

**ERIE COUNTY LEGISLATURE
MEETING NO. 12
JUNE 8, 2023**

The Legislature was called to order by Chair Baskin.

All members present.

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

The Pledge of Allegiance was led by Ms. Vinal.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. MEYERS moved for the approval of the minutes for Meeting Number 11 from 2023. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – Miscellaneous Resolutions were offered, as follows:

JOHNSON	Honoring and Recognizing the Life of PFC David Evans, Jr.
JOHNSON	In Remembrance of Lillie "Pearl" Watson Anderson
BASKIN	Acknowledging the First Friday in June as National Gun Violence Awareness Day
VINAL	Acknowledging Music on Main Street - 14th Year
BASKIN	In Remembrance of Dorothy Kamoche
VINAL	In Remembrance of Dr. Kenton McCall Stewart
VINAL	In Remembrance of Daniel J. Chase - Founding Member of the Williamsville Business Association
BARGNESI & KOOSHOIAN	Recognizing Ed Adamczyk - Retirement as Historian of the Village of Kenmore and the Town of Tonawanda

MAJORITY CAUCUS	Recognizing Children’s Awareness Month
MALCZEWSKI	Celebrating Charles Kopera on His 70th Birthday
GREENE	Celebrating National Little League Baseball Week in Erie County June 12, 2023 - June 18, 2023
GREENE	Honoring and Congratulating Amherst Police Lieutenant Edgar Walker on His Retirement
GREENE	Recognizing Gordon P. Gold as a Clarence Veterans Memorial Wall Honoree
TODARO	Celebrating the Grand Opening of Fattey Beer Company in Lancaster, New York
TODARO	Recognizing and Honoring Henry Kunttu for Being Inducted into the NFL Hall of Fame for His Film Work
TODARO	Honoring Farhang Habiby Kermany as Salutatorian for Lancaster High School
TODARO	Honoring Adam Heiler as Valedictorian for Lancaster High School
MILLS	Honoring Peter David SantaLucia on Earning the Rank of Eagle Scout
MILLS	Honoring Philip John Wick, Jr. on Earning the Rank of Eagle Scout
MILLS	Honoring Michael T. Breth on Earning the Rank of Eagle Scout
MILLS	Celebrating the Hamburg Garden Club’s Commitment to “Gardening, Community and Knowledge”

MR. MEYERS moved for consideration of the above twenty-one items. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-one 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 – MR. MEYERS moved to take Local Law No. 5 (Print #1) from the table. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE

LOCAL LAW INTRO NO. 5-1-2023

LOCAL LAW NO. ____-2023

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.

Sponsor: John Gilmour

MR. MEYERS moved to approve Local Law No. 5 (Print #1). MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

Item 11 – CHAIR BASKIN directed that Local Law No. 6 (Print #1) 2023 be directed to the PUBLIC SAFETY COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 12 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 87

June 1, 2023	PUBLIC SAFETY COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GREENE.

1. RESOVLED, the following item is hereby received, filed and printed:
 - a. COMM. 11E-14 (2023)
COUNTY EXECUTIVE: “Appointments to the EC Fire Advisory Board”
(Chair’s Ruling)

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

2. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 11E-32 (2023)
BASKIN: “Erie County Corrections Specialist Advisory Board Inquiry”
(Chair’s Ruling)
 - b. COMM. 11M-6 (2023)
COMMUNITY ORGANIZATIONS: “Needs Assessment for Alternatives to a New Jail”
(Chair’s Ruling)
3. COMM. 10E-1 (2023)
SHERIFF
WHEREAS, the New York State Canal Corporation has selected the Erie County Sheriff’s Office Marine Unit to receive \$40,000.00 in funding; and

WHEREAS, this grant requires review and approval by the Canal Corporation, Office of the Attorney General, and Office of the State Comptroller for all submitted requisitions; and

WHEREAS, the Erie County Sheriff’s Marine Unit is responsible for patrolling parts of Lake Erie, Niagara River, the Erie Barge Canal, and other waterways along the over 90 miles of Erie County shoreline; and

WHEREAS, the marine unit is instrumental in maintaining safe waterways by enforcing navigation laws and educating the boating public; and

WHEREAS, this grant will provide the Erie County Sheriff’s Office with additional resources to increase patrols along the Erie Barge Canal; and

WHEREAS, this will have no impact on the county budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does authorize the County Executive and the Sheriff to enter into a contract with the New York State Canal Corporation to accept \$40,000.00 for increased marine patrols on and near the waterways of the Erie Barge Canal; and be it further

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

ERIE COUNTY SHERIFF'S OFFICE
FY 23-24 NYS Canal Corp. Grant

<u>REVENUE</u>		DECREASE
409020	NYS - Miscellaneous	\$40,000.00
 <u>APPROPRIATION</u>		INCREASE
501000	Overtime	\$40,000.00
	Total Revenue	\$40,000.00

and be it further

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

RESOLVED, that certified copies shall be forwarded to the County Executive, the County Attorney, the Division of Budget and Management, the Erie County Comptroller’s Office, and the Erie County Sheriff’s Office.

