



THE ERIE COUNTY LEGISLATURE

Session No. 11
MAY 25, 2023

April N.M. Baskin
Chair

Timothy J. Meyers
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION - Mr. Mills

PLEDGE OF ALLEGIANCE - Mr. Bargnesi

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING - Meeting No. 10

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MAJORITY CAUCUS

Recognizing Teacher Appreciation Week 2023

MAJORITY CAUCUS

Recognizing National Cancer Research Month

VINAL

Congratulating Head Coach Brian Davis on Earning His 150th Win

GILMOUR

In Remembrance of Maribel Rodriguez

BARGNESI

Acknowledging the Celebrating Art! Event - 2023

BASKIN & JOHNSON

Recognizing the Tulsa Massacre - Honoring Black Wall Street Week 2023

JOHNSON

Honoring and Recognizing Keynote Speaker - Dr. Raven Patricia Baxter

JOHNSON

Recognizing Confident Girl Mentoring During Mental Health Awareness Month

BASKIN

Recognizing Danise Wilson - Executive Director, Friend and Colleague

VINAL

Honoring the Amherst Police Department Citizen of the Month - May 2023

JOHNSON	Acknowledging National Senior Health & Fitness Day
BARGNESI & KOOSHOIAN	Acknowledging Stella Hycner - Celebrating Her 105th Birthday
TODARO	Recognizing and Honoring Audrey Hamernik as Recipient of the 2023 NAF Advisory Board Champion Award
MILLS	Recognizing North Collins American Legion Post 1640 on Memorial Day, May 29, 2023
MILLS	Recognizing Sardinia American Legion Post 1131 on Memorial Day, May 29, 2023
MILLS	Recognizing VFW Felton Burns Post 5260 on Memorial Day, May 29, 2023
MILLS	Recognizing Orchard Park American Legion Post 567 on Memorial Day, May 29, 2023
MILLS	Recognizing Newell-Faulkner American Legion Post 880 on Memorial Day, May 29, 2023
MILLS	Recognizing Concord American Legion Post 431 on Memorial Day, May 29, 2023
MALCZEWSKI	Recognizing June as National Dairy Month in Erie County
MALCZEWSKI	Celebrating National Senior Health and Fitness Day in Erie County and Recognizing the West Seneca Senior Fitness Center
TODARO	Celebrating the 75th Anniversary of Boy Scout Troop 545
TODARO	Remembering the Life of Judge Gordon Willis
TODARO	Recognizing Mercy Flight Pilot Jim Havens on His Retirement
GREENE	Recognizing Twenty-One Service Member Honorees on the Clarence Veterans Memorial Wall

LEGISLATOR RESOLUTIONS:

INTRO. 11-1	MALCZEWSKI	Supporting the Essential Caregivers Act
INTRO. 11-2	MALCZEWSKI	Calling for a State of Emergency to Avoid Effects of an Immigration Crisis in Erie County
INTRO. 11-3	BASKIN	Community Inclusion in Public Safety Needs Assessment
INTRO. 11-4	BASKIN	Establishing a Standard Work Day for Elected Officials

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

COMM. 6E-9	From the Energy & Environment Committee	From the County Executive - ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Systems Improvements Project ****Proposed Amendment to COMM. 6E-9
COMM. 6E-11	From the Energy & Environment Committee	From the County Executive - ECSD No. 2 - Big Sister Creek WRRF IT Infrastructure Improvements ****Proposed Amendment to COMM. 6E-11
INTRO. 3-2	From the Health & Human Services Committee	From Chair Baskin - Appointment to the EC Health Equity Advisory Board ****Proposed Amendment to INTRO. 3-2
COMM.10E-18	From the Health & Human Services Committee	From the County Executive - Appointment to the EC Health Equity Advisory Board

SUSPENSION OF THE RULES:

COMM. 11E-34	COUNTY EXECUTIVE	RENEW Plan Contracts Authorizations - Phase 7
COMM. 11E-35	SHERIFF	Lease Space at 10 Centre Dr., Orchard Park
COMM. 11E-36	SHERIFF	Moose and Deimos K9 Retirement Transfer
COMM. 11M-7	CINDI MCEACHON	Resignation Letter - ECCSAB

COMMUNICATIONS FROM ELECTED OFFICIALS:

COMM. 11E-1	DISTRICT ATTORNEY	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization	RFP
COMM. 11E-2	MALCZEWSKI	Letter to County Executive Concerning the Erie County Gender Identity Policy	R&F
COMM. 11E-3	COUNTY CLERK	Erie County Clerk's Office - Annual Report 2022	Finance & Management
COMM. 11E-4	COMPROLLER	Home Rule Request for Immediate Consideration - Extension of Additional 1.0% & 0.75% Sales Tax	Immediate Consideration Requested
COMM. 11E-5	GILMOUR	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization	RFP
COMM. 11E-6	MEYERS	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization	RFP
COMM. 11E-7	JOHNSON	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization	RFP
COMM. 11E-8	VINAL	Submission Pursuant to EC Code of	RFP

Ethics (Local Law #2 -2018),
Disclosure of Family Members
Employed by Any Government
Organization

COMM. 11E-9	BASKIN	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization	RFP
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COMM. 11E-10	SHERIFF	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization	RFP
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COMM. 11E-11	COUNTY CLERK	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization	RFP
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COMM. 11E-12	KOOSHOIAN	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization	RFP
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COMM. 11E-13	COUNTY CLERK	Authorization to Extend Contract with WNY Law Center, Inc. for Zombie Property Outreach Services	Government Affairs
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COMM. 11E-14	COUNTY EXECUTIVE	Appointments to the EC Fire Advisory Board	Public Safety
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COMM. 11E-15	COUNTY EXECUTIVE	Appointments to EC Environmental Management Council	Energy & Environment
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COMM. 11E-16	COUNTY EXECUTIVE	Huron Human Capital Management Financial Aid Student Managed Services & Post-Production Support	Community Enrichment
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COMM. 11E-17	COUNTY EXECUTIVE	Authorization to Contract with First Amendment First Vote	Community Enrichment
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COMM. 11E-18	COUNTY EXECUTIVE	Authority to Enter into Contract for New Lancaster Highway Maintenance Facility	Economic Development
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COMM. 11E-19	COUNTY EXECUTIVE	Authorization to Enter Into Contract for Zoeller Rd. Pumping Station - Electric Service Project	Economic Development
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COMM. 11E-20	COUNTY EXECUTIVE	Authorization to Enter Into Contract for Emery Park Amphitheater Rehabilitation	Economic Development
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COMM. 11E-21	COUNTY EXECUTIVE	Rehabilitation of Bailey Ave. from Millersport Highway to Sheridan Dr.	Economic Development
COMM. 11E-22	COUNTY EXECUTIVE	Rehabilitation of Maryvale Dr. from Beach Rd. to Cayuga Rd. - Contract for Engineering Design Services	Economic Development
COMM. 11E-23	COUNTY EXECUTIVE	PILOT Agreement for Mt. Olive Senior Manor, City of Buffalo - Affordable Housing Development	Economic Development
COMM. 11E-24	COUNTY EXECUTIVE	Solid Waste Management Boards MOU	Energy & Environment
COMM. 11E-25	COUNTY EXECUTIVE	ECSD No. 3 - Southtowns Incinerator Tray Scrubber Replacement & Crane Installation Project	Energy & Environment
COMM. 11E-26	COUNTY EXECUTIVE	ECSD No. 4 - Warner Rd. & Bowmansville Pump Stations Value Installations Project	Energy & Environment
COMM. 11E-27	COUNTY EXECUTIVE	ECSD No. 3 - Southtowns Influent Pumps Replacement Project	Energy & Environment
COMM. 11E-28	COUNTY EXECUTIVE	ECSD No. 6 - Engineer Term Contract Agreement	Energy & Environment
COMM. 11E-29	COUNTY EXECUTIVE	ECSD No. 2 - Engineering Term Contract Agreement	Energy & Environment
COMM. 11E-30	COUNTY EXECUTIVE	ECSD No. 4 - Engineering Term Contract Agreement	Energy & Environment
COMM. 11E-31	SHERIFF	Sheriff's Office Personnel Adjustment - Division of Correctional Health	Public Safety
COMM. 11E-32	BASKIN	Erie County Corrections Specialist Advisory Board Inquiry	Public Safety
COMM. 11E-33	COMPTROLLER	EC Comptroller Access to EC Clerk's Government Bank Accounts	Finance & Management

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 11D-1	PERSONNEL COMMISSIONER	Letter from Legislator Malczewski Concerning the Erie County Gender Identity Policy	R&F
COMM. 11D-2	COMMISSIONER OF HEALTH	COVID-19 Outbreaks at Nursing Homes (Intro. 20-2)	Health & Human Services
COMM. 11D-3	COUNTY ATTORNEY	Filing Document for Local Law No. 4- 1-2023: A Local Law Providing for Remote Public Meetings & Remote Participation of the Legislature in the County of Erie	R&F
COMM. 11D-4	COUNTY ATTORNEY	Filing Document for Local Law No. 1- 2-2023: A Local Law Providing for 10% Property Tax Exemptions for Volunteer Firefighters & Ambulance Workers in Erie County	R&F
COMM. 11D-5	DIRECTOR OF BUDGET & MANAGEMENT	Budget Monitoring Report for Period Ending March 2023	Finance & Management

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

COMM. 11M-1	ASSEMBLYMAN GOODELL	Acknowledgment of Receipt of Certified Resolution	R&F
COMM. 11M-2	NYS DEPARTMENT OF TAXATION & FINANCE	List of Certified 2023 Class Equalization Rates	Finance & Management
COMM. 11M-3	NYS DEPARTMENT OF TAXATION & FINANCE	List of Certified 2023 Class Equalization Rates	Finance & Management
COMM. 11M-4	NYSDEC	Brownfield Cleanup Program Public Notice Fact Sheet	Energy & Environment
COMM. 11M-5	NYSDEC	DEC Invites Public Comment About Brownfield Application & Draft Work Plan for Site on Ohio St., Buffalo	Energy & Environment
COMM. 11M-6	COMMUNITY ORGANIZATIONS	Needs Assessment for Alternatives to a New Jail	Public Safety

ANNOUNCEMENTS:**MEMORIAL RESOLUTIONS:****ADJOURNMENT:**

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT
MINUTES OF PREVIOUS MEETING - Meeting No. 10

Attachments

Meeting No. 10 Minutes

ERIE COUNTY LEGISLATURE
MEETING NO. 10
MAY 11, 2023

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Mr. Malczewski, who offered a prayer.

The Pledge of Allegiance was led by Mr. Kooshoian.

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 8, and Meeting Number 9, from 2023. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – Miscellaneous Resolutions were offered, as follows:

BASKIN	Celebrating and Honoring National Nurses Week
BASKIN	Recognizing Apraxia Awareness Day
TODARO	Honoring the Elwood Jordans Insurance Agency as the Alden Chamber of Commerce 2023 Business of the Year
TODARO	Recognizing Coach McKenzie Bezon, 2023 All-Bee Girls' Basketball Coach of the Year
TODARO	Honoring Tyler DeKruger on Achieving the Rank of Eagle Scout
TODARO	Honoring Luciano Grande on Achieving the Rank of Eagle Scout
TODARO	Honoring Eric Frys on Achieving the Rank of Eagle Scout
VINAL	Acknowledging and Honoring Geoffrey and Robin Klein

BASKIN	Honoring and Recognizing The Phi Omega Chapter of Omega Psi Phi Fraternity, Inc. – 100th Year Anniversary
VINAL	Honoring Gary Schautt – Celebrating 50 Years of Service with the Eggertsville Hose Company
JOHNSON	Recognizing Military Appreciation Month 2023
VINAL	Honoring Past Fire Chief John Daniels – 50 Years of Service with the Eggertsville Hose Company
MAJORITY CAUCUS	Recognizing National Blood Pressure Month - May 2023
MAJORITY CAUCUS	Honoring National Lupus Awareness Month - May 2023
BASKIN	Acknowledging Shai Arnold and For Grieving Daughters Organization Celebrating 4th Annual Motherless-Daughter Brunch
GREENE	Honoring Brothers of Mercy Wellness Campus on National Nursing Home Week
GREENE	Honoring and Congratulating Police Officer Keith Felgemacher on His Retirement
GREENE	Honoring and Congratulating Amherst Police Officer Scott Banning on His Retirement
GREENE	Honoring the Cystic Fibrosis Association of Western New York and Recognizing Cystic Fibrosis Awareness Month in Erie County
MALCZEWSKI	Recognizing Lyme WNY During Lyme Disease Awareness Month
MILLS	Honoring Fox Run at Orchard Park on National Nursing Home Week
MILLS	Honoring the Jennie B. Richmond Nursing Home During National Nursing Home Week
MILLS	Celebrating the Wayland Brewing Company on Its Grand Opening
TODARO	Recognizing the Correctional Officers at the Erie County Holding Center During National Correctional Officers’ Week

May 7-13, 2023

TODARO	Recognizing the Correctional Officers at the Erie County Correctional Facility During National Correctional Officers' Week May 7-13, 2023
MILLS	Honoring Stanley Brown for Serving Our Country and Community
MALCZEWSKI	Congratulating Anna Tavernier for Winning the 2023 Youth of the Year Competition
TODARO	Honoring Christopher Gust for Being Named Alden Chamber of Commerce 2023 Citizen of the Year

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. GILMOUR moved for approval of the above twenty-eight items as amended. MR. JOHNSON 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 – CHAIR BASKIN directed that Local Law No. 2 (Print #2) 2023 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Item 10 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2023 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 11 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 69

May 4, 2023	PUBLIC SAFETY COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MEYERS.
CHAIR BASKIN PRESENT AS EX-OFFICO MEMBER.

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

a. COMM. 6E-1 (2023)
JOHNSON: “Documents Supporting 3 Bell System for BPS”
(Chair’s Ruling)

2. COMM. 7E-10 (2023)
SHERIFF

WHEREAS, the Erie County Sheriff’s Office continues to offer community reintegration programming through Project Blue and other programs; and

WHEREAS, in conjunction with Project Blue, the Sheriff’s Office seeks to expand its programming for participants; and

WHEREAS, the Erie County Sheriff’s Office seeks to enter into an agreement with The Prevention Council for Mindful Awareness Skill-Building Workshops; and

WHEREAS, the workshops will provide tools, techniques, and strategies on how to enjoy moments and navigate challenges; and

WHEREAS, the 6-week programming would be offered to Project Blue participants at the holding center and the correctional facility; and

WHEREAS, the agreement is not to exceed \$4,992.00 and will expire December 31, 2023; and

WHEREAS, this program will be funded through the commissary account without impacting the 2023 operating budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office and the Erie County Executive to enter into a contract with The Prevention Council of Erie County, 1625 Hertel Ave, Buffalo, New York 14216, for Mindful Awareness Skill-Building workshops; and be it further

RESOLVED, that the agreement is for six weeks of programming at the Erie County Holding Center and the Erie County Correctional Facility; and be it further

RESOLVED, the agreement is not to exceed \$4,992.00; and be it further

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

(5-0)

3. COMM. 8E-3 (2023)

SHERIFF

WHEREAS, the Erie County Sheriff's Office maintains a chaplain unit to provide religious services and spiritual counseling to the incarcerated population at the Erie County Holding Center and the Erie County Correctional Facility inmates; and

WHEREAS, the Sheriff's Office will enter into separate three-year agreements with Chaplain Frederick Gelsey and Chaplain Kenneth Simmons; and

WHEREAS, the chaplains shall be compensated \$50.00 per week; and

WHEREAS, the contracts will be paid from account 516020 – Professional Services and Fees and will not affect the 2023 operational budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office and the Erie County Executive to enter into a three-year contract with Frederick Gelsey, 217 Northampton Street, Buffalo, New York 14208, at a rate of \$50.00 per week for religious and spiritual services; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office and the Erie County Executive to enter into a three-year contract with Kenneth Simmons, 60 Stewart Avenue, Buffalo, New York 14211, at a rate of \$50.00 per week for religious and spiritual services; and be it further

RESOLVED, the contracts will be paid from account 516020 – Professional Services and Fees and will not affect the 2023 operational budget; 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 Budget and Management, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.
(5-0)

4. COMM. 8E-13 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Probation Department provides pretrial Release Under Supervision services for the courts as an alternative to incarceration; and

WHEREAS, bail reform legislation enacted by New York State in 2020 has significantly increased the caseloads of the Probation Officers providing pretrial Release Under Supervision services as well as the demand for electronic monitoring of released defendants; and

WHEREAS, the attached resolution requests authorization to add a Probation Officer position within the Erie County Probation Department to the pretrial services staff to address the increase in caseloads and the resulting increase in electronic monitoring of defendants; and

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

WHEREAS, the Erie County Probation Department proposes to use a portion of this funding to add a Probation Officer position and to increase the 2023 budget amount for electronic monitoring; and

WHEREAS, these appropriations will not result in an increase in County funding of the existing Probation Department's 2023-2025 Budgets and will be readdressed with the 2026 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes to add one Probation Officer position effective June 3, 2023 (B-100 #13653) in the 2023 Probation Department General Fund; and be it further

RESOLVED, that authorization is hereby given for the following budgetary increase in the 2023 Budget of the Probation Department to fund the cost of the new position and increases in electronic monitoring costs:

Probation Fund 110, Fund Center 12610		
<u>Account</u>	<u>Revenue</u>	<u>Increase</u>
409060	State Aid Pretrial Service	\$78,394
<u>Account</u>	<u>Appropriation</u>	<u>Increase</u>
500000	Full Time Salaries	\$32,632
502000	Fringe Benefit	\$16,316
516030	Maintenance Contracts	\$27,846
561410	Lab and Technical Equipment	<u>\$ 1,600</u>
		\$ 78,394

and be it further

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

RESOLVED, that certified copies of this resolution be sent to the: County Executive's Office, Division of Budget and Management, County Comptroller, Personnel Department, Department of Purchase and the Probation Department.
(5-0)

5. COMM. 8E-14 (2023)
SHERIFF & COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Sheriff's Office has initiated a tablet program for the incarcerated population; and

WHEREAS, the tablets are used for educational, personal skill-building, and entertainment purposes; and

WHEREAS, the tablets are used in conjunction with service providers to enhance programming; and

WHEREAS, the Erie County Sheriff's Office will purchase an additional 475 tablets and 70 charging carts from Keefe Commissary Network, which will provide greater access to the tablets for the incarcerated population at the holding center and the correctional facility; and

WHEREAS, the Erie County Sheriff's Office will transfer \$82,000.00 from account 221800 – Telephone Revenue to account 561410 – Lab & Tech to purchase the tablets and charging carts; and

WHEREAS, the Sheriff's Office created the Community Reintegration Division to provide educational, personal skill-building, and re-entry programming to the incarcerated population; and

WHEREAS, the Community Reintegration offices have moved to 134 West Eagle Street due to the expansion of services and the number of service providers; and

WHEREAS, the division needs additional office furniture to provide workstations for the increased county and non-county personnel within the office; and

WHEREAS, the Sheriff's Office will transfer \$22,500.00 from account 221800 – Telephone Revenue to account 561420 – Office Furniture & Fixtures to purchase the furniture; and

WHEREAS, the office furniture will be purchased from Millington-Lockwood, an approved New York State bidder; and

WHEREAS, as of April 24, 2024, the Telephone Revenue Account's balance is \$537,396.00; and

WHEREAS, the Sheriff and the County Executive agree the tablet expansion program and the furniture for the Community Reintegration office are appropriate use of the funds; and

WHEREAS, this use of funds complies with COMM. 6E-24, 2013, which states that telephone revenue "shall be dedicated to the general operation of the Holding Center and Correctional Facility;" and

WHEREAS, these transfers will not have a fiscal impact on the 2023 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Division of Budget and Finance to transfer \$82,000.00 from account 221800 – Telephone Revenue to account 561410 – Lab & Tech to purchase the tablets and charging carts; and be it further

RESOLVED, the Erie County Legislature authorizes the Division of Budget and Finance to transfer \$22,500.00 from account 221800 – Telephone Revenue to account 561420 – Office Furniture & Fixtures to purchase the furniture; and be it further

RESOLVED, the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of purchasing the tablets and charging carts from Keefe Commissary Network; and be it further

RESOLVED, that the Erie County Sheriff's Office and the Division of Budget and Management are authorized to have any unused funds either remain in or returned to the Telephone Revenue Account; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer 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 this resolution shall be forwarded to the County Executive, the County Attorney, the County Comptroller, the Division of Budget and Finance, the Division of Purchasing, and the Sheriff's Office for implementation.
(5-0)

6. COMM. 8E-17 (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 radiology imaging services; and

WHEREAS, Correctional Health has twice issued a Request for Proposal (RFP) for on-site diagnostic imaging services; and

WHEREAS, staff publicly published the RFP and contacted multiple vendors; and

WHEREAS, Buffalo Ultrasound was the only vendor to submit a proposal following the second publication of the RFP; and

WHEREAS, the vendor will provide the following, but not limited to, diagnostic imaging services: x-rays, ultrasound, Doppler, and echocardiographs; and

WHEREAS, the Sheriff's Office recommends that Buffalo Ultrasound be awarded the contract for RFP #2023-004VF; and

WHEREAS, the Erie County Sheriff's Office and the County of Erie shall enter into a three-year agreement with Buffalo Ultrasound for \$25,000.00 per year; and

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

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

516020	Professional Services	\$25,000.00
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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office to award RFP #2023-004VF to Buffalo Ultrasound 388 Evans Street, Williamsville, New York 14221, for on-site diagnostic imaging services comprehensive for 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 Buffalo Ultrasound 388 Evans Street, Williamsville, New York 14221; and be it further

RESOLVED, the terms of the agreement are for three years at \$25,000.00, and either party may terminate the contract, with or without cause, with ten days written notice; and be it further

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

516020	Professional Services	\$25,000.00
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and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any technical adjustments necessary 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 12 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 70

May 4, 2023	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MEYERS.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received, filed and referred to the ENERGY & ENVIRONMENT COMMITTEE:
 - a. COMM. 8E-5 (2023)
COUNTY EXECUTIVE: "ECSD Nos. 1 & 3 - Various Sanitary Sewer Replacements"

(Chair's Ruling)

2. RESOLVED, the following items are hereby received and filed:

a. COMM. 8M-1 (2023)
NFTA: "Metro Cash Flow Statements"
(Chair's Ruling)

b. COMM. 8M-2 (2023)
NYSDEC: "DEC Invites Public Comment About Brownfield Application for Site on East Huron St., Buffalo"
(Chair's Ruling)

c. COMM. 8M-3 (2023)
NYS DEPT OF AGRICULTURE & MARKETS: "Final Notice of Intent to Undertake an Action within an Agricultural District, Grand Island"
(Chair's Ruling)

3. COMM. 8E-6 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Division of Sewerage Management (DSM) is in the design phase for the Southtowns Advanced Wastewater Treatment Facility (AWTF) Expansion Project; and

WHEREAS, it has been identified during the design phase that a proposed electrical substation for the Southtowns AWTF Expansion Project requires the relocation of an existing 2-inch diameter gas line owned by National Fuel Gas Distribution Corporation; and

WHEREAS, the DSM recommends executing right of way and gas line relocation agreements to allow the existing 2-inch diameter gas line to be moved.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approves of a 10-foot-wide right of way to be granted to National Fuel Gas Distribution Corporation within the bounds the Southtowns AWTF parcel, SBL No. 159.00-1-24, S-3690 Lake Shore Road, Buffalo, New York 14219, so that National Fuel Gas Distribution Corporation may lay, maintain, alter, operate, relocate, remove, abandon in place, extend, re-lay and change the size of a pipeline or pipelines and to install cathodic protection devices, cable, regulators, connections, meters, valves, fittings, and accessories and do such other activity as is necessary and/or convenient for system maintenance, transportation and distribution of gas, over, under and/or through via a new 2-inch diameter gas line, or future gas lines, as may be necessary to service the Southtowns AWTF; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the Commissioner of the Department of Environment and Planning to sign any and all documentation requiring the signature of the property owner, including Right of Way and Gas Line Relocation Agreements, as it relates to the new gas line provided by National Fuel Gas Distribution Corporation for the Southtowns AWTF expansion project, subject to approval as to form by the County Attorney; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive's Office, Division of Budget and Management, Department of Law, Department of Environment and Planning, and the Division of Sewerage Management.

(4-0) Chair Baskin not present for vote.

4. COMM. 8E-7 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Division of Sewerage Management (DSM) is in the design phase for the Southtowns Advanced Wastewater Treatment Facility (AWTF) Expansion Project; and

WHEREAS, it has been identified during the design phase that a proposed electrical substation for the Southtowns AWTF Expansion Project would require a new electrical service; and

WHEREAS, the DSM recommends granting Niagara Mohawk Power Corporation (NMPC) a 20-foot wide easement for the new electrical service and associated appurtenances.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approves of a 20-foot wide easement to be granted to NMPC within the bounds the Southtowns AWTF parcel, SBL No. 159.00-1-24, S-3690 Lake Shore Road, Buffalo, New York 14219, so that NMPC may construct, reconstruct, relocate, extend, repair, maintain, operate, inspect, patrol, and, at their pleasure, abandon or remove electric facilities as may be necessary to service the Southtowns AWTF; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the Commissioner of the Department of Environment and Planning to sign any and all documentation requiring the signature of the property owner, including the easement agreement, as it relates to the new electrical service provided by NMPC for the Southtowns AWTF expansion project, subject to approval as to form by the County Attorney; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive's Office, Division of Budget and Management, Department of Law, Department of Environment and Planning, and the Division of Sewerage Management.

(4-0) Chair Baskin not present for vote.

5. COMM. 8E-8 (2023)
COUNTY EXECUTIVE

WHEREAS, the need for developing additional units of affordable housing is a priority for Erie County; and

WHEREAS, Erie County recognizes that various urban, suburban and rural communities within the County seek to explore creation of new units but may lack the technical expertise relative to siting such developments; and

WHEREAS, the County recognizes that studying existing zoning, public transit, and neighborhood amenity patterns relative to affordable housing development is beneficial in strategically

locating such sites; and

WHEREAS, Erie County has solicited proposals from qualified professional planning consultants for proposals to undertake such Affordable Housing Study; and

WHEREAS, the results of the selection process are included as an attachment to this resolution as outlined in the Erie County Administrative Code 26.08; and

WHEREAS, Erie County desires to work with Dr. Jason Knight, AICP (SUNY Buffalo State) to produce such Study; and

WHEREAS, this Affordable Housing Study is intended to assist Erie County and local municipalities with bringing additional units of affordable housing online.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute an agreement to provide professional planning services to conduct an Affordable Housing Study in an amount not to exceed \$30,000 with Dr. Jason Knight, AICP (SUNY Buffalo State); and be it further

RESOLVED, that an amount of \$30,000 be allocated from the 2023 Erie County Budget in fund 110, fund center 16200, general ledger 516020; and be it further

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

RESOLVED, that this resolution takes effect from and after its date of adoption; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive's Office; County Attorney; Comptroller's Office; Division of Budget and Management; and Department of Environment and Planning.

(4-0) Chair Baskin not present for vote.

6. COMM. 8E-9 (2023)
COUNTY EXECUTIVE

WHEREAS, Ellicott Town Center Project consists of the acquisition, rehabilitation, and preservation of 281 units for low income tenants within four high-rise tower buildings located at 211 & 233 East Eagle Street, and 202 & 214 South Division Street, the Shiloh Senior Homes townhomes-style facility at 245 East Eagle Street and parcels at 215 East Eagle Street, 216 East Eagle Street and 243 East Eagle Street; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Ellicott Town Center LLC and First Shiloh 2 Housing Development Fund Company, Inc. to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given for the County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Ellicott Town Center LLC, First Shiloh 2 Housing Development Fund Company, Inc., and the City of Buffalo and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Real Property Tax Services, Department of Environment and Planning, and the Department of Law.

SCHEDULE A
PILOT Payments

Year	Total	City	County
1	\$ 114,572	\$ 85,929	\$ 28,643
2	\$ 118,009	\$ 88,507	\$ 29,502
3	\$ 121,550	\$ 91,163	\$ 30,387
4	\$ 125,196	\$ 93,897	\$ 31,299
5	\$ 128,952	\$ 96,714	\$ 32,238
6	\$ 132,821	\$ 99,616	\$ 33,205
7	\$ 136,805	\$102,604	\$ 34,201
8	\$ 140,909	\$105,682	\$ 35,227
9	\$ 145,137	\$108,853	\$ 36,284
10	\$ 149,491	\$112,118	\$ 37,373
11	\$ 153,976	\$115,482	\$ 38,494
12	\$ 158,595	\$118,946	\$ 39,649
13	\$ 163,353	\$122,515	\$ 40,838
14	\$ 168,253	\$126,190	\$ 42,063
15	\$ 173,301	\$129,976	\$ 43,325

(4-0) Chair Baskin not present for vote.

7. COMM. 8E-10 (2023)
COUNTY EXECUTIVE

WHEREAS, the Stone Walls at Culvert PK-21 in Chestnut Ridge Park are deteriorating and causing a potential safety hazard of the travelling public; and

WHEREAS, the replacement of the stone Walls at Culvert PK-21 in Chestnut Ridge Park (Project CAP-PK-21-WALL-22) was approved by your Honorable Body via COMM 17E-15 (2021) and COMM 9E-6 (2022); and

WHEREAS, unforeseen conditions found during the construction resulted in additional construction costs, an extended construction schedule, and the need for additional construction inspection; and

WHEREAS, the work performed was beyond the scope of the original project and therefore requires additional funding; and

WHEREAS, the County Executive and department of Parks, Recreation & Forestry desires to execute a Change Order with the Contractor, McLaughlin Construction Corp. dba Edbauer Construction, for the increase in construction costs estimated at \$31,000 for the Construction phase of the project; and

WHEREAS, the County Executive and department of Parks, Recreation & Forestry desires to execute an Amendment with the Consultant, Greenman-Pedersen, Inc., with an increase in funding for the Construction Inspection phase of the Project estimated at \$5,000; and

WHEREAS, the additional \$36,000 needed for the Change Order and Amendment is available from Fund 410, Funds Center 164, Project A.21112 - 2021 Countywide Parks Improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute any necessary Change Orders with the Project Contractor; McLaughlin Construction Corp. dba Edbauer Construction in an amount not to exceed \$31,000; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute any necessary Amendments with the Project Consultant, Greenman-Pedersen, Inc. in an amount not to exceed \$5,000; and be it further

RESOLVED, that the additional funds for the Project will be allocated from Fund 410, Funds Center 164, Project A.21112- 2021 Countywide Parks Improvements; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive's Office, Division of Budget and Management, Department of Parks, Recreation, and Forestry.

(4-0) Chair Baskin not present for vote.

8. COMM. 8E-11 (2023)
COUNTY EXECUTIVE

WHEREAS, from 2010 to 2012, exterior restorations of the Ellicott Street Building were completed which included replacing the existing asphalt shingles and the sloped roof cladding on the street side around the perimeter of the building with a clay tile roof that duplicates the original; since then, a number of localized failures have occurred on the clay tile roof system that has compromised pedestrian safety; and

WHEREAS, in 2018 after several localized failures at the City campus, the Department of Public Works contracted with a Register Roofing Consultant to perform a forensic analysis to determine the cause for the roof failures; and

WHEREAS, after onsite investigations were performed, the forensic analysis revealed that neither the calculated design resistance of the tiles as installed, nor the prescriptive guidelines referenced in the design documents provided a structurally-sound, code-compliant roof assembly for the Ellicott Street Building; and

WHEREAS, the investigation and analysis also revealed that the lifting and/or separation of clay tile units from the building is primarily due to a failure of the smooth shank copper roofing nails that secure the clay tile units to the underlying horizontal wood batten and the existing roof mortar filler material at all hip locations is failing; and

WHEREAS, remedial action is necessary to ensure that the clay tile units that are currently anchored with smooth shank nails be re-installed with screws to the underlying horizontal wood battens to eliminate their potential to become dislodged by wind and fall to grade; and

WHEREAS, the Department of Public Works coordinated with the Department of Law to determine if there was any recourse to the original design consultant from the 2010 project to hold them accountable, however, it was determined that we were outside the statute of limitations on the project resulting in the inability to hold the original design consultant accountable; and

WHEREAS, based on the forensic analysis and the inability to hold the original design consultant accountable, a different design consultant was selected through the County's standard RFP process to prepare documents to make the necessary corrective action to the existing roof system; and

WHEREAS, the County of Erie previously received bids for the SUNY Erie Community College City Campus 2021 Ellicott Street Building Clay Tile Roof Repair project on Tuesday, December 20, 2022, however the bid prices far exceeded the consultant's pre-bid estimate, the scope was reduced to approximately half of the roof areas; and

WHEREAS, the County of Erie received bids for the SUNY Erie Community College City Campus 2021 Ellicott Street Building Clay Tile Roof Repair REBID project on Tuesday, March 14, 2023; and

WHEREAS, the lowest bidder failed to submit their Experience Questionnaire as part of the sealed proposal rendering them non-responsive, making it so that their bid could not be considered in accordance with the Erie County Local Law 2-2021; and

WHEREAS, the lowest responsible bidder for the General Construction Work is Jos A. Sanders & Sons, Inc.; and

WHEREAS, the County of Erie will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Department of Public Works and Bell & Spina Architects-Planners PC are recommending award of the contract to the lowest responsible bidder for the SUNY Erie Community College City Campus 2021 Ellicott Street Building Clay Tile Roof Repair REBID project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the lowest responsible bidder for the SUNY Erie Community College City Campus 2021 Ellicott Street Building Clay Tile Roof Repair REBID project for an amount not to exceed as follows:

General Construction Work

Jos. A. Sanders & Sons, Inc.	Base Bid:	\$ 3,701,344.00
Total Award of General Construction	Contract:	\$ 3,701,344.00

and be it further

RESOLVED, that the sum of \$298,656 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the approved Capital Budgets, Fund 480, Funds Center 122, as follows:

E.14006	2014 ECC Code Compliance (Collegewide)	\$ 146.33
E.15004	2015 ECC Code Compliance (Collegewide)	\$ 23,528.00
E.17005	2017 ECC Code Compliance (Collegewide)	\$ 36,568.49
E.18005	2018 ECC Code Compliance (Collegewide)	\$ 1,150.00
E.19001	2019 Collegewide Improvements and Renovations	\$ 370,360.48

E.20001	2000 Collegewide Improvements and Renovations	\$ 1,569,546.70
E.21150	2021 ECC City Roof	\$ 1,998,700.00
For a Total Amount Not to Exceed		\$ 4,000,000.00

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, and one copy to SUNY Erie and Financial Officer.

(4-0) Chair Baskin not present for vote.

9. COMM. 8E-12 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) has identified a capital improvement project at Grover Cleveland Golf Course to renovate the existing historic Grover Schenk House and Restroom Building; and

WHEREAS, the Department of Public Works and Watts Architecture and Engineering, DPC are recommending award of the contracts to the lowest responsible bidder for the General, Mechanical, Electrical and Plumbing Contract received on March 8, 2023; and

WHEREAS, the County Executive is requesting authorization to enter into an agreement with the lowest responsible bidder for the Grover Cleveland Golf Course Schenck House and Restroom Renovation Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contracts with the lowest responsible bidders for the Project for an amount not to exceed as follows:

General Construction Work

<u>Walter Johnson Building Co., Inc.</u>	Base Bid:	\$ 1,089,604
Total Award of General Construction Contract:		\$ 1,089,604

Mechanical Construction Work

<u>John W. Danforth Company</u>	Base Bid:	\$ 156,500
Total Award of General Construction Contract:		\$ 156,500

Electrical Construction Work

<u>CIR Electrical Construction Corporation</u>	Base Bid:	\$ 198,550
Total Award of Electrical Construction Contract:		\$ 198,550

Plumbing Construction Work

<u>M.K.S Plumbing Corp.</u>	<u>Base Bid:</u>	<u>\$ 49,000</u>
Total Award of Electrical Construction Contract:		\$ 49,000

and be it further

RESOLVED, that the sum of \$150,000 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

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

<u>A.21162 – 2021 Parks Managed by DPW</u>	<u>\$1,643,654</u>
Total not to exceed	\$1,643,654

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the County Executive’s Office, the Comptroller’s Office, the Division of Budget and Management, and the Department of Parks, Recreation & Forestry.

(4-0) Chair Baskin not present for vote.

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

LEGISLATOR RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 71

RE: RENEW Plan Funding
Re-Allocation
(INTRO. 10-1)

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

WHEREAS, the GBUAHN was awarded \$200,000 in RENEW Plan funding by the Erie County Legislature in Comm. 18E-18 (2021) in Erie County Department of Health Fund Center 12700, Account 516020; and

WHEREAS, the organization is not able to accept the funds, and the funding should be transferred to an alternative organization; and

WHEREAS, this Honorable Body, in partnership with the District Attorney, is looking to collaborate with United States District Court for the Western District of New York (“WDNY”) and New York State Office of Court Administration (“OCA”) on an effort to increase the diversity of Erie County’s juries; and

WHEREAS, WDNY, OCA, and Erie County have agreed to share the costs of the Jury Diversification Project with services provided by Causewave who was chosen after months of analysis and vetting performed by numerous committees and subcommittees from the entities described above as well as by more than a dozen community agencies.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to transfer funds previously reserved for the GBUAHN Health Home Fund 110, Fund Center 12700, Account #516020 – Professional Services, Contracts, and Fees to Fund 110, Fund Center 1332010 and reallocate \$15,000 for the Jury Diversification Project; and be it further

RESOLVED, that while the agency names are changing the overall budget line amount is to remain the same; and be it further

RESOLVED, that the Director of the Division of Purchase is authorized to create any necessary documents to facilitate the granting of funds for the Jury Diversification Project; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Erie County Comptroller, the Director of the Division of Purchase, the Director of Budget and Management, and any other party deemed necessary and proper.

Item 14 – CHAIR BASKIN directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 10-2 from MALCZEWSKI. Supporting the Separation of Policy and Financial Issues in the New York State Budget.

Item 15 – MR. GILMOUR presented the following resolution and moved for immediate

consideration and approval. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 72

RE: Supporting Kyra's Law in the
New York State Senate and
Assembly
(INTRO. 10-3)

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

WHEREAS, Kyra Franchetti was a Nassau County toddler who was ordered by the court to have unsupervised visits with her father, despite being notified that her father was dangerous, angry and suicidal; and

WHEREAS, Kyra's mother's pleas for the court protect Kyra were dismissed, with the judge remarking that it was "not a life-or-death" situation; and

WHEREAS, while on a court-sanctioned unsupervised visit with her father in Virginia, Kyra was murdered and her father committed suicide by burning his house down while in it; and

WHEREAS, research is now available regarding domestic violence and child abuse that was not available when custody courts developed their current practices; and

WHEREAS, courts have been slow to integrate this research; and

WHEREAS, most judges, lawyers and evaluators do not have the requisite training and background to properly evaluate certain domestic violence and child abuse cases; and

WHEREAS, New York State Senate bill S.7425 and Assembly Bill A.5398A encourages a multidisciplinary approach that would include experts in domestic violence and child abuse; and

WHEREAS, the bills would require an evidentiary hearing within 60 days of the filing of a verified pleading to make a determination upon competent admissible evidence and enter findings regarding child abuse, family violence or domestic abuse; and

WHEREAS, the bills would require the court to prioritize the health and safety of a child when making a decision based on the best interest of a child; and

WHEREAS, the bills would prevent the courts from presuming that a child's deficient or negative relationship with a parent was caused by the other parent and a child's contact with the primary attachment figure will not be restricted as a means of attempting to improve the deficient relationship; and

WHEREAS, the bills would require that in cases where domestic violence or child abuse has occurred, the court would not base decisions on a legal presumption of shared parenting; and

WHEREAS, the bills would also allow the court to order payment of legal fees for both parties by the abuser, if the abuser is so able; and

WHEREAS, the bills would require judges and court personnel handling child custody cases in which one or both of the parties have alleged domestic violence or child sexual abuse to complete training for the handling of such cases at least once annually; and

WHEREAS, additional modifications would also be implemented to protect children in abusive relationships, as outlined in the bills, copies of which are attached hereto.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports the passage and enactment of New York State Senate bill S. 7425 and Assembly bill A. 5398A, commonly known as Kyra's Law; and be it further

RESOLVED, that copies of this resolution be forwarded to the local delegation of the New York State Senate and Assembly and the New York State Governor.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 16 – MR. GILMOUR moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 4E-9 (2023). MR. BARGNESI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 73

RE: ECSD No. 5 RFP - Transit Road
Corridor Sanitary Sewer Service
Evaluation Report
(COMM. 4E-9, 2023)

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

CARRIED UNANIMOUSLY.

Insert the Following:

WHEREAS, funding was appropriated as part of Legislative Comm. 8E-1 (2023) – 2023 Budget Balancing and Year End Designations Resolution – for a study of Erie County Sewer District (ECSD) No. 5's future sanitary sewer capacity needs, including items listed in the Town of Clarence's master plan and potential redevelopment of the Eastern Hills Mall site; and

WHEREAS, the County of Erie issued a Request for Proposals to retain an engineering firm to perform professional services for the Transit Road Corridor Sanitary Sewer Service Evaluation Report in ECSD No. 5; and

WHEREAS, a review committee evaluated the responses to the Request for Proposals using a consistent scoring matrix; and

WHEREAS, after ranking proposals and conducting interviews the review committee recommends JM Davidson, D.P.C. to complete the requested consulting services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute an agreement with JM Davidson, D.P.C. (935 Sheridan Drive – Suite 120, Tonawanda, New York 14150) for professional services associated with this project in an amount not to exceed \$100,000.00, subject to approval as to content by the Commissioner of the Department of Environment and Planning, and approval as to form by the County Attorney’s Office; and be it further

RESOLVED, that sufficient funding exists within ECSD No. 5, Fund 430, Funds Center 181, Capital Project C.23550 – Transit Road Sanitary Sewer Service Evaluation to fund these engineering services; 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 action; 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 & Planning.

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

CARRIED UNANIMOUSLY.

Item 17 – MR. GILMOUR moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 6E-10 (2023). MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 74

RE: ECSD No. 6 - Ridgewood Village
Sanitary Sewer Service Lateral
Connection Lining Project
(COMM. 6E-10, 2023)

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

CARRIED UNANIMOUSLY.

Insert the Following:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 66 at 2:00 p.m. on April 4, 2023:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 66	United Survey, Inc. 25145 Broadway Avenue Oakwood Village, OH 44146	\$498,140.00

and

WHEREAS, the aforementioned lowest responsible bidder has 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 Ridgewood Village Sanitary Sewer Service Lateral Connection Lining Project, Erie County Sewer District No. 6, Contract No. 66 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 66	United Survey, Inc. 25145 Broadway Avenue Oakwood Village, OH 44146	\$498,140.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute Contracts with the aforementioned lowest responsible bidder, 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 \$498,140.00 in Capital Account No. C.21150 (American Rescue Plan funds) to fund Contract No. 66; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this funding; and be it further

RESOLVED, that at the close of the project any unused funds be returned to the capital project and the budgets be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and

Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 18 - MR. GREENE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 10-4 from GREENE, MILLS, TODARO & MALCZEWSKI Re: Requesting that Michael Joseph be Suspended from Board Positions at the Buffalo AKG Art Museum & Roswell Park Comprehensive Cancer Center Pending an Investigation of Clover Management

MR. GREENE moved to approve the resolution. MR. TODARO seconded.

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

AYES: MR. GREENE, MR. MALCZEWSKI, MR. MILLS and MR. TODARO. NOES: MR. BARGNESI, CHAIR BASKIN, MR. GILMOUR, MR. JOHNSON, MR. KOOSHOIAN, MR. MEYERS and MS. VINAL. (AYES: 4; NOES: 7)

FAILED.

Item 19 - MR. GILMOUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 10-5 from JOHNSON, BASKIN, KOOSHOIAN, BARGNESI, VINAL, GREENE, MEYERS, TODARO, GILMOUR, MALCZEWSKI, MILLS Re: Requesting the Termination of Employees at Clover Group

MR. GILMOUR moved to approve the resolution. MR. JOHNSON seconded.

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

AYES: MR. GREENE, MR. MALCZEWSKI, MR. MILLS, MR. TODARO, MR. BARGNESI, CHAIR BASKIN, MR. GILMOUR, MR. JOHNSON, MR. KOOSHOIAN, MR. MEYERS and MS. VINAL. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

RESOLUTION NO. 75

WHEREAS, this honorable body stands united against racism, white supremacy, and discrimination, and acknowledges the pain these hateful ideologies have caused in this Country, especially in light of the anniversary of the May 14th racist terrorist attack; and

WHEREAS, the Clover Group has been accused of implementing racist policies, in particular refusing to develop affordable housing for senior citizens in neighborhoods that are majority-minority neighborhoods, particularly neighborhoods that are predominantly Black; and

WHEREAS, a number of Clover Group employees were recorded making racist tropes, using the term “Canadians” to refer to Black people, and were jovial in their racist remarks; and

WHEREAS, the allegations against the Clover Group and the corresponding evidence are clear and disturbing enough that immediate action needs to occur, in the form of termination of the persons and parties who were recorded on tape making racist statements; and

WHEREAS, these allegations highlight the systemic problem in this Country of racial discrimination, in particular with housing development; and

WHEREAS, Buffalo, as much as any other city, has been suffering from discriminatory housing practices that are being alleged at Clover Group, which has resulted in Buffalo being one of the most segregated cities in this Country, and a target for racist attacks, such as May 14, 2022.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature urges Clover Group to terminate the persons on the recording who made and accepted racist remarks; and be it further

RESOLVED, calls on Clover Group to make a statement against racial housing discrimination; and be it further

RESOLVED, urges the United States Department of Housing and Urban Development to investigate Clover Group and its policies; and be it further

RESOLVED, that certified copies of this resolution be forwarded to United States Department Housing and Urban Development, New York State Governor, Erie County Executive.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE SHERIFF

Item 20 – (COMM. 10E-1) EC Sheriff's Office - NYS Canal Corporation Marine Patrol Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR MEYERS

Item 21 – (COMM. 10E-2) Letter of Absence for Session No. 9 - May 4, 2023

Received, filed and printed.

May 4, 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 May 4, 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
Erie County Legislator, 7th District

FROM LEGISLATOR BARGNESI

Item 22 – (COMM. 10E-3) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

John A. Bargnesi, Jr.
Erie County Legislator, District 4

To whom it may concern:

Please accept the following as my disclosure of family members working in any governmental organization, in any capacity:

<u>Name</u>	<u>Relationship</u>	<u>Governmental Entity</u>	<u>Position Held</u>
John A. Bargnesi, Jr.	Self	Erie County Legislature	Legislator, District 4
Jennifer A. Bargnesi	Spouse	Buffalo Schools	Teacher
Dominic J. Bargnesi	Son	Town of Tonawanda	Water Department – Operator

Jack A. Bargnesi	Son	Town of Tonawanda	Town Prosecutor
Anna G. Bargnesi	Daughter	Akron Central School District	Teacher
Grace E. Bargnesi	Daughter	Town of Tonawanda	PT Clerk - Town Clerk's Office
James F. Bargnesi	Brother	Erie County Courts	Judge
Tom Mesi	Cousin	Town of Tonawanda	Water Department - Laborer

John A. Bargnesi, Jr.
Erie County Legislator, District 4

FROM THE COMPTROLLER

Item 23 – (COMM. 10E-4) Interim Financial Report of Erie County

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE MINORITY CAUCUS

Item 24 – (COMM. 10E-5) Constituent Concern

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 25 – (COMM. 10E-6) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 4, 2023

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

Re: Filing Pursuant to Erie County Ethics Law Section 5(c)

Dear Honorable Members:

Pursuant to Section 5(c) of the recently enacted Code of Ethics, the undersigned hereby submits to you a list of all family members as defined in the law presently employed by any government organization in any capacity:

Name of Relative	Relation to Self	Employer
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Robb Poloncarz	Brother	Erie County
Lynn Poloncarz	Sister-in-law	Orchard Park Central School District
James Jurek	First Cousin	Erie County

To my knowledge there are no other members of my family as defined by Section 5(c) of the Code of Ethics presently employed by any government. If you have any questions on this filing please contact the undersigned at your earliest convenience.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

Item 26 – (COMM. 10E-7) Buffalo Convention Center - Sidewalk Vault Rehabilitation Project

Item 27 – (COMM. 10E-8) Erie County - On-Call Electrical Engineering Consultant

Item 28 – (COMM. 10E-9) Authorization to Enter Into Contract for Rath Building - 15th Floor Amendment

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

Item 29 – MR. GILMOUR presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 76

RE: On-Call General Civil Engineering &
Land Survey Services RFP
(COMM. 10E-10)

WHEREAS, the Department of Public Works previously advertised an RFP for the General Civil Engineering & Land Survey Services – On Call Term Agreement as the County has determined that there is a need for the ability to access general civil engineering and land survey services in an efficient and timely manner to be able to respond to problems, emergency situations and issues that are of such magnitude that an issuance of a request for proposals is not warranted; and

WHEREAS, the County has in the past met this need by the awarding two On-Call contracts for such services to consultants selected in accordance with County policy and the County selection process; and

WHEREAS, the County previously entered into an agreement through the Department of Public Works (DPW) standard consultant selection process with Greenman-Pedersen, Inc. (GPI) and DiDonato Associates Engineers and Architects (DiDonato) for professional services for the Professional General Civil Engineering & Land Survey Services On-Call Term Agreement per COMM. 2E-21 (2023) for an initial term of three (3) years with the option of two (2) one (1) year extensions; and

WHEREAS, the County reserved the right for all Erie County Departments to utilize the contract provided a funding source per the terms of the RFP that was issued on November 4, 2022; and

WHEREAS, the terms of DPW Contract No. 23-172-PW will remain unchanged while including the ability to use Department of Parks, Recreation and Forestry funding sources as described herein; and

WHEREAS, the firms are anticipated to be utilized by the Department of Parks, Recreation, & Forestry, and other Departments/Divisions within the County; and

WHEREAS, funding for the On-Call contracts is available from the Capital Projects hereinafter noted.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute Agreement Amendments on a case by case basis as negotiated with the County and GPI or DiDonato per the terms of DPW Contract No. 23-172-PW as projects arise to utilize Department of Parks, Recreation and Forestry funding sources by an amount not to exceed \$255,234.67; and be it further

RESOLVED, that of that amount, \$100,000.00 will be exclusively for the Bennett Beach Parking Lot Reconstruction and \$155,234.67 for the exclusive use of various civil, survey, geotechnical, and construction projects in the Department of Parks, Recreation & Forestry; and be it further

RESOLVED, that sufficient funding is available in Fund 410, Funds Center 164 as follows:

Project	Title	Fund	Fund Center	Amount
A.22022	2022 Bennett Beach Reconstruction	410	164	\$100,000.00
A.22008	Countywide Parks Improvements and ADA Accessibility	410	164	\$155,234.67
Total not to Exceed				\$255,234.67

and be it further

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

Item 30 – (COMM. 10E-11) Transfer of Funds to Capital Project

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 31 – (COMM. 10E-12) Authorization to Enter Into Contract with the Recreational Off-Highway Vehicle Association

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 32 – (COMM. 10E-13) Acceptance of State Aid for Safe Harbor for Sexually Exploited Children

Item 33 – (COMM. 10E-14) Authorization to Enter Into Contract with Dr. Iram Ashraf

Item 34 – (COMM. 10E-15) Appointment to the EC Senior Services Advisory Board

Item 35 – (COMM. 10E-16) Authorization to Enter Into Contract for Transportation Consultant for Older Adult & Disabled Populations

Item 36 – (COMM. 10E-17) Authorization to Award 2023 Summer Operation Primetime Contracts

Item 37 – (COMM. 10E-18) Appointment to the EC Health Equity Advisory Board

The above six items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 38 – (COMM. 10E-19) Accept Donation of Sanitation Supplies

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 39 – (COMM. 10D-1) February 2023 Budget Monitoring Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPUTY COMPTROLLER OF AUDIT

Item 40 – (COMM. 10D-2) EC Comptroller's Office Audit of the EC Clerk's Office - Notification of Expanded Scope & Separation into Two Audits

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 41– (COMM. 10D-3) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE BUDGET DIRECTOR

Item 42 – (COMM. 10D-4) Information Request Per INTRO. 7-3 (2023)

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE ASSIGNED COUNSEL PROGRAM

Item 43 – (COMM. 10M-1) Quarterly Report of Assigned Counsel Program - 1st Quarter of 2023

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE ECIDA

Item 44 – (COMM. 10M-2) ECIDA 2022 Annual Financial Statements

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYSERDA

Item 45 – (COMM. 10M-3) Notice of Intent to Undertake an Action Within an Agricultural District - RPNY Solar 11, LLC's Two Rod Road Project in the Town of Marilla

Item 46 – (COMM. 10M-4) Notice of Intent to Undertake an Action Within an Agricultural District - RPNY Solar 10, LLC's Stolle Road Solar Project in the Town of Marilla

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

ANNOUNCEMENTS

Item 47 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, May 18, 2023, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, May 25, 2023.

Item 48 – Legislator Johnson announced that on Saturday, May 13, 2023, from 8:00 a.m. to 3:00 p.m., the inaugural Buffalo Black Caucus will conduct workshops on various topics to empower residents in many ways, as we mark the anniversary of the tragedy that occurred on May 14, 2022. The event is open to the public, Legislator Johnson added.

MEMORIAL RESOLUTIONS

Item 49 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Bela S. Petho.

Item 50 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Joan K. Bozer.

Item 51 – Legislator Malczewski requested that when the Legislature adjourns, it do so in memory of Leonard J. Blizniak.

ADJOURNMENT

Item 52 – 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 25, 2023 at 12:00 Noon. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, May 25, 2023 at 12:00 Noon.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MAJORITY CAUCUS

Recognizing Teacher Appreciation Week 2023

Attachments

TEACHER APPRECIATION

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 8 - 12, 2023

EC LEG MAY 10 '23 PM 2:46

Recognizing Teacher Appreciation Week 2023

WHEREAS, May 8 – 12, 2023 officially marks *Teacher Appreciation Week*, where we can truly say 'thank you' to the extraordinary educators who have worked tirelessly with students and families to keep our education system on the path towards progress; and

WHEREAS, through their dedicated efforts to ensure our children gain the knowledge and skills needed to be successful in higher education, careers and life, teachers are vital in helping build the future; and

WHEREAS, the purpose of designating this week as *Teacher Appreciation Week* is to remind Americans how teachers play a crucial role in shaping our children into the adults they will become, supporting them through their youth, and teaching lessons that they will carry through life; and

WHEREAS, teachers spend countless hours preparing lessons, evaluating progress, counseling and coaching students and performing community service; and

WHEREAS, teachers encounter students of widely differing backgrounds; and

WHEREAS, in today's world, the work of teachers is critical to helping our nation build a brighter future for our communities and workforce; and

WHEREAS, *Teacher Appreciation Week* offers a time to honor, recognize, remember, and appreciate all those who have taught and/or mentored in the classroom, and those who continue to proudly serve our grateful county and nation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize and honor *Teacher Appreciation Week* and gives a special thanks to the dedication and commitment of all teachers and the observation of this week with appropriate ceremonies and activities.

Hon. April N.M. Baskin
Chair of the Legislature
Erie County Legislator, 2nd District

Hon. Timothy J. Meyers
Majority Leader
Erie County Legislator, 7th District

Hon. Howard J. Johnson Jr.
Erie County Legislator, 1st District

Hon. Michael H. Kooshoian
Erie County Legislator, 3rd District

Hon. John A. Bargnesi Jr.
Erie County Legislator, 4th District

Hon. Jeanne M. Vinal
Erie County Legislator, 5th District

Hon. John J. Gilmour
Erie County Legislator, 9th District

Robert M. Graber
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MAJORITY CAUCUS

Recognizing National Cancer Research Month

Attachments

CANCER RESEARCH

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 11, 2023

EC LEG MAY 10 '23 PM 2:46

Recognizing National Cancer Research Month

WHEREAS, in May, we recognize *National Cancer Research Month* to highlight the importance of lifesaving research to the millions of people around the world affected by the collection of devastating diseases we call cancer; and

WHEREAS, cancer is a leading cause of death worldwide, accounting for nearly 10 million deaths annually, or nearly one in six deaths; and

WHEREAS, during the month of May, we raise awareness about the important and incredible impact research has on treating and curing people with cancer; and

WHEREAS, research is crucial for identifying effective treatments and potential cures for cancer; and

WHEREAS, understanding your family history can help guide your discussion with your physician of when you need to start cancer screening and whether to consider genetic counseling; and

WHEREAS, increasing the awareness for cancer research may lead to important medical advances that can help millions of people prevent cancer in themselves and others.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby proclaims May 2023 as *National Cancer Research Month* and encourages all residents to understand the importance of sharing cancer research information and to talk to your doctor about cancer risk factors.

Hon. April N.M. Baskin
Chair of the Legislature
Erie County Legislator, 2nd District

Hon. Timothy J. Meyers
Majority Leader
Erie County Legislator, 7th District

Hon. Howard J. Johnson Jr.
Erie County Legislator, 1st District

Hon. Michael H. Kooshoian
Erie County Legislator, 3rd District

Hon. John A. Bargnesi Jr.
Erie County Legislator, 4th District

Hon. Jeanne M. Vinal
Erie County Legislator, 5th District

Hon. John J. Gilmour
Erie County Legislator, 9th District

Robert M. Graber
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

VINAL

Congratulating Head Coach Brian Davis on Earning His 150th
Win

Attachments

BRIAN DAVIS

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 11, 2023

EC LEG MAY 10 '23 PM 2:4

Congratulating Head Coach Brian Davis on earning his 150th Win

WHEREAS, when *Brian Davis* became Amherst High School's softball coach, he arrived with a vision to build a program and to build young men into leaders; and

WHEREAS, Coach Davis built his coaching resume early, and on April 24th, 2023, he earned his 150th win in defeating Iroquois by the score of 6 to 2; and

WHEREAS, Davis led Amherst High School baseball to two divisional titles and was named E.C.I.C Division III Coach of the Year in 2008, 2012 and 2022; and

WHEREAS, prior to his tenure as head coach, Brian played Division I Baseball for the Niagara University Purples; and

WHEREAS, outside of his success as coach, Mr. Davis is an Elementary Math Specialist for the Amherst Central School District; and

WHEREAS, *Brian Davis* has been dedicated to providing his student athletes with a positive role model and instilling a strong work ethic in his teams.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature congratulates *Brian Davis* on an exceptional 150th win in his storied career, and commends him on his dedication to developing strong student athletes.

Hon. Jeanne M. Vinal
Erie County Legislator, 5th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

GILMOUR

In Remembrance of Maribel Rodriguez

Attachments

MARIBEL RODRIGUEZ

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 12, 2023

EC LEG MAY 15 '23 PM5:02

In Remembrance of Maribel Rodriguez

WHEREAS, Almighty God, in His infinite wisdom, on May 6, 2023, removed from our midst *Maribel Rodriguez*, in whose death we have lost a loving mother, grandmother, sister, valued and respected citizen, and whose family has lost a leader, kind and devoted member; and

WHEREAS, *Maribel Rodriguez* was born on April 4, 1967, in Fajardo, Puerto Rico; and

WHEREAS, she attended Public School #1 in the Bronx, New York and later moved to Lackawanna, New York where she graduated from Lackawanna High School; and

WHEREAS, Maribel was currently employed at PUSH Buffalo as the Director of Housing, a job where she worked hard and demonstrated over several years of excellence; and

WHEREAS, Maribel not only established herself as an exceptional employee, but her desire and devoting in helping others was second to none; and

WHEREAS, two of Maribel's most precious memories involved her dedication as a mother, grandmother and spending time with her family during the holidays; and

WHEREAS, through her warmth, kind spirit and pleasant personality, Maribel was loved by many and made a lasting transformation in the lives of others; and

WHEREAS, Maribel was preceded in death by her Abuelos, Ana and Pedro Monge; and

WHEREAS, Maribel's beautiful life will forever be cherished in the lives of her four loving children: Kenny, Andre, Isiah and Olivia; 11 grandchildren: Naeshaun, Jaemeir, Andre, Alayah, JaMiah, Jeremiah, Isiah, Arianna, Amilli, Kyrie and Mekia; two siblings: Maria and Jose Rodriguez; her life companion, Haul Smallwood and a host of additional family and friends; and

WHEREAS, whenever you were in her presence, you knew she was the life of the party and the love she offered was unconditional; and

WHEREAS, after 56 fruitful and joyous years on this Earth, Maribel now rests peacefully with the Lord; and

WHEREAS, it is the sense of this Legislative Body to honor and pay tribute to the life of *Maribel Rodriguez*, whose lifelong dedication to God, family and community are an inspiration to be admired, emulated and honored.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby mourn the passing of *Maribel Rodriguez* and pause in its deliberations to recognize her praiseworthy life, her love of family and for her commitment and devotion to the betterment of our community; and be it further

RESOLVED, that the Erie County Legislature express its sympathy and condolences to the Rodriguez family and to her many friends, knowing full well that she has received her eternal and glorified reward in Heaven, having heard the consoling words of the Master, "*Well done, thou good and faithful servant.*"

Hon. John J. Gilmour
Erie County Legislator, 9th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

BARGNESI

Acknowledging the Celebrating Art! Event - 2023

Attachments

CELEBRATING ART!

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, NY, MAY 18, 2023

EC LEG MAY 23 '23 AM 9:58

Acknowledging the Celebrating Art! Event - 2023

WHEREAS, today and throughout the years, The Buffalo Public Schools Department of Arts fully understands the value of the arts for all people, and specifically for our young people; and

WHEREAS, Celebrating Art! was reimagined in 2004 to highlight the hard work and talents of prekindergarten through grade 12 students in every school through submissions by arts teachers in the Buffalo Public Schools; and

WHEREAS, Celebrating Art! allows us all to join together to highlight an inclusive exhibition that offers space to young artists and performers to engage with their art and performances; and

WHEREAS, over 200 students are represented in Celebrating Art! annually; and

WHEREAS, the amazing artworks and performance videos created by these students are worthy of such exposure and admiration; and

WHEREAS, The Buffalo & Erie County Library has been an amazing partner with the BPS Department of Arts since 2004 by offering their space to showcase the students work; and

WHEREAS, The BPS Department of Arts has been making the most of the opportunities afforded by Celebrating Art! by continually working to advance young artists and performers to the next level to ensure that individuals from the BPS community are provided with the chance to experience a culture of exceptional artwork and create their own experience.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize and extend our high praise to the Buffalo Public School Department of Arts on their hard work in establishing the Celebrating Art! event, an annual District-wide arts exhibition that will continue to provide for youth in Buffalo Public Schools District as they continue to display amazing art and performances for many years to come.

Hon. John A. Bargnesi Jr.
Erie County Legislator, 4th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

BASKIN & JOHNSON

Recognizing the Tulsa Massacre - Honoring Black Wall Street
Week 2023

Attachments

TULSA MASSACRE

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 31, 2023

EC LEG MAY 23 '23 AM 9:56

*Recognizing the Tulsa Massacre
Honoring Black Wall Street Week (May 31st - June 6th)*

WHEREAS, at the turn of the 20th century, the Greenwood District of Tulsa, Oklahoma, became one of the first communities in the country thriving with Black entrepreneurial businesses; and

WHEREAS, the prosperous town, founded by many descendants of slaves, earned a reputation as the Black Wall Street of America and became a harbor for African Americans in a highly segregated city under Jim Crow laws; and

WHEREAS, a mob of white attackers killed hundreds of Black Americans and burned down several blocks of what was referred to as Black Wall Street; and

WHEREAS, in order to understand the Tulsa Race Massacre, it is important to understand the complexities of the times such as Jim Crow, jealousy, white supremacy, and land lust, all played roles in leading up to the destruction and lives lost on May 31 and June 1, 1921; and

WHEREAS, although the exact total can never be determined, credible evidence makes it probable that many people, likely numbering between 100-300, were killed during the massacre; and

WHEREAS, despite being numerically at a disadvantage, Black Tulsans fought valiantly to protect their homes, their businesses, and their community; and

WHEREAS, in 1996, 75 years after the massacre, a bipartisan group in the state legislature authorized the formation of the Oklahoma Commission to study the Tulsa Race Riot of 1921; and

WHEREAS, worldwide, community leaders and groups are planning on having ceremonies and activities around their city, celebrating Black business leaders, Black business districts and future plans for development in the spirit of Black Wall Street; and

WHEREAS, currently, there are only a few Black businesses on the single remaining block in the Greenwood district once hailed as the Black Wall Street; and

WHEREAS, one year since the unfortunate tragedy our neighborhood witnessed on May 14th, our community has a greater understanding of the long-standing grief that follows such an attack and we are continuing to find ways to heal and work on strengthening our community; and

WHEREAS, Black Wall Street Week provides us the perfect opportunity to build bridges between our communities and throughout New York State; and

WHEREAS, today, we honor the legacy of the Greenwood community and of Black Wall Street, by confirming our promise to advance racial justice through our community and working to root out systemic racism through our efforts, our policies, and our sentiments.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body applauds Dewitt Lee and The Black Wall Street Week Committee for their commitment and dedication to reach out throughout our community to eliminate systemic racism, and to help rebuild communities; and be it further

RESOLVED, that this Honorable Body thanks and extends our appreciation to all local leaders and organizations for their contributions to recognize this week as Black Wall Street Week.

Hon. April N.M. Baskin
Erie County Legislator, 2nd District

Hon. Howard J. Johnson Jr.
Erie County Legislator, 1st District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

JOHNSON

Honoring and Recognizing Keynote Speaker - Dr. Raven
Patricia Baxter

Attachments

DR. BAXTER

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 20, 2023

EC LEG MAY 23 '23 AM 9:56

*Honoring and Recognizing Keynote Speaker
Dr. Raven Patricia Baxter*

WHEREAS, *Dr. Raven Patricia Baxter*, also known as “Dr. Raven the Science Maven,” was born in Buffalo, New York; and

WHEREAS, Dr. Raven graduated with a Bachelor of Science in Biology from Buffalo State College, Master of Science in Molecular Biology Buffalo State College, and a Doctor of Philosophy in Curriculum, Instruction, and the Science of Learning; and

WHEREAS, in college, Dr. Baxter realized that children like her needed more relatable role models to encourage them to pursue careers in the STEM fields (science, technology, engineering, and math; and

WHEREAS, after graduate school, Raven worked in the field of cancer research on the Buffalo Niagara Medical Campus in downtown Buffalo, for Albany Molecular Research Inc., a global drug discovery and development organization; and

WHEREAS, while working full time at Buffalo State, Baxter was accepted to the Ph.D. program in Curriculum, Instruction, and the Science of Learning at the University at Buffalo; and

WHEREAS, Raven was awarded a full scholarship and an Arthur A. Schomburg Fellowship; and

WHEREAS, Dr. Baxter loved the work, but wanted to use her science background to make a more direct impact in the Buffalo community; and

WHEREAS, Dr. Baxter has become a science communicator who marries science with hip-hop music to educate and inspire underrepresented students to pursue careers in the STEM fields; and

WHEREAS, in addition, Dr. Baxter would become the CEO of “SmartyParty” an online STEM retailer, and “The Science Haven” a non-profit dedicated to turning science dreams into realities by providing academic and socio-economic capital to underserved communities; and

WHEREAS, Baxter produced, directed, and starred in a rap music video titled “Big Ole Geeks” to add to the narrative about women of color in science and to challenge stereotypes about female scientists; and

WHEREAS, Dr. Baxter appeared on a panel for STARZ #TakeTheLead Initiative, discussing Advancing Equity Across Industries and finding strategies for better representation; and

WHEREAS, in her career, Dr. Baxter has been a Teacher, Professor, Student Advisor and Program administrator for Buffalo Public Schools, The State University of New York, the California State University system, and several other universities; and

WHEREAS, in addition, Dr. Baxter is a brand ambassador and consultant for Brooks Footwear, Facebook, Olay Products, Netflix, NASA; and

WHEREAS, Dr. Baxter has given guest lectures and addressed seminars and graduations at John Hopkins University, Harvard University, Princeton University, Disney, Buffalo State College Commencement Address, University of Wisconsin at Oshkosh Keynote Address, National Science Teaching Association Keynote Address, University of Vermont Keynote Speaker, Alliance of Medical Illustrators Conference Keynote Speaker, UC Berkeley Horizons Keynote Speaker, University of Minnesota Women in STEM Summit Keynote Speaker, VOICES 2021 Keynote Speaker and National Parent Teacher Association Conference Keynote Speaker; and

WHEREAS, Dr. Baxter has been rightfully recognized by Afrotech Future 50, Ebony Power 100, Ebony Magazine, Forbes 30 under 30, Forbes Magazine, The Outpost, SUNY Chancellors Award for Student Excellence and many more accolades.

NOW, THEREFORE, BE IT

WHEREAS, it is with great admiration that this Honorable Body acknowledges and recognizes ***Dr. Raven Patricia Baxter*** for her outstanding scientific expertise displayed throughout our nation and a job well done representing African Americans through a variety of platforms with honesty and integrity. Thank you.

Hon. Howard J. Johnson Jr.
Erie County Legislator, 1st District

Robert M. Graber
Clerk of the Legislature

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

JOHNSON

Recognizing Confident Girl Mentoring During Mental Health
Awareness Month

Attachments

CONFIDENT GIRL

Legislative Proclamation Submitted

By Legislator Johnson

EC LEG MAY 23 '23 AM 9:56

*Re: Recognizing Confident Girl Mentoring during Mental Health
Awareness Month*

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

BASKIN

Recognizing Danise Wilson - Executive Director, Friend and
Colleague

Attachments

DANISE WILSON

Legislative Proclamation Submitted

EC LEG MAY 23 '23 AM 9:56

By Legislator Baskin

Re: Recognizing Danise Wilson - Executive Director, Friend, and Colleague

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

VINAL

Honoring the Amherst Police Department Citizen of the Month
- May 2023

Attachments

AMHS POLICE

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 25, 2023

EC LEG MAY 23 '23 AM 9:56

*Honoring the Amherst Police Department
Citizen of the Month - May 2023*

WHEREAS, it is important everyone knows and understands the difficulties, duties and responsibilities police officers endure daily; and

WHEREAS, the Amherst Police Department was founded in 1923 and has grown and evolved over the last 100 years to become one of the largest police departments in Erie County; and

WHEREAS, the connection between the *Amherst Police Department* and the community have been very noteworthy in the departments 100-year history in their commitment to protect and serve the citizens throughout Town of Amherst and Village of Williamsville; and

WHEREAS, the contributions and sacrifices made by the brave men and women of this department have been of great significance in solving many high-profile cases throughout its storied history; and

WHEREAS, the Amherst Police Department has continued to strive for excellence to achieve our objectives, working in partnership with the community and local government; and

WHEREAS, over the years, there has been six police chiefs, including current Amherst Police Chief Scott Chamberlin; and

WHEREAS, since Chief Chamberlin took over in 2021, the department has increased its community policing program and their use of social media to stay connected with the public; and

WHEREAS, over the years, this department evolved to keep up with the demands and needs of the community, adapting to new problems and expanding police training with new technology and investigative techniques; and

WHEREAS, the work ethic, professionalism, compassion, and dedication shown throughout this department has been truly inspiring to witness and has developed into one of the most prestigious and highly-regarded law enforcement agencies in Erie County; and

WHEREAS, as the Amherst Police Department continues to serve and protect, this Honorable Body is extremely thankful for all members of the police and the sacrifice they make to keep the public safe.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize and extend our congratulations and sincere appreciation to *Amherst Police Department*; and be it further

RESOLVED, that the Erie County Legislature does hereby honor *Amherst Police Department* as the Erie County Legislature's Citizens of the Month for May 2023 for their exceptional dedication and unselfish service to the Town of Amherst and representing our County.

Hon. Jeanne M. Vinal
Erie County Legislator, 5th District

Robert M. Graber
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

JOHNSON

Acknowledging National Senior Health & Fitness Day

Attachments

SENIOR HEALTH

Legislative Proclamation Submitted

By Legislator Johnson

EC LEG MAY 23 '23 AM 9:56

Re: Acknowledging National Senior Health & Fitness Day

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

BARGNESI & KOOSHOIAN

Acknowledging Stella Hycner - Celebrating Her 105th
Birthday

Attachments

STELLA HYCNER

Legislative Proclamation Submitted

By Legislators: Bargnesi and Kooshoian

EC LEG MAY 23 '23 AM 9:56

Re: Acknowledging Stella Hycner - Celebrating her 105th Birthday

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

TODARO

Recognizing and Honoring Audrey Hamernik as Recipient of
the 2023 NAF Advisory Board Champion Award

Attachments

AUDREY HAMERNIK

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in Old County Hall in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing and Honoring Audrey Hamernik as Recipient
of the 2023 NAF Advisory Board Champion Award**

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

WHEREAS, NAF is a national non-profit organization that transforms the high school experience to prepare students for college, career, and future success; and

WHEREAS, NAF's approach to skill development enables students of all backgrounds to participate in meaningful education and allows businesses to partner with schools to shape America's future workforce; and

WHEREAS, NAF annually recognizes those who have exercised extraordinary leadership in ensuring that all NAF students have the opportunity to participate in a series of work-based learning activities designed to prepare them for college, career, and future success; and

WHEREAS, **Audrey Hamernik** has been selected to receive the 2023 NAF Advisor Board Champion Award this July in Phoenix, Arizona; and

WHEREAS, **Audrey Hamernik** has been an advisor to the Depew Academy of Finance for the past five years as a volunteer, assisting in annual fundraisers and mentoring students; and

WHEREAS, **Audrey Hamernik** is also a member and volunteers her time with many other organizations such as the Tri-Community Food Pantry, the Lancaster, Depew, Elma Chamber of Commerce, Kiwanis Club, and a fifty-year member of the Depew Fire Department.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **Audrey Hamernik** on receiving the 2023 NAF Advisory Board Champion Award and thank her for her service to the community.

FRANK J. TODARO

Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MILLS

Recognizing North Collins American Legion Post 1640 on
Memorial Day, May 29, 2023

Attachments

NCOL POST MEMORIAL DAY

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25TH, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing North Collins American Legion Post 1640
On Memorial Day, May 29, 2023**

WHEREAS, since the founding of the United States of America, the courageous members of our Armed Forces have selflessly served and defended our nation against all enemies, foreign and domestic- giving their lives when necessary; and

WHEREAS, on May 5, 1868, the Grand Army of the Republic, a group of Union veterans, designated May 30th as Decoration Day and conducted a ceremony at Arlington National Cemetery to commemorate fallen soldiers; and

WHEREAS, following World War I, Decoration Day evolved into **Memorial Day**, a solemn occasion to remember and pay tribute to all brave men and women who have made the ultimate sacrifice while serving in the United States Armed Forces; and

WHEREAS, in 1971, Congress established the last Monday in May as the national observance of **Memorial Day**, a day on which we solemnly acknowledge the profound debt of gratitude we owe to those who have selflessly defended our nation's ideals and protected our cherished way of life; and

WHEREAS, **North Collins American Legion Post 1640** unites communities in honoring and reflecting upon the significance of **Memorial Day**, and we commend their steadfast commitment to preserving the legacy of those who made the ultimate sacrifice in service to our nation.

NOW, THEREFORE, BE IT RESOLVED, on this **Memorial Day**, May 29, 2023, the Erie County Legislature solemnly pauses in its deliberations to honor our fallen heroes. We stand united with **North Collins American Legion Post 1640** in remembrance and gratitude, committed to upholding the noble values they bravely fought for.

JOHN J. MILLS, MINORITY LEADER
Erie County Legislator – 11th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MILLS

Recognizing Sardinia American Legion Post 1131 on
Memorial Day, May 29, 2023

Attachments

SARD POST MEMORIAL DAY

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25TH, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Sardinia American Legion Post 1131
 On Memorial Day, May 29, 2023**

WHEREAS, since the founding of the United States of America, the courageous members of our Armed Forces have selflessly served and defended our nation against all enemies, foreign and domestic- giving their lives when necessary; and

WHEREAS, on May 5, 1868, the Grand Army of the Republic, a group of Union veterans, designated May 30th as Decoration Day and conducted a ceremony at Arlington National Cemetery to commemorate fallen soldiers; and

WHEREAS, following World War I, Decoration Day evolved into **Memorial Day**, a solemn occasion to remember and pay tribute to all brave men and women who have made the ultimate sacrifice while serving in the United States Armed Forces; and

WHEREAS, in 1971, Congress established the last Monday in May as the national observance of **Memorial Day**, a day on which we solemnly acknowledge the profound debt of gratitude we owe to those who have selflessly defended our nation's ideals and protected our cherished way of life; and

WHEREAS, **Sardinia American Legion Post 1131** unites communities in honoring and reflecting upon the significance of **Memorial Day**, and we commend their steadfast commitment to preserving the legacy of those who made the ultimate sacrifice in service to our nation.

NOW, THEREFORE, BE IT RESOLVED, on this **Memorial Day**, May 29, 2023, the Erie County Legislature solemnly pauses in its deliberations to honor our fallen heroes. We stand united with **Sardinia American Legion Post 1131** in remembrance and gratitude, committed to upholding the noble values they bravely fought for.

JOHN J. MILLS, MINORITY LEADER
Erie County Legislator – 11th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MILLS

Recognizing VFW Felton Burns Post 5260 on Memorial Day,
May 29, 2023

Attachments

FELTON BURNS POST MEMORIAL DAY

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25TH, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing VFW Felton Burns Post 5260
On Memorial Day, May 29, 2023**

WHEREAS, since the founding of the United States of America, the courageous members of our Armed Forces have selflessly served and defended our nation against all enemies, foreign and domestic- giving their lives when necessary; and

WHEREAS, on May 5, 1868, the Grand Army of the Republic, a group of Union veterans, designated May 30th as Decoration Day and conducted a ceremony at Arlington National Cemetery to commemorate fallen soldiers; and

WHEREAS, following World War I, Decoration Day evolved into **Memorial Day**, a solemn occasion to remember and pay tribute to all brave men and women who have made the ultimate sacrifice while serving in the United States Armed Forces; and

WHEREAS, in 1971, Congress established the last Monday in May as the national observance of **Memorial Day**, a day on which we solemnly acknowledge the profound debt of gratitude we owe to those who have selflessly defended our nation's ideals and protected our cherished way of life; and

WHEREAS, **VFW Felton Burns Post 5260** unites communities in honoring and reflecting upon the significance of **Memorial Day**, and we commend their steadfast commitment to preserving the legacy of those who made the ultimate sacrifice in service to our nation.

NOW, THEREFORE, BE IT RESOLVED, on this **Memorial Day**, May 29, 2023, the Erie County Legislature solemnly pauses in its deliberations to honor our fallen heroes. We stand united with **VFW Felton Burns Post 5260** in remembrance and gratitude, committed to upholding the noble values they bravely fought for.

JOHN J. MILLS, MINORITY LEADER
Erie County Legislator – 11th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MILLS

Recognizing Orchard Park American Legion Post 567 on
Memorial Day, May 29, 2023

Attachments

ORPK POST MEMORIAL DAY

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25TH, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Orchard Park American Legion Post 567
On Memorial Day, May 29, 2023**

WHEREAS, since the founding of the United States of America, the courageous members of our Armed Forces have selflessly served and defended our nation against all enemies, foreign and domestic- giving their lives when necessary; and

WHEREAS, on May 5, 1868, the Grand Army of the Republic, a group of Union veterans, designated May 30th as Decoration Day and conducted a ceremony at Arlington National Cemetery to commemorate fallen soldiers; and

WHEREAS, following World War I, Decoration Day evolved into **Memorial Day**, a solemn occasion to remember and pay tribute to all brave men and women who have made the ultimate sacrifice while serving in the United States Armed Forces; and

WHEREAS, in 1971, Congress established the last Monday in May as the national observance of **Memorial Day**, a day on which we solemnly acknowledge the profound debt of gratitude we owe to those who have selflessly defended our nation's ideals and protected our cherished way of life; and

WHEREAS, **Orchard Park American Legion Post 567** unites communities in honoring and reflecting upon the significance of **Memorial Day**, and we commend their steadfast commitment to preserving the legacy of those who made the ultimate sacrifice in service to our nation.

NOW, THEREFORE, BE IT RESOLVED, on this **Memorial Day**, May 29, 2023, the Erie County Legislature solemnly pauses in its deliberations to honor our fallen heroes. We stand united with **Orchard Park American Legion Post 567** in remembrance and gratitude, committed to upholding the noble values they bravely fought for.

