus coverage where students would be picked up no earlier than 6:30 a.m. and dropped off by 5:30 p.m., bus routes of no more than 50 minutes in length, fewer students riding each bus (thereby

improving safety on buses), and additional capacity for extended learning, field trips, and athletics; and

WHEREAS, adopting this plan would immediately improve two of the most important aspects of student care in Buffalo: safety and academic standing; and

WHEREAS, the three-bell schedule will require weeks for full planning and implementation, and should be carefully planned and measured for success.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports the careful consideration and application of Superintendent Dr. Tonja Williams' 3 Bell System for the Buffalo Public School System; and be it further

RESOLVED, that this honorable body requests that Buffalo Teachers Federation and the Buffalo School Board ratify a new contract; and be it further

RESOLVED, that copies of this resolution be given to the Buffalo Public Schools Superintendent, the Buffalo Board of Education, and the Buffalo Education Equity Task Force.

MR. GILMOUR moved to approve the resolution. MR. JOHNSON seconded. MR. BARGNESI, MR. GILMOUR and MR. KOOSHOIAN voted in the negative.

CARRIED. (6-3)

SUSPENSION OF THE RULES

Item 22 - MR. GILMOUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

MR. GILMOUR moved for consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN called for nominations for Commissioner of the Erie County Water Authority.

MR. GILMOUR, pursuant to law, presented a petition nominating Peggy A. LaGree for re-appointment as Commissioner of the Erie County Water Authority.

We, the undersigned, representing the Republican members of the Erie County Legislature, do hereby nominate Peggy A. LaGree, residing at 55 Heritage Road East, Williamsville, New York 14221, for re-appointment as Commissioner of the Erie County Water Authority, to fill a three-year term commencing April 27th, 2023 and expiring April 27th, 2026:

Christopher D. Greene
District 6

Frank J. Todaro
District 8

John J. Mills
District 11

CHAIR BASKIN called for any other nominations for Commissioner of the Erie County Water Authority.

MR. GILMOUR moved to close nominations. MR. GREENE seconded.

CARRIED UNANIMOUSLY.

MR. GILMOUR moved to amend the item. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION. 66

RE: Appointment of Commissioner of
ECWA
(COMM. 8E-18, 2023)

Insert the Following:

April 27, 2023

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Appointment of Commissioner of the Erie County Water Authority

Dear Clerk Graber:

Pursuant to Section 5.01 of the Erie County Legislature Rules of Order, I have previously requested that notice be provided to the public, legislators, media and interested candidates for the position of Commissioner of the Erie County Water Authority. You provided proper notice and interviews were conducted by the Legislature's Energy and Environment Committee on April 13, 2023.

Therefore, I am prepared to appoint a candidate for Commissioner of the Erie County Water Authority as required by Section 1053 of the New York Public Authorities Law. I hereby appoint Peggy LaGree of 55 Heritage Road East, Williamsville, NY 14221 to fill a three (3) year term commencing April 28, 2023 and ending April 27, 2026.

I have attached a Nominating Petition from the Minority Caucus as required by Section 1053 of the New York Public Authorities Law and request legislative confirmation of this appointment.

Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin
Chair, Erie County Legislature

MR. GILMOUR moved to approve the item as amended. MR. TODARO seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. GREENE, MR. MALCZEWSKI, MR. TODARO, MR. BARGNESI, CHAIR BASKIN, MR. GILMOUR, MR. JOHNSON, MR. KOOSHOIAN and MS. VINAL. NOES: None. (AYES: 9; NOES: 0)

CARRIED UNANIMOUSLY.

RESOLVED, that the Erie County Legislature does hereby confirm the re-appointment of PEGGY A. LAGREE, 55 Heritage Road East, Williamsville, NY 14221, as Commissioner of the Erie County Water Authority for a three (3) year term commencing April 27, 2023 and expiring April 27, 2026.

Item 23 – MR. GILMOUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 8D-1 from COUNTY ATTORNEY Re: Opinion as to Form Local Law Intro No. 1-2 2023

CHAIR BASKIN directed that the letter be received, filed and printed.

April 25, 2023

Via Email Only
Hon. April N.M. Baskin, Chairwoman
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Opinion as to Form Local Law Intro No 1-2 2023

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 1-2 2023 (1-2).

Preemption

Under New York state law, preemption occurs when a local law directly conflicts with a state statute, or where a state statute expressly states that local laws on a given subject matter are preempted. Preemption can also occur where the State Legislature has assumed full regulatory responsibility in a field related to the proposed local law.

Here, New York State Real Property Tax Law Section 466-a (RPTL) provides specific authority which permits counties to provide for 10% property tax exemptions for volunteer firefighters and ambulance workers. Since the State Legislature has granted counties this specific authority, 1-2 does not present a preemption issue of concern.

Grammar

The stated purpose of 1-2 is 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 assessed value of qualifying real property. We find the grammar and usage of 1-2 to be sufficient in order to achieve the stated purpose.

Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 1-2 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

We find that Local Law Intro. 1-2-2023 is sufficient as to form.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

By: Gregory P Kammer
Assistant Erie County Attorney

Item 24 - MR. GILMOUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 8D-2 from COUNTY ATTORNEY Re: Opinion as to Form Local Law Intro No. 4-1 2023

CHAIR BASKIN directed that the letter be received, filed and printed.

April 25, 2023

Via Email Only
Hon. April N.M. Baskin, Chairwoman
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Opinion as to Form Local Law Intro No 4-1 2023

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 4-1 2023 (4-1).

Preemption

Under New York state law, preemption occurs when a local law directly conflicts with a state statute, or where a state statute expressly states that local laws on a given subject matter are preempted. Preemption can also occur where the State Legislature has assumed full regulatory responsibility in a field related to the proposed local law.