(4-0)

4. COMM. 10E-19 (2023)
COUNTY EXECUTIVE

WHEREAS, the New York State Sheriff’s Association (NYSSA) was awarded a grant for COVID detection and mitigation equipment; and

WHEREAS, NYSSA has made equipment available to qualified county sheriff offices throughout New York; and

WHEREAS, the Erie County Sheriff’s Office was selected to receive the following items at no charge to the taxpayers:

- 2 – Portion control systems for cleaning chemicals;

- 2 – Microfiber mopping machines;
- 2 – Color coded microfiber systems;
- 2 – Auto scrubbers;
- 2 – “No Touch” machines;
- 2 – iMops;
- 2 – Backpack vacuums;
- 2 – Air quality meters;

and

WHEREAS, the Erie County Correctional Facility and the Erie County Holding Center will receive one each of the equipment listed above; and

WHEREAS, this will have no impact on the county budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does authorize the Erie County Sheriff’s Office to accept the cleaning equipment from the New York State Sheriff’s Association; and be it further

RESOLVED, that certified copies shall be forwarded to the County Attorney, the Purchasing Department, and the Erie County Sheriff’s Office.
(4-0)

5. COMM. 11E-31 (2023)
COUNTY EXECUTIVE

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.

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 be it further

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.

(4-0)

6. COMM. 11E-36 (2023)
SHERIFF

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; and 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; and 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.
(4-0)

HOWARD J. JOHNSON, JR.
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 88

June 1, 2023	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.

1. COMM. 11E-18 (2023)
COUNTY EXECUTIVE

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:

General Construction Work

Javen Construction	Base Bid:	\$ 5,527,000.00
	Alt GC-1:	\$ 569,000.00
Total Award of General Construction Contract:		\$ 6,096,000.00

Mechanical Construction Work

Greater Niagara Mechanical	Base Bid:	\$ 863,135.00
	Alt MC-1:	\$ 141,025.00
Total Award of Mechanical Construction Contract:		\$ 1,004,160.00

Electrical Construction Work

Frey Electric Construction	Base Bid:	\$ 505,650.00
	Alt EC-1:	\$ 34,000.00
Total Award of Electrical Construction Contract:		\$ 539,650.00

Plumbing Construction Work

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.

(5-0)

2. COMM. 11E-19 (2023)
COUNTY EXECUTIVE

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

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.

(5-0)

3. COMM. 11E-20 (2023)
COUNTY EXECUTIVE

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
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.

(5-0)

4. COMM. 11E-21 (2023)
COUNTY EXECUTIVE

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		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	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.

(5-0)

5. COMM. 11E-22 (2023)
COUNTY EXECUTIVE

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
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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.

(5-0)

6. COMM. 11E-23 (2023)
COUNTY EXECUTIVE

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

(5-0)

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 89

	COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GREENE.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 13E-33 (2022)
COUNTY EXECUTIVE: “BENLIC Pre-Emptive Bid Powers & Subsequent Repayment Agreement for County of Erie in Rem Sales”
(Chair’s Ruling)
 - b. COMM. 5E-4 (2023)
COMPTROLLER: “Proposed 2023-2024 NYS Budget & Impact of Enhanced Federal Medical Assistance Percentage Cuts”
(Chair’s Ruling)
 - c. COMM. 6E-4 (2023)
COMPTROLLER: “Upcoming IGT Payments for ECMCC”
(Chair’s Ruling)
 - d. INTRO. 8-3 (2023)
MALCZEWSKI: “Opposing NYS Senate Proposal to Add a Surcharge on Ride Sharing Services”
(Chair’s Ruling)
 - e. COMM. 8E-2 (2023)
COMPTROLLER: “Comptroller Analysis of 2022 Budget Balancing Amendments & Designations”
(Chair’s Ruling)
 - f. COMM. 10E-4 (2023)
COMPTROLLER: “Interim Financial Report of Erie County”
(Chair’s Ruling)
 - g. COMM. 10D-1 (2023)
DIRECTOR OF BUDGET & MANAGEMENT: “February 2023 Budget Monitoring Report”
(Chair’s Ruling)
 - h. COMM. 10D-4 (2023)
BUDGET DIRECTOR: “Information Request Per INTRO. 7-3 (2023)”
(Chair’s Ruling)
 - i. COMM. 11E-3 (2023)
COUNTY CLERK: “Erie County Clerk's Office - Annual Report 2022”