JOHN J. MILLS, MINORITY LEADER
Erie County Legislator – 11th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MILLS

Recognizing Newell-Faulkner American Legion Post 880 on
Memorial Day, May 29, 2023

Attachments

NEWELL POST MEMORIAL DAY

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25TH, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Newell-Faulkner American Legion Post 880
On Memorial Day, May 29, 2023**

WHEREAS, since the founding of the United States of America, the courageous members of our Armed Forces have selflessly served and defended our nation against all enemies, foreign and domestic- giving their lives when necessary; and

WHEREAS, on May 5, 1868, the Grand Army of the Republic, a group of Union veterans, designated May 30th as Decoration Day and conducted a ceremony at Arlington National Cemetery to commemorate fallen soldiers; and

WHEREAS, following World War I, Decoration Day evolved into **Memorial Day**, a solemn occasion to remember and pay tribute to all brave men and women who have made the ultimate sacrifice while serving in the United States Armed Forces; and

WHEREAS, in 1971, Congress established the last Monday in May as the national observance of **Memorial Day**, a day on which we solemnly acknowledge the profound debt of gratitude we owe to those who have selflessly defended our nation's ideals and protected our cherished way of life; and

WHEREAS, **Newell-Faulkner American Legion Post 880** unites communities in honoring and reflecting upon the significance of **Memorial Day**, and we commend their steadfast commitment to preserving the legacy of those who made the ultimate sacrifice in service to our nation.

NOW, THEREFORE, BE IT RESOLVED, on this **Memorial Day**, May 29, 2023, the Erie County Legislature solemnly pauses in its deliberations to honor our fallen heroes. We stand united with **Newell-Faulkner American Legion Post 880** in remembrance and gratitude, committed to upholding the noble values they bravely fought for.

JOHN J. MILLS, MINORITY LEADER
Erie County Legislator – 11th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MILLS

Recognizing Concord American Legion Post 431 on Memorial
Day, May 29, 2023

Attachments

CONC POST MEMORIAL DAY

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25TH, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Concord American Legion Post 431
On Memorial Day, May 29, 2023**

WHEREAS, since the founding of the United States of America, the courageous members of our Armed Forces have selflessly served and defended our nation against all enemies, foreign and domestic- giving their lives when necessary; and

WHEREAS, on May 5, 1868, the Grand Army of the Republic, a group of Union veterans, designated May 30th as Decoration Day and conducted a ceremony at Arlington National Cemetery to commemorate fallen soldiers; and

WHEREAS, following World War I, Decoration Day evolved into **Memorial Day**, a solemn occasion to remember and pay tribute to all brave men and women who have made the ultimate sacrifice while serving in the United States Armed Forces; and

WHEREAS, in 1971, Congress established the last Monday in May as the national observance of **Memorial Day**, a day on which we solemnly acknowledge the profound debt of gratitude we owe to those who have selflessly defended our nation's ideals and protected our cherished way of life; and

WHEREAS, **Concord American Legion Post 431** unites communities in honoring and reflecting upon the significance of **Memorial Day**, and we commend their steadfast commitment to preserving the legacy of those who made the ultimate sacrifice in service to our nation.

NOW, THEREFORE, BE IT RESOLVED, on this **Memorial Day**, May 29, 2023, the Erie County Legislature solemnly pauses in its deliberations to honor our fallen heroes. We stand united with **Concord American Legion Post 431** in remembrance and gratitude, committed to upholding the noble values they bravely fought for.

JOHN J. MILLS, MINORITY LEADER
Erie County Legislator – 11th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MALCZEWSKI

Recognizing June as National Dairy Month in Erie County

Attachments

NATIONAL DAIRY MONTH

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing June as National Dairy Month in Erie County

WHEREAS, Erie County has a strong and vibrant agriculture community, including many multigenerational dairy farm families who contribute significantly to the economy and character of our county and region; and

WHEREAS, 1937 saw the establishment of National Dairy Month, a campaign to help encourage people to strengthen bones and build a foundation of good health by drinking rich, creamy, healthy milk; and

WHEREAS, June is recognized as National Dairy Month across the United States and is a time to encourage people to indulge in their favorite dairy products and honor the contributions of dairy farmers; and

WHEREAS, New York State is home to a large and vibrant dairy industry and is the fourth largest dairy-producing state in the nation; and

WHEREAS, Erie County continues to do its part to support the state's dairy industry, boasting over seventy dairy farms that house almost twelve thousand cows dedicated to producing milk; and

WHEREAS, the contributions of dairy farmers to our county and the rural character of so many communities cannot be understated.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize the month of June as **Dairy Month in Erie County** and thank the many dedicated dairy farmers in our community.

HON. JAMES MALCZEWSKI
Erie County Legislator – 10th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MALCZEWSKI

Celebrating National Senior Health and Fitness Day in Erie
County and Recognizing the West Seneca Senior Fitness
Center

Attachments

WSEN SENIOR HEALTH

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Celebrating National Senior Health and Fitness Day in Erie County
and recognizing the West Seneca Senior Fitness Center**

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

WHEREAS, the last Wednesday in May is recognized as **National Senior Health and Fitness Day**, a day dedicated to the betterment of the health of seniors; and

WHEREAS, **National Senior Health and Fitness Day** is celebrated in over 1,200 locations across the United States, including senior centers, recreation centers, hospitals, health clubs, health departments, retirement communities, and more; and

WHEREAS, West Seneca residents are fortunate to have the **West Seneca Senior Fitness Center**, which includes a state-of-the-art fitness and health facility; and

WHEREAS, under the guidance of Senior Center Director Jenifer Stanek and Fitness Instructor Valerie Halady, residents have access to a variety of classes, including strength training, yoga, and cardio drumming; and

WHEREAS, maintaining a responsible physical fitness routine and proper diet is essential to living a long and healthy life.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to recognize May 31, 2023, as **National Senior Health and Fitness Day** in Erie County and recognize the Town of West Seneca and the **West Seneca Senior Fitness Center** for their commitment to the health and well-being of their senior population.

HON. JAMES MALCZEWSKI
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

TODARO

Celebrating the 75th Anniversary of Boy Scout Troop 545

Attachments

BOY SCOUTS 545

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Celebrating the 75th Anniversary of Boy Scout Troop 545

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

WHEREAS, **Boy Scout Troop 545** of Twin District, located in Lancaster, New York, is celebrating its 75th anniversary in 2023; and

WHEREAS, since 1910, Boy Scouts of America has enabled young men to become responsible citizens and leaders by combining educational activities and lifelong values through mentorship, learning, faith, traditions, service, health, wellness, and character values; it recognizes the social benefits received when young adults are better prepared for the future and it aims to assist in that process; and

WHEREAS, through eight methods of scouting that include ideals, patrols, outdoors, advancement, personal growth, adult association, leadership development, and uniform, **Troop 545** empowers boys and prepares them for a successful future while enabling confidence and camaraderie; and

WHEREAS, responsible scoutmasters, leaders, committee members, and parents ensure the safety and success of **Troop 545** in its endeavors and encourage the practice of both the Scout Oath and Scout Law; and

WHEREAS, for the last 75 years, **Troop 545** has provided hundreds of scouts with new opportunities to learn and grow through hands-on experiences and educational activities that include meetings, camping, hiking, fishing, woodcarving, first-aid, and cooking.

NOW, THEREFORE BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Boy Scout Troop 545** on the occasion of its 75th anniversary.

FRANK J. TODARO

Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

TODARO

Remembering the Life of Judge Gordon Willis

Attachments

JUDGE WILLIS

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MY 25, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Remembering the Life of Judge Gordon Willis

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

WHEREAS, Judge Gordon Willis had a career in law enforcement, serving the residents of Depew, New York, for nearly fifty years as a police officer and judge; and

WHEREAS, following his graduation from Depew High School in 1954, **Judge Willis** worked at the Hazel-Atlas Glass factory in Lancaster and later as a night switchman in a signal tower for the New York Central Railroad; and

WHEREAS, Judge Willis also served in the United States Army from 1957 to 1959, stationed in Germany as a clerk and driver, and joined the Army Reserves after being discharged; and

WHEREAS, after leaving the service, **Judge Willis** earned a degree in political science from Erie Community College, his bachelor's degree in criminal justice from Buffalo State College, and in 1967 joined the Depew Police Department as a patrolman, where he would later be honored as Officer of the Year; and

WHEREAS, Judge Willis retired from the Depew Police Department in 1992 and five years later decided to run for Depew Village Justice.; and

WHEREAS, Judge Willis took office in April 1997 and would serve six terms, during which time he held those who broke the law accountable, helped modernize court operations, and officiated at dozens of weddings.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to remember the life of **Judge Gordon Willis** and recognize his 50 years of service and dedication to the residents of the Village of Depew.

FRANK J. TODARO

Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

TODARO

Recognizing Mercy Flight Pilot Jim Havens on His Retirement

Attachments

JIM HAVENS

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Mercy Flight Pilot Jim Havens on his Retirement

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

WHEREAS, Mercy Flight is an independent, not-for-profit provider of emergency and non-emergency air and ground medical transport and supporting services; ensuring rapid, safe, and cost-effective delivery of expert response teams; and

WHEREAS, Mercy Flight pilots are highly skilled and have excellent safety records, and are required to have a minimum of 2000 hours of in-aircraft flight experience, including 100 hours of night flight experience. The pilots operate under FAA Part 121 and 135 regulations and are instrument rated; and

WHEREAS, for eighteen years, **Pilot Jim Havens** has provided distinguished service to the Mercy Flight program, the residents of Western New York, Northwestern Pennsylvania, Canada, and beyond; and

WHEREAS, during his career with Mercy Flight, **Pilot Jim Havens** has flown more than two thousand two hundred patient missions and served as a base lead pilot and instructor pilot; and

WHEREAS, throughout each step of his career, **Pilot Jim Havens** exhibited honesty, creativity, confidence, resilience, accountability, and decisiveness, all characteristics that contributed to his success as a Pilot with Mercy Flight.

NOW, THEREFORE BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Pilot Jim Havens** on his retirement and thank him for his service to the community.

FRANK J. TODARO

Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

GREENE

Recognizing Twenty-One Service Member Honorees on the
Clarence Veterans Memorial Wall

Attachments

CLAR VETERANS MEMORIAL WALL

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Cletus F. Leising
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Cletus F. Leising*, who served in the United States Army from 1966-1968, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Peter J. Hens
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Peter J. Hens*, who served in the United States Army from 1971-1972, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing John (Jack) W. Smeltz
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *John (Jack) W. Smeltz*, who served in the United States Navy from 1943-1946, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Michael P. Stockmeyer
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Michael P. Stockmeyer*, who served in the United States Navy from 1970-1974, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Thomas R. Hens
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Thomas R. Hens*, who served in the United States Marine Corps from 1968-1973, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing James D. Cottrell
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *James D. Cottrell*, who served in the United States Army from 1944-1946, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Bernard J. Fisher
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Bernard J. Fisher*, who served in the United States Army from 1946-1986, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing David C. Hartzell III
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *David C. Hartzell III*, who served in the United States Navy from 2007-2015, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing John W. Hastings
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *John W. Hastings*, who served in the United States Air Force from 1942-1946, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Edwin J. Hens Jr.
as a Clarence Veterans Memorial Wall Honoree

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Edwin J. Hens Jr.*, who served in the United States Army from 1943-1946, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing John M. Hens
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *John M. Hens*, who served in the United States Marine Corps from 1964-1966, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing John L. Leamer
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *John L. Leamer*, who served in the United States Army from 1942-1945, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing George V. Mesaros
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *George V. Mesaros*, who served in the United States Army from 1952-1954, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Ronald J. Michnik
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Ronald J. Michnik*, who served in the United States Army from 1969-1975, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing John S. Nowak
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *John S. Nowak*, who served in the United States Army from 1968-1970, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Arthur O'Leary
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Arthur O'Leary*, who served in the United States Coast Guard from 1943-1945, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing John E. Pajak
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *John E. Pajak*, who served in the United States Navy from 1984-2007, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Michael A. Pasquarella
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Michael A. Pasquarella*, who served in the United States Army from 1961-1989, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Lee A. Rowlands
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Lee A. Rowlands*, who served in the United States Army from 1968-1974, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing R. Scott Wilson
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *R. Scott Wilson*, who served in the United States Army from 1971-1972, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Robert G. Trowbridge
as a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in so many instances, paid the ultimate price for our freedom; and

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original thirteen colonies, Americans have been willing to fight and die to preserve our individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, for their love of country and dedication to duty, America's veterans have endured adversity, loneliness, fatigue, and loss and have made incredible sacrifices. Our nation's veterans fully understand liberty's high and precious cost, for they have paid it every single day since the formation of our Republic; and

WHEREAS, Erie County recognizes and respects the more than fifty-two thousand county veterans for their contributions as these Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen selflessly placed lives, well-being, and the security of others before their own needs; and

WHEREAS, as a way of saying thank you and remembering their service, the Clarence Rotary Club has built the *Clarence Veterans Memorial Wall*, an inspirational structure that serves as a lasting tribute to town residents who served their country in the Armed Forces; and

WHEREAS, the names of twenty-one additional service members were placed on the wall this year, and it is only fitting that our legislative body recognize these heroes individually and collectively,

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of **Robert G. Trowbridge**, who served in the United States Air Force from 1943-1946, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

GILMOUR

Honoring Keith D. Mobley on His 9th Pastoral Anniversary of
Mt. Olive Missionary Baptist Church

Attachments

KEITH MOBLEY

EC LEG MAY 23 '23 AM 9:55

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

LACKAWANNA, NY, MAY 28, 2023

***Honoring Keith D. Mobley on his 9th Pastoral Anniversary of
Mt. Olive Missionary Baptist Church, Lackawanna, New York***

WHEREAS, Mt. Olive Missionary Baptist Church in Lackawanna is proud to have served the community for over 80 years as a faith-filled community of religious; and

WHEREAS, Mt. Olive Missionary Baptist Church in Lackawanna commemorates its ministry while remaining committed to the future work ahead in ministering to the people; and

WHEREAS, *Pastor Keith D. Mobley*, is celebrating his 9th *pastoral anniversary* as the 8th Pastor of the Mt. Olive Missionary Baptist Church, Lackawanna, NY on Sunday, May 28, 2023; and

WHEREAS, Pastor Mobley received a Master Degree in Christian Studies from Bible Centre College of Rochester in Rochester, NY; and

WHEREAS, in April 2003, Pastor Mobley was licensed to preach the Gospel at the Mt. Olive Missionary Baptist Church, Lackawanna, New York, and in 2003 was ordained at Mt. Olive Missionary Baptist Church, Lackawanna, under the leadership of Pastor Dion J. Watkins; and

WHEREAS, Pastor Mobley has proudly served as Sunday School Teacher and served as Assistant Pastor for 10 years at Mt. Olive Missionary Baptist Church, Lackawanna, NY under Pastor Dion J. Watkins, and

WHEREAS, on May 2014, Pastor Mobley was called to serve as the eighth pastor of the Mt. Olive Missionary Baptist Church in Lackawanna; and

WHEREAS, under the direction of the Holy Spirit, Pastor Mobley has fervently embraced the visions of each of the dynamic trailblazers who preceded him as leaders of Mt. Olive church over the past 80 years; and

WHEREAS, by God's blessing and approval, Pastor Mobley has been married, loved and supported dearly by his Wife and 1st Lady of the church, Elizabeth and together, they have blessed to be the proud parents to four outstanding children: Tyson, Talia, Tevin and Troy; and

WHEREAS, Pastor Mobley has developed as a mentor, servant and community activist while working with youth, adults and other community leaders and is currently serving as the President of the Baptist Minister's Conference of Buffalo and vicinity as well as area Vice President of Empire State Congress of Christian Education; and

WHEREAS, the parishioners of Mt. Olive Missionary Baptist Church, as well as Pastor Mobley's family, friends, fellow pastors, and congregations are joining together to help celebrate the service of this outstanding religious servant and to commend him for his steadfast Christian leadership over the years; and

WHEREAS, he continues to provide the strong leadership needed to help improve and enrich the Mt. Olive church family, helping them to advance and grow to progressive heights; and

WHEREAS, on today, May 28, 2023, Pastor Mobley will be joined at morning worship by guest preacher, Pastor Dennis Lee, Jr of Hopewell Baptist Church Buffalo, NY; and

WHEREAS, the special guests and ministers have joined together to give praise and well-deserved blessings as we celebrate Pastor Keith Mobley's Pastoral Anniversary of Mt. Olive Missionary Baptist Church, Lackawanna, NY; and

WHEREAS, for nine years, Pastor Mobley's congregation is very proud to call him their Pastor, Spiritual Leader, friend and will continue to look forward to his continued spiritual guidance for many years to come; and

WHEREAS, this Honorable Body appreciates, recognizes and give thanks to active leaders in our community such as **Pastor Keith Mobley**, an individual who has demonstrated excellence in his calling as a "Man of God", and the members of the Mt. Olive Missionary Baptist Church congregation in Lackawanna, New York, extend special thanks to him and to his wife Elizabeth for their sincerest love and appreciation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature pauses in our deliberations to honor and recognize **Pastor Keith D. Mobley** on his **9th pastoral anniversary of Mt. Olive Missionary Baptist Church, Lackawanna, NY** and to wish him and his wife Elizabeth our very best regards and felicitations for his 6th pastoral anniversary on May 28, 2020. Job well done Pastor!

Hon. John J. Gilmour
Erie County Legislator, 9th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

GREENE

Recognizing Keeley Noworytas and Celebrating the
Contributions of Keeley Kares for Kids

Attachments

KEELEY NOWORYTAS

STATE OF NEW YORK

EC LEG MAY 23 '23 AM 9:17

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 25, 2023 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:

Recognizing Keeley Noworytas and Celebrating the Contributions of Keeley Kares for Kids

WHEREAS, our society has long held that how one faces adversity becomes a significant measure of our character and often helps to define who we are as human beings, and this has never been truer than in the case of 10-year-old *Keeley Noworytas*; and

WHEREAS, Keeley, a fifth-grade student at Casey Middle School, was diagnosed two years ago with Hodgkin's Lymphoma and underwent extensive chemotherapy treatments to battle the serious and aggressive form of cancer; and

WHEREAS, inspired by her own experiences with the disease and its treatment, Keeley and her mother Laura wanted to reach out and provide comfort to another young cancer patient, and Keeley came up with the idea of a ready-to-go tote bag filled with comfort items and other necessities for last minute emergency and unplanned hospital visits; and

WHEREAS, the blankets, books, toys, stress balls, coloring books, games, and journals that were included in the tote bags were so well received that Keeley and her family decided to begin distributing the bags to more young cancer patients, resulting in the formation of a nonprofit organization called "*Keeley Kares for Kids*" to support the cause; and

WHEREAS, as *Keely Kares for Kids* works to secure its nonprofit status, secure grant monies, and fundraise to support the creation of the bags, Keeley and her family continue to deliver totes on every appointment she has at Roswell Park Comprehensive Cancer Center; and

WHEREAS, *Keeley Noworytas*' commitment to putting the mental, physical, and emotional needs of other young patients ahead of her own is truly inspirational and should be commended.

NOW, THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to recognize *Keeley Noworytas* for using her own challenging circumstances as a motivation to serve others through the formation of *Keeley Kares for Kids*, and to thank *Keeley Noworytas* for her exceptional contributions to our community while wishing her the best of health and success in all her future endeavors.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

MALCZEWSKI

Celebrating Elma Wine & Liquor on Its 55th Anniversary

Attachments

ELMA WINE

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 25, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 25th day of May 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Celebrating Elma Wine & Liquor
for its 55th Anniversary**

WHEREAS, the Erie County Legislature is pleased to honor organizations in our community that enhance the quality of life for our families, friends, and neighbors through their conscientious and selfless service; and

WHEREAS, the economy of Erie County is heavily dependent on the success of small businesses whose owners work tirelessly to provide excellent products and service for their customers; and

WHEREAS, **Elma Wine & Liquor** is located at 2350 Bowen Road in the heart of Elma; and

WHEREAS, **Elma Wine & Liquor** has been a locally owned, family business since 1968, with this year marking the 55th anniversary of being in business; and

WHEREAS, **Elma Wine & Liquor** offers a vast inventory of wines and spirits from vineyards and distillers around the world including Europe, South America, and Australia; and

WHEREAS, **Elma Wine & Liquor** prides itself in having a wide selection of local wines and spirits from New York State producers which supports small businesses and the local economy; and

WHEREAS, **Proprietor Tim Delaney** works to ensure that his customers have access to a thorough selection of quality products with the ease of local delivery, shipping, and convenient hours to provide them with an overwhelmingly positive experience.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and celebrate **Elma Wine & Liquor** for its 55th anniversary and wish **Tim Delaney** continued success for many more decades to come.

JAMES MALCZEWSKI
Erie County Legislator

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

LL INTRO. 1-1 (2022)	TODARO, GREENE, LORIGO & MILLS	A Local Law Authorizing Twelve and Thirteen-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of a Licensed Adult
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Attachments

LL INTRO. 1-1 (2022)

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

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

SECTION 1. Legislative Intent

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

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

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

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

A 2021 version of this law was passed by this honorable body and vetoed by County Executive Poloncarz. Executive Poloncarz cited the “many unfortunate firearm hunting accidents across the state and county, especially those involving youth hunters¹” as the reason for the law's veto. The first year of the pilot program has ended and the Department of Environmental Conservation has

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

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

SECTION 2. Pilot Program Authorization

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

SECTION 3. State Requirements to Adhere Once Authorized

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

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

SECTION 4. Effective Date

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

SECTION 5. Severability

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

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



Department of
Environmental
Conservation

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

A Report to the New York State Senate and Assembly

February 22, 2022



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

www.dec.ny.gov

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

- Prepared by -

Jeremy Hurst, NYSDEC Big Game Unit Leader

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

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

Preliminary Results from the 2021-22 Deer Hunting Seasons

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

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

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

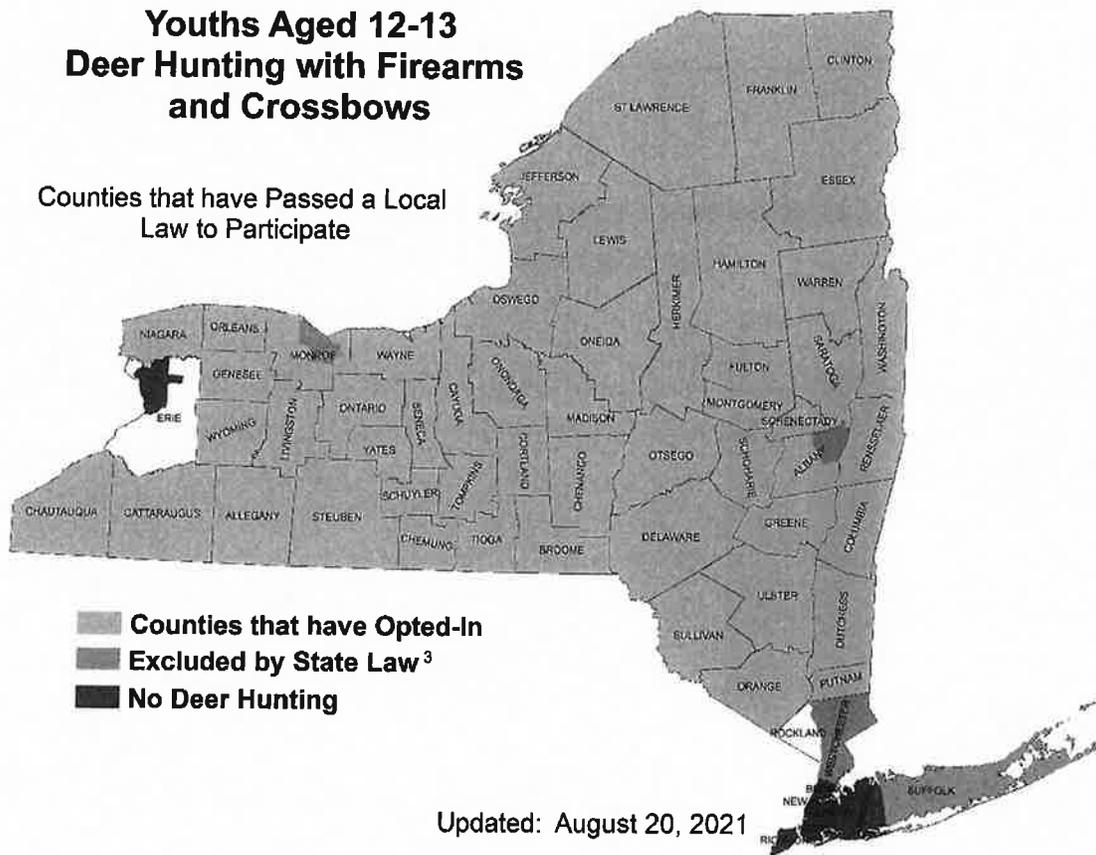
² Reported take value represents raw harvest reports with date of harvest between September 12, 2021 and January 1, 2022. This includes 173 deer reported taken with a bow. Calculated deer harvest was not available at the time of this report, as deer hunting seasons continued in portions of New York until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

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

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

County Participation

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



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

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

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

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

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

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

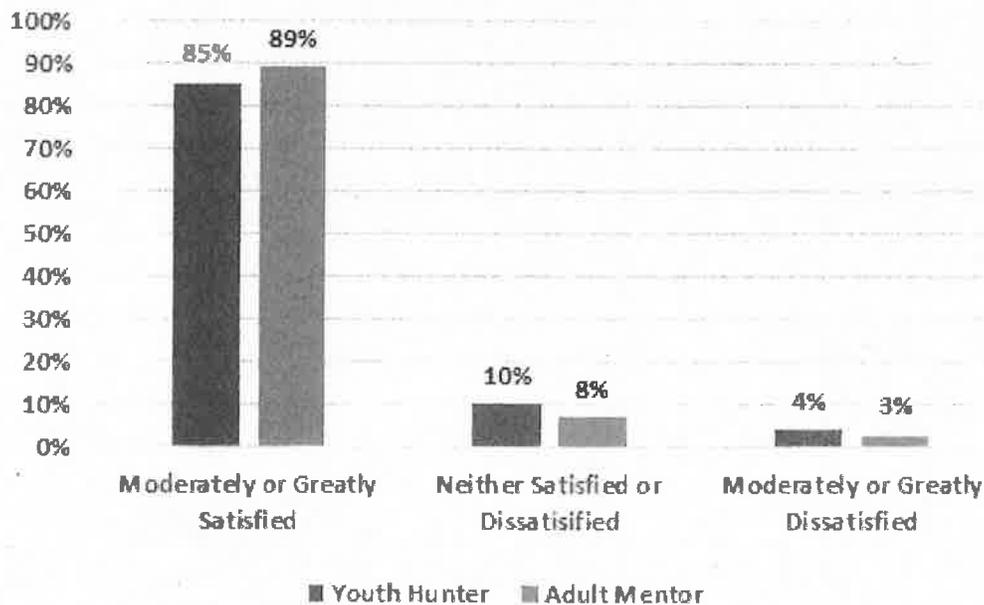
"The youth hunt is great...I think it builds a great trust and cooperation between DEC officers, young hunters and their parents, that extends well beyond the weekend. Great experience."

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



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

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



Recommendations

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

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

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

LL INTRO. 3-1 (2022)	BASKIN, MEYERS, JOHNSON, VINAL & GILMOUR	The Erie County Language Access Act
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Attachments

LL INTRO. 3-1 (2022)

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 3-1 -2022

LOCAL LAW NO. _____-2022

THE ERIE COUNTY LANGUAGE ACCESS ACT

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

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

Section 1. Legislative Intent and Findings

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

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

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

Section 2. Definitions

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

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

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

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

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

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

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

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

Section 3. Language Access Requirements

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

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

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

Section 4. Language Access Plans

Every County Agency, in consultation with the Language Access Advisory Board, shall develop and implement an agency-specific language access implementation plan to describe how language access services will be provided and to ensure meaningful equal access to direct public services. County agencies with existing language access plans shall review such plans, in consultation with the Advisory Board, to ensure compliance with the provisions of this act.

A final copy of each county agency language access plan shall be submitted to the County Legislature and the Advisory Board and shall be published on the agency's website no later than 180 days after the effective date of this act. Agency plans must be implemented within 90 days following submission of the final plan.

Each County Agency shall update its language access implementation plan biennially, based on changes in the agency's service population or services and in conjunction with the designated language access coordinator and the Advisory Board, and publish such updated plan on its website.

Each language access plan shall set forth, at a minimum, the following:

1. Designate a language access coordinator to oversee the creation and execution of an agency language access implementation plan, collect language data, and issue an annual report. The name, title and contact information of such language access coordinator is to be posted in a conspicuous place on such agency's website;
2. Describe how such agency will provide the language access service required by Section 3, including the titles of all available translated documents and the languages into which they have been translated and the number of fully bilingual employees in public contact positions and the languages they speak;
3. Incorporate a uniform training plan for agency employees, including annual training on the language access policies and the provision of language assistance services as well as providing a procedure that allows employees to report issues and problems implementing the language access plan;
4. Incorporate a process for tracking and reporting agency language access data including the number and type of requests for language access services, what languages service requests are for, how each request was fulfilled, the number of complaints received by the agency regarding language access, and how complaints were resolved.
5. Determine the methods such agencies will employ with regard to providing language access services, both through agency staffing and contracts with third parties. Whenever possible, County Agencies should prioritize hiring local interpreters.
6. Consider the following factors in developing such implementation plan:
 - a. the number or proportion of LEP persons in the eligible service population;
 - b. the frequency with which LEP individuals come into contact with the agency, if such data exists. If no relevant data has been collected, such agency must exclude this factor from consideration;
 - c. the importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation or translation); and
 - d. the resources available to the agency and the costs of providing various types of language services
7. When a member of the public states they are deaf, hard of hearing, or have hearing loss, the County Agency's designated language access coordinator shall submit notice and keep record of notice made to The Erie County Office for People with Disabilities on behalf of the member of the public in need of language access services. The Office for People with Disabilities will support the members of the public with communication services.

Section 5. Amending Article 17 of the Erie County Charter

Erie County Local Law No. 1-1959, constituting the Erie County Charter, as amended, is hereby amended at Article 17 to add a new Section 1708 to read as follows:

Section 1708. Language Access Advisory Board. There shall be a Language Access Advisory Board to advise on matters relating to LEP individuals and language access. The Board shall consist of seven members including:

1. County Executive, or their designee;
2. County Clerk, or their designee;
3. Sheriff, or their designee; and
4. Four community members to be appointed by the County Executive. All four community member appointments will be subject to confirmation by the County Legislature.

Membership on the board shall be reflective of the diversity of the county's population and members shall be representatives from community organizations and faith-based organizations serving LEP and deaf, hard of hearing and hearing loss communities in Erie County. Members of the Board shall be appointed for a term of three years. No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each. The Board shall annually designate one member to serve as Board chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the Board shall appoint a successor to that office from the Board's membership.

The Advisory Board shall be empaneled within ninety days following the effective date of this act. A quorum shall consist of a majority of the members of the Advisory Board entitled to vote on the matter under consideration. Approval of any matter shall require the affirmative vote of a majority of the members voting thereon. The Advisory Board shall adopt by-laws for the management and regulation of its affairs.

The Board shall:

1. Designate the top six languages LEP individuals speak in Erie County as the Countywide Languages. This process will take place every two years and will consider a wide variety of data sources, including but not limited to data collected by the U.S Census and American Community Survey, public schools, local interpreting agencies, federal refugee resettlement programs and County Agencies to determine which language groups are most in need of language services.
2. Advise County Agencies in developing and implementing their Language Access Plan.
3. Review Agency Language Access Plans and evaluate the implementation of those plans.
4. Create a mechanism to interact with public regarding proper language access plan implementation.

5. Review annual reports from County Agency language access coordinators and create a comprehensive annual report filed with the Legislature. Annual reports and recommendations will be made publicly available online through the County website.
6. Put forward additional policy recommendations as needed to improve language access services.

Section 6. Right to Privacy

The need for/use of language services by an individual contacting the County shall not be deemed by any County employee as a basis for inquiring into information related to an individual's immigration status or other personal attributes. No County employee shall inquire about or disclose confidential information, including, but not limited to, immigration status, unless such inquiry or disclosure is required by law.

Section 7. Effective Date

This Local Law shall take effect 180 days after it becomes law.

Section 8. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

Sponsors:

April N.M. Baskin
Timothy Meyers
Howard Johnson
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Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

LL INTRO. 3-1 (2023)	JOHNSON	The Occupancy Tax Modernization Act
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Attachments

LL INTRO. 3-1 (2023)

COUNTY OF ERIE

LOCAL LAW INTRO NO. 3-1-2023

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LOCAL LAW NO. ____-2023

A LOCAL LAW Titled: The Occupancy Tax Modernization Act

BE IT ENACTED BY THE COUNTY OF ERIE AS FOLLOWS:

Section 1. Legislative Intent.

- a. The Erie County occupancy tax was established via local law by the Erie County Legislature in September 1974 and was amended via local law in 1975, 1983, 1987, and 2007. There has not been a comprehensive review of the various local laws governing the occupancy tax nor an effort to modernize and update the law in decades.
- b. The Erie County Legislature (“Legislature”) hereby finds and declares that short-term and vacation rental properties are in widespread use in Erie County, whether via hosting platforms such as Airbnb, VRBO, Homestay, or by other means.
- c. Unlike other counties in New York State that maintain occupancy tax collection agreements with hosting or “home-sharing” platforms such as Airbnb, Erie County does not have any such agreements with such platforms and/or operators that provide short term and vacation rental properties.
- d. The Legislature finds that there are unjustified variances and inconsistencies with this state of affairs, as hotels are required to collect taxes from guests pursuant to the County of Erie’s hotel occupancy tax law, but operators and platforms for short term and vacation rentals have not been collecting such tax, are not readily subject to any health and safety regulations, and are not registered with the County, despite offering identical or substantially similar services.
- e. The Legislature finds that the law should apply equally to all individuals and entities engaged in the rental of temporary accommodations, and that the current state of affairs has resulted in an unequal “playing field” for traditional hotels and motels compared to other types of short term and vacation rental properties. The Legislature further finds that this discrepancy also results in a loss of occupancy tax revenue to Erie County and its taxpayers.
- f. The Legislature finds that, pursuant to Chapter 614 of the Laws of 1974 of the State of New York, operators of these transient lodging facilities should be subject to the same occupancy taxes as their counterparts in the traditional lodging industry to help ensure fairness across the lodging sector in Erie County.

- g. The Erie County Legislature hereby finds that there is a need to bring the definition and administration of occupancy tax into the 21st Century by updating the various functions of the tax to meet the demands of the modern short-term rental industry within the parameters of the taxing authority delegated by the State of New York.
- h. The Legislature hereby intends this that this Local Law will perform the following functions and beneficial purposes:
 - 1. Clarify the reach of the tax to include non-traditional short-term and vacation rentals within Erie County;
 - 2. Require all operators of properties used for short-term and vacation rentals to register with the County for the collection of the tax;
 - 3. Bring all manner of short-term rental properties above ground to better ensure the safety of occupants and quality of life for the broader community;
 - 4. Modernize and enhance enforcement capabilities of the County to pursue scofflaws who fail to collect and remit the tax or misappropriate the same;
 - 5. Allow hosting platforms that have executed voluntary collection agreements with the County to collect and remit the tax on the operator's behalf;
 - 6. Establish the methodology used to determine taxable rent for all properties used for transient lodging. Accordingly, collection and remittance of the tax for short-term and vacation rentals will be principally placed on the corporate hosting platform through a voluntary collection agreement and secondarily placed on individual operators opting not to enter into any such agreement; and
 - 7. Reinvest in the continued development of the tourism to maintain and enhance infrastructure, create economic opportunity for residents, and increase the recreational appeal of Erie County.
- i. Therefore, except for the limited purposes provided by Section 25 of this Local Law, Erie County Local Law No. 12-1974, Erie County Local Law No. 8-1975, Erie County Local Law No. 5-1983, Erie County Local Law No. 1-1987, and Erie County Local Law No. 4-2007 are hereby repealed in their entirety and replaced with this Local Law.

Section 2. Definitions.

- a. Charter. The Charter of Erie County as established by Local Law 1-1959 and amended thereafter.
- b. Clerk. The elected Clerk of Erie County.
- c. Comptroller. The elected Comptroller of Erie County.

- d. Exempt Entity. A government, corporation, or association exempt from taxation under Section 4 of this local law.
- e. Hosting Platform. An application, technology, and/or similarly based service through which a third party desiring to offer an accommodation (a “host”) and a third party desiring to book an accommodation (a “guest”) have the opportunity to communicate, negotiate, and consummate a booking transaction for transient lodging accommodations pursuant to a direct agreement between a host and guest to which the hosting platform is not a party but still facilitates payments for rent on behalf of or for the host, and/or otherwise acts as intermediary between the host and the guest. Merely publishing an advertisement for transient accommodations does not make the publisher a hosting platform.
- f. Operator. Any person or entity operating premises where short-term rental occupancy transactions are conducted in Erie County, including but not limited to the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such premises.
- g. Occupancy. The use or possession, or the right to the use or possession of any room in a premises that is the subject of short-term rental occupancy transactions.
- h. Permanent Resident. A person occupying any room or rooms in a premises that is the subject of a short-term rental occupancy transaction for at least thirty consecutive days.
- i. Person. An individual, partnership, society, association, joint stock company, corporation, limited liability company, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.
- j. Rent. The consideration received for occupancy valued in money, whether received in monetary form or otherwise.
- k. Room. Any room or rooms of any kind in any part or portion of a premises that is the subject of a short-term rental occupancy transaction, which is available for or let out for any purpose other than a place of assembly.
- l. Return. Any return filed or required to be filed as herein provided.
- m. Sheriff. The elected Sheriff of Erie County.
- n. Short-Term Rental. A building or portion of it which is regularly used and kept open as such for lodging on an overnight basis. The term ‘short-term rental’ includes a hotel, motel, hostel, apartment hotel, motor court or inn, boardinghouse or club, campground with cabins, home-sharing property or vacation rental, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served, and

shall include those facilities commonly known as ‘bed-and-breakfast’ and ‘tourist’ facilities. “Short-term” and “vacation rentals” shall mean and include those units rented or leased to occupants – other than permanent residents – that are furnished apartments or living units in or consisting of a dwelling place ordinarily occupied for residential purposes or location that is otherwise made available for sleeping accommodations, directly by the owner or through an owner’s agent or hosting platform.

Section 3. Imposition of Tax.

- a. Except as otherwise provided by this Section, on and after the first day of June, 2023, there is hereby imposed and there shall be paid a tax of three percent upon the rent for every occupancy of a room or rooms in the County.
- b. For all short-term rental transactions where rental capacity of the premises exceeds thirty (30) rooms, the rate of tax on occupancy shall be five percent.
- c. If the charge for occupancy of a room includes only the cost of the room, board, and cleaning fees, any other charges that are separately stated and are only incurred at the option of the occupant and/or charged by a hosting platform shall not be included in the calculation of the occupancy tax imposed by this Local Law.
- d. If the operator does not separate the charge for room and board from other charges, excluding cleaning fees but including those added by a hosting platform, the entire charge to the occupant is taxable until the occupant becomes a permanent resident as defined by this Local Law.
- e. No tax shall be imposed upon a permanent resident as defined by this Local Law.

Section 4. Exempt Organizations

- a. Except as otherwise provided in this Local Law, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law.
 - (1) The State of New York, or any of its agencies, instrumentalities, public corporations (including public corporations created pursuant to agreement or compact with another state or Canada), improvement districts or political subdivisions of the State;
 - (2) The United States of America, or any of its agencies and instrumentalities, insofar as it is immune from taxation;
 - (3) The United Nations or other world-wide international organizations of which the United States is a member; and
 - (4) Any corporation, association, trust or community chest, fund or foundation, organized and operated exclusively for religious, charitable or education purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which

inures to the benefit of any private shareholder or individual and no part of the activities of which is carrying out propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

- b. Where any organization described in paragraph three (3) of subdivision (a) of this Section conducts its activities in furtherance of the purposes for which it was organized, and, as part of said activities, it engages in short-term rental transactions on the premises in which such not-for-profit activities are conducted, occupancy of rooms in the premises and rent therefrom received by such corporation or association shall not be subject to tax hereunder.

Section 5. Territorial Limitations

The tax imposed by this local law shall apply only within the territorial limits of the County of Erie.

Section 6. Registration

- a. Within ten days after the effective date of this local law, or in the case of operators commencing business after such effective date, within three days after such commencement or opening, every owner and/or operator shall file with the Comptroller a Certification of Registration in a form prescribed by the Comptroller.
- b. The Comptroller shall, within five business days after such registration issue without charge to each operator a Certificate of Authority empowering such operator to collect the tax from the occupant and duplicate thereof for each additional short-term rental of such operator. Each certificate or duplicate shall be certified, bear the seal of Erie County, and state the short-term rental to which it is applicable. Such Certificate of Authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy.
- c. Where a host or operator uses a hosting platform that has executed a voluntary collection agreement with the County, such host or operator shall submit an application for a Certificate of Authority clearly stating all information required under applicable law but may otherwise designate such hosting platform as primarily and solely liable for collection and remittance of the tax.
- d. If a Certificate of Authority is lost, stolen, or otherwise misplaced by an operator, such operator may apply, in a form prescribed by the Comptroller, for a replacement Certificate of Authority. Replacements shall be certified and issued to the operator at a cost of \$50.00.

- e. Failure to register a short-term rental with the Comptroller as required by this Section shall result in the imposition of a penalty amounting to one hundred dollars per day of non-registration. The Comptroller may, upon a showing of good cause by an owner or operator, waive up to 75% of the total amount of penalties incurred under this Subsection.
- f. Such certificates shall be non-assignable and non-transferrable and shall be surrendered immediately to the Comptroller upon:
 - (1) the cessation of business at the short-term rental;
 - (2) the sale, lease, assignment, or other transfer to another host or operator; or
 - (3) the designated hosting platform service named as designee on the certificate provided by this Section is sold, renamed, or otherwise transferred.

For the purposes of this Subsection, a change in ownership of the owner, hosting platform, operator, or the parent company of the same greater than or equal to 50% shall be considered a transfer.

- g. Violation of Subsection (e) of this Section shall immediately void any Certificate of Authority previously issued, in addition to any additional penalties otherwise imposed by this Local Law.

Section 7. Administration and Collection

- a. The tax imposed by this local law shall be administered and collected by the Comptroller of the County of Erie or the Comptroller's designee by such means and in such manner as are other taxes which are now collected and administered by such officers in accordance with the Charter or as otherwise are provided by this Local Law.
- b. The tax to be collected pursuant to this Local Law shall be stated, charged, and shown separately from the rent. At the time when the occupancy is arranged, contracted for or charged for, and upon any and all evidence of occupancy, any charge made shall be paid by the occupant to the operator as trustee for and on behalf of the County.
- c. The operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law, and the operator shall have the same right in respect to collecting the tax from the occupant. In respect to non-payment of the tax by the occupant payable at the time such tax shall become due and owing, the operator retains all applicable rights including, but not limited to, rights of eviction, repossession, and enforcement of any innkeeper's lien that the operator may have in the event of non-payment of rent by the occupant. An operator shall join the Comptroller as a party in any action or proceeding brought by the operator against an occupant under this Local Law.

- d. The tax imposed by this Local Law shall be paid upon any occupancy on and after the effective date of this Local Law except for any such occupancy reserved pursuant to a contract, lease or other arrangement made prior to such date. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Comptroller may by regulation provide for credit and/or refund of the amount of such tax upon application therefore as provided by this Local Law.
- e. For the purpose of the proper administration of this Local Law and to prevent evasion of the tax hereby imposed, the following presumptions and burdens shall apply:
 - 1. It shall be presumed that all rents are subject to tax until the contrary is established.
 - 2. The burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator or the occupant.
 - 3. Where an occupant claims exemptions from the tax under the provisions of Section 4 of this Local Law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a copy of a certificate issued by the Comptroller certifying that the named entity is exempt from taxation under Section 4 of this Local Law, together with a writing duly executed by the exempt entity named in the certificate issued by the Comptroller certifying that the occupant is its agent, representative or employee and that the occupancy is paid or to be paid by, and is necessary or required in the course of or in connection with the affairs of said exempt entity.
- f. A hosting platform may enter into a voluntary collection agreement with the County containing and specifying the following:
 - 1. The hosting platform shall be solely responsible and liable for collecting and remitting the applicable tax to the County for booking transactions completed through the respective hosting platform for short-term rentals as defined by Subsection 2(1) of this local law.
 - 2. The host or operator of the short-term rental who is not the hosting platform shall not be responsible for collecting and remitting the tax to the County on any transaction for which it has received confirmation that the hosting platform has collected the aforementioned tax and remitted it back to the County pursuant to a voluntary collection agreement.
 - 3. Neither the County, its officers, agents, and employees, or a hosting platform, its officers, agents, and employees, shall be required or made to furnish a copy or any portion of a voluntary collection agreement entered into between the County and a hosting platform. The hosting platform shall furnish to any operator using the hosting platform, a certificate, in a form to be determined by the Comptroller, confirming the existence and enforceability of such agreement.

- g. Where an operator of a short-term rental uses a hosting platform that has voluntarily entered into and executed a voluntary collection agreement with the County pursuant to Subsection 7(f) of this Local Law, such hosting platform, for the purposes of tax registration, collection, and remittance under this Local Law, shall only be liable for transactions completed through the respective hosting platform pursuant to the terms of such agreement.
- h. If the operator of a short-term rental uses a hosting platform that has not entered into and executed an agreement with the County pursuant to Subsection 7(f) of this Local Law, such operator shall be liable for the collection and remittance of the tax.

Section 8. Records.

Every operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon, in such form as the Comptroller may by regulation require. Such records shall be available for inspection and examination at any time upon demand by the Comptroller or the Comptroller's duly authorized agent or employee and shall be preserved for a period of five years.

Section 9. Returns.

- a. Every operator or, in the case where a hosting platform has entered into voluntary collection agreement pursuant to Section 7(f) of this Local Law, such hosting platform, shall file with the Comptroller a return of occupancy and of rents, and of the taxes payable thereon for quarterly periods ending the last day of February, May, August, and November of each year, on and after the effective date of this Local Law subject to the limitations prescribed by Section 7(d) of this Local Law.
- b. Such returns shall be filed within twenty days from the expiration of the period covered thereby. The Comptroller may permit or require returns to be made by other periods and upon such dates as the Comptroller or his duly authorized designee may specify. If the Comptroller deems it necessary in order to ensure the payment of the tax imposed by this Local Law, the Comptroller may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this Section and upon such dates as the Comptroller may specify.
- c. Where a hosting platform has entered into a voluntary collection agreement with the County pursuant to Section 7(f) of this Local Law, the mechanism for increasing the number of return dates per calendar year must be included in such voluntary collection agreement.
- d. The form of returns shall be prescribed by the Comptroller and shall contain such information as the Comptroller may deem necessary for the proper administration of this Local Law. The Comptroller may require amended returns to be filed. Such returns shall be delivered not later than twenty days following notice of the operator or hosting platform by the Comptroller and shall contain the information specified in the notice.

- e. If the return required by this Section is not filed, or if a return as filed is incorrect or facially insufficient, the Comptroller shall take all necessary steps to enforce the filing of such return or a corrected return. The Comptroller shall not waive tax liability or suspend collection of tax imposed by this Local Law.

Section 10. Payment of Tax.

- a. At the time of the filing a return of occupancy and of rents, each operator, or, in the case where a hosting platform has entered into voluntary collection agreement pursuant to Section 7(f) of this Local Law, such hosting platform shall pay to the Comptroller the taxes imposed by this Local Law upon the rents required to be included in such return, as well as all other moneys collected by the operator or hosting platform acting or purporting to act under the provisions of this Local Law.
- b. Where the Comptroller, as a matter of discretion, deems it necessary to protect revenues to be obtained under this Local Law, the Comptroller may require any operator or hosting platform required to collect the tax imposed by this Local Law to file a bond with the Office of Comptroller, issued by a surety company authorized to transact business in the State of New York and approved by the Superintendent of the New York State Department of Financial Services as to the solvency and responsibility, in such amount as the Comptroller may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator or hosting platform.
- c. In the event that the Comptroller determines that an operator or hosting platform is to file such bond, the Comptroller shall give notice to such operator or hosting platform to that effect. The Comptroller shall specify the amount of the bond required in writing and send it to such operator or hosting platform by certified mail at the address provided by such operator or hosting platform. Evidence of such mailing shall create a presumption that such operator or hosting platform has been notified.
- d. Where an operator or hosting platform has been notified by the Comptroller that a bond shall be required pursuant to this Section, such operator or hosting platform shall file such bond within ten business days.
- e. An operator or hosting platform may, within ten business days, request in writing a hearing before the Comptroller or the Comptroller's designee at which the necessity, propriety, and amount of the bond shall be determined by the Comptroller, notice of which shall be sent by certified mail to the address provided by such operator or hosting platform. Such determination shall be final and shall be complied with within ten business days after the Comptroller notifies such operator or hosting platform.
- f. In lieu of the bond described in Subsection 10(b) of this Local Law, securities approved by the Comptroller or cash in such amount as the Comptroller may prescribe may be deposited. Such deposit shall be kept in the custody of the Comptroller who may at any time and without notice to the depositor, apply such deposit to any tax, interest, and/or

penalties due. For that purpose, any securities may be sold by the Comptroller at public or private sale without notice to the depositor.

Section 11. Determination of Tax.

- a. If a return required by this Local Law is not filed, or if a return when filed is incorrect or facially insufficient, the amount of the tax due shall be determined by the Comptroller from such information as may be obtainable.
- b. If necessary, the tax may be estimated on the basis of external indices, including but not limited to, the number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and publicly reported earnings.
- c. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty days following receipt of notice from the Comptroller of such determination shall apply to the Comptroller for a hearing. The Comptroller may redetermine the same *sua sponte*.
- d. After such hearing, the Comptroller shall give notice of such determination to the person against whom the tax is assessed. The determination of the Comptroller shall be reviewable by the Supreme Court of Erie County for error, illegality, unconstitutionality, or abuse of discretion pursuant to Article Seventy-Eight of the Civil Practice Law and Rules.
- e. No party aggrieved by the determination of the Comptroller shall have standing to bring an action under Article 78 of the Civil Practice Law and Rules challenging the Comptroller's determination unless the amount of any tax sought to be reviewed, with any and all penalties and interest thereon, shall be first deposited with the Comptroller.
- f. In addition to the requirements of Section 11(e) of this Local Law, any party challenging the determination of the Comptroller pursuant to Article 78 of the Civil Practice Law and Rules shall first file with the Comptroller an undertaking, issued by a surety company authorized to transact business in the State of New York and approved by the Superintendent of the New York State Department of Financial Services as to solvency and responsibility, in such amount as a Justice of the Supreme Court of Erie County shall approve to the effect that if such proceeding is dismissed or the tax confirmed, the petitioner shall pay all costs and charges which may accrue in the prosecution of the proceeding.
- g. At the option of the petitioner, such undertaking filed with the Comptroller may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the applicant shall not be required to deposit such taxes, penalties, and interest as a condition precedent to the application.

Section 12. Disposition of Revenues.

- a. All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of the County and shall be credited to and deposited in the general fund of the County.
- b. Within sixty days of the effective date of this Local Law, the Comptroller shall create a special fund, the sole purpose of which shall be the distribution of revenues to not-for-profit corporations and public benefit corporations dedicated to the promotion and facilitation of tourism in Erie County.
- c. Notwithstanding any provision of law to the contrary, with respect to tax imposed by this Local Law on and after January 1, 2024, all revenue resulting from such tax, including any interest and/or penalties thereon, shall be credited to and deposited in the fund created by the Comptroller pursuant to Subsection 12(b) of this Local Law.
- d. On and after January 1, 2024, all amounts deposited in the fund created pursuant to Subsection 12(b) of this Local Law shall be made available and distributed to Buffalo Niagara Convention & Visitors Bureau, Inc. pursuant to a lawfully executed agreement between Buffalo Niagara Convention & Visitors Bureau, Inc. and the County of Erie. Such agreement shall include a requirement that Buffalo Niagara Convention & Visitors Bureau, Inc. shall submit an annual report to the County Executive, County Legislature, and County Comptroller concerning the expenditure of distributions received from the County, the annual budget and business plan, and any additional information as may be required pursuant to such agreement.
- e. An agreement entered into pursuant to Subsection 12(d) of this Local Law shall be approved as to form by the County Attorney, approved by the County Legislature, for a period of three years. The County Executive shall, no later than January 1 of each year of the agreement term, execute a renewal of such agreement and shall file such renewal with the Clerk of the Legislature on or before the date of the first meeting of the Legislature for that year.
- f. In the event that Buffalo Niagara Convention & Visitors Bureau, Inc. to cease operations, lose or alter its 501(c)(6) status, or alter its purpose so that its mission and/or significant activities no longer fulfills the legislative intent of this Local Law, distributions pursuant to Subsection 12(c) of this Local Law shall immediately cease. Thereafter, all revenues received by the County pursuant to this Local Law shall be credited to and deposited in the general fund of the County until such time as an agreement is lawfully executed between the County and a qualifying entity to fulfill the legislative intent of this Local Law.
- g. All entities receiving distributions under this Section are subject to oversight by the Comptroller.

Section 13. Refunds.

- a. In the matter provided by this Section, the Comptroller shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Comptroller for such refund shall be made within one year from the payment thereof. Whenever a refund is made by the Comptroller, the reasons therefore shall be stated in writing. Such application may be made by the occupant, operator, or hosting platform who has actually paid the tax.
- b. Such application may be made by an operator who has collected and paid over such tax to the Comptroller provided that the application is made within one year of the payment by the occupant to the operator, but not actual refund of moneys shall be made to such operator until it shall first be established to the satisfaction of the Comptroller, under such regulations as the Comptroller may prescribe, that the occupant has been repaid in the amount for which the application was made. The Comptroller may, in lieu of any refund, allow credit therefore on payments due from the applicant.
- c. An application for a refund or credit made as provided herein shall be deemed an application for a revision of any tax, penalty, or interest complained of and the Comptroller may receive evidence with respect thereto. After making a determination, the Comptroller shall notify the applicant who shall be entitled to review such determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided that such proceeding is instituted within thirty days following final notice of such determination and a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the Comptroller in such amount and with such sureties as a Justice of the Supreme County of Erie County shall approve to the effect that if such proceedings be dismissed or the tax confirmed, the petitioner shall pay all costs and charges which may accrue in the prosecution of such proceeding.
- d. A person or entity shall not be entitled to a revision, refund or credit under this Section of a tax, interest or penalty which has been determined to be due pursuant to the provisions of Section 13 of this Local Law where such person or entity has had a hearing or an opportunity for a hearing, as provided by this Section, or has failed to avail himself or herself of the remedies therein provided.
- e. No refund or credit shall be made of a tax, interest or penalty paid after a determination by the Comptroller made pursuant to Section 11 of this Local Law unless it is found that such determination was erroneous, illegal or unconstitutional, either by the Comptroller after a hearing pursuant to this Section, or by a Court under Article 78 of the Civil Practice Law and Rules, pursuant to the provisions of this Local Law.

Section 14. Reserves.

In cases where the occupant, operator, or hosting platform has applied for a refund and has instituted a proceeding under Article 78 of the Civil Practice Law and Rules to review an adverse determination on an application for refund pursuant to Section 13 of this Local Law, the comptroller shall set up appropriate reserves to meet any decision adverse to the County.

Section 15. Remedies Exclusive.

- a. The remedies provided by Section 11 and Section 13 of this Local Law shall be the exclusive remedies available to any entity for the review of tax liability imposed by this Local Law.
- b. No determination or proposed determination of tax or determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, or any other action not brought under Article 78 of the Civil Practice Law and Rules.

Section 16. Proceedings for Recover Tax.

- a. Whenever any operator, hosting platform or other person or entity required to collect and remit occupancy tax pursuant to this Local Law fails to collect and remit and tax, penalty or interest imposed by this Local Law, the Erie County Attorney shall, upon the request of the Comptroller bring or cause to be brought an action to enforce the payment of the same on behalf of Erie County in the Supreme Court of Erie County within sixty days of such request. Should the County Attorney fail to bring such action within sixty days of the Comptroller's request, the Comptroller may bring or cause to be brought such action on behalf of Erie County.
- b. If the Comptroller believes that any such operator, hosting platform, or any other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, the Comptroller may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.
- c. As an additional or alternate remedy, the Comptroller may issue a warrant, directed to the Sheriff commanding the Sheriff or the Sheriff's duly authorized designee, to levy upon and sell the real and personal property of the operator, hosting platform, or any person liable for the tax as described by this Local Law which may be found within Erie County for payment of the amount thereof with any penalties, interest, and the cost of executing the warrant.
- d. The Sheriff shall, within five business days following the receipt of the warrant, file a copy of such warrant with the Clerk. In the discretion of the Comptroller, a warrant of like terms, force and effect may be issued and directed to any officer or employee who shall have all the powers conferred by law upon the Sheriff under this Local Law, provided that such designee shall not be entitled to any fee or compensation in excess of the actual expenses paid in the performance of such duty.
- e. The Clerk shall, within five business days after a warrant has been filed by the Sheriff or the Comptroller's designee, enter in the judgment docket the name of the person or entity named in the warrant and the amount of the tax penalties, penalties, and interest for which the warrant is issued and the date when such copy is filed. If the Clerk fails to

enter such information onto the judgment docket within five days, the Comptroller may enter such information on his or her own accord. At such time as warrant information specified by this Subsection is entered onto the judgment docket, the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the operator, hosting platform, or persons liable for the tax pursuant to this Local Law against which the warrant is issued.

- f. The Sheriff or the Comptroller's designee shall proceed upon the warrant, in the same manner and with like effect, as provided by law in respect to executions issued against property upon judgments of a court of record.
- g. If a warrant is returned not satisfied in full, the Comptroller may, from time to time, issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County had recovered judgment therefore and execution thereon had been returned unsatisfied.

Section 17. Notice Upon Sale.

- a. Whenever an operator shall make a sale, transfer or assignment in bulk or in part or the whole of a short-term rental operation or a lease, license or other agreement or right to possess or operate such short-term rental operation, the seller, transferor or assignor shall notify the Comptroller by registered mail of the proposed sale and of the price, terms and conditions thereof. Failure to do so shall result in a fine not to exceed ten thousand dollars imposed against the seller, transferor, assignor, and, in the case of a corporate entity, the officers, partners, members, or owners of such entity.
- b. Whenever an operator shall make a sale, transfer or assignment in bulk or in part or the whole of such operator's operation, lease, license or other agreement or right to possess or operate such short-term rental operation, otherwise than in the ordinary and regular course of business, the purchaser, transferee or assignee, shall at least ten days before taking possession of the subject of said sale, transfer or assignment or paying therefor, notify the Comptroller by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferor or assignee that it owes any tax pursuant to this Local Law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.
- c. Whenever the purchaser, transferee or assignee shall fail to give notice to the Comptroller as required by the Subsection 17(a), or whenever the Comptroller shall inform the purchaser, transferee or assignee that a possible claim for such tax exists, any sums of money, property, causes of action, or other consideration which the purchaser, transferee or assignee is required to remit to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor or assignor to the County.

- d. The purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property, causes of action, or other consideration to the extent of the amount of the County's claim.
- e. Where a purchaser, transferee or assignee fails to comply with the provisions of this Section, the purchaser, transferee or assignee shall be liable for the payment to the County of all taxes, penalties, and interest theretofore or thereafter determined to be due to the County from the seller, transferor, or assignor.
- f. All such liability imposed by this Section may be assessed and enforced in the same manner as the liability for the tax under this Local Law.

Section 18. General Powers of the Comptroller.

In addition to the powers granted to the Comptroller elsewhere in this Local Law, the Comptroller is hereby authorized and empowered:

- a. To make, adopt and amend rules and regulations appropriate to the carrying out of this local law and the purposes thereof;
- b. To extend for cause shown, the time of filing any return for a period not exceeding thirty days; and for cause shown, to remit penalties but not interest computed at the rate of six percent per annum; and to compromise disputed claims in connection with the taxes hereby imposed;
- c. To request information from the New York State Department of Taxation and Finance or the Treasury Department of the United States relative to any person; and to afford information to such tax commission or such treasury department relative to any person, notwithstanding any other provision of this Local Law to the contrary;
- d. To delegate any functions hereunder to the Deputy Comptroller or any officer or employee of the Office of Comptroller;
- e. To prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;
- f. To require any operator within the County to keep detailed records of the nature and type of hotel maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax imposed by this Local Law, and to furnish such information upon request to the Comptroller;
- g. To require any operator within the County to maintain any and all records required by this Local Law for a concrete length of time in excess of the five-year period required under Section 8 of this Local Law not to exceed five additional years;

- h. To permit an operator or hosting platform, upon a showing of good cause, to enter into an agreement with the County allowing the operator or hosting platform to make periodic payments in a manner and at such intervals to be prescribed by the Comptroller, provided that no such payment plan exceeds two years following the date that the return was due pursuant to Section 9 of this Local Law;
- i. To assess and determine the taxes imposed under this Local Law.

Section 19. Administration of Oaths.

- a. The Comptroller or the Comptroller's duly authorized employees or agents shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Local Law. The Comptroller shall have power to subpoena and require the attendance of witnesses and the production of books, papers and documents to secure information pertinent to the performance of this duties hereunder and of the enforcement of this Local Law and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of state or unable to attend in person or excused from attendance.
- b. A Justice of the Supreme Court of Erie County either in court or at chambers shall have power to summarily enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Comptroller under this Local Law.
- c. Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Comptroller under this Local Law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than five thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment.
- d. The officers who serve the summons or subpoena of the Comptroller and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the Sheriff of Erie County, the Sheriff's duly appointed deputies or any officers or employees of the Comptroller who have been designated by the Comptroller to serve such process.

Section 20. Reference to Tax.

- a. Whenever reference is made in placards, promotion, publication or other form of public-facing signage or advertisement to the tax imposed by this Local Law, such reference shall be substantially in the following form: "Tax on occupancy of rooms for short-term accommodation."

- b. Whenever reference is made in any bill, receipt, statement or other evidence or memorandum of occupancy or rent charge issued or employed by the operator or hosting platform to the tax imposed by this Local Law, the phrase "occupancy tax" will suffice.

Section 21. Penalties and Interest.

- a. Any person failing to file a return or to pay over any tax to the Comptroller within the time required by this Local Law shall be subject to a penalty of five percent of the amount of tax due, plus interest at the rate of one percent of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due.
- b. The Comptroller may, if satisfied that the delay was excusable, waive all or any part of a penalty imposed by this Section. The Comptroller may not waive interest accrued at the rate of six percent annually. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this Local Law. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Local Law.
- c. Any operator, occupant, or hosting platform failing to file a return required by this Local Law, or filing or causing to be filed any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Local Law, which is willfully false shall be subject to a fine not to exceed ten thousand dollars. The individual who engages in such conduct while acting as the agent of such operator, occupant or hosting platform shall be guilty of a misdemeanor. The Comptroller may, in his discretion, refer such violations to the Erie County District Attorney.
- d. Any occupant, operator, or hosting platform who violates the provisions of this local law, in addition to any other penalties so specified by this Local Law, shall be subject to a fine not to exceed ten thousand dollars. Such violations include, but are not limited to:
 - 1. Failing to file a bond required to be filed pursuant to Section 11 of this Local Law;
 - 2. Failing to file a registration certificate and such data in connection therewith as the Comptroller may by regulation or otherwise require;
 - 3. Failure to display or surrender the Certificate of Authority as required by this Local Law or assigning or transferring such Certificate of Authority;
 - 4. Failing to charge the tax imposed by this Local Law altogether or separately from the rent;
 - 5. Failing to keep the records required by Section 8 of this Local Law or otherwise required by the Comptroller by regulation.
- e. In addition to the penalties imposed by this Section and otherwise imposed elsewhere by this Local Law, entities in violation thereof shall be subject to daily fines not to exceed

five hundred dollars per day for each day such entity remains in violation of this Local Law. Such penalties shall be collected in the same manner as otherwise prescribed elsewhere in this Local Law.

- f. The certificate of the Comptroller, to the effect that a tax has not been paid, that a return bond or registration certificate has not been filed or that information has not been supplied pursuant to the provisions of this Local Law, shall be presumptive evidence thereof.

Section 22. Returns to be Secret.

- a. Within 120 days of the effective date of this Local Law, the County shall establish a confidential mechanism permitting owners and operators to submit returns, pay amounts owed, and transmit all other information required by this Local Law in electronic form.
- b. Except as provided by a proper judicial order, or as otherwise provided by law, it shall be unlawful for the Comptroller or any officer or employee of the Office of Comptroller to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required under the Local Law. The officers charged with the custody of such returns shall not be required to produce any return required by this Local Law or evidence of any information contained in them in any action or proceeding in any court or administrative proceeding except on behalf of the Comptroller in an action or proceeding brought under the provisions of this Local Law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit into evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more.
- c. Nothing herein shall be construed to prohibit the following:
 - (1) delivery to a taxpayer or a taxpayer's duly authorized representative of a certified copy of any return filed in connection with such taxpayer's obligation under this Local Law; or
 - (2) the publication of statistics so classified as to prevent the identification of particular returns and the items thereof;
 - (3) the inspection of the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty; or
 - (4) confirming for any person or entity that a named operator does not have any undue outstanding tax liabilities, interest and/or penalties pursuant to this Local Law.

- d. Returns shall be preserved for five years and thereafter until the Comptroller permits them to be destroyed.
- e. Any violation of subdivision (a) of this Section shall be punishable by a fine not exceeding \$1,000. Any willful violation of subdivision (a) of this Section by an officer or employee of the County shall result in that officer or employee's immediate dismissal from office and prohibition from holding any public office for a period of five years thereafter.
- f. In the event that any person or operator fails to timely and accurately file a return and/or collect and remit the tax due and owing to the County, and/or fails to adhere to the terms and conditions of any agreement said party enters into with the County for the payment of taxes due hereunder, the restriction contained in subdivision (a) of this Section shall be lifted. Only authorized officers and employees of the Office of Comptroller, Division of Budget and Management, and Department of Law are permitted to release limited identifying information regarding the delinquency, including, but not limited to, an operator, person or taxpayer's name, names of the principals of said owner and/or operator, and the amount of the delinquency.

Section 23. Notices and Limitations of Time.

- a. Any notice authorized or required under the provisions of this local law may be given by sending the same by certified mail:
 - 1. In the case of an operator or hosting platform, to the address provided on the last return filed pursuant to the provisions of this Local Law; or
 - 2. In the case of an occupant, to the address provided by such occupant on the most recent application made to the Comptroller pursuant to Section 11 or Section 13 of this Local Law.
- b. The mailing of such notice shall be presumptive evidence of receipt by the entity to which the notice is addressed. Any time period which is determined according to the notice provisions of this Local Law shall commence to run from the date of mailing of such notice.
- c. The provisions of the Civil Practice Law and Rules or any other law conflicting with Chapter 614 of the Laws of 1974 relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine or enforce the collection of any tax, interest, or penalty provided by this Local Law.
- d. Where an operator or hosting platform files a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return.

- e. Where no return has been filed by an operator or hosting platform as provided by Section 9 of this Local Law, the tax may be assessed at any time.
- f. Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period. No extension authorized by this subsection shall, by itself or cumulatively, exceed two years past the original date of the return required by Section 9 of this Local Law.

Section 24. Effective Date.

This Local Law shall take effect upon filing with the New York Secretary of State and shall not be applied retroactively to the collection and remittance of taxes prior to the amendment to this local law taking effect.

Section 25. Completion of Unfinished Business.

Any matter undertaken or initiated and liabilities incurred under the provisions of the local laws repealed by Section 1 of this Local Law which are pending on the effective date of this Local Law shall be completed in the same manner and under the same terms and conditions and with the same effect as if conducted and completed in accordance with the provisions of the Local Laws herein repealed. Such matters include but are not limited to tax liability, interest and penalties previously incurred, warrants previously issued, and applications for refund previously made. Nothing in this Section shall be interpreted to exempt or excuse any operator or hosting platform from filing a certificate of registration with the Comptroller pursuant to Section 6(a) of this Local Law.

Section 26. Severability.

If any clause, sentence, paragraph, section, subsection, subdivision, or any part of this Local Law or the application therefore 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 and its subsequent amendments 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.

Sponsor:

HOWARD J. JOHNSON, JR.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

LL INTRO. 2-2 (2023)	BASKIN, MEYERS, JOHNSON, VINAL, KOOSHOIAN, BARGNESI & GILMOUR	The Public Art Act of Erie County
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Attachments

LL INTRO. 2-2 (2023)

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 2-2 -2023

LOCAL LAW NO. _____-2023

THE PUBLIC ART ACT OF ERIE COUNTY

A Local Law providing for public financial support for public art in the County of Erie.

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

Section 1. Legislative Findings and Intent

The Erie County Legislature desires to support and promote worthwhile initiatives that help to promote the public good and improve the quality of life of our community. Like many other municipalities and local governments around the country, the Legislature wishes to further develop the County's financial support of public art through the County's construction of new infrastructure. This initiative seeks to make art accessible to all Erie County residents and visitors and to foster a sense of community connection and civic pride.

The County already has a robust financial contribution and commitment to arts and cultural institutions, through annual budgetary funding and occasional, one-time capital or operational funding for cultural assets. In addition, the County has been funding a position of Public Art Curator located at the Albright-Knox Art Gallery for several years.

The County also values artists and believes that artists should be compensated in a manner consistent with their experience. This will ensure that artists' expenses and labor on public art projects are adequately compensated and will strengthen our public art artists community by properly valuing their need in Erie County.

As contrasted with annual operational funding for the County's cultural assets (which are already financially subsidized and supported by the County of Erie), this initiative proposes to create a funding mechanism for public art related to certain Erie County capital construction projects. Under the proposal, depending on the size and type of the project, the County would allocate 1% of the cost of a building construction project (up to a maximum of \$10,000 allocated). The Committee will decide where in Erie County the public art will be installed in an annual Public Art Master Plan. Art won't need to be implemented where every capital improvement exists. All the 1% monies collected from the previous year's capital improvements will be allocated to fund the design, supplies and commission of the next year's Public Master Art Plan.

Section 2. Funding

Capital projects on buildings that are \$250,000 or greater, whether funded by capital (bonded) funds or operating funds, shall include the appropriation of funds equal to 1% of the cost of the

project, with said funds to be appropriated for the acquisition, maintenance and management of public art, except where the appropriating resolution, bond resolution or budget may provide otherwise; provided, however, that, where applicable, such amount shall be reduced to the extent that state funds, federal government funds, and funding derived from water rates, water quality treatment charges, sewer rents and sewage, wastewater and refuse collection charges in the County, are not authorized to be used for such purpose. The maximum allocated for public art shall be \$10,000 from each eligible capital project.

A "Public Art Fund" shall be created by the Division of Budget and Management to hold funds for implementation of the projects finalized in the Master Public Art Plan and/or projects chosen by the Arts in Public Places Committee.

The use of any funds appropriated for any project for public art purposes shall be in accordance with the Master Public Art Plan, except that any such funds provided from the proceeds of County serial bonds or notes shall be used only for public art purposes related to the project for which such bonds or notes were authorized. To the extent the total appropriation of a project is not used for the acquisition of works of art for said project, upon the approval of the County Legislature, the remainder may be used for:

1. Arts program administrative costs, insurance costs or for the repair and maintenance of any works of art acquired under this law; or
2. Supplementing other appropriations for the acquisition of works of art under this law or to place works of art in or near government facilities which have already been constructed.

Section 3. Definitions

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

"Public Art" includes any application of skill and taste to production of tangible objects according to aesthetic principles, including but not limited to paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, fountains, streetscapes, drawings and ceramics, as well as decorative seating, topiary, and other decorative public use features.

"Capital Projects" includes: (a) new construction of a building or of additional space added to a building; and/or (b) any reconstruction or renovation of a building or part of a building, whether financed through the issuance of bonds or pay-as-you-go funding or other (non-County) sources of funds.

"Projects" shall not include those which are solely for rehabilitation of equipment.

"Cost of a Project" includes design, architectural and engineering fees, site work, construction, and contingency allowances for a project.

“Public Art Fund” means the new fund to which 1% of the value of a new capital project will be allocated to pursue Public Art initiatives (to a maximum of \$10,000 for each capital project).

“Committee” refers to the Arts in Public Places Committee.

“Master Public Art Plan” (“Plan”) means the annual plan created by the Committee by March 1 to ensure a coherent acquisition program and implementation guidelines for Public Art.

Section 4. The Arts in Public Places Committee

A. There shall be an Arts in Public Places Committee, hereinafter referred to as the “Committee,” consisting of five (5) members. The County Executive shall appoint three (3) members, and the Majority Caucus and Minority Caucus of the Legislature shall each appoint one member. All five members shall be subject to Legislature confirmation. The Chairperson of such Committee shall be selected from the members of the Committee for a term of one year.

B. The five (5) members shall be experts in the fields of art, art history, architecture or architectural history and must be Erie County residents and may not serve on any other County advisory board or be a County employee or officer. The members shall be professionally associated with local visual arts groups, such as art galleries or art schools, or have at least ten (10) years’ experience in creating professional art.

C. In addition to the five (5) voting members of the Committee, The County Executive, the Chairperson of the Legislature, the Chairperson of the Legislature’s Community Enrichment Committee, the Legislature Minority Leader, and the Commissioner of Public Works or their designees, shall serve as ex officio non-voting members of the Committee.

D. The Committee shall choose the methods of acquisition of public art for each project. Such methods of acquisition may include but are not limited to projects of preexisting art, direct commission, art competition, request for proposals, or acceptance of donations.

E. The Committee may, for each project, convene a project panel comprised of at least three members of the Committee, one of whom shall be designated Chairperson. The Committee may also appoint additional art experts as members of the project panel. The Committee may appoint additional members to the panel to serve as advisors, who may be community representatives, County employees, project managers or others who will have frequent contact with the public art when it is completed. An architect or engineer shall be an ex officio member of each panel. The panel shall review the scope of each project and shall make recommendations to the Committee on the nature of the public art to be considered for the project, on the method of acquisition for each project, on the specific artist and the specific art for each project and what portion of the budget for each project shall be used for refurbishing or restoring existing works of art or to be set aside for the maintenance of a work of art.

F. The acquisition and siting of all art work shall be approved by the County Executive and the County Legislature.

- G. Ownership and title of all works of public art acquired by the County under this section shall be vested in the County of Erie.
- H. The Committee shall create by-laws which will govern the conduct and operations of the Committee.
- I. The Erie County Department of Environment and Planning shall serve as coordinator for the program and provide staff support to the Committee.
- J. The Committee shall deliver an annual report to the County Executive and the County Legislature detailing its operations, Plan and art created under its auspices.

Section 5. Master Public Art Plan

The Committee shall prepare a Master Public Art Plan ("Plan") annually to ensure a coherent acquisition program and implementation guidelines, which shall be approved by the Erie County Legislature. The Committee shall hold a public hearing on the Plan prior to its approval. The Plan shall be approved by the Committee and submitted to the Legislature annually by March 1.

1. All acquisitions and sales of public art shall be in accordance with the Master Public Art Plan. The Committee shall recommend acquisitions, the hiring of artists, and shall oversee the public education and curatorial aspects of the acquisition program.
2. The Plan shall make affirmative efforts to be equitable and diverse and to include artists selected for public art projects who are racially and ethnically diverse. The siting of such art projects shall be throughout the County, but with efforts undertaken to place art in areas of diversity.
3. The Plan shall strive to use artists that are County residents.
4. The Plan shall emphasize the importance of adequate compensation of artists.
5. The Plan shall be voted on by the Legislature and presented to the Department of Environment and Planning by May 1st annually.
6. The Committee shall, through the Plan and its acquisition efforts, make efforts to call for artist submissions and publicize the intention to find appropriate art within thirty (30) days of the Plan's approval annually.
7. Final contracts for authorizing public art contracts and hiring of artists are subject to approval by the Erie County Legislature.

Section 6. Effective Date

This Local Law shall take effect upon filing with the New York State Secretary of State.

Section 7. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

Sponsors:

April N.M. Baskin
Timothy Meyers
Howard Johnson
Jeanne Vinal
Michael Kooshoian
John Bargnesi
John Gilmour

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

LL INTRO. 5-1 (2023)	GILMOUR	The Service-Disabled Veterans Utilization Act
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Attachments

LL INTRO. 5-1

COUNTY OF ERIE

LOCAL LAW INTRO NO. 5-1 -2023

LOCAL LAW NO. _____-2023

THE SERVICE-DISABLED VETERANS UTILIZATION ACT

A LOCAL LAW in relation to ensuring that service-disabled veterans have greater participation in Erie County contracts.

THEREFORE, BE IT ENACTED by the Legislature of the County of Erie, as follows:

SECTION 1. LEGISLATIVE INTENT

Erie County is home to many men and women who have faithfully served their country as members of military and national guard, some of whom became disabled during their service. It is the intent of the Erie County Legislature to honor this service and sacrifice for our nation by promoting and encouraging the continued economic development of service-disabled veteran-owned businesses by ensuring greater participation in County contracts.

SECTION 2. DEFINITIONS

The following terms shall have the meanings indicated:

1. "State-Certified Business" shall mean a business that is a certified service-disabled veteran-owned business under the New York State Service-Disabled Veteran-Owned Business Act.
2. "Departments and Offices" shall mean
 - a) Any County department; or
 - b) Any division, office or bureau of any County department, or Erie County Community College; or
 - c) A board, a majority of whose members are appointed by the County Executive or who serve by virtue of being County officers or employees.

SECTION 3. OUTREACH

The Erie County Office of Equal Employment Opportunity (the "EEO") shall be responsible for outreach to State Certified Businesses in order to encourage participation in public contract bidding opportunities. The EEO shall maintain a data base of all State-Certified Businesses.

SECTION 4. PARTICIPATION

All Departments and Offices of Erie County shall make good faith efforts to ensure State-Certified Businesses have greater participation in County contracts by aiming for at least a six percent participation rate of State-Certified Businesses on County contracts.

SECTION 5. RECORDS

All Departments and Offices of Erie County shall maintain documents reflecting the good faith efforts made by their Department.

SECTION 6. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of the 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.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect upon filing with the New York Secretary of State.

Sponsors:
John Gilmour

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

REPORT No. 7 PUBLIC SAFETY COMMITTEE

Attachments

PS REPORT No, 7

May 18, 2023

PUBLIC SAFETY COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR TODARO.

1. COMM. 10E-11 (2023)
COUNTY EXECUTIVE

WHEREAS, a capital account in the amount of \$295,009.70 was authorized by the Erie County Legislature on June 23,2022 by Resolution COMM.12E-26 to upgrade the training facilities at the Erie County Fire Academy; and

WHEREAS, work on this project has begun and the cost of NYS Stamped Engineered Drawings in the amount of \$15,111.24 was not included in the original budget, therefore creating a budget shortfall in this capital project; and

WHEREAS, the Erie County Department of Budget and Management has identified available funds in Fund Center 14010, Account 400010 – Exemption Removal Revenue for transfer to the capital project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the recognition of previously unbudgeted revenue in Fund 110, Funds Center 14010, Revenue Account #400010, and the appropriation of a like amount of funding into the Department of Homeland Security and Emergency Services 2023 Budget, Fund 110, Funds Center 16700 Account #570050 Interfund Transfer Capital as follows:

2023 Budget
Fund 110 – Funds Center 14010
Countywide Budget Accounts

REVENUES

400010 – Exemption Removal Revenue \$15,211.54

2023 Budget
Fund 110 – Funds Center 16700
Department of Homeland Security and Emergency Services

APPROPRIATIONS

570050 – Interfund Transfer Capital \$15,211.54

and be it further

RESOLVED, that authorization is hereby given to increase the existing Capital Project A.21119 - EC Fire Academy Fire Training Facilities in the amount of \$15,211.54 as follows:

Project A.21119
2023 EC Fire Academy Training Facilities
Fund 410, Fund Center 16700

<u>REVENUE</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>REVISED</u>
486000 - Interfund Revenue Subsidy	\$295,009.70	\$15,211.54	\$310,221.74
TOTAL	\$295,009.70	\$15,211.54	\$310,221.74

<u>APPROPRIATIONS</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>REVISED</u>
Capital Projects	\$295,009.70	\$15,211.54	\$310,221.74
TOTAL	\$295,009.70	\$15,211.54	\$310,221.74

and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive's Office, the Comptroller's Office, Department of Homeland Security & Emergency Services, and the Division of Budget and Management.