Here, New York State Public Officers Law Section 103-a (POL) provides specific authority which authorizes the governing board of a county to adopt a local law authorizing the use of videoconferencing. Since the State Legislature has granted county governing boards this specific authority, 4-1 does not present a preemption issue of concern.

Grammar

The stated purpose of 4-1 is to give the Erie County Legislature the authority to participate in meetings via videoconference in a manner consistent with POL. We find the grammar and usage of 4-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 4-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

We find that Local Law Intro. 4-1 2023 is sufficient as to form.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

By: Gregory P Kammer
Assistant Erie County Attorney

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 25 – MR. GILMOUR presented the following resolution and moved for immediate consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 67

RE: 2022 Year-End Budget Balancing
Amendments & Designations
(COMM. 8E-1)

WHEREAS, year-end budget balancing amendments are necessary to close the County's books and prepare financial statements for review by the County's independent auditors for the 2022 fiscal year; and

WHEREAS, amendments were identified in cooperation with the Erie County Comptroller's Office and in consultation with departmental accountants based on year-end financial reports; and

WHEREAS, existing 2022 funding within a variety of departments has been established as fund reservations and designated for re-appropriation into 2023 with no additional transfer required. These include \$100 million for the New Buffalo Bills Stadium, \$41.6 million for delayed Intergovernmental Transfer payments to Erie County Medical Center Corporation and \$33.3 million in duly appropriated items that were not fully expended in 2022; and

WHEREAS, after completing budget balancing entries and consideration of the aforementioned carry-forwards, the County will end 2022 7.2% below budget resulting in a \$96,442,847 surplus; and

WHEREAS, key positive variations contributing to this year-end surplus include: sales tax receipts (\$48.4M), Medicaid savings (\$12.7M), gross salary & fringe savings (\$24.8M), Social Service operating efficiencies (\$16.5M), delinquent property tax collections (\$10.8M), interest earnings (\$5.8M), etc.; and

WHEREAS, after the establishment of \$72 million in re-appropriations are made into the 2023 Budget, \$24,370,732 will be committed to Unassigned Fund Balance for a final 2022 balance of \$137,767,019 or approximately ten (10) percent of the County's 2022 Adopted Operating Budget; and

WHEREAS, although the Erie County Charter and Code require an Undesignated Fund Balance to be at least five (5) percent of the County's annual operating budget, other municipal financial best practices suggest as much as 15 percent; and

WHEREAS, additionally, this resolution makes several designations that will both reduce future bonding and pre-pay remaining bond principal, which, in turn, will lead to approximately \$23.8 million in interest savings over the next several decades; and

WHEREAS, specifically, the defeasance of the \$9.4 million in remaining old stadium debt will save approximately \$1.5 million in interest, the addition of \$25 million in pay-as-you-go funding for the new stadium construction (now a total of \$125 million) will save approximately \$17.7 million in interest and the conversion of 6 capital projects from bonded to pay-as-you-go will save approximately \$6.6 million in interest.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to adjust the 2022 Budget in order to facilitate the completion of 2022 financial statements, based on the following schedule:

2022 Year-End Budget Balancing Amendments

The following list of accounts is balanced by fund and indicates where adjustments are needed to match year-end spending. In most cases the source of funds was obtained from within the department from where the shortfall occurred.

Department	Account	Increase/ (Decrease)
General Fund 110 - Expense Adjustments		
100	Legislature	
	561410 Lab & Technical Equipment	-200,000
	561420 Office Furn & Fixt	200,000
	<u>Legislature Total</u>	<u>0</u>
105	Information & Support Services	
	500350 Other Employee Pymts	36,375
	515000 Utility Charges	-36,375
	<u>Information & Support Services Total</u>	<u>0</u>

10610	Division of Purchase		
	500000	Full Time - Salaries	11,839
	500350	Other Employee Pymts	11,952
	502000	Fringe Benefits	-23,791
	Division of Purchase Total		0
11510	Sheriff Division		
	500000	Full Time - Salaries	802,915
	500010	Part Time - Wages	-94,132
	500030	Seasonal - Wages	235,901
	500300	Shift Differential	28,930
	500330	Holiday Worked	66,178
	500340	Line-up Pay	19,757
	500350	Other Employee Pymts	185,377
	501000	Overtime	2,725,717
	502000	Fringe Benefits	-196,193
	505600	Auto Tr & Hvy Eq Sup	-20,787
	510100	Out Of Area Travel	-57,019
	510200	Training And Education	-30,350
	515000	Utility Charges	-11,757
	516020	Professional Services Cont & Fees	-32,680
	Sheriff Division Total		3,621,857
116	Jail Management		
	500000	Full Time - Salaries	-1,416,099
	500300	Shift Differential	114,994
	500320	Uniform Allowance	-19,435
	500330	Holiday Worked	91,840
	500340	Line-up Pay	-232,838
	500350	Other Employee Pymts	24,404
	501000	Overtime	3,682,382
	502000	Fringe Benefits	-1,595,607
	505400	Food & Kitchen Supplies	84,693
	Jail Management Total		734,334
11650	Correctional Health Services		
	500000	Full Time - Salaries	-363,025
	500330	Holiday Worked	-17,250
	501000	Overtime	37,490
	502000	Fringe Benefits	-569,462
	505800	Medical & Health Supplies	-141,054