(Chair's Ruling)

- j. COMM. 11D-5 (2023)
DIRECTOR OF BUDGET & MANAGEMENT: "Budget Monitoring Report for Period Ending March 2023"
(Chair's Ruling)
- k. COMM. 11M-2 (2023)
NYS DEPARTMENT OF TAXATION & FINANCE: "List of Certified 2023 Class Equalization Rates"
(Chair's Ruling)
- 1. COMM. 11M-3 (2023)
NYS DEPARTMENT OF TAXATION & FINANCE: "List of Certified 2023 Class Equalization Rates"
(Chair's Ruling)
- 2. COMM. 11E-13 (2023)
COUNTY CLERK
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.

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

3. COMM. 11E-33 (2023)
COMPTROLLER

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.
(5-0)

4. COMM. 11E-34 (2023)
COUNTY EXECUTIVE

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:

<u>Amount</u>	<u>Description</u>	<u>Contract Awardee</u>
\$ 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

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:

<u>Amount</u>	<u>Description</u>	<u>Contract Awardee</u>
\$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.

(5-0)

TIMOTHY J. MEYERS
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 90

June 1, 2023	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 7E-2 (2023)
BASKIN: “Public Notice Concerning Position of Commissioner of the ECWA”
(Chair’s Ruling)
 - b. COMM. 7M-1 (2023)

- PEGGY A. LAGREE: “Letter of Interest - Commissioner ECWA”
(Chair’s Ruling)
- c. COMM. 10M-3 (2023)
NYSERDA: “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”
(Chair’s Ruling)
- d. COMM. 10M-4 (2023)
NYSERDA: “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”
(Chair’s Ruling)
- e. COMM. 11E-28 (2023)
COUNTY EXECUTIVE: “ECSD No. 6 - Engineer Term Contract Agreement”
(Chair’s Ruling)
- f. COMM. 11E-29 (2023)
COUNTY EXECUTIVE: “ECSD No. 2 - Engineering Term Contract Agreement”
(Chair’s Ruling)
- g. COMM. 11E-30 (2023)
COUNTY EXECUTIVE: “ECSD No. 4 - Engineering Term Contract Agreement”
(Chair’s Ruling)
- h. COMM. 11M-4 (2023)
NYSDEC: “Brownfield Cleanup Program Public Notice Fact Sheet”
(Chair’s Ruling)
- i. COMM. 11M-5 (2023)
NYSDEC: “DEC Invites Public Comment About Brownfield Application & Draft Work Plan for Site on Ohio St., Buffalo”
(Chair’s Ruling)
2. COMM. 7E-25 (2023) AS AMENDED
COUNTY EXECUTIVE
WHEREAS, the Erie County Parks system contains nearly 10,000 acres of land on 38 sites throughout Erie County; and

WHEREAS, the Erie County Parks system includes a variety of types of parks including heritage parks, beaches, recreational trails, urban, and forestry sites; and

WHEREAS, within the Parks system there are numerous different signs which lack a cohesive Erie County Park identity, are difficult to re-create, not context sensitive and outdated; and

WHEREAS, the 2019 *Erie County Parks Master Plan* recommended the County develop a signage and wayfinding manual to guide the future development of signage in a consistent and comprehensive manner; and

WHEREAS, in the approved 2019 Erie County Capital Budget funding for the development of Exterior Park Signage was allocated for this purpose; and

WHEREAS, Wendel Companies assisted the County with the development of the Erie County Parks Signage and Wayfinding Manual and was previously retained to provide construction inspection and construction engineering for phase 1 construction; and

WHEREAS, Erie County wishes to procure construction services for Phase 1 of the County Parks Exterior Signage Capital Project; and

WHEREAS, in compliance with Erie County Administrative Code a construction bidding process was undertaken for Phase 1 Erie County Parks Signage and Wayfinding construction project; and