(4-0)

HOWARD J. JOHNSON, JR.
CHAIR

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

REPORT No. 7 ECONOMIC DEVELOPMENT COMMITTEE

Attachments

ED REPORT No, 7

May 18, 2023

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT, EXCEPT LEGISLATORS MILLS & TODARO.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 10E-7 (2023)
COUNTY EXECUTIVE

WHEREAS, water infiltration has caused the existing concrete sidewalk above the vault to move away from the building over time as well as has caused the structural steel elements in the basement level beneath Pearl Street to deteriorate at the Buffalo Convention Center; and

WHEREAS, continual deterioration without corrective action may pose a risk to Convention Center employees as well as sidewalk pedestrians along the west side of Pearl Street adjacent to the Convention Center; and

WHEREAS, corrective measures must be implemented and the repairs to be made will not only correct previous deterioration but will also prevent future deterioration by replacement of the structural elements as well as new waterproofing beneath the new sidewalk; and

WHEREAS, it is important to execute these repairs during the summer months, so the existing structural elements are not exposed to another freeze/thaw cycle in the winter months causing further deterioration; and

WHEREAS, the Erie County Department of Public Works (DPW) received bids for the Buffalo Convention Center Sidewalk Rehabilitation Project on April 11, 2023; and

WHEREAS, the lowest responsible bidder is Patterson-Stevens Inc.; and

WHEREAS, the Department of Public Works is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the lowest responsible bidder, Patterson – Stevens, for the Buffalo Convention Center Sidewalk Vault Rehabilitation Project in the amount noted below:

General Contracting Work		
<u>Patterson – Stevens</u>	<u>Base Bid:</u>	<u>\$1,167,000</u>
Total Construction Contract Award		\$1,167,000

and be further

RESOLVED, that authorization is hereby given to allocated the sum of \$100,000 to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that sufficient funding for the project exists in the following Division of Buildings & Grounds’ capital projects in Funds Center 122, Fund 410:

A.22003 – DPW (Buildings and Grounds) – Buffalo Niagara Convention Center (BNCC) Improvements	\$ 850,288.25
A.21105 – DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities	\$ 416,711.75
<u>Total Not to Exceed</u>	<u>\$1,267,000.00</u>

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the County Executive’s Office, the Comptroller’s Office, the Department of Law, and the Division of Budget and Management (4-0)

2. COMM. 10E-8 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works previously engaged the services of Electrical Engineers in order to comply with the requirements of electrical code and provide advisement on various County projects per COMM. 15E-24 (2019); and

WHEREAS, while funding was previously approved in the resolution noted above in the amount of \$250,000 total, only \$135,000 was dedicated to the electrical on-call contracts due to an administrative error when planning the money within SAP; and

WHEREAS, the balance of the that money that was previously dedicated for the electrical on-call contracts, was then inadvertently planned and approved to be used for the Elevator Modernization Project per COMM 4E-8 (2022); and

WHEREAS, in short, DPW used less money on the electrical on-call contracts when compared to what was previously approved per COMM. 15E-24 (2019) and therefore, DPW is requesting approval of this \$115,000 to make the contract whole funding the project as previously approved; and

WHEREAS, the contracts with the firms of Buffalo Engineering P.C. and M/E Engineering are currently within the first one (1) – year extension through July 25, 2023 with an additional extension available through July 25, 2024 per the terms of the Request for Proposals advertised by the Department of Public Works (DPW); and

WHEREAS, this contract will continue to address the anticipated scope of services as they arise and approved by DPW; and

WHEREAS, each firm has displayed the expertise, experience, and manpower to provide the required services as requested by the County; and

WHEREAS, each assignment will be billed on an hourly basis according to an approved rate schedule unless an agreed upon work scope and fee is negotiated with the assigned consultant prior to beginning any services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Executive to allocated an additional \$115,000.00 to make the contract whole per COMM. 15E-24 (2019) for an amount not to exceed a total of \$250,000.00; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for services from Capital Project A.22050 – Code and Environmental Compliance, Funds Center 122, Fund 410 for a total amount not to exceed \$115,000; and be it further

RESOLVED, that two (2) certified copies each of this resolution be sent to the Department of Public Works, Commissioner’s Office and one (1) copy each to the County Executive’s Office, the Comptroller’s Office, and the Division of Budget and Management.
(4-0)

3. COMM. 10E-9 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Information and Support Services (DISS) requires a Point of Presence (POP) server room to be installed on the 15th floor of the Erie County Rath Building in preparation of ErieNet; and

WHEREAS, this abatement project is the first step toward preparing the space for construction that will eventually house the Point of Presence to support ErieNet; and

WHEREAS, asbestos containing materials, including spray applied fireproofing, has been found on the east side of the electrical closets on floors 1 thru 13 of the Rath building as well as on the 15th floor of the Rath building; and

WHEREAS, the Department of Public Works (DPW) received bids for the Rath Building 15th Floor Abatement Project on April 6, 2023; and

WHEREAS, the lowest responsible bidder was Caysea Contracting; and

WHEREAS, the Department of Public Works and LaBella Associates are recommending award of the contract to the lowest responsible bidder for the Rath Building 15th Floor Abatement project; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment in the amount of \$22,500 to the firm LaBella Associates for air monitoring services during construction as required by New York State Department of Labor, Code Rule 56 during abatement project for the Rath Building – 15th Floor Abatement Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the lowest responsible bidder, Caysea Contracting, for the Rath Building – 15th Floor POP Server Room abatement project for an amount not to exceed as follows:

Abatement Construction Work

Caysea Contracting	Base Bid:	\$ 368,000.00
Total Award of Abatement Construction Contract:		\$ 368,000.00

and be it further

RESOLVED, that authorization is hereby given for the sum of \$37,000.00 to be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that authorization is hereby given for the County Executive to execute an Agreement Amendment with the firm of LaBella Associates to provide air monitoring services during construction for the Rath Building – 15th Floor Abatement Project for an amount not to exceed \$22,500; and be it further

RESOLVED, that sufficient funding for this project exists in the Division of Building and Grounds' (Fund Center 122, Fund 410) capital project A.22068 – 2022 DISS Point of Presence Server Room; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the County Executive's Office, the Comptroller's Office, the Department of Law and the Division of Budget and Management.
(4-0)

4. COMM. 10E-12 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security & Emergency Services, through NYS Department of Homeland Security and Emergency Services, has agreed to provide funding for training in emergency response; and

WHEREAS, the Recreational Off-Highway Vehicle Association has been identified as an appropriate and competent provider of the requested training; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract with the Recreational Off-Highway Vehicle Association to conduct the training for emergency response with the use of an all-terrain vehicles; and

WHEREAS, funding is available in the HS167SHSP2223 State Homeland Security Program Grant to cover the costs incurred for this training; and

WHEREAS, the vendor will be managed by the Erie County Department of Homeland Security & Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with the Recreational Off-Highway Vehicle Association in an amount not to exceed \$9,000 to conduct emergency response training; and be it further

RESOLVED, that sufficient funding exists to cover this expense in HS167SHSP2223; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive's Office, Comptroller's Office, Department of Homeland Security & Emergency Services, Department of Law, and the Division of Budget and Management.
(4-0)

HOWARD J. JOHNSON, JR.
CHAIR

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

REPORT No. 5 HEALTH & HUMAN SERVICES COMMITTEE

Attachments

HHS REPORT No. 5

May 18, 2023

HEALTH & HUMAN SERVICES
COMMITTEE
REPORT NO. 5

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

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 17E-17 (2022)
COUNTY EXECUTIVE: “Authorization to Enter into Contract with Stall Senior Medical and Rutowski Pharmacies, Inc. for Home Monkeypox Vaccination”
(Chair’s Ruling)

b. COMM. 7M-2 (2023)
ERIE COUNTY MEDICAL CENTER CORPORATION: “2022 Annual Report of ECMCC”
(Chair’s Ruling)

c. COMM. 10E-5 (2023)
MINORITY CAUCUS: “Constituent Concern”
(Chair’s Ruling)

2. COMM. 10E-13 (2023)
COUNTY EXECUTIVE

WHEREAS, a key provision of the Preventing Sex Trafficking and Strengthening Families Act is to move sexually exploited youth from the criminal and juvenile justice systems to the family court where children and their families can receive support and services from the child welfare system; and

WHEREAS, services are to be provided to victims of sex trafficking and core elements of the service include case management, emergency temporary housing, health care, mental health counseling, language interpretation and translation services, job training and placement and services to assist in establishing permanent residence; and

WHEREAS, International Institute of Buffalo has been the lead agency for this program since its inception and is the only local agency with the expertise and existing resources to carry out the program; and

WHEREAS, International Institute of Buffalo was re-awarded this contract in 2021 after a request-for-proposal, and the next scheduled request for proposal for this program is scheduled for 2024; and

WHEREAS, a gradual decrease in State funding over the past few years has required additional county funding to operate this valuable program; and

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to the County Executive to enter into contract with the International Institute of Buffalo in the amount of \$43,350 for the provision of services for the Safe Harbor for Exploited Children program, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept \$43,350 in State Aid and amend the 2023 General Fund Budget (Fund 110, Funds Center 1209010) as follows:

Department of Social Services
Fund 110, Funds Center 1209010

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
409000	State Aid Revenue	<u>\$43,350</u>
	TOTAL	<u>\$43,350</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516410	Preventative Agencies–International	\$43,350
	TOTAL	<u>\$43,350</u>

and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additional budget adjustment which may be required in order to match expense with State funding allocation adjustments; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive’s Office, Comptroller’s Office, Department of Social Services, and Division of Budget and Management.
(5-0)

3. COMM. 10E-14 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Social Services Child Welfare Division provides protective, preventive, and permanency services for children in Erie County who are victims, or at risk of becoming victims of maltreatment (abuse or neglect) or exploitation; and

WHEREAS, Social Services Law 423.1 mandates that there be a sufficient level of qualified staff to perform the duties of a Child Protective worker and meet their mandated responsibilities; and

WHEREAS, an expert witness is a person who has extensive knowledge or skill in a specific field or discipline beyond that of a layperson; and

WHEREAS, Dr. Iram Ashraf, a Board Certified Child Abuse & General Pediatrician, possesses the needed qualifications and reliability that is needed for the department to effectively aid victims in Child Abuse/Neglect cases; and

WHEREAS, the Department of Social Services would like to contract with Dr. Iram Ashraf in an amount not to exceed \$50,000 to act as an expert witness in Child Abuse/Neglect cases overseen by the department.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with Dr. Iram Ashraf to act as an expert witness in Child Abuse/Neglect cases handled by the Department of Social Services in an amount not to exceed \$50,000, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services 2023 General Fund Budget (Fund 110, Funds Center 1208020) to be amended as follows:

Department of Social Services
Fund 110, Funds Center 1208020

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516020	Prof Svcs Contracts & Fees	\$50,000
530000	Other Expenses	<u>(\$50,000)</u>
	TOTAL	<u>\$ 0</u>

and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additional budget adjustment which may be required in order to match expense with funding allocation adjustments; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive's Office, Comptroller's Office, Department of Social Services, and Division of Budget and Management.

(5-0)

4. COMM. 10E-15 (2023)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature does hereby confirm the following individuals for appointment to the Erie County Senior Services Advisory Board for a full two-year term expiring on December 31, 2024.

Mario Pena
114 Minerva Street
Tonawanda, NY 14150
New Appointment

Francis McLaughlin
2901 E. Pleasant Avenue
Eden, NY 14057
Re-Appointment

Jim Banko
2850 Amsdell Road, #8
Hamburg, NY 14075
Re-Appointment

Leonard Vento
127 Fourth Avenue
Buffalo, NY 14204
Re-Appointment

Jennifer Wood
236 Highland Avenue
Buffalo, NY 14222
Re-Appointment

Kristin DiMartino
232 Glendale Avenue
Tonawanda, NY 14051
Re-Appointment

(5-0)

5. COMM. 10E-16 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services continually looks to enhance services for older adults and residents with disabilities in Erie County and for ways to fund such services; and

WHEREAS, a request for proposal was issued to select an agency to provide consultation services to evaluate and recommend improvements and efficiencies to the transportation services currently provided by the Department; and

WHEREAS, Via Mobility, LLC is a consulting agency that has a record of previous success in evaluating and recommending changes to transportation systems locally, statewide and beyond; and

WHEREAS, the Department wishes to prepare for the future transportation needs of older adults and residents with disabilities in Erie County in a timely and cost-effective manner; and

WHEREAS, the Department of Senior Service now desires to contract with Via Mobility, LLC to ensure its ability to continue to offer and meet the growing need of transportation for older adults and residents with disabilities, with a 12-month contract term from June 1, 2023 to May 31, 2024; and

WHEREAS, existing appropriations are available in the Department’s 163III-BARP2124 grant’s professional services account #516020 to cover the contract cost, not to exceed \$50,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a one-year contract with Via Mobility, LLC to assist in evaluating the County’s current transportation model efforts and to make recommendations for an efficient, sustainable, cost-effective countywide transportation system capable of serving Erie County’s older adults and residents with disabilities; and be it further

RESOLVED, that authorization is hereby given that up to \$50,000 of existing appropriations in the Department’s 163III-BARP2124 grant’s professional services account #516026 be utilized to fund the contract; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust the grant budget as required to comply with the grantor approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive’s Office, the Comptroller’s Office, the Division of Budget and Management, the Division of Purchasing and the Department of Senior Services.
(5-0)

6. COMM. 10E-17 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services – Youth Bureau is seeking approval to execute contracts with community providers for the 2023 summer Primetime program; and

WHEREAS, the availability of local share funding provided in the 2023 adopted budget enable this program implementation; and

WHEREAS, Operation Primetime provides for an adult-supervised environment for the ten-week school summer recess period, and program activities consist of structured recreation that prevents delinquency, increase socialization and foster respect for authority; and

WHEREAS, a Request for Proposal was distributed for this program and Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, there is no additional local share necessary for these awards, and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute contracts with the following providers for Operation Primetime from available 2023 funds in Fund Center 12530, Account 517749 (Operation Primetime) in the Youth Bureau:

Agency	Total Score	Ranking by Score	Requested Amount	Recommended Award
BACK TO BASICS OUTREACH MINISTRIES, INC.	78.00	61	\$ 13,482.00	\$10,112.00
BAKER HALL, INC. (OLV HUMAN SERVICES)	86.00	33	\$ 11,367.48	\$8,526.00
BE-A-FRIEND PROGRAM, INC., BIG BROTHERS BIG SISTERS OF ERIE, NIAGARA, AND THE SOUTHERN TIER	92.67	3	\$ 10,000.00	\$10,000.00
BESTSELF BEHAVIORAL HEALTH	94.33	1	\$ 10,000.00	\$10,000.00
BOYS & GIRLS CLUB OF EAST AURORA	89.00	17	\$ 10,000.00	\$10,000.00
BOYS & GIRLS CLUB OF ELMA, MARILLA, AND WALES	85.00	37	\$ 10,000.00	\$7,500.00
BOYS & GIRLS CLUB OF HOLLAND	87.33	24	\$ 10,000.00	\$10,000.00
BOYS & GIRLS CLUB OF ORCHARD PARK	83.33	44	\$ 10,000.00	\$7,500.00
BOYS & GIRLS CLUBS OF THE NORTHTOWNS	85.67	35	\$ 15,000.00	\$11,250.00
BOYS AND GIRLS CLUB OF EDEN-LAKE SHORE	86.33	32	\$ 15,000.00	\$11,250.00
BRIDGES FROM BORDERS, INC	61.67	70	\$ 15,000.00	\$5,000.00
BUFFALO ARTS AND TECHNOLOGY CENTER, INC.	88.33	19	\$ 15,000.00	\$11,250.00
BUFFALO FEDERATION OF NEIGHBORHOOD CENTERS	90.33	8	\$ 10,000.00	\$10,000.00
BUFFALO URBAN LEAGUE	91.67	4	\$ 15,000.00	\$15,000.00
BUFFALO VINEYARD (5 LOAVES FARM)	86.67	28	\$ 10,000.00	\$10,000.00
BUFFALO-AREA ENGINEERING AWARENESS FOR MINORITIES	88.00	20	\$ 10,000.00	\$10,000.00
CHILDCARE NETWORK OF THE NIAGARA FRONTIER, INC (JUST FOR KIDS)	78.67	59	\$ 10,000.00	\$7,500.00
COMMUNITY ACTION ORGANIZATION OF WESTERN NEW YORK, INC. (CAO)	84.00	42	\$ 10,000.00	\$7,500.00
COMPEER OF GREATER BUFFALO	90.00	10	\$ 15,000.00	\$15,000.00
CORNELL COOPERATIVE EXTENSION OF ERIE COUNTY	89.67	12	\$ 10,000.00	\$10,000.00
CRADLE BEACH CAMP	91.33	6	\$ 15,000.00	\$15,000.00
ENLIGHTENMENT BOOKSTORE & LITERARY ARTS CENTER, INC.	86.67	29	\$ 15,000.00	\$13,750.00

ERIE REGIONAL HOUSING DEVELOPMENT CORPORATION (THE BELLE CENTER)	79.67	56	\$ 15,000.00	\$11,250.00
EVERY PERSON INFLUENCES CHILDREN - EPIC	90.33	9	\$ 10,000.00	\$10,000.00
F BITES (FOOD BASED INTERVENTIONS WITH TECHNOLOGY, ENERGY, AND SCIENCE)	81.67	51	\$ 15,000.00	\$11,250.00
FIRST SHILOH YOUTH FOUNDATION, INC.	87.00	26	\$ 10,000.00	\$10,000.00
FRIENDS INC	70.33	68	\$ 15,000.00	\$7,500.00
GAY & LESBIAN YOUTH SERVICES OF WESTERN NEW YORK	93.00	2	\$ 10,000.00	\$10,000.00
GIRL SCOUTS OF WESTERN NEW YORK, INC.	85.00	38	\$ 10,000.00	\$7,500.00
GREATER NIAGARA FRONTIER COUNCIL, BSA	83.33	45	\$ 15,000.00	\$11,250.00
JEWISH COMMUNITY CENTER OF GREATER BUFFALO	86.67	30	\$ 15,000.00	\$13,750.00
KAREN SOCIETY OF BUFFALO	89.67	13	\$ 10,000.00	\$10,000.00
KIDS ESCAPING DRUGS	79.33	57	\$ 5,000.00	\$3,750.00
KING URBAN LIFE CENTER INC.	86.00	34	\$ 10,000.00	\$7,500.00
LACKAWANNA SOCCER CLUB/ SPORTS AND EDUCATION	71.00	66	\$ 15,000.00	\$7,500.00
LOCUST STREET NEIGHBORHOOD ART CLASSES, INC.	71.00	67	\$ 10,000.00	\$5,000.00
Agency	Total Score	Ranking by Score	Requested Amount	Recommended Award
MASSACHUSETTS AVENUE PROJECT	90.67	7	\$ 10,000.00	\$10,000.00
METRO COMMUNITY DEVELOPMENT CORPORATION	81.00	53	\$ 15,000.00	\$11,250.00
MT. OLIVE MBC, INC.	84.67	39	\$ 10,000.00	\$7,500.00
NATIVE AMERICAN COMMUNITY SERVICES OF ERIE AND NIAGARA COUNTIES, INC.	85.67	36	\$ 9,998.00	\$7,499.00
NORTHWEST BUFFALO COMMUNITY CENTER INC	89.33	14	\$ 15,000.00	\$11,250.00
OLD FIRST WARD COMMUNITY ASSOCIATION, INC.	87.00	27	\$ 15,000.00	\$13,750.00
PARKER ACADEMY CHILD CARE AND LEARNING CENTER INC	82.33	49	\$ 10,000.00	\$7,500.00
PEACE OF THE CITY	90.00	11	\$ 15,000.00	\$15,000.00
POLICE ATHLETIC LEAGUE OF BUFFALO, INC.	87.33	25	\$ 15,000.00	\$13,750.00
POLISH COMMUNITY CENTER OF BUFFALO INC. (LT. COL. MATT URBAN HUMAN SERVICES CENTER OF WNY)	88.00	21	\$ 15,000.00	\$11,250.00
RESEARCH FOUNDATION FOR SUNY / BUFFALO STATE	87.67	22	\$ 13,904.00	\$10,428.00

RESOURCE COUNCIL OF WNY	89.33	15	\$ 15,000.00	\$11,250.00
SENECA STREET COMMUNITY DEVELOPMENT CORPORATION	91.67	5	\$ 15,000.00	\$15,000.00
SOLID FOUNDATION PREP, INC.	88.67	18	\$ 10,000.00	\$10,000.00
SOMALI BANTU COMMUNITY ORGANIZATION OF WNY	89.33	16	\$ 15,000.00	\$11,250.00
SPRINGVILLE YOUTH INC.	84.33	40	\$ 15,000.00	\$11,250.00
THE CITY SWIM PROJECT	61.67	71	\$ 15,000.00	\$7,500.00
THE GALACTIC TRIBE	72.33	65	\$ 10,000.00	\$5,000.00
THE RURAL OUTREACH CENTER	87.67	23	\$ 10,000.00	\$7,500.00
THE SALVATION ARMY	86.67	31	\$ 15,000.00	\$11,250.00
TOTAL PACKAGE SPORTS, INC	76.67	64	\$ 15,000.00	\$11,250.00
TOWN OF CHEEKTOWAGA	77.67	62	\$ 9,500.00	\$7,125.00
TOWN OF HAMBURG, NEW YORK	82.33	50	\$ 10,000.00	\$7,500.00
TOWN OF WEST SENECA	78.67	60	\$ 10,000.00	\$7,500.00
TRE & ASSOCIATES INC. (WILLIE HUTCH JONES EDUCATIONAL & SPORTS PROGRAM)	82.67	47	\$ 15,000.00	\$11,250.00
TRU WAY COMMUNITY CENTER INC.	79.00	58	\$ 15,000.00	\$11,250.00
UNITED CHURCH HOME, INC (PLYMOUTH CROSSROADS)	81.67	52	\$ 9,700.00	\$7,275.00
UNIVERSITY DISTRICT COMMUNITY DEVELOPMENT ASSOCIATION, INC.	84.33	41	\$ 15,000.00	\$11,250.00
URBAN CHRISTIAN MINISTRIES	77.67	63	\$ 10,000.00	\$7,500.00
VALLEY COMMUNITY ASSOCIATION INC.	84.00	43	\$ 15,000.00	\$11,250.00
VOICE BUFFALO	64.67	69	\$ 15,000.00	\$7,500.00
WAVE BUFFALO INC	83.00	46	\$ 7,200.00	\$5,400.00
WEST SIDE COMMUNITY SERVICES, INC.	80.67	55	\$ 15,000.00	\$11,250.00
WESTMINSTER ECONOMIC DEVELOPMENT INITIATIVE, INC.	82.67	48	\$ 10,000.00	\$7,500.00
YWCA OF WESTERN NEW YORK, INC.	81.00	54	\$ 15,000.00	\$11,250.00

\$697,615

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive's Office, Comptroller's Office, Department of Social Services, and Division of Budget and Management.
(5-0)

JOHN J. GILMOUR
CHAIR

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

INTRO. 11-1

MALCZEWSKI

Supporting the Essential Caregivers Act

Attachments

23INTRO. 11-1

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

Re: Supporting the Essential Caregivers Act

WHEREAS, during the public health emergency caused by the COVID pandemic, family members and caregivers were denied access to patients in nursing homes and long-term care facilities, and

WHEREAS, the isolation caused by these draconian policies was devastating to patients and heartbreaking to families, especially to those who lost family members during the denial of access; and

WHEREAS, in 2021, a Resolution was introduced in the United States House of Representatives, known as the Essential Caregivers Act, H.R. 3733, in order to address this issue and ensure caregiver access to family members while still respecting the dangers present during a public health emergency; and

WHEREAS, the bill allowed residents in long-term care facilities to designate two caregivers, who could visit the resident daily during a designated twelve-hour period during any public health emergency, and

WHEREAS, the new Federal Essential Caregivers Act is due to be reintroduced soon in the United States House of Representatives with bipartisan support, and

WHEREAS, it is vital that we as a society realize the critical role that family members and caregivers play in the support and well-being of residents in long-term care facilities, and

WHEREAS, the proposed bill safeguards a resident's civil rights and rights under Federal Law while taking into account public health concerns; and

WHEREAS, it is imperative that Congress act quickly to enact this law to ensure these rights exist should another public health emergency arise.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby unanimously vote to support the Essential Caregiver Act which mirrors H.R. 3733 (2021) upon its introduction to the United States House of Representatives, and be it further

RESOLVED, that copies of this resolution be forwarded to the local delegation of the United States House of Representatives and our two United States Senators.

117TH CONGRESS
1ST SESSION

H. R. 3733

To amend titles XVIII and XIX of the Social Security Act to require skilled nursing facilities, nursing facilities, intermediate care facilities for the intellectually disabled, and inpatient rehabilitation facilities to permit essential caregivers access during any public health emergency under the Medicare and Medicaid programs.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

Ms. TENNEY (for herself, Mr. LARSON of Connecticut, Ms. STEFANIK, Mr. RUTHERFORD, Ms. HERRELL, Mr. CAWTHORN, Ms. SPANBERGER, Mr. BUDD, Mr. VAN DREW, and Mr. COHEN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend titles XVIII and XIX of the Social Security Act to require skilled nursing facilities, nursing facilities, intermediate care facilities for the intellectually disabled, and inpatient rehabilitation facilities to permit essential caregivers access during any public health emergency under the Medicare and Medicaid programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Essential Caregivers
3 Act of 2021”.

4 **SEC. 2. RIGHT TO ESSENTIAL CAREGIVERS.**

5 During a public health emergency declared by the
6 Secretary of Health and Human Services under section
7 319 of the Public Health Service Act, a resident of any
8 skilled nursing facility (as defined in section 1819(a) of
9 the Social Security Act (42 U.S.C. 1395i–3(a))), nursing
10 facility (as defined in section 1919(a) of such Act (42
11 U.S.C. 1396r(a))), inpatient rehabilitation facility de-
12 scribed in section 1886(a)(1)(Z) of such Act (42 U.S.C.
13 1395cc(a)(1)(Z)), or intermediate care facility for the in-
14 tellectually disabled (as defined in section 1905(d) of such
15 Act (42 U.S.C. 1396d(d)) has the right to designate two
16 essential caregivers to have access to and provide assist-
17 ance and support to the resident at any time notwith-
18 standing any waiver made under section 1135 of the So-
19 cial Security Act (42 U.S.C. 1320b–5). The resident may
20 change who is designated as an essential caregiver.

21 **SEC. 3. REQUIRING FACILITIES TO PERMIT ESSENTIAL**
22 **CAREGIVERS ACCESS DURING ANY PUBLIC**
23 **HEALTH EMERGENCY.**

24 (a) **SKILLED NURSING FACILITIES; NURSING FA-**
25 **CILITIES.**—Section 1819(c) and 1919(c) of the Social Se-

1 curity Act (42 U.S.C. 1395i-3(c), 1396r(c)) are each
2 amended—

3 (1) in paragraph (3)—

4 (A) in subparagraph (D), by striking
5 “and” at the end;

6 (B) in subparagraph (E), by striking the
7 period and inserting “; and”; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(F) implement and maintain, during any
11 public health emergency declared by the Sec-
12 retary under section 319 of the Public Health
13 Service Act on or after the date of the enact-
14 ment of this subparagraph for the area in which
15 such facility is located and notwithstanding any
16 waiver made under section 1135, the essential
17 caregivers program described in paragraph
18 (7).”; and

19 (2) by adding at the end the following new
20 paragraph:

21 “(7) ESSENTIAL CAREGIVERS PROGRAM.—

22 “(A) IN GENERAL.—For purposes sub-
23 paragraph (F) of paragraph (3), the essential
24 caregivers program described in this paragraph
25 is a program implemented by a facility de-

1 scribed in such paragraph under which such fa-
2 cility shall—

3 “(i) allow each resident of such facil-
4 ity the unqualified ability to elect not more
5 than 2 essential caregivers (as defined in
6 subparagraph (D)) to have access to, and
7 provide assistance (as described in sub-
8 paragraph (C)(i)) to, such resident at such
9 facility, and allow each such resident to
10 amend such election at any time;

11 “(ii) permit each such caregiver so
12 elected by such resident to provide such as-
13 sistance to such resident at such facility
14 for 12 hours every day (or, in the case
15 such care is end-of-life care, for an unlim-
16 ited number of hours every day); and

17 “(iii) enforce the agreement described
18 in subparagraph (C)(ii) with respect to an
19 essential caregiver.

20 “(B) PRESUMPTION OF ELECTION.—For
21 purposes of subparagraph (A), in the case of a
22 resident who is unable, by reason of physical or
23 mental disability, to make an election described
24 in such subparagraph, the resident representa-
25 tive (as defined in section 483.5 of title 42,

1 Code of Federal Regulations) of such resident
 2 shall be permitted to make such election for
 3 such resident.

4 “(C) ESSENTIAL CAREGIVER DEFINED.—
 5 For purposes of this paragraph, the term ‘es-
 6 sential caregiver’ means, with respect to a resi-
 7 dent of a facility described in subparagraph
 8 (A), an individual who—

9 “(i) will provide assistance consisting
 10 of activities of daily living, emotional sup-
 11 port, or companionship to such resident;
 12 and

13 “(ii) agrees to follow all safety proto-
 14 cols established by such facility, which
 15 shall be clearly specified in writing and be
 16 the same as such protocols (including safe-
 17 ty standards and entry requirements) ap-
 18 plicable to staff of such facility.”.

19 (b) INTERMEDIATE CARE FACILITIES FOR THE IN-
 20 TELLECTUALLY DISABLED.—Section 1905(d) of the So-
 21 cial Security Act (42 U.S.C. 1396d(d)) is amended—

22 (1) in paragraph (2), by striking “and” at the
 23 end;

24 (2) in paragraph (3), by striking the period and
 25 inserting “; and”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(4) the institution implements and maintains,
4 during any public health emergency declared by the
5 Secretary on or after the date of the enactment of
6 this paragraph under section 319 of the Public
7 Health Service Act for the area in which such insti-
8 tution is located and notwithstanding any waiver
9 made under section 1135, the essential caregivers
10 program described in section 1919(c)(7) in the same
11 manner as if such institution were a nursing facil-
12 ity.”.

13 (c) INPATIENT REHABILITATION FACILITIES.—Sec-
14 tion 1866(a)(1) of the Social Security Act (42 U.S.C.
15 1395cc(a)(1)) is amended—

16 (1) in subparagraph (X), by striking “and” at
17 the end;

18 (2) in subparagraph (Y), by striking the period
19 at the end and inserting “, and”; and

20 (3) by inserting after subparagraph (Y) the fol-
21 lowing new subparagraph:

22 “(Z) in the case of an inpatient rehabilitation
23 facility that is located on the same campus (as de-
24 fined by the Secretary) as a skilled nursing facility,
25 nursing facility (as defined in section 1919(a)), or

1 intermediate care facility for the intellectually dis-
2 abled (as described in section 1905(d)), to establish
3 and maintain, during any public health emergency
4 declared by the Secretary on or after the date of the
5 enactment of this paragraph under section 319 of
6 the Public Health Service Act for the area in which
7 such institution is located and notwithstanding any
8 waiver made under section 1135, the essential care-
9 givers program described in section 1819(c)(7) in
10 the same manner as if such institution were a skilled
11 nursing facility.”.

12 (d) COMPLIANCE AND NOTIFICATION.—

13 (1) AUTHORITY.—No caregiver who meets the
14 definition of an essential caregiver in clause (i) of
15 paragraph (7)(C) of either section 1819(c) and
16 1919(c) of the Social Security Act and who upholds
17 the agreement described in clause (ii) of such para-
18 graph shall be denied access to the skilled nursing
19 facility (as defined in section 1819(a) of the Social
20 Security Act (42 U.S.C. 1395i–3(a))), nursing facil-
21 ity (as defined in section 1919(a) of such Act (42
22 U.S.C. 1396r(a))), inpatient rehabilitation facility
23 described in section 1886(a)(1)(Z) of such Act (42
24 U.S.C. 1395cc(a)(1)(Z)), or intermediate care facil-
25 ity for the intellectually disabled (as defined in sec-

1 tion 1905(d) of such Act (42 U.S.C. 1396d(d)) of
2 the resident involved.

3 (2) NOTIFICATION.— In the event of non-com-
4 pliance with either such clause, such facility must
5 first provide a warning to the essential caregiver and
6 resident in writing citing specific issues of non-com-
7 pliance and providing clear guidance for corrective
8 measures.

9 (3) ENFORCEMENT.—Should the essential care-
10 giver or resident fail to take corrective action, they
11 may be subsequently denied access. In such cases,
12 the facility shall provide to such caregiver and such
13 resident (or health care proxy of such resident), not
14 later than 24 hours after such failure to allow access
15 occurs, a written explanation as to why such care-
16 giver was not permitted to furnish such assistance to
17 such resident. Such explanation must include the
18 resident's and caregivers' options for appeal (as de-
19 scribed in subsection (e)).

20 (e) OPTIONS FOR RESIDENT AND CAREGIVER AP-
21 PEAL.—

22 (1) IN GENERAL.—During any period in which
23 any skilled nursing facility (as defined in section
24 1819(a) of the Social Security Act (42 U.S.C.
25 1395i-3(a))), nursing facility (as defined in section

1 1919(a) of such Act (42 U.S.C. 1396r(a)), inpa-
2 tient rehabilitation facility described in section
3 1886(a)(1)(Z) of such Act (42 U.S.C.
4 1395cc(a)(1)(Z)), or intermediate care facility for
5 the intellectually disabled (as defined in section
6 1905(d) of such Act (42 U.S.C. 1396d(d)) is re-
7 quired to establish and maintain the essential care-
8 givers program under section 1819(e)(3)(F) of such
9 Act, section 1919(c)(3) of such Act, or section
10 1905(d)(4) of such Act (as added by subsections (a)
11 and (b)), the Secretary of Health and Human Serv-
12 ices shall, not later than 15 days after the first day
13 of such period, establish and maintain a process
14 to—

15 (A) receive appeals from residents and
16 caregivers challenging a decision to deny access;
17 and

18 (B) investigate all such appeals within 48
19 hours of receipt.

20 (f) ENFORCEMENT.—With respect to appeals re-
21 ceived under paragraph (1), the Secretary of Health and
22 Human Services shall make a determination as to whether
23 a facility described in subsection (e)(1) violated a require-
24 ment or prohibition in this Act or in an amendment made
25 by this Act within 7 days of commencing its investigation.

1 If the Secretary determines that a facility has violated a
2 requirement or prohibition in this Act or in an amendment
3 made by this Act, the Secretary shall—

4 (1) require the facility to establish a corrective
5 action plan to prevent the recurrence of such viola-
6 tion within a 7-day period of receiving notice from
7 the Secretary; and

8 (2) impose a civil money penalty in an amount
9 to be determined by the Secretary if such facility
10 fails to implement the corrective action plan with the
11 7-day period specified in paragraph (1).

12 (g) REGULATIONS.—The Secretary of Health and
13 Human Services shall, after consultation with stakeholders
14 (including residents, family members, long-term care om-
15 budsmen, other advocates of nursing home residents, and
16 nursing home providers, promulgate regulations to carry
17 out this Act.

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Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

INTRO. 11-2	MALCZEWSKI	Calling for a State of Emergency to Avoid Effects of an Immigration Crisis in Erie County
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Attachments

23INTRO. 11-2

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

Re: Calling for a State of Emergency to Avoid Effects of an Immigration Crisis in Erie County

WHEREAS, the border between the United States and Mexico has and continues to see an overwhelming number of individuals and families from countries across South and Central America crossing the border as migrants and asylum seekers; and

WHEREAS, the Federal government has failed or refused to properly respond to circumstances at the border, which has exacerbated this immigration crisis; and

WHEREAS, lacking proper resources to handle the crisis as a state, the Governor of Texas has relocated thousands of these migrants and asylum seekers to New York City, as well as other locales; and

WHEREAS, New York City reported that, as of March, 2023, 79,937 migrants and asylum seekers were in shelter placement, an increase of over 75% from the year before, and a number which continues to grow; and

WHEREAS, New York City has acknowledged that their shelter system is full and that they are running out of funds, staff and space; and

WHEREAS, despite that, it has been reported that New York City has been distributing promotional brochures to migrants and asylum seekers advertising housing, medical care, food, laundry and job placement services; and

WHEREAS, despite its declaration as being a sanctuary city, New York City has failed to meet the needs of the migrants and asylum seekers that it purports to welcome, and instead has begun to transfer these migrants and asylum seekers to other counties in New York State; and

WHEREAS, a November, 2021 report by Forbes magazine, based on US Census data, identified the top ten United States cities with over 100,000 population with highest poverty rates, which included three from upstate New York: Rochester (3), Syracuse (4) and Buffalo (7); and

WHEREAS, each year, Erie County devotes significant resources to addressing the effects of poverty; and

WHEREAS, Erie County has not budgeted for, nor does it have the necessary infrastructure, including, but not limited to, transportation to work and school, food and medical care, to accept an influx of migrants and asylum seekers at this time; and

WHEREAS, barring meaningful action at the federal level, actions to absorb migrant and asylum seeking populations should not include Erie County at this time; and

WHEREAS, it has been reported that New York City has been seeking to relocate migrants and asylum seekers, without seeking the cooperation or coordination of target counties; and

WHEREAS, it is appropriate and necessary for Erie County to declare a State of Emergency to take actions to prevent migrant and asylum seeking populations from being relocated to Erie County; and

WHEREAS, in order to effectively prevent an influx of migrants and asylum seekers for which we are ill-equipped, the Emergency Declaration should bar municipalities within Erie County from contracting with individuals, businesses or entities to transport migrants or asylum seekers to Erie County, or to house migrants or asylum seekers, without the express written permission of the County Executive acting within the spirit of this resolution; and

WHEREAS, the Emergency Declaration should also bar any hotel, motel, owner of a multiple dwelling, or shelter within Erie County from contracting or otherwise engaging in business with any municipality other than Erie County for the purpose of providing housing or accommodations for migrants or asylum seekers without the express written permission of the County Executive acting within the spirit of this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature directs the Erie County Executive, in order to protect life and property, to declare a State of Emergency for the express purpose of managing the immigration crisis in New York State as it pertains to Erie County, and to prevent the transfer of migrants and asylum seekers to Erie County; and

RESOLVED, that a copy of this resolution be transmitted to the Governor, the Mayor of New York City, and all relevant federal, state and local officials.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

INTRO. 11-3	BASKIN	Community Inclusion in Public Safety Needs Assessment
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Attachments

23INTRO. 11-3

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

Re: Community Inclusion in Public Safety Needs Assessment

WHEREAS, this honorable body amended Comm. 8E-1, 2022 Year-End Budget Balancing Amendments & Designations, to include \$750,000 for a Public Safety Needs Assessment; and

WHEREAS, the intention is to create a broader scope to identify what Erie County's needs are to properly serve individuals who may come into the County's custody; and

WHEREAS, this broader scope will ensure Erie County is evaluating a full range of treatment options for public safety and is inclusive of our direct service departments, including Social Services, Mental Health, Probation, Health, and others; and

WHEREAS, in addition to the various departments, there is a major impact on the non-governmental service providers and organizations that needs to be represented in this assessment; and

WHEREAS, the Partnership for the Public Good has been at the forefront of representing community organizations in public safety, as the organization has convened initiatives on criminal justice reform, mental health first response, and poverty, three areas that have a major impact public safety; and

WHEREAS, the Erie County Corrections Specialist Advisory Board is an advisory body to the Erie County Sheriff's Office Division of Jail Management and the Erie County Legislature, and is comprised of experts in various areas that deal with corrections, which makes it a valuable resource to utilize for a public safety needs assessment.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature calls for the creation of a community seat on the scoring committee for the public safety needs assessment request for proposals process; and be it further

RESOLVED, the Partnership for the Public Good shall make a recommendation for the person to serve as the community representative on the public safety needs assessment scoring committee; and be it further

RESOLVED, the Erie County Corrections Specialist Advisory Board shall create a Public Safety Campus Sub-Committee to research and develop recommendations on each step of the process to assess, envision, develop, and implement a new public safety campus in Erie County, and shall open up at least two of the seats on the sub-committee to non-Erie County Corrections Specialist Advisory Board members; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Erie County Sheriff, the Erie County Commissioner of Public Works, the Erie County Corrections Specialist Advisory Board, the Partnership for the Public Good, and any other party deemed necessary and proper.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

INTRO. 11-4	BASKIN	Establishing a Standard Work Day for Elected Officials
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Attachments

23INTRO. 11-4

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

RE: Establishing a Standard Work Day for Elected Officials

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard work day be established for retirement credit purposes; and

WHEREAS, in order to be in full compliance with Regulation 315.4, legislative action is warranted.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby establishes the following as standard work days for elected officials and will report the following Standard Work Day to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Standard Work Day</u>	<u>Term Begins/Ends</u>	<u>Participates in Employer's Time Keeping System</u>	<u>Days/ Month (Based on Record of Activities)</u>
County Clerk	Michael P. Kearns	7	1/1/2023 - 12/31/2026	N	28.33
Legislator	James Malczewski	6	01/01/2023 - 12/31/2023	N	29.64

and be it further

RESOLVED, that a certified copy of this resolution shall be posted on the Legislature's website pursuant to rules promulgated by the New York State Comptroller, and a copy shall be transmitted by the Clerk of the Legislature to the New York State Comptroller, Erie County Commissioner of Personnel and to Laurie Haug, Senior Payroll and Roster Clerk – Erie County Department of Personnel.

FISCAL IMPACT: None for resolution.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 6E-9	From the Energy & Environment Committee	From the County Executive - ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Systems Improvements Project
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Attachments

COMM. 6E-9



EC LEG MAR 17 '23 PM 2:39

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

March 17, 2023

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

**Re: Erie County Sewer District No. 6
Lackawanna WRRF and ORF Disinfection Systems Improvements Project
Bid Opening – Contract No. 62**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 6 Contract No. 62 Lackawanna WRRF and ORF Disinfection Systems Improvements Project.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mp

cc: J. Fiegl – Division of Sewerage Management

RATH BUILDING • 95 FRANKLIN STREET • BUFFALO, N.Y. • 14202 • (716) 858-6000 • WWW.ERIE.GOV

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

****Proposed Amendment to COMM. 6E-9

Attachments

Proposed Amendment to COMM. 6E-9

**Erie County Legislature
Meeting No. 11 – May 25, 2023
Amendment to COMM. 6E-9 (2023)**

May 9, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, NY 14202

**RE: Amendment: Legislative Comm. 6E-9 (2023)
Erie County Sewer District No. 6
Lackawanna WRRF and ORF Disinfection Systems Improvements Project
Bid Opening – Contract Nos. 62-A, 62-B and 62-D**

Dear Honorable Members:

Plans and specifications, known as the Lackawanna Water Resource Recovery Facility (WRRF) and Overflow Retention Facility (ORF) Disinfection Systems Improvements Project, Contract Nos. 62A, 62B and 62-D, were prepared and construction bids were received on Wednesday, April 19, 2023 by the Erie County Division of Sewerage Management. The lowest responsible bidders and bid amounts for this project are as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 62-A General	H&K Services, Inc. 12025 Leon-New Albion Road Leon, NY 14751	\$2,460,700.00
Contract No. 62-B HVAC	John W. Danforth 300 Colvin Woods Pkwy Tonawanda, NY 14150	\$264,700.00
Contract No. 62-D Electrical	Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150	\$277,200.00

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mp

Enclosure

Cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Amendment: Legislative Comm. 6E-9 (2023)
Erie County Sewer District No. 6
Lackawanna WRRF & ORF Disinfection Systems Improvements Project
Bid Opening – Contract Nos. 62-A, 62-B, and 62-D
Date: May 9, 2023

SUMMARY

Award of Contract Nos. 62-A, 62-B and 62-D for the Lackawanna Water Resource Recovery Facility (WRRF) and Overflow Retention Facility (ORF) Disinfection Systems Improvement Project is requested as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 62-A General	H&K Services, Inc. 12025 Leon-New Albion Road Leon, NY 14751	\$2,460,700.00
Contract No. 62-B HVAC	John W. Danforth 300 Colvin Woods Pkwy Tonawanda, NY 14150	\$264,700.00
Contract No. 62-D Electrical	Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150	\$277,200.00

The necessary bid tabulations, Engineer's estimate, and Engineer's recommendation are enclosed.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's General Fund. The funds for this contract will be from Capital Account No. C.21150 (American Rescue Plan funds) and Bond Account No. C.00064, in part utilizing a New York State Water Quality Improvement Project (WQIP) grant authorization of \$1,160,295.75.

REASONS FOR RECOMMENDATION

The intent of the proposed project is to upgrade disinfection systems at the Lackawanna WRRF and ORF to meet State Pollution Discharge Elimination System (SPDES) permit requirements implemented by the New York State Department of Environmental Conservation (NYSDEC).

BACKGROUND INFORMATION

Erie County Sewer District No. 6 owns and operates the Lackawanna WRRF, located at 260 Lehigh Avenue and the ORF located on A Street both in Lackawanna, NY 14218. Both facilities discharge effluent after treatment to Smokes Creek in accordance with a SPDES permit issued by the NYSDEC. While the disinfection systems function well, during the last modification of the SPDES permit the NYSDEC added new conditions that require a lower chlorine residual for the discharges from both facilities.

The Division of Sewerage Management (DSM) retained an engineering consultant, GHD, to study alternatives to meet these new requirements, and to complete design plans and specifications for the selected alternatives as the “Lackawanna WRRF and ORF Disinfection Systems Improvements Project” (Contract Nos. 62-A, 62-B and 62-D). Bids were opened on April 19, 2023 and the apparent low bidders were H&K Services, Inc. for the general contract, John W. Danforth Construction for the HVAC contract, and Frey Electric Company, Inc. for the electric contract. GHD has reviewed each of the bids and has recommended approval.

The references supplied for H&K Services, Inc. have been contacted and it was found that H&K Services, Inc. has successfully completed similar work of this magnitude for other municipalities. H&K Services, Inc. is also under contract to complete other work at the Lackawanna WRRF. John W. Danforth Construction and Frey Electric Construction Co., Inc. have successfully completed projects of this scale for the DSM in the past. Therefore, it is recommended that the County Legislature proceed with award.

Finally, this project has been awarded grant money through the NYSDEC’s WQIP program.

CONSEQUENCES OF NEGATIVE ACTION

Maintaining the status quo would result in the inability to meet the SPDES permit requirements, resulting in potential action by the NYSDEC.

STEPS TO FOLLOW APPROVAL

The lowest responsible bidders will be issued a Notice of Award and the Department will initiate the process of executing the contract documents. A Notice to Proceed will be issued to the contractors upon receipt of all necessary documents and execution of the contract.

COMPTROLLER'S OFFICE REVIEW

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

Signed Timothy C. Callan Date 5/9/23
Title Timothy C. Callan
Deputy Comptroller

**Erie County Sewer District No. 6
Lackawanna WRRF & ORF Disinfection Systems Improvement Project
Bid Opening – Contract Nos. 62-A, 62-B and 62-D
Capital Account No. C.21150 and Bond Account No. C.00064**

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Amendment: Legislative Comm. 6E-9 (2023)
Erie County Sewer District No. 6
Lackawanna WRRF & ORF Disinfection Systems Improvements Project
Bid Opening – Contract Nos. 62-A, 62-B, and 62-D

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bids for Contract Nos. 62-A, 62-B and 62-D at 10:00 a.m. on April 19, 2023:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 62-A General	H&K Services, Inc. 12025 Leon-New Albion Road Leon, NY 14751	\$2,460,700.00
Contract No. 62-B HVAC	John W. Danforth 300 Colvin Woods Pkwy Tonawanda, NY 14150	\$264,700.00
Contract No. 62-D Electrical	Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150	\$277,200.00

and

WHEREAS, the aforementioned lowest responsible bidders have successfully completed projects for the Division of Sewerage Management or other municipalities in the past; and

WHEREAS, the Division of Sewerage Management has determined this project is an unlisted action in accordance with 6NYCRR Section 617 and a negative declaration has been issued following a State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Lackawanna WRRF and ORF Disinfection Systems Improvements Project, Erie County Sewer District No. 6, Contract Nos. 62-A, 62-B and 62-D be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 62-A General	H&K Services, Inc. 12025 Leon-New Albion Road Leon, NY 14751	\$2,460,700.00

Contract No. 62-B HVAC	John W. Danforth 300 Colvin Woods Pkwy Tonawanda, NY 14150	\$264,700.00
Contract No. 62-D Electrical	Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150	\$277,200.00

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 \$1,700,000.00 in Capital Account No. C.21150 (American Rescue Plan funds), Fund 430, Funds Center 1861010 to fund Contract Nos. 62-A, 62-B and 62-D; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to allocate up to \$1,302,600 in Capital Account No. C.00064 (including \$1,160,295.75 of existing grant authorization), Fund 430, Funds Center 1861010 to fund Contract Nos. 62-A, 62-B and 62-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 at the close of the project unused funds may be returned to the capital project as directed by the Division of Sewerage Management and the budgets be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

285 Delaware Avenue, Suite 500
Buffalo, New York 14202
United States
www.ghd.com



Our ref: 11192301

April 27, 2023

Mary Plesh, PE
Senior Sanitary Engineer
Erie County Division of Sewerage Management
95 Franklin St., Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 6 – Lackawanna WRRF and ORF Disinfection Systems Improvements –
Contract No. 62A - General – Recommendation of Award

Dear Ms. Plesh:

On Wednesday, April 12, 2023 at 10:00 a.m. local time, the Erie County Sewer District No. 6 received two bids for the above-referenced project. The bids were as follows:

Table 1 62A – General – Bids Received

Bidder	Total Amount of Bid Items
H&K Services, Inc.	\$2,460,700.00
Hohl Industrial Services, Inc.	\$3,138,000.00

We have reviewed the bid proposal received from the low bidder for the above-referenced project, H&K Services, Inc. and find said proposal to be responsive to the bid documents. The low bid proposal for this contract is higher than the Engineer's estimate, however, GHD considers the costs to be representative of the current bid market conditions, which remain highly volatile due to global supply chain issues and inflation.

We therefore recommend award of the Lackawanna WRRF and ORF Disinfection Systems Improvements Contract No. 62A to H&K Services, Inc., in the total bid amount of \$2,460,700.00, contingent upon availability of project funding and review by the Owner's legal counsel.

If you have any questions or require additional information, please advise.

Regards,

Casey W. Cowan, PE
Senior Project Manager
+1 716 491-1269
casey.cowan@ghd.com

Encl. Bid Tabulation

Copy to: Dan Kolkmann – GHD

TABULATION OF BIDS

OWNER			ENGINEER				DATE ADVERTISED: 3/15/2023	
Erie County Sewer District No. 6 Erie County, New York			GHD CONSULTING SERVICES INC. 285 DELAWARE AVENUE, SUITE 500 BUFFALO, NEW YORK 14202				DATE OPENED: 4/19/2023	
PROJECT			PROJECT NO.: 11192301				DATE TABULATED: 4/25/2023	
Laokawanna WRRF and ORF Disinfection System Improvements CONTRACT NO. 62A - GENERAL							TABULATED BY: AAB	
BIDDER'S NAME:			H&K Services, Inc.		Hoh Industrial Services, Inc.		ENGINEER'S ESTIMATE	
ADDRESS:			12025 Leon New Albion Rd. Leon, NY 14751		770 Riverview Boulevard Tonawanda, NY 14150			
ITEM NO.	DESCRIPTION	BID UNITS	PRICE PER UNIT	AMOUNT BID	PRICE PER UNIT	AMOUNT BID	PRICE PER UNIT	AMOUNT BID
BASE BID ITEMS								
A1	WRRF GENERAL CONSTRUCTION	1 LS	\$978,800.00	\$978,800.00	\$1,613,000.00	\$1,613,000.00	\$740,000.00	\$740,000.00
A2	ORF GENERAL CONSTRUCTION	1 LS	\$1,324,400.00	\$1,324,400.00	\$1,367,500.00	\$1,367,500.00	\$750,000.00	\$750,000.00
A3a	SHALLOW SPALL REPAIRS	200 SF	\$150.00	\$30,000.00	\$150.00	\$30,000.00	\$150.00	\$30,000.00
A3b	DEEP SPALL REPAIRS	150 SF	\$250.00	\$37,500.00	\$250.00	\$37,500.00	\$200.00	\$30,000.00
A3c	INJECTION CRACK REPAIRS	100 LF	\$150.00	\$15,000.00	\$150.00	\$15,000.00	\$150.00	\$15,000.00
A4	ALLOWANCE	1 LS	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00
TOTAL BASE BID ITEMS A1 - A4				\$2,460,700.00		\$3,138,000.00		\$1,840,000.00
							Contingency (10%)	\$154,000.00
							Construction Total	\$1,804,000.00

285 Delaware Avenue, Suite 500
Buffalo, New York 14202
United States
www.ghd.com



Our ref: 11192301

April 26, 2023

Mary Plesh, PE
Senior Sanitary Engineer
Erie County Division of Sewerage Management
95 Franklin St., Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 6 – Lackawanna WRRF and ORF Disinfection Systems Improvements –
Contract No. 62B - HVAC – Recommendation of Award

Dear Ms. Plesh:

On Wednesday, April 12, 2023 at 10:00 a.m. local time, the Erie County Sewer District No. 6 received two bids for the above-referenced project. The bids were as follows:

Table 1 62B – HVAC - Bids Received

Bidder	Total Amount of Bid Items
John W. Danforth Company	\$264,700.00
Quackenbush Co., Inc.	\$322,000.00

We have reviewed the bid proposal received from the low bidder for the above-referenced project, John W. Danforth Company, and find said proposal to be responsive to the bid documents.

We therefore recommend award of the Lackawanna WRRF and ORF Disinfection Systems Improvements to John W. Danforth Company in the total bid amount of \$264,700.00, contingent upon availability of project funding and review by the Owner's legal counsel.

If you have any questions or require additional information, please advise.

Regards,

A handwritten signature in black ink, appearing to read "Dan Kolkmann", written over a white background.

Dan Kolkmann
Senior Project Administrator

+1 716 362-8807
dan.kolkmann@ghd.com

Encl. Bid Tabulation

Copy to: Casey Cowan, PE – GHD

TABULATION OF BIDS

OWNER			ENGINEER				DATE ADVERTISED: 3/15/2023	
Erie County Sewer District No. 6 Erie County, New York			GHD CONSULTING SERVICES INC. 285 DELAWARE AVENUE, SUITE 500 BUFFALO, NEW YORK 14202				DATE OPENED: 4/19/2023	
PROJECT			PROJECT NO.: 11192301				DATE TABULATED: 4/25/2023	
Lackawanna WRRF and ORF Disinfection System Improvements CONTRACT NO. 62B - HVAC							TABULATED BY: AAB	
BIDDER'S NAME:			John W. Danforth Company		Quackenbush Co., Inc.		ENGINEER'S ESTIMATE	
ADDRESS:			300 Colvin Woods Parkway Tonawanda, NY 14150		495 Kennedy Rd. Buffalo, NY 14227			
ITEM NO.	DESCRIPTION	BID UNITS	PRICE PER UNIT	AMOUNT BID	PRICE PER UNIT	AMOUNT BID	PRICE PER UNIT	AMOUNT BID
BASE BID ITEMS								
B1	WRRF HVAC CONSTRUCTION	1 LS	\$121,000.00	\$121,000.00	\$155,000.00	\$155,000.00	\$170,000.00	\$170,000.00
B2	ORF HVAC CONSTRUCTION	1 LS	\$113,700.00	\$113,700.00	\$137,000.00	\$137,000.00	\$170,000.00	\$170,000.00
B3	HVAC CONSTRUCTION ALLOWANCE	1 LM	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
TOTAL BASE BID ITEMS B1 - B3								
				\$264,700.00		\$322,000.00		
							Contingency (10%)	\$37,000.00
							Construction Total	\$407,000.00

285 Delaware Avenue, Suite 500
Buffalo, New York 14202
United States
www.ghd.com



Our ref: 11192301

April 26, 2023

Mary Plesh, PE
Senior Sanitary Engineer
Erie County Division of Sewerage Management
95 Franklin St., Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 6 – Lackawanna WRRF and ORF Disinfection Systems Improvements –
Contract No. 62D - Electrical – Recommendation of Award

Dear Ms. Plesh:

On Wednesday, April 12, 2023 at 10:00 a.m. local time, the Erie County Sewer District No. 6 received two bids for the above-referenced project. The bids were as follows:

Table 1 62D – Electrical - Bids Received

Bidder	Total Amount of Bid Items
Frey Electric Construction Co., Inc.	\$277,200.00
CIR Electrical Corporation	\$288,100.00

We have reviewed the bid proposal received from the low bidder for the above-referenced project, Frey Electric Construction Co., Inc. and find said proposal to be responsive to the bid documents.

We therefore recommend award of the Lackawanna WRRF and ORF Disinfection Systems Improvements to Frey Electric Construction Co., Inc. in the total bid amount of \$277,200.00, contingent upon availability of project funding and review by the Owner's legal counsel.

If you have any questions or require additional information, please advise.

Regards,

Dan Kolkmann
Senior Project Administrator

+1 716 362-8807
dan.kolkmann@ghd.com

Encl. Bid Tabulation

Copy to: Casey Cowan, PE – GHD

TABULATION OF BIDS

OWNER Erie County Sewer District No. 6 Erie County, New York			ENGINEER GHD CONSULTING SERVICES INC. 285 DELAWARE AVENUE, SUITE 500 BUFFALO, NEW YORK 14202				DATE ADVERTISED: 3/15/2023 DATE OPENED: 4/19/2023 DATE TABULATED: 4/25/2023 TABULATED BY: AAB		
PROJECT Lackawanna WRRF and ORF Disinfection System Improvements CONTRACT NO. 62D - ELECTRICAL			PROJECT NO.: 11192301						
BIDDER'S NAME: ADDRESS:			Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150		CIR Electrical Corporation 2517 Long Road Grand Island, NY 14072		ENGINEER'S ESTIMATE		
ITEM NO.	DESCRIPTION	BID UNITS	PRICE PER UNIT	AMOUNT BID	PRICE PER UNIT	AMOUNT BID	PRICE PER UNIT	AMOUNT BID	
BASE BID ITEMS									
D1	WRRF ELECTRICAL CONSTRUCTION	1 LS	\$129,600.00	\$129,600.00	\$147,690.00	\$147,690.00	\$124,000.00	\$124,000.00	
D2	ORF ELECTRICAL CONSTRUCTION	1 LS	\$117,600.00	\$117,600.00	\$111,410.00	\$111,410.00	\$127,000.00	\$127,000.00	
D3	ELECTRICAL CONSTRUCTION ALLOWANCE	1 LS	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	
TOTAL BASE BID ITEMS D1 - D3									
							Contingency (10%)	\$26,100.00	
							Construction Total	\$309,100.00	

TO: COMPROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|------------------------|---|
| 1. CONTRACTOR'S NAME | 62A- H&K Services - \$2,460,700.00
62B - John W. Danforth - \$264,700.00
62D - Frey Electric Const. Co. \$ 277,200.00 |
| 2. AMOUNT OF CONTRACTS | \$3,002,600.00 |
| 3. PROJECT NUMBER | Capital Acct C.21150 and Bond Acct. C.00064 |
| 4. PROJECT TITLE | Lackawanna WRRF & ORF Disinfection
Systems Improvement Project |
| 5. DEPARTMENT CONTACT | Beth Pfalzer x6144 |

COMPROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|---|
| 6. AVAILABILITY OF FUNDS | C. 21150 - *21,693,279.29 > *29,155,632.69
C. 00064 - * 1,462,353.40 |
| 7. PERFORMED BY | Elizabeth S Hall 5/9/2023 |
| Date Sent to Comptroller's Office: | 5/8/2023 |

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 6E-11	From the Energy & Environment Committee	From the County Executive - ECSD No. 2 - Big Sister Creek WRRF IT Infrastructure Improvements
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Attachments

COMM. 6E-11



EC LEG MAR 17 '23 PM 2:39

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

March 17, 2023

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

**Re: Erie County Sewer District No. 2
Big Sister Creek WRRF IT Infrastructure Improvements
Bid Opening – Contract No. 100**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 2 Contract No. 100 Big Sister Creek WRRF IT Infrastructure Improvements Project.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: nw

cc: J. Fiegl – Division of Sewerage Management

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Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

****Proposed Amendment to COMM. 6E-11

Attachments

Proposed Amendment to COMM. 6E-11

**Erie County Legislature
Meeting No. 11 – May 25, 2023
Amendment to COMM. 6E-11 (2023)**

May 10, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, NY 14202

**RE: Amendment: Legislative Comm. 6E-11 (2023)
Erie County Sewer District No. 2
Big Sister Creek WRRF IT Infrastructure Improvements
Bid Opening – Contract No. 100**

Dear Honorable Members:

Plans and specifications, known as the Big Sister Creek WRRF IT Infrastructure Improvements Project, Contract No. 100, were prepared and construction bids were received on Tuesday, April 11, 2023 by the Erie County Division of Sewerage Management. The lowest responsible bidder and bid amount for this project is as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 100 Electrical	Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150	\$693,000.00

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:nw
Enclosure

Cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Amendment: Legislative Comm. 6E-11 (2023)
Erie County Sewer District No. 2
Big Sister Creek WRRF IT Infrastructure Improvements Project
Bid Opening – Contract No. 100
Date: May 10, 2023

SUMMARY

Award of Contract No. 100 for the Big Sister Creek Water Resource Recovery Facility (WRRF) Information Technology (IT) Infrastructure Improvement Project is requested as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 100 Electrical	Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150	\$693,000.00

The necessary bid tabulations, Engineer's estimate, and Engineer's recommendation are enclosed.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's General Fund. The funds for this contract will be from Capital Account No. C.21150 (American Rescue Plan funds).

REASONS FOR RECOMMENDATION

The intent of the proposed project is to provide upgrades and replacements to the Big Sister Creek WRRF information technology infrastructure. The proposed scope of work includes installation of fiber optic cable and ethernet cable, installation and replacement of network cabinets, and replacement of outdated technology devices including speakers and network switches. The project is intended to support the facility's upcoming transition to a voice over IP (VOIP) phone system, future security camera and gate access upgrades, and to service the IT needs for the WRRF into the future.

BACKGROUND INFORMATION

Erie County Sewer District No. 2 owns and operates the Big Sister Creek WRRF, which services portions of the Towns of Brant, Eden, Evans, Hamburg, and North Collins, and the Villages of Angola, Farnham and North Collins. The facility's IT infrastructure is essential to providing proper and reliable plant operation. The existing technology system is at the end of its useful life, and significantly undersized for meeting bandwidth requirements for current applications and process controls. The existing facility speakers are outdated and do not allow for effective communication during emergencies. The phone system is at the end of its useful life and

replacement parts are no longer available. Erie County Sewer District No. 2 receives phone calls daily from the public related to public health and safety issues and a reliable phone system is critical. Currently the available network WAN (Wide Area Network) bandwidth available at the facility is limited by the existing cabling and hardware. With increased reliance on computer applications for communication and data/document management, dependable network access is essential.

Plans and specifications were prepared by the Erie County Division of Sewerage Management (DSM) for the purpose of receiving bids to complete the “Big Sister Creek WRRF Information Technology (IT) Infrastructure Improvements Project” (Contract No. 100). Bids were opened on April 11, 2023, and one (1) bid was received. The apparent low bidder was Frey Electric Company, Inc. The low bid exceeded the Engineer’s Estimate of \$399,294.00. The DSM reviewed their estimate and determined that labor costs associated with installation and testing of system components and costs associated with the limited shutdown windows for replacement of existing network cabinets in order to keep the IT infrastructure operational during construction were underestimated. In particular, the cost of scaffolding required to install conduit and wall sleeves overhead, amongst other items, were not thoroughly reflected in the Engineer’s Estimate. Frey Electric Construction Co., Inc. has successfully completed projects of this scale for the DSM in the past and met the various contract requirements at bid. The contractor has been recognized as a responsible company and capable of being able to provide the necessary labor and equipment for this contract. Considering the critical nature of the upgrade work and other factors pertaining to re-bidding the project, it is recommended that the County Legislature proceed with the lowest responsible bidder for Contract No. 100.

CONSEQUENCES OF NEGATIVE ACTION

Maintaining the status quo would result in the continued operation of outdated and unreliable technology infrastructure at the facility. Continued use of the existing system has the potential to lead failures or dropouts of process control and security monitoring, which in turn could result in failure to meet treatment requirements and security risks to the plant. Failure to replace outdated cabling and wiring would prevent future installation of a new VOIP phone system and other safety and security hardware upgrades planned for the facility.

STEPS TO FOLLOW APPROVAL

The lowest responsible bidder will be issued a Notice of Award and the Department will initiate the process of executing the contract documents. A Notice to Proceed will be issued to the contractors upon receipt of all necessary documents and execution of the contract.

COMPTROLLER'S OFFICE REVIEW

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

Signed Timothy C. Callan Date 5/9/23
Title Timothy C. Callan
Deputy Comptroller

**Erie County Sewer District No. 2
Big Sister Creek WRRF IT Infrastructure Improvements Project
Bid Opening – Contract No. 100
Capital Account No. C.21150**

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Amendment: Legislative Comm. 6E-11 (2023)
Erie County Sewer District No. 2
Big Sister Creek WRRF IT Infrastructure Improvements Project
Bid Opening – Contract No. 100

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 100 at 10:00 a.m. on April 11, 2023:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 100 Electrical	Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150	\$693,000.00

and

WHEREAS, the aforementioned lowest responsible bidder has 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 New York State Environmental Quality Review (SEQR) Unlisted Action and after due consideration a Negative Declaration was issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Big Sister Creek Water Resource Recovery Facility (WRRF) Information Technology (IT) Infrastructure Improvements Project, Erie County Sewer District No. 2, Contract No. 100 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 100 Electrical	Frey Electric Construction Co., Inc. 100 Pearce Avenue Tonawanda, NY 14150	\$693,000.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute Contracts with the aforementioned lowest responsible bidder, 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 \$693,000.00 in Capital Account No. C.21150 (American Rescue Plan funds) to fund Contract No. 100; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this funding; and be it further

RESOLVED, that at the close of the project any unused funds be returned to the capital project and the budgets be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

**COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT**

TO: Joseph L. Fiegl, P.E., Deputy Commissioner
FROM: Nadine R. Wetzal, P.E., Sanitary Engineer *NRW*
DATE: April 26, 2023
RE: Erie County Sewer District No. 2, Contract No. 100
Big Sister Creek WRRF IT Infrastructure Improvements
Contract Award to Frey Electric Construction Co., Inc.
Engineer Recommendation

Bids were opened for Erie County Sewer District No. 2, Contract No. 100, Big Sister Creek WRRF IT Infrastructure Improvements on April 11, 2023. One (1) bid was received and considered. The total cost submitted by the apparent low bidder (Frey Electric Construction Co., Inc.) was \$693,000.00. The bid exceeds the Engineer's Estimate of \$399,294.00. The bid tabulation and Engineer's Estimate is attached.

The Division contacted the low bidder to review their understanding of the scope and the requirements of this project. During the discussions, it was determined that a major cost factor for the bidder was related to labor costs associated with installing and testing the system and costs associated with the limited shutdown windows for replacement of existing network cabinets in order to keep the IT infrastructure operational during construction. In particular, the low bidder cited the cost of scaffolding required to install conduit and wall sleeves overhead, and it is believed that these costs were not thoroughly reflected in the Engineer's Estimate. Considering the critical nature of the upgrade work and other factors pertaining to re-bidding the project, it is recommended that the County Legislature proceed with the lowest responsible bidder for Contract No. 100.

The Division of Sewerage Management (DSM) has reviewed the bid and believe it is fair. The bid package was complete and properly filled out. Frey Electric Construction Co., Inc. is experienced in the type of work specified for this project. They have successfully completed projects of this scale with the DSM before. Frey Electric Construction Co., Inc. is recognized as a responsible company and capable of being able to provide the necessary manpower and equipment for this contract. The County's EEO office is currently reviewing the proposed MWBE Utilization and Apprenticeship Plans.

Per Local Law No. 2 (2021), the ten (10) calendar day period for receipt of public comments pertaining to bidder responsibility has elapsed and no comments have been received by the Commissioner.

It is recommended that the Contract be awarded to Frey Electric Construction Co., Inc. at a total bid of \$693,000.00

(enc.)

CC: G. Pecak/W. Lardo/D. Skowronski/M. Hammersmith/D. Carr /2.3.3.100
K. Kaminski/C. Horne
C. Baldwin

ERIE COUNTY DEPT. OF ENVIRONMENT & PLANNING DIVISION OF SEWERAGE MANAGEMENT ECSD No. 2 CONTRACT No. 100 Big Sister Creek WRRF IT Infrastructure Improvements: FILE NO. 2.3.3.100 BID DATE: April 11, 2023- 10:00 AM BID BOND 5%				ENGINEER'S ESTIMATE \$ 399,294.00		BIDDER #1 \$693,000.00 Frey Electric Construction Co, Inc. 100 Pearce Avenue Tonawanda, NY 14150 5%	
ITEM NO.	DESCRIPTION	UNIT	BID QUANTITY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Fiber Optic Cable	LF	1,800	\$16.25	\$29,250.00	\$14.50	\$26,100.00
2	Ethernet Cable						
2A	UTP	LF	18,100	\$2.50	\$45,250.00	\$2.82	\$51,042.00
2B	STP	LF	2,700	\$5.00	\$13,500.00	\$3.56	\$9,612.00
3	Immerduct	LF	400	\$45.20	\$18,080.00	\$11.50	\$4,600.00
4	PVC Conduit						
4A	1-inch Diameter	LF	1,500	\$9.00	\$13,500.00	\$13.27	\$19,905.00
4B	1.25-inch Diameter	LF	600	\$9.50	\$5,700.00	\$16.67	\$10,002.00
4C	1.5-inch Diameter	LF	700	\$10.00	\$7,000.00	\$18.43	\$12,901.00
4D	2-inch Diameter	LF	900	\$10.50	\$9,450.00	\$21.89	\$19,701.00
4E	3-inch Diameter	LF	300	\$16.00	\$4,800.00	\$35.33	\$10,599.00
5	Metal Raceway						
5A	1-inch Width	LF	600	\$9.00	\$5,400.00	\$27.17	\$16,302.00
5B	1.25-inch Width	LF	100	\$12.00	\$1,200.00	\$35.00	\$3,500.00
5C	1.5-inch Width	LF	100	\$15.00	\$1,500.00	\$41.00	\$4,100.00
5D	3-inch Width	LF	50	\$18.00	\$900.00	\$48.00	\$2,400.00
6	Network Cables						
6A	Install NC-1 (Admin Building)	LS	1	\$14,300.00	\$14,300.00	\$20,000.00	\$20,000.00
6B	Install SC-1 (Admin Building)	LS	1	\$12,200.00	\$12,200.00	\$12,600.00	\$12,600.00
6C	Replace NC-2 (Lab/SCADA Building)	LS	1	\$11,300.00	\$11,300.00	\$25,900.00	\$25,900.00
6D	Modify SC-2 (Lab/SCADA Building)	LS	1	\$1,000.00	\$1,000.00	\$5,800.00	\$5,800.00
6E	Modify NC-3 (Facilities Garage)	LS	1	\$1,400.00	\$1,400.00	\$8,300.00	\$8,300.00
6F	Install NC-4 (Digester Blower Building)	LS	1	\$9,600.00	\$9,600.00	\$9,600.00	\$9,600.00
6G	Modify SC-3 (Digester Blower Building)	LS	1	\$1,000.00	\$1,000.00	\$4,000.00	\$4,000.00
6H	Replace NC-5 (Collections Garage)	LS	1	\$12,000.00	\$12,000.00	\$19,800.00	\$19,800.00
6I	Install SC-4 (Collections Garage)	LS	1	\$9,600.00	\$9,600.00	\$8,900.00	\$8,900.00
6J	Install NC-6 (Aeration Blower Building)	LS	1	\$11,000.00	\$11,000.00	\$13,000.00	\$13,000.00
6K	Modify HMI-2 (Lab/SCADA Building)	LS	1	\$1,000.00	\$1,000.00	\$4,100.00	\$4,100.00
6L	Replace NC-7 (Solids Building)	LS	1	\$13,000.00	\$13,000.00	\$19,700.00	\$19,700.00
6M	Modify HMI-8 (Solids Building)	LS	1	\$1,000.00	\$1,000.00	\$4,100.00	\$4,100.00
6N	Install NC-8 (Filtration Building)	LS	1	\$11,000.00	\$11,000.00	\$13,600.00	\$13,600.00
6O	Modify HMI-8 (Filtration Building)	LS	1	\$1,000.00	\$1,000.00	\$4,300.00	\$4,300.00
6P	Install NC-9 (Influent Pump Building)	LS	1	\$10,000.00	\$10,000.00	\$8,800.00	\$8,800.00
7	Data Drops (UTP)						
7A	Wall Jack D-2	EA	38	\$50.00	\$1,900.00	\$237.00	\$9,006.00
7B	Wall Jack DS-3	EA	24	\$50.00	\$1,200.00	\$330.00	\$7,920.00
7C	Wall Jack DS4	EA	1	\$50.00	\$50.00	\$500.00	\$500.00
7D	Phone P-1	EA	14	\$269.00	\$3,766.00	\$329.00	\$4,606.00
7E	Speaker (S-1)	EA	11	\$1,000.00	\$11,000.00	\$1,282.00	\$14,102.00
7F	SCADA (S-2)	EA	2	\$50.00	\$100.00	\$250.00	\$500.00
7G	Strobelight (ST-1)	EA	1	\$65.00	\$65.00	\$500.00	\$500.00
7H	TV (TV-1)	EA	1	\$50.00	\$50.00	\$200.00	\$200.00
7I	Wireless Router (W-1)	EA	5	\$50.00	\$250.00	\$480.00	\$2,400.00
8	Data Drops (STP)						
8A	Wall Jack D-2	EA	1	\$75.00	\$75.00	\$300.00	\$300.00
8B	Wall Jack DS-3	EA	8	\$76.00	\$608.00	\$400.00	\$3,200.00
8C	Phone P-1	EA	10	\$290.00	\$2,900.00	\$350.00	\$3,500.00
8D	Speaker (S-1)	EA	6	\$1,000.00	\$6,000.00	\$1,317.00	\$7,902.00
8E	Strobelight (ST-1)	EA	1	\$90.00	\$90.00	\$900.00	\$900.00
9	Installation of Electrical Circuits and Conduit	LS	1	\$30,000.00	\$30,000.00	\$33,700.00	\$33,700.00
10	Identify Existing Phone Lines	LS	1	\$6,810.00	\$6,810.00	\$6,800.00	\$6,800.00
11	Miscellaneous Work Per Building						
11A	Admin Building	LS	1	\$8,900.00	\$8,900.00	\$56,500.00	\$56,500.00
11B	Lab/SCADA Building	LS	1	\$1,700.00	\$1,700.00	\$30,600.00	\$30,600.00
11C	Facilities Garage	LS	1	\$500.00	\$500.00	\$13,100.00	\$13,100.00
11D	Digester Blower Building	LS	1	\$500.00	\$500.00	\$8,200.00	\$8,200.00
11E	Collections Garage	LS	1	\$1,100.00	\$1,100.00	\$14,100.00	\$14,100.00
11F	Aeration Blower Building	LS	1	\$500.00	\$500.00	\$9,500.00	\$9,500.00
11G	Solids Building	LS	1	\$1,700.00	\$1,700.00	\$21,700.00	\$21,700.00
11H	Filtration Building	LS	1	\$2,100.00	\$2,100.00	\$19,500.00	\$19,500.00
11I	Influent Pump Building	LS	1	\$500.00	\$500.00	\$8,500.00	\$8,500.00
12	Spare Ethernet Patch Cords	LS	1	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00
13	Contingency Allowance	LS	1	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00
CONTRACT TOTAL					\$399,294.00		\$693,000.00

TO: COMPTRROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

<u>REQUESTING DEPARTMENT</u>	<u>COMPLETE ITEMS 1 THROUGH 5</u>
1. CONTRACTOR'S NAME	<u>Frey Electric Construction Co. Inc.</u>
2. AMOUNT OF CONTRACT	<u>\$693,000.00</u>
3. PROJECT NUMBER	<u>Capital Acct. C.21150</u>
4. PROJECT TITLE	<u>Big Sister Creek WRRF IT Infrastructure Improvements Contract No. 100</u>
5. DEPARTMENT CONTACT	<u>Beth Pfalzer x6144</u>
<u>COMPTRROLLER'S OFFICE</u>	<u>COMPLETE ITEMS 6 AND 7</u>
6. AVAILABILITY OF FUNDS	<u>\$ 25,993,279.29</u>
7. PERFORMED BY	<u>Elizabeth A. Hall 5/9/2023</u>
Date Sent to Comptroller's Office:	<u>5/9/2023</u>

[55 compt_10]

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

INTRO. 3-2	From the Health & Human Services Committee	From Chair Baskin - Appointment to the EC Health Equity Advisory Board
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Attachments

INTRO. 3-2

DISCHARGE

EC LEG JAN 30 '23 AM10:06

A RESOLUTION SUBMITTED BY LEGISLATOR BASKIN

Re: Appointment to the Erie County Health Equity Advisory Board

WHEREAS, the Erie County Health Equity Advisory Board was created in 2021 via Local Law 3-2021; and

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

WHEREAS, the Legislators representing the legislative districts with the two highest rates of poverty have one recommendation each to the Health Equity Advisory Board; and

WHEREAS, Legislative District 2 has a poverty rate of 25%, the second highest poverty rate amongst the 11 legislative districts; and

WHEREAS, per Section 5(A) of Local Law 3-2021, a member shall have a background in health issues for minorities and disadvantaged persons, as well as at least one member shall have a medical degree or master's degree in public health; and

WHEREAS, Dr. Kenyani Davis, a resident of Erie County, is the Chief Medical Officer of the Community Health Center of Buffalo, where she specializes in primary care in underserved communities; and

WHEREAS, in addition to her medical degree, Dr. Davis obtained a Master's in Public Health from SUNY Buffalo; and

WHEREAS, Dr. Davis' was a member of the African American Health Equity Task Force and has performed extensive research and practice on the disparities minorities and other disadvantaged persons struggle with in society.

NOW, THEREFORE, BE IT

RESOLVED, that based on the recommendation of one of the legislators representing the two legislative districts with the highest poverty rates, Dr. Kenyani Davis is appointed to the Erie County Health Equity Advisory Board, for a three-year term; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Department of Health's Office of Health Equity and Dr. Kenyani Davis.

Fiscal Impact: None.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

****Proposed Amendment to INTRO. 3-2

Attachments

Amendment to INTRO. 3-2

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS BASKIN & JOHNSON**

Re: Appointment to Erie County Health Equity Advisory Board

WHEREAS, the Erie County Health Equity Advisory Board was created in 2021 via Local Law 3-2021; and

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

WHEREAS, the Legislators representing the legislative districts with the two highest rates of poverty have one recommendation each to the Erie County Health Equity Advisory Board; and

WHEREAS, Legislative District 1 has a poverty rate of 30.2% and Legislative District 2 has a poverty rate of 25%, which are the two highest rates of poverty per Legislative District; and

WHEREAS, per Section 5(A) of Local Law 3-2021, a member shall have a background in health issues for minorities and disadvantaged persons, as well as at least one member shall have a medical degree or master's degree in public health; and

WHEREAS, Dr. Olivia Smith-Blackwell is a primary care physician with extensive public health experience as a former Regional Health Director for the New York State Department of Health's Office of Public Health – Western Region and as a former Medical Director for Erie County's Department of Health; and

WHEREAS, Dr. Kenyani Davis is the Chief Medical Officer of the Community Health Center of Buffalo, where she specializes in primary care in underserved communities, has served on the African American Health Equity Task Force, and has researched the health disparities minorities and other disadvantaged persons struggle with in society; and

WHEREAS, in addition to their medical degrees, both individuals have master's degrees in public health.

NOW, THEREFORE, BE IT

RESOLVED, that based on the recommendations of the legislators representing the two districts with the highest poverty rates, Dr. Olivia Smith-Blackwell and Dr. Kenyani Davis are appointed to the Erie County Health Equity Advisory Board, for three-year terms; and

RESOLVED, that certified copies of this resolution be transmitted to the Department of Health's Office of Health Equity, Dr. Olivia Smith-Blackwell, and Dr. Kenyani Davis.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM.10E-18	From the Health & Human Services Committee	From the County Executive - Appointment to the EC Health Equity Advisory Board
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Attachments

COMM. 10E-18



EC LEG MAY 5 '23 PM 3:3

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 1, 2023

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

Re: Appointment to the EC Health Equity Advisory Board

Dear Honorable Members,

Pursuant to Article 5, Sec. 5.04 of the County Administrative Code, I, Mark C. Poloncarz, Erie County Executive, do hereby submit for your confirmation the following individuals to be appointed to the Erie County Health Equity Advisory Board for a full three-year term expiring on May 1, 2026.