	516020	Professional Services Cont & Fees	31,431
	516050	Dept Payments to ECMCC	994,525
	<u>Correctional Health Total</u>		<u>-27,345</u>
120	Department of Social Services		
	500010	Part Time - Wages	-323,255
	516010	Cnt Pmts-Non Pro Pur	90,000
	516030	Maintenance Contracts	-178,065
	516040	DSS Trng & Edu Pro	106,710
	516400	Title XX Prev&Prot	-155,733
	525040	Family Assistance (FA)	-4,826,179
	525092	Child Care - CCBG	4,706,630
	525130	State Training School	1,595,434
	525160	Indigent Care DSH	-786,922
	530000	Other Expenses	-740,567
	530010	Chargebacks	-458,679
	530030	Pivot Wage Subsidies	-589,552
	545000	Rental Charges	-114,336
	<u>Department of Social Services Total</u>		<u>-1,674,514</u>
12210	DPW Commissioner's Office		
	502000	Fringe Benefits	-40,428
	516020	Professional Services Cont & Fees	575,000
	530000	Other Expenses	-119,679
	<u>DPW Commissioner's Office Total</u>		<u>414,893</u>
12220	DPW Building & Grounds		
	500020	Regular PT - Wages	-20,323
	502000	Fringe Benefits	-584,577
	515000	Utility Charges	-49,548
	575040	Interfund Expense-Utility Fund	315,852
	<u>DPW Building & Grounds Total</u>		<u>-338,596</u>
12410	MH - Program Admin.		
	516050	Dept Payments to ECMCC	-306,334
	516010	Cnt Pmts-Non Pro Pur	-327,831
	517581	Court Ordered-MH Srv	878,574
	502000	Fringe Benefits	-63,695
	<u>MH - Program Admin. Total</u>		<u>180,714</u>

12520	Youth Detention		
		502000 Fringe Benefits	-1,338,464
		516020 Professional Services Cont & Fees	-496,122
		575040 Interfund Expense-Utility Fund	10,298
	Youth Detention Total		-1,824,288
1273030	Environmental Health		
		502000 Fringe Benefits	-75,297
		516050 Dept Payments to ECMCC	75,297
	Environmental Health Total		0
12750	Special Needs		
		516020 Professional Services Cont & Fees	-271,879
		516050 Dept Payments to ECMCC	-276,639
		528000 Svcs Spec Need Child	1,065,428
	Special Needs Total		516,910
1335010	Aid to Local Governments		
		516060 Sales Tax Loc Gov 3 %	31,733,381
	Aid to Local Governments Total		31,733,381
14010	County-wide Acct Budget		
		504990 Reductions Per Srv	1,400,000
		504992 Salary Reserves	-3,875,122
		511000 Control Board Expense	162,227
		516050 Dept Payments to ECMCC	-346,563
		520070 Buffalo Bills Maintenance	29,663
		520072 Working Capital Asst	66,279
	County-wide Acct Budget Total		-2,563,516
14020	Interfund		
		570035 IF Tran-COVID-19 Res	181,160
		570050 InterFund Trans-Cap	5,750,000
	Interfund Total		5,931,160
14030	Community College		
		520020 Co Res Enrl Comm Col	-65,754
	Community College Total		-65,754
150	Board of Elections		

	500000	Full Time - Salaries	-169,609
	500010	Part Time - Wages	-365,398
	500020	Regular PT - Wages	-248,441
	501000	Overtime	-107,761
	502000	Fringe Benefits	-628,578
	516020	Professional Services Cont & Fees	-448,736
	530000	Other Expenses	-509,546
	Board of Elections Total		-2,478,069
16010	Law Division		
	502000	Fringe Benefits	-264,287
	516020	Professional Services Cont & Fees	-119,555
	Law Division Total		-383,842
16110	Personnel		
	502000	Fringe Benefits	-164,252
	516020	Professional Services Cont & Fees	-73,198
	Personnel Total		-237,450
16200	Env.& Planning Divn.		
	502000	Fringe Benefits	-70,742
	516020	Professional Services Cont & Fees	-402,881
	Env.& Planning Divn. Total		-473,623
16410	Parks Department		
	502000	Fringe Benefits	-228,899
	515000	Utility Charges	42,415
	575040	Interfund Expense-Utility Fund	19,567
	Parks Department Total		-166,917
16500	Central Police Services		
	500000	Full Time - Salaries	-58,977
	502000	Fringe Benefits	-162,618
	Central Police Services Total		-221,595
16700	Homeland Security & Emergency Services		
	500000	Full Time - Salaries	-23,855
	559000	County Share - Grants	23,855
	Homeland Security & Emergency Services Total		0

500	ECMC				
		502000	Fringe Benefits		-232,949
<hr/>					
	ECMC Total				-232,949
<hr/>					
510	EC Home				
		502000	Fringe Benefits		-194,500
<hr/>					
	EC Home Total				-194,500
<hr/>					
<hr/>					
Total General Fund 110 Expense Adjustments					32,250,291
<hr/>					

General Fund 110 - Revenue Adjustments

12750	Special Needs				
		405570	ME 50% Fed Presch		516,910
<hr/>					
	Special Needs Total				516,910
<hr/>					
14010	County-wide Acct Budget				
		402140	Sales Tax to Local Gov		31,733,381
		405500	SA-Spec Need Presch		
		409050	State Aid Revenue Offset		
<hr/>					
	County-wide Acct Budget Total				31,733,381
<hr/>					
<hr/>					
Total General Fund 110 Revenue Adjustments					32,250,291
<hr/>					
<hr/>					
Net General Fund 110 Adjustments					0
<hr/>					

Highway Fund 210 - Expense Adjustments

123	Highways (DPW)				
		501000	Overtime		60,048
		502000	Fringe Benefits		-159,576
		505600	Auto Tr & Hvy Eq Sup		34,788
		506200	Maintenance & Repair		64,740
<hr/>					
	Highways (DPW) Total				0
<hr/>					

E-911 Fund 230 -Expense Adjustments

11510	Sheriff Division				
		500000	Full Time - Salaries		17,887
		502000	Fringe Benefits		-17,887
<hr/>					
	Sheriff Division Total				0
<hr/>					