WHEREAS, McLaughlin Construction Corp DBA Edbauer Construction was the lowest responsible bidder in the total amount of \$472,207.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute all agreements necessary to implement this project related to the installation of signs in public right of ways owned or operated by Federal, State, or municipal governments and utilities; and be it further

RESOLVED, that authorized is hereby given to the County Executive to execute contracts for construction and construction administration with the responsible low bidder, McLaughlin Construction Corp DBA Edbauer Construction, in an amount of \$472,207; and be it further

RESOLVED, that authorization is hereby given to create an engineering and construction contingency fund for contract amendments with McLaughlin Construction Corp DBA Edbauer Construction and Wendel Companies for additional construction inspection and construction engineering in a total amount not to exceed \$47,221.00; and be it further

RESOLVED, that funds, in the total amount of \$519,428.00 be made available for the Project from the following project in Fund 410, Fund Center 164:

A.19023 – 2019 Exterior Park Signage Project	\$519,428.00
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and be it further

RESOLVED, that authorization is hereby given to the Director of the Division of Budget and Management 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 be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; the Commissioner of the Department of Environment and Planning, the Commissioner of the Department of Public Works and the Commissioner of Department of Parks, Recreation and Forestry.

(5-0) Legislator Vinal not present for vote.

3. COMM. 11E-15 (2023)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature does hereby confirm the following individuals for appointment to serve on the Erie County Environmental Management Council, term expiration of 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

(5-0) Legislator Vinal not present for vote.

4. COMM. 11E-24 (2023)
COUNTY EXECUTIVE

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>

and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the 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.
(5-0) Legislator Vinal not present for vote.

5. COMM. 11E-25 (2023)
COUNTY EXECUTIVE

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. (5-0) Legislator Vinal not present for vote.

6. COMM. 11E-26 (2023)
COUNTY EXECUTIVE

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. (5-0) Legislator Vinal not present for vote.

7. COMM. 11E-27 (2023)
COUNTY EXECUTIVE

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.

(5-0) Legislator Vinal not present for vote.

**TIMOTHY J. MEYERS
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 91

June 1, 2023	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS GREENE & VINAL.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 11E-16 (2023)
COUNTY EXECUTIVE

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 Attorney's 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.
(4-0)

2. COMM. 11E-17 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature must approve contracts in excess of \$50,000 for SUNY Erie; and

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.
(4-0)

JOHN J. GILMOUR
CHAIR

LEGISLATOR RESOLUTIONS

Item 17 – CHAIR BASKIN directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO. 12-1 from TODARO. Supporting the Amendment of the Vehicle and Traffic Law, in Relation to the Ignition Interlock Program.

Item 18 – CHAIR BASKIN directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO. 12-2 from MALCZEWSKI. Calling for the Department of Public Works – Division of Highways to Provide a Preventative Maintenance Plan to the Legislature.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

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

GRANTED.

COMM. 12D-3 from COUNTY ATTORNEY Re: Opinion as to Form Local Law Intro No. 5-1 (2023)

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

GRANTED.

June 7, 2023

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

Re: Opinion as to Form Local Law Intro No 5-1 2023

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 5-1 2023 (5-1).

Preemption

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

Here, 5-1 does not present any direct conflicts with state statute and since the State Legislature has not taken specific action to assume sole regulatory authority on this topic, 5-1 does not present a preemption issue of concern.

Grammar

The stated purpose of 5-1 is to promote and encourage economic development of service-disabled veteran-owned businesses by encouraging greater participation in County contracts. We find the grammar and usage of 5-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 5-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

We find that Local Law Intro. 5-1 2023 is sufficient as to form.

Very truly yours,
JEREMY C. TOTH
Erie County Attorney

By: Gregory P Kammer
Assistant Erie County Attorney

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 20 – (COMM. 12E-1) Financial Statements & Management Letter for ECC - Fiscal Year Ending 8/31/2022

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 21 – (COMM. 12E-2) Amendment to EBO Administrator; COMM. 3E-7 (2015)

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 22 – (COMM. 12E-3) Authorization to Continue Community Engagement Services at the Walden Galleria Mall

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 23 – (COMM. 12E-4) Authorization to Enter Into Contract with the Research Foundation to Develop a Winter Storm Rating System

Item 24 – (COMM. 12E-5) Authorization for NYS Municipal Certificate of Need

Item 25 – (COMM. 12E-6) Maintenance & Support of Erie Path Mobile App

Item 26 – (COMM. 12E-7) Authorization to Create MH Emergency/Disaster Response Coordinator