Appointees

Maria M. Cruz
16 Highland Place
Lancaster, NY 14086
New Appointment

George Nicholas
34 Roman Lane
Amherst, NY 14226
New Appointment

Should you have any questions, please do not hesitate to contact my office at (716) 858-8500.

Sincerely,

Mark C. Poloncarz
Erie County Executive

MCP/nn

cc: Maria M. Cruz
George Nicholas

MARIA M. CRUZ

16 Highland Place, Lancaster, NY 14086 | C: (716) 364-3883 | Mariacruz1126@gmail.com

Professional Summary

Experienced Case Management Supervisor of infectious diseases and prophylactic treatment with a history of successfully managing several state funded programs. Engaging communicator able to leverage innovation, use financial data, and build relationships with diverse stakeholders. Extremely confident in coaching, developing others, building teams and using talent while creating a positive culture. Excellent written skills, auditing ability and experience preparing and submitting grant applications, presentations, evaluation and progress reports. Extensive professional development with diversity, inclusion and equity competency. Experience developing and leading culture and/or diversity programs with a health equity mindset.

Professional Experience

Evergreen Health Services

2015-Present

Director of Treatment and Prevention Adherence, Buffalo NY

- Responsible for leading and supervising a team of 10 Retention and Prep Specialist in an (FQHC) primary health care center.
- Identify gaps in care or programming and facilitate quality improvements, workflows, and policy changes within the organization.
- Support and train program directors with grant writing and reporting to for local, state and federally funded programs.
- Interviewed, trained and hired all staff to treat patients with dignity and respect while conducting person centered care.
- Trained and motivated staff to complete quarterly assessments, treatment ready evaluations and service plans.
- Trained staff to advocate for patients needs as well as provide proper linkage and wrap around services to other programs such as care coordination, transportation, mental health, substance use, housing, health education and nutrition etc.
- Promote office culture which to foster teamwork and high performance by all.
- Engage with community organizations to build collaborative networks.
- Demonstrate initiative and a determined approach to problem solving and strategic thinking skills.
- Review monthly database reports to monitor data entry and performance measures.
- Continuously review and update policies and procedures.
- Ensure strong operational and financial infrastructure, with extensive awareness of grant management in collaboration with the administrative team.
- Submit monthly reports to the AIDS Institutes that provide detailed information on how we measure progress, implementation plans, successes, failures, work plan review with goals, etc.
- Excellent communication and interpersonal skills with people from diverse personal and professional background

M&T Bank

July 2013-October 2015

Executive Assistant, Buffalo NY

- Advised Management in appropriate resolution of employee relations issues.
- Processed all hiring and termination paperwork.
- Planned and conducted new employee orientation to foster positive attitude toward company goals.

- Prepared and generated routine standard and ad hoc reports using Excel, Access and PowerPoint.
- Prepared disbursements and billings for approval/payment by General Accounting and expense reports for department managers.
- Served as the Secretary for the Buffalo Chapter of the RMA coordinating meetings, communications and expenses.

The Ritz Carlton

June 2010-July 2013

Human Resource/Payroll Coordinator, Cleveland OH

- Administered benefits such as life, health, dental, 401K, vacation, sick leave, leave of absence, and employee assistance.
- Developed, established, and implemented policy, procedure and standards.
- Advised other departments by interpreting Labor Laws to ensure compliance.
- Assisted Accounting Manager as needed.

Computer Skills

- Proficient in Microsoft Office Word, PowerPoint, Outlook, Access, Excel, Medent, AIRS, and Penelope
- Working Knowledge of QuickBooks and Concur
- Strong knowledge of video conferencing, social media, Google Suites, and comfortable learning new software

✓ **Language Skills**

- Fluent in Spanish (Written and Verbal)

Education /Honors

Bachelor of Science in Conflict Studies & Dispute Resolution

December 2016

Hilbert College, Hamburg, NY

GPA: 3.80/4.0

Academic Honors List

Fall 2014-Spring 2016

Tau Sigma National Honor Society

Spring 2016

• **Community Involvement**

- ✓ **Hispanic Women League**
 - **President:** 2021-Present
 - **Corresponding Secretary:** 2019-2021
- ✓ **Evergreen Diversity and Inclusion**
 - **Advisory Board Member:** 2020-2022
 - **Co-Chair:** 2022-Present
- ✓ **Dear Tayrin: Sexual Abuse Awareness:** 2015-Present

• **Certification and Professional Development**

- ✓ Emerging Leaders
- ✓ Advanced Motivational Interviewing for Healthcare Professionals
- ✓ Diversity and Inclusion Cultural Competency
- ✓ Diversity and Inclusion Health Equity and Social Determinants of Health
- ✓ Diversity Training | Reconstructing the Narratives of Race and Human Possibility
- ✓ Mental Aid First Aid USA
- ✓ Non-Violent Crisis Intervention



Bio: Maria Cruz

Maria Cruz is a proud Afro Latina born in Puerto Rico and relocated to Buffalo at the young age of eight years old. Her education includes a B.A. in Conflict Studies and Dispute Resolution from Hilbert College and a Master's in Organizational Leadership from Medaille College. Currently she is the Director of Treatment and Prevention Adherence at Evergreen Health where she oversees several state funded programs. She is the current President of the Hispanic Women's League| Liga de Mujeres Hispanas where has also served in the positions of Corresponding Secretary, and active member of the Empowerment Committee. She is also part of the launching committee and mentor with the Governor Hochul Latina Mentoring Initiative housed at The Belle Center. In addition, Maria is a Co-Chair of the Evergreen Diversity and Inclusion: Advisory Board and a mentor for Say Yes! Maria is also a Co-Chair for the Lean in: Fostering Women's Leadership & Workplace Inclusion chapter at Evergreen Health. In addition, Maria is a member of the Buffalo AKG Community Advisory Council. Her passion for diversity, desire to seek out and enact positive change in the lives of people, and her exemplary commitment to the Buffalo/WNY community through her work at Evergreen Health, the Hispanic Women's League and beyond has allowed her to receive various leadership awards by the City Mayor Byron Brown and other organizations. She has been invited to speak as a panelist at various community conversations to speak on the importance of Health Equity, diversity, woman and woman advocacy. She can be seen giving her time to help other women find their purpose in the community and help them be confident in every space they enter. She was a product of the services provided by the community and because of this, she has always wanted to be in a position where she could help other women gain access to resources that allow them to achieve success. Maria is a strong advocate for health equity for our community of color and spends endless energy to make sure that there is a sit at the table to tell our own stories. Maria has been recognized in different platforms for the work that she does.

She is an experienced and engaging communicator able to leverage innovation, use financial data, and build relationship with diverse stakeholders. Extremely confident in coaching, developing others, building teams and using talent while creating a positive culture. Excellent written skills, auditing ability and experience preparing and submitting grant applications, presentations, evaluation and progress reports. Extensive professional development with diversity, inclusion and equity competency. Experience developing and leading culture and/or diversity programs with a health equity mindset.

She is a proud wife and mother of a 19-year-old daughter and a 17-year-old son.

Certification and Professional Development

- Emerging Leaders
- Advanced Motivational Interviewing for Healthcare Professionals
- Diversity and Inclusion Cultural Competency
- Diversity and Inclusion Health Equity and Social Determinants of Health
- Diversity Training | Reconstructing the Narratives of Race and Human Possibility
- Mental Aid First Aid and Non-Violent Crisis Intervention

GEORGE NICHOLAS

34 Roman Lane Amherst, NY 14226
716.364.4476
gnicholas1@gmail.com

EXPERIENCE

JANUARY 2023 – PRESENT

CHIEF EXECUTIVE OFFICER, Buffalo Center for Health Equity, BUFFALO, NY

JULY 2012 – PRESENT

SENIOR PASTOR, LINCOLN MEMORIAL UNITED METHODIST CHURCH, BUFFALO, NY

JANUARY 2002 – JULY 2012

CHIEF EXECUTIVE OFFICER, GRACE COMMUNITY VILLAGE INC., ROCHESTER, NY

JULY 2000 – JULY 2012

SENIOR PASTOR, GRACE UNITED METHODIST CHURCH, ROCHESTER, NY

APRIL 1999 – MAY 2000

CHIEF EXECUTIVE OFFICER, GENEVA B. SCRUGGS COMMUNITY HEALTH CARE CENTER, BUFFALO, NY

OCT 1997 – APRIL 1999

CONSULTANT, HUMAN RESOURCES AND ADMINISTRATION, GENEVA B. SCRUGGS COMMUNITY HEALTH CARE CENTER, BUFFALO, NY

APRIL 1996 – JUNE 2000

FOUNDER AND CHIEF EXECUTIVE OFFICER, Consulting and Home Development, NICHOLAS ENTERPRISES, BUFFALO, NY

NOVEMBER 1993 - MARCH 1996

FOUNDER AND DIRECTOR, United Neighborhoods Block Club and Neighborhood Organizations Development, UNITED WAY OF BUFFALO AND ERIE COUNTY, BUFFALO, NY

SEPTEMBER 1993 - DECEMBER 1995

CONSULTANT, Community Outreach, Health Care Plan, Buffalo, NY

SEPTEMBER 1993 - NOVEMBER 1993

CONSULTANT, Minority Business Development,
Western New York Economic Development Agency, Buffalo, NY

MAY 1992 - AUGUST 1993

DIRECTOR, Community Outreach and Minority Business Development, **World University Games, July 1993, Buffalo, NY**

JULY 1991 - MARCH 1992

ASSISTANT DIRECTOR, Prevention Resource Center, **State University College at Buffalo, Buffalo, NY**

JUNE 1990 - JULY 1991

STAFF ASSISTANT, Business Development and Community Programs, **Greater Buffalo Development Foundation, Buffalo, NY**

APRIL 1988 - SEPTEMBER 1989

DIRECTOR OF PUBLIC RELATIONS FOR THE DEPUTY SPEAKER, New York State Assembly 141st District, **Buffalo, NY**

NOVEMBER 1986 - APRIL 1988

RESEARCH ASSISTANT, Commercial Banking, **Manufacturers and Traders Trust Company, Buffalo, NY**

MAY 1996 - OCTOBER 1996

CASE DEVELOPER, Clients Specific Planning, **SENIOR COUNSELOR**, Tot Lot Program, **Buffalo Federation of Neighborhood Centers, Buffalo, NY**

JANUARY 1986 TO JUNE 1986

SUBSTITUTE TEACHER, Buffalo Public Schools, **Buffalo, NY**

JUNE 1985 TO JANUARY 1986

STAFF ORGANIZER AND RECRUITER, Communications Workers of America, **Columbus, OH**

EDUCATION

MAY 2001

MASTERS OF DIVINITY, COLGATE ROCHESTER DIVINITY SCHOOL, ROCHESTER, NY

MAY 1992

MASTERS OF SOCIAL SCIENCE, Center for Applied Public Affairs and Public Policy Studies, STATE UNIVERSITY OF NEW YORK AT BUFFALO, BUFFALO, NY

JUNE 1985

BACHELOR OF SCIENCE, THE OHIO STATE UNIVERSITY, COLUMBUS, OH

ORGANIZATIONS

2022 – PRESENT

Board of Directors, **HealthLink**, Buffalo, NY

2022 – PRESENT

Member of the Local Advisory Council, **LISC WNY**, Buffalo, NY

2022 – PRESENT

Member, **Advisory Committee for New York's Master Plan for Aging**, New York State

2022 – PRESENT

Board of Directors, **Investigative Post**, Buffalo, NY

2022 – PRESENT

Board of Directors, **Buffalo Bills Foundation**, Buffalo, NY

2022 – PRESENT

Advisory Board, **University of Buffalo**, School of Education, Buffalo, NY

2019 – PRESENT

Board Chair, **Buffalo Center for Health Equity**, Buffalo, NY

2018 – PRESENT

Board of Directors, **Population Health Collaborative**, Buffalo, NY

AWARDS & ACHIEVEMENTS

2022

ACHP Bernard J. Tyson Health Equity Award recipient

1995

Medgar Evers Civil Rights Award, Buffalo Branch NAACP

1992

Black Achievers Award, 1490 Enterprises Outstanding Academic and Professional Achievement Award Center for Applied Public Affairs, SUNY at Buffalo

1991

Distinguished Service Award - Buffalo Branch NAACP

Pastor George Nicholas, MDiv is the Senior pastor of Lincoln Memorial United Methodist, Buffalo, NY. He has been recognized by the General Board of Global Ministries of the United Methodist for his work on urban ministries. Pastor Nicholas is an advocate for social justice and community revitalization. He has particular passion for public health, as a result he is a founding member of the African-American Health Equity Task Force which birthed the Buffalo Center for Health Equity where he is the Board Chair and Chief Executive. As a recognition for his work in public health, Pastor Nicholas was awarded with the Benard J. Tyson Health Equity Award in 2022.

Pastor Nicholas serves on multiple Committees including, the Executive Committee of the Board of Population Health Collaborative, HEALTeLINK Board of Directors, Board of Directors of the Bills Foundation, and the Advisory Committee for New York's Master Plan for Aging.

Pastor Nicholas holds an undergraduate degree from The Ohio State University and graduate degrees from SUNY at Buffalo and Colgate Rochester Divinity School

Pastor Nicholas is married to Daun Nicholas and they have 5 children Kristin, Desmond, George Jr., Joel and Caleb.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-34

COUNTY EXECUTIVE

RENEW Plan Contracts Authorizations -
Phase 7

Attachments

23COMM. 11E-34

SUSPENSION



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG MAY 23 '23 PM 3:37

May 23, 2023

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

RE: RENEW Plan Contracts Authorizations – Phase 7

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning authorizing contracts necessary to implement the RENEW Plan Phase 7.

Should your Honorable Body require further information, I encourage you to contact Department of Environment and Planning Commissioner, Daniel Castle or my office directly.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/dc
Enclosure

cc: Daniel Castle A.I.C.P., Commissioner, Department of Environment and Planning

SUSPENSION

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: RENEW Plan Contracts Authorization – Phase 7
Date: May 23, 2023

SUMMARY

Erie County authorized the RENEW Plan in resolution Comm. 13E-15, on July 8, 2021.

This resolution implements Phase 7 of the spending plan, authorizing the execution of contracts to implement projects with various nonprofit organizations and municipalities.

This phase reallocates funding from the deleted Town of Cheektowaga History Museum, Erie County Small Business Park, Ike and BGs Affordable Housing Development projects, and the completed Elmwood Avenue project toward various projects and initiatives. It also transfers funding for the Miracle League Facility Improvements project to the Town of Grand Island while maintaining its original authorized use.

FISCAL IMPLICATIONS

The expenditures associated with this resolution total: \$2,607,490.30

There is no anticipated funding impact on the County. The funding for the projects outlined is the re-appropriating of existing project funding as part of the RENEW Plan.

REASONS FOR RECOMMENDATION

The following proposed projects as described are included in Phase 7:

Kaleidoscope of WNY Parking Lot – Expansion of existing parking lot to improve handicap accessibility. Project will consist of tree removal necessary to add parking spaces for program participants.

Delta Development of WNY Affordable Housing – Funding will help advance a supportive housing development for frail and elderly persons 55 years and older. 30% of units will be set aside for frail elderly with the balance of the units occupied by seniors age 55 and up.

Niagara Frontier Radio Reading Service - The organization will utilize funding to support its radio programming for Erie County's blind community. Niagara Frontier Radio Reading Service provides 24/7 of content for residents who are blind or have low vision, or have other print-related disabilities to be able to 'read' printed materials. The organization will also utilize funding to develop apps to help better broadcast their programming.

T.O.P. Enterprises Inc. Mixed Use Project - Funding will be used to support mixed-use project at 1035 Jefferson Ave to create affordable housing and Jefferson Avenue Arts Center, a community space that will hold an exhibit featuring Buffalo's Black History.

SUSPENSION

Town of Grand Island Law Enforcement Survey - Funding will be used for survey by Town of Grand Island Police Department and the Grand Island Community Resource Committee. It is being conducted in partnership with Niagara University. The survey will assess residents' experiences with the police department and their perceptions of crime in the community. The survey covers five key areas: community involvement, performance, safety, contact and satisfaction, and procedural justice.

Slow Roll Buffalo Ken-Ton Community Bike Ride - Funds going towards a KenTon community bike ride. Slow Roll is a not for profit that brings community members together for a free bike ride through various parts of Erie County and the City of Buffalo.

Kenmore Village Improvement Society – Operating support for initiatives for 2023 include Onesies for Newborns, Friends of Mang Park, New Residents Welcome, Cherish our Trees & Save the Bees, New Business Welcome, Kenmore Cookbook, Bricks & Mortar Business, Public Art & Decorations, Good Neighbor, Be Well Kenmore, Condo Conversion, Playful Kenmore.

Neighbors Foundation Food Pantry - All volunteer and donation-based food pantry that operates and meets at Saint Stephens Church at 2100 Baseline, Grand Island, NY 14072. Funds will go towards providing additional supplies and allow the organization to distribute food locally to people who cannot leave home to pick it up from the pantry.

Town of Grand Island Historic Preservation Survey - Funding for the Grand Island Historic Preservation Advisory Board (“HPAB”) to conduct a historical survey of Grand Island to help determine which properties on the Island maintain a historical significance. A consultant will be contracted to review sites and/or buildings and identify those that are of significant historic significance in order to assist the HPAB in establishing a priority ranking for preservation and assure that the Town Board can take that information into consideration when considering new development on Grand Island.

Kenmore Volunteer Fire Department Floor Replacement - Funds to help with a current project that involves replacing the floors in the main firehouse. A portion of the floor had to be removed years ago due to crumbling foundation and construction is set to begin to have the rest of the floor brought to the same standard. Project is estimated at \$50,000-\$60,000.

Town of Tonawanda Pool Liner Replacement - Funds to go towards replacing and installing a new liner at Kenmore Pool for the summer 2023 season.

Literacy Buffalo Niagara - Develop literacy skills of residents in Erie and Niagara Counties. Train a diverse group of literacy tutors through engagement. For 2023, LBN intends to train over 100 volunteer tutors, typically, providing services to around 350 adults every year. Adults can be taught literacy skills in one on one tutoring sessions. Regular conversation groups are also held at several libraries across Erie County.

Academy of Human Rights - Fund a summer program for high school students who have political, historical, international, and social science interests.

SUSPENSION

Niagara Frontier American Legion Post 1041 – To help provide services for local veterans in the Black Rock and Riverside communities.

Grand Island American Legion 1346 – To help provide services for local veterans in the Grand Island community.

Grand Island Chamber of Commerce - Funding will be used for “Kid Biz”, a summer entrepreneurship program that hosts 100 to 150 students in grades 2 through 8. The cost per child is \$20. Funding will help provide a larger tent at the annual event for additional shade as well as ADA-compliant portable restrooms.

Boys & Girls Club of the Northtowns - Funding is needed for transporting kids to various summer camps. Will also help with day to day programming.

African American Cultural Center - Funding will be used toward construction costs for phase one of construction of the new African American Cultural Center.

Town of Grand Island Veterans Park / Miracle League Improvements - Funding will maintain its original authorized use for field resurfacing, playground improvements, installation of scoreboard, and construction of new splash pad at Veterans Park, with the funds being transferred to the Town of Grand Island as it was determined the Miracle League of WNY was unable to comply with the contract requirements.

CONSEQUENCES OF NEGATIVE ACTION

The above-mentioned projects will not be funded and existing RENEW Plan funds that were to be re-appropriated will sit unused.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution the Department of Environment and Planning will commence the contracting process.

SUSPENSION

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations located in the following accounts:

- Fund 110, Funds Center 16200, Account #570050 – Interfund Transfer Capital “Town of Cheektowaga Museum Project”

Amount	Description	Contract Awardee
\$ 10,000.00	Kaleidoscope of WNY Parking Lot	Kaleidoscope of WNY
\$100,000.00	Delta Development of WNY Affordable Housing	Delta Development of WNY
\$ 64,990.30	Niagara Frontier Radio Reading Service	Niagara Frontier Radio Reading Service
\$174,990.30	TOTAL	

- Fund 110, Funds Center 16200, Account #570050 – Interfund Transfer Capital “Erie County – Parks Erie County Small Business Park Project”

Amount	Description	Contract Awardee
\$1,200,000	T.O.P Enterprises Inc. Mixed Use Project	T.O.P Enterprises Inc. Mixed Use Project
\$ 2,500	Town of Grand Island Law Enforcement Survey	Town of Grand Island
\$1,202,500	TOTAL	

- Fund 110, Funds Center 16200, Account #570050 – Interfund Transfer Capital “City of Buffalo/Town of Tonawanda Elmwood Avenue Improvements Project”

Amount	Description	Contract Awardee
\$ 1,000	Slow Roll Buffalo KenTon Community Bike Ride	Slow Roll Buffalo
\$ 3,000	Kenmore Village Improvement Society	Kenmore Village Improvement Society
\$ 8,000	Neighbors Foundation Food Pantry	Neighbors Foundation
\$ 7,000	Town of Grand Island Historic Preservation Survey	Town of Grand Island
\$30,000	Kenmore Volunteer Fire Department Floor Replacement	Kenmore Volunteer Fire Department
\$17,000	Town of Tonawanda Pool Liner Replacement	Town of Tonawanda
\$ 5,000	Literacy Buffalo Niagara	Literacy Buffalo Niagara
\$ 5,000	Academy of Human Rights	Academy of Human Rights

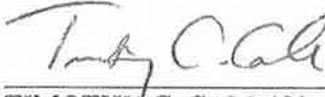
SUSPENSION

\$ 2,000	Niagara Frontier American Legion Post 1041	Niagara Frontier American Legion Post 1041
\$ 5,000	Grand Island American Legion 1346	Grand Island American Legion 1346
\$ 2,000	Grand Island Chamber of Commerce	Grand Island Chamber of Commerce
\$ 5,000	Boys & Girls Club of the Northtowns	Boys & Girls Club of the Northtowns
\$90,000	TOTAL	

- Fund 110, Funds Center 16200, Account #570050 -- Interfund Transfer Capital "Ike and BGs Affordable Housing Development"

Amount	Description	Contract Awardee
\$35,000	African American Cultural Center	African American Cultural Center
\$35,000	TOTAL	

- A.21187 -- Miracle League (Grand Island) Facility Improvements \$1,105,000


5/23/23
TIMOTHY C. CALLAN
Deputy Comptroller
Erie County Comptroller's Office

SUSPENSION

A RESOLUTION SUBMITTED BY: DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: RENEW Plan Contract Authorization – Phase 7

WHEREAS, funding for the RENEW Plan was originally allocated via Comm. 13E-15 (2021); and

WHEREAS, in several instances, it has been necessary to reallocate previously appropriated funding; and

WHEREAS, the Town of Cheektowaga – Town of Cheektowaga History Museum as proposed in Comm. 13E -15 (2021) was deleted in Comm. 5E-10 (2022) and funding was made available to other projects and held in reserve in Fund 110, Funds Center 16200, Account #570050 Interfund Transfer Capital; and

WHEREAS, the City of Buffalo/Town of Tonawanda Elmwood Avenue Improvements Project as proposed and authorized in Comm. 13E-15 (2021) was deleted in Comm. 9E-17 (2022) and funding was made available to other projects and held in reserve in Fund 110, Funds Center 16200, Account #570050 Interfund Transfer Capital; and

WHEREAS, the Legislature desires that the Erie County Parks - Small Business Park Project, as proposed and authorized in Comm. 13E-15 (2021) be deleted and funding reallocated and any remainder held in reserve for future projects; and

WHEREAS, the Legislature desires that the Ike and BGs Affordable Housing Development Project as proposed and authorized in Comm. 13E-15 (2021) be deleted and funding reallocated; and

WHEREAS, the Erie County Legislature desires to reallocate the aforementioned funding and initiate contracts with related to the below mentioned projects and initiatives.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes \$174,990.30 of RENEW Plan funding originally reserved for the “Town of Cheektowaga Museum Project” in Fund 110, Funds Center 16200, Account #570050 – Interfund Transfer Capital be reallocated as follows:

Amount	Description	Contract Awardee
\$ 10,000.00	Kaleidoscope of WNY Parking Lot	Kaleidoscope of WNY
\$100,000.00	Delta Development of WNY Affordable Housing	Delta Development of WNY
\$ 64,990.30	Niagara Frontier Radio Reading Service	Niagara Frontier Radio Reading Service

SUSPENSION

and be it further

RESOLVED, that authorization is hereby given for \$1,202,500 of RENEW Plan funding originally reserved for the “Erie County – Parks Erie County Small Business Park Project” in Fund 110, Funds Center 16200, Account #570050 – Interfund Transfer Capital be reallocated as follows:

Amount	Description	Contract Awardee
\$1,200,000	T.O.P Enterprises Inc. Mixed Use Project	T.O.P Enterprises Inc. Mixed Use Project
\$ 2,500	Town of Grand Island Law Enforcement Survey	Town of Grand Island

and be it further

RESOLVED, that authorization is hereby given for \$90,000 of RENEW Plan funding originally reserved for the “City of Buffalo/Town of Tonawanda Elmwood Avenue Improvements Project” in Fund 110, Funds Center 16200, Account #570050 – Interfund Transfer Capital to be reallocated as follows:

Amount	Description	Contract Awardee
\$ 1,000	Slow Roll Buffalo KenTon Community Bike Ride	Slow Roll Buffalo
\$ 3,000	Kenmore Village Improvement Society	Kenmore Village Improvement Society
\$ 8,000	Neighbors Foundation Food Pantry	Neighbors Foundation
\$ 7,000	Town of Grand Island Historic Preservation Survey	Town of Grand Island
\$30,000	Kenmore Volunteer Fire Department Floor Replacement	Kenmore Volunteer Fire Department
\$17,000	Town of Tonawanda Pool Liner Replacement	Town of Tonawanda
\$ 5,000	Literacy Buffalo Niagara	Literacy Buffalo Niagara
\$ 5,000	Academy of Human Rights	Academy of Human Rights
\$ 2,000	Niagara Frontier American Legion Post 1041	Niagara Frontier American Legion Post 1041
\$ 5,000	Grand Island American Legion 1346	Grand Island American Legion 1346
\$ 2,000	Grand Island Chamber of Commerce	Grand Island Chamber of Commerce
\$ 5,000	Boys & Girls Club of the Northtowns	Boys & Girls Club of the Northtowns

and be it further

RESOLVED, that authorization is hereby given for \$35,000 of RENEW Plan funding originally reserved for the “Ike and BGs Affordable Housing Development Project” in Fund 110, Funds Center 16200, Account #570050 – Interfund Transfer Capital be reallocated as follows:

SUSPENSION

Amount	Description	Contract Awardee
\$35,000	African American Cultural Center	African American Cultural Center

and be it further

RESOLVED, that authorization is hereby given for the County Executive to enter into contract with all above noted "Contract Awardees" in the amounts indicated; and be it further

RESOLVED, that authorization is hereby given for the County Executive to enter into contract with the Town of Grand Island in the amount of \$1,105,000 for the completion of existing capital project A.21187 – Miracle League (Grand Island) Facility Improvements; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any necessary budgetary adjustments as needed to administer these projects including the creation of subsequent capital projects or general fund accounts; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive's Office; the Comptroller's Office; the Division of Budget and Management; and Department of Environment and Planning.

SUSPENSION

TO: COMPTRROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|-----------------------|--|
| 1. CONTRACTOR'S NAME | <u>Town of Grand Island</u> |
| 2. AMOUNT OF CONTRACT | <u>\$1,105,000.00</u> |
| 3. PROJECT NUMBER | <u>A.21187</u> |
| 4. PROJECT TITLE | <u>Miracle League (Grand Island) Facility
Improvements</u> |
| 5. DEPARTMENT CONTACT | <u>Mark Cornell x2920</u> |

COMPTRROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|-------------------------------|
| 6. AVAILABILITY OF FUNDS | <u>\$ 1,105,000.00</u> |
| 7. PERFORMED BY | <u>Elyse A Hall 5/23/2023</u> |
| Date Sent to Comptroller's Office: | <u>5/22/2023</u> |

[55 compt_10]

SUSPENSION

OFFICE OF THE COMPTROLLER REVIEW

DATE: 5/22/2023

PROJECT TITLE: A.21187 2021 Miracle League Facility Improvements

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE
OF THE PROJECT: YES X NO

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>1,105,000.00</u>
Total Project Appropriations	\$ <u>1,105,000.00</u>
Less: Total Expenditure To Date	\$ <u> -</u>
Less: Total Commitments	\$ <u> -</u>
Available Appropriations As Of Date Of Request	\$ <u>1,105,000.00</u>
Less: Contract Amount	\$ <u>1,105,000.00</u>
Net Available Appropriations	\$ <u> -</u>

Comments: There is \$1,105,000.00 cash in the project.

Request Approved: T. H. C. Kelly

Request Denied: _____

Date: 5/23/23

SUSPENSION

Fund/Group *
 Funds Center *
 Funded Program A.2118? (2021 Miracle League Facility Improvement) (*)

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
486000 Intergovt Rev Subsidy	1,105,000.00-		1,105,000.00-		1,105,000.00-
Revenue	1,105,000.00-		1,105,000.00-		1,105,000.00-
CAPITALPROJECTS CAPITAL PROJECT EXP	1,105,000.00		1,105,000.00		
* Expense	1,105,000.00		1,105,000.00		
** Commitment Item					1,105,000.00-

Capital Trial Balance Date Printed: 05/23/2023 Client:100 Page: 2 of 2
 Fund(s): 400..599 Fiscal Year: 2023 Project(s):A.21187 2021 Miracle League Facility Improvement
 Period: 1 to 5

Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
417000 CASH CONTROL ACCOUNT	1,105,000.00			1,105,000.00
389999 UNRESERVED/UNDESIGNATED FUND BALANCE	1,105,000.00			1,105,000.00
* Balance Sheet	1,105,000.00-			1,105,000.00-
486000 INTERFUND REVENUE SUBSIDY	1,105,000.00-			1,105,000.00-
* Revenues	1,105,000.00-			1,105,000.00-
** Total				

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-35

SHERIFF

Lease Space at 10 Centre Dr., Orchard Park

Attachments

COMM. 11E-35

SUSPENSION

May 24, 2023

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: Erie County Sheriff's Office Warehouse and Office Lease

Dear Honorable Members:

The Erie County Sheriff's Office is requesting authorization for the County of Erie to enter into a lease for warehouse and office space at 10 Centre Drive, Orchard Park, with Twenty-Four Ventures LLC for the purpose of housing the Erie County Sheriff's Office Special Services Division.

Should your Honorable Body require further information, please contact my office. Thank you for your consideration on this matter.

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

SUSPENSION

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Erie County Sheriff's Office warehouse and office lease
Date: May 24, 2023

Summary of Recommended Action

The Erie County Sheriff's Office is requesting authorization for the County of Erie to enter into a lease for warehouse and office space at 10 Centre Drive in the Town of Orchard Park with 13 Centre Drive OPNY LLC for the purpose of housing the Sheriff's Office Special Services Division, Inventory Facility, and secure storage of emergency response equipment.

Fiscal Implications of the Proposal

The leasing of warehouse and office space is substantially less expensive than the County building new space. Necessary funds to cover lease costs will be transferred by approval of the attached resolution and will have no impact on the 2023 County Budget.

Reasons for Recommendation

The Cold War Era nuclear bunker located at Chestnut Ridge Park, currently occupied by the Erie County Sheriff's Office, is being decommissioned by the Erie County Public Works Department.

Background Information

The Erie County Sheriff's Office is required to lease space due to the lack of availability in other County-owned buildings. The Sheriff's Office bunker at Chestnut Ridge is being decommissioned by the Erie County Public Works Department as most of its internal mechanical and structural components are failing, and would not meet current Uniform Building and Fire Code requirements, and it would be extraordinarily expensive to update what is essentially a concrete subsurface vault. This location currently houses the Erie County Sheriff's Special Services Division, Detectives, and all of Special Services' sensitive equipment. A Request-for-Proposals was issued for new space, and the department considered several options. The selected location provided the most suitable location for deployment of emergency responses, and had the highest quality and lowest-priced warehouse space, and competitive pricing for the commercial space, and was chosen for those reasons.

Consequences of Negative Action

The County will not be able to proceed with lease finalization

Steps Following Approval of Measure

Certified copies shall be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Division of Purchasing, the Office of the Comptroller, and the Office of the Sheriff for implementation.

SUSPENSION

A RESOLUTION SUBMITTED BY: ERIE COUNTY SHERIFF'S OFFICE

Re: Erie County Sheriff's Office warehouse and office lease

WHEREAS, the Sheriff's Department has been operating road patrol, emergency command center, evidence rooms, and K-9 units, which service all of Erie County, out of circa 1940 former disaster response shelter commonly known as the "Bunker", which is accessible through Chestnut Ridge Park in the Town of Orchard Park; and

WHEREAS, the continued use of the Bunker presents several habitability and operational concerns in that:

1. It is a subsurface concrete vault out of which approximately 30 Sheriff personnel work without any windows or light shafts, or natural gas service, and which has limited mechanical airflow, and water infiltration problems; and
2. It lacks the ability to provide protected storage for heavier emergency response equipment and thus emergency equipment must be gathered up from several locations when needed; and
3. Rapid responses from the center face initial delays due to the need to exit the structure through a limited access point, and then traverse a heavily utilized park before hitting the public roads; and
4. Sanitary system lines buried beneath the concrete bunker have been failing increasing the stresses to the already concerning working conditions; and
5. Air quality and humidity can threaten ability to preserve documents over time which are required to be held in the evidence room; and
6. Emergency egress from the facility may not meet current Uniform Building and Fire Code requirements; and
7. Conditions at the site are not suitable for meeting with the public; and

WHEREAS the Sheriff's Office is in need of healthier, safer, and more habitable office space, and warehouse space to connect man power with larger high tech equipment, and

WHEREAS a new facility could improve response times, improve workplace conditions, improve emergency service functionality, and also could provide witness interview rooms, space for mandated training of personnel and training space for K-9 units, and

WHEREAS, a Request-for-Proposals was issued for new space by the Department of Public Works, and the Sheriff's Office considered several options; and

WHEREAS, the Sheriff's Office concluded the most suitable and appropriately sized combined warehouse and office space, with the best sited location for a multifunctional Emergency Command Center, with potential for a secure inventory facility, that could house detectives quarters, interview rooms, K-9 units, and oversized emergency response vehicles and equipment, in a centrally located area of the County without restricted access to State and County roads was 13 Centre Drive in the Town of Orchard Park; and

SUSPENSION

WHEREAS, 13 Centre Drive provided the lowest price on warehouse space at (\$5.40 per sq. ft with 4% annual increases, and a competitive commercial space price of \$25.40 per sq. ft with 4% annual increases.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive is authorized to execute a triple net lease on behalf of the Erie County Sheriff's Office with 13 Centre Drive OPNY LLC to procure 22,900 square feet of commercial space, and 23,811 square feet of warehouse space for a base rent cost of \$710,239.40 per year, with a 4 percent increase for an initial term of ten years, and up to two five year renewals subject to subsequent Legislative Body approval before executing said renewals, and be it further

RESOLVED, that the Director of Budget and Management is authorized to transfer \$786,001 in unbudgeted revenue from Fund 110, Funds Center 14010, Account 402250, Gaming Facilities Aid to Fund 110, Funds Center 11510, Account 545000 to facilitate these leases and build-outs; and be it further

RESOLVED, that the Director of Budget and Management is authorized to transfer \$163,999 in unbudgeted cost savings from Fund 110, Funds Center 120, Account 525150, DSH Expense to Fund 110, Funds Center 11510, Account 545000 to facilitate these leases and build-outs; and be it further

RESOLVED, that the Director of Budget and Management is authorized to transfer \$200,000 from Shared Reserve Asset ICE Fund 610, Fund Center 11510, Account #221900 to Fund 110, Fund Center 11510, Account 545000 to facilitate this lease and build-outs; and be it further

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

RESOLVED, that the Director of Budget and Management is authorized to make any necessary fund adjustments to facilitate this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, Erie County Sheriff, Department of Public Works, and the Director of the Division of Budget and Management.

FISCAL impact: as indicated

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-36

SHERIFF

Moose and Deimos K9 Retirement Transfer

Attachments

COMM. 11E-36

SUSPENSION

May 24, 2023

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: K9 Retirement and Transfer

Dear Honorable Members:

The attached resolution requests authorization to retire a K9 and transfer ownership to the handler.

Representatives from the Sheriff's Office will be available to answer any questions.

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

SUSPENSION

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: K9 Retirement and Transfer
Date: May 24, 2023

Summary of Recommended Action

The attached resolution seeks authorization to retire two K9s and transfer the dog's ownership to the current handler for \$1.00.

Fiscal Implications of the Proposal

The transfer of the canine will positively affect the 2023 Budget.

Reasons for Recommendation

The Erie County Sheriff's Office needs authorization to transfer ownership of the canines to the current handler for \$1.00.

Consequences of Negative Action

The Sheriff's Office could not retire the canines and transfer ownership.

Steps Following Approval of Measure

Certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, and the Sheriff's Administration Division for implementation.

SUSPENSION

A RESOLUTION SUBMITTED BY: ERIE COUNTY SHERIFF'S OFFICE

Re: K9 Retirement and Transfer

WHEREAS, the Erie County Sheriff's Office seeks to retire two canines and transfer ownership to the handlers; and

WHEREAS, since the handler/canine relationship is special and unique, it is appropriate to transfer ownership to the handler; and

WHEREAS, the Sheriff's Office, the County, and the Legislature have granted K9 transfers in the past, allowing the dog to remain with the family it has lived with for many years.

NOW, THEREFORE, BE IT

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff's Office to enter into an agreement with Sergeant Randy Ratajczak for the consideration of one (1) U.S. Dollar for the transfer of ownership of Moose; and be it further

RESOLVED, the Sergeant mentioned above shall assume full responsibility for the canine under such agreement and shall further hold the County of Erie and the Erie County Sheriff's Office harmless against any and all liability; be it further

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff's Office to enter into an agreement with Deputy Bradford Ballantyne (retired) for the consideration of one (1) U.S. Dollar for the transfer of ownership of Deimos; and be it further

RESOLVED, Mr. Ballantyne shall assume full responsibility for the canine under such agreement and shall further hold the County of Erie and the Erie County Sheriff's Office harmless against any and all liability; be it further

RESOLVED, Certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, and the Sheriff's Administration Division for implementation.

FISCAL Impact: as indicated

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11M-7 CINDI MCEACHON Resignation Letter - ECCSAB

Attachments

23COMM. 11M-7

SUSPENSION

McCants-Baskin, April

From: Cindi McEachon <cmceachon@peaceprintswny.org>
Sent: Thursday, May 25, 2023 6:26 AM
To: McCants-Baskin, April; Johnson, Howard
Cc: Heath, Nancy; Mulligan, Sean
Subject: ECCSAB Resignation

[**Caution:** this email is **not** from an Erie County employee: attachments or links **may not be safe.**]

Greetings, Chairwoman Baskin,

Please accept this email as notice of my immediate resignation as Chair as well as member of the Erie County Corrections Specialist Advisory Board. It has been an honor to serve this legislative body as both vice chair and chair over the last three and half years.

Cheers,
Cindi

Cindi McEachon
Chief Executive Officer

Peaceprints of WNY
660 Smith Street
Buffalo, NY 14210

www.peaceprintswny.org
[@peaceprintswny](https://www.instagram.com/peaceprintswny)

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-1	DISTRICT ATTORNEY	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
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Attachments

23COMM. 11E-1



OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

JOHN J. FLYNN
DISTRICT ATTORNEY

MICHAEL J. KEANE
FIRST DEPUTY DISTRICT ATTORNEY

May 9, 2023

Honorable Robert Graber
Clerk of the Legislature
92 Franklin Street
Buffalo, NY 14202

Re: Disclosure/Family Members Employed by (any) Government

EC LEG MAY 12 '23 PM 1:19

Dear Clerk Graber,

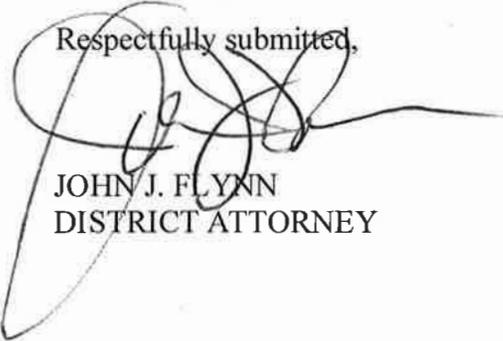
Pursuant to Local Law 2(2018), Section 5c, I am providing a list of family members employed by any government organization:

My wife, Debra Flynn, is a Teacher's Aide in the Ken-Ton School District;

My daughter, Kelsie Flynn, is a Labor Relations Specialist in the Town of Tonawanda Personnel Department.

Please contact me if you have any further questions.

Respectfully submitted,


JOHN J. FLYNN
DISTRICT ATTORNEY

JJF/sc

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-2

MALCZEWSKI

Letter to County Executive Concerning the
Erie County Gender Identity Policy

Attachments

23COMM. 11E-2



EC LEG MAY 12 '23 AM 10:18

ERIE COUNTY LEGISLATURE

HON. JAMES MALCZEWSKI
10TH DISTRICT LEGISLATOR

May 12, 2023

Mark Poloncarz, Erie County Executive
95 Franklin Street-16th Floor
Buffalo, NY 14202

Dear Hon. Mark Poloncarz, Erie County Executive,

I write to you today out of concern about the recently issued Erie County Gender Identity policy, which to the best of my knowledge the Erie County Legislature was not made privy to. I am aware the policy is designed to be directed toward employees, but have concerns that certain aspects may impact the public we serve. I refer specifically to the "Gender-Specific Facilities" section of the policy, which states "*employees shall have access to the restrooms, locker rooms, and other gender-specific facilities corresponding to their gender identity.*" As County Executive, the Department of Buildings and Grounds is under your charge, and they are responsible for the maintenance, upkeep and management of several restroom facilities used by the public.

It is incumbent upon the government to ensure the safety of all its employees and residents. As such have you considered the comfortability level of all current county employees with respect to this new policy? What safeguards are being implemented for those who may have some apprehension about this new directive? Was there consideration given and any consultation had with those in the county workforce who may have issues with this policy and what redress will they have?

Additionally, since this policy was made public by people other than your Administration, I have heard from constituents expressing concern about how the policy might eventually be implemented in county owned, leased or operated public spaces, like parks and libraries.

Erie County's parks are wonderful places for families and individuals to go for walks, hike, cross country ski, snow shoe, bike, and for kids to enjoy the playgrounds. Many organizations and non-profits hold fundraising events, and families enjoy celebrating birthdays, graduations, and other milestones at the shelters in our parks. As I'm sure you know, there are many people who feel a sense of unease about the sharing of these public bathrooms, particularly those with children. It is not unreasonable for parents to not want their child to use a bathroom with someone who, regardless of gender identity or expression, is not of the same biological sex. It would be unfair to discount the concerns of these folks who are also Erie County residents and who are also entitled to protections and safety measures.

Because of this I would like the Administration to provide for me what measures you will be taking to ensure safety and privacy for our county workforce, and limit risk of improper exposure in restrooms for those not comfortable with this new policy. In addition, what steps has your Administration taken to explain and promote this new Gender Identity Policy to county employees? Are there plans to expand this new policy to other county owned facilities? Any policy change with respect to those facilities should require approval by the Erie County Legislature. Again, as publicly funded spaces, it is only fair and proper to also address the concerns of those who take issue with this policy.

I look forward to your prompt response.

Sincerely,



Jim Malczewski
Erie County Legislator, 10th District

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-3

COUNTY CLERK

Erie County Clerk's Office - Annual Report
2022

Attachments

23COMM. 11E-3



EC LEG MAY 9 '23 PM 1:39

COUNTY OF ERIE
MICHAEL P. KEARNS
ERIE COUNTY CLERK

April 28, 2023

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

Re: Erie County Clerk's Office – Annual Report 2022

Dear Chairwoman Baskin:

I am proud to present this Honorable Body with the Erie County Clerk's Annual Report for 2022.

Since taking office in 2017, my top priority for the Erie County Clerk's Office has continued to be ensuring a safe and healthy workplace for our employees and customers. As an office, we remain committed to ensuring that our services are accessible to all county residents and businesses and to finding ways to deliver our services more efficiently and cost-effectively.

It was a busy year for the County Clerk's Office. We processed \$156 million in transactions and generated a \$4.7 million surplus. Those surplus funds were transferred into the County's general fund to support vital services countywide.

Moving forward, federal REAL ID requirements, which were to take effect its May 3rd, 2023, will now become effective May 7th, 2025. Once the federal REAL ID requirements take effect all driver's licenses and non-driver identification cards must meet federal REAL ID standards to be used for domestic air travel and entering certain federal facilities. Erie County Auto Bureaus are expecting an increased customer volume as people rush to comply with the federal guidelines as the deadline to comply draws nearer. Servicing more customers than normal will be challenging but also provide an opportunity for generating increased revenues. The County Clerk's Office has been preparing for this by conducting an on-going campaign to educate the public about REAL ID requirements and encourage people to obtain REAL ID compliant identification from one of our Erie County Auto Bureaus in advance of the deadline.

The New York State Department of Motor Vehicles (NYS DMV) continues to expand the number of online services available through their website, which could lead to more people transacting their business remotely with NYS DMV rather than in person at Erie County Auto Bureaus. In recognition of this, the Erie County Clerk's Office has been conducting a "Renew Local" campaign. The campaign aims to educate local residents and businesses that when they conduct their DMV business through an Erie County Auto Bureau they are also

ensuring that 12.7% of the revenue from their transaction will remain here in Erie County. Additionally, our office began processing in-office bulk mail renewal transactions for New York State, which resulted in nearly 50,000 additional transactions. These transactions were previously processed by NYS, with Erie County not receiving any revenue. The County Clerk's Office has also implemented strategies designed to enhance customer service at County Auto Bureaus such as extending business hours, streamlining transactions for high-volume customers, and ensuring employees are available to provide guidance, answer questions, and, if necessary, contact NYS DMV on behalf of customers in real time.

The Erie County Clerk's Office will face new challenges in 2023 and beyond. Residents and businesses can rest assured however that through strategic planning, willingness to embrace change and the unwavering dedication, hard work, and professionalism of our employees the County Clerk's Office remains well-positioned for success. We are always looking for ways to become more efficient and provide a better customer service experience and will continue to evaluate our internal processes and procedures in 2023.

In closing, I want to thank all of our government partners for their continued support and once again commend the employees of the Clerk's Office for their professionalism and unwavering commitment to serving the residents and businesses of Erie County during difficult times.

Sincerely,



MICHAEL P. KEARNS
Erie County Clerk



Annual
Report

2022

"Driving Erie County Forward"

MICHAEL P. KEARNS
Erie County Clerk

Your Business Office in Buffalo & Erie County



1905

ERIE COUNTY CLERK'S OFFICE

The Erie County Clerk is an independently elected official responsible for recording, filing and maintaining a central repository of legal documents and records relating to property titles (including land and real estate transactions), corporate filings, assumed names, and, as Clerk of the Supreme and County Courts, all court pleadings and papers. Responsibility for maintaining all court records was transferred to the County Clerk from the State Court System in 1986 and responsibility for processing pistol permits and maintaining those records was transferred to the County Clerk from the State Court System in 1987. The County Clerk carries out his duties pursuant to the laws of the State of New York and the Erie County Charter and Administrative Code.

The County Clerk, as agent for the State Department of Motor Vehicles, also manages and staffs the Erie County Auto Bureau, which has a separate budget from the Registrar Division. The County Clerk oversees the operations of Erie County Auto Bureau branches and of a Mobile Unit that serves different locations on a weekly schedule.

The fees charged by the Erie County Clerk's Office are mandated by New York State and local laws. The Erie County Clerk's Office generates revenue primarily from recording, filing and processing legal documents, and by providing services that include copying and certifying public records maintained in the County Clerk's Office. As an agent of New York State, the County Clerk's Office collects mortgage and real estate transfer taxes that are later apportioned between the State, State agencies, Erie County and the cities, towns and villages located within the County. Recording fees, filing fees, licensing fees, criminal surcharges and fines paid to the County Clerk are later divided among State agencies including the NYS Department of Education, NYS Department of Finance, NYS Department of Motor Vehicles, the State of New York Mortgage Agency (SONYMA), the NYS Unified Court System and the Niagara Frontier Transportation Agency (NFTA). Expenses, administrative costs and costs of complying with New York State document and record retention requirements are paid for through the Erie County general fund, which is also where revenues collected by the Erie County Clerk's Office are deposited.

HISTORICAL REVENUE ACCOMPLISHMENTS

- Generated a \$4.7 million surplus in 2022, marking the 5th consecutive year that the County Clerk's Office generated a surplus under the Kearns administration;
- Provided almost \$23 million in mortgage taxes to the City of Buffalo since 2018;
- Generated over \$86 million for the County Road fund since 2018;
- Collected \$239 million in mortgage taxes since 2018, which is distributed to local municipalities;
- Provided in excess of \$102 million in mortgage taxes to the NFTA since 2018;
- Collected \$166 million in transfer taxes since 2018;
- Processed over 173,000 Pistol Permit Office transactions since 2018;
- Sold 2,699 E-ZPass units since 2018.

ACCOMPLISHMENTS IN 2022

FINANCIAL

In 2022, the Erie County Clerk's Office:

- Processed more than \$156 million in transactions;
- Generated a \$4.7 million revenue surplus, which was transferred into Erie County's general fund and supports county services;
- Generated \$21.7 million for the County Road fund;
- Accepted 993 passport applications at both the Clerk's Outreach Center and Old County Hall and generated \$34,755 in revenue through execution fees.

AUTO BUREAU

In 2022, the Erie County Clerk's Office:

- Opened a new location in Derby to serve the Town of Evans and surrounding Southtown communities in May 2022, replacing the former Evans Town Hall location, in order to better accommodate the volume of business being conducted;
- Returned the Mobile Unit to the Grand Island Town Hall in May, 2022, followed by Merriweather Library in June, 2022, and the Springville Senior Center in September, 2022. Our Mobile Unit brings the Auto Bureau services to residents of Erie County for whom travel to an Auto Bureau branch may pose a challenge;
- In a continued effort to "right-size" Auto Bureau operations, the Cheektowaga office is undergoing renovations with plans of re-opening in the first half of 2023;
- Processed over 57,000 auto dealer transactions in our dedicated Dealer Division. Opening the Dealer Vision adjacent to our Southgate Plaza office has allowed the Auto Bureau to drastically reduce the processing time by 83% for our local dealer partners;

- Registered 196,000 organ donors since 2018 with our community partners: Donate Life New York State and Connect Life, WNY's only community blood bank and federally designated not-for-profit organ procurement organization;
- Continued to encourage customers to make reservations for in-person transactions, while accommodating walk-in transactions.

PISTOL PERMIT OFFICE

In 2022, the Erie County Clerk's Office:

- Reopened the Elma Pistol Permit Satellite Office;
- Continued to streamline workflow processes to better accommodate increased customer volumes while improving customer service;
- Examined ways to implement and utilize a new "Dealer Portal" for the Pistol Permit Office, similar to the Auto Bureau Dealer Division, and we are continuing to study the feasibility of implementing this type of service in light of recent NYS gun law changes;
- Continued to scan and digitize older paper-based documents to preserve these records and allow for more efficient processing of requests involving these records.

VETERANS SERVICES

In 2022, the Erie County Clerk's Office continued our S.A.L.U.T.E.S. initiative (Showing Appreciation, Loyalty and Unity Towards Erie County Service Members) and:

- Continued enrolling armed service veterans in our Thank-A-Vet Discount Card Program;
- Continued to provide S.A.L.U.T.E.S. services through the Clerk's Outreach Center;
- Continued to collect new nominations for the County Clerk's William J. Donovan Purple Heart Book of Merit, which now honors over 500 Erie County veterans and is publicly displayed in Old Erie County Hall;
- Celebrated Purple Heart Day by holding a ceremony at Old County Hall where veterans were added to the Book of Merit;
- Continued our partnership with Veterans Post Restoration of Erie County NY, Inc. to support their mission of repairing and upgrading veterans' posts, bringing them into compliance with the Americans with Disabilities Act and ensuring their future for our next generation of armed service members.

TECHNOLOGY

In 2022, the Erie County Clerk's Office:

- Developed the Help Desk Ticketing System in an effort to provide better communication with our customers;
- Developed pistol permit application tracking for customers;
- Acquired a new map scanner and printer;

- Modernized the Clerk's Conference Room by implementing video conferencing which has enhanced our ability to collaborate with our governmental and community partners;
- Continued to digitize old records to preserve vital records for the future;
- Upgraded employee workstations to improve productivity;
- Finalized policy and procedures for a soon to be implemented Property Alert Service.

ERIE COUNTY CLERK'S ZOMBIES INITIATIVE & TASK FORCE

Since being launched by County Clerk Kearns:

- The ZOMBIES Initiative has partnered with the Western New York Law Center, Belmont Housing Resources for WNY, the New York State Department of Financial Services, OCWEN, M&T Bank, Hunt Real Estate, Buffalo Urban League, the Center for Elder Law & Justice, Legal Aid Bureau of Buffalo, Inc., and numerous local municipalities to combat zombie property issues throughout Erie County;
- The ZOMBIES Taskforce conducted research in 2022 on over 400 additional vacant and abandoned properties, which contributed to at least one quarter of those properties being brought back into property code compliance and/or having the deed of title transferred to a new owner;
- The ZOMBIES Taskforce collected hundreds of complaints from concerned County residents about problem properties and directed that information to the New York State Department of Financial Services (DFS), contributing to numerous properties being brought into property code compliance;
- The Erie County ZOMBIES Initiative has collaborated with and advised supervisors, mayors, code enforcement officers, clerks, municipal attorneys, and town and village boards from nearly every municipality in Erie County regarding New York State's zombie property and foreclosure laws;
- The ZOMBIES Taskforce has met with individual homeowners who have fallen behind on their mortgages to ensure they are advised of their right to stay in their home until a foreclosure action has been completed and link them with free services available to help them explore options for securing a forbearance, loan modification or repayment plan from their mortgage lender;
- The ZOMBIES Taskforce has additionally educated homeowners of their right to stay in their homes through Stay in Your Home informational billboards, as well as through outreach of community events like the Erie County Fair to distribute information and resources;
- The ZOMBIES Initiative has been widely covered by the media and the ZOMBIES Taskforce has created a website and Facebook page to allow people to report specific vacant and abandoned properties that are problems in their neighborhoods;
- The ZOMBIES Taskforce has held quarterly meetings as well as sub-committee meetings to provide a venue for representatives from municipalities, legislator's offices, nonprofits, real estate agencies, businesses and banks to discuss New York State's zombie property and foreclosure laws and work collaboratively to develop new enforcement strategies, policies, and legislation for dealing with problem properties;

- The ZOMBIES Taskforce has been holding roundtable discussions with municipal code enforcement officers to provide an opportunity to share information, collaborate, and discuss ongoing issues in individual municipalities and how to address them;
- The ZOMBIES Initiative launched the “Good Neighbor Project” to hold out-of-town mortgage servicers to the same standards as local homeowners. OCWEN Financial Corp became our first partner in the new project and they continue to participate and collaborate with the ZOMBIES Initiative and the Western New York Law Center to ensure the properties they service are code compliant;
- The ZOMBIES Taskforce has notified the Attorney General’s Office of potential housing related scams to protect local residents and homeowners;
- The Western New York Law Center, as a part of the ZOMBIES Taskforce, successfully settled a lawsuit, on behalf of an Erie County municipality, against a mortgage servicer for a substantial amount of money due to the servicer failing to maintain a vacant property. As a result, the property was brought into compliance with local code.

CONSTITUENT COMMUNICATION

In 2022, the County Clerk’s Office continued to focus on expanding the variety of services we offer throughout Erie County, especially in minority and underserved neighborhoods in East Buffalo.

- Continued to broadcast “Catching Up with the Clerk” episodes on a cable TV channel in the City of Buffalo to keep local residents informed of the many services we offer;
- Continued to communicate with constituents through social media sites including Instagram, Twitter, Facebook, and YouTube. The County Clerk can be found at:

Instagram: @mickey.kearns

Twitter: @ErieCountyClerk

Facebook: @ErieCountyClerkMickeyKearns

YouTube: Erie County Clerk Michael P. Kearns

CLERK ON THE GO

In 2022, the Erie County Clerk’s Office:

- Served approximately 18,000 constituents through Clerk on the Go;
- Brought Clerk on the Go services to outreach events including the Taste of Orchard Park, a Veterans Appreciation event in Hamburg, a Buffalo Stand Down event at Sahlen’s Field, Clarence Health and Wellness events, the Erie County Fair, and events at the Amherst Senior Center, Orchard Park Senior Center, and Akron Senior Center;

- Received Erie County Legislature approval to accept a donation from Lamar Advertising of two billboards through 2022 as well as approval of a marketing budget. These billboards are expected to create over 5,000,000 “impressions” per week while advertising Clerk on the Go services and upcoming REAL ID requirements in 38 locations in the city of Buffalo and Erie County.

COUNTY CLERK'S OUTREACH CENTER

Traffic inside the Clerk's Outreach Center has more than doubled with passport services driving much of that volume. The Clerk's Outreach Center also functions as a full accessible point of contact by phone for the Erie County Auto Bureau. Employees of the Clerk's Outreach Center triage all Auto Bureau related calls and direct callers to Auto Bureau personnel who can assist them.

In 2022, the County Clerk's Outreach Center:

- Scheduled approximately 11,000 appointments, and provided an additional 2,900 customers with Erie County Auto Bureau information by in 2022;
- Processed 669 new passports, provided renewal assistance for 461 passports, and took 905 passport photos;
- Administered the Clerk's Thank-A-Vet Program and processed 284 Thank-A-Vet Discount Card applications;
- Provided in-person assistance for various services (including the Thank-A-Vet Program and passport services) to 1,673 customers;
- Processed 833 pistol permit applications;
- Took in \$32,455 in fees for providing photo and passport services;
- Offered expanded business hours, including on Saturdays and Thursday evenings;
- For the first time, provided passport and Outreach Center services were provided after business hours without the need for customers to schedule an appointment.

REVENUES IN 2022

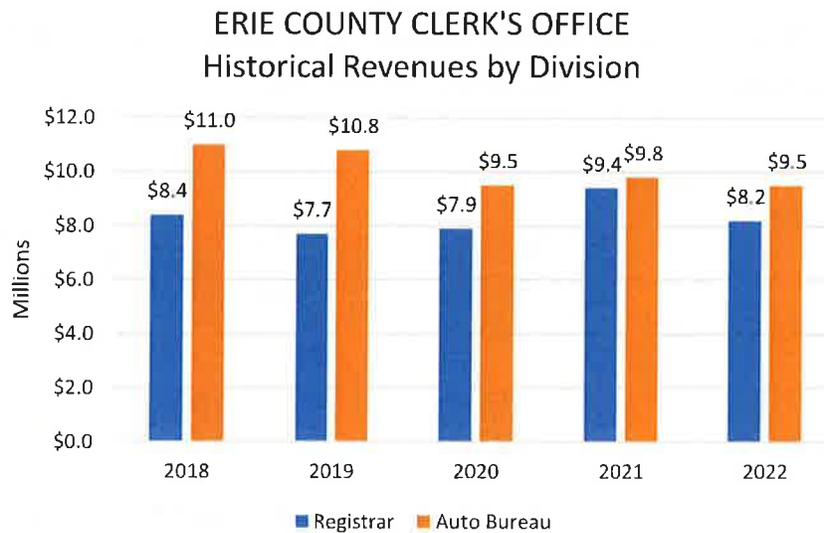
In 2022, the County Clerk's Office generated overall revenue of almost \$18 million from the Registrar Division and the Auto Bureau, which allowed the Clerk's Office to provide \$4.7 million to the County's general fund and thus offset the need for the County to seek funding from taxpayer contributions.

Overall, the Clerk's Office spent less money than it was budgeted and generated a \$4.7 million-dollar surplus. This marks the 5th consecutive year of a surplus under the Kearns administration.

ERIE COUNTY CLERK'S OFFICE	
2022 Revenues Summary	
Registrar	
Revenues	\$8,217,274.00
Expenses	\$5,556,355.00
Surplus	\$2,660,919.00
Auto Bureau	
Revenues	\$9,593,272.59
Expenses	\$7,501,033.47
Surplus	\$2,092,239.12
Clerk's Office Total	
Revenues	\$17,810,546.00
Expenses	\$13,057,388.47
Surplus	\$4,753,157.53

HISTORICAL REVENUES IN REVIEW

Revenues from the Registrar Division and the Auto Bureau remained positive in 2022, with the County Clerk's Office opening a new Auto Bureau location in Derby and re-opening the Mobile Unit, which currently serves Grand Island, East Buffalo, and Springville.



HISTORICAL RECEIPTS IN REVIEW

The \$18 million in revenue generated by the Registrar Division and Auto Bureau represent only a portion of the total receipts of the County Clerk's Office in 2022. The Registrar Division handled \$114 million in transactions and the

Auto Bureau handled \$43 million in transactions, for a total of \$156 million in receipts in 2022. Those receipts are distributed monthly to agencies including the NYS Department of Motor Vehicles (DMV), NYS Department of Taxation and Finance, Niagara Frontier Transportation Authority (NFTA) and various local towns, cities, and villages. The County Clerk’s Office has generated \$745 million in receipts during the last 5 years.

**ERIE COUNTY CLERK'S OFFICE
Historical Receipts**



EMPLOYEE PRODUCTIVITY IN 2022

In 2022, the equivalent of 129 full-time employees worked in the County Clerk’s Office, with 60 employees working in the Registrar Division and 69 employees in the Auto Bureau. Full-time employees of the County Clerk’s Office completed over 670,000 transactions in 2022, which is an average of 5,205 transactions per full-time employee. Each full-time employee processed an average of \$138,066 in revenue 2022.

**ERIE COUNTY CLERK'S OFFICE
2022 Employee Production**

	Registrar	Auto Bureau	Office
Full Time Equivalents (FTE)	60	69	129
Transactions	196,531	474,968	671,499
Transactions per FTE	3,276	6,884	5,205
Receipts	\$113,647,314	\$42,660,757	\$156,308,071
Receipts per FTE	\$1,894,121	\$618,272	\$1,211,690
Revenues	\$8,217,274	\$9,593,272	\$17,810,546
Revenues per FTE	\$136,955	\$139,033	\$138,066

REGISTRAR DIVISION

The Registrar Division is responsible for recording, filing and maintaining records relating to land transactions or affecting title to real estate, corporations, assumed name certificates, court papers, and Uniform Commercial Code filings affecting title to real property. It provides a central repository for legal documents that require recording or filing, as well for those documents requested to be filed but which are not necessarily required to be filed with the County Clerk's Office. Once a document or record is accepted by the Registrar Division, the Registrar Division becomes responsible for maintaining that record as required by State and local laws.

As Clerk of the Supreme and County Courts in Erie County, the County Clerk is responsible for filing and maintaining all court records of the New York State Supreme and County Courts in accordance with State laws and regulations of the Administrative Office of the Unified Court System. This responsibility was transferred to the County from the State Court System in 1986. In addition, the County Clerk is responsible for certain duties set forth in the New York Civil Procedure Law and Rules, which include granting of default judgments.

Responsibility for the processing of pistol permits and administration of pistol permit application files was transferred to the County Clerk from the State Court System in 1987. The Registrar Division accepts and processes pistol permits as well as hunting and fishing licenses through the County Clerk's Pistol Permit Office.

All revenues connected with operations of the Registrar Division are derived from mandatory fees collected for recording, processing and filing legal documents and records and from issuance of licenses and permits. Mortgage and Real Property Transfer Taxes are also collected by the Registrar Division, which are then distributed to various State and local agencies.

PROGRAM AND SERVICE OBJECTIVES

The Erie County Clerk's Office's Registrar Division is responsible for:

- Recording and filing documents required or entitled to be filed under New York State law, including deeds, mortgages, powers of attorney, certificates of incorporation, certificates of partnership, doing business under an assumed name, liens, real estate brokers entitlements to commissions, bail bond liens, local laws, wage assignments and pistol permits;
- Providing efficient, effective customer service to taxpayers and residents of Erie County;
- Providing access and assistance to the public for inspection of all filings and recordings;
- Recording all judgments entered in Erie County and New York State Supreme Court and maintaining the current status of judgment records;
- Processing all court papers submitted for civil actions and proceedings, and for criminal cases on appeal;
- Administering the processing of pistol permit applications, issuing pistol permits upon the direction of the Erie County Pistol Permit Licensing Officer and maintaining existing pistol permit files;
- Serving as an agent of New York State by selling hunting and fishing licenses, collecting mortgage taxes, real property transfer taxes and capital gains taxes, and collecting court fees;

- Issuing certificates, exemplifications, certified copies, executions against real and personal property and notary public commissions;
- Serving as an agent for the federal government by administering declarations of intent for individuals seeking U.S. citizenship and accepting United States passport applications and forwarding them to the U.S. Department of State;
- Administering and filing oaths of public officials, notaries public and commissioners of deeds;
- Properly collecting, recording, depositing and monitoring all fees and taxes collected, and assuring they are distributed as required by law, regulations or agreements.

CORPORATION AND DBA FILINGS

In 2022, there were approximately 5,818 Corporate and DBA filings with the County Clerk's Office.

Over the last five years, there have been almost 30,000 business filings in Erie County.

ERIE COUNTY CLERK'S OFFICE DBA & Corporation Filings

	2018	2019	2020*	2021	2022
Corporations	2,773	2,631	2,011	1,817	2,727
DBA	3,409	3,335	2,760	3,900	2,889
DBA Discontinuance	344	277	210	209	202
Total	6,526	6,243	4,981	5,926	5,818
<i>Annual Growth</i>		-4.3%	-20.2%	19.0%	-1.8%

*Lower than formal filings directly attributable to the COVID-19 pandemic

INDEX NUMBERS AND COURT FILINGS

ERIE COUNTY CLERK'S OFFICE Actions & Proceedings

	2018	2019	2020	2021	2022
Small Claims	70	36	17	30	32
Paper Filings	141	167	87	61	63
Scanned Foreclosures	245	155	20	-	1
Mental Hygiene	339	334	775	-	0
Scanned Filings	424	458	249	421	408
E-File Foreclosures	962	787	301	182	496
Sealed Files	2,827	2,706	3,298	386	301
E-File	12,639	13,137	13,498	14,445	11,758
ERPO Index #'s					114*
Total	17,647	17,780	18,245	15,525	13,173
<i>Annual Growth</i>		0.8%	2.6%	-14.9%	-16%

*Extreme Risk Protection Order is a new category for 2022, hence there are no prior filings

JUDGMENTS AND LIENS

ERIE COUNTY CLERK'S OFFICE Judgments & Liens

	2018	2019	2020	2021	2022
Judgments	41,017	35,243	17,327	16,961	30,405
Liens	3,194	2,965	2,084	1,929	2,281
Satisfaction of Judgment	30,937	57,724	28,381	26,580	22,175
Total	75,148	95,932	47,792	45,470	54,861
Annual Growth		27.7%	-50.2%	-4.9%	19%

NOTARY PUBLIC & COMMISSIONER OF DEEDS

On behalf of New York State, the County Clerk's Office processes both new applications and renewal applications for Notaries Public and Commissioners of Deeds. Certification for a Commissioner of Deeds is valid for as long as two years, with all certifications expiring on December 31st of even numbered years. Certification for a Notary Public is valid for four years, with all certifications expiring four years after the certification date.

ERIE COUNTY CLERK'S OFFICE Notary Public & Commissioner of Deeds

	2018	2019	2020	2021	2022
Notary	609	577	420	614	601
Notary Renewals	4,456	3,217	1,274	2,850	3,918
Commissioner of Deeds	1,356	347	1,078	360	1,111
Total	6,421	4,141	2,772	3,824	5,630
Annual Growth		-35.5%	-33.1%	38.0%	38%

DEEDS & MORTGAGE FILINGS

All real estate transactions, including deed and mortgage filings, are filed through the County Clerk's Office. The table below shows that the County Clerk recorded approximately 85,136 real estate transactions in 2022. The two graphs that follow show new mortgages and deeds recorded by the County Clerk over the last four years.

ERIE COUNTY CLERK'S OFFICE Deeds & Mortgage Filings

	2018	2019	2020	2021	2022
Deeds	24,886	24,290	21,673	25,741	24,428
Mortgages	25,220	24,676	27,889	34,754	27,447
Mortgage Release & Discharge	27,527	25,809	29,499	36,779	27,484
Other Mortgage Filings	5,661	5,433	6,022	7,666	5,777
Total	83,294	80,208	85,083	104,940	85,136
Annual Growth		-3.7%	6.1%	23.3%	-20%

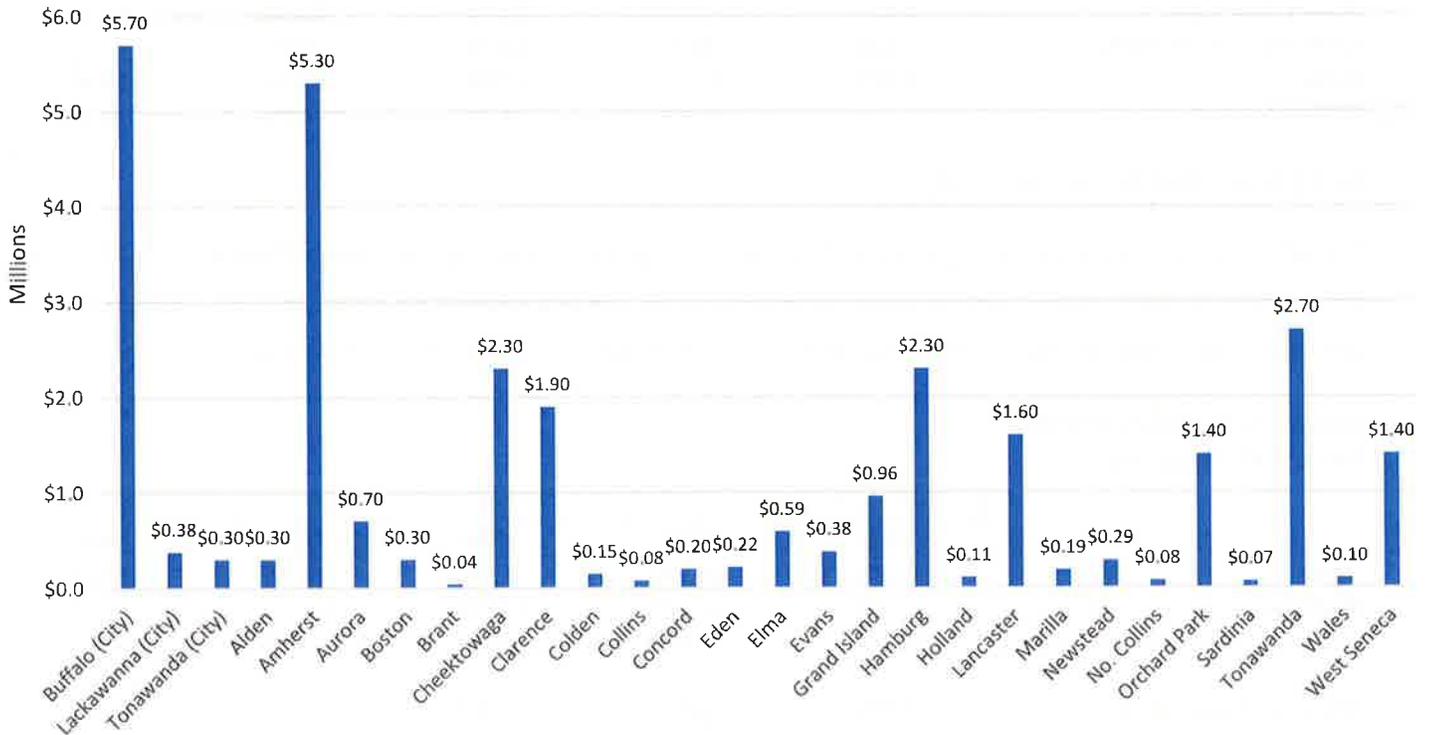
MORTGAGE TAX

Since 2018 a total of \$239 million in mortgage taxes has been collected by the Erie County Clerk's Office. In 2022, \$55 million in mortgage taxes were collected. Of that \$55 million, \$27.8 million was distributed to local cities and towns, \$23 million to the Niagara Frontier Transit Authority (NFTA) and \$4 million to the State of New York Mortgage Agency (SONYMA). Since 2018, the Erie County Clerk's Office has provided mortgage tax distribution in excess of \$102 million to the NFTA.

Erie County Clerk's Office Mortgage Tax Distribution

	2018	2019	2020	2021	2022
Basic Tax	\$19,311,000	\$20,506,000	\$24,063,000	\$30,353,000	\$27,829,746
NFTA	\$15,652,000	\$16,733,000	\$20,921,000	\$26,069,000	\$23,120,509
SONYMA	\$2,723,000	\$2,560,000	\$2,243,000	\$2,889,000	\$4,093,511
Total	\$37,686,000	\$39,799,000	\$47,227,000	\$59,311,000	\$55,043,766

Distribution of Mortgage Taxes
April 2021-March 2022



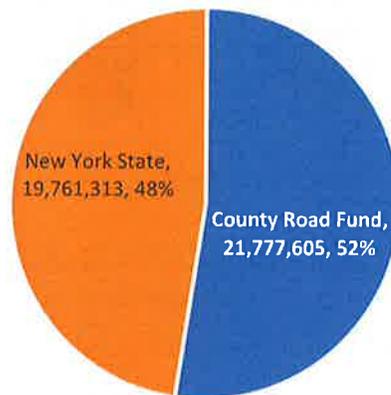
TRANSFER TAX

In 2022, the County Clerk collected 8% more in transfer taxes than in 2021. For every \$500 of a property's recorded deed sale price, the County Clerk's Office collects \$4.50, of which \$2.00 is transferred to New York State and \$2.50 is transferred to Erie County's Road Fund. Over the last five years, the County Clerk's Office has collected over \$86 million for the County's Road Fund.

Erie County Clerk's Office Transfer Taxes

	2018	2019	2020	2021	2022
New York State	\$13,414,590	\$14,217,116	\$13,666,473	\$18,463,987	\$19,761,313
County Road Fund	\$14,951,863	\$15,344,460	\$14,427,229	\$19,823,770	\$21,777,605
Total	\$28,366,000	\$29,562,000	\$28,094,000	\$38,288,000	\$41,538,918
		4%	-5%	36%	8%

Transfer Taxes 2022 Collections



PISTOL PERMIT OFFICE

The Pistol Permit Office issues pistol permits and dealer permits, registers new gun purchases, and processes transfers involving ownership and county residence. The Pistol Permit Office additionally issues hunting and fishing licenses. Our Office works cooperatively with the Erie County Sheriff's Office and Erie County Pistol Permit Licensing Officer Judge Boller.

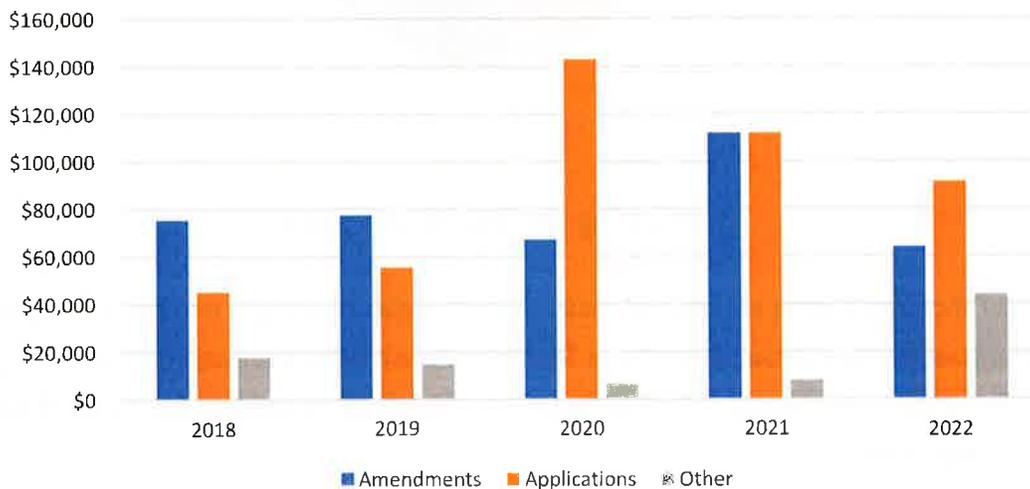
Prior to COVID-19, an application for a pistol permit could only be filed in person by appointment. During the COVID19 pandemic however, we were only able to accept mailed applications, which has led to a larger number of

pistol permit applications being filed with our office. The Pistol Permits Office processed 43,681 transactions and generated \$199,361 in revenue in 2022. Overall, transactions relating to pistol permit applications and amendments increased by 2.4% in 2022. A fee of \$5 or less is charged to amend a pistol permit, whereas a fee of \$20 is charged to apply for a Pistol Permit.

Pistol Permit Annual Transactions					
	2018	2019	2020	2021	2022
Amendments	24,262	24,498	22,500	36,273	21,306
Applications	2,241	2,750	7,177	5,627	4,575
Other	1,570	1,318	591	763	17,800
Total	28,073	28,566	30,268	42,663	43,681
<i>Annual Growth</i>		1.8%	6.0%	41.0%	2.4%

Pistol Permit Annual Revenue					
	2018	2019	2020	2021	2022
Amendments	\$75,344	\$77,334	\$67,000	\$111,881	\$63,918
Applications	\$45,130	\$55,420	\$143,000	\$111,875	\$91,500
Other	\$17,668	\$14,688	\$6,666	\$8,114	\$43,943
Total	\$138,142	\$147,442	\$216,666	\$231,870	\$199,361
<i>Annual Growth</i>		6.7%	46.9%	7.0%	-15%

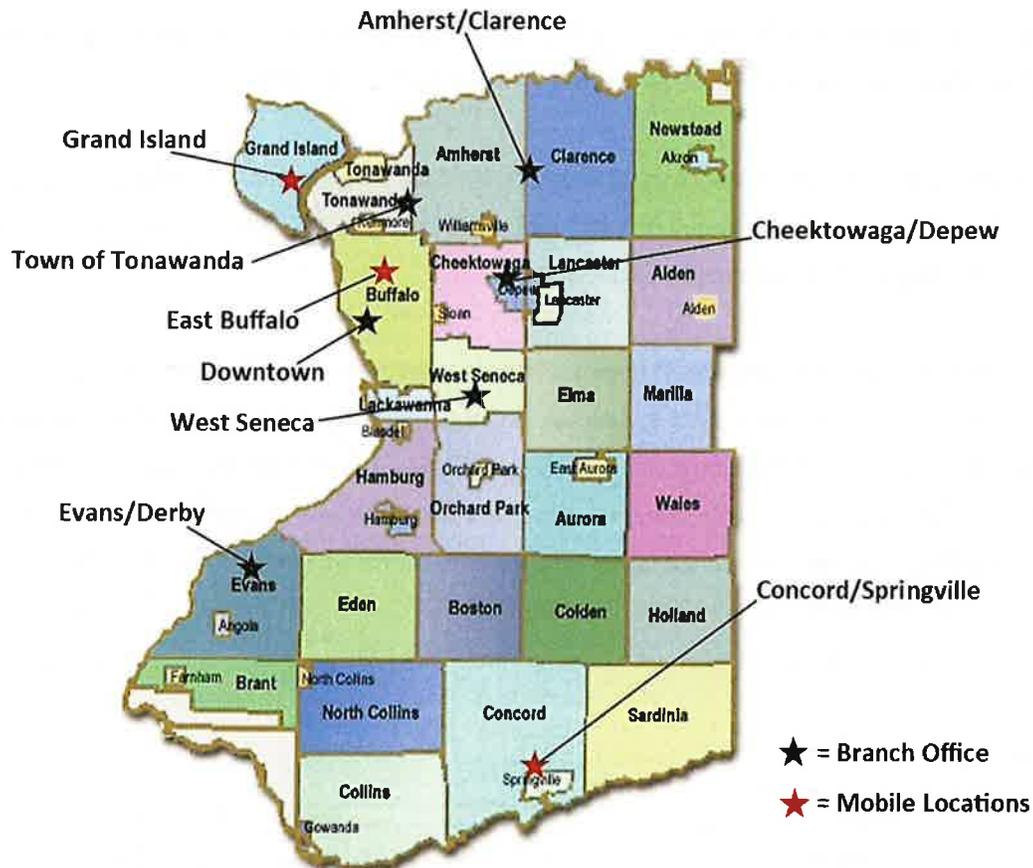
Pistol Permit Office Transactions
2019-2022 Revenue



ERIE COUNTY AUTO BUREAU

The Erie County Auto Bureau acts as an agent for the New York State Department of Motor Vehicles to receive and process motor vehicle applications, to issue vehicle registrations, driver's licenses and enhanced driver's licenses, to handle financial security transactions, and to enforce Driving While Intoxicated (DWI) sanctions in accordance with the Vehicle and Traffic Laws of New York State. The County Auto Bureaus also issue NYS non-driver photo identification and issue registrations for boats, motorcycles, snowmobiles and trailers. Additional responsibilities of the County Bureaus include the collection and monitoring of all fees related to issuing auto registrations and driver's licenses and sales taxes collected from the private sale of automobiles.