12720	Emergency Medical Services		
	501000	Overtime	76,238
	502000	Fringe Benefits	-76,238
	Emergency Medical Services Total		0
<hr/>			
	Total E-911 Fund 230 Expense Adjustments		0

Debt Service Fund 310 - Adjustments

17200	General Debt Expense		
	550000	Principal - Bonds	
	550010	Principal - Long Term Loan	5,085,000
	550110	Bond Issue Costs	196,640
	550800	Interest - Bonds	
	550810	Interest-Long Term Loan	6,624,050
	General Debt Expense Total		11,905,690
<hr/>			
	Revenue		
	445070	Premium on Obligations	208,828
	445180	Interest-Long Term Loan	4,721,495
	466350	Principal-Long Term Loan	6,975,367
	486010	Resid Equity Tran-In	
	General Debt Revenue Total		11,905,690
<hr/>			
	Net General Debt Adjustments		0

17300	Debt Srv SD 1,4 & 5 Expense		
	550000	Principal - Bonds	30,427
	550800	Interest - Bonds	20,223
	Debt Service SD 1,4 & 5 Expense Total		50,650
<hr/>			
	Revenue		
	475090	NYSEFC Bond Subsidy Income	50,650
	Debt Service SD 1,4 & 5 Revenue Total		50,650
<hr/>			
	Net Debt Service SD 1,4 & 5 Adjustments		0

17400	Debt Srv SD 2 Expense	550000	Principal - Bonds	5,044
	Debt Service SD 2 Expense Total			5,044
	Revenue			
	475090	NYSEFC Bond Subsidy Income		5,044
	Debt Service SD 2 Revenue Total			5,044
	Net Debt Service SD 2 Adjustments			0
17500	Debt Srv SD 3/Southtowns			
	550800	Interest - Bonds		5,918
	Debt Service SD 3/Southtowns Expense Total			5,918
	Revenue			
	475090	NYSEFC Bond Subsidy Income		5,918
	Debt Service SD 3/Southtowns Revenue Total			5,918
	Net Debt Service SD 3/Southtowns Adjustments			0
17600	Debt Svc - SD 6 Expense			
	550000	Principal - Bonds		14,966
	550800	Interest - Bonds		(9,322)
	Debt Service SD 6 Expense Total			5,644
	Revenue			
	475090	NYSEFC Bond Subsidy Income		5,644
	Debt Service SD 6 Revenue Total			5,644
	Net Debt Service SD 6 Adjustments			0

and be it further

RESOLVED, that authorization is hereby given to re-appropriate \$100,000,000 in available 2022 funding established as fund reservations into 2023 for pay-as-you-go funding for the New Buffalo Bills Stadium, no transfer is required; and be it further

RESOLVED, that authorization is hereby given to re-appropriate \$41,599,635 in available 2022 funding established as fund reservations into 2023 for the following items directly related to

the delayed Intergovernmental Transfer (IGT) Payments to Erie County Medical Center Corporation (ECMCC), no transfer is required:

Countywide		
	2022 Disproportionate Share Hospital (DSH) Payments	\$ 39,013,497
	2022 Upper Payment Limit (UPL) Payments	\$ 2,586,138

and be it further

RESOLVED, that authorization is hereby given to re-appropriate \$33,335,460 in available 2022 funding established as fund reservations into 2023 for the following items, no transfer is required:

Countywide		
	Grant Local Share	\$ 3,034,123
	2021 Budget Balancing PAYGO Capital - Unexpended	\$ 1,315,000
	2022 Budgeted - All Other	\$ 228,000
Environment & Planning		
	Storefront Revitalization Program	\$ 8,400,000
	Legislature Directed Urban Initiatives Funding	\$ 2,400,000
	Legislative Directed RENEW Plan Allocations - Unexpended	\$ 1,749,424
	2020-22 Cultural & Community Benefit Funding - Unexpended	\$ 552,466
	Poverty Initiative	\$ 400,000
	Climate Action "PARIS" Fund	\$ 180,063
Equal Employment Opportunity, Diversity & Inclusion		
	2022 Disparity Study - Allocated	\$ 500,000
	2022 Disparity Study - Unallocated	\$ 500,000
Health		
	Environmental Health Water Safety Program	\$ 225,000
	Division of Health Equity ARP Funding - Unexpended	\$ 202,383
	Community Health Center of Buffalo	\$ 175,000
	Public Health Lab Cooperative Agreement with Monroe County	\$ 130,000
Homeland Security & Emergency Services		
	Communication Tower Repairs	\$ 50,000
Law		
	Risk Retention	\$ 3,520,262
Legislature		
	Lab & Technical Equipment & Furniture - Unallocated	\$ 210,000
Mental Health		
	Housing Options Program	\$ 350,000
	Website Upgrades for Mental Health/Youth	\$ 100,000
	Suboxone Initiative for Jail Management Division	\$ 54,023

Mobile Telephone App Development	\$ 50,000
V3iT Software (Per COMM 18E-26)	\$ 50,000
CCNY (Per COMM. 14E-12)	\$ 43,906
Murals at 120 West Eagle	\$ 2,650
Public Works - Highways	
AURIGO Capital Planning & Cost Management System	\$ 575,000
Municipal Capital Program Management	\$ 380,000
Sheriff's Office	
Radio Upgrade Project	\$ 1,500,000
Warehouse & Office Lease (Per COMM. 14E-20)	\$ 87,519
Social Services	
DSS Workforce Development Action	\$ 4,550,000
DSS Live Well Innovation	\$ 597,537
Training & Education	\$ 470,028
Employment Services	\$ 425,000
Domestic Violence Services	\$ 225,515
Raise the Age	\$ 150,000
Child Abuse Prevention	\$ 82,500
Preventative Services	\$ 8,067
SUNY Erie Community College	
Unemployment Cost Relief Funds	\$ 861,994

and be it further

RESOLVED, that authorization is hereby given to transfer \$4,679,739 in available 2022 funding for additional designations and establish re-appropriations into 2023 as follows:

Health and Human Services

EMS Ambulance Operations - Start-Up	\$ 2,954,739
EMS Ambulance Operations - Building Design & Construction	\$ 1,725,000

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to amend the Department of Health's Division of Emergency Medical Services (EMS) 2023 Budget (Fund 110, Funds Center 12720) in the amount of \$2,954,739 for EMS Ambulance Operations start-up as necessary; and be it further

RESOLVED, that authorization is hereby given to create the following positions within EMS as of June 3, 2023, of which sufficient funding is available in EMS's 2023 Budget as included in the "EMS Ambulance Operations – Start-Up" appropriation above:

Department	Title	Status	Unit	JG	#	B100 #
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Health EMS	Director of Ambulance Services	FT	CSEA	13	1	13634
Health EMS	Paramedic Program Director	FT	CSEA	13	1	13635
Health EMS	Supervising Emergency Medical Technician - Paramedic	FT	CSEA	11	1	13636
Health EMS	Emergency Medical Technician - Paramedic II	FT	CSEA	10	5	13637
Health EMS	Emergency Medical Technician - Paramedic I	FT	CSEA	9	5	13638
Health EMS	Emergency Medical Technician - Paramedic I	PT	CSEA	9	6	13639
Health EMS	Advanced Emergency Medical Technician	FT	CSEA	8	4	13640
Health EMS	Emergency Medical Technician	RPT	CSEA	7	4	13684
Health EMS	Emergency Medical Technician	PT	CSEA	7	4	13732
Health EMS	Junior Administrative Assistant	FT	CSEA	7	1	13731
Health EMS	Emergency Communication Nurse	FT	NYSNA	11	2	13733

and be it further

RESOLVED, that authorization is hereby given to transfer \$261,437 in available 2022 funding for additional designations and establish re-appropriations into 2023 as follows:

Countywide	Salary Reserve	\$	261,437
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and be it further

RESOLVED, that authorization is hereby given to create the following positions as of June 3, 2023, of which sufficient funding is available in the 2023 Budget as included in the “Salary Reserve” appropriation above:

Department	Title	Status	Unit	JG	#	B100 #
HSES	Building Guard	FT	AFSCME	6	2	13676
Comptroller	Public Affairs Consultant	RPT	MC	16	1	13722
DPW B&G	Electrical Engineer	FT	CSEA	13	1	13646

and be it further

RESOLVED, that authorization is hereby given to upgrade the following positions as of June 3, 2023, of which sufficient funding is available in the 2023 Budget as included in the “Salary Reserve” appropriation above:

Department	Title	Status	Unit	Old JG	New JG	#	B100 #
HSES	Building Guard	FT	AFSCME	4	6	14	13674

HSES	Building Guard - Shift Supervisor	FT	AFSCME	5	7	2	13675
HSES	Coordinator of Building Security	FT	CSEA	9	10	1	13741

and be it further

RESOLVED, that authorization hereby given to transfer \$67,130,939 in available 2022 funding for additional designations and establish re-appropriations into 2023 as follows:

Countywide

New Stadium Pay-As-You-Go	\$ 25,000,000
Existing Stadium Debt Defeasance	\$ 9,421,977
Teamsters Contractual Reserve	\$ 900,000

Economic Development

2023 Storefront Revitalization Program	\$ 5,000,000
Renaissance Commerce Park Capital Fund	\$ 3,800,000
2022 November Storm Damage Fund	\$ 2,000,000
Erie County Healthcare Careers Program	\$ 280,000
Niagara Military Affairs Council	\$ 10,000

Education and Libraries

SUNY Erie CSEA & AFSCME Contract Reserve	\$ 3,492,316
Central Library - Evolv Weapons Detectors	\$ 510,976
Central Library - Teen/Kids Space Conversion	\$ 115,000
Buffalo Science Museum Eclipse 2024 Glasses	\$ 100,000
Chromebook Hotspot Lending Program	\$ 70,000
Central Library - Security Needs	\$ 60,000

General Services

New Jail & Corrections Center Pre-Construction	\$ 2,500,000
SUNY Erie Master Plan Phase 2 Pay-As-You-Go	\$ 2,500,000
Fed Aid William Street Reconstruction Phase 1 Pay-As-You-Go	\$ 1,628,000
Parks - Emery Maintenance Building Exterior Renovations	\$ 1,100,000
Parks - Winter Groomers	\$ 750,000
Rath Building Improvements Pay-As-You-Go	\$ 750,000
Parks Roads & Parking Lots Pay-As-You-Go	\$ 750,000
Kleinhans Capital Improvements Pay-As-You-Go	\$ 650,000
SUNY Erie North Campus Sports Field Complex Construction	\$ 500,000
Building & Grounds - Work Order System Expansion	\$ 300,000
Trailblazing Women Monument	\$ 250,000
Transit Road Sanitary Study	\$ 125,000

Health and Human Services

Youth Sports AED Kits	\$ 220,000
Civic Ready	\$ 150,000
Save the Michaels	\$ 100,000
211 - Outreach	\$ 100,000
Say Yes Summer Camp	\$ 100,000
Mural for 608 William Street	\$ 50,000
Feed More WNY	\$ 50,000
United Way Emergency Care Kits	\$ 25,000
Cornell Childcare Study	\$ 25,000

Public Safety

District Attorney Discovery Local Share Grants Reserve	\$ 2,819,402
Probation Discovery Local Share Grants Reserve	\$ 403,268
Winter Storm Rating System	\$ 350,000
Emergency Operations Center Upgrades	\$ 175,000

and be it further

RESOLVED, that authorization is hereby given to make the following 2022 budget adjustments in order to establish funding for the re-appropriations into 2023 as outlined in the preceding resolve clauses:

Department	Account	Increase/ (Decrease)
Designations		
General Fund 110 - Expense Adjustments		
10110	County Executive's Office	
	516020 Professional Services Cont & Fees	420,000
	561410 Lab & Technical Equipment	70,000
	<u>County Executive's Office Total</u>	<u>490,000</u>
11400	District Attorney's Office	
	559000 County Share - Grants	2,819,402
	<u>District Attorney's Office Total</u>	<u>2,819,402</u>
120	Department of Social Services	
	516020 Professional Services Cont & Fees	250,000
	<u>Department of Social Services Total</u>	<u>250,000</u>
12210	DPW Commissioner's Office	
	516020 Professional Services Cont & Fees	300,000
	<u>DPW Commissioner's Office Total</u>	<u>300,000</u>

12610	Probation		
		559000	County Share - Grants
			403,268
	Probation Total		403,268
12700	Health Division		
		516020	Pro Ser Cnt and Fees
			50,000
	Health Division Total		50,000
12720	Emergency Medical Services		
		516045	Program Start-Up Costs
			2,954,739
		570050	InterFund Trans-Cap
			1,725,000
	Emergency Medical Services Total		4,679,739
1331010	Economic Development		
			WIB Health Professions
		518700	Opportunity
			280,000
	Economic Development Total		280,000
1332010	Community/Neighborhood Development		
			Storefront Community
		516340	Revitalization
			5,000,000
		517780	Save the Michaels of the World
			100,000
		518053	Niag Mil Affairs Council
			10,000
	Community/Neighborhood Development Total		5,110,000
1333020	Cultural Agencies		
		518064	Buffalo Society Natural Sciences
			100,000
	Cultural Agencies Total		100,000
14010	County-wide Acct Budget		
		504992	Full Time - Salaries
			261,437
		504998	Net Impact Teamsters
			900,000
		516020	Pro Ser Cnt and Fees
			4,500,000
		570000	Interfund Transfers Subsidy
			125,000
		570050	InterFund Trans-Cap
			25,000,000
	County-wide Acct Budget Total		30,786,437
14020	Interfund		
		570028	Interfund County Share Library
			685,976
		570040	Interfund Subsidy-Debt Service
			9,421,977

	570050	InterFund Trans-Cap	12,103,000
	Interfund Total		22,210,953
14030	Community College		
	575000	Interfnd Exp Non-Sub	3,492,316
	Community College Total		3,492,316
16410	Parks Department		
	561430	Building, Grounds & Heavy Eqmt	750,000
	Parks Department Total		750,000
16700	Homeland Security & Emergency Services		
	516020	Pro Ser Cnt and Fees	350,000
	Homeland Security & Emergency Services Total		350,000
Total Designations Expense			72,072,115

Designations

General Fund 110 - Revenue Adjustments

11400	District Attorney's Office		
	409010	State Aid - Other	2,819,402
	District Attorney's Office Total		2,819,402
120	Department of Social Services		
	414030	FMAP Revenue	640,002
	466070	Refunds P/Y Expenses	8,160,473
	Department of Social Services Total		8,800,000
12610	Probation		
	409010	State Aid - Other	403,268
	Probation Total		403,268
14010	County-wide Acct Budget		
	400050	Int&Pen on R P Taxes	1,771,163
	402000	Sales Tax EC Purp	16,513,962
	402100	1% Sales Tax-EC Purp	17,686,163
	402120	.25% Sales Tax	4,313,612
	402130	.5% Sales Tax	8,860,054
	402500	OTB Betting & Gaming	1,474,060

	402520 Gaming Facilities Aid	3,652,018
	<u>County-wide Acct Budget Total</u>	<u>54,271,032</u>
17000	Countywide Accounts - Comptroller	
	445030 Int & Earn - Gen Inv	4,769,527
	445040 Int & Earn-3rd Party	1,008,411
	<u>Countywide Accounts - Comptroller Total</u>	<u>5,777,938</u>
	<u>Total Designations Revenue</u>	<u>72,072,115</u>
	<u>Designations Net Impact</u>	<u>0</u>

and be it further

RESOLVED, that authorization is hereby given for the County Executive enter into contract with Bergmann and Associates to providing consulting services to assist the Department of Public Works with the continued implementation of the Cartegraph software system for GIS building inventory and a work order system for an amount not to exceed the \$300,000 “Highways – Work Order System Expansion” appropriation authorized above, with purchasing authority provided under the New York State Office of General Services; and be it further

RESOLVED, that authorization is hereby given for the Director of Budget and Management to make any additional 2022 and 2023 budgetary adjustments necessary to implement budgetary amendments, carry-forwards and the establishment of re-appropriations authorized in this resolution; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any further 2022 Budget adjustments that may be required based on inter-departmental budget balancing or adjusting entries identified by the Erie County Comptroller or the County’s independent auditors, said adjustments would be made in conjunction with the Office of the Comptroller in preparation of their final financial statements and for no other purpose; and be it further

RESOLVED, that none of the aforesaid budget transfer items shall be deemed to approve, fund, or permit the physical alteration of the environment for any specific action or project identified above until the applicable environmental review(s) for the specific action or project is completed in accordance with the applicable laws, including but not limited to the New York State Environmental Quality Review Act (Art 8 of New York State Environmental Conservation Law); and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive’s Office, the Comptroller’s Office, the Department of Law, and the Division of Budget and Management.