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

Item 27 – (COMM. 12E-8) Authorization to Enter Into Contract for 2023-2024 On-Call/Emergency Bridge & Culvert Engineering Services

Item 28 – (COMM. 12E-9) Amendment of Agreement for Back Creek Rd. Slope & Slide Remediation - Town of Boston

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 92

RE: PILOT Agreement for Francis John Apartments & Frederick Douglass II Apartments, City of Buffalo – Affordable Housing Development (COMM. 12E-10)

WHEREAS, Francis John Apartments and Frederick Douglas II Apartments Project consists of the acquisition, rehabilitation, and preservation of 174 units for low income senior housing at two locations, 1201 Broadway St. (Francis John Apartments) and 210 Jefferson Ave. (Frederick Douglass II Apartments); 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 with FJA-FDII Housing Development Fund Company Inc. and FJA-FDII Development 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 authorization is hereby given to the County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with FJA-FDII Housing Development Fund Company Inc., FJA-FDII Development 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 Division of Real Property Tax Services; 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	\$ 54,169	\$ 40,626	\$ 13,542
2	\$ 55,794	\$ 41,845	\$ 13,948
3	\$ 57,467	\$ 43,101	\$ 14,367
4	\$ 59,191	\$ 44,394	\$ 14,798
5	\$ 60,967	\$ 45,725	\$ 15,242
6	\$ 62,796	\$ 47,097	\$ 15,699
7	\$ 64,680	\$ 48,510	\$ 16,170
8	\$ 66,621	\$ 49,965	\$ 16,655
9	\$ 68,619	\$ 51,464	\$ 17,155
10	\$ 70,678	\$ 53,008	\$ 17,669
11	\$ 72,798	\$ 54,599	\$ 18,200
12	\$ 74,982	\$ 56,236	\$ 18,745
13	\$ 77,231	\$ 57,924	\$ 19,308
14	\$ 79,548	\$ 59,661	\$ 19,887
15	\$ 81,935	\$ 61,451	\$ 20,484

Item 30 – (COMM. 12E-11) PILOT Agreement for Solar Energy Systems - Gowans Rd. & Eden Evans Center Rd., Town of Evans

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 31 – (COMM. 12E-12) ECSD Nos. 2 & 6 - Roof Replacements Project

Item 32 – (COMM. 12E-13) ECSD No. 8 - Engineering Term Contract Agreement

Item 33 – (COMM. 12E-14) ECSD No. 3 - Engineer Term Contract Agreement

Item 34 – (COMM. 12E-15) ECSD No. 3 - Engineering Term Contract Agreement

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

FROM THE DISTRICT ATTORNEY

Item 35 – (COMM. 12E-16) Additional Positions in GIVE Grant Budget

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR TODARO

Item 36 – (COMM. 12E-17) Constituent Concern - Civil Service Hiring Practices

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

**FROM THE COMMISSIONER OF
SOCIAL SERVICES & COUNTY ATTORNEY**

Item 37 – (COMM. 12D-1) Migrant Situation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE BUDGET DEPARTMENT

Item 38 – (COMM. 12D-2) Capital Projects Update

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYSDEC

Item 39 – (COMM. 12M-1) Notification of Brownfield Cleanup Program Application from Amherst Commons, LLC

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE VBN PRESIDENT & CEO

Item 40 – (COMM. 12M-2) 2023 First Quarter Reports & Financial Statements for VBN & BNCC

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE CHAIR,
SUNY ERIE BOARD OF TRUSTEES**

Item 41 – (COMM. 12M-3) 2023-2024 SUNY Erie Operating Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

ANNOUNCEMENTS

Item 42 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, June 15, 2023, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, June 22, 2023. Finally, Chair Baskin announced that a public hearing concerning the SUNY Erie 2023-2024 budget will be held in the Chamber of the Legislature, on Thursday, June 15, 2023, at 9:30 A.M.

MEMORIAL RESOLUTIONS

Item 43 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Julianne Aquino, Donald Crist, and Joel Nuwer.

Item 44 – Legislator Malczewski requested that when the Legislature adjourns, it do so in memory of William “Bill” Reuman.

Item 45 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Frank Barone.

Item 46 – Legislator Johnson requested that when the Legislature adjourns, it do so in memory of Antwan Lamar Strong.

ADJOURNMENT

Item 47 – At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. TODARO moved that the Legislature adjourn until Thursday, June 22, 2023 at 12:00 Noon. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, June 22, 2023 at 12:00 Noon.

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