The Auto Bureau has full-service offices in Buffalo, Cheektowaga, Tonawanda, Clarence, West Seneca, and Evans. Additionally, the Auto Bureau's Mobile Unit offered services in the following towns one day a week - Grand Island, Concord and on Jefferson Ave. in East Buffalo at the Frank E. Merriweather, Jr. Branch Library.



REVENUES

ERIE COUNTY CLERK'S OFFICE 2022 Auto Bureau Revenues Summary

Revenues	
Vehicle Use Tax	\$4,222,463.61
Auto Fees	\$5,370,808.98
Total Revenues	\$9,593,272.59
Total Expenses	\$7,501,033.47
Auto Bureau Surplus	\$2,092,239.12

The Auto Bureau retains a portion of transaction fees it collects and keeps 12.7% of fees collected from registering vehicles, issuing permits, issuing driver's licenses and non-driver identification cards, and processing miscellaneous transactions.

The Erie County Auto Bureau generated nearly \$9.5 million in revenues for Erie County from processing over 474,000 transactions. Auto Fee revenues also include revenue shared by the State with Erie County for transactions completed online through the State's DMV website. Pursuant to the current revenue sharing agreement, Erie County retains 3.25% of all online revenues which exceed the threshold of \$11,999,580.

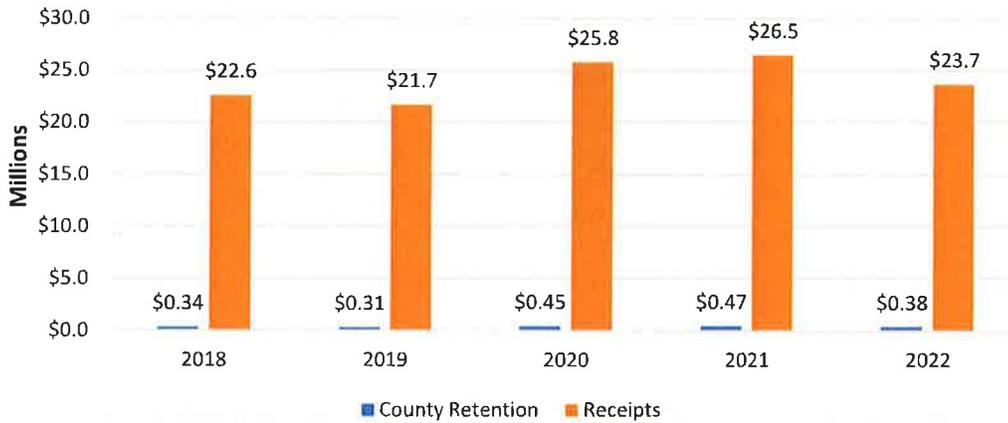
The number of online transactions made through the NYS DMV website increased in both 2020 and 2021. Over the last four years, Erie County residents completed \$97 million in transactions with NYS DMV online, which translates to potentially \$11 million in lost revenue for Erie County.

Competition from NYS DMV online services is one reason why aggressive advertising and our Renew Local campaign is vital. In outreach to DMV customers, the Renew Local campaign aims to educate local residents and businesses that when they conduct their DMV business through an Erie County Auto Bureau they can help ensure that 12.7% of the revenue from their transaction will remain in Erie County. The County Clerk's Office has also implemented strategies designed to provide a better customer service experience at County Auto Bureaus, such as extending business hours, streamlining transactions for high-volume customers, and ensuring employees are available to provide guidance, answer questions and, if necessary, contact NYS DMV on behalf of customers in real time.

ERIE COUNTY AUTO BUREAU Historical Internet Shared Revenues

	2018	2019	2020	2021	2022	4 Year Total
Threshold	\$11,998,583	\$11,998,583	\$11,998,583	\$11,998,583	\$11,998,583	
Annual Receipts	\$22,613,766	\$21,687,667	\$25,779,534	\$26,504,178	\$23,736,464	\$97,707,843
Shared Revenues	\$344,993	\$314,895	\$447,881	\$471,431	\$381,481	\$1,615,688
Lost Opportunity	\$2,526,955	\$2,439,438	\$2,826,120	\$2,894,599	\$2,633,050	\$10,793,207
		-4.1%	18.9%	2.8%	-9%	

Erie County Auto Bureau Historical Online Receipts & County Retention

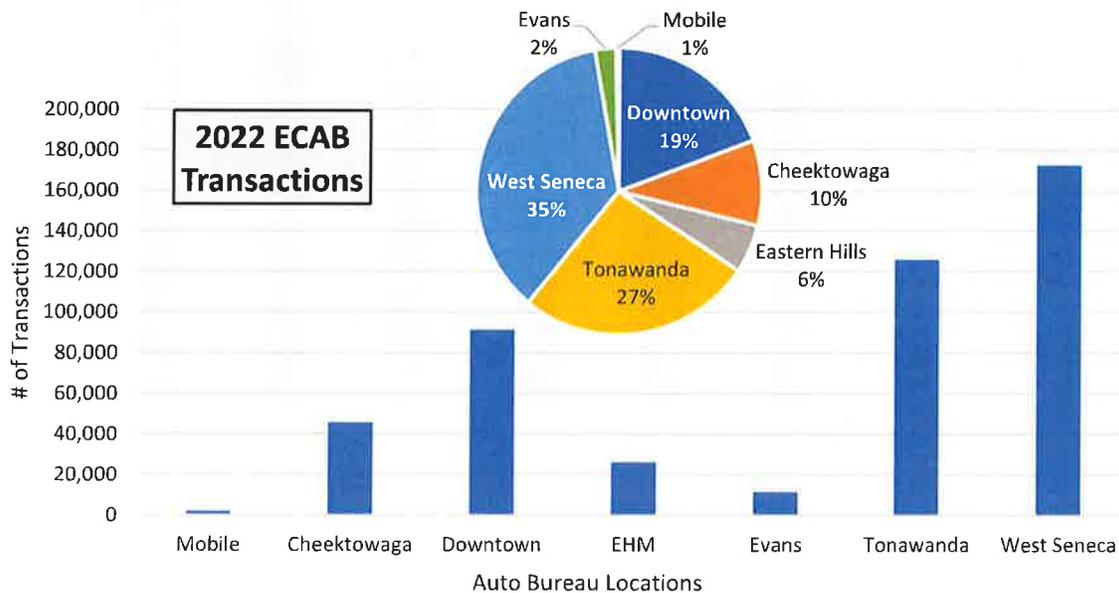


TRANSACTIONS

In 2022, the Erie County Auto Bureaus had processed close to 475,000 driver and non-driver identifications, vehicle registrations and other DMV related transactions. Annual transactions increased 8% over 2021.

The chart below illustrates the number of transactions processed at each Auto Bureau location. The West Seneca location processed 36% percent of the total number of transactions completed by the Auto Bureau, in part due to vehicle registrations for dealerships being processed there.

There are 69 full-time equivalent (“FTE”) employees, including management who staff the auto bureau locations and mobile units. Based on the total number of 69 FTEs, on average each FTE processed 6,883 transactions in 2022.

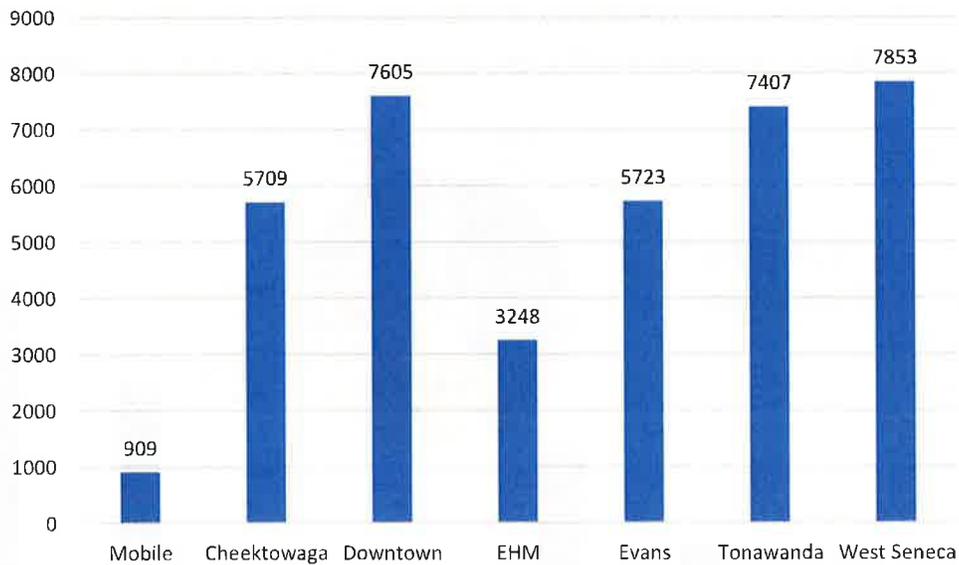


Auto Bureau Transactions by Location	
West Seneca	172,782
Tonawanda	125,931
Downtown Buffalo	91,260
Cheektowaga	45,674
Eastern Hills Mall	25,989
Evans	11,446
Mobile Unit	1,818

INCOMING CUSTOMERS

The Auto Bureaus use a queuing system called NEMO-Q that issues a ticket to incoming customers based on service type. The queuing system is beneficial for management in that it appropriately staffs the Auto Bureaus based on customer traffic. The system tracks; the number of customers served, average wait times, average service times and other metrics. The biggest benefit of the NEMO-Q system is that it allows customers visiting the auto bureaus to make a reservation online beforehand, minimizing the customer’s wait time.

**ECAB
Transactions per Full Time Employee**



LOOKING FORWARD

The Erie County Clerk's Office remained poised to take on the challenges that arose in the 2020 COVID-19 pandemic as well as those in 2022. Looking forward, our Office remains well-positioned for success due to our strategic and forward thinking and the hard work and professionalism of our employees. Becoming even more efficient remains one of our top priorities as we look to continually improve our internal processes and procedures.

In closing, the Erie County Clerk's Office would like to thank both our government partners for their continued support and our hardworking employees for their commitment to serving the public. Our primary goal has been and continues to be making the experiences in our offices easy and quick for the residents of Erie County all while providing superior customer service.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-4	COMPTROLLER	Home Rule Request for Immediate Consideration - Extension of Additional 1.0% & 0.75% Sales Tax
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Attachments

23COMM. 11E-4



ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

May 18, 2023

Honorable Members
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Home Rule Request for Immediate Consideration – Extension of Additional 1.0% and 0.75% Sales Tax

Dear Honorable Members:

Please find enclosed for your approval, a Home Rule request to reauthorize the County's imposition of the additional 1.0% and 0.75% sales and compensating use tax for the period December 1, 2023-November 30, 2025.

The County's authority to impose the additional 1.0% and 0.75% sales and compensating use tax expires on November 30, 2023. Every two or three years the County must request the approval of legislation in the New York State Assembly and Senate to allow Erie County to continue this critical revenue stream.

Your Honorable Body previously approved an Assembly and Senate bill request for legislation authorizing extension of these taxes at your February 16, 2023 legislative session. Assemblywoman Crystal Peoples-Stokes and Senator Timothy Kennedy subsequently introduced the legislation in late April 2023. The Assembly and Senate now require the County Legislature to approve a Home Rule request before they act. We are requesting immediate consideration of this item at the May 25th, 2023 session.

If you have any questions concerning this request, please do not hesitate to contact my office or the Division of Budget and Management. Thank you for your consideration of this request.

A handwritten signature in blue ink that reads "Kevin R. Hardwick".

Kevin R. Hardwick, Ph.D.
Erie County Comptroller

Enclosure

cc: Erie County Executive Mark C. Poloncarz, Esq.
Robert W. Keating, Director of Budget and Management
Erie County Fiscal Stability Authority

95 FRANKLIN STREET • ROOM 1100 • BUFFALO, N.Y. • 14202
PHONE: (716) 858-8400 • FAX: (716) 858-6195 • www.erie.gov/comptroller

MEMORANDUM

To: Erie County Legislature
From: Erie County Comptroller's Office
Re: Home Rule Request – Extension of Additional 1.0% and 0.75% Sales Tax
Date: May 16, 2023

SUMMARY

It is recommended that the Erie County Legislature adopt the attached resolution which requests the enactment of Assembly Bill A.6629 and Senate Bill S.6475, now pending before the New York State Legislature, which would authorize an extension of the County's additional 1.0% and 0.75% sales and compensating use tax from December 1, 2023 to November 30, 2025.

FISCAL IMPLICATIONS

Positive - \$373.4 million in annual revenue.

REASONS FOR RECOMMENDATION

Approval of a Home Rule request to the State Legislature for extension of the 1.0% and 0.75% sales and compensating use tax is required prior to subsequent action.

BACKGROUND INFORMATION

On February 16, 2023, the Erie County Legislature unanimously approved Comm. 4E-19, Assembly and Senate Bill Request for Legislation Authorizing Extension of Additional 1.0% & Additional 0.75% Sales and Compensating Use Tax. Assemblywoman Crystal Peoples-Stokes and Senator Timothy Kennedy subsequently introduced the legislation in late April 2023. The Assembly and Senate now require the County Legislature to approve a Home Rule request before they act.

CONSEQUENCES OF NEGATIVE ACTION

Failure to extend the 1.0% and 0.75% sales and compensating use tax would mean the loss of \$373.4 million in annual revenue to Erie County government and the loss of \$12.5 million in revenue shared with local governments. The loss of said revenue would create a severe challenge to the continued operation of, and provision of County services to residents.

STEPS FOLLOWING APPROVAL

The Assembly and Senate would act to approve their respective bills. After the Governor signs the bills into law, your Honorable Body will be presented with the final resolution amending the Erie County Sales and Use Tax Resolution to incorporate the newly authorized extension. A certified copy of this adopted resolution must then be timely sent to the New York State Department of Taxation and Finance in Albany.

EXTENSION OF ADDITIONAL 1% AND .75% SALES TAX

ASSEMBLY

WHEREAS, the additional 1% and .75% Erie County sales and compensating use tax, will expire on November 30, 2023 unless further extended and imposed, and

WHEREAS, failure to extend the imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$373 million in the Erie County budget, and

WHEREAS, Assembly Bill No. A.6629 and Senate Bill No. S.6475, now pending before the New York State Legislature, would authorize an extension of the additional 1% and .75% sales and compensating use tax, from December 1, 2023 to November 30, 2025;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. A.6629 entitled "AN ACT to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie County"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize the extended imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$373 million in the Erie County budget, the cessation of services essential to the people of Erie County and jeopardize any sharing of net collections therefrom with Erie County's cities, towns and villages.

Such request is made by the local legislative body of such local government, at least two thirds of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Assembly and two copies to the New York State Senate.

EXTENSION OF ADDITIONAL 1% AND .75% SALES TAX

SENATE

WHEREAS, the additional 1% and .75% Erie County sales and compensating use tax, will expire on November 30, 2023 unless further extended and imposed, and

WHEREAS, failure to extend the imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$373 million in the Erie County budget, and

WHEREAS, Senate Bill No. S.6475 and Assembly Bill No. A.6629, now pending before the New York State Legislature, would authorize an extension of the additional 1% and .75% sales and compensating use tax, from December 1, 2023 to November 30, 2025;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. S.6475 entitled "AN ACT to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie County"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize the extended imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$373 million in the Erie County budget, the cessation of services essential to the people of Erie County and jeopardize any sharing of net collections therefrom with Erie County's cities, towns and villages.

Such request is made by the local legislative body of such local government, at least two thirds of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Senate and two copies to the New York State Assembly.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-5	GILMOUR	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
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Attachments

23COMM. 11E-5

May 15, 2023

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

Re: Erie County Code of Ethics, Section 5(c) Reporting Requirement

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2-2018, Section 5(c), and to the best of my knowledge, below is the list of my family members employed by any government organization in any capacity:

- Brian Moran (uncle), Erie County Department of Public Works
- Kristin Gilmour (wife), Town of Hamburg
- Pat Moran (cousin), Buffalo Fire Department
- Morgan Moran (cousin), Buffalo Public Schools
- David Gilmour (uncle), City of Buffalo

Thank you in advance for your assistance.

Sincerely,



John Gilmour
Erie County Legislator

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-6	MEYERS	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
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Attachments

23COMM. 11E-6

May 15, 2023

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

Re: Erie County Code of Ethics, Section 5(c) Reporting Requirement

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2-2018, Section 5(c), and to the best of my knowledge, below is the list of my family members employed by any government organization in any capacity:

Valerie Meyers (wife), Erie County Water Authority
Faith Meyers (daughter), NYS Supreme Court

Thank you in advance for your assistance.

Sincerely,



Timothy J. Meyers
Erie County Legislator

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-7	JOHNSON	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
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Attachments

23COMM. 11E-7

May 15, 2023

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

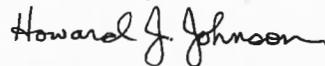
Re: Erie County Code of Ethics, Section 5(c) Reporting Requirement

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2-2018, Section 5(c), and to the best of my knowledge, I have no family members employed by any government organization in any capacity.

Thank you in advance for your assistance.

Sincerely,



Howard Johnson
Erie County Legislator

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-8	VINAL	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
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Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-9	BASKIN	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
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Attachments

23COMM. 11E-9

ERIE COUNTY LEGISLATURE

HON. APRIL N.M. BASKIN

CHAIR OF THE LEGISLATURE

2ND DISTRICT LEGISLATOR



92 Franklin St., 4th Fl.
Buffalo, NY 14202
716/858-8869
FAX: 716/858-8895

May 15, 2023

Hon. Robert M. Graber
Clerk of the Legislature
92 Franklin Street
Buffalo, NY 14202

Re: Required Disclosure/Family Members Employed by (any) Government

Dear Clerk Graber:

Pursuant to Section 5(c) of the Code of Ethics, I am providing a list of my family members employed by any government organization in any capacity as of May 15, 2023.

My Mother Lisa Jacobs-Watson works for the NY State Supreme Court, Office of Hon. Craig Hannah.

My Step-Father Brian Watson is a Corrections Officer at Albion Correctional Facility.

My Brother Maxwell V. McCants Jr. is in the U.S. Marine Corps.

My Sister Seana L. McCants is in the U.S. Air Force.

Respectfully,

A handwritten signature in blue ink that reads "April Baskin".

April N.M. Baskin

Chair, Erie County Legislature

Website: <http://www2.erie.gov/baskin/> - E-Mail: April.McCants-Baskin@erie.gov

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-10	SHERIFF	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
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Attachments

23COMM. 11E-10

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



ADMINISTRATIVE OFFICES
10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716) 858-7882
WEBSITE: <http://www.erie.gov/sheriff>

SHERIFF OF ERIE COUNTY

May 15, 2023

Mr. Robert Graber
Clerk of the Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Mr. Graber:

In accordance with the Disclosure of Interest in County Business, Section 5-c, please see the list below of family members employed by any government organization in any capacity:

Jake Giarrano, Nephew

Buffalo Police Department

To my knowledge, there are no other family members as defined by Section 5-c presently employed by any government organization.

Respectfully submitted,

JOHN C. GARCIA
SHERIFF OF ERIE COUNTY

TBH/lmp

Cc: Undersheriff John Greenan
Administrative File

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-11	COUNTY CLERK	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
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Attachments

23COMM. 11E-11



COUNTY OF ERIE

May 15, 2023

MICHAEL P. KEARNS
COUNTY CLERK

Hon. Robert M. Graber
Clerk of the Legislature
92 Franklin St
Buffalo, New York 14202

RE: Required Disclosure/Family Members Employed by (any) Government Agency

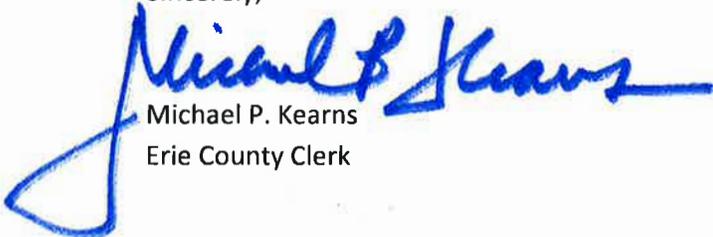
Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2 (2018), Section 5c, I am providing a list of my family members employed by any government organization in any capacity. They include:

Name	Relation	Employer
Joanne Kearns	Sister	City of Buffalo Clerk
Patrick Kearns	Cousin	City of Buffalo Teacher
Dr. Kevin Kearns	Cousin	SUNY Fredonia VP of Economic Development
McKenna Kearns	Daughter	Teacher Aide City of Buffalo

If you have any questions please feel free to contact me at (716) 858-6985 or email me at Michael.Kearns@erie.gov

Sincerely,



Michael P. Kearns
Erie County Clerk

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-12	KOOSHOIAN	Submission Pursuant to EC Code of Ethics (Local Law #2 -2018), Disclosure of Family Members Employed by Any Government Organization
--------------	-----------	--

Attachments

23COMM. 11E-12

BLOCK, LONGO, LAMARCA & BRZEZINSKI, P.C.

ATTORNEYS AT LAW

One Niagara Square, Buffalo, New York 14202

Telephone: (716) 854-4080 / Facsimile: (716) 854-0059

www.blockandlongo.com

EC LEG MAY 15 '23 PM 1:24

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Joy LaMarca, Esq., Vice President
Kevin E. Brzezinski, Esq., Vice President
Jami Durante Rogowski, Esq.
George R. Slingerland, Esq.
Brittnay M. McAvoy, Esq.

Of Counsel:

Arthur A. Pasquariello, Esq.
Andrew S. Hirsch, Esq.
Kate Watson, Esq.* *admitted in Florida*

Special Counsel:

Jeffery D. Palumbo, Esq.
Christopher A. Cardillo, Esq.

Attorneys:

Megan A. Boggs, Esq.
Rebecca A. Borden, Esq.
Damien M. Hallatt, Esq.
Jennifer A. Hurley, Esq.
Nicholas J. Ingrassia, Esq.
Gary Kanellis, Esq.
Michael H. Kooshoian, Esq.
Stephanie Leonardo, Esq.
Daniel S. Nanula, Esq.
Denise Peffer, Esq.
Emma Rabideau, Esq.
Charles Santoli, Esq.
Greg Scicchitano, Esq.
Zena Zimmerglass, Esq.

writer's email: mkooshoian@blockandlongo.com

May 15, 2023

Attn: Mr. Robert Graber
Clerk - Erie County Legislature
92 Franklin, 4th
Buffalo, NY 14202

Dear Clerk Graber:

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

- My sister in law, Molly Kooshoian, who is a City of Buffalo crossing guard;
- My first cousin Amy Schmit, who is the Assistant Vice President/Chief of Staff for Research and Economic Development at the University at Buffalo; and
- My first cousin Joseph Schmit's wife, Kerry Gould-Schmit, who is the Director of Planning, Capital Planning and Construction at the the New York Public Library.

Thank you for your time and attention to this matter.

Very truly yours,



Michael H. Kooshoian

ALBANY: 43 BRITISH AMERICAN BLVD., LATHAM, NY 12110; PHONE: (518) 313-7111; FAX: (518) 313-7115
ROCHESTER: 1173 PITTSFORD-VICTOR ROAD, SUITE 220, PITTSFORD, NY 14534; PHONE: (585) 310-7442; FAX: (585) 310-7599
SYRACUSE: 250 SOUTH CLINTON STREET, SUITE 130, SYRACUSE, NY 13202; PHONE: (315) 457-1000; FAX: (315) 457-1001
NEW YORK CITY: 150 WEST 30TH STREET, SUITE 705, NEW YORK, NY 10001; PHONE:(332) 910-5440
BATAVIA: 39 JACKSON STREET, BATAVIA, NY 14020; PHONE: (585) 310-7442; FAX: (585) 310-7599
SARATOGA: 550 MAPLE AVENUE, SARATOGA SPRINGS, NY 12866; PHONE (518) 313-7111; FAX: (518) 313-7115
CLARENCE: 9276 MAIN STREET, SUITE 3, CLARENCE, NY 14031; PHONE: (716) 854-4080; FAX: (716) 854-0059

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-13	COUNTY CLERK	Authorization to Extend Contract with WNY Law Center, Inc. for Zombie Property Outreach Services
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Attachments

23COMM. 11E-13



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

May 22, 2023

Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, NY 14202

EC LEG MAY 22 '23 PM 3:16

Re: Authorization to extend contract with Western New York Law Center, Inc. for
Zombie Property Outreach Services

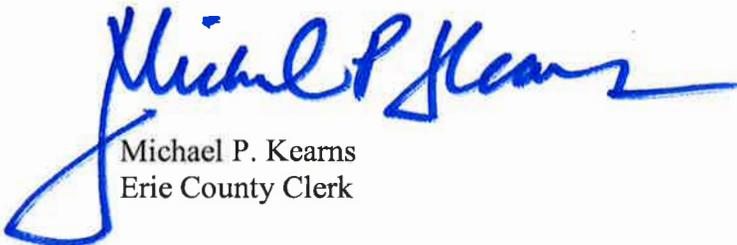
Dear Honorable Members:

Please find enclosed a resolution from the Erie County Clerk seeking legislative authorization to enter into a twelve (12) month contract extension with the Western New York Law Center, Inc. to provide Zombie Property outreach services.

Your Honorable Body previously authorized the County Clerk to contract with the Western New York Law Center, Inc. to provide such services for an initial term of twelve (12) months (COMM. 25E-16 (2021)). The County Clerk is now seeking to extend that contract, under the same terms, for an additional period of twelve (12) months. The contract has not previously been extended.

Should your Honorable Body require further information regarding this request, please contact me and I will provide it. Thank you in advance for your consideration of this matter.

Sincerely,



Michael P. Kearns
Erie County Clerk

MEMORANDUM
****IMMEDIATE CONSIDERATION REQUESTED****

To: Honorable Members of the Erie County Legislature
From: Michael P. Kearns, Erie County Clerk
Re: Twelve (12) month extension with Western New York Law Center, Inc. to provide zombie property outreach services
Date: May 22, 2023

SUMMARY

A “Zombie Property” is a parcel improved by a one-to-four family dwelling and abandoned by its occupants when a foreclosure action has been instituted against the property owner. Upon vacating the properties, the structures experience: damage from weather, scavenging, squatters, and criminal activity. The resulting deterioration creates nuisance conditions and can often affect the values of surrounding properties. Further, the prolonged process clouds title to the property, making it difficult for municipalities to enforce code violations resulting from neglect.

The negative impacts of Zombie Properties transcend municipal boundaries and affect all Erie County taxpayers. Extension of this initiative will help ensure continued cooperation amongst Erie County, local municipalities and non-profits in addressing Zombie Property issues.

FISCAL IMPLICATIONS

None- the County Clerk currently has the funds necessary to cover the costs of extending the contract in the following account: County Clerk- Registrar Division, Account No.: 516020-Professional Services Contracts and Fees.

REASONS FOR RECOMMENDATION

Many individuals in Erie County are ninety days or more in arrears on their mortgage payments and Lis Pendens filings in foreclosure actions have been filed in 2023. The intended effect of this effort is to put these Zombie Properties in a position for improvement and conveyance so there may be an increase in mortgage and transfer tax revenues and secure value in the County’s tax base.

CONSEQUENCES OF NEGATIVE ACTION

Failure to extend the property outreach services contact with the Western New York Law Center, Inc. would result in less guidance and technical support for municipalities across Erie County that are already struggling to effectively address Zombie Properties in their communities, thereby likely leading to increased numbers of blighted properties, decreased property values for neighboring properties, and less property, mortgage and transfer taxes being collected in Erie County.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, the County Clerk will work with the County Attorney and Division of Budget and Management to finalize an extension Erie County’s contract with the Western New York Law Center to provide zombie property outreach services for an additional period of twelve (12) months.

**A RESOLUTION SUBMITTED BY
THE ERIE COUNTY CLERK**

**Re: Authorization to extend contract with Western New York Law Center, Inc. for
Zombie Property Outreach Services**

WHEREAS, a "Zombie Property" is a parcel improved by a one-to-four-family dwelling and abandoned by its occupants when a foreclosure action has been instituted against the property owner; and

WHEREAS, upon vacating the properties, the structures experience: damage from weather, scavenging, squatters, and criminal activity and the resulting deterioration creates nuisance conditions and can often affect the values of surrounding properties; and

WHEREAS, the prolonged foreclosure process clouds title to the property, making it difficult for municipalities to enforce code violations resulting from neglect and leads to blight; and

WHEREAS, the COVID-19 pandemic introduced unanticipated and unprecedented economic strains on our community that continue to impact the financial stability of many home owners; and

WHEREAS, the default rate topped out at 3.8% during the foreclosure crisis of the Great Recession and community leaders are anticipating a foreclosure crisis of greater magnitude resulting from the impact of COVID-19; and

WHEREAS, the Erie County Clerk recognizes that grappling with the blight of Zombie Properties transcends all communities and impacts all County taxpayers, regardless of the property location and believes this initiative will become more important as the number of foreclosures is anticipated to continue to rise; and

WHEREAS, the intended effect of combating Zombie Properties is to put them in a position for improvement and conveyance so there may be an increase in mortgage and transfer tax revenues, as well as securing value in the County's tax base; and

WHEREAS, in November of 2021, the Erie County Clerk issued RFP #2021-044VF seeking proposers for Zombie Property Outreach Services, advertised in the Orchard Park Bee and Buffalo Challenger and provided the RFP to several potential proposers; and

WHEREAS, a committee received, reviewed and scored the two (2) proposals that were submitted in response to the RFP and determined that Western New York Law Center, Inc. submitted the best proposal and that their organization was the most responsible, well-regarded and best-positioned to perform the services requested; and

WHEREAS, on December 16, 2021 the Erie County Legislature authorized the Erie County Clerk to enter into a contract with the Western New York Law Center, Inc., in the amount of

\$250,000, for zombie property outreach services for an initial term of twelve (12) months (COMM. 25E-16 (2021)); and

WHEREAS, the Erie County Clerk is now requesting authorization from the Erie County Legislature to extend the aforementioned contract with the Western New York Law Center, Inc., which has not previously been extended, to provide zombie outreach services for an additional term of twelve (12) months; and

WHEREAS, the funds necessary to cover the costs of extending the aforementioned contract are currently available in the following account: County Clerk- Registrar Division, Account No.: 516020- Professional Services Contracts and Fees; and

NOW, THEREFORE, BE IT

RESOLVED, that Erie County is hereby authorized to enter into a contract extension for a period of twelve (12) months with Western New York Law Center, Inc., in the amount of \$250,000, to provide zombie property outreach services; and be it further

RESOLVED, that the source of these funds comprising payment under the contract to the Western New York Law Center, Inc., in the amount of \$250,000, shall be from and are currently available in the following account: County Clerk- Registrar Division, Account No.: 516020- Professional Services Contracts and Fees; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Director of the Division of Budget and Management; the County Attorney and the Erie County Clerk.



Michael P. Kearns
Erie County Clerk

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-14 COUNTY EXECUTIVE Appointments to the EC Fire Advisory Board

Attachments

23COMM. 11E-14



EC LEG MAY 22 '23 PM 12:27

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 19, 2023

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

Re: Appointments to the Fire Advisory Board

Dear Honorable Members:

Pursuant to the powers vested in me by Section 1403 of the Erie County Charter, I hereby appoint the following persons to the Fire Advisory Board for a term ending December 31, 2024.

Shad Garner
16 Samantha Court
West Seneca, NY 14224
New Appointment

Tom Partridge
4999 Tim Tam Trail
Blasdell, NY 14219
New Appointment

Jack Chiappone
4421 Richwood Drive
Hamburg, NY 14075
New Appointment

Should you have any questions regarding these appointments please feel free to contact my office at (716) 858-8500.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn

cc: Daniel Neaverth, Jr., Commissioner
Chris Couell, Deputy Fire Coordinator
Appointees

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-15	COUNTY EXECUTIVE	Appointments to EC Environmental Management Council
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Attachments

23COMM. 11E-15



ST LEO MAY 22 '23 PM 12:28

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 19, 2023

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

Re: Appointments to Erie County Environmental Management Council

Dear Honorable Members:

Pursuant to the Erie County Charter Article 10, Section 1004.2, I, Mark C. Poloncarz, Erie County Executive, do hereby submit for your confirmation the following individuals to be appointed to the Erie County Environmental Management Council. Their terms shall expire May 31, 2025.

Environmental Management Council At-Large Appointments

Tendaji Ya-Ukuu
1327 Jefferson Avenue
Buffalo, NY 14208
New Appointment

Sharon Bachman
157 King Street
East Aurora, NY 14052
Re-Appointment

Jeanne Beiter
298 Sycamore Street
East Aurora, NY 14052
Re-Appointment

Marcus Rosten
373 Adam Street
Tonawanda, NY 14150
Re-Appointment

Amun Ra
183 Florida Street
Buffalo, NY 14208
New Appointment

Municipal Appointments

Leane Schultz
38 Highland Avenue
West Seneca, NY 14224
New Appointment

Holly Park
179 Lake Street
Hamburg, NY 14075
New Appointment

William Smith
8787 Erie Road
Angola, NY 14006
New Appointment

Cathy Sterns
1965 Parker Boulevard
Tonawanda, NY 14150
New Appointment

Don Owens
1865 Hubbard Road
East Aurora, NY 14052
Re-Appointment

Linda Hammer
34 Princeton Avenue
Depew, NY 14073
Re-Appointment

Brenda Young
9402 Douglas Fir Court
Clarence Center, NY 14032
Re-Appointment

Kevin Peterson
85 Manitou Street
Depew, NY 14043
Re-Appointment

Raymond Boy
269 Gaylord Court
Elma, NY 14059
Re-Appointment

Sam Akinbami
2227 West River Road
Grand Island, NY 14072
Re-Appointment

Leona Rockwood
5724 Old Lakeshore Road
Lakeview, NY 14085
Re-Appointment

Julius McCann
33 Burwell Avenue
Lancaster, NY 14086
Re-Appointment

Lewis Tandy
13678 Main Road
Akron, NY 14001
Re-Appointment

Richard Schechter
4 Lennys Lane
Orchard Park, NY 14127
Re-Appointment

Jane Vohwinkel
50 North Long Street
Williamsville, NY 14221
Re-Appointment

Mitch Tucker, Ph.D.
7126 Parkside Drive
Hamburg, NY 14075
Re-Appointment

Daniel Lotito
47 Pearl Street, PO Box 36
Holland, NY 14080
Re-Appointment

Lynne Ruda
5423 Broadway
Lancaster, NY 14086
Re-Appointment

Should you have any questions regarding these appointments please feel free to contact my office at (716) 858-8500.

Sincerely yours,



Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn
cc: Bonnie Lange Lawrence

TENDAJI YA'UKUU

PROFESSIONAL EXPERIENCE

ECOLOGICAL JUSTICE COORDINATOR

OPEN BUFFALO | Buffalo, NY | Mar 2022 - Present

- Develop and execute strategies to implement Just Transition principles to promote a sustainable WNY economy.
- Oversee the Clean Mobility/NYSERDA project, closely monitoring progress and ensuring timely reporting on key metrics and milestones.
- Lead ecological/climate justice campaigns and goal setting.
- Establish and lead a Neighborhood Leadership Group, bringing together diverse stakeholders to drive positive change.

DIRECTOR OF COMMUNICATIONS AND DEVELOPMENT

The Black Feminist Project | Bronx, NY | Jun 2020 - Aug 2021

- Maximized online engagement across multiple social media platforms.
- Designed social media content and promotional materials.
- Coordinated two comprehensive fundraising campaigns, cultivating organizational capacity by \$45,000.
- Directed online logistical applications to maximize online and donor engagement.
- Developed extensive social media and online engagement strategies incorporating tailored priority populations, program breakdowns, practical tools, and content timelines.

COMMUNITY ENGAGEMENT ASSOCIATE

The Laundromat Project | Bronx, NY | Sep 2018 - Aug 2019

- Developed and activated socially engaged art lesson plan curriculums to build community and creative power within the South Bronx.
- Authored and facilitated leadership development curriculums to catalyze South Bronx residents into create change agents within their own neighborhoods.
- Fostered neighborhood relationships that formed close-knit artist, community member, and organizer networks.

VOLUNTEER EXPERIENCE

STUDENT GOVERNMENT (SGO) PRESIDENT

SUNY Morrisville | Morrisville, NY | 2021-2022

- Collaborated with student leaders to ensure the operation and overall success of clubs, organizations, and student advocacy campaigns.
- Created capacity for more meaningful and engaging student meetings, events, and activities.
- Represented and gave voice to the student body in College Council, Senate, and Foundation meetings.

EDUCATION HISTORY

SUNY MORRISVILLE



- Renewable Energy Technology A.A.S '22

UNIVERSITY AT BUFFALO



- Environmental Design B.A '25 University at Buffalo

EXECUTIVE SUMMARY

I am an energetic, multi-field specialist with a passion for socially engaged work.

CONTACT INFORMATION

Mobile:
(646) 709-7083

Email:
tendajiyaukuu@gmail.com

LinkedIn:
www.linkedin.com/in/tendajiyaukuu

AREAS OF EXPERTISE

- Workshop Facilitation
- Graphic Design
- Community Outreach
- Fundraising and Development
- Research and Data Analysis
- Project Management

TECHNICAL SKILLS

Microsoft Office

Google Suite

Professional Tools: Slack, Asana,

Notion, Miro, Cognito, Typeform

Social Media: LinkedIn, Instagram,

Twitter, Tik Tok, Snapchat

Design: Canva, Adobe Creative Suite

Webpage Design: Squarespace,

Eventbrite, Splashthat

Development: Network For Good

Urban Planning: AutoCAD, QGIS,

ArcGIS, SketchUp

PROFESSIONAL INTERESTS

- Equitable Urban Planning
- Ecological Sustainability
- Clean Energy Technology
- Community Development
- Economic Development

Sharon N. Bachman

157 King Street
East Aurora, NY 14052
sin2@cornell.edu

Areas of Interest

Community Engagement and Education, Nutrient Management and Heavy Metals Soil Testing, Volunteer Management, Agricultural and Natural Area Invasive Species Management, Climate Change

Education

Cornell University

August 1991 - January 1994

B.S., Agricultural and Biological Engineering

Grants, Honors and Awards

Grant Title: - *Healthy Community Trees in WNY: Developing a curriculum and training for volunteer community boards and block clubs to benefit our area tree canopy.* 2021- March 2023

Grantee: Cornell Cooperative Extension – Erie County

Collaborators: CCE Erie and Allegany

Provide tree and environmental conservation boards and community block clubs with training to increase participation and success of their community forestry efforts including tree care, planting and inventory. Cornell Cooperative Extension (CCE) of Erie County will partner with colleague in CCE Allegany and Wyoming to extend the training to a broader regional audience. Training will focus on understanding the benefits of urban trees, how to complete a community tree inventory and then update that inventory, tree planting, pruning, tree species identification, basic risk assessment, forest health, using hand-held equipment to maintain and inventory community trees and development of municipal tree protective ordinances. CCE Erie will also develop training resources on working with and supporting community volunteers in tree stewardship projects.

Grant Title: Engaged Cornell Seed to Supper Leadership Team Summer 2018 – Present

Grantee: Cornell University, Garden-Based Learning – Lori J Brewer and Marcia Eames-Sheavly

Collaborators: Sharon Bachman and Chrys Gardener.

Working as county-based staff connecting the undergraduate course members in Seed to Supper: The Role of the Garden in Community Food Security to locally based application opportunities and developing project evaluation methods. The class seeks to teach effective collaboration with others to facilitate workshops that prepare garden educators, who will serve as a “guide on the side,” coaching their community members to grow in the confidence and skills needed to raise some of their own fresh food on a limited budget.

Grant Title: NYS IPM Grant: A Low-Literacy Needs Assessment, Guidelines for Best Practices Dec 2018 – Jan 2019

Grantee: Cornell University, Garden-Based Learning – Fiona Doherty and Marcia Eames-Sheavly

Collaborators: Lori Brewer, Stephen Reiners, Jamila Simon, Linda Gilliland, Mary Jo Dudley, Christine Hadekel, Mary Lee Bourbeau, Sharon Bachman and Chrys Gardener.

Develop an embedded assessment evaluation plan with formative evaluation methods at key junctures. Perform a low literacy audience needs assessment in NYS communities to determine the most significant needs with horticulture and Community IPM food gardening materials. Survey key stakeholders to learn best practices for engaging this audience and design of educational materials. Research state and nation-wide resources available. Complete project evaluation.

Grant Title: Organizing Regional Master Naturalist Team Volunteer And Networking Opportunities May 2018 – September 2018

Grantee: Cornell University, Master Naturalist Program – Kristi Sullivan; **Collaborators:** Sharon Bachman
A project to establish a regional team of Master Naturalist volunteers from Erie/Niagara counties who will work together on important regional conservation issues. CCE Erie will facilitate development of the regional action team by fostering collaborative opportunities among volunteers, and connecting volunteers with external partners.

Grant Title: Engaging Land Managers and Agricultural Communities to Apply and Evaluate Biological Control of Swallow-wort in New York October 2018 - Present

Grantee: Cornell University, Department of Natural Resources – Carrie Brown-Lima; **Collaborators:** Dr. Richard Casagrande, Dave Adams, Dr. Andrea Davalos, Dr. Toni DiTomasso, Dr. Lindsey Milbrath, Dr. Dylan Parry, Dr. Jaclyn Schnurr, Laura Bailey, Dr. Lisa Tewksbury, Rob Williams, Dr. Amara Dunn, Dr. Jennifer Dean and Sharon Bachman.

Black and pale swallow-worts are highly invasive plant species that negatively impact agricultural and natural lands. In 2017, a leaf-feeding moth was approved for release as a biocontrol agent in the US. A monitoring protocol and recording system are essential to track these releases and ultimately inform our understanding of the effectiveness of this agent in controlling swallow-wort.

Grant Title: Managing Lily Leaf Beetles through Parasitoid Release October 2016 – August 2019

Grantee: Cornell University, NYS Integrated Pest Management – Brian Eshenaur and Elizabeth Lamb; **Collaborators:** Mark Whitmore, Dan Gilrein, Lisa Tewksbury, Joellen Lampman, Jennifer Stengle, Sharon Bachman and Lori Brewer.

We propose to release lily leaf beetle parasitoids in four NY regions, monitor results over a three year period, and educate the green industry and consumers about the pest and its biological control through the CCE network.

Grant Title: Conduct Soil testing and community education in support of community gardens and urban agricultural efforts. April 2015 – February 2018

Grantee: Seneca Babcock Community Development Corporation; **Sub-Contractor:** CCE Erie – Sharon Bachman
Continue to develop a data set of paired soil and plant tissue test results for urban gardens and farms in underserved areas of the City of Buffalo for four heavy metals.

NYS Excellence in IPM Award 2013

Grant Title: Erie County Integrated Pest Management Project – April 2008 – December 2010

Project Manager: Paul Kranz; **Sub-Contractor:** CCE Erie – Sharon Bachman

Recruited and worked with area agricultural producers in collaboration with Erie County Department of Environment and Planning on a US EPA Integrated Pest Management (IPM) grant demonstrating IPM practices to increase adoption of practices among producers.

Publications and Presentations

Title: Stop New York Invasives App: Invasive Species and Right of Ways, October 2016
Category Six Pesticide Training Conference; Liverpool, New York.

Title: Stop New York Invasives Smartphone App, June 2015

Co – Developers: David Orr, Mark Walker, Sharon Bachman, Caroline Marschner, Deb Grantham, University of Georgia

Title: Alternatives to Ornamental Invasive Plants: A Sustainable Solution for New York State

Author: Brian Eschenaur, Cornell University NYS Integrated Pest Management Program

Contributors: Sharon Bachman, CCE Erie and Nina Bassuk, Cornell Horticulture Section

Published by: Charles O'Neill, NYS Invasive Species Outreach Program

Northeast Weed Science Society Poster Presentation, January 2015

Title: Role of Cornell Cooperative Extension in Invasive Species Management in New York State: The Cornell Cooperative Extension Invasive Species Statewide Outreach Program

Presenter: Caroline Marschner **Co – Author:** Sharon Bachman, Deb Grantham

Journal: Environmental Pollution, August 2014

Title: Concentrations of lead, cadmium and barium in urban garden-grown vegetables: the impact of soil variables
Corresponding Author: Hannah Shayler

Co-Authors: Murray B McBride, PhD; Henry M Spliethoff, M.S.; Rebecca G Mitchell, M.S.; Lydia G Marquez-Bravo, PhD; Gretchen S Ferenz, M.S.; Jonathan M Russell-Anelli, PhD; Linda Casey; Sharon Bachman

Employment and Experience

Cornell Cooperative Extension of Erie County

March 2008 – Present

Agricultural and Natural Resource Educator

- Working with support from NYS Department of Agriculture to educate local stakeholders and master gardener volunteers on a new invasive species, Box Tree Moth.
- Offering climate steward training to community members in partnership with CCE Monroe. (Spring 203)
- Trained with Cornell Cooperative Extension staff in Ithaca to become a Climate Steward Volunteer program facilitator.
- Created on-line version of the CommuniTree Steward Curriculum, caring for young, street trees, through a NYS DEC Urban Forestry grant project. (2021-2023)
- Worked with area gardeners and Cornell Waste Management Institute researchers to collect paired fruit and vegetable and soil samples from community gardens and farms. (June 2012 – October 2012; July 2014 – October 2016)
- Served on Cornell's Invasive Species Outreach Program (ISOP) conducting outreach and engagement on agricultural invasive species issues. Developed publications as member of the ISOP Team. (July 2013 – June 2015)
- Provide educational programs in agriculture and natural resource management to agricultural producers in Erie County including facilitation of the WNY Forest Pest Taskforce.
- Offer technical education to area farmers in partnership with county and state partners.
- Recruited and worked with area agricultural producers in collaboration with Erie County Department of Environment and Planning on a US EPA Integrated Pest Management (IPM) grant demonstrating IPM practices in 2009 – 2010.

The Deibel Corporation (working with NYS Agribusiness Association)

May 1995 – February 2003

Agricultural Consultant/Field Scout

- Collected field samples and made recommendations to agricultural producers to economically manage nutrients produced on farms.
- Entered and maintained nutrient information and other related data in Lotus Approach database. Edited database templates as needed.

Administrative Assistant

- Provided membership services to 200 and 400 plus member state and regional organizations.
- Designed and maintained membership and professional improvement certifications databases
- Facilitated hosting of three annual membership events at different venues across the state.

Cornell Cooperative Extension – NWNY Dairy, Livestock and Field Crops Team

December 1998 – June 1999

Project Assistant

- Assisted Team in collecting data for nutrient management grant project.
- Taught summer assistants how to collect and analyze soils data.
- Worked with another Team member to provide advice/assistance to those needing help with agricultural related problems in nine county area served by Team.

Professional Memberships

NYS Assoc of Agricultural Co. Agents, 2008 - 2023

Cornell Sustainable Horticulture PWT, 2016 – 2023

Cornell Invasive Species Program Work Team, 2014 – 2023

WNY PRISM – Steering Committee, 2014 - 2023

Northeast Region Certified Crop Advisor, 1998-2004

NYS Certified Nutrient Management Planner, 2005

Curriculum Vitae

Jeanne Beiter
298 Sycamore Avenue, East Aurora, NY 14052
607.229.6953

JeanneLeccese@gmail.com
JBeiter@bnwaterkeeper.org

EDUCATION

University at Buffalo, State University of New York
Master of Urban and Regional Planning

Buffalo, New York
February 2004

Le Moyne College
Bachelor of Arts: Sociology – Human Services Concentration

Syracuse, New York
May 2000

POSITIONS

Senior Program Manager, Buffalo Niagara Waterkeeper, November 2017 – Present

Engages with community leaders and agricultural experts in an effort to accelerate restoration and protection of Western New York headwaters land and waterways. Educates municipalities and communities to increase capacity and outreach to create long-term partnerships with the goal of conservation. Building a case to support source water protection policy and funding.

Executive Director, Niagara River Greenway Commission, September 2016 – November 2017

Responsible for the implementation of the Niagara River Greenway Plan through various stakeholder projects and the day-to-day administration of the Commission. Advanced the four key priorities on behalf of the Commission: a continuous trail connecting the two Great Lakes (Erie and Ontario); supporting where the green(way) meets the blue(way); developing the Niagara Corridor as a global eco-tourism destination; and instituting public engagement throughout the bi-county region.

Senior Research Associate, Food Systems Planning and Healthy Communities Lab (UB Food Lab), School of Architecture and Planning, University at Buffalo, The State University of New York, September 2013 – September 2016

Coordinated Growing Food Connections a federally-funded national multi-year project that integrates research, education, and policy engagement activities with teams across seven states and multiple public, private, and civic organizations; support research, teaching, civic engagement, and administrative functions of the UB Food Lab.

Adjunct Assistant Professor, School of Architecture and Planning, University at Buffalo, The State University of New York, August 2014 – December 2014

Taught a well received undergraduate studio focused on food systems planning; students prepared a food-focused infrastructure plan on behalf of the Buffalo Niagara Medical Campus, Inc.

Coordinator, Creating Healthy Places to Live, Work and Play in Tompkins County, Human Services Coalition, Tompkins County, New York, January 2011 – September 2013

Led and oversaw implementation of Creating Healthy Places to Live, Work and Play project activities (New York State Department of Health grant program) in both community and worksite settings including: provided professional input, technical assistance, and consultation for the initiative to the coalition; interfaced with community members, organizations and decision-makers at every level and built support for the project in the community; worked with partners to write grants to support various community initiatives.

Senior Planner, Tompkins County Planning Department, Tompkins, New York, January 2010 – January 2011 (Planner from April 2007 – January 2010)

Focused on three primary areas of planning on a county-wide level: (1) implementation of the County's affordable housing strategies, (2) managing the economic development efforts offered through the Department and (3) overseeing land management practices for County-owned land. Provided direct assistance to local municipalities, their boards of governance and residents. Coordinated with County Legislators and various County Departments to guide projects through the review and approval process.

Program Manager, Habitat for Humanity of the Mid-Willamette Valley, Oregon, April 2006 – April 2007

Responsible for developing and coordinating volunteer and Habitat homeowner-related activities in accordance with the organization's strategic values to provide decent and affordable housing in partnership with working class families. Developed policies that shaped the governing procedures of the organization.

Small Business Advisor, New York State Small Business Development Center, Buffalo, New York, October 2004 – October 2005

Assisted clients through the process of developing a business plan and securing financing for their business startup. Conducted background research and provided guidance to potential small business entrepreneurs.

AWARDS AND HONORS

- 2016 Research Team Member, University at Buffalo Excellence in Community-University Engagement Award. Community-University Collaboration on Rebuilding Buffalo's Food System. Community Partner Awardee: Massachusetts Avenue Project, Buffalo, NY. University at Buffalo.
- 2005 Best Planning Studio Project - National American Institute of Certified Planners' (AICP) [*Food for Growth: A Community Food System Plan for Buffalo's West Side*]
- 2004 Outstanding Student Project, National American Planning Association [*Food for Growth: A Community Food System Plan for Buffalo's West Side*]
Best Planning Studio Project, Upstate Chapter of the American Planning Association [*Food for Growth: A Community Food System Plan for Buffalo's West Side*]
Best Planning Studio Project, Western New York Section of the American Planning Association [*Food for Growth: A Community Food System Plan for Buffalo's West Side*]

PROFESSIONAL AND PUBLIC SERVICE

- 2016-2018 Board Member, Groundwork Buffalo
- 2014 Graduate of Women Elect Program
- 2011-2013 Commissioner, City of Ithaca Board of Public Works
- 2010-2013 Member, Groundswell Center for Local Food and Farming Steering Committee
- 2010 Cornell Cooperative Extension of Tompkins County Garden-Based Learning Educator

PUBLICATIONS

Professional reports, policy documents, and plans

1. Leccese, Jeanne, and Samina Raja. "Building on the Strengths of Land and Sea: Policy opportunities for Strengthening the Food System in Cumberland County, Maine." In *Exploring Stories of Opportunity*. Edited by Samina Raja, 9 pages. Buffalo: Growing Food Connections Project, 2017.
2. Raja, Samina, Jennifer Whittaker, Enjoli Hall, Kimberley Hodgson, Maryam Khojasteh, and Jeanne Leccese. 2016. "Growing Food Connections through Urban Planning: Lessons from the United States." In *Integrating Food into Urban Planning*. Food and Agriculture Organization of the United Nations. Rome, Italy.
3. Whitton, Elizabeth, Jeanne Leccese, and Kimberley Hodgson. 2015. "A Food in All Policies Approach in a Post-Industrial City: Baltimore City, MD." In *Exploring Stories of Innovation*, edited by Kimberley Hodgson and Samina Raja, 3. Growing Food Connections Project.
4. University at Buffalo, State University of New York. 2003. *Food for Growth: A Community Food System Plan for Buffalo's West Side*. Planning Studio Report, Department of Urban and Regional Planning.

INVITED TALKS AND CONFERENCES

1. Leccese, Jeanne and Julia Freedgood. February 2, 2016. "Building Local Governments' Capacity to Strengthen Food Systems: Integrating Research and Policy." Project Directors' Meeting, National Institute of Food and Agriculture (NIFA), Washington, DC.
2. Leccese, Jeanne. January 28, 2016. "Bringing Together Urban Planning and Public Health." Fox Run Guest Speaker Series, Orchard Park, NY.
3. Raja, Samina, Jeanne Leccese, and Chunyuan Diao. December 10, 2015. "Participatory Action Research to Build Local Government Capacity to Strengthen Food Systems." Enhancing Food Security in the Northeast with Regional Food Systems Conference, Greenbelt, Maryland.

4. Holley, Kip, Brian Estabrook, Jill Clark, Julia Freedgood, Samina Raja, Kimberley Hodgson, Jeanne Leccese, and Jennifer Whittaker. November 16, 2015. "COO Chautauqua County Inclusive Civic Engagement Strategies Workshop." Jamestown, NY.
5. Leccese, Jeanne. Invited Speaker. April 18, 2015. "Framing Urban Food Access and Food Production Challenges, Workshop on Advancing Food Systems Planning and Policy." 107 National Planning Conference of the American Planning Association, Seattle, WA.
6. Raja, Samina, Julia Freedgood, Jeanne Leccese, Kimberley Hodgson, and Jill Clark. October 22, 2014. "Research, Planning, and Implementation to Build Local Governments' Capacity to Strengthen Food Systems: National Advisory Committee Meeting." Farmland, Food, and Livable Communities Conference of the American Farmland Trust, Lexington, KY.
7. Raja, Samina, and Jeanne Leccese. October 22, 2014. "Food Systems Planning 1.0, Training Workshop for Growing Food Connections." Farmland, Food, and Livable Communities Conference of the American Farmland Trust, Lexington, KY.
8. Raja, Samina, Jeanne Leccese, Julia Freedgood, Kimberley Hodgson, and Jill Clark. September 29, 2014. "Building Local Governments' Capacity to Strengthen Food Systems: Progress and Insights." Project Directors' Meeting, National Institute of Food and Agriculture Washington, DC.
9. Leccese, Jeanne. July 23, 2014. "Lessons for Food Policy Councils." Annual Summer Meeting and Listening Session, Buffalo, NY.
10. Leccese, Jeanne. June 6, 2014. "Building Local Governments' Capacity to Strengthen Food Systems." The 22nd Congress for the New Urbanism, Buffalo, NY.
11. Leccese, Jeanne. Invited Speaker. March 24, 2014. "Growing Food Connections: Building Local Governments' Capacity to Strengthen Food Systems." Designing a Strong and Healthy New York (DASH-NY) Conference, Rochester, NY.
12. Freedgood, Julia and Jeanne Leccese. Feb. 13-15, 2014. "Growing Food Connections for Sustainable Communities." The 13th Annual New Partners for Smart Growth National Conference, Denver, CO.

WORKSHOPS and WEBINARS CO-ORGANIZED OR FACILITATED

1. Facilitator and Presenter. Leccese, Jeanne, Shelia Hess, and Jayme Thomann. July 18, 2018. "Buffalo Niagara Waterkeeper Headwaters Initiative." Western New York Land Conservancy Climate Resiliency Training.
2. Co-Organizer and Facilitator. Leccese, Jeanne, Julia Freedgood, David Rouse, and Tamara Downs Schwei. June 8, 2016. "Planning and Policy Techniques to Support Food Systems Planning." GFC Communities of Opportunity Webinar Series: Webinar 2, Via webinar.
3. Facilitator. Leccese, Jeanne, Julia Freedgood, Cheryal Hills, Helen Schnoes, and Eileen Horn. February 11, 2016. "The Food Systems Planning Process: Understanding the ups and downs of the journey." GFC Communities of Opportunity Webinar Series: Webinar 1, Via webinar.
4. Co-Organizer. April 18, 2015. "Food Systems Planning 2.0: Workshop on Advancing Food Systems Planning and Policy." 107 National Planning Conference of the American Planning Association, Seattle, WA. With Samina Raja and Kimberley Hodgson. Workshop presenters included Holly Freishtat, Kimberley Hodgson, Jeanne Leccese, Sharon Lerman, Thyra Karlstrom, and Jennifer Whittaker.
5. Co-Organizer. October 30, 2014. "Workshop on the Future of Food". 54th Association of Collegiate Schools of Planning. Philadelphia, PA. With Samina Raja, Maryam Khojasteh and Subhashni Raj.

SERIES EDITED

1. Whittaker, Jennifer, and Samina Raja. June 2015. "How Food Policy Emerges: Research Suggests Community-Led Practice Shapes Policy." In *Translating Research for Policy Series*, edited by Samina Raja and Jeanne Leccese. Growing Food Connections Project.
2. Raj, Subhashni, Samina Raja, Julia Freedgood, Jill Clark, and Kimberley Hodgson. In Review. "Cultivating a Culture of Health: Growing a Local Food Economy for a Healthy Wyandotte." In *Exploring Stories of Opportunity*, edited by Samina Raja and Jeanne Leccese. Growing Food Connections.
3. Whittaker, Jennifer, Samina Raja, Julia Freedgood, Jill Clark, and Kimberley Hodgson. In Review. "Bridging Divides: Opportunities for Connecting Farmers and Underserved Consumers in Chautauqua County, New

York." In *Exploring Stories of Opportunity*, edited by Samina Raja and Jeanne Leccese. Growing Food Connections.

SKILLS

Highly proficient with Microsoft Office package; Microsoft 365; ArcGIS package, database management and Adobe InDesign, Photoshop and Professional; Proficient in social media and web design (Word Press).

REFERENCES

Available upon request.

Marcus Rosten

373 Adam Street, Tonawanda, New York, 14150
MRosten11@gmail.com | 716-713-7651

Work Experience:

Environmental Education Assistant

March 2022 – Present

New York State Department of Environmental Conservation, Reinstein Woods Nature Preserve, Depew, NY

- Conduct environmental education programs for adult groups, youth groups, school children and the public in both indoor and outdoor settings, at Reinstein Woods and off-site locations
- Coordinate volunteer program, including recruiting and training new volunteers, processing and tracking required paperwork, communicating volunteer opportunities, and coordinating annual volunteer recognition
- Coordinate off-site outreach events (fairs, science nights, and festivals), including registering, scheduling, and preparing materials for staff or volunteers to take to the event
- Coordinate preserve stewardship projects and efforts, including I Love My Parks Day, the largest stewardship event in the region that engages over 80 volunteers in a single day
- Maintain inventory records, and order office and environmental education supplies
- Perform daily environmental education center operations and provide visitors with natural resource and safety information
- Serve as a subject matter expert and represent the New York State Department of Environmental Conservation (DEC) with public relations and in the media, including a nationally broadcast documentary for PBS Nature focusing on the natural history of the Niagara River Watershed
- Established new partnerships with the Office For People With Developmental Disabilities and Aspire of WNY to expand volunteer engagement, that resulted with weekly stewardship and education program assistance opportunities
- Represented the Greater Niagara Region on the state-wide DEC and Office of Parks Recreation and Historic Preservation team that developed the New York State Birding Trail Guide for Long-Term Planning and Success, which focused on how to connect a diversity of New Yorkers to birding, conservation, and natural resource protection

Educator II

June 2021 – February 2022

Aquarium of Niagara, Niagara Falls, NY

- Served as a frontline interpreter presenting environmental education and interpretation programs to school groups, aquarium guests, camp participants, off-site audiences, and at outreach events across Western New York
- Created curriculum and implemented a monthly STEM education program for homeschool students that was hands-on, immersive, and correlated to the New York State Next Generation Science Standards
- Developed and evaluated interpretive and environmental education programs
- Assisted in the developing new exhibits and interpretive displays
- Trained and supervised seasonal educators, volunteers, and docents

Aquatic Ecology Teacher

September 2020 – June 2021

McKinley High School, Buffalo Public Schools, Buffalo, NY

- Served as a New York State certified Career and Technical Education teacher implementing an Aquatic Ecology program in Buffalo Public Schools
- New York State Teaching Certificate: Natural Resources and Ecology Grades 7-12

- Taught Aquatic Ecology students wildlife science, endangered animals, forestry, aquatic life, and aquaponics through maintaining an on-site aquaculture lab and by getting out in the field obtaining samples and conducting surveys
- Taught students scientific procedures that prepared them to pursue careers in environmental science, fisheries, wildlife science, and agriculture

Aquatic Invasive Species Programs Manager

May 2020 – August 2020

Western New York Partnership for Regional Invasive Species Management (WNY PRISM)
Great Lakes Center, SUNY Buffalo State, Buffalo NY

- Program Manager for the Watercraft Inspection Stewardship Program which involved hiring, training, and supervising 19 Boat Stewards who served as environmental educators at various boat launches throughout the region and taught boaters how to prevent the spread of aquatic invasive species (AIS)
- Supervised 2 Lead Boat Stewards and 17 Boat Stewards
- Managed the Southern Tier Water Chestnut Working Group which brought together municipalities, state and county agencies, and non-profit organizations to collectively manage a high priority invasive plant, Water Chestnut (*Trapa natans*), with a regional effort
- Led WNY PRISM aquatic invasive species early detection and rapid response efforts
- Represented WNY PRISM within collaborative Hydrilla efforts with federal and state agencies, including DEC and U.S. Army Corps of Engineers
- Assisted with education and outreach efforts
- Identified regional aquatic invasive species needs and developed strategies of addressing identified needs
- Competently identified and researched Great Lakes fish, aquatic plants, benthic invertebrates, and priority invasive species

Community Engagement Coordinator

January 2019 – April 2020

Buffalo Niagara Waterkeeper, Buffalo, NY

- Developed and implemented an award-winning college level environmental education curriculum called the Young Environmental Leaders Program (YELP) in Niagara Falls High School, which taught students interested in the STEM fields about environmental justice, while exploring environmental harms impacting their neighborhoods, progressive solutions to those problems, and potential environmental careers
- Awarded the 2020 30 Environmental Educators Under 30 Award from the North American Association for Environmental Education (NAAEE) for my work developing and implementing the Young Environmental Leaders Program in Niagara Falls High School
- Coordinated and mobilized 3,000 volunteers annually in removing trash and debris from over 60 local waterway sites while promoting plastic pollution awareness
- Recruited, trained, and coordinated volunteers
- Coordinated off-site outreach events, including registering, scheduling, and preparing materials for staff or volunteers to take to the event
- Represented the organization on live local television news to promote community stewardship events
- Led interpretive kayak programs throughout Western New York that connected people to their waterways while learning and practicing a skill
- American Canoe Association Certified Level 1 Kayak Instructor: Expiration September 2023

Fish and Wildlife Technician I (Wildlife)

April 2018 – November 2018

New York State Department of Environmental Conservation, Iroquois Field Office, Basom, NY

- Conducted wildlife surveys for passerines, marsh birds, grassland birds, and waterfowl
- Performed habitat management and restoration on over 11,000 acres of impounded marshes and grasslands of the Tonawanda, Oak Orchard, John White, and Braddock Bay Wildlife Management Areas

- Monitored and managed invasive plants including purple loosestrife, mile-a-minute vine, water chestnut, oriental bittersweet, flowering rush, and phragmites
- Assisted in banding and attaching GPS transmitters to waterfowl and migratory birds
- Responded to distressed and nuisance wildlife calls and complaints in Orleans, Genesee, and western Monroe county

Biological Science Technician (Fisheries)

June 2016 – April 2018

U.S. Fish and Wildlife Service, Lower Great Lakes Fish and Wildlife Conservation Office, Basom, NY

- Conducted fisheries projects including fish, plant, and benthic invertebrate assessments on the lower Great Lakes
- Proficiently identified Great Lakes fish, aquatic plants, benthic invertebrates, and priority invasive species
- Lead environmental education programs and developed outreach materials such as posters, presentations, signs, factsheets, and other display materials
- Office lead for outreach and environmental education relating to aquatic invasive species

Naturalist Intern

January 2016 – June 2016

New York State Department of Environmental Conservation, Reinstein Woods Nature Preserve, Buffalo, NY

- Planned and lead a variety of environmental education programs and interpretive guided tours for school groups and the public
- Coordinated the first BioBlitz held at Reinstein Woods Nature Preserve, where 200 volunteers counted over 250 species of plants, animals, and fungi within 24 hours
- Proficiently identified Western New York birds, mammals, trees, wildflowers, fungi, reptiles, and amphibians

Historical Interpreter

August 2015 – December 2015

National Park Service, Minute Man National Historical Park, Concord, MA

Student Conservation Association, National Park Service Academy

- Performed living history and interpreted the start of the American Revolution at the place it began

Environmental Educator

June 2015 – August 2015

National Park Service, Grand Canyon National Park, Grand Canyon, AZ

Student Conservation Association, National Park Service Academy

- Created and led daily ranger programs on the south rim of the Grand Canyon for visitors and aspiring Junior Rangers

Conservation Educator

June 2014 – August 2014

U.S. Forest Service, Tongass National Forest, Juneau, AK

Student Conservation Association, AmeriCorps

- Led a summer long science-based day camp for 225 youth, ages 10–13 years in the Mendenhall Glacier Recreation Area

Education:

Bachelor of Science in Environmental Education and Interpretation

State University of New York College of Environmental Science and Forestry, Syracuse, NY

Graduated: May 2015

Personal Interpretation Methods Undergraduate Teaching Assistant August 2014 – December 2014

- Taught the methods and principles of environmental education and interpretation to a class of 50 college upperclassmen

Trainings, Certifications, Professional Achievements:

- Natural Resources & Ecology 7-12 Teaching Certificate, New York State Department of Education, Issued: 09/29/2020
- 2020 EE 30 Under 30 Awardee from the North American Association for Environmental Education (NAAEE)
- Profile by Nike published on 4/22/21: "Marcus Rosten Is Helping Others Reconnect with Nature"
- National Association for Interpretation, Certified Interpretive Guide Train-the-Trainer Course- 9/2021
- America Canoe Association Level 1 Kayak Instructor: Expiration 12/2023
- Featured in Scholastic News Magazine article titled "How This Little Goldfish Can Cause Big Trouble" on 2/17/2020
- Featured in the Buffalo News on 5/5/2020 in an article titled "For kids, nature beckons. The guy who found a giant goldfish should know."
- New York State Teaching Certificate: Natural Resources and Ecology Grades 7-12
- American Heart Association Heartsaver First Aid CPR AED: Expiration 9/2023

Volunteer Experience

Western New York Land Conservancy

Board Member: June 2021 – Present

- Oversee and advise the Land Conservancy as we work to protect the most vulnerable and most ecologically significant areas of wildland and farmland in Western New York
- Provide financial stewardship of the organization and approve the budget, approve expenditures outside authorized budget and ensure the annual audit of Land Conservancy accounts
- Serve on the Equity Committee and develop action-focused initiatives to give structure to the organization's diversity, equity, and inclusion goals
- Served on the Transition Committee that designed and implemented a strategy that recently hired the organization's new Executive Director
- Represent WNY in the Black AF in STEM Collective and serve on the Planning Committee for #BlackBirdersWeek, as well as lead walks locally that aim to connect black and brown youth to birds and nature

Erie County Environmental Management Council

At-Large Representative: June 2021 – Present

- Erie County Environmental Management Council is an advisory board, consisting of municipal representatives and 12 at-large members appointed by the Erie County Executive, which advises county government on local environmental concerns and provides a liaison between the community and county government

Buffalo Ornithological Society

Board Member: January 2020 – Present; Member: September 2017 – Present

- Assist in bird census counts that are completed throughout the year
- Serve on the council that helps support and advise the Buffalo Ornithological Society Officers

Buffalo Philharmonic Chorus

Baritone Member: September 2017 – Present

- The Buffalo Philharmonic Chorus is an accomplished symphonic choir representing a diverse membership of dedicated vocal musicians. An independent, non-profit organization, the chorus produces an annual concert series and is the principal choral partner of the Buffalo Philharmonic Orchestra
- 2020 GRAMMY Award Winner for “Best Choral Performance”
- Serve on Education, Membership, and Strategic Planning Committees

CONFIDENTIAL

CONFIDENTIAL

AMUN HERU RA

183 Florida street Buffalo, New York 14208
Email: Amunheru22@gmail.com

Office : 716-225-3517
Field : 716-938-0669

EDUCATION

A.S.S. Construction Management Engineering Technologies

Erie Community College, Williamsville NY
Phi Theta Kappa Member

High School Diploma Regents in Math and Science

Buffalo Academy for Visual and Performing Arts, Buffalo NY

CERTIFICATIONS

OSHA 30hr course certified
Residential Electrical Applications Certificate
Blue-Print Reading Certified
First Aid & CPR Certified
Lead Paint Removal Certified

COMPUTER LITERACY

Microsoft Word
Microsoft Excel
Microsoft Power Point
Microsoft Project
Auto C.A.D.

COMMUNITY INVOLVEMENT

BN 360 Spotlight Young Professional of WNY
Honoree 2017/2018 Year

Change Makers 30 Under 30
Honoree 2018/2019 Year

University of Buffalo
Champions for Change Honoree 2018

Hamlin Park Community Tax Payers Association
Active Member

Winslow Block Club
Participating Community Member

Combined Florida Street Coalition
Active Member

Trinidad Neighborhood Association
Active Member



AMUN HERU RA

183 Florida street Buffalo, New York 14208
Email: Amunheru22@gmail.com

Office : 716-225-3517
Field : 716-938-0669

Young man with remarkable leadership qualities', and a drive that is triumphant with any tasks assigned. Possesses exceptional organizational skills and Microsoft Word, Excel, and Project skills. Very involved with community activism, workforce development, economic development, and community progression.

PUSH Buffalo / Buffalo Neighborhood Stabilization Co. (BNSC)

Director of Planning and Community Development **2022 - Present**
Buffalo, New York
Development: \$24.95M in Development Managed

- I. Co-manage project teams consisting of architects, construction managers, sustainability consultants, development consultants and attorneys.
- II. Support Housing Development by developing strategies for new project opportunities and effective community stewardship of vacant homes and land.
- III. Co-Manage a Real Estate Portfolio in collaboration with Executives and Senior Management teams, Property managers, Landscapers and Consultants.

PUSH Buffalo / Buffalo Neighborhood Stabilization Co. (BNSC)

Community Development Project Manager **2019 - 2022**
Buffalo, New York
Development: \$2.55M in Development Managed

- I. Oversee and manage construction projects where BNSC acts as a General Contractor or Developer, including working with sub-contractors and individual trades
- II. Review construction plans and drawings for new projects to ensure project feasibility and compliance with Green Building goals and specific project program guidelines
- III. Conduct regular site visits to monitor construction progress, quality, compliance with requirements, workmanship standards, conformity with plans and specifications, code compliance, on-site safety, project schedule.

RESIDENTIAL REAL-ESTATE DEVELOPMENT

Project Coordinator **2014 - Present**
Buffalo, New York
Development: \$650,000 in Development Managed to date

- I. Purchased Real Estate and partnered with local Contractors to facilitate Residential Development Projects
- II. Created take-offs, tracked man hours, established project cost and timelines for completion for projects. Renovated residential dwellings for occupation or sale.
- III. Established relationships with local Building Inspectors for the various fields of construction.

LOCAL #41 I.B.E.W. UNION ELECTRICIAN

Commercial Wireman **2013- 2020**
Buffalo, New York

- I. Responsible for the installation of wiring for commercial structures, reading of Blueprints and coordinating with other trades for the construction of each project.
 - II. Committed to learning proper codes and guidelines for commercial electrical installations.
 - III. Ensured proper and professional electrical installation to code to the satisfaction of all beneficiaries and Authorities having Jurisdiction.
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Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-16	COUNTY EXECUTIVE	Huron Human Capital Management Financial Aid Student Managed Services & Post- Production Support
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Attachments

23COMM. 11E-16



EC LEG MAY 22 '23 PM 12:28

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

**RE: Huron Human Capital Management Financial Aid Student Managed
Services and Post-Production Support**

Dear Honorable Members:

Please find enclosed a resolution from SUNY Erie Community College seeking legislative authorization to sign a Professional Services Agreement and Statement of Work with Huron Consulting Group in substantially the same form as submitted, pending final changes by the Erie County Attorney's Office.

Should your Honorable Body require further information, I encourage you to contact Officer in Charge, Dr. Adiam Tsegai. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/tcc
Enclosure

cc: Dr. Adiam Tsegai, Officer in Charge

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: SUNY Erie Community College
Re: Huron Human Capital Management Financial Aid Student Managed Services and Post-Production Support
Date: May 22, 2023

SUMMARY

In May of 2017 the SUNY Erie Board of Trustees approved a resolution regarding the installation of the enterprise resource planning (ERP) software (Workday). In June 2017 the college also signed a client relationship agreement for implementation costs, additional staffing costs, additional required software, and 20% discretionary cost.

On June 30, 2022, the college signed a new three-year contract with its active ERP system. SUNY Erie has worked with Huron Consultants since 2018 when the original consultant was replaced. They have been working through implementation and continued with post-production support services.

FISCAL IMPLICATIONS

The cost of this three-year project will be between \$2,000,000 with a threshold not to exceed \$4,000,000 in professional services from 2023-2026.

REASONS FOR RECOMMENDATION

The college has conducted a thorough analysis of the existing ERP system and evaluated the opportunity to migrate to another system but has now determined that to be responsible to the needs of its students, faculty and staff, and the county taxpayers and learned that it is more sustainable for the college to optimize its current ERP investment.

CONSEQUENCES OF NEGATIVE ACTION

Not taking action to optimize the Workday implementation will continue to cause the college staff to experience inefficiencies. The inefficiencies are exacerbated by the loss of staff without the proper redistribution of workload and the reconfiguration of college operational processes and ERP business processes and security features.

The college has many student-facing functional offices working through time-consuming manual processes. Even before the recent loss of staffing these manual processes were affecting the student experience. Time delays in responses from bursars and financial aid are the result of the manual processes that can be addressed with further engagement with the consultant.

STEPS FOLLOWING APPROVAL

Upon approval of this expenditure by the Erie County Legislature and approval by the Erie County Assistant Attorney, the Officer in Charge of SUNY Erie or his/her designee, is authorized to execute the various agreements to start the implementation process.

**A RESOLUTION SUBMITTED BY:
SUNY Erie Community College**

RE: Huron Human Capital Management Financial Aid Student Managed Services and Post-Production Support

WHEREAS, SUNY Erie Community College renewed its subscription of the Workday ERP platform on June 30, 2022; and

WHEREAS, the college has identified opportunities for optimizing the functionality of the Workday ERP platform; and

WHEREAS, by remaining on the Workday ERP the college will realize a total savings of \$14,150,747.48 in comparison to the Banner implementation plan; and

WHEREAS, Huron Consulting Group has successfully implemented and optimized a Workday platform at multiple higher education institutions; and

WHEREAS, Huron Consulting Group has diversified the team that has been assigned to the college to include those with experience in our educational space, and those with experience solutioning other college users;

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie does hereby authorize Dr, Adiam Tsegai or her designee to sign a enter into a three-year engagement with Huron Consulting Group for an HCM FIN STU Managed Services and Post-Production Statement of Work, not to exceed \$4,000,000; and be it further

RESOLVED, that the Legislature of the County of Erie does hereby authorize Dr, Adiam Tsegai or her designee to sign a Professional Services Agreement that will be in substantially the same form as submitted pending final changes approved by the Erie County Attorneys office; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Officer in Charge of SUNY Erie Community College.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-17	COUNTY EXECUTIVE	Authorization to Contract with First Amendment First Vote
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Attachments

23COMM. 11E-17



EC LEG MAY 22 '23 PM 12:28

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

RE: Authorization to Contract with First Amendment First Vote

Dear Honorable Members:

Enclosed, please find a memorandum and proposed resolution from the Department of Public Advocacy requesting authorization to contract with 1st Amendment, 1st Vote as part of a collaborative partnership with the Erie County Commission on the Status of Women and its participation in the 1st Amendment, 1st Vote programs and events.

Should your Honorable Body require further information, I encourage you to contact Karen King, Commissioner of the Department of Public Advocacy. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jp
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Office of Public Advocacy
Re: Authorization to Contract with 1st Amendment, 1st Vote
Date: May 22, 2023

SUMMARY

The Erie County Department of Public Advocacy (Public Advocacy) is requesting authorization to contract with 1st Amendment, 1st Vote (1st A, 1st V) offers non-partisan civic engagement and leadership development opportunities to high school girls in an effort to prepare them to consider a career in public service including running for elected office and professional government-related positions. The Commission on the Status of Women (CSW) wishes to offer high school girls this experiential learning opportunity to achieve greater gender parity in US elected office at the local, state, and national levels.

FISCAL IMPLICATIONS

The contracted amount being requested for an amount not to exceed \$3,500 has already been included in the Public Advocacy's 2023 General Fund Budget as a program under CSW. There are no additional fiscal implications to authorizing this resolution.

REASONS FOR RECOMMENDATION

Under Public Advocacy, CSW provides resources to the women and girls of Erie County to ensure that they participate fully in matters that have an impact on their lives and toward the elimination of all gender-based discrimination and the promotion of women's economic, societal, and political empowerment. The Commission conducts policy studies, analyzes current legislation, programs, and trends impacting women and girls; develops collaborative programs with local and regional organizations and public officials; provides educational awareness; and recommends measures to coordinate, consolidate or expand the resources and services available to women in Erie County.

BACKGROUND INFORMATION

1st A, 1st V, offers educational programming focusing on civic engagement for high school girls in Erie County. It provides them with experiential learning opportunities to better understand what is involved in running for elected office and governance.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this resolution will serve to hinder CSW's and Public Advocacy's ability to offer this experiential learning opportunity to high school girls across Erie County.

STEPS FOLLOWING APPROVAL

The Erie County Office of Public Advocacy will enter into a contract with 1st A, 1st V.

A RESOLUTION SUBMITTED BY:
THE ERIE COUNTY OFFICE OF PUBLIC ADVOCACY

RE: Authorization to Contract with 1st Amendment, 1st Vote

WHEREAS, the Department of Public Advocacy, as part of the mission of the Erie County Commission on the Status of Women, offers high school girls' civic engagement experiential learning opportunities; and

WHEREAS, 1st Amendment, 1st Vote (1st A, 1st V) promotes opportunities for female students to learn and experience the political process through participation in 1st A, 1st V programs and events; and

WHEREAS, 1st A, 1st V offers the participants learning opportunities focusing on the significance of the of the early Women's Suffrage movement's contributions to women's equality; and

WHEREAS, 1st A, 1st V offers participants the opportunity understands the connection between the first and nineteenth amendments and to recognize the ongoing work necessary to create greater gender parity in elected office.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature hereby authorizes the County Executive to enter into a contract with 1st A, 1st V for an amount not to exceed \$3,500; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract exist within the Erie County Office of Public Advocacy's 2023 General Fund Budget (Fund 110, Funds Center 10910) in Account 516020 - Professional Services, Contracts and Fees; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive's Office, the Comptroller's Office, the Division of Budget and Management, the Department of Law, and the Department of Public Advocacy.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-18

COUNTY EXECUTIVE

Authority to Enter into Contract for New
Lancaster Highway Maintenance Facility

Attachments

23COMM. 11E-18



EC LEG MAY 22 '23 PM 12:2

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

RE: Authority to Enter into Contract for New Lancaster Highway Maintenance Facility

Dear Honorable Members:

This resolution, from the Department of Public Works, is seeking authorization for the County Executive to enter into contract with the lowest responsible bidders for work associated with Erie County – New Lancaster Highway Maintenance Facility project. This project involves construction of a new building on the County Highway site located at 125 Cemetery Road, Lancaster NY 14086. General, Mechanical, Electrical, and Plumbing construction bids were received by the Department of Public Works on April 6, 2023 and a copy of the bid tabulations are attached for your reference.

In addition, this resolution is seeking authorization for the County Executive to authorize an Agreement Amendment with the engineering firm The Liro Group for providing professional construction administration and monitoring services for the above referenced project. The Department of Public Works received proposals for professional Architectural/Engineering services for the project on December 20, 2019.

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

Sincerely yours,

Mark. C. Poloncarz, Esq.

Erie County Executive

MCP/jk

Cc. William E. Geary, Jr., Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Authorization to Enter into Contract for New Lancaster Highway Maintenance Facility
Date: May 22, 2023

SUMMARY

This Department of Public Works is seeking authorization for the County Executive to enter into contract with the lowest responsible bidders for the Erie County New Lancaster Highway Maintenance Facility project. In addition, authorization is sought to enter into an agreement amendment with the firm of The Liro Group to provide professional construction administration and monitoring services for the aforementioned project. A new maintenance facility is required to provide services within the district. The existing building at the Clarence site was vacated due to structural, safety, and code issues which make the structure unfit for occupancy.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved as adopted Erie County Capital Budget, Funds Center 122, Fund 410, as follows:

A.18011 – 2018 Highway Maintenance Facility	\$ 364,197.56
A.20001 – 2020 Harlem Road / Lancaster	\$ 2,500,000.00
A.21165 – 2021 Harlem Highway	\$ 6,335,802.44
Total not to exceed	\$ 9,200,000.00

REASON FOR RECOMMENDATION

A new maintenance facility is required to replace the operations that were provided at the Clarence site.

BACKGROUND INFORMATION

A new maintenance facility is required to replace the vacated building at the Clarence site. The Clarence facility is over 100 years old, no longer meets the operational needs of DPW - Highway Division and was vacated due to structural, safety, and code issues.

CONSEQUENCES OF NEGATIVE ACTION

If the facility is not built, services will not be effectively provided to meet the needs of the district.

STEPS FOLLOWING APPROVAL

Upon legislative approval, the County executive will enter into a contract with the lowest responsible bidders and enter into an agreement amendment with the engineering firm of The Liro Group.

COMPTROLLER'S OFFICE REVIEW

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

Timothy C. Callan 5/1/23
Timothy C. Callan
Deputy Comptroller
Comptroller's Office

- A.18011 – 2018 Highway Maintenance Facility
- A.20001 – 2020 Harlem Road / Lancaster
- A.21165 – 2021 Harlem Highway

Erie County New Lancaster Highway Facility

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Authorization to Enter into Contract for New Lancaster Highway Maintenance Facility

WHEREAS, the Clarence Highway Maintenance Building has structural issues and is deemed unsafe for occupancy; and

WHEREAS, it is prudent and cost effective to construct a new building to provide services and comply with all current safety, OSHA, and building code requirements; and

WHEREAS, a new facility is to be constructed within the Clarence Maintenance District at 125 Cemetery Road, Lancaster NY; and

WHEREAS, the Department of Public Works and The Liro Group are recommending award of contracts to the lowest responsible bidders for the General, Mechanical, Electrical, and Plumbing construction received on April 6, 2023; and

WHEREAS, The Liro Group has the necessary expertise and manpower to provide professional construction administration and monitoring services for the project; and

WHEREAS, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.1 under the State Environmental Quality Review Act (SEQR) requires local governments when they directly undertake, fund or approve an action to evaluate whether said actions will have a significant impact on the environment; and

WHEREAS, Erie County acting through the Department of Environment and Planning has reviewed the action under the aforementioned SEQR regulations and has made the determination that the action is classified as an Unlisted action under 6 NYCRR Part 617.4 (b)(6) and 617.2(al); and

WHEREAS, Erie County acting through the Department of Environment and Planning reviewed the action in accordance with SEQR and made the determination that the action will have little to no impact on the environment; and

WHEREAS, authorization is required for the County Executive to issue contracts with the lowest responsible bidders for the Erie County – New Lancaster Highway Maintenance Facility project; and

WHEREAS, authorization is required for the County Executive to enter into an Agreement amendment with The Liro Group for providing professional construction administration and monitoring services for the Erie County - New Highway Maintenance Facility project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contracts with the lowest responsible bidders for the Project for an amount not to exceed as follows:

<u>General Construction Work</u>		
Javen Construction	Base Bid:	\$ 5,527,000.00
	Alt GC-1:	\$ 569,000.00
Total Award of General Construction Contract:		\$ 6,096,000.00
<u>Mechanical Construction Work</u>		
Greater Niagara Mechanical	Base Bid:	\$ 863,135.00
	Alt MC-1:	\$ 141,025.00
Total Award of Mechanical Construction Contract:		\$ 1,004,160.00
<u>Electrical Construction Work</u>		
Frey Electric Construction	Base Bid:	\$ 505,650.00
	Alt EC-1:	\$ 34,000.00
Total Award of Electrical Construction Contract:		\$ 539,650.00
<u>Plumbing Construction Work</u>		
MLP Plumbing and Mechanical, Inc. .	Base Bid:	\$ 575,000.00
	Alt PC-1:	\$ 46,900.00
Total Award of Plumbing Construction Contract:		\$ 621,900.00

and be it further

RESOLVED, that authorization is hereby given for sum of \$588,290 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that is authorization is hereby given for the County Executive to enter into an Agreement amendment with The Liro Group for providing professional construction administration and monitoring services for the Erie County - New Lancaster Highway Maintenance Facility for an amount not to exceed \$350,000.00, including design contingency; and be it further

RESOLVED, that authorization is hereby given to the Comptroller's Office to make payment from the following capital project in Funds Center 122, Fund 410:

A.18011 – 2018-Highway maintenance Facility	\$ 364,197.56
A.20001 – 2020 Harlem Road / Lancaster	\$ 2,500,000.00
<u>A.21165 – 2021 Harlem Highway</u>	<u>\$ 6,335,802.44</u>
Total Amount Not to Exceed	\$ 9,200,000.00

and be it further

RESOLVED, that Erie County hereby determines that the proposed Erie County - New Highway Maintenance Facility project is an Unlisted action in accordance with 6 NYCRR Section 617.7 (c) and will have little to no impact on the environment and the action and is therefore not subject to further review under 6 NYCRR Part 617; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, and the Department of Environment and Planning.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE
PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME
- | | |
|-----------------------------------|----------------------|
| Javen Construction Co. Inc. | \$ 6,096,000.00 |
| Greater Niagara Mechanical | \$ 1,004,160.00 |
| Frey Electric | \$ 539,650.00 |
| MLP Plumbing and Mechanical, Inc. | \$ 621,900.00 |
| Construction Contingency | \$ 588,290.00 |
| <u>Liro Group</u> | <u>\$ 350,000.00</u> |
2. AMOUNT OF CONTRACT Not to exceed \$9,200,000.00
3. PROJECT NUMBER
- | | |
|----------------|------------------------|
| A.18011 | \$ 364,197.56 |
| A.20001 | \$ 2,500,000.00 |
| <u>A.21165</u> | <u>\$ 6,335,802.44</u> |
4. PROJECT TITLE Erie County – New Lancaster Highway Facility
- Funding questions: Kristofer Straus, PE #7294
5. DEPARTMENT CONTACT Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS

A. 18011 - \$ 364,197.56
\$ A. 20001 - \$ 2,500,000.00 } \$ 9,864,197.56
A. 21165 - \$ 7,000,000.00

7. PERFORMED BY

Elizabeth A Hall 5/17/2023

Date Sent to Comptroller's Office:

5/17/2023

[55 compt_10]



DEPARTMENT OF PUBLIC WORKS
DIVISION OF BUILDINGS AND GROUNDS
Unofficial Bid Results

Job Name: Erie County New Lancaster Highway Facility
Project No.: 2019-943-01

Date: 4/6/2023
Time, Local: 2:00 PM

General Construction

BIDDER	Base Bid	Alt. Bid GC-1 (+/-)
Javen Construction	5,527,000.00	+ 569,000.00
Picone Construction	6,208,900.00	+ 567,900.00



DEPARTMENT OF PUBLIC WORKS
DIVISION OF BUILDINGS AND GROUNDS
Unofficial Bid Results

Job Name: Erie County New Lancaster Highway Facility
Project No.: 2019-943-01

Date: 4/6/2023
Time, Local: 2:00 PM

Plumbing Construction

BIDDER	Base Bid	Alt Bid PC-1
D.V. Brown & Associates	503,000.00	+ 49,000.00
MKS Plumbing	591,000.00	+ 71,000.00
MLP Plumbing and Mechanical	575,000.00	+ 46,900.00



DEPARTMENT OF PUBLIC WORKS
 DIVISION OF BUILDINGS AND GROUNDS
 Unofficial Bid Results

Job Name: Erie County New Lancaster Highway Facility
 Project No.: 2019-943-01

Date: 4/6/2023
 Time, Local: 2:00 PM

Electrical Construction

BIDDER	Base Bid	Alt Bid EC-1
IPL	518,900.00	+ 60,700.00
Goodwin Electric	690,800.00	+ 69,900.00
Frey Electric	505,650.00	+ 34,000.00
O'Connell Electric	673,200.00	+ 76,750.00
Weydman Electric	622,800.00	+ 66,800.00
CIR Electric	578,890.00	+ 97,167.00



DEPARTMENT OF PUBLIC WORKS
 DIVISION OF BUILDINGS AND GROUNDS
 Unofficial Bid Results

Job Name: Erie County New Lancaster Highway Facility
 Project No.: 2019-943-01

Date: 4/6/2023
 Time, Local: 2:00 PM

Mechanical Construction

BIDDER	Base Bid	Alt Bid MC-1
Quackenbush	932,000.00	+ 177,000.00
D.V. Brown & Associates	1,100,000.00	+ 200,000.00
Danforth	948,400.00	+ 147,000.00
Greater Niagara Mechanical	863,135.00	+ 141,025.00

OFFICE OF THE COMPTROLLER REVIEW

DATE: 5/17/2023

PROJECT TITLE: A.20001 2020 Harlem Rd/Lancaster/Clarence Highway Facility

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>2,500,000.00</u>
Total Project Appropriations	\$ <u>2,500,000.00</u>
Less: Total Expenditure To Date	\$ <u> </u>
Less: Total Commitments	\$ <u> </u>
Available Appropriations As Of Date Of Request	\$ <u>2,500,000.00</u>
Less: Contract Amount	\$ <u>2,500,000.00</u>
Net Available Appropriations	<u> </u>

Comments: There is \$2,500,000.00 cash in the project.

Request Approved: T. C. O'Connell

Request Denied: _____

Date: 5/17/23

PROJECT TITLE: A.21165 2021 Harlem Highway Barn New Build

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE

PROJECT: YES X NO _____

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT IF YES,
COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>7,000,000.00</u>
Total Project Appropriations	\$ <u>7,000,000.00</u>
Less: Total Expenditure To Date	\$ _____
Less: Total Commitments	\$ _____
Available Appropriations As Of Date Of Request	\$ <u>7,000,000.00</u>
Less: Contract Amount	\$ <u>6,335,802.44</u>
Net Available Appropriations	\$ <u>664,197.56</u>

Comments: There is \$7,000,000.00 cash in the project.

Request Approved: T. J. Coe

Request Denied: _____

Date: 5/17/23

Fund/Group 410		Funds Center *				(*)	
Funded Program A.18011		2018 Hwy Maint Fac - Harlem/Lanc/Clare					
Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals		
445070 Prem On Obligations					87,709.54-		
475000 Gen Oblig Bond Proc	800,000.00-		800,000.00-		712,290.46-		
* Revenue	800,000.00-		800,000.00-		800,000.00-		
518020 Pro Ser Ont and Fees				129,506.00	306,296.44		
CAPITALPROJECTS Capital Project Exp	800,000.00		800,000.00				
* Expense	800,000.00		800,000.00	129,506.00	306,296.44		
** Commitment Item				129,506.00	483,703.56-		

Fund(s): 400.559	Fiscal Year: 2023	Project(s): A.18011	2018 Hwy Maint Fac - Harlem/Lanc/Clare	
	Period: 1 to 5			
Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	595,439.19		101,735.63-	493,703.56
200000 ACCOUNTS PAYABLE CONTROL ACCT	101,350.00-	101,735.63	385.63-	
200100 CREDIT ACCOUNT				
365955 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	494,089.19	101,735.63	102,121.26-	493,703.56
445070 PREMIUM ON OBLIGATIONS - BONDS	87,709.54-			87,709.54-
475000 GENERAL OBLIGATION BOND PROCEEDS	712,290.46-			712,290.46-
* Revenues	800,000.00-			800,000.00-
518020 PROFESSIONAL SERVICE CONTRACTS AND FEES	305,910.61	385.63		306,296.44
* Expenditures	305,910.61	385.63		306,296.44
** Total		102,121.26	102,121.26-	

Fund/Group 410		Funds Center *				(*)	
Funded Program A.20001		2020 HARLEM RD/LANCASTER/CLARENCE HWY PA					
Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals		
445070 Prem On Obligations					529,450.35-		
475000 Gen Oblig Bond Proc	2,500,000.00-		2,500,000.00-		1,970,519.65-		
* Revenue	2,500,000.00-		2,500,000.00-		2,500,000.00-		
CAPITALPROJECTS Capital Project Exp	2,500,000.00		2,500,000.00				
* Expense	2,500,000.00		2,500,000.00				
** Commitment Item					2,500,000.00-		

Fund(s): 400.599 Fiscal Year: 2023 Project(s): A.20001 2020 HARIEM RD/LANCASTER/CLARENCE HWY FA				
Period: 1 to 5				
Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	2,500,000.00			2,500,000.00
389956 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	2,500,000.00			2,500,000.00
445070 PREMIUM ON OBLIGATIONS - BONDS	529,480.35-			529,480.35-
478000 GENERAL OBLIGATION BOND PROCEEDS	1,970,519.65-			1,970,519.65-
* Revenues	2,500,000.00-			2,500,000.00-
** Total				

Fund/Group 410					
Funds Center *					
Funded Program A.21145 (2021 Harlem Highway Barn New Build)					
Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
486000 Interfund Rev Subsidy	5,000,000.00-	2,000,000.00-	7,000,000.00-		7,000,000.00-
* Revenue	5,000,000.00-	2,000,000.00-	7,000,000.00-		7,000,000.00-
CAPITALPROJECTS Capital Project Exp	5,000,000.00	2,000,000.00	7,000,000.00		
* Expense	5,000,000.00	2,000,000.00	7,000,000.00		
** Commitment Item					7,000,000.00-

Fund(s): 400.599 Fiscal Year: 2023 Project(s): A.21145 2021 Harlem Highway Barn New Build				
Period: 1 to 5				
Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	7,000,000.00			7,000,000.00
389956 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	7,000,000.00			7,000,000.00
486000 INTERFUND REVENUE SUBSIDY	7,000,000.00-			7,000,000.00-
* Revenues	7,000,000.00-			7,000,000.00-
** Total				

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-19	COUNTY EXECUTIVE	Authorization to Enter Into Contract for Zoeller Rd. Pumping Station - Electric Service Project
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Attachments

23COMM. 11E-19



EC LEG MAY 22 '23 PM 12:28

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

Re: Authorization to Enter into Contract for Zoeller Rd Pumping Station Electric Service Project

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into a contract with the lowest responsible bidder for the Zoeller Road Pumping Station Electric Service project. Bids were received by the Department of Public Works on May 4, 2023 and a copy of the bid tabulation for the project is attached for your reference.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/dm
Enclosure

cc: William E. Geary, Commissioner of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Authorization to Enter into Contract for Zoeller Rd Pumping Station Electric Service Project
Date: May 22, 2023

SUMMARY

This resolution is seeking authorization for the County Executive to enter into a contract with the lowest responsible bidder for the Zoeller Road Pumping Station Electric Service project.

This project involves separating the Zoeller Road Pumping Station from the electric service at the Alden Home, replacing the associated electrical infrastructure and providing a new grid connection so that the facility is completely isolated from the Alden home.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved as adopted Erie County Capital budgets, Funds Center 122; Fund 410, SAP Projects as follows:

A.19019 – Erie County Home Decommissioning -	\$175,752.16
A.16011 – 2016 Erie County Home Decommissioning -	\$ 11,281.72
A.18006 – 2018 Mechanical, Electrical and Plumbing -	\$ 32,682.75
A.11006 – 2011 Mechanical, Electrical and Plumbing -	\$ 937.50
A.19015 – 2019 Mechanical, Electrical and Plumbing -	\$ 11,448.00
A.20060 – 2020 Mechanical, Electrical and Plumbing -	\$ 3,414.67
A.21106 – 2021 Mechanical, Electrical and Plumbing -	\$ 31,349.20
 Total Not to exceed -	 \$266,866.00

REASONS FOR RECOMMENDATION

On the corner of Zoeller Road and Walden Avenue sits an Erie County Sewer pumping station that services the Alden, NY area. The electric to run the pumping station comes from a distribution panel in the Erie County Home. Erie County is currently pursuing the sale of the Erie County Home and would be required to sever the connection to pumping station or provide an easement. Providing the Zoeller Road Pumping Station its' own electric service will remove its' connection to the Home and provide a clean title for sale.

BACKGROUND INFORMATION

The Zoeller Road Pumping Station gets both its' regular as well as backup generator power from power distribution equipment in the Erie County Home. This project will install all the necessary equipment for it to stand alone (backup generator, automated transfer switches, load banks, etc.) as well as provide the connection to the grid.

CONSEQUENCES OF NEGATIVE ACTION

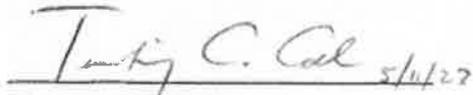
If no action is taken, the pumping station will continue to be beholden to the Erie County Home for its' operation. The sale of the Home would become increasingly complicated due to easement requirements and electrical usage compensation. The installation of a submeter would be required and any power interruptions would require the approval of a third party outside of the County, leaving sewage to back up until the problem is fixed.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will enter into a contract with the lowest responsible bidder, CIR Electrical, Inc., so work can proceed.

COMPTROLLER'S OFFICE REVIEW

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

 5/14/27

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.19019 – Erie County Home Decommissioning - \$175,752.16
A.16011 – 2016 Erie County Home Decommissioning - \$ 11,281.72
A.18006 – 2018 Mechanical, Electrical and Plumbing - \$ 32,682.75
A.11006 – 2011 Mechanical, Electrical and Plumbing - \$ 937.50
A.19015 – 2019 Mechanical, Electrical and Plumbing - \$ 11,448.00
A.20060 – 2020 Mechanical, Electrical and Plumbing - \$ 3,414.67
A.21106 – 2021 Mechanical, Electrical and Plumbing - \$ 31,349.20

File Copy (Zoeller Rd Pumping Station Electric_Construction Award.docx)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

Re: Authorization to Enter into Contract for Zoeller Rd Pumping Station Electric Service Project

WHEREAS, the Erie County Sewers pumping station located at the corner of Zoeller Rd and Walden Avenue sits adjacent to the Erie County Home; and

WHEREAS, the Zoeller Rd Pumping station receives electrical power from a distribution panel in the Erie County Home; and

WHEREAS, Erie County is seeking the sale of the Erie County Home; and

WHEREAS, the Zoeller Road Pumping Station will not be part of the sale of the Erie County Home and will be maintained Erie County Division of Sewerage Management requiring the Zoeller Rd Pumping station utilities to be separated from the Erie County Home through execution of the scope of work on this Construction Project; and

WHEREAS, Erie County requested bids to install a new electric service and the associated backup power equipment; and

WHEREAS, the lowest responsible bidder, in accordance with General Municipal Law, for the Zoeller Road Pumping Station Electric project is CIR Electrical, Inc.; and

WHEREAS, the Erie County Department of Public Works, along with the Architect of record for the project, is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the lowest responsible bidder for the Zoeller Road Pumping Station Electric project for an amount not to exceed as follows:

General Construction Work

CIR Electrical, Inc.	Base Bid:	\$ 241,866.00
Total Award of Construction Contract:		\$ 241,866.00

and be it further

RESOLVED, that authorization is hereby given for the sum of \$25,000.00 to be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that authorization is hereby given to the Comptroller's Office to make payment for the above from Fund 410, Funds Center 122, as follows:

A.19019 – Erie County Home Decommissioning -	\$175,752.16
A.16011 – 2016 Erie County Home Decommissioning -	\$ 11,281.72
A.18006 – 2018 Mechanical, Electrical and Plumbing -	\$ 32,682.75
A.11006 – 2011 Mechanical, Electrical and Plumbing -	\$ 937.50
A.19015 – 2019 Mechanical, Electrical and Plumbing -	\$ 11,448.00
A.20060 – 2020 Mechanical, Electrical and Plumbing -	\$ 3,414.67
A.21106 – 2021 Mechanical, Electrical and Plumbing -	\$ 31,349.20

Total Amount Not to Exceed:	\$266,866.00
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and be it further

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

TO: JOHN SOLECKI, COMPTROLLER'S OFFICE, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME	CIR Electrical, Inc. \$ 241,866.00 Construction Contingency \$ 25,000.00
2. AMOUNT OF CONTRACT	Not to exceed \$ 266,866.00
3. PROJECT NUMBER	A.19019 - \$175,752.16 A.16011 - \$ 11,281.72 A.18006 - \$ 32,682.75 A.11006 - \$ 937.50 A.19015 - \$ 11,448.00 A.20060 - \$ 3,414.67 A.21106 - \$ 31,349.20
4. PROJECT TITLE	Zoeller Road Pumping Station Electrical Funding questions: Kris Straus at x7294
5. DEPARTMENT CONTACT	Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS	\$ 443,746.27
7. PERFORMED BY	Elizabell A. Hall 5/9/2023
Date Sent to Comptroller's Office:	May 8, 2023

[55 compt_10]

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-20	COUNTY EXECUTIVE	Authorization to Enter Into Contract for Emery Park Amphitheater Rehabilitation
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Attachments

23COMM. 11E-20



CC LEG MAY 22 '23 PM 12:28

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

**Re: Authorization to Enter into Contract for Emery Park Amphitheater
Rehabilitation**

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into a contract with the lowest responsible bidder, NW Contracting, for the Erie County Department of Parks, Recreation, & Forestry Emery Parks Amphitheater Rehabilitation Project. Bids were received by the Department of Public Works on April 25, 2023.

This project involves the rehabilitation of Emery Park Amphitheater Site to include a new asphalt parking lot, new sidewalks, ADA Accessible concrete pad for events and vendors, creating a new stone tier seating view area, and formalizing the driveway down to the Amphitheater Stage.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/maa
Enclosure

cc: William Geary, Commissioner, Department of Public Works
Troy Schinzel, Commissioner, Department of Parks, Recreation & Forestry

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Authorization to Enter into Contract for Emery Park Amphitheater Rehabilitation
Date: May 22, 2023

SUMMARY

This resolution is requesting authorization for the County Executive to enter into a contract with the lowest responsible bidder, NW Contracting, for the Erie County Department of Parks, Recreation, and Forestry Emery Park Amphitheater Rehabilitation Project.

This project involves the rehabilitation of Emery Park Amphitheater Site to include a new asphalt parking lot, new sidewalks, ADA Accessible concrete pad for events and vendors, creating a new stone tier seating view area, and formalizing the driveway down to the Amphitheater Stage.

FISCAL IMPLICATIONS

Funds for the project are currently available from authorized Capital Projects as follows:

Fund	Fund Center	Capital Project	Description	Amount
410	122	A.21162	2021 Parks Mngd by DPW Exp Cap Program	\$266,816.00
410	122	A.22055	2022 WPA Era Rehab	\$159,369.00
410	164	A.23058	2023 Shelter Bldg. & Comfort Station Rehab	\$43,762.00
Total Not to Exceed				\$469,947.00

REASONS FOR RECOMMENDATION

This rehabilitation project includes re-envisioning the existing Amphitheater Site into an event space. We will be creating a large parking lot to increase the pedestrian safety in the park. We will be making this area ADA Accessible by adding handicap parking, and sidewalk to a concrete area to make participation in the event possible. We have formalized a new tier stoned seating area for stage viewing and socializing. We will be adding a landscape buffer around three sides of the stage to not only create visual interest but to an added a level of safety as well. This site will be transformed into a new community space to enjoy all types of outdoor entertainment in a beautiful natural park setting.

BACKGROUND INFORMATION

Emery Park is one of the oldest Heritage Park being acquired in 1925. This 457-acre Heritage Park is a multi-purpose park which features a ski slope and lodge, multi-purpose trails,

waterfalls, large wooded areas and scenic views. The Amphitheater was built using WPA stone from the Works Progress Administration which was created in 1939 to create jobs for the unemployed during the Great Depression. The goal is to showcase this hidden-gem in Emery Park with re-envisioning the site with modern features while maintaining the simplicity and beauty of the site and the craftsmanship from the WPA Era.

CONSEQUENCES OF NEGATIVE ACTION

If the contract is not approved, the site will continue to deteriorate and may potentially render it unusable and pose a safety risk to the public.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will execute a contract with the lowest responsible bidder, NW Contracting for this shelter rehabilitation project.

COMPTROLLER'S OFFICE REVIEW

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

Timothy C. Callan 5/9/23

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.21162 – 2021 Parks Mngd by DPW Exp Cap Program
A.22055- 2022 WPA Era Rehab.
A.23058 - 2023 Shelter Bldg. & Comfort Station Rehab

File Copy (DPW Resolution BG 2023 Emery Amphitheater Rehabilitation.docx)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Erie County Department of Parks, Recreation, and Forestry Emery Park Amphitheater Rehabilitation

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) has identified a capital improvement project at the Emery Park Amphitheater to re-invigorate the existing site; and

WHEREAS, the existing site has deteriorated over time and needs a rehabilitation and can pose a life safety hazard to the public if renovations are not completed; and

WHEREAS, the rehabilitation project includes a new asphalt parking lot, new ADA Accessible sidewalks and concrete pad for events and vendors, a new stone tier seating view area, and formalizing the driveway down to the Amphitheater Stage; and

WHEREAS, the Erie County Department of Public Works (DPW) received bids for the Parks Emery Amphitheater Rehabilitation Project on April 25, 2023; and

WHEREAS, the lowest responsible bidder is NW Contracting; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the lowest responsible bidder, NW Contracting, as follows for the Erie County Department of Parks, Recreation, and Forestry Emery Park Amphitheater Rehabilitation Project for an amount not to exceed as follows:

NW Contracting	
Base Bid	\$394,947
Alternate 1	\$30,000
<hr/>	
Total Construction Contract Award	\$424,947

and be it further

RESOLVED, that the sum of \$45,000 be allocated to a Construction Contingency Fund with authorization to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that the Comptroller's Office be authorized to make payment the above project including contingency from the following Capital Projects, as follows:

Fund	Fund Center	Capital Project	Description	Amount
410	122	A.21162	2021 Parks Mngd by DPW Exp Cap Program	\$266,816.00
410	122	A.22055	2022 WPA Era Rehab	\$159,369.00
410	164	A.23058	2023 Shelter Bldg. & Comfort Station Rehab	\$43,762.00
Total Not to Exceed				\$469,947.00

and be it further

RESOLVED, that two certified copies each of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, and the Department of Parks, Recreation & Forestry.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|-----------------------|---|
| 1. CONTRACTOR'S NAME | <u>NW Contracting</u> |
| 2. AMOUNT OF CONTRACT | Base Bid – \$394,947.00
Alternate 1 – \$30,000.00
Construction Contingency – \$ 45,000.00
<u>Total – \$ 469,947.00</u> |
| 3. PROJECT NUMBER | A.21162 \$266,816
A.22055 \$159,369
<u>A.23058 \$43,762</u> |
| 4. PROJECT TITLE | <u>Erie County Department of Parks, Recreation,
and Forestry Emery Park Amphitheater
Rehabilitation</u> |
| 5. DEPARTMENT CONTACT | Funding questions: Kristofer Straus, PE at
x7294
<u>Letter pickup: Christy Weber at x 8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS

A. 21162 - 7,113,199.90
A. 22055 - 159,369.00 > 47,473,168.90
\$ A. 23058 - 200,000.00

7. PERFORMED BY

Elizabeth A. Hill 5/9/2023

Date Sent to Comptroller's Office:

05/08/2023

[55 compt_10]



Project Name: Emery Park Amphitheater Rehabilitation Bid Date: 4/25/23
 DPW Project #: 2023-910-01 Bid Time: 10:30 AM local time
 Project Manager: Melissa Anderson A/E Firm: DiDonato Associates
 DPW Inspector: TBD

BID TABULATION SHEET
 FOR
 CIVIL/SITE CONSTRUCTION WORK

BIDDER	BASE BID	COMPLETION TIME (CALENDAR DAYS)	ALT. BID E-1 (+/-)	ADDITIONAL COMPLETION TIME FOR ALTERNATE (+/- CALENDAR DAYS)	ADDENDA ACKNOWLEDGED	APPRENTICESHIP TRAINING PROGRAMS	OWNER'S SIGNATURE	CONTRACTOR'S OWN WORKFORCE	NYS VENDOR RESPONSIBILITY QUESTIONNAIRE	EQUAL PAY	M/WBE UTILIZATION PART A FORM	BID BOND	EXECUTIVE ORDER 18	DRUG AND ALCOHOL
			Addition of 1 1/2" Top Course											
Rodriguez Construction	419,000	120	+32,000	-	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
NW Contracting	394,947	170	+30,000	1	✓	✓	✓	✓	✓	✓	○	✓	✓	✓
Buffalo Asphalt Milling Corp	660,000	180	+25,000	-	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Orchino Corp.	497,600	60	+29,000	30	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Edbauer Construction	467,067.50	120	+39,600	-	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

DEPARTMENT OF PUBLIC WORKS
 OFFICE OF THE COMMISSIONER

DPW Rev. 05/2015

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-21	COUNTY EXECUTIVE	Rehabilitation of Bailey Ave. from Millersport Highway to Sheridan Dr.
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Attachments

23COMM. 11E-21



EC LEG MAY 22 '23 PM 12:29

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

**RE: Rehabilitation of Bailey Avenue (CR 152) from Millersport Highway (NYS 263)
to Sheridan Drive (NYS 324)
NYSDOT Agreement and Contract for Engineering Design Services
PIN 5764.14
Town of Amherst**

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive enter into an agreement with New York State Department of Transportation (NYSDOT) for the above referenced project. The Department is also requesting authorization for the County Executive to execute an agreement with the design firm of Erdman Anthony for engineering design services for this project.

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

Sincerely yours,

Mark C. Poloncarz
Erie County Executive

MCP/gmw
Enclosure

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Rehabilitation of Bailey Avenue (CR 152) from Millersport Highway (NYS 263) to Sheridan Drive (NYS 324)
NYSDOT Agreement and Contract for Engineering Design Services
PIN 5764.14
Town of Amherst
Date: May 22, 2023

SUMMARY

The Department of Public Works is seeking authorization to enter into an agreement with the New York State Department of Transportation (NYSDOT) for the engineering design phases of the above-mentioned federal-aid project.

Additionally, the Department is requesting authorization to execute an agreement between the County of Erie and the design firm of Erdman Anthony in the amount of \$583,000 for engineering design services. Also, to establish a project contingency of \$30,000, for a total project design cost not to exceed \$613,000. Erdman Anthony was selected using the Procedures for Locally Administered Federal Aid Projects (PLAFAP) guidelines.

FISCAL IMPLICATIONS

The NYSDOT Agreement in the amount of \$1,000,000. provides an 80% Federal reimbursement of up to \$800,000, a 15% NYS Marchiselli reimbursement of up to \$150,000, and requires a 5% local share of \$50,000. Which upon approval of the budget adjustment, will be available from Fund 420, Funds Center 123, project B.23005 – 2023 Federal Aid – Road Design

The negotiated agreement between Erie County and Erdman Anthony, as project design engineer, for engineering design services and project contingency will not exceed a total budget of \$613,000. Should the agreement receive any additional federal or non-federal reimbursements in the future, the capital project budget would be adjusted to reflect that increase/decrease.

REASONS FOR RECOMMENDATION

The Rehabilitation of Bailey Avenue project is eligible as a National Highway Performance Program (NHPP) Project which allows the County of Erie to utilize available county funds to leverage Federal and New York State funds towards the improvement of its infrastructure on the National Highway System (NHS). Erdman Anthony is recommended as project design engineers because of their expertise, experience, and manpower to provide the County of Erie with the service required. Erie County is eligible for reimbursement, from Federal funds and NYS Marchiselli funds, under this Agreement with NYSDOT.

BACKGROUND INFORMATION

The existing Bailey Avenue pavement section is showing signs of distress with longitudinal cracking. The road has received numerous patches due to pavement failures, and the existing

drainage system needs repairs. The project objective is to correct identified pavement deficiencies, to extend the useful life of the pavement, and to maintain a structurally sound road.

The Project meets eligibility requirements for the Federal NHPP and is approved by the NYSDOT in their current Capital Program to be funded with Federal Aid and NYS Marchiselli funds

CONSEQUENCES OF NEGATIVE ACTION

This action is required to ensure project advancement and financing through the Locally Administered Federal Aid Program using NHPP funds to pay for the design costs of the road rehabilitation. Negative action would halt design and result in continued deterioration of the road surface, decreased rideability, increased maintenance responsibilities and cost, as well as jeopardize existing and future reimbursement funding available through this program.

STEPS FOLLOWING APPROVAL

The Highway Division will proceed with execution of agreements in accordance with the Federal and NYSDOT guidelines. Upon the Erie County Legislature's approval, the County Executive will execute agreements between Erdman Anthony and the County and the State and local agreement between Erie County and New York State.

COMPTROLLER'S OFFICE REVIEW

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


Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.23005 – Fed Aid Rehabilitation of Bailey Avenue
PIN 5764.14

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

RE: Rehabilitation of Bailey Avenue (CR 152) from Millersport Highway (NYS 263) to Sheridan Drive (NYS 324)
NYSDOT Agreement and Contract for Engineering Design Services
Town of Amherst
PIN 5764.14

WHEREAS, the Rehabilitation of Bailey Avenue (CR 152) from Millersport Highway (NYS 263) to Sheridan Drive (NYS 324), Town of Amherst, PIN 5764.14 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of Federal funds and a local share; and

WHEREAS, the County of Erie desires to execute an Agreement with the New York State Department of Transportation (NYSDOT) to obtain Federal and non-Federal reimbursement funds, for the Project; and

WHEREAS, the Department of Public Works (DPW) employed the Federal Aid RFQ process to determine necessary expertise, experience, and manpower for the Project; and

WHEREAS, DPW desires to enter into an engineering design services agreement with Erdman Anthony for \$583,000 and establish a project contingency of \$30,000 with the project total not to exceed \$613,000; and

WHEREAS, there are sufficient funds for the project in Fund 420, Funds Center 123, B.23005 – 2023 Federal Aid – Road Design.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to participate in the Rehabilitation of Bailey Avenue, PIN 5764.14; and be it further

RESOLVED that authorization is hereby given for the County Executive to enter the County of Erie into an Agreement with NYSDOT; and be it further

RESOLVED that the NYSDOT agreement, in the amount of \$1,000,000, provides for \$800,000 in Federal Aid, \$150,000 in Marchiselli state funds and \$ 50,000 in local County funds; and be it further

RESOLVED, that authorization is hereby given to adjust Fund 420, Funds Center 123, SAP Project B.23005, 2023 Federal Aid – Road Design as follows:

REVENUES Account	Description	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
405160	NYS Marchiselli	\$ 0	\$ 150,000	\$ 150,000

414000	Federal Aid	\$4,000,000	\$(150,000)	\$ 3,850,000
475000	Gen. Oblig. Bond	\$1,750,000	\$ 0	\$ 1,750,000
TOTAL REVENUES		<u>\$ 5,750,000</u>	<u>\$ 0</u>	<u>\$ 5,750,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$ 5,750,000	\$(4,750,000)	\$1,000,000
UNALLOCATED	Unallocated Capital	<u>\$0</u>	<u>\$ 4,750,000</u>	<u>\$ 4,750,000</u>
TOTAL APPROPRIATIONS		<u>\$ 5,750,000</u>	<u>\$ 0</u>	<u>\$ 5,750,000</u>

and be it further

RESOLVED, that authorization is hereby given for the County Executive to execute and award an agreement with the selected project design engineers, Erdman Anthony, for engineering design services in the amount of \$583,000; and be it further

RESOLVED, that authorization is hereby given for the County Executive to establish a project contingency in the amount of \$30,000 with a total project cost not to exceed \$613,000; and be it further

RESOLVED, that authorization is hereby given for the Director of Budget and Management to adjust the Project budget for any and all additions or reductions in Federal and/or State revenue that are made available for this Project; and be it further

RESOLVED, that authorization is hereby given for the County of Erie to pay, in the first instance, 100% of the Federal and Non-Federal shares of the cost of the engineering design phases of the Project 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 authorization is hereby given to accept all Federal and State reimbursements from the NYSDOT Agreement, as well as any other additional Federal or State funding which may be made available; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Design Engineering phases exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that authorization is hereby given to the County Executive of the County of Erie to execute all necessary Agreements, certifications or reimbursement requests for Federal and NYS Marchiselli aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and providing for the administration of the Project and the County's first instance funding of Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, the authorization is hereby given to the County Executive to execute any necessary change orders, amendments, and agreements related to this Project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, the Comptroller's Office, and the Division of Budget and Management.



ERIE COUNTY DEPARTMENT OF PUBLIC WORKS - HIGHWAYS
RFP # PIN 5764.14 - Rehabilitation of Baily Ave (CR 152)
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY

Proposer	Evaluation Criteria																								Weighted Average Qualifications Score (1-10)	Qualifications Ranking
	Understanding of Work to be Done				Experience & Qualifications of Proposed Staff				Experience of Firm/Team with Fed Aid Projects				Present Workload & Financial Responsibility				Logistics and Familiarity with Project Area				Percentage of DBE Participation					
	Weight = 25%				Weight = 25%				Weight = 20%				Weight = 15%				Weight = 10%				Weight = 5%					
	Committee Member Raw Score (1-10)		Avg. Score		Committee Member Raw Score (1-10)		Avg. Score		Committee Member Raw Score (1-10)		Avg. Score		Committee Member Raw Score (1-10)		Avg. Score		Committee Member Raw Score (1-10)		Avg. Score		Committee Member Raw Score (1-10)		Avg. Score			
	#1	#2	#3		#1	#2	#3		#1	#2	#3		#1	#2	#3		#1	#2	#3		#1	#2	#3			
Barton & Loggia/Ke	8	6.5	7	7.17	7	9.5	5	5.17	7	8	7	7.33	8	10	9	9.33	8	9.5	6	8.33	8	9.5	8	9.50	6.96	11
CHA	7	5.5	8	6.83	8	7	9	8.00	8	8	9	7.67	8	7	8	8.00	9	10	9	9.83	7	9.5	9	9.50	7.80	7
CPI	8.5	7.5	9	8.83	9	7	9	8.33	9	8.5	9	8.83	5	5.5	7	5.83	10	7	7	8.00	6	8.5	8	7.83	8.00	3
DiDonato	7	7	7	7.00	8	6.5	9	7.83	8	8	9	8.33	7	7	9	7.67	9	8	9	8.67	8	10	9	9.00	7.94	6
Erdman Anthony	8	7	9	8.00	8	8.5	8	8.50	8	6.5	9	7.83	8	7	8	7.67	9	8.5	7	8.17	8	9.5	9	8.83	8.10	1
GPI	8	6.5	8	7.50	7	5	9	7.00	8	7.5	9	8.17	8	8.5	5	7.17	10	8	9	9.00	9	8.5	8	8.83	7.68	8
LeBelle	7	6.5	7.5	7.00	8	6.5	9	7.83	8	8	9	7.67	9	10	9	9.33	9	8	9	8.67	10	9.5	9	9.50	7.98	4
Mott MacDonald	7	6	8	7.00	8	7	9	8.00	8	7.5	9	8.17	8	8.5	8	8.17	9	10	9	9.33	9	10	9	9.33	8.01	2
Popil	6.5	6	7	6.50	8	6	9	7.67	7	7	7	7.00	8	8	8	8.00	7	9.5	5	5.17	10	9.5	8	9.17	7.12	10
Urban Engineers	6	4.5	8	5.50	6	8	9	7.67	9	7.5	9	8.50	9	9.5	8	9.17	9	6	9	8.00	9	9.5	9	9.17	7.83	9
Watts	7	6	8	7.00	8	4	8	7.33	8	7	9	8.00	9	8.5	9	8.17	9	9	9	9.00	10	9.5	10	9.83	7.93	5

It is my opinion in recommending Erdman Anthony the Erie County Department of Public Works has complied with all applicable provisions of Sections 19.06 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Public Works' office during regular business hours.

William E. Geary, Jr., Commissioner
 Erie County Department of Public Works

Lisa M. Chimera
 Deputy County Executive

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

RE: PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|-----------------------|---|
| 1. CONTRACTOR'S NAME | New York State Department of Transportation
Erdman Anthony |
| 2. AMOUNT OF CONTRACT | \$583,000 - Erdman Anthony
\$30,000 - Contingency
\$387,000 - Unallocated NYSDOT agreement
\$1,000,000 Total |
| 3. PROJECT NUMBER | B.23005 |
| 4. PROJECT TITLE | 2023 Fed Aid Project Design
5764.14 Rehab of Bailey Avenue |
| 5. DEPARTMENT CONTACT | Funding questions: William E. Geary, Jr. at 8301
Letter pickup: Christy Weber at 8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|--------------------------|--------------------------|
| 6. AVAILABILITY OF FUNDS | \$ 5,750,000.00 |
| 7. PERFORMED BY | Elizabeth Hall 5/10/2023 |

Date Sent to Comptroller's Office: 05/10/2023

[55 compt_10]

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-22	COUNTY EXECUTIVE	Rehabilitation of Maryvale Dr. from Beach Rd. to Cayuga Rd. - Contract for Engineering Design Services
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Attachments

23COMM. 11E-22



EC LES MAY 22 '23 PM 12:29

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

**RE: Rehabilitation of Maryvale Drive (CR 194) from Beach Road to Cayuga Road
Contract for Engineering Design Services
Town of Cheektowaga
ECDPW Project No. CAP-194-23Design**

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to execute a contract with the design firm, LaBella Associates, DPC for engineering design services for the above referenced project.

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

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/gmw
Enclosure

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Rehabilitation of Maryvale Drive (CR 194) from Beach Road to Cayuga Road
Contract for Engineering Design Services
Town of Cheektowaga
ECDPW Project No. CAP-194-23Design
Date: May 22, 2023

SUMMARY

The Department of Public Works is seeking authorization to execute an agreement between the County of Erie and LaBella Associates, DPC (LaBella) for engineering services of the design phase for the above noted project. The agreement includes engineering design services and a design contingency in an amount not to exceed \$208,670 for the rehabilitation of Maryvale Drive from Beach Road to Cayuga Road. LaBella was selected for this project in accordance with County policy using the County selection process.

FISCAL IMPLICATIONS

The total cost of the engineering design services is currently estimated at \$189,670. It is desired to establish a design contingency in the amount of \$19,000 for a total design cost of \$208,670. Funding for this project is available in Fund 420, Fund Center 123, in the following Capital Project:

B.22064	2022 Maryvale Dr Cheektowaga Design	\$208,670
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REASONS FOR RECOMMENDATION

To advance the project in a timely fashion, it is desired to execute a contract with LaBella, utilizing existing funding. LaBella is recommended as the project design engineering firm because of their expertise, experience, and manpower to provide the County of Erie with the service required.

BACKGROUND INFORMATION

Maryvale Drive, between Beach Road and Cayuga Road, is showing significant signs of pavement distress and has drainage issues. Failing drainage structures and poor pipe condition indicate the need to replace the drainage system in this area. This portion of Maryvale Drive has a Road Score (2021) of 5 out of 10, along with a daily traffic count of 5,700 vehicles.

The project objectives are to rehabilitate the pavement and replace the stormwater drainage in the area. Project design engineering services will commence upon execution of the contract.

CONSEQUENCES OF NEGATIVE ACTION

This action is required to ensure project advancement of the road rehabilitation. Negative action would halt design and result in continued deterioration of the road surface, drainage issues,

decreased rideability, and increased maintenance responsibilities and costs.

STEPS FOLLOWING APPROVAL

Upon the Erie County Legislature's approval, a contract will be executed by the County Executive. Once the contract is executed, design work will begin immediately thereafter.

COMPTROLLER'S OFFICE REVIEW

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

Timothy C. Callan 5/3/23

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.22064 – 2022 Maryvale Dr Cheektowaga Design

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

RE: Rehabilitation of Maryvale Drive (CR 194) from Beach Road to Cayuga Road
Contract for Engineering Design Services
Town of Cheektowaga
ECDPW Project No. CAP-194-23Design

WHEREAS, it is necessary to rehabilitate Maryvale Drive (CR 194) from Beach Road to Cayuga Road, including pavement resurfacing and drainage replacement; and

WHEREAS, LaBella Associates, DPC (LaBella), was selected utilizing the County's request for proposal process as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the rehabilitation of the above noted project; and

WHEREAS, it is desired to execute a contract with LaBella for design engineering services in the amount of \$189,670 with a contingency in the amount of \$19,000; and

WHEREAS, the necessary funds for the design engineering phase contract and contingency are \$208,670, and are available in Fund 420, Funds Center 123, Capital Project B.22064 - 2022 Maryvale Drive Cheektowaga Design.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute and award an agreement with the selected Project Design Engineers, LaBella, for engineering design services in the amount of \$189,670 as part of the Rehabilitation of Maryvale Drive Project, CAP-194-23; and be it further

RESOLVED, that authorization is hereby given to establish a project contingency in the amount of \$19,000 with a project total not to exceed \$208,670; and be it further

RESOLVED, that sufficient funding for this Project is available for the project from Fund 420, Fund Center 123, as follows:

B.22064	2022 Maryvale Dr Cheektowaga Design	\$208,670
---------	-------------------------------------	-----------

and be it further

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

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, the Comptroller's Office, and the Division of Budget and Management.

TO: TIM CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|-----------------------|--|
| 1. CONTRACTOR'S NAME | <u>LaBella Associates, DPC (LaBella)</u> |
| 2. AMOUNT OF CONTRACT | <u>\$189,670 LaBella</u>
<u>\$ 19,000 Contingency</u>
<u>\$208,670 Total</u> |
| 3. PROJECT NUMBER | <u>B.22064 - 2022 Maryvale Dr Cheektowaga Design</u> |
| 4. PROJECT TITLE | <u>Rehabilitation of Maryvale Drive (CR 194)</u> |
| 5. DEPARTMENT CONTACT | <u>Funding questions: William E. Geary, Jr. at 8301</u>
<u>Letter pickup: Christy Weber at 8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|--------------------------|
| 6. AVAILABILITY OF FUNDS | <u>\$ 499,444.40</u> |
| 7. PERFORMED BY | <u>Elizabeth S. Hall</u> |
| Date Sent to Comptroller's Office: | <u>5/3/2023</u> |

[55 compt_10]



**ERIE COUNTY DEPARTMENT OF PUBLIC WORKS - HIGHWAYS
RFP # 2023-CR 194 Design - Rehabilitation of Maryvale Drive CR 194
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY**

Proposer	Evaluation Criteria															Weighted Average Qualifications Score (1 - 10)	Qualifications Ranking									
	Understanding of Work to be Done			Experience With Similar Projects			Experience & Qualifications of Proposed Staff			Present Workload & Financial Responsibility			Logistics and Familiarity with Project Area					Percentage of M/WBE Participation								
	Weight = 25%			Weight = 25%			Weight = 25%			Weight = 10%			Weight = 10%					Weight = 5%								
	Committee Member Raw Score (1 - 10)	Avg. Score		Committee Member Raw Score (1 - 10)	Avg. Score		Committee Member Raw Score (1 - 10)	Avg. Score		Committee Member Raw Score (1 - 10)	Avg. Score		Committee Member Raw Score (1 - 10)	Avg. Score				Committee Member Raw Score (1 - 10)	Avg. Score							
#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3									
D'Onato	7	6.5	7	8	8.5	9	8.50	8	7	9	8.00	5	5	8	6.00	10	10	10	10.00	9	9.5	9	9.17	7.89	2	
GPI	9	8	9	8	8	9	8.33	6	5.5	7	6.17	5	5	8	6.00	9	6.5	5	6.83	9	9.5	9	9.17	7.53	4	
LaBella	8	6.5	9	8	8	9	8.33	8	6.5	9	7.83	8	8.5	9	8.50	9	9.5	9	9.17	9	9.5	9	9.17	8.23	1	
Urban Engineers	8	7	6	7.00	8	7.5	9	8.17	7	5.5	9	7.17	8	9	9	8.67	8	7.5	8	8.17	9	9.5	9	9.17	7.73	3
	0	0	0	0.00	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0	0.00	0.00	5
	0	0	0	0.00	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0	0.00	0.00	5
	0	0	0	0.00	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0	0.00	0.00	5
	0	0	0	0.00	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0	0.00	0.00	5
	0	0	0	0.00	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0	0.00	0.00	5
	0	0	0	0.00	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0	0.00	0.00	5
	0	0	0	0.00	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0	0.00	0.00	5

It is my opinion in recommending LaBella the Erie County Department of Public Works has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Public Works' office during regular business hours.

William E. Geary, Jr., Commissioner
Erie County Department of Public Works

Lisa M. Chimera
Deputy County Executive

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-23	COUNTY EXECUTIVE	PILOT Agreement for Mt. Olive Senior Manor, City of Buffalo - Affordable Housing Development
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Attachments

23COMM. 11E-23



EC LEG MAY 22 '23 PM 12:29

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

RE: Payment in Lieu of Taxes (PILOT) Agreement for Mt. Olive Senior Manor, City of Buffalo – Affordable Housing Development

Dear Honorable Members:

Please find an enclosed resolution from the Department of Environment and Planning regarding a Payment in Lieu of Taxes (PILOT) Agreement for Mt. Olive Senior Manor. The resolution authorizes the County Executive to execute an agreement with Mt. Olive Senior Manor Housing Development Fund Corporation, Mt. Olive Senior Manor LLC, and the City of Buffalo.

Should your Honorable Body require further information, I encourage you to contact Commissioner Daniel Castle. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Payment in Lieu of Taxes (PILOT) Agreement Mt. Olive Senior Manor, City of Buffalo – Affordable Housing Project
Date: May 22, 2023

SUMMARY

The resolution authorizes the County Executive to execute a PILOT Agreement with Mt. Olive Senior Manor Housing Development Fund Corporation, Mt. Olive Senior Manor LLC, and the City of Buffalo.

The owner is seeking a PILOT from the City of Buffalo and Erie County consistent with the PILOT Policy adopted by the Erie County Legislature on December 16, 1999.

FISCAL IMPLICATIONS

In accordance with the PILOT policy, the proposed PILOT payment for Mt. Olive Senior Manor shall be based on a payment of \$13,620.35 in year 1 and would escalate by 3% each year for an additional fifteen-year term. The County would receive twenty-five percent (25%) of each annual payment, and the City of Buffalo would receive seventy-five percent (75%) of each annual payment. The payment Schedule A lists the payments for the 15 years of the Agreement.

REASONS FOR RECOMMENDATION

The City of Buffalo supports the PILOT and on May 16, 2023, the Common Council approved Ellicott Town Center Project PILOT Agreement. The project conforms to the provisions of Article XI of the New York Private Housing Finance Law.

BACKGROUND INFORMATION

The residential project involves the new construction of a 65-unit permanent supportive senior affordable apartment building on a vacant brownfield located at 703 East Delevan Avenue. The 65 residential units will include 47 of which will be affordable and targeted to households earning at or below 50% of area median income (AMI) and 8 units targeting households earning at or below 30% of AMI. The total development cost is projected to be \$27,368,335.

CONSEQUENCES OF NEGATIVE ACTION

Without the PILOT, it would not be economically feasible for Mt. Olive Senior Manor Housing Development Fund Corporation and/or Mt. Olive Senior Manor LLC to complete the project as it is currently structured.

STEPS FOLLOWING APPROVAL

The County Executive will enter into a PILOT Agreement with the noted parties.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Payment in Lieu of Taxes (PILOT) Agreement for Mt. Olive Senior Manor, City of Buffalo – Affordable Housing Project

WHEREAS, Mt. Olive Senior Manor consists of the new construction of 65 units of permanent supportive senior affordable apartments for low income tenants at 703 East Delevan Avenue; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Mt. Olive Senior Manor Housing Development Fund Corporation and Mt. Olive Senior Manor LLC to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Mt. Olive Senior Manor Housing Development Fund Corporation, Mt. Olive Senior Manor LLC and the City of Buffalo and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive; the Division of Budget and Management; the Department of Real Property Tax Services; the Department of Environment and Planning; the Office of the County Comptroller; and the County Attorney's Office.

**SCHEDULE A
PILOT Payments**

Year	Total	City	County
1	13,620.35	10,215.26	3,405.09
2	14,028.96	10,521.72	3,507.24
3	14,449.83	10,837.37	3,612.46
4	14,883.32	11,162.49	3,720.83
5	15,329.82	11,497.37	3,832.46
6	15,789.72	11,842.29	3,947.43
7	16,263.41	12,197.56	4,065.85
8	16,751.31	12,563.48	4,187.83
9	17,253.85	12,940.39	4,313.46
10	17,771.47	13,328.60	4,442.87
11	18,304.61	13,728.46	4,576.15
12	18,853.75	14,140.31	4,713.44
13	19,419.36	14,564.52	4,854.84
14	20,001.94	15,001.46	5,000.49
15	20,602.00	15,451.50	5,150.50

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-24 COUNTY EXECUTIVE Solid Waste Management Boards MOU

Attachments

23COMM. 11E-24



EC LEG MAY 22 '23 PM 12:29

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

RE: Solid Waste Management Boards Memorandums of Understanding

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution from the Erie County Department of Environment and Planning authorizing the County Executive or Deputy County Executive to sign Memorandums of Understanding with Erie County's Solid Waste Management Boards, as well as accept funds from the Boards to provide continued contracted services for their member municipalities.

Should your Honorable Body require further information, I encourage you to contact Bonnie Lawrence in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

Cc: Daniel R. Castle, Commissioner, Environment and Planning
Bonnie Lawrence, Deputy Commissioner, Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Solid Waste Management Boards Memorandums of Understanding
Date: May 22, 2023

SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Erie County Department of Environment and Planning (ECDEP) authorizing the County Executive or Deputy County Executive to sign Memorandums of Understanding (MOUs) with Erie County's two Solid Waste Management Boards, as well as accept \$60,250.00 in funding from the Solid Waste Management Boards.

This funding will allow the ECDEP to conduct a Household Hazardous Waste Event in July and continue to provide waste reduction and recycling education and outreach programs for county residents, in addition to administrative and technical support to regulated municipalities in the two Solid Waste Management Boards through the remainder of this year.

FISCAL IMPLICATIONS

A New York State Department of Environmental Conservation (NYSDEC) grant provides 50% of the funding for the waste reduction and recycling education and outreach programs in Erie County. The Solid Waste Management Boards engage ECDEP for assistance and in return provide funding that is used as part of the local match to the existing NYSDEC one-year grant program. The County also provides grant match dollars as a county share.

One of the Boards, the Northeast Southtowns (NEST) Solid Waste Management Board has also agreed to fund a Household Hazardous Waste (HHW) collection event in July for which ECDEP will provide the staffing, permitting and technical support. The NEST Board will provide funding for actual costs of the event, not to exceed \$40,000.

REASONS FOR RECOMMENDATION

Approval of this resolution will support ECDEP's waste reduction and recycling outreach programs for Erie County residents, as well as essential services to the 42 municipalities served by Erie County's two Solid Waste Management Boards. It will also fund an HHW collection event in July. Each Board has a Solid Waste Management Plan (SWMP) approved by the NYSDEC. Each SWMP contains various requirements that need to be addressed to reduce solid waste generation and increase recycling rates.

The MOUs outline a scope of services to be provided by ECDEP and provide funding to offset expenses associated with the ECDEP commitment.

CONSEQUENCES OF NEGATIVE ACTION

Without the requested authorization, Erie County will not have some of the match needed for the NYSDEC grant to provide waste reduction and recycling outreach and education programs to Erie County residents, as well as assist 42 municipalities to meet the objectives set forth in the Solid Waste Management Plans. In addition, the July HHW collection event would be canceled. The solid waste boards would need to hire an outside consultant in order to receive the services now provided by Erie County.

STEPS FOLLOWING APPROVAL

Memorandums of Understanding with each Solid Waste Management Board will be executed by the County Executive or Deputy County Executive. \$40,000 collected from the Boards will be directed Fund 110, Funds Center 16200, GL account 517629, Hazardous Waste Days to support the HHW Collection program and \$20,250 will be placed in the NYS Department of Environmental Conservation grant 162WRRCG2023 to support compliance and outreach.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Solid Waste Management Boards Memorandums of Understanding

WHEREAS, The Erie County Department of Environment and Planning (ECDEP) provides support to the Northwest and the Northeast Southtowns Solid Waste Management Boards for solid waste and recycling planning, regulatory reporting and educational program implementation; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides grant assistance to municipalities to implement projects to reduce solid waste in New York; and

WHEREAS, through that NYSDEC grant the ECDEP provides technical assistance to municipalities, as well as education and outreach to residents, to facilitate compliance with State environmental waste regulations and implementation of the approved Solid Waste Management Plan (SWMP); and

WHEREAS, there are two Memorandums of Understanding (MOUs) that outline a scope of services to be provided by ECDEP and provide \$20,250 annually in local source funding from the two Solid Waste Management Boards as a local grant match towards the NYS Department of Environmental Conservation grant; and

WHEREAS, the Northeast Southtowns (NEST) Solid Waste Management Board has also approved up to \$40,000 for costs associated with a household hazardous waste collection event this summer.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to sign Memorandums of Understanding with the Northwest Solid Waste Management Board and the Northeast Southtowns Solid Waste Management Board; and be it further

RESOLVED, that \$20,250 will be accepted into grant 162WRRCG2023 (as previously approved in the 2023 Budget Book B); and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$40,000 from the Northeast Southtowns Solid Waste Board and be made available to the Department of Environment and Planning in Fund 110, Funds Center 16200 as follows:

Department of Environment and Planning
Fund 110, Funds Center 16200

<u>ACCOUNT</u>	<u>REVENUES</u>	<u>BUDGET</u>
479100	Other Contributions	<u>\$40,000</u>
	TOTAL	<u>\$40,000</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>BUDGET</u>
517629	Hazardous Waste Days	<u>\$40,000</u>
	TOTAL	<u>\$40,000</u>

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

RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive; the Division of Budget and Management; the County Attorney's Office; the Office of the County Comptroller; and the Department of Environment and Planning.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-25	COUNTY EXECUTIVE	ECSD No. 3 - Southtowns Incinerator Tray Scrubber Replacement & Crane Installation Project
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Attachments

23COMM. 11E-25



EC LEG MAY 22 '23 PM 12:29

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 3
Southtowns Incinerator Tray Scrubber Replacement and Crane
Installation Project – Contract No. 68
Change Order No. 2**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management pertaining to Change Order No. 2 for the Southtowns Incinerator Tray Scrubber Replacement and Crane Installation project, Erie County Sewer District No. 3, Contract No. 68.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mp
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Southtowns Incinerator Tray Scrubber Replacement and Crane
Installation Project – Contract No. 68
Change Order No. 2
Date: May 22, 2023

SUMMARY

Your Honorable Body is requested to approve Change Order No. 2 to the Southtowns Incinerator Tray Scrubber Replacement and Crane Installation project, an increase in time for Contract No. 68 in the amount of 309 days. The change order would allow for installation of components of the air pollution control systems for the two (2) incinerators at Southtowns Advanced Wastewater Treatment Facility (AWTF) at a time when installation does not negatively impact operations.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. There is no cost associated with this Change Order.

REASONS FOR RECOMMENDATION

The time required to procure and manufacture additional air pollution control equipment associated with the incinerators that was authorized in Change Order No. 1 delayed the anticipated delivery date from the original in February 2023 to now June 2023. Further, the Division of Sewerage Management has requested that the installation of the air pollution control components commence in the late fall or winter to mitigate potential issues with wastewater treatment operations and/or potential odors when the incinerators are down.

BACKGROUND INFORMATION

The Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project was awarded under Legislative Comm. 25E-4 (2021) and involves installing new impingement tray scrubbers, as well as other solids handling repairs and improvements, for the two (2) incinerators at the Southtowns AWTF. Under Change Order No. 1, Envirocare International, as the fabricator and supplier of the air pollution control equipment tray scrubber section, was authorized to make beneficial changes to the mercury removal section. When Change Order No. 1 was executed, the time delay as a result of these changes was not known or anticipated.

Incineration equipment is required to process solid waste generated in wastewater treatment processes. The incineration equipment cannot be run without operational air pollution control equipment. Installation of the air pollution control components in Contract No. 68 will require each incinerator to be out of operation for approximately one month. With odor control issues

being of paramount concern during warm months, the treatment facility cannot allow for the installation of equipment during that period. The facility does not anticipate allowing a shut down of that length until November.

Quackenbush Co., Inc. submitted a request to add 309 days to the total duration of Contract No. 68 to allow for the time required to obtain the required air pollution control equipment and to install that equipment in both incinerators at the Southtowns AWTF at a time when the facility is able to take the incinerators out of operation. Division of Sewerage Management engineers reviewed the submittal and based on the level of effort and facility restrictions, the County's engineers believe proposed Change Order No. 2 is appropriate to complete the work.

CONSEQUENCES OF NEGATIVE ACTION

The Contractor has acted in good faith to provide and install this equipment under the terms of the Contract. Not granting a time request could be considered a breach of the Contract.

STEPS TO FOLLOW APPROVAL

The County will issue Change Order No. 2 to the Contractor, allowing for the extension of time until February 9, 2024.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3
Southtowns Incinerator Tray Scrubber Replacement and Crane
Installation Project – Contract No. 68
Change Order No. 2

WHEREAS, pursuant to Legislative Comm. 25E-4 (2021), Contract No. 68 was awarded to Quackenbush Co. Inc. to construct the Southtowns Incinerator Tray Scrubber Replacement and Crane Installation project in Erie County Sewer District No. 3; and

WHEREAS, the Division of Sewerage Management has determined that additional time is needed for procurement and installation of the air pollution control system components; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Change Order No. 2, an increase of time of 309 days.

NOW, THEREFORE, BE IT,

RESOLVED, that this Honorable Body approves of increasing the total Contract Time for Contract No. 68 between the County of Erie and Quackenbush Co., Inc. (495 Kennedy Road, Buffalo, NY 14227) by 309 days to a total of 584 days; and be it further

RESOLVED, that the Deputy Commissioner in the Division of Sewerage Management be authorized to execute Change Order No. 2 for Contract No. 68; and be it further

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

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-26	COUNTY EXECUTIVE	ECSD No. 4 - Warner Rd. & Bowmansville Pump Stations Value Installations Project
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Attachments

23COMM. 11E-26



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG MAY 22 '23 PM 12:29

May 22, 2023

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 4
Warner Road and Bowmansville Pump Stations Valve Installations Project –
Contract No. 58
Change Order No. 1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management pertaining to Change Order No. 1 for the Warner Road and Bowmansville Pump Stations Valve Installations project, Erie County Sewer District No. 4, Contract No. 58.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mp
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Warner Road and Bowmansville Pump Stations Valve Installations Project –
Contract No. 58
Change Order No. 1
Date: May 22, 2023

SUMMARY

Your Honorable Body is requested to approve Change Order No. 1 to the Warner Road and Bowmansville Pump Stations Valve Installations project, an increase in time for Contract No. 58 in the amount of 172 days resulting in a total Contract time of 432 days. The change order would account for delays beyond the Contractor's control and allows for the work to occur at a time when installation does not negatively impact operations.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. There is no cost associated with this Change Order.

REASONS FOR RECOMMENDATION

Delays in delivery of essential components has not allowed the onsite work for the project to progress at the anticipated schedule. Further, the Division of Sewerage Management and the Village of Depew require that the work be performed during low system flows so that bypassing operations, required to perform the work, do not result in sanitary overflows nor negatively impact the public connected to the system. System flows are not presently low enough to allow for bypass.

BACKGROUND INFORMATION

The Warner Road and Bowmansville Pump Stations Valve Installations Project was awarded under Legislative Comm. 8E-28 (2022) and primarily involves installing a new isolation valve at Warner Road Pumping Station and air release valves at Warner Road and Bowmansville Pumping Stations. In order to install the isolation valve at Warner Road Pumping Station, the Contractor must bypass all flows entering the station to the nearby Village of Depew's sanitary system. The Village of Depew's system can only accept a fraction of the flows that Warner Road Pumping Station typically handles, requiring the work to be performed during extremely low flow periods. The air release valves will also require station bypasses within the Erie County sewer system, which requires lower than normal flows.

STC Construction, Inc. has experienced delays in the receipt of essential equipment components needed to complete the work, beyond what was anticipated at the time of award. Work cannot begin until all components have been received. Further, the work would typically be done during

the winter months when system flows are low enough to bypass the stations without the risk of backups into resident connections or sanitary overflows. This winter has been unusually warm and wet and the flows have been too high to allow for bypassing either station. The next opportunity to bypass will likely be during a dry period in the summer when system flows are typically low.

STC Construction, Inc. submitted a request to add 172 days to the total duration of Contract No. 58 for a completion date of September 30, 2023, which includes the summer months when there is typically lower system flows. Division of Sewerage Management engineers reviewed the submittal and based on the system restrictions, the County's engineers believe proposed Change Order No. 1 is appropriate to complete the work. No additional costs would be incurred.

CONSEQUENCES OF NEGATIVE ACTION

The Contractor has acted in good faith to provide and install the materials and equipment under the terms of the Contract. Not granting a time request could be considered a breach of the Contract.

STEPS TO FOLLOW APPROVAL

The County will issue Change Order No. 1 to the Contractor, allowing for the extension of time until September 30, 2023.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 4
Warner Road and Bowmansville Pump Stations Valve Installations Project –
Contract No. 58
Change Order No. 1

WHEREAS, pursuant to Legislative Comm. 8E-28 (2022), Contract No. 58 was awarded to STC Construction Inc. to construct the Warner Road and Bowmansville Pump Stations Valve Installations project in Erie County Sewer District No. 4; and

WHEREAS, the Division of Sewerage Management has determined that additional time is needed for installation of valves; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of no-cost Change Order No. 1, an increase of time of 172 days to a total Contract time of 432 days.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body approves of increasing the total Contract Time for Contract No. 58 between the County of Erie and STC Construction, Inc. (63 Zoar Valley Road, P.O. Box 459, Springville, NY 14141-0459) by 172 days to a total of 432 days; and be it further

RESOLVED, that the Deputy Commissioner in the Division of Sewerage Management be authorized to execute Change Order No. 1 for Contract No. 58; and be it further

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



DEPARTMENT OF ENVIRONMENT AND PLANNING
DIVISION OF SEWERAGE MANAGEMENT
CONSTRUCTION CONTRACT CHANGE FORM

Date: 5/4/2023

Change Order No. 1 Amount \$0 Bond Account C.21150

District No. 4 Contract No. 58 General/Mechanical File No. 4.3.3.58

Project Warner Road and Bowmansville Pump Stations Valve Installations

Contractor's Name STC Construction, Inc.

Contractor's Address 63 Zoar Valley Road, P.O. Box 459, Springville, NY 14141-0459

Description of Change to Contract:

Additional time is needed to complete this Contract due to manufacturer equipment and material delays, and restrictions on when bypassing can occur to complete the work.

Reason for Modification:

STC Construction, Inc. has experienced delays in the receipt of essential equipment components needed to complete the work. Work cannot begin until all components have been received. Each valve installation included in this project also requires a station bypass. Bypassing is always planned during low flow periods so as not to cause backups in residential connections or sanitary overflows. In addition, the isolation valve installation at Warner Road Pumping Station requires bypassing into the Village of Depew's conveyance system, which can only take a portion of the flows that are typically handled by the station, and only during low flows. This past winter was unusually warm and wet causing too high of flows to allow for bypassing. The next opportunity to bypass will likely be during a dry period in the summer when system flows are typically low.

Time Extension:

Time is extended 172 days, resulting in a completion date of September 30, 2023 and a total of 432 days in the Contract.

Indirect Costs:

There are no indirect costs associated with the change order.

Additional Engineering Costs:

There are no additional engineering costs associated with this change order.

Contract Cost Summary:

Original Contract	\$167,000.00
Change Order No. 1	<u>\$ 0</u>
Revised Contract Amount	\$167,000.00

Authorization:

Contractor _____ Date _____
STC Construction, Inc.

County of Erie _____ Date _____
MLP Joseph Fiegl, P.E, BCEE. – Deputy Commissioner DSM

Erie County Legislature Comm # E- (2023) Date _____

Erie County Sewer District No. 4 Board of Managers Date _____

CC: ECSD No. 4 BOM
G. Pecak/ M. Plesh/ D. Carr/ File 4.3.3.58
B. Strzeszynski/ P. Breier – Northern Region Offices
K. Kaminski / C. Horne – Southtowns AWTF

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-27	COUNTY EXECUTIVE	ECSD No. 3 - Southtowns Influent Pumps Replacement Project
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Attachments

23COMM. 11E-27



EC LEG MAY 22 '23 PM 12:29

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 3
Southtowns Influent Pumps Replacement Project
Contract Nos. 72-A & 72-D
Change Order No. 1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management pertaining to Change Order No. 1 for the Southtowns Influent Pumps Replacement project, Erie County Sewer District No. 3, Contract Nos. 72-A & 72-D.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mp
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Southtowns Influent Pumps Replacement Project
Contract Nos. 72-A & 72-D
Change Order No. 1
Date: May 22, 2023

SUMMARY

Your Honorable Body is requested to approve Change Order No. 1 to both Contract No. 72-A & Contract No. 72-D for the Southtowns Influent Pumps Replacement project, a no-cost increase in time in the amount of 172 days. These change orders would allow for the receipt and installation of critical project equipment and components at Southtowns Advanced Wastewater Treatment Facility (AWTF) that were delayed due to supply chain issues.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. There is no cost associated with these Change Orders.

REASONS FOR RECOMMENDATION

Critical equipment was unexpectedly delayed due to supply chain issues. These delays could not be accurately determined at the time of award and were due to factors beyond both Contractor's control. The on-site delivery of the lifting cranes and the influent screw pumps is anticipated for May 2023, when the current Contract completion date is set. The Contractors will need time to receive and complete the installation of the equipment, and to perform associated work.

BACKGROUND INFORMATION

The Southtowns Influent Pumps Replacement Project was awarded under Legislative Comm. 10E-22 (2022) and involves installing new influent screw pumps, new cranes, and other associated work at the Southtowns AWTF. The new pumps will remain in place and need to function as part of the future plant expansion.

The manufacturers of the lifting cranes and influent screw pumps, major equipment components for this project, have experienced delays due to the continuation of world-wide supply chain issues. The General Contractor and supplier have made efforts to expedite the receipt of components and shipment of the equipment but have not been able to meet the time limits stipulated in the Contract. The Electrical Contractor cannot complete their work until certain components have been installed.

Hohl Industrial Services Inc. and CIR Electrical Construction Corp have submitted requests to extend their Contract completion dates to October 31, 2023, adding 172 days to the current

Contract durations, in order to have sufficient time to receive and install the equipment and perform associated tasks. DiDonato Associates, the Project's Engineer, and the Division of Sewerage Management (DSM) have reviewed the requests and believe the requested time is appropriate to complete the work.

CONSEQUENCES OF NEGATIVE ACTION

The Contractors have acted in good faith to provide and install this equipment under the terms of the Contracts. Not granting a time request could be considered a breach of the Contracts.

STEPS TO FOLLOW APPROVAL

The County will issue Change Order No. 1 to each Contractor, allowing for the extension of time until October 31, 2023.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3
Southtowns Influent Pumps Replacement Project
Contract Nos. 72-A & 72-D
Change Order No. 1

WHEREAS, pursuant to Legislative Comm. 10E-22 (2022), Contract No. 72-A and Contract No. 72-D were awarded to Hohl Industrial Services Inc. and CIR Electrical Construction Corp, respectively, to construct the Southtowns Influent Pumps Replacement project in Erie County Sewer District No. 3; and

WHEREAS, the Project's Engineer, DiDonato Associates, and the Division of Sewerage Management have determined that additional time is needed for receipt and installation of critical project equipment; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of no-cost Change Order No. 1, an increase of time of 172 days, to both Contract No. 72-A and Contract No. 72-D.

NOW, THEREFORE, BE IT,

RESOLVED, that this Honorable Body approves of increasing the total Contract Time for Contract No. 72-A between the County of Erie and Hohl Industrial Services, Inc. (770 Riverview Blvd, Tonawanda, NY 14150) and for Contract No. 72-D between the County of Erie and CIR Electrical Construction Corp (2517 Long Road, Grand Island, Ny 14072) by 172 days to a total of 442 days; and be it further

RESOLVED, that the Deputy Commissioner in the Division of Sewerage Management be authorized to execute Change Order No. 1 for both Contract No. 72-A and Contract No. 72-D; and be it further

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

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-28	COUNTY EXECUTIVE	ECSD No. 6 - Engineer Term Contract Agreement
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Attachments

23COMM. 11E-28



EC LEG MAY 22 '23 PM12:29

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

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

**RE: Erie County Sewer District No. 6
Engineer Term Contract Agreement
JM Davidson Engineering, DPC
Work Order: JMD-1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on November 21, 2022, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration in this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ms
Enclosure

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 6
Engineer Term Contract Agreement
JM Davidson Engineering, DPC
Work Order: JMD-1
Date: May 22, 2023

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with JM Davidson Engineering, DPC for Erie County Sewer District (ECSD) No. 6 in the amount not to exceed \$73,203.49.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from ECSD No. 6 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order JMD-1 to JM Davidson Engineering, DPC to provide engineering services (plans and specifications) associated with the potential replacement and/or relocation of a force main air release valve and chamber for the Dorrance Avenue Pumping Station.

BACKGROUND INFORMATION

On November 21, 2022, the Erie County Legislature passed a resolution authorizing a 3-year Term Agreement with JM Davidson Engineering, DPC for engineering services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the Erie County Sewer Districts. This work order will provide engineering documents (plans and specifications) associated with the potential replacement and/or relocation of a force main air release valve and chamber for the Dorrance Avenue Pumping Station.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NO. 6
WORK ORDER NO. JMD-1**

ENGINEER: JM Davidson Engineering, DPC

CONTRACT DATE: November 21, 2022

1. Title of Proposal:

ECSD #6 – Dorrance Ave. Pumping Station Forcemain – Air Release Valve and Chamber Replacement.

2. Name and Business Address of Proposer:

Jaime Davidson, P.E.
JM Davidson Engineering, DPC
935 Sheridan Drive
Tonawanda, NY 142150

3. Effective Dates of Proposal:

May 3, 2023

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide engineering documents (plans and specifications) associated with the replacement of the ECSD No. 6, Dorrance Avenue pumping station force main air release valve and chamber as detailed in the attached JM Davidson Engineering, DPC letter.

5. Engineering Cost: \$73,203.49

6. Source of Funds: Erie County Sewer District No. 6 Professional Services Account 516020.

7. Project No: JMD-1

8. Attachments JM Davidson Engineering, DPC letter, 3 pages.

9. File: 0.3.2. JMD (20-22) Eng.

DATE: May 5, 2023

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

Authorized By: _____
Joseph Fiegl, P.E., BCEE
Deputy Commissioner

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-29	COUNTY EXECUTIVE	ECSD No. 2 - Engineering Term Contract Agreement
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Attachments

23COMM. 11E-29



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG MAY 22 '23 PM 12:29

May 22, 2023

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 2
Engineering Term Contract Agreement
DiDonato Associates
Work Order: DD-1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on November 21, 2022, related to Engineering Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.

Erie County Executive

MCP:mas
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 2
Engineer Term Contract Agreement
DiDonato Associates
Work Order: DD-1
Date: May 22, 2023

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with DiDonato Associates for Erie County Sewer District (ECSD) No. 2 in an amount not to exceed \$7,032.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from ECSD No. 2 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order DD-1 to provide a technical memorandum related to structural condition assessment of the sand filter building roof at the Big Sister Creek Water Resource Recovery Facility (WRRF) in ECSD No. 2.

BACKGROUND INFORMATION

On November 21, 2022, the Erie County Legislature passed a resolution authorizing a Term Agreement with DiDonato Associates to provide engineering services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. DiDonato Associates will provide a technical memorandum related to structural condition assessment of the sand filter building roof at the Big Sister Creek WRRF in ECSD No. 2.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NO. 2
WORK ORDER NO. DD-1**

ENGINEER: DiDonato Associates

CONTRACT DATE: November 21, 2022

1. Title of Proposal:

Structural Condition Assessment: Sand Filter Building Roof-Big Sister Creek WRRF, ECSD No. 2.

2. Company/Address/Principal In-Charge:

Daniel Schneider, S.E., P.E.
DiDonato Associates
689 Main Street, Buffalo, NY 14203

3. Effective Dates of Proposal:

May 16, 2023

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide technical memorandum related to structural condition assessment of the sand filter building roof at the Big Sister Creek WRRF in ECSD No. 2, as detailed in DiDonato's letter, dated May 11, 2023.

5. Engineering Total Cost:

\$7,032.00

6. Source of Funds:

7. ECSD No. 2 Professional Services Account 516020

8. Project No: DD-1

9. Attachments: **DiDonato** letter dated 5/11/2023 (10 pages)

10. File: 0.3.2. DiDonato (23-25) Eng.

DATE: May 16, 2023

Accepted By: _____

Prepared By: _____

Matt A. Salah, P.E.

Authorized By: _____

Joseph Fiegl, P.E., BCEE
Deputy Commissioner

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-30	COUNTY EXECUTIVE	ECSD No. 4 - Engineering Term Contract Agreement
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Attachments

23COMM. 11E-30



EC LEG MAY 22 '23 PM12:29

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 22, 2023

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 4
Engineering Term Contract Agreement
Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC
Work Order: WDL-1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on November 21, 2022, related to Engineering Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 4
Engineer Term Contract Agreement
Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC
Work Order: WDL-1
Date: May 22, 2023

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC (Wendel) for Erie County Sewer District (ECSD) No. 4 in an amount not to exceed \$24,930.40.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from ECSD No. 4 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order WDL-1 to provide engineering work related to a New York State Department of Environmental Conservation required mussel survey for the Depew Pumping Station force main replacement project – Phase 2.

BACKGROUND INFORMATION

On November 21, 2022, the Erie County Legislature passed a resolution authorizing a Term Agreement with Wendel to provide engineering services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. Wendel will provide a mussel survey in Cayuga Creek, as is required for the proposed stream crossing to be part of the Depew Pumping Station force main replacement project – Phase 2.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NO. 4
WORK ORDER NO. WDL-1**

ENGINEER: Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC

CONTRACT DATE: November 21, 2022

1. Title of Proposal:

Provide mussel survey for the Depew pumping station force main replacement project -phase 2 in ECSD No. 4

2. Company/Address/Principal In-Charge:

Timothy Walck, P.E.
Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC
375 Essjay Road, Suite 200, Buffalo, NY 14221

3. Effective Dates of Proposal:

May 11, 2023

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide a mussel survey the Depew pumping station force main replacement project - phase 2 in ECSD No. 4, as detailed in Wendel's letter, dated May 10, 2023.

5. Engineering Total Cost:

\$24,930.40

6. Source of Funds:

7. ECSD No. 4 Professional Services Account 516020

8. Project No: WDL-1

9. Attachments: Wendel letter dated 5/10/2023 (18 pages)

10. File: 0.3.2. Wendel (23-25) Eng.

DATE: May 16, 2023

Accepted By: _____

Prepared By: _____

Matt A. Salah, P.E.

Authorized By: _____

Joseph Fiegl, P.E., BCEE
Deputy Commissioner

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-31

SHERIFF

Sheriff's Office Personnel Adjustment -
Division of Correctional Health

Attachments

23COMM. 11E-31

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



ADMINISTRATIVE OFFICES
10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716)858-7882
WEBSITE: <http://www.erie.gov/sheriff>

SHERIFF OF ERIE COUNTY

May 22, 2023

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: Sheriff's Office Personnel Adjustment – Division of Correctional Health

Honorable Members:

Please find an attached resolution and accompanying memorandum requesting authorization to delete four Registered Nurse positions and create four Senior Nurse Practitioner positions for the Division of Correctional Health. The funds to create the new positions are available within the Sheriff's 2023 adopted budget.

A representative from the Sheriff's Office will be available at meetings to detail the proposed resolution. Thank you for your consideration on this matter.

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Sheriff's Office Personnel Adjustment – Division of Correctional Health
Date: May 22, 2023

Summary of Recommended Action

Legislative authorization is sought to delete four Registered Nurse (Job Group 8) positions and create four Senior Nurse Practitioners (Job Group 16) positions.

Fiscal Implications of the Proposal

None for this resolution. The funds for the unfilled Registered Nurse positions, overtime savings, and the on-call nurses' agreement fee will fund the positions for the remainder of 2023.

Annualized Salary – Senior Nurse Practitioner (NYSNA) x4	\$99,578.00
Salary for the Balance of the Year x4	\$49,749.00
Funding Source	2023 Budget
If Grant Funded:	
Grant Source:	N/A
Grant Duration:	N/A
Remaining Grant Funding:	N/A
Alternative funding source if	
Grant is not Renewed	N/A

The Sheriff's Office will fund the positions by deleting the following:

4 – Registered Nurses (Teamsters)
(JG 8), \$59,840.00

Reasons for Recommendation

The Sheriff's Office continues to have vacant Registered Nurse positions despite hosting multiple job recruiting campaigns over the past eighteen months. Furthermore, the agreement with a recruitment and placement agency has had limited results and is costly.

The Division of Correctional Health seeks to upgrade the positions to become more competitive and attractive to potential employees. This position upgrade will significantly increase the care provided to incarcerated populations. The Sheriff's Office also believes this action will fulfill our staffing level mandates set in the US DOJ agreement.

The Erie County Sheriff's Division of Correctional Health has identified the Senior Nurse Practitioner position as essential to meet the mandates of the US DOJ and the expectations of medical care to the incarcerated populations of the holding center and the correctional facility

Consequences of Negative Action

The Division of Correctional Health will remain unable to attract needed healthcare workers to treat and care for the incarcerated population at the jails

Steps Following Approval

Certified copies shall be forwarded to the County Executive's Office, the Department of Personnel, the Division of Budget and Management, and the Office of the Sheriff for implementation.

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Sheriff's Office Personnel Adjustment – Division of Correctional Health

WHEREAS, the Erie County Sheriff's Division of Correctional Health continues to experience staffing shortages for the division; and

WHEREAS, the Sheriff's Office has hosted numerous job recruitment activities and has an agreement with a nurse staffing agency, yet the agency is still experiencing staff shortages; and

WHEREAS, Correctional Health seeks to upgrade the position from a Registered Nurse to Senior Nurse Practitioner; and

WHEREAS, this position upgrade will allow Correctional Health to expand its recruitment efforts, and Senior Nurse Practitioners will provide a higher level of care to the incarcerated populations of the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, the Sheriff's Office will delete four Registered Nurses (JG 8) with an annual wage of \$59,840.00; and

WHEREAS, the office will create four Senior Nurse Practitioner positions (JG 16) with an annual wage of \$99,578.00; and

WHEREAS, the funds needed to effectuate this change are available from unfilled Registered Nurse positions, overtime savings, and the fee for the on-call nurses' agreement will fund the positions for the remainder of 2023; and

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and the Personnel Department to delete the following positions four (4) Registered Nurses (JG 8) in the 2023 Division of Correctional Health General Fund; and be it further

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and the Personnel Department to create four (4) Senior Nurse Practitioner (JG 16) positions with an annual wage of \$99,578.00; and

RESOLVED, that the Division of Budget and Management and the Commissioner of Personnel are authorized to make any budget adjustments and any technical adjustments required to effectuate this resolution; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County

Executive's Office, the Department of Personnel, the Division of Budget and Management, and the Erie County Sheriff's Office.

Fiscal Impact: as indicated

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-32

BASKIN

Erie County Corrections Specialist Advisory
Board Inquiry

Attachments

23COMM. 11E-32

ERIE COUNTY LEGISLATURE

HON. APRIL N.M. BASKIN

CHAIR OF THE LEGISLATURE

2ND DISTRICT LEGISLATOR



92 Franklin St., 4th Fl.
Buffalo, NY 14202
716/858-8869
FAX: 716/858-8895

May 19, 2023

Chris G. Trapp, Chair
Erie County Ethics Board
95 Franklin Street
6th Floor
Buffalo, NY 14202

Re: Erie County Corrections Specialist Advisory Board Conflict

Dear Mr. Trapp:

I am requesting an advisory opinion of the Erie County Ethics Board on whether there is any significant conflict of interest for members of the Erie County Corrections Specialist Advisory Board who receive funding contracts from the Erie County Sheriff's Office.

The Erie County Corrections Specialist Advisory Board ("ECCSAB") was created via Local Law 3 of 2019. Section 5 of the law states "The Advisory Board shall adopt standards of conduct and disclosure of interests intended to ensure that the actions of the Advisory Board are carried out in an ethical manner. The ethical standards shall be consistent with the Erie County Code of Ethics."

I have received inquiries questions whether a conflict exists for the Chair of ECCSAB, Cindi McEachon. Ms. McEachon is the Chief Executive Officer of Peaceprints of WNY, a local non-profit agency. Peaceprints of WNY is a vendor of the Erie County Sheriff's Office for the Project Blue initiative. The organization is currently under contract until the end of 2023 for \$75,000.

I have attached both Local Law 3 of 2019 and the resolution authorizing funding for a contract with Peaceprints of WNY. Please note there is a typo in the resolution as it states funding is authorized up to \$775,000. It should be \$75,000.

Thank you for your attention to this matter. I am available for any questions on this request.

Respectfully,

April N.M. Baskin

Chair, Erie County Legislature

Website: <http://www2.erie.gov/baskin/> - E-Mail: April.McCants-Baskin@erie.gov

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11E-33

COMPTROLLER

EC Comptroller Access to EC Clerk's
Government Bank Accounts

Attachments

23COMM. 11E-33



EC LEG MAY 23 '23 AM 9:45

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

May 23, 2023

Honorable Members
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Erie County Comptroller Access to Erie County Clerk's Government Bank Accounts

Dear Honorable Legislators:

Please find attached a recommended resolution for your consideration concerning the government bank accounts for the Erie County Clerk's Office.

I am requesting that your Honorable Body direct the Erie County Clerk to authorize M&T Bank to provide my office with read only access to the Clerk's Office's government bank accounts.

If you have any questions, please do not hesitate to contact my office. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Kevin R. Hardwick".

Kevin R. Hardwick, Ph.D.
Erie County Comptroller

cc: Erie County Clerk Michael Kearns
Erie County Attorney Jeremy Toth, Esq.

MEMORANDUM

To: Erie County Legislature
From: Erie County Comptroller's Office
Re: Erie County Comptroller Access to Erie County Clerk's Government Bank Accounts
Date: May 23, 2023

SUMMARY

Under the Erie County Charter, the County Comptroller serves as chief fiscal officer of the County, shall have custody of all accounts, and shall and oversee the fiscal affairs of the County, including the investment of agency and trust funds, as well as general and operating fund revenues.

To effectuate this mission and responsibilities, as well as to ensure the timely and proper reconciliation of bank accounts, the Comptroller requests the Legislature direct the Erie County Clerk to authorize M&T Bank to provide the Comptroller's Office with read only access to the Clerk's five government bank accounts at M&T Bank.

FISCAL IMPLICATIONS

None.

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

For many years the County Comptroller's Office has not had access to the government bank accounts held at M&T Bank for the Sheriff and County Clerk under the County's federal Tax Identification Number. As a result, the Comptroller's Office has not been able to view the transactions occurring in those bank accounts on a daily basis. In contrast, the Comptroller's Office has access to all other County bank accounts to both engage in banking transactions and to monitor for transparency and oversight.

In January 2023, the Comptroller's Office asked M&T Bank to provide the Comptroller's Office with read only access to the Sheriff and Clerk's bank accounts. After an internal review, M&T stated that such access could only be provided if the Sheriff and Clerk each agreed to do so. After the Comptroller's Office sent letters to the Sheriff and Clerk requesting such access, the Sheriff subsequently agreed.

However, despite multiple requests by the Comptroller's Office, the Clerk has declined. He later requested an opinion from the County Attorney regarding this matter and the County Attorney rendered an opinion affirming the Comptroller's Charter position and request. Despite that request, the Clerk has continued to not authorize access.

CONSEQUENCES OF NEGATIVE ACTION

The Clerk will continue to control and engage in banking transactions and maintain millions of dollars of public funds in bank accounts without real-time monitoring by the County's chief fiscal office.

The Comptroller may also be compelled to consider litigation against the Clerk to attain access to the bank accounts.

STEPS FOLLOWING APPROVAL

The Clerk will be directed to provide access to the accounts.

**A RESOLUTION SUBMITTED BY THE
OFFICE OF THE COMPTROLLER**

Re: Erie County Comptroller Access to Erie County Clerk's Government Bank Accounts

WHEREAS, Section 1802(s) of the Erie County Charter mandates that the Erie County Comptroller "shall have custody of all accounts;" and

WHEREAS, Section 1802(a) of the Charter states that the Comptroller "shall be the chief fiscal, accounting, reporting and auditing officer of the County, and oversee the fiscal affairs of the County . . . including the investment of agency and trust funds, as well as general and operating fund revenues"; and

WHEREAS, for many years the County Comptroller's Office has not had access to the government bank accounts held at M&T Bank for the Sheriff and County Clerk under the County's federal Tax Identification Number, and the Comptroller's Office has not been able to view the transactions occurring in those bank accounts on a daily basis; and

WHEREAS, the Comptroller's Office has access to all other County bank accounts; and

WHEREAS, following a request by the County Comptroller, M&T Bank declined to provide the Comptroller's Office with read-only access to the five bank accounts maintained for each office without the consent of the Sheriff and County Clerk; and

WHEREAS, in letters dated February 24, 2023 to the Sheriff and County Clerk, the Comptroller requested read-only access to the ten bank accounts in order to ensure timely bank reconciliations are conducted and public funds are monitored by the County's chief financial officer; and

WHEREAS, within two weeks of receiving the Comptroller's letter, the Sheriff granted the Comptroller access to their accounts; and

WHEREAS, as part of that process, the Comptroller's Office found that M&T Bank had been charging service fees to the Sheriff for the accounts for the past 18 years totaling \$581,223; and

WHEREAS, because M&T Bank does not charge service fees on the bank accounts under the Comptroller's purview, the Comptroller's Office requested, and M&T Bank agreed to stop assessing service fees on the Sheriff's bank accounts; and

WHEREAS, the Comptroller's staff has had several conversations with the County Clerk's Office and made multiple requests to receive access to the accounts over the course of the last three months; and

WHEREAS, the County Clerk requested an opinion from the County Attorney regarding this matter; and

WHEREAS, the County Attorney affirmed the position of the Comptroller, citing the clear language of the County Charter; and

WHEREAS, the County Clerk still has not granted read-only access to the Comptroller; and

WHEREAS, the Comptroller requires access to the accounts to fulfill Charter mandated responsibilities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature directs the Erie County Clerk to take steps immediately to grant the Erie County Comptroller with read-only access to the Clerk's government bank accounts at M&T Bank; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Erie County Clerk and to the Erie County Attorney.

Fiscal Implications: None.

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11D-1	PERSONNEL COMMISSIONER	Letter from Legislator Malczewski Concerning the Erie County Gender Identity Policy
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Attachments

COMM. 11D-1



COUNTY OF ERIE

Personnel Department

May 12, 2023

Hon. James Malczewski
Erie County Legislator
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Dear Legislator Malczewski:

This letter is in response to your letter to the County Executive regarding the formalized Personnel Policy and Procedure regarding Gender Identity. This policy was sent to the Legislature Chair and Legislature Clerk on April 19, 2023. While I appreciate that this is a contentious topic in popular culture, New York State Human Rights Law is explicit regarding employers' duties and responsibilities. In 2019, the New York State Legislature passed, and the Governor signed, the Gender Expression Non-Discrimination Act (GENDA), which amended Human Rights Law by explicitly adding gender identity or expression as a protected category. As such, the new Gender Identity policy is a regurgitation of four-year-old changes in Human Rights Law rather than a "new directive" promulgated by the Personnel Department.

The reasons that I, in conjunction with the Office of Equal Employment Opportunity, decided to promulgate a formal policy on this topic were: (1) this topic had come up several times recently, and supervisors did not have a resource to guide their decision-making; (2) to establish a protocol to make the necessary personnel changes for when an employee transitions from one gender to another; and (3) as part of a thorough review of our employee handbook and Personnel Policies. The policy has been posted to the Erie County intranet website (ernie.erie.gov), and an extract of the policy is being included in the updated employee handbook that will be completed in July.

For your reference, the New York State Division of Human Rights has advised that unlawful discrimination because of gender identity or expression can include:

- Questions about gender identity or expression, or assigned sex at birth, in a job interview;
- Refusing to hire for a job;
- Denying the use of restrooms or other facilities consistent with a person's gender identity;
- Asking a transgender person to use a single-occupancy restroom;

Legislator Malczewski

May 12, 2023

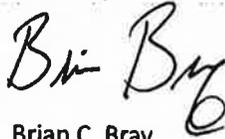
Page 2 of 2

- Requiring individuals to show medical or other documents to use facilities, such as restrooms or locker rooms, consistent with their gender identity;
- Requiring individuals to show medical or other documents to use facilities, such as restrooms or locker rooms, consistent with their gender identity;
- Refusing to use an individual's requested name or pronouns; or
- Subjecting an individual to harassment at work.

I can only speak definitively about issues surrounding our employees, but you should be aware that the New York State Division of Human Rights can investigate Erie County for allegations of discrimination against members of the public if we deny their use of a restroom or other facility consistent with their gender identity, which could result in a civil penalty. This is also true of any public accommodation, which is defined as including any public or private establishment including, but not limited to, health clinics and hospitals, hotels and motels, movie theatres and music halls, public buildings and government offices, restaurants and barrooms, and retail stores.

I examined every workplace violence report and incident report received since 2019 when GENDA was adopted. Since that time, we have not received any complaints related to transgender or non-binary people and facilities. While I do not want to minimize any concerns that any employee may have with the requirements of this law, there has been no evidence to date that would lead me to believe that any employee or member of the public has been placed in harm's way.

Sincerely,



Brian C. Bray
Personnel Commissioner

cc: Hon. Mark Poloncarz, Erie County Executive
Hon. April Baskin, Chair, Erie County Legislature
James Blackwell, Director, Erie County Office of Equal Employment Opportunity

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11D-2	COMMISSIONER OF HEALTH	COVID-19 Outbreaks at Nursing Homes (Intro. 20-2)
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Attachments

23COMM. 11D-2



Erie County
Department of
Health



Public Health
Prevent. Promote. Protect.

GALE R. BURSTEIN, MD, MPH, FAAP
COMMISSIONER OF HEALTH

EC LEG MAY 12 '23 PM 12:37

May 10, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: COVID-19 outbreaks at Nursing Homes (Intro. 20-2).

Dear Honorable Members:

On November 5, 2020, your Honorable Body passed “A resolution directing the Erie County Health Department to release information on COVID-19 outbreaks at Nursing Homes” (Intro. 20-2). We respectfully request that your Honorable Body pass a resolution withdrawing Intro. 20-2 due to changes in COVID-19 testing and available reported data that has made the reports incomplete and difficult to interpret.

Due to modifications in COVID-19 testing requirements, increased home test use, and changes in COVID-19 reporting, currently available data does not document the true COVID-19 incidence.

These factors, compounded with the expiration or pending expiration of different declared public health emergencies related to COVID-19, have moved the Centers for Disease Control and Prevention (CDC) and other public health agencies to track COVID-19 similarly to other communicable diseases, such as flu, with surveillance of wastewater, COVID-19-related hospitalizations and COVID-19-related deaths.

ECDOH will continue to monitor COVID-19 trends as part of regular operations and alert officials and the public of threats to public health.

Should your Honorable Body require further information, please do not hesitate to contact me.

Sincerely,

Gale Burstein, MD, MPH, FAAP
Commissioner of Health

GB/jah

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11D-3	COUNTY ATTORNEY	Filing Document for Local Law No. 4-1-2023: A Local Law Providing for Remote Public Meetings & Remote Participation of the Legislature in the County of Erie
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Attachments

23COMM. 11D-3



EC LEG MAY 10 '23 PM 3:51

COUNTY OF ERIE

MICHAEL A. SIRAGUSA
COUNTY ATTORNEY

JEREMY C. TOTH
FIRST ASSISTANT COUNTY ATTORNEY

DEPARTMENT OF LAW

KRISTEN M. WALDER
SECOND ASSISTANT COUNTY ATTORNEY

May 10, 2023

Via Hand-Delivery

Hon. Robert Graber
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**Re: Local Law No. 4-1-2023 A Local Law providing for remote public meetings
and remote participation of the Legislature in the County of Erie
Our File No.: 22-20230011**

Dear Hon. Robert Graber:

Enclosed please find an original of the above-referenced Local Law for filing in your office.

Thank you.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

By: 
Gregory P. Kammer
Assistant County Attorney

GPK/lda
Enclosure

COMM. 11D-3
Page 1 of 9

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Erie

Local Law No. 2 of the year 20 23

A local law A Local Law providing for remote public meetings and remote participation of the Legislature in the County of Erie.
(Insert Title)

Be it enacted by the Erie County Legislature of the
(Name of Legislative Body)

County City Town Village
(Select one.)

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.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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

ERIE COUNTY LEGISLATURE VIDEOCONFERENCING PARTICIPATION POLICY

Section 1. Legislative Findings and Intent

The Erie County Legislature (herein "Legislature") desires to provide the proper procedures and policy for compliance with videoconferencing for public meetings held virtually and for any remote participation by an Erie County Legislator in any Erie County Legislature public meeting.

The Legislature's videoconferencing participation policy is required to follow Section 103-a of the New York Public Officers Law ("POL"), as enacted by Part WW of Chapter 56 of the Laws of 2022. POL § 103-a permits public bodies such as the Legislature to authorize their members to attend meetings by videoconference from locations that are not open to the public ("private locations"), when necessitated by "extraordinary circumstances," provided that:

- (i) the number of members of the public body who attend the meeting at location(s) where the public can attend is at least equal to the number required to satisfy the public body's quorum requirement.
- (ii) the public body has established written procedures governing member and public attendance consistent with Section 103-a of the POL.
- (iii) such written procedures are conspicuously posted on the public website of the public body.
- (iv) the other criteria specified in Section 103-a of the POL are satisfied.

Section 2. Legislator Attendance

- A. All Legislators shall be physically present at the location(s) of the public meeting unless a Legislator cannot be physically present at the public meeting for one (1) or more of the circumstances enumerated in subsection B herein.
- B. Members may be excused from physically attending any public meeting of the Agency, and may instead attend via videoconferencing from a private location, if any of the following circumstances (hereinafter "Extraordinary Circumstances"):
 - (i) Disability of a Legislator.
 - (ii) Illness of a Legislator.
 - (iii) The Legislator has caregiving responsibilities for:
 - (a) one (1) or more dependents, or
 - (b) family member(s) with an illness or disability.
 - (iv) A Legislator has a significant or unexpected factor or event.
- C. In the event a Legislator is unable to be physically present at the designated public meeting location(s) and wishes to participate by videoconferencing from a private

location due to an Extraordinary Circumstance, the Legislator must notify the Clerk of the Legislature in writing and state which Extraordinary Circumstance(s) is preventing them from appearing in person.

Section 3. Public Attendance

Members of the public shall be allowed to attend any public meeting conducted via video at the physical location of the public meeting, or if the public meeting is authorized for public comment, members of the public may participate via videoconferencing.

Section 4. Rules and Procedures for Public Meetings Conducted Via Video Conference.

- A. A quorum of the Legislature must be physically present at the meeting location(s) open to the public for the meeting to be properly convened. A Legislator participating in the meeting via videoconferencing shall not count towards the Legislature's quorum requirements for the meeting but may participate and vote if a physical quorum of the Legislature exists.
- B. Except in the case of executive sessions conducted pursuant to POL § 105, a Legislator participating by videoconferencing from a private location must be seen, heard, and identified at all times during the public meeting. Such Legislator shall ensure their names appear on their videoconferencing screen or video feed.
- C. If public comment or participation in the meeting is authorized or required, the video feed, and public participation therein, must be in real time, and the Legislature shall conduct the public participation portion of the meeting in a manner ensuring virtual public participation or testimony equal to in-person participation or testimony.
- D. The meeting minutes for a public meeting where a Legislator attends via videoconferencing shall include which Legislator participated remotely, and the meeting minutes shall be made available to the public pursuant to POL § 106.
- E. The public notice for any meeting held via video conference shall include the following information:
 - a. Notification that videoconferencing will be used to conduct the meeting.
 - b. Identification of where the public can view and/or participate in the meeting, including:
 - i. the physical location(s) of the meeting.
 - ii. any web addresses for video links.
 - iii. Identification of the location(s) where any required documents and/or records will be posted or available for public viewing.

- F. Each open portion of meetings held via videoconference must be recorded. The recording:
- a. Must be posted or linked on the website of the Agency within five (5) business days of the meeting.
 - b. Must remain available for a minimum of five (5) years after it is posted.
 - c. Shall be transcribed upon written request subject to any reasonable fees for the production thereof.
- G. Meetings held via video conference must utilize technology to permit access by individuals with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and the corresponding guidelines thereto. For purposes of this section, the term "disability" shall have the meaning defined in New York Executive Law § 292.

Section 5. Exceptions

The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a state disaster emergency declared by the governor pursuant to Executive Law § 28 or a local state emergency proclaimed by the chief executive of a county pursuant to Executive Law § 24 if the Legislature determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Legislature to hold an in-person meeting.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_23_ of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on May 10 2023, and was (approved)(~~not approved~~) (~~repassed after disapproval~~) by the Erie County Executive and was deemed duly adopted on May 10 2023, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (~~repassed after disapproval~~) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (~~repassed after disapproval~~) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date:

5/10/23

(Seal)

A Public Hearing was held on the foregoing **Local Law Intro. No. 4-1-2023** on May 9th, MP **2023** due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 10 day of **May, 2023**.



Mark C. Poloncarz

A Public Hearing was held on the foregoing **Local Law Intro. No. 4-1-2023** on _____, **2023** due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this _____ day of **May, 2023**.

Mark C. Poloncarz

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11D-4	COUNTY ATTORNEY	Filing Document for Local Law No. 1-2-2023: A Local Law Providing for 10% Property Tax Exemptions for Volunteer Firefighters & Ambulance Workers in Erie County
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Attachments

23COMM. 11D-4



EC LEG MAY 10 '23 PM 3:51

COUNTY OF ERIE

MICHAEL A. SIRAGUSA
COUNTY ATTORNEY

JEREMY C. TOTH
FIRST ASSISTANT COUNTY ATTORNEY

DEPARTMENT OF LAW

KRISTEN M. WALDER
SECOND ASSISTANT COUNTY ATTORNEY

May 10, 2023

Via Hand-Delivery

Hon. Robert Graber
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Local Law No. 1-2-2023 A Local Law providing for 10% property tax exemptions for Volunteer Firefighters and Ambulance workers in Erie County
Our File No.: 22-20230008

Dear Hon. Robert Graber:

Enclosed please find an original of the above-referenced Local Law for filing in your office.

Thank you.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

By:


Gregory P. Kammer
Assistant County Attorney

GPK/lda
Enclosure

COMM. 11D-4
Page 1 of 7

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Erie

Local Law No. 1 of the year **20** 23

A local law Providing for 10% property tax exemptions for Volunteer Firefighters and
(Insert Title)
Ambulance workers in Erie County.

Be it enacted by the Erie County Legislature of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Erie

as follows:

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.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__23__ of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on May 10 2023, and was (approved)(~~not approved~~) (~~repassed after disapproval~~) by the Erie County Executive and was deemed duly adopted on May 10 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

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6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.

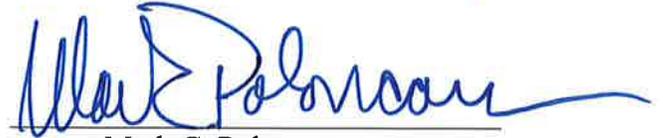
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date:

[Handwritten signature]
5/10/23

(Seal)

A Public Hearing was held on the foregoing **Local Law Intro. No. 1-2-2023** on May 9, 2023 due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 10 day of **May, 2023**.



Mark C. Poloncarz

A Public Hearing was held on the foregoing **Local Law Intro. No. 1-2-2023** on _____, 2023 due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this _____ day of **May, 2023**.

Mark C. Poloncarz

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11D-5	DIRECTOR OF BUDGET & MANAGEMENT	Budget Monitoring Report for Period Ending March 2023
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Attachments

23COMM. 11D-5



EC LEG MAY 11 '23 PM 4:35

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 11, 2023

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

Re: Budget Monitoring Report for Period Ending March 2023

Dear Honorable Legislators:

Please find attached the Budget Monitoring Report ("BMR") for the period ending March 31, 2023 as well as a vacancy report from the County's SAP system as of March 31, 2023.

The BMR shows that for the first three months of 2023 the County has a \$12,911,539 positive variance. This variance is largely related to two factors.

First, the larger than expected sales tax growth, which currently stands at 2.68% for 2023-related payments received to date. This year-to date (YTD) growth rate has sharply dropped from the 6.34% YTD growth which was realized through February. The February and March sales tax 2023 revenue amounts were both less than the related monthly amounts for 2022. This new trend is a significant concern for 2023. Second is the Interest Earnings revenue which is \$4.8 million over budget. All other items through March have generated a net \$1,442,807 positive variance.

In other fiscal matters, I have major concerns over several items included in the recently enacted NYS Budget. First, is the planned State action to cease to provide enhanced Federal Medical Assistance Percentages (eFMAP) benefit received from the Federal government to Erie and the other counties. While there is still uncertainty as to when the State will begin sweeping eFMAP benefits, the New York State Association of Counties believes Medicaid Weekly Payments could be increased in the coming weeks and the changes may be retroactive to April 1, 2023. If that is the case, we anticipate an unfavorable budgetary impact of up to \$15 million in 2023 and \$28 million in 2024 as a result. Factors that will determine the actual 2023 impact include (1) when the weekly share increase occurs, (2) how the shares are adjusted for any retroactive amount and (3) how the COVID portion of eFMAP is addressed. Additionally, the State Budget will double the Assigned Council rate to \$158 per hour. This action has the potential to increase 2023 County costs by over \$5 million. The adopted 2023-2024 state budget also includes a major new county mandate for local health departments to inspect each multi-family dwelling for lead paint every 3-years. Further guidance on this program from the New York State Department of Health is needed, but this program could also cost Erie County an additional \$5 million per year.

I am available to attend a meeting of your Honorable Body's Finance and Management Committee to discuss this report and other fiscal matters.

Sincerely yours,



Robert W. Keating
Director of Budget and Management

RWK
Attachment

cc: Erie County Executive Mark C. Poloncarz
Erie County Fiscal Stability Authority

January-March 2023 Budget Monitoring Report (BMR)

Account Type	Annual Budget		Period Budget		Actuals		Period		% of Period		% of Annual	
	January-March	January-March	January-March	January-March	January-March	Available Budget	Available Budget	Budget Consumed	Budget Consumed	Available Budget	Budget Consumed	
Revenue												
** Property Tax	301,424,356-	301,424,356-	301,424,356-	0-	100%	0-	100%	100%	0-	100%	0-	100%
** Property Tax Related	15,963,754-	5,117,220-	4,791,979-	325,241-	94%	11,171,775-	94%	30%	11,171,775-	30%	11,171,775-	30%
** Sales Tax	583,527,694-	138,324,595-	147,313,096-	8,988,500	106%	436,214,598-	106%	25%	436,214,598-	25%	436,214,598-	25%
** Sales Tax to Local Govt.	403,187,071-	94,607,238-	101,795,405-	7,188,167	108%	301,391,666-	108%	25%	301,391,666-	25%	301,391,666-	25%
** Other Sources	38,684,453-	11,918,297-	16,947,016-	5,028,720	142%	21,737,437-	142%	44%	21,737,437-	44%	21,737,437-	44%
** Fees, Fines or Charges	35,403,927-	15,223,062-	14,247,068-	975,994-	94%	21,156,859-	94%	40%	21,156,859-	40%	21,156,859-	40%
*** Local Source Revenue	1,378,191,255-	566,614,768-	586,518,919-	19,904,151	104%	791,672,336-	104%	43%	791,672,336-	43%	791,672,336-	43%
*** Federal Revenue	190,711,636-	63,015,663-	57,602,539-	5,413,124-	91%	133,109,097-	91%	30%	133,109,097-	30%	133,109,097-	30%
*** State Revenue	214,718,415-	52,083,562-	47,547,137-	4,536,425-	91%	167,171,278-	91%	22%	167,171,278-	22%	167,171,278-	22%
*** Interfund Revenue	729,966-	729,966-	728,801-	1,165-	100%	1,165-	100%	100%	1,165-	100%	1,165-	100%
**** County Revenue	1,784,351,272-	682,443,960-	692,397,396-	9,953,437	101%	1,091,953,876-	101%	39%	1,091,953,876-	39%	1,091,953,876-	39%
Expense												
** Salaries	272,249,235	65,096,602	61,332,284	3,764,318	94%	210,916,952	94%	23%	210,916,952	23%	210,916,952	23%
** Non-Salaries	29,945,682	7,498,676	9,654,497	2,155,821-	129%	20,291,185	129%	32%	20,291,185	32%	20,291,185	32%
** Countywide Adjustments	114,874	239,771-	239,771-	239,771-	0%	114,874	0%	0%	114,874	0%	114,874	0%
*** Personnel Related Expense	302,309,791	72,355,507	70,986,780	1,368,726	98%	231,323,011	98%	23%	231,323,011	23%	231,323,011	23%
*** Fringe Benefit Total	145,690,202	34,273,856	32,357,117	1,916,739	94%	113,333,085	94%	22%	113,333,085	22%	113,333,085	22%
** Supplies and Repairs	12,697,646	2,828,938	1,897,471	931,468	67%	10,800,176	67%	15%	10,800,176	15%	10,800,176	15%
** Other	39,502,590	9,484,060	7,555,703	1,928,357	80%	31,946,888	80%	19%	31,946,888	19%	31,946,888	19%
** Contractual	676,418,706	165,043,620	170,098,135	5,054,514-	103%	506,320,572	103%	25%	506,320,572	25%	506,320,572	25%
** Equipment	10,026,440	1,229,502	992,871	236,631	81%	9,033,569	81%	10%	9,033,569	10%	9,033,569	10%
** Allocations	215,877,067	8,506,059	8,760,828	254,769-	103%	207,116,239	103%	4%	207,116,239	4%	207,116,239	4%
** Program Specific	579,309,775	162,439,690	160,554,225	1,885,465	99%	418,755,550	99%	28%	418,755,550	28%	418,755,550	28%
** Debt Services	62,414,953	10,438,531	10,438,531	10,438,531	100%	51,976,422	100%	17%	51,976,422	17%	51,976,422	17%
*** All Other Operating Expense	1,596,247,179	359,970,401	360,297,764	327,363-	100%	1,235,949,415	100%	23%	1,235,949,415	23%	1,235,949,415	23%
**** County Expense	2,044,247,172	466,599,764	463,641,661	2,958,102	99%	1,580,605,510	99%	23%	1,580,605,510	23%	1,580,605,510	23%
**** Net	259,895,900	215,844,196-	228,755,735-	12,911,539	106%	488,651,635	106%	-88%	488,651,635	-88%	488,651,635	-88%

Note on the BMR:
 The BMR helps the Budget Office identify, understand and resolve financial issues that may emerge during the year. The positive period variance indicated should not be interpreted as a projection of a year-end positive balance.

**January-March 2023 Budget Monitoring Report
Detail by Account**

Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
Revenue								
400000 Real Property Taxes	(301,424,356)	(301,424,356)	(301,424,356)	(0)	100.00%	(0)	100.00%	
** Property Tax	(301,424,356)	(301,424,356)	(301,424,356)	(0)	100.00%	(0)	100.00%	
400010 Exemption Removal	(920,000)	(920,000)	(980,630)	60,630	106.59%	60,630	106.59%	
400030 Gn/Sale-Tax Acq Prop	(5,000)	0	0	0	0.00%	(5,000)	0.00%	
400040 Other Pay/Lieu-Tax	(5,100,000)	(4,195,000)	(3,810,980)	(384,020)	90.85%	(1,289,020)	74.73%	
400050 Int&Pen on R P Taxes	(13,485,555)	(67,196)	(67,196)	0	100.00%	(13,418,359)	0.50%	
400060 Omitted Taxes	(6,000)	(6,000)	(4,148)	(1,852)	69.13%	(1,852)	69.13%	
466060 Prop Tax Rev Adjust	3,552,801	70,976	70,976	0	100.00%	3,481,825	2.00%	
** Property Tax Related	(15,963,754)	(5,117,220)	(4,791,979)	(325,241)	93.64%	(11,171,775)	30.02%	
402000 Sales Tax EC Purp	(220,020,488)	(52,157,560)	(55,552,866)	3,395,306	106.51%	(164,467,622)	25.25%	
402100 1% Sales Tax-EC Purp	(207,730,136)	(49,242,159)	(52,436,830)	3,194,671	106.49%	(155,293,306)	25.24%	
402120 .25% Sales Tax	(51,925,690)	(12,308,292)	(13,107,800)	799,508	106.50%	(38,817,890)	25.24%	Sales Tax The gross County Share of Sales Tax is showing a positive variance of \$9.0 Million after 25% of the year.
402130 .5% Sales Tax	(103,851,380)	(24,616,584)	(26,215,600)	1,599,016	106.50%	(77,635,780)	25.24%	
** Sales Tax	(583,527,694)	(138,324,595)	(147,313,096)	8,988,500	106.50%	(436,214,598)	25.25%	
402140 Sales Tax to Loc Gov	(403,187,071)	(94,607,238)	(101,795,405)	7,188,167	107.60%	(301,391,666)	25.25%	
** Sales Tax to Local Govt.	(403,187,071)	(94,607,238)	(101,795,405)	7,188,167	107.60%	(301,391,666)	25.25%	
402300 Hotel Occupancy Tax	(11,200,000)	(2,573,192)	(2,999,660)	426,468	116.57%	(8,200,340)	26.78%	
402500 OTB Betting & Gaming	(2,140,000)	(305,000)	(337,552)	32,552	110.67%	(1,802,448)	15.77%	
402510 Video Lottery Aid	(288,560)	0	0	0	0.00%	(288,560)	0.00%	
402610 Medical Marj Exc Tax	(280,000)	(70,000)	(53,000)	(17,000)	75.71%	(227,000)	18.93%	
415010 Post Mortem Toxicol	(72,932)	(18,233)	(18,579)	346	101.90%	(54,353)	25.47%	
415100 Real Property Trans	(228,045)	(57,011)	(42,822)	(14,189)	75.11%	(185,223)	18.78%	
415160 Mortgage Tax	(589,268)	(147,317)	(143,026)	(4,291)	97.09%	(446,242)	24.27%	
415360 Legal Settlements	0	0	(334)	334	0.00%	334	0.00%	
415500 Prisoner Transport	(21,000)	(5,250)	(8,608)	3,358	163.96%	(12,392)	40.99%	
415620 Commissary Reimb	(172,933)	(43,233)	(43,233)	0	100.00%	(129,700)	25.00%	
415622 Jail Phone Revenue	(256,889)	(256,889)	(256,889)	0	100.00%	0	100.00%	
416540 Insurance	0	0	0	0	0.00%	0	0.00%	
416570 Post Exposure Rabies	(133,048)	(33,262)	(32,945)	(317)	99.05%	(100,103)	24.76%	
416920 Medica-Early Interve	(180,000)	(45,000)	(51,420)	6,420	114.27%	(128,580)	28.57%	
417200 Day Care Repay Recov	(55,234)	(13,809)	(9,686)	(4,122)	70.15%	(45,548)	17.54%	
417500 Repay Em Ast/Adults	(175,668)	(43,917)	(64,329)	20,412	146.48%	(111,339)	36.62%	
417510 Repay Medical Asst	(2,715,828)	(678,957)	(407,168)	(271,789)	59.97%	(2,308,660)	14.99%	
417520 Repay-Family Asslst	(244,932)	(61,233)	(93,645)	32,412	152.93%	(151,287)	38.23%	
417530 Repay-Foster Care/Ad	(1,099,910)	(274,978)	(245,966)	(29,012)	89.45%	(853,944)	22.36%	
417550 Repay-SafetyNetAsst	(3,241,416)	(810,354)	(854,566)	44,212	105.46%	(2,386,850)	26.36%	
417560 Repay-Serv For Recip	(3,173)	(793)	(1,060)	267	133.63%	(2,113)	33.41%	
417570 SNAP Fraud Incentives	(57,233)	(14,308)	(12,821)	(1,487)	89.61%	(44,412)	22.40%	
417580 Repaymts-Handi Child	(336,885)	(84,221)	(52,159)	(32,062)	61.93%	(284,726)	15.48%	
418025 Recov-SafetyNet Bur	0	0	(33,197)	33,197	0.00%	33,197	0.00%	
418030 Repayments-IV D Adm	(4,423,828)	(1,105,957)	(988,964)	(116,993)	89.42%	(3,434,864)	22.36%	
418110 Comm Coll Respreads	(8,017,437)	(8,017,437)	(3,617,437)	(4,400,000)	45.12%	(4,400,000)	45.12%	
418112 Comm Coll Resp. Adj.	4,400,000	4,400,000	0	4,400,000	0.00%	4,400,000	0.00%	
418130 Comm Coll Reimb	(66,750)	(16,688)	(15,124)	(1,564)	90.63%	(51,626)	22.66%	
418410 OCSE Medical Payments	(1,253,652)	(313,413)	(273,682)	(39,731)	87.32%	(979,970)	21.83%	
418430 Donated Funds	(628,275)	(157,069)	(209,425)	52,356	133.33%	(418,850)	33.33%	
420020 ECC Cap Cons-Otr Gvt	(95,000)	0	0	0	0.00%	(95,000)	0.00%	
420499 OthLocal Source Rev	(94,494)	(23,624)	0	(23,624)	0.00%	(94,494)	0.00%	
420500 Rent-RI Prop-Concess	(44,285)	(11,071)	(21,204)	10,133	191.52%	(23,081)	47.88%	
420520 Rent-RI Prop-Rtw-Eas	(2,500)	(625)	(140)	(485)	22.40%	(2,360)	5.60%	
420550 Rent-663 Kensington	(14,292)	(3,573)	(3,573)	0	100.00%	(10,719)	25.00%	
420560 Rent-1500 Broadway	(258,936)	(64,734)	(64,614)	(120)	99.82%	(194,322)	24.95%	
421550 Forft Crime Proceed	(105,453)	(5,000)	(52,586)	47,586	1051.72%	(52,867)	49.87%	
422000 Copies	(4,500)	(1,125)	(1,795)	670	159.55%	(2,705)	39.89%	
422040 Gas Well Drill Rents	(1,500)	(375)	0	(375)	0.00%	(1,500)	0.00%	
422050 E-Payable Rebates	(150,000)	(37,500)	31,768	(69,268)	-84.71%	(181,768)	-21.18%	
423000 Refunds P/Y Expend	(1,000)	(250)	(4,480)	4,230	1791.82%	3,480	447.96%	
445000 Recovery Int - SID	(302,126)	(75,532)	(68,843)	(6,688)	91.15%	(233,283)	22.79%	
445030 Int & Earn - Gen Inv	(1,200,400)	(300,100)	(4,382,536)	4,082,436	1460.36%	3,182,136	365.09%	
445040 Int & Earn-3rd Party	(175,000)	(43,750)	(728,923)	685,173	1666.11%	553,923	416.53%	
466000 Misc Receipts	(388,240)	(17,060)	(7,561)	(9,499)	44.32%	(380,679)	1.95%	YTD Investments had 3.0% weighted avg. interest rate
466020 Minor Sale - Other	(26,500)	(6,625)	(4,872)	(1,753)	73.54%	(21,628)	18.39%	
466070 Refunds P/Y Expenses	(980,000)	(245,000)	(344,946)	99,946	140.79%	(635,054)	35.20%	
466120 Other Misc DISS Rev	(3,400)	(850)	(933)	83	109.71%	(2,467)	27.43%	
466130 Oth Unclass Rev	0	0	(31,619)	31,619	0.00%	31,619	0.00%	
466150 Chlamydia Study Forms	(8,000)	(2,000)	(1,250)	(750)	62.50%	(6,750)	15.63%	
466180 Unanticlp P/Y Rev	0	0	13,385	(13,385)	0.00%	(13,385)	0.00%	
466260 Intercept-LocalShare	(78,378)	(19,595)	(53,475)	33,881	272.91%	(24,903)	68.23%	
466280 Local Srce - ECMCC	(20,000)	(5,000)	(7,860)	2,860	157.20%	(12,140)	39.30%	
466360 Stadium Reimbursement	(790,000)	(197,500)	(210,098)	12,598	106.38%	(579,902)	26.59%	
467000 Misc Depart Income	(8,503)	(2,126)	0	(2,126)	0.00%	(8,503)	0.00%	
479100 Other Contributions	(28,000)	(2,500)	(33,814)	31,314	1352.58%	5,814	120.77%	Through 25% of the year, the County has achieved 44% of the annual Other Sources revenue budget.
480020 Sale-Excess Material	(587,000)	(98,750)	(89,128)	(7,622)	92.12%	(297,872)	23.03%	
480030 Recycling Revenue	(34,050)	(8,513)	(10,621)	2,108	124.77%	(23,429)	31.19%	
** Other Sources	(38,684,453)	(11,918,297)	(16,947,016)	5,028,720	142.19%	(21,737,437)	43.81%	

406610 STD Clinic Fees	(222,470)	(55,618)	(48,693)	(6,925)	87.55%	(173,777)	21.89%
415000 Medical Exam Fees	(779,750)	(194,938)	(195,817)	879	100.45%	(583,933)	25.11%
415050 Treasurer Fees	(125,000)	(31,250)	(22,119)	(9,131)	70.78%	(102,881)	17.70%
415105 Passport Fees	(27,625)	(6,906)	(13,230)	6,324	191.57%	(14,395)	47.89%
415110 Court Fees	(368,755)	(92,189)	(89,000)	(3,189)	96.54%	(279,755)	24.14%
415120 Small Claims AR Fees	(600)	(150)	(5)	(145)	3.33%	(595)	0.83%
415130 Auto Fees	(4,005,783)	(1,001,446)	(1,056,829)	55,383	105.53%	(2,948,954)	26.38%
415140 Comm of Educ Fees	(129,463)	(32,366)	(22,869)	(9,497)	70.66%	(106,594)	17.66%
415150 Recording Fees	(7,365,400)	(1,841,350)	(1,223,262)	(618,088)	66.43%	(6,142,138)	16.61%
415170 Summary Page Fees	0	(50,000)	0	(50,000)	0.00%	0	0.00%
415180 Vehicle Use Tax	(5,995,431)	(1,498,858)	(1,428,701)	(70,157)	95.32%	(4,566,730)	23.83%
415185 E-Z Pass Tag Sales	(8,750)	(2,188)	(2,200)	13	100.57%	(6,550)	25.14%
415200 Civil Serv Exam Fees	(55,000)	0	0	0	0.00%	(55,000)	0.00%
415210 3rd Party Deduct Fee	(17,000)	(4,250)	(1,250)	(3,000)	29.41%	(15,750)	7.35%
415510 Civil Proc Fees-Sher	(1,020,000)	(255,000)	(274,771)	19,771	107.75%	(745,229)	26.94%
415520 Sheriff Fees	(45,000)	(11,250)	(8,295)	(2,955)	73.73%	(36,705)	18.43%
415600 Inmate Discip Surch	(15,000)	(3,750)	(5,604)	1,854	149.44%	(9,396)	37.36%
415605 Drug Testing Charge	(35,000)	(8,750)	(7,710)	(1,040)	88.12%	(27,290)	22.03%
415610 Restitution Surcharge	(20,000)	(5,000)	(4,105)	(895)	82.11%	(15,895)	20.53%
415630 Bail Fee-Alt / Incar	(3,000)	(750)	(1,236)	486	164.80%	(1,764)	41.20%
415640 Probation Fees	(475,000)	(118,750)	(96,878)	(21,872)	81.58%	(378,122)	20.40%
415650 DWI Program	(624,742)	(156,186)	0	(156,186)	0.00%	(624,742)	0.00%
415670 Elec Monitoring Ch	(6,000)	(1,500)	(1,383)	(117)	92.20%	(4,617)	23.05%
415680 Pmt-Home Care Review	(10,000)	(2,500)	(56)	(2,444)	2.24%	(9,944)	0.56%
416020 Comm Sanitat & Food	(1,175,000)	(293,750)	(295,466)	1,716	100.58%	(879,534)	25.15%
416030 Realty Subdivisions	(12,000)	(3,000)	(2,072)	(928)	69.07%	(9,928)	17.27%
416040 Individ Sewr Sys Opt	(425,000)	(106,250)	(60,146)	(46,104)	56.61%	(364,854)	14.15%
416050 Lead Saf RRP Train	0	0	0	0	0.00%	0	0.00%
416090 Pen & Fines-Health	(20,000)	(5,000)	(1,730)	(3,270)	34.60%	(18,270)	8.65%
416150 PPD Tests	(8,580)	(2,145)	(50)	(2,095)	2.33%	(8,530)	0.58%
416160 TB Outreach	(47,380)	(11,845)	(8,885)	(2,960)	75.01%	(38,495)	18.75%
416190 Immunizations/Service	(8,283)	(2,071)	20	(2,091)	-0.97%	(8,303)	-0.24%
416580 Training Course Fees	(63,910)	(15,978)	(14,275)	(1,703)	89.34%	(49,635)	22.34%
416610 Pub Health Lab Fees	(200,000)	(50,000)	(47,018)	(2,982)	94.04%	(152,982)	23.51%
418040 Inspc Fee Wght/Meas	(167,642)	(41,911)	(19,280)	(22,631)	46.00%	(148,362)	11.50%
418050 Item Price Waivr Fee	(256,364)	(64,091)	(84,165)	20,074	131.32%	(172,199)	32.83%
418400 Subpoena Fees	(4,572)	(1,143)	(1,729)	586	151.24%	(2,843)	37.81%
418500 Park & Rec Chgs-Camp	(280,000)	(70,000)	(77,281)	7,281	110.40%	(202,719)	27.60%
418510 Park & Rec Chgs-Shel	(495,000)	(201,688)	(202,881)	1,192	100.59%	(292,120)	40.99%
418520 Chgs-Park Emp Subsis	(16,200)	(4,050)	(4,650)	600	114.81%	(11,550)	28.70%
418530 Golf Chg-Other Fees	(335,000)	0	0	0	0.00%	(335,000)	0.00%
418540 Golf Chg-Greens Fees	(795,000)	(151,583)	(155,055)	3,472	102.29%	(639,945)	19.50%
418550 Sale of Forest Prod	(9,000)	(2,250)	(3,545)	1,295	157.56%	(5,455)	39.39%
418590 Spec Events Recapts	(8,100)	(2,025)	0	(2,025)	0.00%	(8,100)	0.00%
420000 Tx&Assm Svs-Oth Govt	(169,000)	(169,000)	(169,777)	777	100.46%	777	100.46%
420010 Elec Exp Other Govt	(8,369,412)	(8,369,412)	(8,369,412)	0	100.00%	0	100.00%
420030 Police Svcs-Oth Gvt	(307,550)	(76,888)	(77,158)	270	100.35%	(230,392)	25.09%
420190 Gen Svc-Oth Gov	(960)	(240)	(240)	0	100.00%	(720)	25.00%
420271 CESQG Charges	(60,000)	0	0	0	0.00%	(60,000)	0.00%
421000 Pistol Permits	(225,645)	(56,411)	(85,442)	29,031	151.46%	(140,203)	37.87%
421500 Fines&Forfeited Bail	(10,000)	(2,500)	(1,608)	(892)	64.33%	(8,392)	16.08%
421510 Fines and Penalties	(4,600)	(1,150)	(450)	(700)	39.13%	(4,150)	9.78%
466010 NSF Check Fees	(2,920)	(730)	(1,441)	711	197.37%	(1,479)	49.34%
466190 Item Pricing Penalty	(557,040)	(139,260)	(55,970)	(83,290)	40.19%	(501,070)	10.05%
466340 STOPDVI VIP Prs Fees	(15,000)	(3,750)	(3,350)	(400)	89.33%	(11,650)	22.33%
** Fees, Fines or Charges	(35,403,927)	(15,223,062)	(14,247,068)	(975,994)	93.59%	(21,156,859)	40.24%
*** Local Source Revenue	(1,378,191,255)	(566,614,768)	(586,518,919)	19,904,151	103.51%	(791,672,336)	42.56%
405570 ME 50% Fed Presch	(3,199,680)	(799,920)	(1,832,083)	1,032,163	229.03%	(1,367,597)	57.26%
410070 FA-IV-B Preventive	(1,035,686)	(258,922)	(258,922)	1	100.00%	(776,764)	25.00%
410080 FA-Admin Chargeback	1,835,629	458,907	458,907	0	100.00%	1,376,722	25.00%
410120 FA-SNAP ET 100%	(344,497)	(86,124)	(77,625)	(8,499)	90.13%	(266,872)	22.53%
410150 SSA-SSI Pri Inc Prg	(17,600)	(4,400)	(5,800)	1,400	131.82%	(11,800)	32.95%
410240 HUD Rev D14.267 CoC	(6,477,277)	(1,572,649)	(458,512)	(1,114,137)	29.16%	(6,018,765)	7.08%
410500 FA-Civil Defense	(342,777)	(85,694)	(85,832)	138	100.16%	(256,945)	25.04%
410510 Fed Drug Enforcement	(38,744)	(9,686)	0	(9,686)	0.00%	(38,744)	0.00%
410520 Fr Cl Bflo Pol Dept	(29,250)	(7,313)	(5,777)	(1,536)	79.00%	(23,473)	19.75%
411000 MH Fed Medi Sal Sh	(969,177)	(226,719)	(215,616)	(11,103)	95.10%	(753,561)	22.25%
411490 Fed Aid - TANF FFFS	(39,223,148)	(19,805,787)	(20,471,564)	665,777	103.36%	(18,751,584)	52.19%
411495 FA - SYEP	(1,737,068)	(434,267)	0	(434,267)	0.00%	(1,737,068)	0.00%
411500 Fed Aid - MA In House	1,965,117	491,279	298,853	192,426	60.83%	1,666,264	15.21%
411520 FA-Family Assistance	(37,682,769)	(9,420,692)	(7,003,485)	(2,417,207)	74.34%	(30,679,284)	18.59%
411540 FA-Social Serv Admin	(29,746,461)	(7,436,615)	(5,867,466)	(1,569,149)	78.90%	(23,878,995)	19.72%
411550 FA-Soc Serv Adm A-87	(1,275,590)	(318,898)	(166,957)	(151,941)	52.35%	(1,108,633)	13.09%
411570 Fed Aid - SNAP Admin	(15,194,264)	(3,798,566)	(3,593,765)	(204,801)	94.61%	(11,600,499)	23.65%
411580 Fed Aid - SNAP ET 50%	(4,141,052)	(1,035,263)	(698,609)	(336,654)	67.48%	(3,442,443)	16.87%
411590 FA-HEAP	(4,561,210)	(1,140,303)	(2,700,713)	1,560,410	236.84%	(1,860,497)	59.21%
411610 FA-Serv/Recipients	(4,866,010)	(1,216,503)	(896,174)	(320,329)	73.67%	(3,969,836)	18.42%
411640 FA-Daycare Block Grt	(19,339,794)	(10,234,949)	(10,262,456)	27,507	100.27%	(9,077,338)	53.06%
411670 FA-Refugee&Entrants	(126,706)	(31,677)	(24,573)	(7,104)	77.57%	(102,133)	19.39%
411680 FA-Foster Care/Adopt	(23,126,797)	(5,781,699)	(2,920,226)	(2,861,473)	50.51%	(20,206,571)	12.63%
411690 FA-IV-D Incentives	(341,203)	(85,301)	(113,064)	27,763	132.55%	(228,139)	33.14%
411700 FA-TANF Safety Net	(360,963)	(90,241)	(79,206)	(11,035)	87.77%	(281,757)	21.94%
411780 Fed Aid-Medicaid Adm	(116,171)	(29,043)	(29,043)	0	100.00%	(87,128)	25.00%
414000 Federal Aid	(141,000)	(35,250)	(309,561)	274,311	878.19%	168,561	219.55%

After 25% of the year, the County has achieved 40% of the annual Fees, Fines, or Charges revenue budget.

Federal Aid

Formula-driven Federal Aid appears under budget, mainly in Health and Human Service Departments, is offset by savings in associated expenditures.

414010 Federal Aid - Other	0	0	(5,413)	5,413	0.00%	5,413	0.00%
414020 Misc Federal Aid	(77,488)	(19,372)	(28,674)	9,302	148.02%	(48,814)	37.01%
414030 FMAP Revenue	0	0	(199,182)	199,182	0.00%	199,182	0.00%
414035 FED LATCF Revenue	0	0	(50,000)	50,000	0.00%	50,000	0.00%
*** Federal Revenue	(190,711,636)	(63,015,663)	(57,602,539)	(5,413,124)	91.41%	(133,109,097)	30.20%
405000 State Aid Fr Da Sal	(77,682)	0	0	0	0.00%	(77,682)	0.00%
405010 St Re Indigent Care	(30,000)	(7,500)	(7,500)	0	100.00%	(22,500)	25.00%
405170 SA-Crt Fac Incen Aid	(2,167,000)	(541,750)	(595,994)	54,244	110.01%	(1,571,006)	27.50%
405190 StAid-Octane Testing	(25,885)	(6,471)	0	(6,471)	0.00%	(25,885)	0.00%
405500 SA-Spec Need Presch	(37,057,308)	(9,114,327)	(8,893,256)	(221,071)	97.57%	(28,164,052)	24.00%
405520 SA-NYS DOH EI Serv	(4,259,038)	(1,064,760)	(977,927)	(86,833)	91.84%	(3,281,111)	22.96%
405530 SA-Admin Preschool	(379,134)	(94,784)	(189,567)	94,784	200.00%	(189,567)	50.00%
405540 SA-Art VI-P H Work	(3,712,202)	(928,051)	(836,831)	(91,220)	90.17%	(2,875,371)	22.54%
405560 SA-NYS DOH EI Admin	(546,948)	(136,737)	(136,737)	0	100.00%	(410,211)	25.00%
405590 SA-Medicaid EI Admin	(116,171)	(29,043)	(29,043)	0	100.00%	(87,128)	25.00%
405595 SA-Med Antl Fraud	(471,085)	(117,771)	(1,488)	(116,283)	1.26%	(469,597)	0.32%
406000 SA-Fr Prob Serv	(1,429,470)	(357,368)	(357,368)	0	100.00%	(1,072,103)	25.00%
406010 SA-Fr Nav Law Enforc	(80,500)	(20,125)	0	(20,125)	0.00%	(80,500)	0.00%
406020 SA-Snomob Lw Enforc	(20,000)	(5,000)	0	(5,000)	0.00%	(20,000)	0.00%
406500 Refugee Hlth Assment	(91,041)	(22,760)	(37,684)	14,924	165.57%	(53,357)	41.39%
406550 Emerg Med Training	(435,395)	(108,849)	(38,330)	(70,519)	35.21%	(397,065)	8.80%
406560 SA-Art VI-PubHlthLab	(4,405,561)	(1,101,390)	(1,031,201)	(70,189)	93.63%	(3,374,360)	23.41%
406810 SA-Foren Mntl Hea Sr	(2,901,411)	(725,353)	(602,180)	(123,173)	83.02%	(2,299,231)	20.75%
406830 SA-Mental Health II	(35,451,164)	(8,236,845)	(8,291,448)	54,603	100.66%	(27,159,716)	23.39%
406860 State Aid - OASAS	(16,411,163)	(3,879,557)	(3,850,778)	(28,779)	99.26%	(12,560,385)	23.46%
406880 State Aid - OPWDD	(537,102)	(134,276)	(134,884)	609	100.45%	(402,218)	25.11%
406890 Handpd Park Surch	(14,000)	(3,500)	(915)	(2,585)	26.14%	(13,085)	6.54%
407500 SA-MA In House	1,965,117	491,279	(112,739)	604,018	-22.95%	2,077,856	-5.74%
407510 SA-Spec Need Adult	(2,310)	(578)	0	(578)	0.00%	(2,310)	0.00%
407520 SA-Family Assistance	0	0	(9,534)	9,534	0.00%	9,534	0.00%
407540 SA-Soc Serv Admin	(30,554,134)	(7,638,534)	(6,845,325)	(793,209)	89.62%	(23,708,809)	22.40%
407600 SA-Sec Det Other Co	(802,307)	(200,577)	(111,212)	(89,365)	55.45%	(691,095)	13.86%
407610 SA-Sec Det Loc Yth	(2,258,810)	(744,703)	(746,417)	1,715	100.23%	(1,512,393)	33.04%
407625 SA-Raise the Age	(8,650,476)	(2,412,619)	(2,577,792)	165,173	106.85%	(6,072,684)	29.80%
407630 SA-Safety Net Assist	(10,411,479)	(2,602,870)	(2,320,130)	(282,740)	89.14%	(8,091,349)	22.28%
407640 SA-Emrg Assist/Adult	(429,184)	(107,296)	(100,595)	(6,701)	93.75%	(328,589)	23.44%
407650 SA-Foster Care/Adopt	(28,331,826)	(7,082,957)	(4,239,608)	(2,843,348)	59.86%	(24,092,218)	14.96%
407670 SA-EAF Prev POS	(6,725,218)	(1,681,305)	(515,198)	(1,166,107)	30.64%	(6,210,020)	7.66%
407680 SA-Serv Fr Reclpnts	(5,997,122)	(1,499,281)	(2,008,668)	509,388	133.98%	(3,988,454)	33.49%
407710 SA-Legal Serv/Disab	(162,242)	(40,561)	0	(40,561)	0.00%	(162,242)	0.00%
407730 State Aid - Burials	(1,034)	(259)	(70)	(189)	27.08%	(964)	6.77%
407740 SA-Veterns Srv Agenc	(70,000)	0	0	0	0.00%	(70,000)	0.00%
407780 SA-Daycare Block Grt	(3,899,715)	(974,929)	(443,122)	(531,807)	45.45%	(3,456,593)	11.36%
407785 SA-WDI Enrollment	0	0	(204,750)	204,750	0.00%	204,750	0.00%
407795 State Aid - Code Blue	(427,812)	(215,131)	(215,131)	0	100.00%	(212,681)	50.29%
408000 SA-Youth Progs	(25,181)	(6,295)	(6,295)	(0)	100.00%	(18,886)	25.00%
408020 Youth-Reimb Programs	(996,576)	(249,144)	(329,365)	80,221	132.20%	(667,211)	33.05%
408030 Homeless/Run NR RHY1	(117,000)	(29,250)	(29,250)	0	100.00%	(87,750)	25.00%
408040 Homeless/Run Re RHY2	(84,000)	(21,000)	(21,000)	0	100.00%	(63,000)	25.00%
408050 Youth - Homeless Adv	0	0	0	0	0.00%	0	0.00%
408055 Youth Sports/Edu Opp	(100,000)	(25,000)	(32,500)	7,500	130.00%	(67,500)	32.50%
408061 STSIP - RTA	(450,000)	(112,500)	(112,500)	0	100.00%	(337,500)	25.00%
408065 Yth-Supervision	(310,000)	(77,500)	1,871	(79,371)	-2.41%	(311,871)	-0.60%
408530 SA-Crim Justice Prog	(711,517)	(156,537)	(169,941)	13,404	108.56%	(541,576)	23.88%
409000 State Aid Revenues	(86,755)	(4,564)	(20,616)	16,052	451.73%	(66,139)	23.76%
409010 State Aid - Other	(4,217,610)	0	(310,570)	310,570	0.00%	(3,907,040)	7.36%
409020 SA-Misc	(63,386)	(15,847)	(14,154)	(1,693)	89.32%	(49,232)	22.33%
409030 SA-Main-Lieu of Rent	(157,578)	(39,395)	(39,395)	1	100.00%	(118,183)	25.00%
409060 SA-Prob Pretrial Ser	(21,000)	0	0	0	0.00%	(21,000)	0.00%
*** State Revenue	(214,718,415)	(52,083,562)	(47,547,137)	(4,536,425)	91.29%	(167,171,278)	22.14%
486010 Resid Equity Tran-In	(729,966)	(729,966)	(728,801)	(1,165)	99.84%	(1,165)	99.84%
*** Interfund Revenue	(729,966)	(729,966)	(728,801)	(1,165)	99.84%	(1,165)	99.84%
**** County Revenue	(1,784,351,272)	(682,443,960)	(692,397,396)	9,953,437	101.46%	(1,091,953,876)	38.80%

After 25% of the year, the County has achieved 30% of the budgeted Federal revenue.

State Aid

Formula-driven State Aid appears under budget, mainly in Health and Human Services Departments, is offset by savings in associated expenditures.

Expenses								
500000 Full Time - Salaries	265,281,046	63,640,514	60,282,233	3,358,280	94.72%	204,998,813	22.72%	
500010 Part Time - Wages	4,261,013	894,739	580,455	314,284	64.87%	3,680,558	13.62%	
500020 Regular PT - Wages	1,720,510	416,191	339,923	76,268	81.67%	1,380,587	19.76%	
500030 Seasonal - Wages	986,666	145,158	129,672	15,486	89.33%	856,994	13.14%	
** Salaries	272,249,235	65,096,602	61,332,284	3,764,318	94.22%	210,916,952	22.53%	
500300 Shift Differential	2,208,998	534,357	558,181	(23,825)	104.46%	1,650,817	25.27%	
500320 Uniform Allowance	1,131,050	244,500	244,500	0	100.00%	886,550	21.62%	
500330 Holiday Worked	2,471,716	597,908	674,201	(76,293)	112.76%	1,797,515	27.28%	
500340 Line-up Pay	2,946,478	712,753	686,259	26,494	96.28%	2,260,219	23.29%	
500350 Other Employee Pymts	2,524,479	581,671	736,279	(154,608)	126.58%	1,788,200	29.17%	
501000 Overtime	18,662,961	4,827,486	6,755,076	(1,927,590)	119.93%	11,907,885	36.20%	After 25% of the year, overtime is showing a unfavorable variance of \$2.2 Million
** Non-Salaries	29,945,682	7,498,676	9,654,497	(2,155,821)	128.75%	20,291,185	32.24%	
504990 Reductions Per Srv	(2,700,000)	(653,130)	0	(653,130)	0.00%	(2,700,000)	0.00%	
504992 Salary Reserves	1,914,874	413,359	0	413,359	0.00%	1,914,874	0.00%	
504998 Net Impact Teamsters	900,000	0	0	0	0.00%	900,000	0.00%	
*** Countywide Adjustments	114,874	(239,771)	0	(239,771)	0.00%	114,874	0.00%	
** Personnel Related Expense	302,309,791	72,355,507	70,986,780	1,368,726	98.11%	231,323,011	23.48%	
502000 Fringe Benefits	143,061,831	33,795,617	0	33,795,617	0.00%	143,061,831	0.00%	
502010 Employer FICA	0	0	4,284,353	(4,284,353)	0.00%	(4,284,353)	0.00%	
502020 Empler FICA-Medicare	0	0	989,947	(989,947)	0.00%	(989,947)	0.00%	
502030 Employee Health Ins	0	0	10,895,101	(10,895,101)	0.00%	(10,895,101)	0.00%	
502040 Dental Plan	0	0	380,690	(380,690)	0.00%	(380,690)	0.00%	
502050 Workers' Compensation	11,496,779	2,609,071	2,433,670	175,401	93.28%	9,063,109	21.17%	
502060 Unemployment Ins	0	0	87,226	(87,226)	0.00%	(87,226)	0.00%	
502070 Hosp & Med-Retirees'	1,782,192	445,548	7,141,307	(6,695,759)	1602.81%	(5,359,115)	400.70%	
502090 Hith Ins Waiver	0	0	662,146	(662,146)	0.00%	(662,146)	0.00%	
502100 Retirement	0	0	7,218,613	(7,218,613)	0.00%	(7,218,613)	0.00%	
502130 WkrsCmp OtherFd Reim	(9,408,053)	(2,275,808)	(1,098,057)	(1,177,751)	48.25%	(8,309,996)	11.67%	
502140 3rd Party Recoveries	(1,242,547)	(300,572)	(637,879)	337,307	212.22%	(604,668)	51.34%	
*** Fringe Benefit Total	145,690,202	34,273,856	32,357,117	1,916,739	94.41%	113,333,085	22.21%	
505000 Office Supplies	1,143,848	259,423	122,092	137,330	47.06%	1,021,756	10.67%	
505020 Clothing Supplies	805,973	177,668	97,741	79,926	55.01%	708,231	12.13%	
505400 Food & Kitchen Supp	1,911,512	484,259	482,604	1,656	99.66%	1,428,908	25.25%	
505600 Auto Tr & Hvy Eq Sup	3,117,974	810,543	470,959	339,584	58.10%	2,647,015	15.10%	
505800 Medical & Hlth Supp	2,264,950	322,477	325,096	(2,619)	100.81%	1,939,854	14.35%	
506200 Malntenance & Repair	3,438,689	770,894	398,977	371,916	51.76%	3,039,711	11.60%	
507000 E-Z Pass Supplies	14,700	3,675	0	3,675	0.00%	14,700	0.00%	
** Supplies and Repairs	12,697,646	2,828,938	1,897,471	931,468	67.07%	10,800,176	14.94%	
555000 General Liability	8,520,262	1,775,000	(8,098)	1,783,098	-0.46%	8,528,360	-0.10%	
555010 Settlmnts/Jdgmnts-Lit	0	0	1,612,237	(1,612,237)	0.00%	(1,612,237)	0.00%	
555020 Travel & Mileage-Lit	0	0	413	(413)	0.00%	(413)	0.00%	
555030 Litig & Rel Disburs.	0	0	17,394	(17,394)	0.00%	(17,394)	0.00%	
555040 Expert/Cons Fees-Lit	0	0	132,267	(132,267)	0.00%	(132,267)	0.00%	
555050 Insurance Premiums	0	0	18,250	(18,250)	0.00%	(18,250)	0.00%	
* Risk Retention	8,520,262	1,775,000	1,772,463	2,537	99.86%	6,747,799	20.80%	
510000 Local Mileage Reimb	1,808,350	427,088	172,115	254,973	40.30%	1,636,235	9.52%	
510100 Out Of Area Travel	678,142	119,719	77,566	42,153	64.79%	600,576	11.44%	
510200 Training And Educat	746,179	146,602	144,789	1,813	98.76%	601,390	19.40%	
511000 Control Board Expense	490,000	122,500	248,406	(125,906)	202.78%	241,594	50.70%	
515000 Utility Charges	3,708,150	728,431	764,480	(36,049)	104.95%	2,943,670	20.62%	
516040 DSS Trng & Edu Pro	1,759,781	792,466	317,502	474,965	40.07%	1,442,280	18.04%	
530000 Other Expenses	4,323,311	1,098,538	439,724	658,815	40.03%	3,883,587	10.17%	
530010 Chargebacks	1,636,212	409,053	427,981	(18,928)	104.63%	1,208,231	26.16%	
530030 Pivot Wage Subsidies	2,582,049	711,428	395,731	315,697	55.62%	2,186,318	15.33%	
545000 Rental Charges	13,250,154	3,153,236	2,794,948	358,288	88.64%	10,455,207	21.09%	
** Other	39,502,590	9,484,060	7,555,703	1,928,357	79.67%	31,946,888	19.13%	
** Non Profit Agency Subsidy	23,535,824	4,094,246	4,094,246	0	100.00%	19,441,578	17.40%	
* Non Profit Purchase of Servic	145,080,945	32,328,048	29,014,395	3,313,654	89.75%	116,066,550	20.00%	
516020 Pro Ser Cnt and Fees	28,331,356	3,831,023	2,819,807	1,011,216	73.60%	25,511,549	9.95%	
516021 Indep Procd Review	50,000	12,500	(57,361)	69,861	-458.89%	107,361	-114.72%	
516030 Maintenance Contracts	9,124,094	4,866,503	4,829,899	36,604	99.25%	4,294,195	52.94%	
516042 Foreclosure Action	1,255,056	1,120,000	1,120,000	0	100.00%	135,056	89.24%	
516080 Life Safety Contract	1,477,468	246,467	238,532	7,935	96.78%	1,238,936	16.14%	
516045 Prog Start-Up Costs	2,954,739	0	0	0	0.00%	2,954,739	0.00%	
520000 Municipal Assoc Fees	118,427	118,427	118,426	1	100.00%	1	100.00%	
520010 Tx&Asses-Co Ownd Pr	600	150	229	(79)	152.65%	371	38.16%	
520020 Co Res Enrl Comm Col	8,305,275	2,178,819	2,178,346	473	99.98%	6,126,929	26.23%	
520040 Curr Pymts Mass Tran	3,657,200	914,300	914,300	0	100.00%	2,742,900	25.00%	
520050 Garbage Disposal	115,000	28,750	25,900	2,850	90.09%	89,100	22.52%	
520070 Buffalo Bills Maint	3,048,714	473,587	473,587	0	100.00%	2,575,127	15.53%	
520072 Working Capital Asst	1,933,237	0	0	0	0.00%	1,933,237	0.00%	
* Professional Svcs Contracts a	60,371,167	13,790,525	12,661,664	1,128,860	91.81%	47,709,502	20.97%	
516050 Dept Payments-ECMCC	5,379,940	1,468,686	1,497,484	(28,799)	101.96%	3,882,456	27.83%	
516051 ECMCC Drug & Alcohol	397,493	99,373	99,373	0	100.00%	298,120	25.00%	
* ECMCC Payments	5,777,433	1,568,059	1,596,858	(28,799)	101.84%	4,180,575	27.64%	
516060 Sales Tax Loc Gov 3%	403,187,071	94,607,238	101,795,405	(7,188,167)	107.60%	301,391,666	25.25%	
516070 Flat Dist from 1%	12,500,000	12,500,000	12,500,000	0	100.00%	0	100.00%	
520030 NAFTA-Share Sales Tax	25,966,267	6,155,505	8,435,567	(2,280,062)	137.04%	17,530,700	32.49%	
* Sales Tax to Local Government	441,653,338	113,262,742	122,780,972	(9,168,280)	100.16%	318,922,366	27.79%	
** Contractual	676,418,706	165,043,620	170,098,135	(5,054,514)	103.06%	506,320,572	25.15%	
561410 Lab & Tech Eq	8,153,097	1,002,325	902,533	99,792	90.04%	7,250,563	11.07%	
561420 Office Furn & Flxt	777,168	158,642	57,691	100,952	36.37%	719,477	7.42%	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LARESTUIN SE	51016728	GRP 01	SeasonP	07/08/2021	DEPARTMENT OF LABOR RELATIONS	110			14,100.00		07	100.000
14,100.00 Perm Budget Amt										1		
0.00 Temp Budget Amt										0		
Totals for Labor Relations												
14,100.00 Perm Budget Amt										1		
0.00 Temp Budget Amt										0		
Totals for Labor Relations												
14,100.00 Perm Budget Amt										1		
0.00 Temp Budget Amt										0		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CLERK PT	51C02354	GRP 01	PT	P	06/18/2022	RECORDING	110				18,330.00		02	100.000
18,330.00 Perm Budget Amt											1			
JR MT V CS P	51C02287	GRP 05	PT	T	06/04/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02289	GRP 05	PT	T	09/25/2021	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02294	GRP 05	PT	P	10/09/2021	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02296	GRP 05	PT	T	06/04/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02298	GRP 05	PT	P	11/12/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02299	GRP 05	PT	P	12/17/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02326	GRP 05	PT	T	12/18/2021	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02327	GRP 05	PT	T	11/26/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02331	GRP 05	PT	P	11/06/2021	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02332	GRP 05	PT	P	11/12/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02333	GRP 05	PT	P	06/03/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02338	GRP 05	PT	P	08/18/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02340	GRP 05	PT	T	08/27/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C02341	GRP 05	PT	T	06/04/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
	51C08179	GRP 05	PT	T	06/04/2022	AUTO BUREAU BRANCH OFFICES	110				20,712.00		02	100.000
144,984.00 Perm Budget Amt											8	Temp Vac		
165,696.00 Temp Budget Amt											8	Temp Vac		
Totals for County Clerk											8	Temp Vac	16	
163,314.00 Perm Budget Amt											8	Temp Vac		
165,696.00 Temp Budget Amt											8	Temp Vac		

Erie County
 POSITION CONTROL
 PART TIME VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 115 Office of the Sheriff

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	0	Temp	Budget	Ant	0.00	Temp	Budget	Ant	3	Temp	Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE	
DS SE RE S S	51011340	GRP 51	SeasonP	SeasonP	08/14/2021	STADIUM DETAIL	110													3,511.00	07	07	0.000	
	51011342	GRP 51	SeasonP	SeasonP	08/13/2021	STADIUM DETAIL	110													3,511.00	07	07	0.000	
	51011344	GRP 51	SeasonP	SeasonP	07/17/2021	STADIUM DETAIL	110													3,511.00	07	07	0.000	
10,533.00					3	Perm	Vac						0.00											3
DS SEC RES S	51011471	GRP 50	SeasonP	SeasonP	12/04/2021	STADIUM DETAIL	110													2,200.00	07	07	0.000	
	51011472	GRP 50	SeasonP	SeasonP	09/25/2021	STADIUM DETAIL	110													2,200.00	07	07	0.000	
	51011474	GRP 50	SeasonP	SeasonP	07/24/2021	STADIUM DETAIL	110													2,200.00	07	07	0.000	
	51011504	GRP 50	SeasonP	SeasonP	02/26/2022	STADIUM DETAIL	110													2,200.00	07	07	0.000	
	51011579	GRP 50	SeasonP	SeasonP	07/02/2022	STADIUM DETAIL	110													2,200.00	07	07	0.000	
	51011599	GRP 50	SeasonP	SeasonP	09/19/2022	STADIUM DETAIL	110													2,200.00	07	07	0.000	
	51017508	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017509	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017510	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017511	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017512	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017514	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017515	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017516	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017519	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017520	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017521	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017522	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017524	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017525	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017526	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017527	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017528	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017529	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017530	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017531	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017532	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017533	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017534	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017535	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017536	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017537	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017538	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017539	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017540	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017541	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017542	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017543	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	
	51017544	GRP 50	SeasonP	SeasonP	06/23/2022	STADIUM DETAIL	110													1,100.00	07	07	0.000	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	51017545	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017546	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017547	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017548	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017549	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017550	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017551	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017552	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017553	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
60,500.00 Perm Budget Amt							49	0.00	Temp Budget Amt	0	Temp Vac	49

Totals for Office of the Sheriff

71,033.00 Perm Budget Amt

52 Perm Vac

0.00 Temp Budget Amt

0 Temp Vac

52

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
EN CR 1 SEA	51012143	GRP 02	SeasonP		01/28/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		13,418.00		02	0.000
				1	Perm Vac	0.00	Temp Budget Amt			0	Temp Vac	1
EN CR 2 PT	51017082	GRP 05	PT	T	02/26/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		20,712.00		02	0.000
				0	Perm Vac	20,712.00	Temp Budget Amt			1	Temp Vac	1

Totals for Department of Social Services

13,418.00 Perm Budget Amt 1 Perm Vac 1 Temp Vac 2

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DET FM IN PT	00C02980	GRP 09	PT	P	03/11/2022	INTAKE	110		21,237.00		02	51.000
	00C02982	GRP 09	PT	P	05/02/2022	INTAKE	110		21,237.00		02	51.000
42,474.00 Perm Budget Amt 2 Perm Vac 0 Temp Vac 2												
DET SEC GD P	00C02970	GRP 05	PT	P	07/09/2021	BUILDING SERVICES	110		12,562.00		01	51.000
12,562.00 Perm Budget Amt 1 Perm Vac 0 Temp Vac 1												
YTH DET WK P	51C06935	GRP 07	PT	T	10/22/2022	SECURE PART TIME YDW CHLD CARE	110		14,353.00		02	51.000
	51C06936	GRP 07	PT	T	02/25/2023	SECURE PART TIME YDW CHLD CARE	110		14,353.00		02	51.000
	51C16801	GRP 07	PT	T	02/10/2023	SECURE PART TIME YDW CHLD CARE	110		14,353.00		02	51.000
	51C16802	GRP 07	PT	T	03/28/2023	SECURE PART TIME YDW CHLD CARE	110		14,353.00		02	51.000
0.00 Perm Budget Amt 0 Perm Vac 4 Temp Vac 4												
Totals for Youth Services Division												
55,036.00 Perm Budget Amt 3 Perm Vac 4 Temp Vac 7												

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CH EL CL C P	51003576	GRP 09	PT	P	01/08/2016	ADMINISTRATION-BOE - DEM.	110		26,227.00	0	05	100.000
26,227.00 Perm Budget Amt										1		
DABAPRCPOE	51014951	GRP 13	PT	P	06/20/2020	ADMINISTRATION-BOE - REP.	110		9,897.00	0	05	100.000
9,897.00 Perm Budget Amt										1		
ELC FIN CL P	51007156	GRP 06	PT	P	01/01/2020	ADMINISTRATION-BOE - REP.	110		21,949.00	0	05	100.000
21,949.00 Perm Budget Amt										1		
ELC IN S P	51007157	GRP 11	PT	P	03/19/2020	ADMINISTRATION-BOE - REP.	110		30,366.00	0	05	100.000
30,366.00 Perm Budget Amt										1		
ELE WKR PTNB	51016026	GRP 01	PT	P	08/21/2021	ADMINISTRATION-BOE - REP.	110		18,330.00	0	05	100.000
18,330.00 Perm Budget Amt										1		
ELEC WKR FT	00C03139	GRP 01	PT	P	03/13/2021	ADMINISTRATION-BOE - REP.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03141	GRP 01	PT	P	08/20/2021	ADMINISTRATION-BOE - REP.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03145	GRP 01	PT	P	07/30/2021	ADMINISTRATION-BOE - REP.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03146	GRP 01	PT	P	11/13/2021	ADMINISTRATION-BOE - REP.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03147	GRP 01	PT	P	08/20/2021	ADMINISTRATION-BOE - REP.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03150	GRP 01	PT	P	07/24/2020	ADMINISTRATION-BOE - REP.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03153	GRP 01	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03155	GRP 01	PT	P	02/10/2023	ADMINISTRATION-BOE - DEM.	110		3,673.00	0	05	100.000
3,673.00 Perm Budget Amt										5		
	00C03157	GRP 01	PT	P	01/18/2020	ADMINISTRATION-BOE - REP.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03159	GRP 01	PT	P	12/03/2022	ADMINISTRATION-BOE - DEM.	110		10,093.00	0	05	100.000
10,093.00 Perm Budget Amt										5		
	00C03161	GRP 01	PT	P	05/01/2021	ADMINISTRATION-BOE - REP.	110		6,456.00	0	05	100.000
6,456.00 Perm Budget Amt										5		
	00C03165	GRP 01	PT	P	11/05/2022	ADMINISTRATION-BOE - REP.	110		3,673.00	0	05	100.000
3,673.00 Perm Budget Amt										5		
	51C07645	GRP 01	PT	P	02/25/2023	ADMINISTRATION-BOE - DEM.	110		18,330.00	0	05	100.000
18,330.00 Perm Budget Amt										5		
	51C12654	GRP 01	PT	P	12/16/2022	ADMINISTRATION-BOE - DEM.	110		18,330.00	0	05	100.000
18,330.00 Perm Budget Amt										5		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	Temp	Budget Amt	Temp	Budget Amt	FUND	GRANT	Temp	Budget Amt	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE	
141,299.00	Perm Budget Amt				14	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	14										
JR EL CL PT	51004176	GRP 04	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110										19,802.00	05	100.000		
	51005585	GRP 04	PT	P	08/27/2011	ADMINISTRATION-BOE - REP.	110										19,802.00	05	100.000		
	51008264	GRP 04	PT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110										19,802.00	05	100.000		
	51012979	GRP 04	PT	P	01/01/2016	ADMINISTRATION-BOE - REP.	110										19,802.00	05	100.000		
79,208.00	Perm Budget Amt				4	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	4										
MATEBOE PT	51007110	GRP 07	PT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110										23,264.00	05	100.000		
	51008695	GRP 07	PT	P	09/15/2020	ADMINISTRATION-BOE - DEM.	110										23,264.00	05	100.000		
46,528.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2										
PR EL C A PT	51016471	GRP 08	PT	P	01/01/2022	ADMINISTRATION-BOE - REP.	110										24,684.00	05	100.000		
24,684.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1										
PR SUVP EL P	51005970	GRP 09	PT	P	04/26/2021	ADMINISTRATION-BOE - DEM.	110										26,227.00	05	100.000		
26,227.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1										
SR EL CL PT	51004839	GRP 07	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110										23,264.00	05	100.000		
	51014079	GRP 07	PT	P	09/02/2017	ADMINISTRATION-BOE - REP.	110										23,264.00	05	100.000		
46,528.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2										
Totals for Board of Elections																					
544,563.00	Perm Budget Amt				33	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	33										

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
INTERN SEAS	51016418	GRP 01	SeasonP		08/05/2022	ENVIRONMENTAL COMPLIANCE	110		14,100.00		07	100.000
	51016419	GRP 01	SeasonP		01/01/2020	PLANNING	110		14,100.00		07	100.000
	51016836	GRP 01	SeasonP		07/08/2021	PLANNING	110		14,100.00		07	100.000
	51016837	GRP 01	SeasonP		07/08/2021	PLANNING	110		14,100.00		07	100.000
	51017360	GRP 01	SeasonP		11/05/2022	ENVIRONMENTAL COMPLIANCE	110		8,905.00		07	32.400
65,305.00 Perm Budget Amt							5	0.00 Temp Budget Amt	0	Temp Vac	5	

Totals for Environment & Planning Divis'n

65,305.00 Perm Budget Amt 5 Perm Vac

0.00 Temp Budget Amt 0 Temp Vac

5

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	Temp Budget Amt	Temp Vac	0	Temp Budget Amt	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BEAC SUPV SE	51006350	GRP 49	SeasonP		08/18/2022	WENDT/BENNETT BEACH PARK	110		0.00	0	Temp Vac	8,800.00	0	8,800.00	1	07	100.000
8,800.00 Perm Budget Amt																	
LIFEED CP S	51003312	GRP 47	SeasonP		08/26/2022	WENDT/BENNETT BEACH PARK	110		0.00	0	Temp Vac	8,400.00	0	8,400.00	1	02	100.000
51005651 GRP 47 SeasonP																	
16,800.00 Perm Budget Amt																	
LIFEED SEAS	51003309	GRP 45	SeasonP		09/01/2022	WENDT/BENNETT BEACH PARK	110		0.00	0	Temp Vac	8,000.00	0	8,000.00	2	02	100.000
51003603 GRP 45 SeasonP																	
51004452 GRP 45 SeasonP																	
51005656 GRP 45 SeasonP																	
51005657 GRP 45 SeasonP																	
51013372 GRP 45 SeasonP																	
51017911 GRP 45 SeasonP																	
51017912 GRP 45 SeasonP																	
56,000.00 Perm Budget Amt																	
PARK ATT SEA	51011821	GRP 33	SeasonP		08/20/2022	EMERY PARK	110		0.00	0	Temp Vac	5,376.00	0	5,376.00	8	03	100.000
51011822 GRP 33 SeasonP																	
51011823 GRP 33 SeasonP																	
51011824 GRP 33 SeasonP																	
51011825 GRP 33 SeasonP																	
51012680 GRP 33 SeasonP																	
51012681 GRP 33 SeasonP																	
49,920.00 Perm Budget Amt																	
REC ATT II S	51017914	GRP 35	SeasonP		01/01/2023	GROVER CLEVELAND PARK	110		0.00	0	Temp Vac	18,000.00	0	18,000.00	7	07	100.000
18,000.00 Perm Budget Amt																	
REC ATT SEAS	51017282	GRP 33	SeasonP		11/11/2022	GROVER CLEVELAND PARK	110		0.00	0	Temp Vac	16,000.00	0	16,000.00	1	03	100.000
51017283 GRP 33 SeasonP																	
51017285 GRP 33 SeasonP																	
16,000.00 Perm Budget Amt																	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	Temp Budget Amt	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	48,000.00	Perm Budget Amt			3	Perm Vac			0.00	Temp Budget Amt	0	Temp Vac			3
REC AMT PT	51017221	GRP 33	PT	P	10/16/2022	ELMA MEADOWS PARK	110					10,640.00		03	100.000
	51017224	GRP 33	PT	P	10/24/2022	GROVER CLEVELAND PARK	110					10,640.00		03	100.000
	51017277	GRP 33	PT	P	10/12/2022	GROVER CLEVELAND PARK	110					10,640.00		03	100.000
	31,920.00	Perm Budget Amt			3	Perm Vac			0.00	Temp Budget Amt	0	Temp Vac			3

Totals for Parks

229,440.00 Perm Budget Amt 25 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 25

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 167 Emergency Services

Erie County
 POSITION CONTROL
 PART TIME VACANCY BY DEPARTMENT, JOB

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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	Temp Budget Amt	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
FIRE INST PT	51002955	GRP 11	PT	P	01/31/2022	FIRE SAFETY	110		0.00	Temp Budget Amt	0	2,397.00	1	02	100.000
2,397.00 Perm Budget Amt													1		
HS INSTR PT	51017929	GRP 11	PT	P	01/01/2023	DISASTER PREPAREDNESS	110		0.00	Temp Budget Amt	0	3,074.00	1	07	100.000
	51017930	GRP 11	PT	P	01/01/2023	DISASTER PREPAREDNESS	110		0.00	Temp Budget Amt	0	3,074.00	1	07	100.000
	51017931	GRP 11	PT	P	01/01/2023	DISASTER PREPAREDNESS	110		0.00	Temp Budget Amt	0	3,074.00	1	07	100.000
9,222.00 Perm Budget Amt													3		
Totals for Emergency Services															
11,619.00 Perm Budget Amt										4	Temp Vac				

Erie County
 POSITION CONTROL
 PART TIME VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 167 Emergency Services

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
Totals for FUND	110											

1,543,805.00 Perm Fund Amt 164 Perm Vac 243,820.00 Temp Fund Amt 13 Temp Vac 177

Run Totals: Total Perm Vac 164 Total Temp Vac 13 Total Vacancies 177 Total Positions 637 Percent 28%

561430 Bldg Grs & Hvy Eq	949,588	3,725	(18,913)	22,638	-507.73%	968,501	-1.99%
561440 Motor Vehicles	146,587	64,810	51,560	13,250	79.56%	95,027	35.17%
** Equipment	10,026,440	1,229,502	992,871	236,631	80.75%	9,033,569	9.90%
559000 County Share - Grants	15,449,489	662,587	662,587	0	100.00%	14,786,902	4.29%
570000 InterFund Trans-Subs	125,000	0	0	0	0.00%	125,000	0.00%
570020 Interfund - Road	17,237,687	6,679,869	6,679,869	0	100.00%	10,557,818	38.75%
570025 InterFd Co Share 911	5,505,969	1,309,597	1,309,597	0	100.00%	4,196,372	23.79%
570028 InterFd Co Share Lib	769,976	0	0	0	0.00%	769,976	0.00%
570030 Interfund-ECC Sub	19,804,317	0	0	0	0.00%	19,804,317	0.00%
570050 InterFund Trans-Cap	152,639,301	276,000	276,000	0	100.00%	152,363,301	0.18%
575000 Interfund Exp Non-Sub	4,354,310	0	0	0	0.00%	4,354,310	0.00%
575040 I/F Expense-Utillty	5,724,468	1,036,117	1,021,522	14,595	98.59%	4,702,946	17.84%
* Interfund Expense	221,610,517	9,964,170	9,949,574	14,595	99.85%	211,660,943	4.49%
910200 ID Budget Services	0	0	0	0	0.00%	0	0.00%
910600 ID Purchasing Srv	(286,309)	(71,577)	(65,497)	(6,081)	91.51%	(220,812)	22.88%
910700 ID Fleet Services	(3,087,181)	(776,475)	(482,899)	(293,576)	62.19%	(2,604,282)	15.64%
911200 ID Comptroller's Srv	0	0	0	0	0.00%	0	0.00%
911400 ID District Atty Srv	0	0	0	0	0.00%	0	0.00%
911500 ID Sheriff Div. Svcs	(194,907)	(48,727)	(61,808)	13,082	126.85%	(133,099)	31.71%
911600 ID Jail Mgt. Service	0	0	0	0	0.00%	0	0.00%
911630 ID Correctional Fac	(45,000)	(11,250)	0	(11,250)	0.00%	(45,000)	0.00%
912000 ID DSS Service	(167,814)	(41,954)	0	(41,954)	0.00%	(167,814)	0.00%
912100 ID Utility Fund Srv	4,966	1,242	0	1,242	0.00%	4,966	0.00%
912215 ID DPW Mail Svcs	(13,561)	(3,390)	(640)	(2,750)	18.87%	(12,921)	4.72%
912220 ID Build&Grounds Srv	0	0	0	0	0.00%	0	0.00%
912300 ID Highways Services	32,000	8,000	419	7,581	5.24%	31,581	1.31%
912400 ID Mental Health Srv	0	0	0	0	0.00%	0	0.00%
912520 ID Youth Deten Svcs	0	0	0	0	0.00%	0	0.00%
912530 ID Youth Bureau Svcs	0	0	0	0	0.00%	0	0.00%
912600 ID Probation Services	0	0	0	0	0.00%	0	0.00%
912700 ID Health Services	(3,427)	(857)	(79,929)	79,072	9329.33%	76,502	2332.33%
912730 ID Health Lab Srv	7,187	1,797	0	1,797	0.00%	7,187	0.00%
912740 ID Med Ex Services	0	0	0	0	0.00%	0	0.00%
913000 ID Veterans Services	0	0	0	0	0.00%	0	0.00%
914000 ID CW Accts Budget	84,610	0	0	0	0.00%	84,610	0.00%
916000 ID County Attny Srv	(153,032)	(37,151)	(4,101)	(33,051)	11.04%	(148,932)	2.68%
916200 ID Env & Plan Srv	57,182	14,296	12,604	1,691	88.17%	44,578	22.04%
916300 ID Senior Services	0	0	0	0	0.00%	0	0.00%
916390 ID Senior Svcs Grant	24,906	6,227	0	6,227	0.00%	24,906	0.00%
916400 ID Parks Services	(70,986)	(17,747)	(16,697)	(1,050)	94.09%	(54,289)	23.52%
916500 ID CPS Services	0	(0)	0	(0)	0.00%	0	0.00%
916700 ID Emergency Services	0	0	0	0	0.00%	0	0.00%
916790 ID Emerg Svcs Grant	115,445	28,861	23,070	5,791	79.93%	92,375	19.98%
942000 ID Library Services	153,143	38,286	37,246	1,040	97.28%	115,898	24.32%
980000 ID DISS Services	(2,190,672)	(547,691)	(550,515)	2,824	100.52%	(1,640,157)	25.13%
* Interdepartmental Billings	(5,733,450)	(1,458,111)	(1,188,746)	(269,364)	81.53%	(4,544,704)	20.73%
** Allocations	215,877,067	8,506,059	8,760,828	(254,769)	103.00%	207,116,239	4.06%
525000 MMIS-Medicaid Loc Sh	190,454,017	43,441,333	43,441,333	0	100.00%	147,012,684	22.81%
525020 UPL Expense	6,786,138	-	-	-	0%	6,786,138	0.00%
525030 MA - Gross Loc Pymts	39247	9811.75	2715.9	7095.85	28%	36,531	7%
525040 Family Assistance-FA	38,780,099	9,695,025	7,123,083	2,571,942	73%	31,657,016	18%
525050 CWS - Foster Care	99,177,933	19,794,483	15,727,596	4,066,887	79%	83,450,337	16%
525060 Safety Net Asslst	39,665,565	9,916,391	8,740,029	1,176,363	88%	30,925,536	22%
525070 Emer Assist To Adlts	1,034,035	258,509	248,148	10,361	96%	785,887	24%
525080 Ed Handicapped Child	592,608	148,152	77,994	70,158	53%	514,614	13%
525091 Child Care - Title XX	1,580,796	395,199	356,018	39,181	90%	1,224,778	23%
525092 Child Care - CCBG	21,720,590	5,630,148	10,412,450	(4,782,303)	184.94%	11,308,140	47.94%
525100 Housekeeping - DSS	36,486	9,122	-	9,122	0.00%	36,486	0.00%
525110 Meals On Wheels WNY	70,000	17,500	17,500	-	100.00%	52,500	25.00%
525120 Adult Special Needs	2,310	578	-	578	0.00%	2,310	0.00%
525130 OCFS Yth Fac Charges	7,979,770	1,994,943	2,004,269	(9,326)	100%	5,975,501	25%
525140 HEAP Program Costs	570,000	142,500	796,759	(654,259)	559%	(226,759)	140%
525150 DSH Expense	90,977,571	50,573,845	50,573,845	-	100%	40,403,726	56%
525160 Indigent Care DSH	6,691,290	1,672,823	1,472,994	199,829	88.05%	5,218,296	22.01%
528000 Svcs Spec Need Child	64,569,406	16,593,852	17,563,720	(969,868)	105.84%	47,005,686	27.20%
528010 Svcs Early Inv Prog	8,571,914	2,142,979	1,995,771	147,208	93.13%	6,576,143	23.28%
530020 Independent Living	10,000	2,500	-	2,500	0.00%	10,000	0.00%
** Program Specific	579,309,775	162,439,690	160,554,225	1,885,465	98.84%	418,755,550	27.71%
570040 I/F Subsidy Debt Srv	62,414,953	10,438,531	10,438,531	0	100.00%	51,976,422	16.72%
** Debt Services	62,414,953	10,438,531	10,438,531	0	100.00%	51,976,422	16.72%
*** All Other Operating Expense	1,596,247,179	359,970,401	360,297,764	(327,363)	100.09%	1,235,949,415	22.57%
**** County Expense	2,044,247,172	466,599,764	463,641,661	2,958,102	99.37%	1,580,605,510	22.68%
**** Net	259,895,900	(215,844,196)	(228,755,735)	12,911,539		488,651,635	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
FIR AD AS LE	51011829	GRP 10	FT	P	04/18/2023	LEGISLATURE MAJORITY STAFF	110		58,644.00		05	100.000
										1		
	58,644.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
SR AD AST LE	51014479	GRP 11	FT	P	03/26/2023	LEGISLATURE MAJORITY STAFF	110		63,929.00		07	100.000
										1		
	63,929.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
JR AD AS L R	51018002	GRP 07	RPT	P	02/18/2023	LEGISLATURE MINORITY STAFF	110		24,489.00		07	100.000
										1		
	24,489.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	

Totals for Legislative Branch

147,062.00 Perm Budget Amt 3 Perm Vac 0 Temp Vac 3

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ADMIN ASST	51012554	GRP 09	FT	P	07/22/2022	ADMINISTRATION-DISS	110		55,216.00		01	100.000
	55,216.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac	1
BUS IN SY AN	51017021	GRP 12	FT	P	01/01/2022	APPLICATION SERVICES	110		67,914.00		01	100.000
	67,914.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac	1
COMP OPR	51016668	GRP 07	FT	P	08/13/2022	CLIENT SERVICES	110		48,978.00		01	100.000
	48,978.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac	1
ERP SUP AN	00003395	GRP 13	FT	T	02/11/2023	APPLICATION SERVICES	110		73,524.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac		73,524.00	Temp Budget Amt	1	Temp Vac	1
SR COMP OP	51016753	GRP 08	FT	P	01/30/2023	CLIENT SERVICES	110		51,967.00		01	100.000
	51,967.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac	1
SR TCH SS SP	51016756	GRP 13	FT	T	01/02/2023	APPLICATION SERVICES	110		73,524.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac		73,524.00	Temp Budget Amt	1	Temp Vac	1
TCH SP COMP	51011229	GRP 10	FT	T	02/26/2022	APPLICATION SERVICES	110		58,644.00		02	100.000
	0.00	Perm Budget Amt			0	Perm Vac		58,644.00	Temp Budget Amt	1	Temp Vac	1
TCH SUP SR S	00010262	GRP 12	FT	T	09/24/2022	INFRASTRUCTURE SERVICES	110		67,914.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac		67,914.00	Temp Budget Amt	1	Temp Vac	1
Totals for Information & Support Services												
	224,075.00	Perm Budget Amt			4	Perm Vac		273,606.00	Temp Budget Amt	4	Temp Vac	8

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 109 Office of Public Advocacy

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
SR ACCT CLK	51008135	GRP 06	FT	T	02/25/2023	WEIGHTS AND MEASURES	110		46,209.00		01	100.000
	0.00	Perm Budget Amt		0	Perm Vac				46,209.00	1		Temp Vac

Totals for Office of Public Advocacy

0.00	Perm Budget Amt	0	Perm Vac	46,209.00	Temp Budget Amt	1	Temp Vac
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Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 111 Real Property Tax Services

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CASHIER	51011882	GRP 06	FT	T	01/01/2023	DEPARTMENT OF REAL PROPERTY TAX	110		46,209.00		01	100.000
	0.00	Perm Budget Amt		0	Perm Vac	46,209.00	Temp Budget Amt		1	Temp Vac		
SR TX MAP TC	51005427	GRP 07	FT	T	03/25/2023	DEPARTMENT OF REAL PROPERTY TAX	110		48,978.00		01	100.000
	0.00	Perm Budget Amt		0	Perm Vac	48,978.00	Temp Budget Amt		1	Temp Vac		

Totals for Real Property Tax Services

0.00	Perm Budget Amt		0	Perm Vac	95,187.00	Temp Budget Amt		2	Temp Vac			
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Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 112 Comptroller

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCOUNTANT	51011179	GRP 09	FT	T	01/30/2023	ACCOUNTING	110		55,216.00	1	01	100.000
	0.00	Perm Budget Amt		0	Perm Vac	55,216.00	Temp Budget Amt	1	Temp Vac	1		
ACCT AUDITOR	51009174	GRP 09	FT	T	02/18/2023	AUDIT & CONTROL	110		55,216.00	1	01	100.000
	0.00	Perm Budget Amt		0	Perm Vac	55,216.00	Temp Budget Amt	1	Temp Vac	1		
ASC DECO XIV	51014369	GRP 14	FT	P	11/20/2021	ADMINISTRATION	110		81,199.00	1	04	100.000
	81,199.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
DIR ACT SRV	00093006	GRP 15	FT	P	04/10/2023	AUDIT & CONTROL	110		89,220.00	1	01	100.000
	89,220.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
STAFF AUD	51012879	GRP 11	FT	P	10/03/2022	AUDIT & CONTROL	110		63,929.00	1	01	100.000
	63,929.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
Totals for Comptroller												
	234,348.00	Perm Budget Amt		3	Perm Vac	110,432.00	Temp Budget Amt	2	Temp Vac	5		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP CC LEGAL	00002330	GRP 13	FT	P	02/18/2023	RECORDING	110		73,524.00		04	100.000
	73,524.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
DOC CLK	00003099	GRP 05	FT	P	01/24/2023	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		43,605.00		01	100.000
	00003103	GRP 05	FT	P	10/15/2022	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		43,605.00		01	100.000
	87,210.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2
MESSENGER	51016039	GRP 03	FT	P	04/10/2021	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		36,637.00		03	100.000
	36,637.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
MOT VEH REP	00006595	GRP 05	FT	T	01/28/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
	00006616	GRP 05	FT	T	02/25/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
	51001432	GRP 05	FT	P	02/14/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
	43,605.00	Perm Budget Amt			1	Perm Vac	87,210.00	Temp Budget Amt		2	Temp Vac	3
MV REP 55A	51005054	GRP 05	FT	P	07/13/2022	AUTO BUREAU BRANCH OFFICES	110		43,605.00		02	100.000
	43,605.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
SR DOC CLK	00008731	GRP 06	FT	T	01/06/2023	RECORDING	110		46,209.00		01	100.000
	00008740	GRP 06	FT	T	11/26/2022	RECORDING	110		46,209.00		01	100.000
	51008346	GRP 06	FT	T	01/28/2023	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		46,209.00		01	100.000
	51017858	GRP 06	FT	P	01/01/2023	RECORDING	110		46,209.00		01	100.000
	46,209.00	Perm Budget Amt			1	Perm Vac	138,627.00	Temp Budget Amt		3	Temp Vac	4
Totals for County Clerk												
	330,790.00	Perm Budget Amt			7	Perm Vac	225,837.00	Temp Budget Amt		5	Temp Vac	12

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST DA IV	51016241	GRP 15	FT	P	04/03/2023	LOWER COURTS	110		89,220.00		04	100.000
	89,220.00	Perm Budget Amt			1	Perm Vac	0	Temp Budget Amt	0	Temp Vac		1
ASST DI A VI	51013826	GRP 17	FT	P	03/25/2023	SUPERIOR COURTS	110		106,388.00		07	100.000
	106,388.00	Perm Budget Amt			1	Perm Vac	0	Temp Budget Amt	0	Temp Vac		1
DATA ENT OPR	51013119	GRP 04	FT	T	02/11/2023	LOWER COURTS	110		41,689.00		01	100.000
	51013121	GRP 04	FT	T	03/11/2023	ADMINISTRATION	110		41,689.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac	2	Temp Budget Amt	83,378.00	2	Temp Vac	2
PARALEGAL	51008252	GRP 05	FT	T	09/20/2022	SUPERIOR COURTS	110		43,605.00		01	100.000
	51016770	GRP 05	FT	P	03/25/2022	SUPERIOR COURTS	110		43,605.00		01	100.000
	51016771	GRP 05	FT	P	02/25/2023	SUPERIOR COURTS	110		43,605.00		01	100.000
	87,210.00	Perm Budget Amt			2	Perm Vac	1	Temp Budget Amt	43,605.00	1	Temp Vac	3
SR CL TYP	510-6231	GRP 04	FT	T	04/09/2022	LOWER COURTS	110		41,689.00		01	100.000
	510-6234	GRP 04	FT	T	04/09/2022	LOWER COURTS	110		41,689.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac	2	Temp Budget Amt	83,378.00	2	Temp Vac	2
AST DA IV-RP	510-4368	GRP 15	RPT	P	02/03/2023	ADMINISTRATION	110		66,915.00		07	100.000
	66,915.00	Perm Budget Amt			1	Perm Vac	0	Temp Budget Amt	0.00	0	Temp Vac	1
Totals for District Attorney												
	349,733.00	Perm Budget Amt			5	Perm Vac	5	Temp Budget Amt	210,361.00	5	Temp Vac	10

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCT CLK SH	51017707	GRP 04	FT	P	10/28/2022	COMMUNITY PROGRAMS	110		37,380.00		01	100.000
	37,380.00	Perm Budget Amt			1	Perm Vac			0	Temp Vac		1
ADM ASST SH	51017762	GRP 10	FT	P	01/01/2023	ADMINISTRATION AND PROFESSIONAL SERVICES	110		54,488.00		01	100.000
	54,488.00	Perm Budget Amt			1	Perm Vac			0	Temp Vac		1
COR OFF	51032520	GRP 11	FT	P	12/14/2022	PROFESSIONAL STANDARDS	110		57,169.00		01	100.000
	57,169.00	Perm Budget Amt			1	Perm Vac			0	Temp Vac		1
DAT EN OP SH	51016429	GRP 04	FT	T	12/31/2022	CIVIL PROCESS	110		37,380.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac			37,380.00		1	Temp Vac
DEP SH CRIM	0002428	GRP 08	FT	P	02/28/2023	POLICE/PATROL SERVICES	110		66,857.00		01	100.000
	0002475	GRP 08	FT	P	03/21/2023	INVESTIGATIVE SERVICES	110		66,857.00		01	100.000
	0002478	GRP 08	FT	T	03/25/2023	POLICE/PATROL SERVICES	110		66,857.00		01	100.000
	0002481	GRP 08	FT	P	03/20/2023	COMMUNITY PROGRAMS	110		66,857.00		01	100.000
	200,571.00	Perm Budget Amt			3	Perm Vac			66,857.00		1	Temp Vac
DEP SH OF	0002522	GRP 08	FT	T	01/07/2023	PROFESSIONAL STANDARDS	110		54,993.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac			54,993.00		1	Temp Vac
RECEPTIONIST	51013230	GRP 03	FT	T	08/27/2022	POLICE/PATROL SERVICES	110		36,001.00		02	100.000
	0.00	Perm Budget Amt			0	Perm Vac			36,001.00		1	Temp Vac

Totals for Office of the Sheriff

349,608.00 Perm Budget Amt 6 Perm Vac 195,231.00 Temp Budget Amt 4 Temp Vac 10

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	0	Temp Budget Amt	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST COOK HC	00000329	GRP 04	FT	P	12/05/2021	FOOD SERVICES HC	110			0.00	Temp Budget Amt	0	37,380.00	1	02	100.000
37,380.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac																
COM REIN CRD	51018018	GRP 10	FT	P	01/01/2023	COMMUNITY RE-INTEGRATION PROGRAM	110			0.00	Temp Budget Amt	0	54,488.00	1	01	100.000
54,488.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac																
COR OFF	00001976	GRP 11	FT	P	01/14/2023	SECURITY CF	110						57,169.00		01	100.000
	00001982	GRP 11	FT	P	01/20/2023	SECURITY CF	110						57,169.00		01	100.000
	00002001	GRP 11	FT	P	01/28/2023	SECURITY CF	110						57,169.00		01	100.000
	00002013	GRP 11	FT	P	02/22/2023	SECURITY CF	110						57,169.00		01	100.000
	00002044	GRP 11	FT	P	05/12/2023	SECURITY CF	110						57,169.00		01	100.000
	00002103	GRP 11	FT	P	01/26/2023	SECURITY CF	110						57,169.00		01	100.000
	51002518	GRP 11	FT	P	04/15/2023	SECURITY CF	110						57,169.00		01	100.000
	51003443	GRP 11	FT	P	06/14/2023	SECURITY CF	110						57,169.00		01	100.000
457,352.00 Perm Budget Amt 8 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac																
COR OFF CF	51011302	GRP 11	FT	T	01/14/2023	SECURITY CF	110						56,139.00		01	100.000
	51011701	GRP 11	FT	T	11/08/2022	SECURITY CF	110						56,139.00		01	100.000
	51011896	GRP 11	FT	T	12/07/2022	SECURITY CF	110						56,139.00		01	100.000
	51012172	GRP 11	FT	T	01/14/2023	SECURITY CF	110						56,139.00		01	100.000
	51013682	GRP 11	FT	P	03/10/2023	SECURITY CF	110						56,139.00		01	100.000
	51013927	GRP 11	FT	P	03/04/2023	SECURITY CF	110						56,139.00		01	100.000
	51014509	GRP 11	FT	P	02/28/2023	SECURITY CF	110						56,139.00		01	100.000
	51017667	GRP 11	FT	T	10/22/2022	SECURITY CF	110						56,139.00		01	100.000
	51017823	GRP 11	FT	T	01/29/2023	SECURITY CF	110						56,139.00		01	100.000
168,417.00 Perm Budget Amt 3 Perm Vac 336,834.00 Temp Budget Amt 6 Temp Vac																
DEP SH OF	00002552	GRP 08	FT	T	01/25/2023	TRANSPORTATION	110						54,993.00		01	100.000
	00002645	GRP 08	FT	T	10/22/2022	SECURITY HC	110						54,993.00		01	100.000
	00002656	GRP 08	FT	P	01/28/2023	SECURITY HC	110						54,993.00		01	100.000
	00002675	GRP 08	FT	T	09/28/2022	SECURITY HC	110						54,993.00		01	100.000
	00002736	GRP 08	FT	P	02/16/2023	SECURITY HC	110						54,993.00		01	100.000
	00002738	GRP 08	FT	T	09/23/2022	SECURITY HC	110						54,993.00		01	100.000
	00002747	GRP 08	FT	P	04/05/2023	SECURITY HC	110						54,993.00		01	100.000
	00002754	GRP 08	FT	T	01/07/2023	SECURITY HC	110						54,993.00		01	100.000
	00002786	GRP 08	FT	T	10/13/2022	TRANSPORTATION	110						54,993.00		01	100.000
	00002809	GRP 08	FT	P	02/22/2023	SECURITY HC	110						54,993.00		01	100.000
	00002822	GRP 08	FT	T	10/18/2022	SECURITY HC	110						54,993.00		01	100.000
	00002853	GRP 08	FT	P	11/12/2022	SECURITY HC	110						54,993.00		01	100.000
	00002930	GRP 08	FT	P	01/16/2023	SECURITY HC	110						54,993.00		01	100.000
	51001232	GRP 08	FT	T	12/31/2022	SECURITY HC	110						54,993.00		01	100.000
	51003264	GRP 08	FT	P	02/07/2023	SECURITY HC	110						54,993.00		01	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT				BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	51003429	GRP 08	FT	P	03/25/2023	SECURITY HC	110					54,993.00		01	100.000
	51005325	GRP 08	FT	T	01/14/2023	SECURITY HC	110					54,993.00		01	100.000
	51010806	GRP 08	FT	T	01/14/2023	SECURITY HC	110					54,993.00		01	100.000
	51012180	GRP 08	FT	T	02/11/2023	SECURITY HC	110					54,993.00		01	100.000
	51012184	GRP 08	FT	P	02/08/2023	SECURITY HC	110					54,993.00		01	100.000
	51012186	GRP 08	FT	T	01/14/2023	SECURITY HC	110					54,993.00		01	100.000
	51016779	GRP 08	FT	T	10/17/2022	SECURITY HC	110					54,993.00		01	100.000
	51017839	GRP 08	FT	P	01/01/2023	SECURITY HC	110					54,993.00		01	100.000
	51017840	GRP 08	FT	P	01/01/2023	SECURITY HC	110					54,993.00		01	100.000
	51017841	GRP 08	FT	P	01/01/2023	SECURITY HC	110					54,993.00		01	100.000
	51017842	GRP 08	FT	P	01/01/2023	SECURITY HC	110					54,993.00		01	100.000
	51017843	GRP 08	FT	P	01/01/2023	SECURITY HC	110					54,993.00		01	100.000
DIR COR HE S	51013380	GRP 16	FT	P	08/13/2022	JAIL MEDICAL SERVICES ADMINISTRATION	110			714,909.00	Temp Budget Amt	97,852.00	27	01	100.000
KIT HLP HC	00005425	GRP 03	FT	P	07/14/2022	FOOD SERVICES HC	110			0.00	Temp Budget Amt	36,001.00	1	03	100.000
	00005426	GRP 03	FT	P	03/19/2023	FOOD SERVICES HC	110			0.00	Temp Budget Amt	36,001.00	1	03	100.000
LABORER SHER	00005684	GRP 04	FT	T	02/13/2023	PROGRAMS HC	110			0.00	Temp Budget Amt	37,380.00	2	03	100.000
	51009878	GRP 04	FT	T	03/06/2023	PROGRAMS HC	110			0.00	Temp Budget Amt	37,380.00	2	03	100.000
REC CLK HC	00007797	GRP 06	FT	P	01/09/2023	SECURITY HC	110			74,760.00	Temp Budget Amt	41,956.00	2	01	100.000
REG NURS HC	51007847	GRP 08	FT	P	06/03/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	1	02	100.000
	51007848	GRP 08	FT	P	09/10/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	1	02	100.000
	51007849	GRP 08	FT	P	01/16/2023	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51007878	GRP 08	FT	P	05/14/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51010471	GRP 08	FT	T	09/10/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51010472	GRP 08	FT	T	05/21/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51010473	GRP 08	FT	P	07/27/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51010474	GRP 08	FT	P	08/04/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51010475	GRP 08	FT	P	05/04/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51016085	GRP 08	FT	T	10/22/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51016088	GRP 08	FT	P	03/10/2023	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51016918	GRP 08	FT	T	09/12/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000
	51017176	GRP 08	FT	T	06/23/2022	HOLDING CENTER MEDICAL SERVICES	110			0.00	Temp Budget Amt	61,676.00	2	02	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	5	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
493,408.00	Perm Budget Amt	8	Perm Vac	308,380.00	Temp Budget Amt	110			5	Temp Vac		13		
REG NURSE CH	51013385	GRP 08	FT	P	03/25/2023	CORRECTIONAL FACILITY MEDICAL SERVICES	110		0	Temp Vac	58,564.00	1	02	100.000
58,564.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	110			0	Temp Vac				
SR CLKTYP CF	51011706	GRP 06	FT	P	09/04/2022	HOLDING CENTER MEDICAL SERVICES	110		0	Temp Vac	38,033.00	1	01	100.000
38,033.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	110			0	Temp Vac				
SR MD SC SH	51016919	GRP 04	FT	P	04/13/2022	HOLDING CENTER MEDICAL SERVICES	110		0	Temp Vac	37,380.00	1	01	100.000
37,380.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	110			0	Temp Vac				
Totals for Jail Management														
2,326,734.00	Perm Budget Amt	42	Perm Vac	1,434,883.00	Temp Budget Amt	110			26	Temp Vac		68		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACC CLK	00000017	GRP 04	FT	T	03/11/2023	FINANCIAL RECORDS & SERVICES	110		41,689.00		01	49.200
	00000018	GRP 04	FT	T	01/28/2023	FINANCIAL RECORDS & SERVICES	110		41,689.00		01	49.200
	00000022	GRP 04	FT	T	11/19/2022	FINANCIAL RECORDS & SERVICES	110		41,689.00		01	49.200
	51017001	GRP 04	FT	T	09/10/2022	PERSONNEL/PAYROLL	110		41,689.00		01	47.370
ADMIN ASST	51016669	GRP 09	FT	P	03/25/2023	166,756.00 Temp Budget Amt FINANCIAL RECORDS & SERVICES	110		55,216.00	4	01	49.200
ASC EMP COUN	00000594	GRP 11	FT	P	04/11/2023	EMPLOYMENT ASSESSMENT	110		63,929.00	1	01	32.290
AST OO HO SE	51016748	GRP 10	FT	P	01/14/2023	EC WORKS CENTER	110		58,644.00	1	01	38.650
AST DP CM SS	00000368	GRP 15	FT	T	01/29/2023	DSS COMMISS. OFFICE & COMM RELATIONS	110		89,220.00	1	01	47.370
AST SP INV	00000535	GRP 07	FT	T	03/12/2023	89,220.00 Temp Budget Amt INVESTIGATIONS AND COLLECTIONS	110		48,978.00	1	01	37.870
AST SS TECLI	510-7868	GRP 07	FT	P	01/05/2023	48,978.00 Temp Budget Amt TECHNICAL SUPPORT	110		48,978.00	1	01	47.370
CASE ASST SS	51003711	GRP 06	FT	P	03/30/2023	ADOPTION	110		46,209.00	1	01	49.200
	510-4356	GRP 06	FT	T	01/01/2023	CHILD PROTECTIVE SERVICES	110		46,209.00	1	01	49.200
	510-4358	GRP 06	FT	P	02/21/2023	ADOPTION	110		46,209.00	1	01	49.200
	510-7006	GRP 06	FT	P	02/10/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		46,209.00	1	01	49.200
	510-7007	GRP 06	FT	T	02/12/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		46,209.00	1	01	49.200
	510-7758	GRP 06	FT	P	01/01/2023	SERVICES DIVISION ADMINISTRATION	110		46,209.00	1	01	49.200
	510-7759	GRP 06	FT	P	01/01/2023	SERVICES DIVISION ADMINISTRATION	110		46,209.00	1	01	49.200

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	Perm Vac	Temp Budget Amt	Temp Budget Amt	FUND	GRANT	2	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CASEWORKER	51017741	GRP 06	FT	P	01/01/2023	SERVICES DIVISION ADMINISTRATION	5	92,418.00	110	110		0	1	46,209.00	7	01	49.200
							1	0.00	0.00	Temp Budget Amt		0	Temp Vac				
	00000886	GRP 09	FT	P	11/01/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	00000900	GRP 09	FT	T	12/04/2022	ADoption			110	110				55,216.00		01	49.200
	00000916	GRP 09	FT	T	12/03/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	00000921	GRP 09	FT	T	03/27/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	00000951	GRP 09	FT	T	12/03/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	00000973	GRP 09	FT	P	04/17/2023	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	00000978	GRP 09	FT	P	06/29/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	00001284	GRP 09	FT	P	08/27/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51004323	GRP 09	FT	P	03/13/2023	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51009135	GRP 09	FT	T	10/01/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	51009577	GRP 09	FT	T	11/06/2022	ADULT & FAMILY SERVICES			110	110				55,216.00		01	49.200
	51009578	GRP 09	FT	T	12/04/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51009580	GRP 09	FT	T	09/10/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51009593	GRP 09	FT	T	03/11/2023	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51009599	GRP 09	FT	P	12/21/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51009726	GRP 09	FT	P	04/07/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	51009743	GRP 09	FT	P	12/17/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51009746	GRP 09	FT	T	07/03/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	51010086	GRP 09	FT	P	08/03/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51011900	GRP 09	FT	P	10/10/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51011926	GRP 09	FT	T	03/11/2023	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51011927	GRP 09	FT	P	03/13/2023	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51011952	GRP 09	FT	T	02/28/2022	CPS AFTER HOURS PROGRAM			110	110				55,216.00		01	49.200
	51011953	GRP 09	FT	P	12/29/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51012064	GRP 09	FT	P	01/28/2023	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51012072	GRP 09	FT	P	09/24/2022	CPS AFTER HOURS PROGRAM			110	110				55,216.00		01	49.200
	51012513	GRP 09	FT	T	12/03/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT			110	110				55,216.00		01	49.200
	51013364	GRP 09	FT	T	09/10/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51013365	GRP 09	FT	P	07/26/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51013367	GRP 09	FT	P	08/08/2022	CHILD PROTECTIVE SERVICES			110	110				55,216.00		01	49.200
	51016480	GRP 09	FT	P	08/29/2022	ADULT & FAMILY SERVICES			110	110				55,216.00		01	32.290

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
938,672.00	51012359	GRP 07	FT	T	12/17/2022	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		48,978.00	31	01	39.200
0.00		Perm Budget Amt			0	Perm Vac	773,024.00	Temp Budget Amt		14	Temp Vac	
0.00		Perm Budget Amt			0	Perm Vac	48,978.00	Temp Budget Amt		1	Temp Vac	
000J1338	GRP 07	FT	T	11/06/2022	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110			48,978.00		01	39.200
000J1348	GRP 07	FT	T	02/25/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110			48,978.00		01	39.200
000J1356	GRP 07	FT	T	02/25/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110			48,978.00		01	39.200
510J9604	GRP 07	FT	P	03/28/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110			48,978.00		01	39.200
510J9606	GRP 07	FT	T	02/12/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110			48,978.00		01	39.200
51012142	GRP 07	FT	T	02/12/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110			48,978.00		01	39.200
48,978.00		Perm Budget Amt			1	Perm Vac	244,890.00	Temp Budget Amt		5	Temp Vac	
000J1160	GRP 07	FT	T	02/11/2023	SUPPORT COLLECTION UNIT	110			48,978.00		01	39.200
0.00		Perm Budget Amt			0	Perm Vac	48,978.00	Temp Budget Amt		1	Temp Vac	
51017892	GRP 10	FT	P	01/01/2023	SERVICES DIVISION ADMINISTRATION	110			58,644.00		01	49.200
58,644.00		Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
510J9639	GRP 01	FT	T	12/12/2022	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110			38,590.00		01	38.650
510J9640	GRP 01	FT	T	01/30/2023	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110			38,590.00		01	38.650
510J9641	GRP 01	FT	T	03/11/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110			38,590.00		01	38.650
0.00		Perm Budget Amt			0	Perm Vac	115,770.00	Temp Budget Amt		3	Temp Vac	
000J1572	GRP 01	FT	T	03/26/2023	SNAP ELIGIBILITY TEAMS	110			38,590.00		01	50.000
000J1629	GRP 01	FT	T	12/04/2021	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110			38,590.00		01	0.000
510J4218	GRP 01	FT	T	02/12/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110			38,590.00		01	38.650
510J4220	GRP 01	FT	T	08/27/2022	CHILD PROTECTIVE SERVICES	110			38,590.00		01	49.200
510J9663	GRP 01	FT	T	01/14/2023	EMPLOYMENT ASSESSMENT	110			38,590.00		01	32.290
510J9667	GRP 01	FT	T	03/25/2023	FINANCIAL RECORDS & SERVICES	110			38,590.00		01	47.370
510J9668	GRP 01	FT	T	01/15/2022	FINANCIAL RECORDS & SERVICES	110			38,590.00		01	47.370
51010525	GRP 01	FT	T	03/11/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110			38,590.00		01	38.650
51010582	GRP 01	FT	T	03/26/2023	ADULT & FAMILY SERVICES	110			38,590.00		01	49.200
51017978	GRP 01	FT	T	03/26/2023	INVESTIGATIONS AND COLLECTIONS	110			38,590.00		01	37.700

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	Temp Budget Amt	Perm Budget Amt	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CLK SS 55A	00001532	GRP 01	FT	T	07/02/2022	FINANCIAL RECORDS & SERVICES	385,900.00	110	1	38,590.00	10	02	47.370
COM RES TECH	510-3702	GRP 06	FT	T	11/05/2022	EMPLOYMENT ASSESSMENT	38,590.00	110	1	46,209.00	1	01	32.290
COOR QUAL AS	510-7355	GRP 11	FT	P	05/16/2022	SERVICES DIVISION ADMINISTRATION	46,209.00	110	1	63,929.00	1	01	49.200
CORESTE-APS	51008890	GRP 06	FT	T	10/22/2022	ADULT & FAMILY SERVICES	0.00	110	0	46,209.00	1	01	49.200
COUN SS	00002140	GRP 14	FT	T	03/22/2023	CHILDREN'S SERVICES	46,209.00	110	1	81,199.00	1	01	49.200
CSWK SPAN SP	00001327	GRP 09	FT	P	10/20/2021	CHILD PROTECTIVE SERVICES	324,796.00	110	4	55,216.00	4	01	49.200
DEL SRV CHAU	00002282	GRP 04	FT	P	02/22/2023	FINANCIAL RECORDS & SERVICES	55,216.00	110	1	37,633.00	1	02	47.370
CO SPAN	510-0451	GRP 09	FT	P	06/22/2023	EMPLOYMENT ASSESSMENT	0.00	110	0	55,216.00	1	01	32.290

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	Temp	Budget	Temp	Budget	Temp	Vac	TOT VAC	CS CD	COUNTY SHARE
55,216.00	00003228	GRP 09	FT	P	02/13/2023	EMPLOYMENT ASSESSMENT	110		0	55,216.00	0	55,216.00	0	1	01	32.290	
55,216.00	00003270	GRP 09	FT	T	12/04/2022	EMPLOYMENT ASSESSMENT	110		0	55,216.00	0	55,216.00	0	1	01	32.290	
55,216.00	00003199	GRP 11	FT	P	05/23/2023	EMPLOYMENT ASSESSMENT	110		1	55,216.00	1	63,929.00	0	2	01	32.290	
63,929.00	00003199	GRP 11	FT	P	05/23/2023	EMPLOYMENT ASSESSMENT	110		0	63,929.00	0	63,929.00	0	1	01	32.290	
43,605.00	51017731	GRP 05	FT	P	03/28/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		0	43,605.00	0	43,605.00	0	1	02	0.000	
43,605.00	00004225	GRP 10	FT	T	02/26/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110		0	43,605.00	0	43,605.00	0	1	02	0.000	
58,644.00	00004225	GRP 10	FT	T	02/26/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110		1	58,644.00	1	58,644.00	0	1	01	38.650	
36,637.00	00004322	GRP 03	FT	P	11/14/2022	ADOPTION	110		0	36,637.00	0	36,637.00	0	1	02	49.200	
36,637.00	00004322	GRP 03	FT	P	11/14/2022	ADOPTION	110		0	36,637.00	0	36,637.00	0	1	02	49.200	
48,978.00	51013059	GRP 07	FT	T	12/03/2022	EMPLOYMENT ASSESSMENT	110		1	48,978.00	1	48,978.00	0	1	01	32.290	
48,978.00	51017977	GRP 07	FT	P	03/14/2023	ADMINISTRATION	110		1	48,978.00	1	48,978.00	0	1	01	47.220	
48,978.00	51017977	GRP 07	FT	P	03/14/2023	ADMINISTRATION	110		0	48,978.00	0	48,978.00	0	1	01	47.220	
43,605.00	00006997	GRP 05	FT	T	02/11/2023	CHILDREN'S SERVICES	110		0	43,605.00	0	43,605.00	0	1	01	39.200	
43,605.00	00006997	GRP 05	FT	T	02/11/2023	CHILDREN'S SERVICES	110		1	43,605.00	1	48,978.00	0	1	01	39.200	
48,978.00	51017760	GRP 07	FT	P	01/01/2023	DSS COMMISS. OFFICE & COMM RELATIONS	110		0	48,978.00	0	48,978.00	0	1	01	47.370	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
184,836.00	Perm Budget Amt	4	Perm Vac	1,155,225.00	Temp Budget Amt	110	25	Temp Vac	29			
SOC WEL EX S	000C9949	GRP 06	FT	P	01/05/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		46,209.00		01	0.000
	510C2670	GRP 06	FT	T	03/13/2022	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
46,209.00	Perm Budget Amt	1	Perm Vac	46,209.00	Temp Budget Amt	1	Temp Vac	2				
SPE AS MA SS	51010454	GRP 05	FT	T	07/02/2022	ADMIN. SUPPORT SERVICES ADMIN.	110		43,605.00		01	47.370
0.00	Perm Budget Amt	0	Perm Vac	43,605.00	Temp Budget Amt	1	Temp Vac	1				
SPV CS INV	00010129	GRP 10	FT	P	03/25/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		58,644.00		01	39.200
58,644.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1				
SR ACCT CLK	51014032	GRP 06	FT	P	02/25/2023	PERSONNEL/PAYROLL	110		46,209.00		01	47.370
46,209.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1				
SR CASWRKER	51013363	GRP 10	FT	P	03/28/2023	CHILD PROTECTIVE SERVICES	110		58,644.00		01	49.200
58,644.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1				
SR CH SUP IN	000C8338	GRP 08	FT	T	03/25/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		51,967.00		01	39.200
0.00	Perm Budget Amt	0	Perm Vac	51,967.00	Temp Budget Amt	1	Temp Vac	1				
SR CL TYP	000C8578	GRP 04	FT	T	12/04/2022	EC WORKS CENTER	110		41,689.00		01	38.650
000C8592	GRP 04	FT	T	09/12/2022	FINANCIAL RECORDS & SERVICES	110		41,689.00		01	49.200	
000C8629	GRP 04	FT	T	08/13/2022	EMPLOYMENT ASSESSMENT	110		41,689.00		01	32.290	
000C8677	GRP 04	FT	P	03/29/2023	EMPLOYMENT ASSESSMENT	110		41,689.00		01	32.290	
000C8687	GRP 04	FT	T	01/01/2023	INVESTIGATIONS AND COLLECTIONS	110		41,689.00		01	37.870	
510C3659	GRP 04	FT	T	02/11/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110		41,689.00		01	38.650	
510G5509	GRP 04	FT	T	01/15/2023	FINANCIAL RECORDS & SERVICES	110		41,689.00		01	49.200	
51012480	GRP 04	FT	T	03/12/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		41,689.00		01	0.000	
41,689.00	Perm Budget Amt	1	Perm Vac	291,823.00	Temp Budget Amt	7	Temp Vac	8				
51008322	GRP 03	FT	P	03/02/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110		40,312.00		01	38.650	
51016862	GRP 03	FT	P	10/22/2022	FINANCIAL RECORDS & SERVICES	110		40,312.00		01	47.370	

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
JANITOR	51014330	GRP 03	FT	P	09/07/2022	CUSTODIAL SERVICES	110		36,637.00		01	100.000
	51014337	GRP 03	FT	P	02/10/2023	UNIFIED COURT SYSTEM	110		36,637.00		01	11.000
73,274.00 Perm Budget Amt											2	Temp Vac
LABORER	51001158	GRP 03	FT	T	01/28/2023	UNIFIED COURT SYSTEM	110		36,637.00		03	11.000
	51002319	GRP 03	FT	P	03/20/2023	UNIFIED COURT SYSTEM	110		36,637.00		03	11.000
	51005560	GRP 03	FT	P	03/08/2023	CORR FAC/HOLDING CTR MAINT & REPAIRS	110		36,637.00		03	100.000
	51016604	GRP 03	FT	T	09/10/2022	CUSTODIAL SERVICES	110		36,637.00		03	100.000
	51016606	GRP 03	FT	T	03/11/2023	UNIFIED COURT SYSTEM	110		36,637.00		03	11.000
	51016607	GRP 03	FT	P	03/11/2023	CUSTODIAL SERVICES	110		36,637.00		03	100.000
	51016611	GRP 03	FT	P	02/28/2023	CORR FAC/HOLDING CTR MAINT & REPAIRS	110		36,637.00		03	100.000
146,548.00 Perm Budget Amt											7	Temp Vac
STATION ENG	00010063	GRP 09	FT	P	04/17/2023	CORR FAC/HOLDING CTR MAINT & REPAIRS	110		51,717.00		01	100.000
51,717.00 Perm Budget Amt											1	Temp Vac
SYS ACCT	51017779	GRP 11	FT	P	01/01/2023	ADMINISTRATION - B&G	110		63,929.00		01	100.000
63,929.00 Perm Budget Amt											1	Temp Vac

Totals for Dept of Public Works

335,468.00	Perm Budget Amt	8	Perm Vac	109,911.00	Temp Budget Amt	3	Temp Vac	11
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCOUNTANT	00000102	GRP 09	FT	P	12/12/2022	ADMINISTRATION & MANAGEMENT	110		55,216.00	01	01	0.000
					1	Perm Vac				0		Temp Vac
												1
FOR M H MICA	51008604	GRP 12	FT	P	10/21/2021	ADULT MENTAL HEALTH SERVICES	110		67,914.00	01	01	0.000
					1	Perm Vac				0		Temp Vac
												1
FOR M H S I A	5105702	GRP 11	FT	P	03/27/2023	ADULT MENTAL HEALTH SERVICES	110		63,929.00	01	01	50.000
					1	Perm Vac				0		Temp Vac
												1

Totals for Dept of Mental Health

187,059.00 Perm Budget Amt

3 Perm Vac

0.00 Temp Budget Amt

0 Temp Vac

3

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BLDG MN MCH	51017901	GRP 09	FT	P	01/01/2023	DETENTION MAINTENANCE	110		51,717.00		02	51.000
	51,717.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
DET HM IN WK	51015090	GRP 09	FT	T	01/14/2023	INTAKE	110		55,216.00		01	51.000
	0.00	Perm Budget Amt		0	Perm Vac	55,216.00	Temp Budget Amt	1	Temp Vac	1		
DET SEC GD	00002964	GRP 05	FT	P	04/23/2022	BUILDING SERVICES	110		39,589.00		01	51.000
	51016805	GRP 05	FT	P	08/27/2022	BUILDING SERVICES	110		39,589.00		01	51.000
	79,178.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
JDST SPRV	510-7893	GRP 12	FT	P	01/01/2023	NON-SECURE CHLD CARE	110		67,914.00		01	0.000
	67,914.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
JR YDW	510-7894	GRP 06	FT	P	01/01/2023	SECURE DIRECT CARE SUPPORT	110		42,301.00		07	51.000
	510-7895	GRP 06	FT	P	01/01/2023	SECURE DIRECT CARE SUPPORT	110		42,301.00		07	51.000
	510-7896	GRP 06	FT	P	01/01/2023	SECURE DIRECT CARE SUPPORT	110		42,301.00		07	51.000
	510-7897	GRP 06	FT	P	01/01/2023	SECURE DIRECT CARE SUPPORT	110		42,301.00		07	51.000
	169,204.00	Perm Budget Amt		4	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	4		
JUVE JUS CON	510-0684	GRP 10	FT	P	10/13/2022	NON-SECURE CHLD CARE	110		58,644.00		01	0.000
	510-7902	GRP 10	FT	P	01/01/2023	JUVENILE DELINQUENCY SERVICES TEAM	110		58,644.00		01	51.000
	117,288.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
SR DET SEC G	510-7899	GRP 07	FT	P	01/01/2023	BUILDING SERVICES	110		45,234.00		01	51.000
	45,234.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
SR DIR YTH B	510-5151	GRP 14	FT	P	11/19/2022	YOUTH DEV. DELINQUENCY PREVENTION	110		81,199.00		01	38.000
	81,199.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
SR JUV JUS C	510-7898	GRP 12	FT	P	01/01/2023	JUVENILE DELINQUENCY SERVICES TEAM	110		67,914.00		01	51.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	Temp Budget Amt	Perm Budget Amt	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
SR YTH DT WK	51017666	GRP 08	FT	P	10/22/2022	YOUTH DETENTION - RAISE THE AGE	110	110	110	48,372.00	1	01	51.000
					1	Perm Vac	0.00	Temp Budget Amt			0		
					1	Perm Vac	0.00	Temp Budget Amt			1		
SS TM WKR	51017900	GRP 05	FT	P	01/01/2023	NON-SECURE CHILD CARE	110	110	110	43,605.00	1	01	0.000
					1	Perm Vac	0.00	Temp Budget Amt			0		
					1	Perm Vac	0.00	Temp Budget Amt			1		
YTH DET WK	00010491	GRP 07	FT	P	11/25/2022	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	00010496	GRP 07	FT	T	12/03/2022	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	00010502	GRP 07	FT	P	09/24/2022	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	00010509	GRP 07	FT	P	01/12/2023	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	00010515	GRP 07	FT	T	01/28/2023	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	00010516	GRP 07	FT	P	02/03/2023	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	00010524	GRP 07	FT	P	07/21/2022	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	51009938	GRP 07	FT	P	11/02/2022	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	51010478	GRP 07	FT	T	02/11/2023	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	51010480	GRP 07	FT	P	11/05/2022	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	51033102	GRP 07	FT	T	08/28/2021	SECURE CHILD CARE	110	110	110	45,234.00	1	01	42.000
	51055086	GRP 07	FT	T	09/24/2022	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	51056391	GRP 07	FT	T	02/11/2023	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
	51056803	GRP 07	FT	P	02/06/2023	SECURE CHILD CARE	110	110	110	45,234.00	1	01	51.000
					8	Perm Vac	271,404.00	Temp Budget Amt			6		
					8	Perm Vac	271,404.00	Temp Budget Amt			14		
Totals for Youth Services Division													
					23	Perm Vac	326,620.00	Temp Budget Amt			7		
					23	Perm Vac	326,620.00	Temp Budget Amt			30		

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 126 Probation

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

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 Date: 05/11/2023
 Time: 08:51:20
 As of: 03/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	BE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PROB ASST	510-7860	GRP 07	FT	T	02/25/2023	PROBATION SERVICES - JUVENILE/FAM CRT.	110		48,978.00		01	88.000
	0.00	Perm Budget Amt		0	Perm Vac	48,978.00	Temp Budget Amt		1	Temp Vac	1	
PROB OFFICER	00007504	GRP 11	FT	T	02/11/2023	PROBATION SERVICES - ADULT	110		63,929.00		01	88.000
	0.00	Perm Budget Amt		0	Perm Vac	63,929.00	Temp Budget Amt		1	Temp Vac	1	

Totals for Probation

0.00	Perm Budget Amt	0	Perm Vac	112,907.00	Temp Budget Amt	2	Temp Vac
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Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 127 Health

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Page: 26
 Date: 05/11/2023
 Time: 08:51:20
 As of: 03/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACC CLK TYP	51016176	GRP 04	FT	P	07/11/2022	CHILDREN WITH SPECIAL NEEDS ADMIN.	110		41,689.00	1	01	47.000
ADM AST ME	51017951	GRP 08	FT	P	01/01/2023	MEDICAL EXAMINER'S OFFICE	110		51,967.00	1	01	100.000
INV PH SAN	00005231	GRP 08	FT	P	05/25/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		51,967.00	1	01	64.000
JR EPID	51016615	GRP 09	FT	P	09/11/2021	SURVEILLANCE & EPIDEMIOLOGY	110		55,216.00	2	01	64.000
PEER NAV SUD	51015730	GRP 03	FT	P	02/13/2023	OPIOID OVERDOSE PREVENTION	110		40,312.00	1	01	64.000
PEST CNT WKR	51010539	GRP 06	FT	P	02/04/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		42,301.00	1	03	64.000
REG NURSE	51012178	GRP 08	FT	P	06/23/2023	YOUTH DETENTION HEALTH SERVICES	110		58,564.00	2	02	50.000
SCENE INV	51009116	GRP 08	FT	T	03/04/2023	MEDICAL EXAMINER'S OFFICE	110		51,967.00	2	01	100.000
	51013929	GRP 08	FT	P	02/09/2023	MEDICAL EXAMINER'S OFFICE	110		51,967.00	1	01	100.000
	51017888	GRP 08	FT	P	01/01/2023	MEDICAL EXAMINER'S OFFICE	110		51,967.00	1	01	100.000
	103,934.00	Perm Budget Amt			2	Perm Vac			51,967.00	1		
	51004371	GRP 04	FT	T	08/27/2022	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		41,689.00	3	01	64.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	Temp Vac	1	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
SUP ACCT	00010107	GRP 11	FT	T	01/29/2022	ACCOUNTING AND FISCAL MANAGEMENT	110		1		Temp Vac	63,929.00	1	01	64.000
	0.00	Perm Budget Amt			0	Perm Vac	41,689.00	Temp Budget Amt	1		Temp Vac				
	0.00	Perm Budget Amt			0	Perm Vac	63,929.00	Temp Budget Amt	1		Temp Vac				
SUPV PH SAN	51016537	GRP 11	FT	T	02/25/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		1		Temp Vac	63,929.00	1	01	64.000
	0.00	Perm Budget Amt			0	Perm Vac	63,929.00	Temp Budget Amt	1		Temp Vac				
Totals for Health															
	504,514.00	Perm Budget Amt			10	Perm Vac	273,481.00	Temp Budget Amt	5		Temp Vac				15

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 150 Board of Elections

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
AS VO MA TE	51010511	GRP 06	FT	P	06/24/2022	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000

	46,209.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
COM OP BD EL	51004171	GRP 07	FT	P	01/17/2020	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000
	51006950	GRP 07	FT	P	01/20/2018	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000

	97,956.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2	
DATEA PROJ C	51012406	GRP 13	FT	P	02/24/2020	ADMINISTRATION-BOE - DEM.	110		73,524.00		05	100.000

	73,524.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
ELECT CLK	00003133	GRP 06	FT	P	01/12/2023	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	51004927	GRP 06	FT	P	02/06/2021	ADMINISTRATION-BOE - DEM.	110		46,209.00		05	100.000
	51004928	GRP 06	FT	P	01/28/2023	ADMINISTRATION-BOE - DEM.	110		46,209.00		05	100.000
	51004934	GRP 06	FT	P	01/01/2022	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	51007031	GRP 06	FT	P	09/28/2020	ADMINISTRATION-BOE - DEM.	110		46,209.00		05	100.000
	51008969	GRP 06	FT	P	02/11/2023	ADMINISTRATION-BOE - DEM.	110		46,209.00		05	100.000
	51009356	GRP 06	FT	P	01/09/2021	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	510-0510	GRP 06	FT	P	08/02/2019	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	510-3177	GRP 06	FT	P	02/22/2021	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	510-4311	GRP 06	FT	P	01/01/2020	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000

	462,090.00	Perm Budget Amt			10	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	10	
JR ELECT CLK	51003564	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	51004714	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	51004715	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	51006175	GRP 04	FT	P	04/23/2022	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	510-0548	GRP 04	FT	P	03/22/2021	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	510-0579	GRP 04	FT	P	11/06/2021	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000

	250,134.00	Perm Budget Amt			6	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	6	
MOH TEC BOE	51007132	GRP 07	FT	P	05/28/2016	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000
	51007756	GRP 07	FT	P	12/09/2014	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	Temp	Budget Amt	FUND	GRANT	Temp	Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PRIN EL CLK	00007408	GRP 08	FT	P	03/19/2018	ADMINISTRATION-BOE - REP.	0.00	51,967.00	110		0	2	51,967.00	2	05	100.000
	00007410	GRP 08	FT	P	04/25/2016	ADMINISTRATION-BOE - REP.	0.00	51,967.00	110		0	2	51,967.00	2	05	100.000
SEC COM ELEC	51011881	GRP 08	FT	P	01/09/2014	ADMINISTRATION-BOE - REP.	0.00	51,967.00	110		0	2	51,967.00	2	05	100.000
SR ELEC CLK	00008752	GRP 07	FT	P	07/13/2021	ADMINISTRATION-BOE - REP.	0.00	48,978.00	110		0	1	48,978.00	1	05	100.000
	00008757	GRP 07	FT	P	03/18/2020	ADMINISTRATION-BOE - REP.	0.00	48,978.00	110		0	1	48,978.00	1	05	100.000
	51003562	GRP 07	FT	P	01/03/2023	ADMINISTRATION-BOE - DEM.	0.00	48,978.00	110		0	1	48,978.00	1	05	100.000
	51003617	GRP 07	FT	P	09/14/2017	ADMINISTRATION-BOE - REP.	0.00	48,978.00	110		0	1	48,978.00	1	05	100.000
SUPV BA DES	51009102	GRP 12	FT	P	01/01/2020	ADMINISTRATION-BOE - DEM.	0.00	67,914.00	110		0	4	67,914.00	4	05	100.000
VOT MAC TECH	51008243	GRP 07	FT	P	03/28/2015	ADMINISTRATION-BOE - REP.	0.00	48,978.00	110		0	1	48,978.00	1	05	100.000
VOT SYS COOR	51014426	GRP 08	FT	P	05/02/2018	ADMINISTRATION-BOE - REP.	0.00	51,967.00	110		0	1	51,967.00	1	05	100.000
WEB COM BOE	51014952	GRP 10	FT	P	09/05/2019	ADMINISTRATION-BOE - REP.	0.00	58,644.00	110		0	1	58,644.00	1	05	100.000
ADM AS BOE R	51003727	GRP 09	RPT	P	05/17/2014	ADMINISTRATION-BOE - REP.	0.00	50,597.00	110		0	1	50,597.00	1	05	100.000
CLER BE ELC R	51010140	GRP 01	RPT	P	03/22/2021	ADMINISTRATION-BOE - DEM.	0.00	37,625.00	110		0	1	37,625.00	1	05	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	Temp Budget Amt	0.00	Temp Budget Amt	FUND	GRANT	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	37,625.00	Perm Budget Amt			1	Perm Vac									1		
COUN BOE-RPT	51012853	GRP 14	RPT	P	02/10/2023	ADMINISTRATION-BOE - DEM.				110				79,169.00		05	100.000
	51012977	GRP 14	RPT	P	03/19/2016	ADMINISTRATION-BOE - REP.				110				79,169.00		05	100.000
	158,338.00	Perm Budget Amt			2	Perm Vac									2		
ELEC CLK RPT	51005612	GRP 06	RPT	P	12/22/2018	ADMINISTRATION-BOE - DEM.				110				23,105.00		05	100.000
	51013452	GRP 06	RPT	P	01/01/2018	ADMINISTRATION-BOE - REP.				110				45,054.00		05	100.000
	51013453	GRP 06	RPT	P	01/20/2018	ADMINISTRATION-BOE - REP.				110				45,054.00		05	100.000
	113,213.00	Perm Budget Amt			3	Perm Vac									3		
JR EL CL RPT	51007554	GRP 04	RPT	P	12/15/2020	ADMINISTRATION-BOE - REP.				110				40,647.00		05	100.000
	40,647.00	Perm Budget Amt			1	Perm Vac									1		
SR COM OP RP	51010731	GRP 08	RPT	P	12/04/2015	ADMINISTRATION-BOE - DEM.				110				50,668.00		05	100.000
	50,668.00	Perm Budget Amt			1	Perm Vac									1		
SR EL CL RPT	51006647	GRP 07	RPT	P	09/04/2018	ADMINISTRATION-BOE - REP.				110				47,753.00		05	100.000
	47,753.00	Perm Budget Amt			1	Perm Vac									1		
VO MA TE RPT	51010013	GRP 07	RPT	P	08/17/2020	ADMINISTRATION-BOE - REP.				110				47,753.00		05	100.000
	47,753.00	Perm Budget Amt			1	Perm Vac									1		
Totals for Board of Elections																	
	2,153,779.00	Perm Budget Amt			44	Perm Vac									44		

Report: ZHR_VACANT_FOS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 160 County Attorney - Dept of Law

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LEGAL SEC	51015052	GRP 07	FT	T	03/11/2023	FAMILY COURT	110		48,978.00	01	01	0.000
	0.00	Perm Budget Amt		0	Perm Vac		48,978.00	Temp Budget Amt		1	Temp Vac	

Totals for County Attorney - Dept of Law

0.00	Perm Budget Amt	0	Perm Vac	48,978.00	Temp Budget Amt	1	Temp Vac
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Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 161 Personnel

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
JR PERS SP	51017952	GRP 10	FT	P	01/01/2023	CIVIL SERVICE ADMINISTRATION	110		58,644.00	01	01	100.000
	58,644.00	Perm Budget Amt		1	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac	
CH ETH OF RP	51017953	GRP 15	RPT	P	01/01/2023	OFFICE OF ETHICS	110		66,915.00	07	07	100.000
	66,915.00	Perm Budget Amt		1	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac	
Totals for Personnel												
	125,559.00	Perm Budget Amt		2	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac	
												2

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST PLANNER	510-7903	GRP 08	FT	P	01/01/2023	PLANNING	110		51,967.00		01	100.000
										1		
SM BUS RE CO	510-8003	GRP 13	FT	P	01/01/2023	ECONOMIC DEVELOPMENT	110		73,524.00		01	100.000
										1		
SR PLANNER	510-6417	GRP 12	FT	P	03/26/2022	OFFICE OF AGRICULTURE	110		67,914.00		01	100.000
										1		

Totals for Environment & Planning Division

193,405.00 Perm Budget Amt 3 Perm Vac
 0.00 Temp Budget Amt 0 Temp Vac

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 164 Parks

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PK MN WK I	51009992	GRP 03	FT	T	03/11/2023	ELMA MEADOWS PARK	110		40,776.00		03	100.000
	0.00	Perm Budget Amt		0	Perm Vac	40,776.00	Temp Budget Amt	1	Temp Vac	1		
PK MN WK II	51001389	GRP 05	FT	T	03/11/2023	ISLE VIEW PARK	110		43,064.00		03	100.000
	0.00	Perm Budget Amt		0	Perm Vac	43,064.00	Temp Budget Amt	1	Temp Vac	1		
SR PARK RGR	51017938	GRP 09	FT	P	01/01/2023	CHESTNUT RIDGE PARK	110		49,107.00		01	100.000
	49,107.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
Totals for Parks												
	49,107.00	Perm Budget Amt		1	Perm Vac	83,840.00	Temp Budget Amt	2	Temp Vac	3		

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 167 Emergency Services

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BLDG GD	510-5602	GRP 04	FT	T	03/26/2023	BUILDING SECURITY	110		37,633.00		01	100.000
	510-5655	GRP 04	FT	T	02/22/2023	BUILDING SECURITY	110		37,633.00		01	100.000
	510-7638	GRP 04	FT	P	02/03/2023	BUILDING SECURITY	110		37,633.00		01	100.000
	510-7639	GRP 04	FT	P	03/25/2023	BUILDING SECURITY	110		37,633.00		01	100.000
	510-7640	GRP 04	FT	P	01/28/2023	BUILDING SECURITY	110		37,633.00		01	100.000
	510-7641	GRP 04	FT	P	03/18/2023	BUILDING SECURITY	110		37,633.00		01	100.000

150,532.00 Perm Budget Amt 4 Perm Vac 75,266.00 Temp Budget Amt 2 Temp Vac 6

Totals for Emergency Services

150,532.00 Perm Budget Amt 4 Perm Vac 75,266.00 Temp Budget Amt 2 Temp Vac 6

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
Totals for FUND 110												

12,331,039.00	Perm Fund Amt	236	Perm Vac	236	8,421,819.00	Temp Fund Amt	170	Temp Vac	406
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Run Totals:	Total Perm Vac	236	Total Temp Vac	170	Total Vacancies	406	Total Positions	3,983	Percent	10%
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Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11M-1	ASSEMBLYMAN GOODELL	Acknowledgment of Receipt of Certified Resolution
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Attachments

23COMM. 11M-1



ANDREW GOODELL
Assemblyman 150th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

MINORITY LEADER PRO TEMPORE
RANKING MINORITY MEMBER
Committee on Social Services
COMMITTEES
Cities
Governmental Operations
Judiciary

May 9, 2023

EC LEG MAY 12 '23 PM 12:27

Robert M. Graber
Clerk of the Legislature of Erie County
92 Franklin St # 4
Buffalo, NY 14202

Dear Mr. Graber,

Thank you for sending a copy of the resolutions adopted by the Legislature of Erie County on January 19, 2023 and February 16, 2023.

Intro. 2-1 (2023) As Amended Re: A Ban on Natural Gas

Intro. 4-4 (2023) As Amended Re: NYS Thruway Tolls

I appreciate the information included and the Legislature's input on these important issues.

Sincerely,

Andy Goodell
Assemblyman

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11M-2	NYS DEPARTMENT OF TAXATION & FINANCE	List of Certified 2023 Class Equalization Rates
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Attachments

23COMM. 11M-2

List of Certified 2023 Class Equalization Rates

Mr. Robert M. Graber , Clerk
Erie County Legislature
Old County Hall, 4th Fl.
92 Franklin Street
Buffalo, NY 14202

EC LEG MAY 9 '23 AM10:31

Subpart 8166-2 of Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York specifies that a certified statement setting forth the final class equalization rates for each special assessing unit, and for each approved assessing unit which has adopted the Homestead provisions of Article 19 of the Real Property Tax Law, shall be filed with the clerk of the legislative body of the county.

Listed below are final class equalization rates for the 2023 assessment rolls which have been established to date for the municipalities in your county. Where a final class rate has been certified to you and subsequently rescinded this is also noted.

Approved Assessing Unit:	SWIS Code	Date Established
City of Buffalo	140200	5/2/2023
Portions:	Homestead	NonHomestead
City of Buffalo	62.25	70.00

I hereby certify that the State Office of Real Property Tax Services has established the class equalization rate for the 2023 assessment roll shown on this document for the above municipality.



Brian F. Moon
Real Property Analyst 2

Mr. Scott Bylewski, County Director
Erie County RPTS
Rath Building Room 100
95 Franklin Street
Buffalo, NY 14202

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11M-3	NYS DEPARTMENT OF TAXATION & FINANCE	List of Certified 2023 Class Equalization Rates
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Attachments

23COMM. 11M-3

List of Certified 2023 State Equalization Rates

Mr. Robert M. Graber , Clerk
Erie County Legislature
Old County Hall, 4th Fl.
92 Franklin Street
Buffalo, NY 14202

EC LEG MAY 9 '23 AM 10:32

Subpart 8186-2 of Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York specifies that a certified statement setting forth the final State equalization rate for each municipality shall be filed with the clerk of the legislative body of the county.

Listed below are final State equalization rates for the 2023 assessment rolls which have been established to date for the municipalities in your county. If a final equalization rate for a municipality has been certified to you and subsequently rescinded this is also noted.

Municipal Code	Municipal Name	State Equalization Rate	Date Established	County Full Valuation of Taxable Real Property
140200	City of Buffalo	70.00	04/07/2023	
140900	City of Lackawanna	79.00	04/05/2023	

* The final State equalization rate has been rescinded, the revised State equalization rate is shown.

Villages that have adopted the provisions of Section 1402-3 of the Real Property Tax Law and have ceased to be assessing units are not listed on this report. Section 1202 of the Real Property Tax Law specifies that the State equalization rate established by the State Office for the town or county assessment roll shall be deemed to be the State equalization rate established for these villages.

I hereby certify that the State Office of Real Property Tax Services has established the State equalization rates for the 2023 assessment roll shown on this document for the above municipalities.



Brian F. Moon
Real Property Analyst 2

Mr. Scott Bylewski, County Director
Erie County RPTS
Rath Building Room 100
95 Franklin Street
Buffalo, NY 14202

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11M-4

NYSDEC

Brownfield Cleanup Program Public Notice
Fact Sheet

Attachments

23COMM. 11M-4

Public Notice Fact Sheet

The New York State Department of Environmental Conservation (DEC) has received a Brownfield Cleanup Program (BCP) application and Draft Remedial Investigation Work Plan from 710 Ohio Street Group, LLC for a site known as 670 Ohio Street Site, site ID C915396. This site is located in the City of Buffalo, within the County of Erie, and is located at 670 Ohio Street.

Access the application, work plan and other relevant documents online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/C915396/>. The documents also are available at the document repository located at Buffalo & Erie County Public Library, 1 Lafayette Square, Buffalo, NY 14203.

There are several ways to comment on BCP applications and work plans. Comments can be submitted to the site Project Manager Matthew King at NYSDEC, 700 Delaware Ave., Buffalo, NY 14209; via email at Mathew.king@dec.ny.gov or by calling 716-851-7220. All comments must be submitted by **June 16, 2023**.

Site information can be viewed by entering the site ID noted above at:
<http://www.dec.ny.gov/cfm/external/index.cfm?pageid=3>

We would also encourage those interested in receiving information on future activities at this site or any other site to sign up to DEC's Contaminated Sites Email List at:
<http://www.dec.ny.gov/chemical/61092.html>

What is the Brownfield Cleanup Program?

New York's Brownfield Cleanup Program (BCP) is designed to encourage private-sector cleanups of brownfields and to promote their redevelopment as a means to revitalize economically blighted communities. The BCP is an alternative to "greenfield" (land not previously developed or contaminated) development and is intended to remove some of the barriers to, and provide tax incentives for, the redevelopment of brownfields. Since its inception (2003), the BCP has catalyzed the cleanup of more than 500 contaminated sites statewide and incentivized redevelopment. There are more than 550 active sites in the BCP.

Additional information on the State's Brownfield program is available at DEC's website:
<http://www.dec.ny.gov/chemical/8450.html>

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11M-5	NYSDEC	DEC Invites Public Comment About Brownfield Application & Draft Work Plan for Site on Ohio St., Buffalo
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Attachments

23COMM. 11M-5

Graber, Robert

From: New York State Department of Environmental Conservation
<nysdec@public.govdelivery.com>
Sent: Wednesday, May 17, 2023 12:02 PM
To: Graber, Robert
Subject: 670 Ohio Street Site (Buffalo) - Public Comment Invited on Brownfield Application and Draft Work Plan

[Caution: this email is not from an Erie County employee: attachments or links may not be safe.]



[View in browser](#)

DEC Invites Public Comment About Brownfield Application and Draft Work Plan for Site on Ohio St., Buffalo

The New York State Department of Environmental Conservation (DEC) has received a Brownfield Cleanup Program (BCP) application and Draft Remedial Investigation Work Plan from 710 Ohio Street Group, LLC for a site known as **670 Ohio Street Site, site ID C915396**. This site is located in the City of Buffalo, within the County of Erie, and is located at 670 Ohio Street.

Access the application, work plan and other relevant documents online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/C915396/>. The documents also are available at the document repository located at Buffalo & Erie County Public Library, 1 Lafayette Square, Buffalo, NY 14203.

There are several ways to comment on BCP applications and work plans. Comments can be submitted to the site Project Manager Matthew King at NYSDEC, 700 Delaware Ave., Buffalo, NY 14209; via email at Mathew.king@dec.ny.gov or by calling 716-851-7220. **All comments must be submitted by June 16, 2023.**

Site information can be viewed by entering the site ID noted above at:
<https://www.dec.ny.gov/cfm/externalapps/derexternal/index.cfm?pageid=3>

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Basil Seggos, Commissioner

This email was sent to robert.graber@erie.gov using GovDelivery Communications Cloud on behalf of: New York State Department of Environmental Conservation · 625 Broadway · Albany, NY 12233 · (518) 402-8013

Erie County Legislature
Meeting Date: 05/25/2023

SUBJECT

COMM. 11M-6	COMMUNITY ORGANIZATIONS	Needs Assessment for Alternatives to a New Jail
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Attachments

23COMM. 11M-6

May 16, 2023

Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, NY 14202

Re: Needs Assessment for Alternatives to a New Jail

Dear Honorable Members:

Thank you for amending a provision to spend \$2.5 million on new jail preconstruction, to instead commission a feasibility study and needs assessment to see whether Erie County actually needs a new jail, and to withhold \$1.75 million of the \$2.5 million until these studies are complete. It is a significant step toward better public policy.

We are gratified that you mandated community involvement in the needs assessment and write to strongly recommend that (1) the needs assessment precede the feasibility study, and that they be kept entirely separate, and (2) that the community participate in drafting RFPs and selecting vendors for the needs assessment.

**THE NEEDS ASSESSMENT SHOULD PRECEDE THE ENTIRELY SEPARATE
FEASIBILITY STUDY**

. You answered the community's plea to consider alternatives to a new jail with your amendment to the \$2.5 million spending provision. In contrast, the purpose of a feasibility study is to assess the facility needs and options in both jails, and the feasibility of a new jail. If the needs assessment concludes Erie County can ameliorate the problems that have plagued our jails for decades without building a new jail, a feasibility study will be moot. Thus, the needs assessment should precede the feasibility study.

Given the distinct purposes of the needs assessment and feasibility study, we ask that they be kept entirely separate. The needs assessment will view the myriad of problems at our jails through a wide lens. It should identify gaps between current conditions and goals, such as community safety and fairness. Thus, it will investigate the social policies that directly impact our community but are underfunded, under resourced, or just absent. The vendor for the needs assessment will require a strong background in social science research methods, community engagement, and criminal justice policy; an entirely different set of skills than is required for the feasibility study.

The feasibility study assessment will require a vendor with experience in the construction industry and facilities management. If the feasibility study and needs assessment are rolled into one RFP, one or the other will be severely short-changed.

A study under the sole control of the Sheriff's Office would result in a recommendation for a new jail, which would be plagued with the same problems that have persisted for decades and continue today. A new building will not address the root causes of why people enter the jails, nor the current culture in the jails. We already know that many people who are in the holding center need mental and behavioral health support. A separate needs assessment will allow the county to get clearer on the needs of community members and steps the county can take to mitigate both entry into the jails and recidivism.

THE COMMUNITY MUST BE INVOLVED WITH RFPs FOR THE NEEDS ASSESSMENT

We understand that the department that is the "beneficiary" of the study writes the request for proposals, since RFPs typically reflect the strategy and objectives of the service requested and provide insight upon which suppliers will be able to offer a matching perspective. As is implicit from your amendment to the spending provision, the beneficiary of the needs assessment is the community. It was the community that came together to advocate for a needs assessment. If left to the Sheriff's Office, the Legislature would have approved spending \$2.5 million for architectural renderings and land acquisition, and the County would be well on the road to spending another \$200 million to build a new jail. It follows then, that if the Sheriff's office has total control over the needs assessment and feasibility study, the RFP and chosen vendor will reflect the Sheriff's goal of building a new jail. Instead, the Legislature's amendments allow for community engagement in the needs assessment, which should begin at the outset. As the beneficiary of the needs assessment, the community must have a hand in writing the RFP.

We demand that the Corrections Specialist Advisory Board act as the community entity that provides guidance and consultation for the needs assessment process. The Corrections Specialist Advisory Board must consist of current board members as well as 3 additional community members as endorsed by the No New Jails Roundtable. The role of the board includes (but is not limited to): co-writing the RFP; Vetting, scoring, and selecting community organizations that can conduct and report out findings of the needs assessment; Consulting on the comprehensive focal areas, metrics and outcomes of the needs assessment; Provide routine consultation and guidance during the planning, data collection, and data analysis for needs assessment.

If the scoring committee consists solely of representatives of the ECSO, and the County Executive, plus maybe public works, the results would reflect their objective: to minimize the need for alternatives to a jail and put us on the road to construction of a new jail. Thus, we implore you to use your influence to include the Corrections Specialists Advisory Board throughout the RFP process and on the scoring committee.

Signed,

#HALTSolitary
Black Love Resists in the Rust
Free the People WNY
Jails Justice Network
National Lawyers Guild - Buffalo chapter
Partnership for the Public Good
Prisoners are People Too, Inc.
Pushing Latinos Forward
Safe Home Re-entry, Inc.
Showing Up for Racial Justice
VOICE Buffalo
WNY Peace Center