MR. GILMOUR moved to amend the item. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

Amend 11th Resolve Clause as Follows:

Delete:

New Jail & Corrections Center – Pre-Construction - \$2,500,000

Add:

Public Safety Needs Assessment & Facility Feasibility Study - \$750,000

Public Safety Facilities – Pre-Construction - \$1,750,000

Jail Management Division (Community Reintegration Division Furniture Project) - \$45,000
Fund Center – 116 Account-561420 – Office Eqmt. Furniture & Fixtures

Jericho Road Community Health Center (Vive, Inc. Shelter)	\$150,000
Village of Farnham Volunteer Fire Department	\$5,000
Town of Brant	\$3,000
Langford-New Oregon Volunteer Fire Company	\$5,000
Hillcrest Volunteer Fire Company	\$5,000
Orchard Park Volunteer Fire Company	\$5,000
Windom Volunteer Fire Company	\$5,000
Boston Emergency Squad	\$20,000
Mortons Corners Fire Department	\$3,000
Village of North Collins Fire Department	\$5,000
Eden Fire Department	\$5,000
Brant-Farnham Historical Society	\$5,000
Operation Good Neighbor	\$5,000
Eden North Collins Food Pantry	\$5,000
WNY Southtowns Scenic Byway	\$10,000
Boston Free Library	\$2,000
Town of Collins Public Library	\$2,000
North Collins Public Library	\$2,000
Angola Public Library	\$2,000
Eden Public Library	\$2,000
Concord Public Library	\$2,000
Orchard Park Public Library	\$2,000
Foster Closet WNY	\$10,000
Clarence Fire District No. 1	\$30,000
Clarence Football Boosters	\$10,000
Village of Akron	\$25,000
Friendship Foundation	\$5,000
Amherst Youth Foundation	\$5,000
Buddy's Second Chance Rescue	\$5,000
Amherst South Rotary	\$2,500
Clarence Chamber of Commerce	\$7,500
Alden Historical Society	\$5,000

Alden Substance Abuse Coalition Prevention Coalition	\$3,000
Alden High School/ Bulldog Manufacturing	\$3,000
Town of Lancaster	\$30,000
Town of Cheektowaga	\$5,000
P.U.N.T Pediatric Cancer Collaborative	\$20,000
Boys & Girls Club of Depew-Lancaster	\$10,000
Alden Community Center	\$10,000
Lancaster Senior Center	\$10,000
716Patriots	\$4,000
Blossom in NY Inc.	\$10,000
Blossom Fire Company	\$10,000
Elma, Marilla, Wales Boys & Girls Club	\$10,000
Elma Conservation Club	\$10,000
Friends of Knox Farm	\$10,000
West Seneca Police Department	\$10,000
West Falls Center for the Arts	\$10,000
West Seneca Senior Center	\$5,000
Aurora Senior Center	\$5,000
West Seneca Cares, Inc.	\$5,000
Elma Historical Society	\$5,000
Office of the Aurora Town Historian	\$5,000
Roycroft Campus Corporation	\$5,000
Buffalo Friends of Folk Music, Inc.	\$20,000
O'Connell & Company Productions	\$20,000
Eggertsville Hose Company	\$20,000
Bangladeshi American Social & Cultural Org.	\$20,000
George F. Lamm Post #62	\$20,000
Town of Cheektowaga Senior Center	\$100,000
The EXE Jr. Program	\$15,000
African American Cultural Center	\$20,000
The Galactic Tribe	\$15,000
Michigan Str African American Heritage District	\$15,000
Ujima Company	\$25,000
Burchfield Penny Art Center	\$10,000
Every Bottom Covered	\$20,000
King Urban Life Center	\$20,000
Ramp Global Missions (Project Mona's House)	\$20,000
Erie Niagara Area Health Education Center (Melinated Moms)	\$15,000
Agape AME Church	\$10,000
Mother Earth Literacies	\$15,000
Hamburg Central School District – Union Pleasant Elementary School	\$100,000
Town of Tonawanda (Paramedics)	\$20,000
City of Tonawanda (Visual Arts Board)	\$10,000
American Legion Post 264	\$10,000
Hertel North Park Youth Baseball League	\$10,000
City of Tonawanda (Senior Center)	\$10,000
Parkside Community Association	\$10,000

Frank Lloyd Wright Martin House	\$20,000
Town of Tonawanda (Pocket Parks & Recreation)	\$10,000
Town of Grand Island (Police)	\$20,000
Boys & Girls Club of the Northtowns	\$20,000
James V. and Fay P. Ryan Paramedic Foundation	\$20,000
Buffalo Parent Teacher Organization	\$10,000
Tonawanda Community Gardens and Totes Project	\$20,000
American Legions Post # 1041	\$10,000

Add New Resolve Clause as Follows:

RESOLVED, the Public Safety Needs Assessment & Facility Feasibility Study must require a request for proposal process in accordance with Erie County procurement policies, and the request for proposal for the Public Safety Needs Assessment & Facility Feasibility Study shall include language that requires a racial equity lens evaluation, robust community engagement process, and an alternatives to new construction analysis in the scope of work for the study; and be it further

Add New Resolve Clause as Follows:

RESOLVED, the funds for the Public Safety Facilities – Pre-Construction at \$1,750,000 shall not be released until the Public Safety Needs Assessment & Facility Feasibility Study is completed and adopted by this honorable body; and be it further

MR. GILMOUR requested the separation of the 5th, 6th, and 7th Resolve Clauses, and moved to approve the balance of the item. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. GILMOUR moved to approve the 5th Resolve Clause. MR. JOHNSON seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. GREENE, MR. MALCZEWSKI, MR. TODARO, MR. BARGNESI, CHAIR BASKIN, MR. GILMOUR, MR. JOHNSON, MR. KOOSHOIAN and MS. VINAL. NOES: None. (AYES: 9; NOES: 0)

CARRIED UNANIMOUSLY.

MR. GILMOUR moved to approve the 6th Resolve Clause. MR. JOHNSON seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. BARGNESI, CHAIR BASKIN, MR. GILMOUR, MR. JOHNSON, MR. KOOSHOIAN and MS. VINAL. NOES: MR. GREENE, MR. MALCZEWSKI and MR. TODARO. (AYES: 6; NOES: 3)

CARRIED.

MR. GILMOUR moved to approve the 7th Resolve Clause. MR. JOHNSON seconded. MR. GREENE, MR. MALCZEWSKI and MR. TODARO voted in the negative.

CARRIED. (6-3)

FROM THE COMPTROLLER

Item 26 – (COMM. 8E-2) Comptroller Analysis of 2022 Budget Balancing Amendments & Designations

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 27 – (COMM. 8E-3) Chaplain Agreements for Holding Center & Correctional Facility

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR MEYERS

Item 28 – (COMM. 8E-4) Letter Concerning Absence for Session No. 8

Received, filed and printed.

April 21, 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 April 27, 2023 Legislature Session #9. Due to recovery from recent surgery, I will be unable to attend the meeting.

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

Sincerely,

Timothy J. Meyers
7th District Legislator

FROM THE COUNTY EXECUTIVE

Item 29 – (COMM. 8E-5) ECSD Nos. 1 & 3 - Various Sanitary Sewer Replacements

Item 30 – (COMM. 8E-6) ECSD No. 3 - National Fuel Gas Distribution Corporation

Item 31 – (COMM. 8E-7) ECSD No. 3 - Niagara Mohawk Power Corporation

Item 32 – (COMM. 8E-8) EC Fair Housing Study - Authorization to Enter Into an Agreement with Consultant

Item 33 – (COMM. 8E-9) PILOT Agreement for Ellicott Town Center, City of Buffalo - Affordable Housing Development

Item 34 – (COMM. 8E-10) Chestnut Ridge Park Culvert PK-21 Stone Wall Replacement

Item 35 – (COMM. 8E-11) SUNY ECC City Campus, 2021 Ellicott St. Building - Clay Tile Roof Repair Rebid

Item 36 – (COMM. 8E-12) Grover Cleveland Golf Course Schenck House & Restroom Renovation Project Construction Award

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

Item 37 – (COMM. 8E-13) Personnel Adjustment - EC Department of Probation & Increased Appropriation for Electronic Monitoring

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF & COUNTY EXECUTIVE

Item 38 – (COMM. 8E-14) Tablet Program Expansion & Community Reintegration Office Furniture

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 39 – (COMM. 8E-15) Submission Pursuant to EC Code of Ethics

Received, filed and printed.

April 24, 2023

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

Dear Mr. Graber:

The purpose of this letter is to comply with our ethics law regarding relatives who hold government positions. The only relatives who are employed by governments in Erie County of whom I am aware are:

- My wife, Deborah L. Hardwick, an elementary teacher for the Buffalo Public Schools; and
- My daughter, Aubrey Hill, who is also an elementary teacher for the Buffalo Public Schools.

In addition, I am aware of the following relatives who live outside of Erie County and are employed by government entities:

- My sister, Peggy Holmes, who is employed by Broome Community College;
- My niece, Alicia Woodard, a police officer in Norwich, NY;
- My nephew, Ricky Green, a state trooper in Connecticut;
- My nephew, Jason Woodard, who is a police officer in Jackson Township, Pennsylvania; and
- My niece, Sidney Holmes, who is a teacher in the Chenango Valley Central School District in Broome County.

I also have numerous cousins and other relatives who I have lost contact with over the years. To my knowledge, though, none reside in Western New York and I am unaware of any who are employed by government.

Sincerely,

Kevin R. Hardwick
Erie County Comptroller

FROM LEGISLATOR MILLS

Item 40 – (COMM. 8E-16) Letter Concerning Absence for Session No. 8

Received, filed and printed.

April 24, 2023

Hon. April N.M. Baskin, Chair
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Chair Baskin,

I regret that I will unavoidably be unable to attend the session on April 27, 2023. I am scheduled to be out of town on that date for a business meeting.

Thank you.

Yours Truly,

John J. Mills
Erie County Legislator – 11th District

cc: Robert M. Graber, Clerk
Erie County Legislature

FROM THE SHERIFF

Item 41 – (COMM. 8E-17) Award On-Site Diagnostic Imaging Services for the Holding Center & Correctional Facility

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

None.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 42 – (COMM. 8M-1) Metro Cash Flow Statements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 43 – (COMM. 8M-2) DEC Invites Public Comment About Brownfield Application for Site on East Huron St., Buffalo

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYS DEPT OF AGRICULTURE & MARKETS

Item 44 – (COMM. 8M-3) Final Notice of Intent to Undertake an Action within an Agricultural District, Grand Island

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ANNOUNCEMENTS

Item 45 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, May 4, 2023, and the schedule will be distributed. Chair Baskin further announced that the next scheduled session of the Legislature will be held on Thursday, May 11, 2023.

Chair Baskin also announced a timetable to hold committee discussions and conduct a vote on the legislation concerning the new stadium complex in Orchard Park involving NYS and Buffalo Bills. She announced that the Economic Development Committee will conduct discussions on Wednesday, May 3, 2023 and Thursday, May 4, 2023, in the Chamber of the Legislature. Chair Baskin also announced that a Special Session of the Legislature will be held on Thursday, May 4, 2023, also in the Chamber of the Legislature, to conduct the vote on the new stadium complex package.

MEMORIAL RESOLUTIONS

Item 46 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Joan Ratajczak.

Item 47 – Chair Baskin requested that when the Legislature adjourns, it do so in memory of Robert Smith Jr.

Item 48 – Legislator Malczewski requested that when the Legislature adjourns, it do so in memory of Michelle Brennan.

ADJOURNMENT

Item 49 – 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, May 11, 2023 at 12:00 Noon. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, May 11, 2023 at 12:00 Noon.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE