

**ERIE COUNTY LEGISLATURE
MEETING NO. 14
JULY 6, 2023**

The Legislature was called to order by Chair Baskin.

All members present.

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

The Pledge of Allegiance was led by Mr. Meyers.

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 13 from 2023. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – Miscellaneous Resolutions were offered, as follows:

BASKIN	Honoring Buffalo Urban League Young Professionals (BULYPNY) - Celebrating 10 Years of Service in the Western New York Community
BASKIN	Acknowledging and Honoring Barbara Glover
VINAL	In Remembrance of Steven Christopher Smith - Successful Business Owner of Steve's Landscaping Service
VINAL	Recognizing Amherst High School Pit Orchestra - Kenny Award Recipients
VINAL	In Remembrance of William Bauer - Graduate of SUNY at Buffalo School of Dental Medicine
BASKIN & JOHNSON	Honoring National Minority Mental Health Awareness Month
KOOSHOIAN	Recognizing Linda Ullmark-Nichols School, 2022-23 - Named Gatorade New York Girls Soccer Player of the Year

VINAL	Honoring Sage Sabatino, Amherst High School Quarterback Co-Player of the Year - Section IV Girls Flag Football
JOHNSON	Recognizing the 40th Annual Taste of Buffalo
GREENE	Honoring Amherst Police Detective Herbert Leising on His Retirement
GREENE	Honoring Marvin's Bar and Grill on National Dive Bar Day
MILLS	Honoring Taffy's Hot Dog Stand on National Hot Dog Day
MILLS	Honoring George's Hot Dog Stand on National Hot Dog Day
MILLS	Honoring Connor's Hot Dog Stand on National Hot Dog Day
MILLS	Honoring Lucas William Thornton on Earning the Rank of Eagle Scout
MILLS	Honoring Coda Mulligan for His Courage
TODARO	Recognizing Rick Penny for His Commitment to the Alden Central School District and Community
TODARO	Honoring Zorba's Texas Hots Stand on National Hot Dog Day
TODARO	Honoring Ted's Hot Dog Stand on National Hot Dog Day
TODARO	Honoring the Life of Father Joseph Bayne
MALCZEWSKI	Honoring Sheila McMahon Curry on Her Retirement from Erie County
GILMOUR	Congratulating Quentin Musty - Drafted by the San Jose Sharks (2023 National Hockey League Draft)
VINAL	Congratulating Jonah Heim - Named Starting Catcher (2023 MLB All-Star Game)
VINAL	Congratulating Lily Zhang - Second Youngest Golfer to Win NYS Women's Amateur

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-four 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. 6 (Print #1) 2023 be directed to the PUBLIC SAFETY COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 10 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 99

June 29, 2023	PUBLIC SAFETY COMMITTEE REPORT NO. 10
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS GILMOUR & GREENE.

1. RESOLVED, the following item is hereby received, filed and printed:
 - a. COMM. 13E-2 (2023)
COUNTY EXECUTIVE: “Appointments to the Fire Advisory Board”
(Chair’s Ruling)

June 8, 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. COMM. 13E-7 (2023)
COUNTY EXECUTIVE

WHEREAS, funding for the Gun Involved Violence Elimination (GIVE) grant awarded by the New York State Division of Criminal Justice Services (DCJS) has increased to include funding for the costs associated with implementing the Probation GIVE Model; and

WHEREAS, the 2023 Erie County Adopted Budget includes an approved budget for Gun Involved Violence Elimination (GIVE) grant for funding period July1, 2023-June 30, 2024 that did not include these additional positions; and

WHEREAS, authorization is requested to add four GIVE Probation Officer positions, one GIVE Probation Supervisor, one GIVE Probation Assistant and one GIVE Assistant Crime Analyst

within the Erie County Department of Probation under our Gun Involved Violence Elimination (GIVE) grant for the 2023-2024 funding period; and

WHEREAS, the costs include additional departmental staffing to address new supervision requirements and data analysis, overtime for GIVE after hour operations, the implementation of GPS monitoring of gun crime probationers, delivery of a cognitive behavioral intervention, supervision at Greatest Risk levels and additional requirements for preparing gun crime Presentence Investigations and will enable the Probation Department to meet its contractual obligations for the GIVE grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Probation Department to accept an additional \$1,175,364 in funding from New York State Division of Criminal Justice Services (NYS DCJS) for the 2023-24 GIVE grant to be budgeted as follows:

Erie County Probation Department
Grant Fund 281, Fund Center 1261020
Gun Involved Violence Elimination
126GIVE2324
July 1, 2023 – June 30, 2024

<u>Account</u>	<u>Revenues</u>	Increase (Decrease)
409000 - State Aid Revenue		\$1,175,364
479000 - County Share Contribution		<u>\$(49,895)</u>
		<u>\$1,125,469</u>

<u>Account</u>	<u>Appropriations</u>	Increase
500000 - Full Time Salaries		\$562,354
500300 - Shift Differential		\$7,500
501000 - Overtime		\$68,420
502000 - Fringe Benefits		\$294,622
510000 - Mileage		\$7,940
510100 - Out of area Travel		\$3,300
510200 - Training and Education		\$25,757
516030 - Maintenance Contracts		\$151,384
530000 - Other Expenses		\$1,000
980000 - DISS		<u>\$3,192</u>
		<u>\$1,125,469</u>

and be it further

RESOLVED, that authorization is hereby given to create the following positions for which sufficient funding for personnel services and fringe benefits will be added to the 2023-24 GIVE program effective July 1, 2023:

Four full-time Probation Officers (JG-11)
B-100 #13754

One full-time Probation Supervisor (JG-12)
B-100 #13752

Full-time Probation Assistant (JG-7)
B-100 #13751

Full-time Probation Assistant Crime Analyst (JG-
12) B-100 #13695

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 State approved funding levels including interdepartmental billing adjustments; 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, County Comptroller, County Attorney, Personnel Department and the Probation Department.

(3-0)

3. COMM. 13E-15 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services is responsible for providing public safety through comprehensive emergency management planning, preparedness, training, response and coordination of emergency services resources in Erie County during actual or potential disaster events; and

WHEREAS, the U.S. Department of Homeland Security, Federal Emergency Management Agency with administration of the funds through the New York State Division of Homeland Security & Emergency Services has agreed to provide funding in the amount of \$16,000 to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, a 20% local match in the amount of \$4,000.00 is required and will be made in the form of in-kind services from the City of Buffalo Fire Department's participation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract and accept funds from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) administered through the New York State Division of Homeland Security & Emergency Services in the amount \$16,000 to be budgeted within the Erie County Department of Homeland Security & Emergency Services' 2023 Budget (Fund 110, Funds Center 16700) as follows:

Department of Homeland Security & Emergency Services

Fund 110, Funds Center 16700

Revenue Increase
414000 - Federal Aid \$16,000.00

Appropriation Increase
516020 – Professional Services, Contracts and Fees \$16,000.00

and be it further

RESOLVED, that the 20% local share match of \$4,000 will be made in the form of in-kind contributions towards the program from the City of Buffalo Fire Department; and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to county share amounts; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, Comptroller's Office, Department of Personnel, Department of Homeland Security & Emergency Services, Department of Law and Division of Budget and Management.
(3-0)

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

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

MR. GREENE requested the separation of item Number 1.

GRANTED.

RESOLUTION NO. 100

June 29, 2023	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 10
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GILMOUR.

1. COMM. 13E-6 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Division of Information and Support Services provides printing and copying services to all County departments; and

WHEREAS, the contract with the current vendor for printing and copying services ends on August 19, 2023; and

WHEREAS, a Request for Proposal was issued to seek proposals for printing and copying services; and

WHEREAS, the proposal submitted by Usherwood was found to provide the best solution for Erie County's printing and copying needs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter a five (5) year services contract, including lease of equipment and consent to assignment of payment with Usherwood for printing and copying services at an annual cost \$476,820 (or \$39,735 a month); and be it further

RESOLVED, that the prorated cost of this contract for the remainder of 2023 is approximately \$198,675; and be it further

RESOLVED, that sufficient funding for the current year of this contract exists within the Division of Information and Support Services 2023 Budget (Fund 110, Funds Center 105) in Account 545000 - Rental Charges; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive's Office, the Comptroller's Office, Division of Information and Support Services, Department of Law, and Division of Budget and Management.
(4-0)

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

WHEREAS, our local small business economy has been adversely affected by the Covid-19 pandemic; and

WHEREAS, an initial \$10 million was allocated as part of the 2022 Adopted Erie County Budget for a Storefront Revitalization Program; and

WHEREAS, Erie County has reinvested into our local business economy by offering grants of up to \$40,000 to improve the visual aesthetic, functionality, and pedestrian/customer interface of such business facades; and

WHEREAS, an additional \$5 million has been allocated as part of the 2022 Year-End Budget Balancing Amendments and Designations resolution COMM 8E-1 (2023) to help more area businesses with their recovery and continued growth; and

WHEREAS, contracts were previously awarded to H. Sicherman and Company, LLC to provide project administration services, and Clinton Brown Company Architecture, P.C., La Bella Associates, P.C., Anowara Architecture, P.C., and Bammel Architects, P.C., to provide architectural design services as a result of RFP processes; and

WHEREAS, in order to expeditiously move forward with additional storefront revitalization awards to businesses, the County would like to continue working with the existing contractors for project administration and architectural services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute all agreements necessary to implement the second round of the Storefront Revitalization Program; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute a second amended contract for consultant services in an amount not to exceed \$13,350,000 with H. Sicherman and Company, LLC; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute Contracts for Consultant services in an amount not to exceed \$1,650,000 with Clinton Brown Company Architecture, P.C., La Bella Associates, P.C, Anowara Architecture, P.C, and Bammel Architects, P.C.; and be it further

RESOLVED, that sufficient funding is available for this purpose in the Erie County 2023 Budget in Funds Center 1332010, Account 516340 – Storefront Community Revitalization; 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 be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning.
(4-0)

3. COMM. 13E-9 (2023)
COUNTY EXECUTIVE

WHEREAS, Erie County has long recognized the importance of cultural organizations, providing annual appropriations for over 40 years; and

WHEREAS, the nonprofit arts and culture sector in Western New York spent \$156 million in the region, including expenditures for facilities and capital asset acquisition, with an additional \$196.1 million spent by their audiences to generate \$352.1 million in total economic activity in 2015; and

WHEREAS, the sector also provided 10,160 full-time equivalent jobs, generating \$208.2 million in household income to local residents. This economic activity and investment in WNY delivered \$40.3 million in local and state government revenue in 2015; and

WHEREAS, a plan is needed to more effectively connect the arts and cultural sector and its numerous assets to tourism, urban design/land use, education, economic development, and community development, in order to provide a workplan that all stakeholders can contribute to in a coordinated manner; and

WHEREAS, Erie County was awarded a \$75,000 Empire State Development (ESD) Strategic Planning and Feasibility Studies grant on a reimbursement basis; and

WHEREAS, Arts Services, Inc. is the fiscal agent for \$57,000 in grants secured by the Greater Buffalo Cultural Alliance for the creation of a Cultural Plan; and

WHEREAS, in the approved 2023 Erie County Budget funding for the development of the Cultural Plan was allocated for this purpose, including a \$15,000.00 county share; and

WHEREAS, Erie County is desirous of engaging planning services for the Erie County Cultural Plan; and

WHEREAS, in compliance with Section 26.08 of the Erie County Administrative Code a consultant selection process was undertaken to evaluate responses to Request for Proposal #2023-019VF; and

WHEREAS, Erie County desires to engage AEA Consulting to complete the Cultural Plan, the ranking and selection is further detailed in "Attachment A".

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into agreement with the New York State Department of Economic Development and the New York State Urban Development Corporation, d/b/a Empire State Development (collectively referred to as ESD) to accept \$75,000 in funding through the ESD Strategic Planning and Feasibility Studies grant program and to be used towards the Erie County Cultural Plan; and be it further

RESOLVED, that authorization is hereby given for the County Executive to enter into agreement with Art Services, Inc. to accept \$57,000 to be used towards the Erie County Cultural Plan; and be it further

RESOLVED, that authorization is hereby given for \$15,000 be transferred within the Department of Environment and Planning's 2023 Budget and be made available as Interfund Revenue Subsidy to cover the \$15,000 County share of the Erie County Cultural Plan project as follows:

Department of Environment and Planning

Fund 110, Funds Center 16200

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516020	Prof Svcs Contracts & Fees	\$(15,000)
570050	Interfund Transfer Capital	\$ <u>15,000</u>
	TOTAL	\$ <u>0</u>

and be it further

RESOLVED, that authorization is hereby given to create a new capital project in Fund 410, Funds Center 162 for the Erie County Cultural Plan project as follows:

Project A.213XX – Erie County Cultural Plan
Fund 410, Funds Center 162

REVENUES

409000	State Aid Revenue	\$(75,000.00)
479100	Other Contributions	(57,000.00)
486000	Interfund Revenue Subsidy	<u>(15,000.00)</u>
	TOTAL	<u>\$(147,000.00)</u>

APPROPRIATIONS

	Capital Project Expense	<u>\$(147,000.00)</u>
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and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into contract with AEA Consulting in an amount not to exceed \$124,740 for planning services for the Erie County Cultural Plan; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute amendments or change orders as necessary in the amount not to exceed \$22,260; 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 private, 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 Department of Law, and the Department of Environment and Planning.

Attachment 1: Consultant Selection Scores

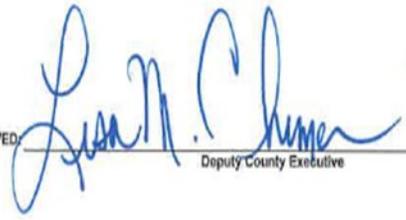
ERIE COUNTY CULTURAL PLAN
 PROPOSAL EVALUATION FORM

DATE: 4/28/2023

Names of consultants:

REVIEWERS	CONSULTANT TEAMS			
	Aria Strategies	Fourth Economy	AEA Consulting	SAIRA consulting
	RATING	RATING	RATING	RATING
REVIEWER 1:	3	1	2	4
REVIEWER 2:	4	1	3	2
REVIEWER 3:	3	2	1	4
REVIEWER 4:	3	1	2	4
REVIEWER 5:	3	2	1	4
RANKING:	3	2	1	4
Cost Proposal:	\$ 124,800.00	\$ 124,533.00	\$ 124,740.00	\$ 118,525.00
RANKING:	3	2	1	4
INTERVIEW SCORE:		2	1	
FINAL RANKING:	3	2	1	4

FORMAL RECORDED VOTE:		
RANK	CONSULTANT	VOTES BY
Recommended:	AEA	Unanimous

REVIEWED & APPROVED: 
 Deputy County Executive

(4-0)

4. COMM. 13E-11 (2023)
 COUNTY EXECUTIVE

WHEREAS, on February 18, 2021 your Honorable Body authorized the Construction Contracts for the Erie County Medical Examiner’s Anthropology Lab Phase 6 Renovations via Comm. 3E-7 (2021); and

WHEREAS, unforeseen conditions incurred during the execution of the Project brought on by delays during the COVID pandemic, as well as, ECMEO’s increased demand on the facility along with additional scope requested by the Erie County Medical Examiner’s Office to accommodate additional staff, made it necessary for the Construction Contingency to be increased.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to increase the current construction contingency fund by \$60,000.00 from \$140,467.42 to \$200,467.42; 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 negotiate and issue Contract Amendments to the previously approved contractors on site to complete the additional work; and be it further

RESOLVED, that authorization is hereby given for the Comptroller's Office be to make payment for all the above from the following Capital Projects in Fund 410, Funds Center 122 as follows:

A.20003 – 2020 Erie County Medical Examiners Toxicology/Pathology Phase 6	\$44,861.52
<u>A.21108 – 2021 Erie County Medical Examiners Toxicology/Pathology Phase 7</u>	<u>\$15,138.48</u>
TOTAL	\$60,000.00

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 Department of Public Works, the Department of Health - Medical Examiner's Office, and the Division of Budget and Management.

(4-0)

5. COMM. 13E-12 (2023)
COUNTY EXECUTIVE

WHEREAS, the existing layout of the Health Lab Building is situated in a manner that does not meet the needs of the Health Department due to increased staff as well as operational needs; and

WHEREAS, the County of Erie received general construction and electrical construction bids for the Renovation project on February 22, 2023, but did not receive any mechanical construction or plumbing construction bids at that time; and

WHEREAS, the mechanical construction and plumbing construction were rebid on April 12, 2023 but did not receive any bids; and

WHEREAS, while Sicoli Construction Services was the apparent low-bidder on for the General Construction Contract, they withdrew their bid prior to uploading a resolution for construction contract award per the terms of General Municipal Law 105; and

WHEREAS, in consultation with the Department of Law, and in conformance with General Municipal Law 103, the Department of Public Works was permitted to negotiate directly with mechanical contractors and plumbing contractors directly to award the work since no bids were received for two consecutive publicly advertised bids for mechanical construction and plumbing construction scope of work; and

WHEREAS, the Department of Public Works requested mechanical construction and plumbing construction bid proposals directly from several contractors, and received mechanical construction and plumbing construction bids for the project on May 24, 2023; and

WHEREAS, the Department of Public Works, along with Foit Albert Associates is recommending award of the contract to the lowest responsible bidders for the general construction and electrical construction received on February 22, 2023 and to the lowest responsible bidders for the mechanical and plumbing construction received on May 24, 2023.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the lowest responsible bidders for the Erie County Health Lab Building 17 Renovations – Phase 3 for an amount not to exceed as follows:

<u>General Construction Work</u>		
Rodriguez Construction Group	Base Bid:	\$1,708,000
<u>Electrical Construction Work</u>		
CIR Electrical Construction Corp.	Base Bid:	\$ 269,680
<u>Mechanical Construction Work</u>		
John W Danforth Co.	Base Bid	\$ 498,000
<u>Plumbing Construction Work</u>		
MKS Plumbing Corp.	Base Bid	\$ 122,122
<hr/>		
Total Award of Construction Contract:		\$2,597,802

and be it further

RESOLVED, that authorization is hereby given for a sum of \$250,000 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 deductions 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 all the above from the following Capital Projects in Fund 410, Funds Center 122 as follows:

A.23001 - DPW (Buildings and Grounds) – Roof Replacement and Exterior Waterproofing (Countywide)	\$	17,934.41
A.22004 - DPW (Buildings and Grounds) – EC Health Department – Improvements to Building 17 (Buffalo)	\$2,591,718.89	
A.22002 - DPW (Buildings and Grounds) – Roof Replacement and Exterior Waterproofing (Countywide)	\$	98,485.00
A.21153 – EC Health Lab	\$	10,710.00
A.20002 - DPW (Buildings and Grounds) - Roof Replacement and Exterior Waterproofing (Countywide) - General	\$	93,850.57
A.19002 - Roof Replacement and Exterior Waterproofing (Countywide)	\$	35,103.13

TOTAL \$2,847,802.00

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.

(4-0)

6. COMM. 13E-13 (2023)
COUNTY EXECUTIVE

WHEREAS, the Commissioner of Public Works desires to engage in services for Special Inspections and Testing in order to comply with the requirements of Building Code on various County projects; and

WHEREAS, the Department of Public Works entered into a contract with SJB Services Inc. for Special Inspections and Testing on July 8, 2019, per COMM 8E-6 (2019); and

WHEREAS, the Department of Public Works was made aware that SJB Services has been acquired by Atlantic Testing Laboratories on April 13, 2023; and

WHEREAS, the Department of Public Works is recommending transferring the contract from SJB Services, Inc. to Atlantic Testing Laboratories at the revised rate schedule provided by Atlantic Testing after they acquired SJB Services, Inc.; and

WHEREAS, the Department of Public Works is requesting an extension of the Special Inspections and Testing contract for the 5th year and final one-year extension of the original contract per the terms of the original Request for Qualifications received on March 6, 2019 to provide the required services; and

WHEREAS, the remaining funds originally authorized per COMM 8E-6 (2019) will be used for the final year of the term contract (Contract # 19-492-PW); and

WHEREAS, all terms of the original Request for Qualifications COMM 8E-6 (2019) and contract (19-492-PW) will remain with the amendment wage rate schedule.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute an amendment to the contract with the SJB Services, Inc./Atlantic Testing Laboratories for the Erie County – On-Call Special Inspections and Tests for a one-year extension of the term contract valid through June 1, 2024 with an amended wage rate schedule; and be it further

RESOLVED, the authorization is hereby given for the County Executive to transfer the terms of the original contract with SJB Services, Inc. to Atlantic Testing Laboratories based on Atlantic Testing Laboratories acquiring SJB Services, Inc.; and be it further

RESOLVED, that the total cost of this contract including the one-year extension will still not exceed the original contracted amount of \$150,000; and be it further

RESOLVED, that sufficient funding was previously authorized in COMM 8E-6 (2019) to cover the total cost of this contract as memorialized below:

A.18004 – Code and Environmental Compliance	\$ 75,000.00
<u>Sewer Operating Fund 220</u>	<u>\$ 75,000.00</u>
Total Payment Not To Exceed:	\$150,000.00

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 Department of Environment and Planning, Division of Sewerage Management and one copy each to the County Executive’s Office, the Comptroller’s Office, and the Division of Budget and Management.

(4-0)

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

MR. MEYERS moved to approve the balance of the report (less item Number 1). MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to approve item Number 1. MR. MILLS seconded. MR. GREENE abstained.

CARRIED. (10-0-1)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 101

June 29, 2023	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.

1. COMM. 13E-10 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) in partnership with the Western NY Stormwater Coalition, sponsors an annual rain barrel and compost bin sale; and

WHEREAS, this year there are two grants for the subsidy of rain barrels and compost bins in specific municipalities which were detailed in two previous resolutions COMM. 18E-22 (2022) and COMM. 7E-24 (2022); and

WHEREAS, DEP issued a Request for Proposals seeking professional services for rain barrel and compost bin sales (RFP# A2023-027VF); and

WHEREAS, Brand Builders was rated most highly by the selection committee due to both experience and price.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with Brand Builders in an amount not to exceed \$170,000, as part of the annual rain barrel and compost bin sale; and be it further

RESOLVED, that sufficient funding for this contract exists within the DEP grant budgets (Fund 281) for 162WNYSCRBP2226 and 162WNYSCRB2223; 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 local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive's Office; the Division of Budget and Management; the Department of Law; and the Department of Environment and Planning.
(5-0)

**TIMOTHY J. MEYERS
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 102

June 29, 2023	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS GILMOUR & GREENE.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-19 (2023)
COUNTY EXECUTIVE: “Authority to Extend Usherwood Office Technology Contract”
(Chair’s Ruling)
 - b. INTRO. 6-2 (2023)
MALCZEWSKI, TODARO, GREENE & MILLS: “Calling on New York State to Not Impose a Good Cause Eviction Mandate”
(Chair’s Ruling)
 - c. COMM. 12E-1 (2023)
COMPTROLLER: “Financial Statements & Management Letter for ECC - Fiscal Year Ending 8/31/2022”
(Chair’s Ruling)
 - d. COMM. 13E-4 (2023)
BASKIN: “2023 Mid-Year Budget Hearings”
(Chair’s Ruling)
 - e. COMM. 13D-1 (2023)
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending April 2023”
(Chair’s Ruling)
 - f. COMM. 13M-1 (2023)
NYS DEPARTMENT OF TAXATION & FINANCE: “List of Certified 2023 Class Equalization Rates”
(Chair’s Ruling)
2. COMM. 13E-16 (2023)
COUNTY EXECUTIVE
WHEREAS, the several non-city school districts lying within the County of Erie have adopted their school budgets for the current school year, determined the amount thereof to be raised by real property tax and will have fixed their school tax rates, said budgets, amounts and rates to be certified to and filed with the Real Property Tax Services Department of Erie County, no later than August 10, 2023; and

WHEREAS, the Director for said Real Property Tax Services Department will spread and extend said school tax amounts, at the school tax rates certified to him, against the taxable real property appearing on the respective school assessment rolls.

NOW, THEREFORE, BE IT

RESOLVED, that there is hereby levied and assessed upon the taxable real property appearing on the school assessment rolls for the respective school districts the amounts to be raised

by school taxes, as spread and extended by the Director of the Real Property Tax Services Department, which amounts shall be collected from the persons and corporations liable therefore in accordance with and pursuant to the provisions of the statutes in such cases made and provided; and be it further

RESOLVED, that the Chairman and the Clerk of the Legislature are hereby directed to execute in the name and under the seal of the County of Erie, and to annex to the respective school district tax rolls as they are compiled by the Director of the Real Property Tax Services Department, a good and sufficient warrant, addressed to the proper tax collecting officials, commanding them to collect such school district taxes in accordance with applicable law; and be it further

RESOLVED, that the Director of the Real Property Tax Services Department is hereby directed to deliver such school district tax rolls and warrants to such tax collecting officials to be acted upon in accordance with applicable law; and be it further

RESOLVED, that each and every act of the Director for the Real Property Tax Services Department in connection with the foregoing is hereby ratified and confirmed; and be it further

RESOLVED, the Clerk of the Legislature is hereby directed to cause such non-city school district budgets, tax rates and resolutions to be printed in the journal of the proceedings of the Legislature; and be it further

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

(3-0)

**TIMOTHY J. MEYERS
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 103

June 29, 2023	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received, filed and printed:
 - a. COMM. 13E-1 (2023)

COUNTY EXECUTIVE: “Appointments to the Mental Hygiene Community Services Board”
(Chair’s Ruling)

June 8, 2023

Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, NY 14202

RE: Appointments to the Mental Hygiene Community Services Board

Dear Honorable Members,

Pursuant to the powers vested in me by Section 1303 of the Erie County Charter, I hereby appoint the following persons to the Erie County Mental Hygiene Community Services Board for a term ending December 31, 2024.

Sarah Bonk
Erie County Department of Homeland
Security and Emergency Services
45 Elm Street
Buffalo, NY 14203
New Appointment

Charles Syms
University at Buffalo
School of Social Work
685 Baldy Hall
Buffalo, NY 14260
Re-Appointment

Should you have any questions regarding this appointment please feel free to contact my office at (716)858-8500.

Sincerely,

Mark C. Poloncarz
Erie County Executive

2. COMM. 13E-14 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services – Youth Services Division is seeking approval to execute contracts with community providers for Youth Sports Services; and

WHEREAS, the availability of New York State Funding enables this program’s implementation; and

WHEREAS, these awards are designed to promote positive youth development and family engagement; and

WHEREAS, a Request for Proposal (RFP # 2023-018VF) 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 and Commissioner of Social Services to accept the State Aid Award of \$124,025 for Youth Sport Services; and be it further

RESOLVED, that authorization is hereby given for the County Executive and the Commissioner of Social Services to execute contracts with the following providers for Youth Sports Services, using Fund Center 12530, Account 517876 (Youth Development Programs) and Account 408000 (State Aid – Youth Programs) in the Youth Bureau:

Agency	Award
G.I.R.L.S. SPORTS FOUNDATION, INC.	\$10,000.00
THE SALVATION ARMY	\$10,000.00
WNY STEM HUB	\$10,000.00
BOYS ON THE RIGHT TRACK	\$5,000.00
ERIE REGIONAL HOUSING DEVELOPMENT CORPORATION	\$10,000.00
KAREN SOCIETY OF BUFFALO	\$10,000.00
UNITED CHURCH HOME	\$5,325.00
TOWN OF HAMBURG, NEW YORK	\$10,000.00
SENECA-BABCOCK COMMUNITY ASSOCIATION, INC.	\$10,000.00
VALLEY COMMUNITY ASSOCIATION, INC.	\$10,000.00
NORTHWEST BUFFALO COMMUNITY CENTER INC	\$10,000.00
BOYS & GIRLS CLUBS OF THE NORTHTOWNS	\$10,000.00
TOTAL PACKAGE SPORTS, INC.	\$6,850.00
PEOPLE UNITED FOR SUSTAINABLE HOUSING INC	\$6,850.00
TOTAL	\$124,025.00

and be it further

RESOLVED, that after contracts are executed and filed, the Department of Social Services, Division of Budget and Management and Office of the Comptroller are authorized to effectuate 2023 payments for these agencies for providing Youth Sports Services; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Erie County Executive's Office, Comptroller's Office, Department of Social Services, and Division of Budget and Management.

(6-0)

JOHN J. GILMOUR
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 104

June 29, 2023	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received, filed and printed:
 - a. COMM. 13E-17 (2023)
COUNTY EXECUTIVE: "Appointment to Western Region OTB Board of Directors"
(Chair's Ruling)

June 16, 2023

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

Re: Appointment to Western Region OTB Board of Directors

Dear Honorable Members,

Please be advised that pursuant to legislation adopted in the 2023-2024 New York State budget, I hereby appoint the following individual to the Board of Directors of Western Region OTB:

Jennifer Hibit

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. 14E-1 (2022)
COMPTROLLER: "Letter Regarding Western Regional Off-Track Betting Corporation"
(Chair's Ruling)
 - b. COMM. 14E-4 (2022)
COUNTY CLERK: "Erie County Auto Bureau Services in East Buffalo"
(Chair's Ruling)
 - c. COMM. 14E-18 (2022)
COMPTROLLER: "Letter Concerning the Hotel at Batavia Downs"
(Chair's Ruling)
 - d. COMM. 14E-22 (2022)
COMPTROLLER: "Letter Regarding Health, Dental & Vision Benefits for WROTB Board Members"
(Chair's Ruling)
 - e. COMM. 15E-4 (2022)
COMPTROLLER: "Outside Legal Counsel Retained by WROTB"
(Chair's Ruling)
 - f. COMM. 15E-6 (2022)
COMPTROLLER: "Lobbyists/Advocates Retained by WROTB"
(Chair's Ruling)
 - g. COMM. 15E-14 (2022)
COMPTROLLER: "NYS Comptroller Audit on Marketing & Promotional Program - WROTB"
(Chair's Ruling)
 - h. COMM. 15M-5 (2022)
PRESIDENT OF WESTERN REGIONAL OTB: "Letter Replying to Comptroller Inquiry"
(Chair's Ruling)
 - i. COMM. 15M-7 (2022)
ERIE COUNTY BOARD OF ETHICS: "Annual Report of Activities for 2021"
(Chair's Ruling)

- j. COMM. 18D-2 (2022)
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
- k. COMM. 18M-1 (2022)
TOWN OF WALES: “Opposition to New York State Actions Restricting 2nd Amendment Rights”
(Chair’s Ruling)
- l. COMM. 19M-4 (2022)
BOARD OF SUPERVISORS OF FULTON COUNTY: “Resolution Objecting to Recent NYS Gun Legislation”
(Chair’s Ruling)
- m. COMM. 19M-5 (2022)
TOWN OF CONCORD: “Resolution Objecting to Recent NYS Gun Legislation”
(Chair’s Ruling)
- n. COMM. 19M-8 (2022)
ASSIGNED COUNSEL PROGRAM: “Quarterly Report of the Assigned Counsel Program for the 3rd Quarter of 2022”
(Chair’s Ruling)
- o. COMM. 20D-3 (2022)
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
- p. COMM. 20M-2 (2022)
CHAIR, ECMC BOARD OF DIRECTORS: “Letter to County Executive Concerning Appointments to the Erie County Medical Center Corporation Board of Directors”
(Chair’s Ruling)
- q. COMM. 23E-4 (2022)
COMPTROLLER: “Letter to WNYOTB CEO Regarding Requested Information”
(Chair’s Ruling)
- r. COMM. 2D-4 (2023)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
- s. COMM. 2M-1 (2023)
TOWN OF ALDEN: “Certified Resolution Opposing NYS Laws Concerning Firearm Restrictions”
(Chair’s Ruling)
- t. COMM. 3M-1 (2023)

- ASSIGNED COUNSEL PROGRAM: “Financial & Meeting Minute Disclosure”
(Chair’s Ruling)
- u. COMM. 3M-2 (2023)
ASSIGNED COUNSEL PROGRAM: “4th Quarter Report of the Assigned Counsel Program”
(Chair’s Ruling)
- v. COMM. 3M-6 (2023)
EC FAIR HOUSING BOARD CHAIR: “EC Fair Housing Board Annual Report”
(Chair’s Ruling)
- w. COMM. 4E-6 (2023)
COMPTROLLER: “Unanswered Questions Regarding WROTB Operations”
(Chair’s Ruling)
- x. COMM. 4E-24 (2023)
COUNTY EXECUTIVE: “Support & Possible Addition to LL 1-1 (2023)”
(Chair’s Ruling)
- y. COMM. 4D-4 (2023)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
- z. COMM. 5E-3 (2023)
COMPTROLLER: “Letter to County Clerk Concerning Challenger Newspaper Invoice”
(Chair’s Ruling)
- aa. COMM. 5D-4 (2023)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
- bb. COMM. 5M-1 (2023)
VISIT BUFFALO NIAGARA: “Visit Buffalo Niagara - 2022 Quarterly Report Q4”
(Chair’s Ruling)
- cc. COMM. 5M-2 (2023)
VISIT BUFFALO NIAGARA: “Budget Accountability Act Submission”
(Chair’s Ruling)
- dd. COMM. 7D-3 (2023)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
- ee. COMM. 10D-2 (2023)
DEPUTY COMPTROLLER OF AUDIT: “EC Comptroller's Office Audit of the EC Clerk's Office - Notification of Expanded Scope & Separation into Two Audits”

(Chair's Ruling)

- ff. COMM. 10D-3 (2023)
COUNTY ATTORNEY: "Transmittal of New Claims Against Erie County"
(Chair's Ruling)
- gg. COMM. 10M-1 (2023)
ASSIGNED COUNSEL PROGRAM: "Quarterly Report of Assigned Counsel Program - 1st
Quarter of 2023"
(Chair's Ruling)
- hh. COMM. 10M-2 (2023)
ECIDA: "ECIDA 2022 Annual Financial Statements"
(Chair's Ruling)
- ii. COMM. 12E-17 (2023)
TODARO: "Constituent Concern - Civil Service Hiring Practices"
(Chair's Ruling)
- jj. COMM. 12D-1 (2023)
COMMISSIONER OF SOCIAL SERVICES & COUNTY ATTORNEY: "Migrant
Situation"
(Chair's Ruling)
- kk. COMM. 13D-2 (2023)
COUNTY ATTORNEY: "Transmittal of New Claims Against Erie County"
(Chair's Ruling)

JOHN A. BARGNESI, JR.
CHAIR

LEGISLATOR RESOLUTIONS

None.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE SHERIFF

Item 16 – (COMM. 14E-1) Award Correctional Health Optometry Services RFP & Authorize Contract

Item 17 – (COMM. 14E-2) Contracts for Incarcerated Individual Programming

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 18 – (COMM. 14E-3) Apportionment & Distribution Report - Sales & Compensating Use Tax

Item 19 – (COMM. 14E-4) Report on Audit of the EC Department of Law Contract Expenditures for Indigent Services - 1/1/2022-12/31/2022

Item 20 – (COMM. 14E-5) Annual Comprehensive Financial Report - 2022

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

FROM THE COUNTY EXECUTIVE

Item 21 – (COMM. 14E-6) EC Emergency Medical Services Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 22 – (COMM. 14E-7) Appointments to the Youth Services Board

Item 23 – (COMM. 14E-8) Authorization to Enter Into Contract with Buffalo AKG for Mural at 608 William

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

Item 24 – (COMM. 14E-9) Update to the EC Forest Management Plan - Authorization to Enter Into an Agreement with a Consultant

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 25 – (COMM. 14E-10) Authorization to Enter Into Contracts for Mandated Special Education Preschool Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 26 – (COMM. 14E-11) Authorization to Enter Into Contract for Rath Building - ErieNet POP Server RM 15th Floor Project

Item 27 – (COMM. 14E-12) EC Medical Examiner's Office Renovations - Phase 7

Item 28 – (COMM. 14E-13) 2021-2022 Large Culvert & Pedestrian Bridge Condition Inspections - Extension to 2023-2024

Item 29 – (COMM. 14E-14) Cultural Capital Grant Program - Authorization to Enter Into a Contract with Hispanic Heritage Council of WNY

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

Item 30 – (COMM. 14E-15) Authorization to Enter Into Contracts for Holistic Mental Health Interventions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 31 – (COMM. 14E-16) 2022 Storm Damage Restoration - Various Towns

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 32 – (COMM. 14E-17) 608 William Lease for Endeavor Health Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 33 – (COMM. 14E-18) Authorization to Submit Agricultural & Farmland Protection Planning Grant Application & Provide Matching Funds

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 34 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 105

RE: Watershed Regulation Review Grant
Contract & Monsanto Settlement
Funding
(COMM. 14E-19)

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in addressing water quality issues throughout the region for decades and continues to lead and manage many initiatives, including the Lake Erie Watershed Protection Alliance, that protect and preserve our natural water resources; and

WHEREAS, New York State Department of Environmental Conservation (NYSDEC) has awarded funding to Cornell University for the purpose of administering a competitive mini-grants program entitled the NY Great Lakes Basin Small Grants Program; and

WHEREAS, Erie County on behalf of the Lake Erie Watershed Protection Alliance was awarded a NY Great Lakes Basin Small Grants Program grant for \$49,982, to review local laws and regulations for municipalities in the Niagara River/Lake Erie Watershed; and

WHEREAS, Erie County has also received funding in the amount of \$27,414.03 from the Monsanto Class Action Settlement for the purpose of polychlorinated biphenyls (PCB) monitoring, and which will be used to perform a PCB monitoring and remediation project implementation gap analysis; and

WHEREAS, to proceed with the project it is necessary for Erie County to execute an agreement with Cornell University, amend an existing grant budget; create a new Intern (Seasonal) position in DEP, and direct the Monsanto Class Action Settlement funding to the grant budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$27,414.03 and any future payments from the Monsanto Class Action Settlement on behalf of the DEP for PCB contamination analysis and PCB contamination mitigation activities; and be it further

RESOLVED, that authorization is hereby given the increase of \$27,414.03 in budgeted revenue in the County-wide Budget Account – 415360 Legal Settlements Aid (Fund 110, Funds Center 14010) and increase appropriations in the Environment and Planning’s 2023 General Fund Budget (Fund 110, Funds Center 16200) as follows:

County-Wide Budget Accounts
Fund 110, Funds Center 14010

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
415360	Legal Settlements	<u>\$27,414</u>
	TOTAL	<u>\$27,414</u>

Department of Environment and Planning
Fund 110, Funds Center 16200

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
559000	County Share – Grants	<u>\$27,414</u>
	TOTAL	<u>\$27,414</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into a contract with the NYSDEC – NY Great Lakes Basin Small Grants Program, to accept State Aid of \$49,982 and amend the 162RNRLEWMP2025 grant budget as follows:

Department of Environment and Planning
Regional Niagara River Lake Erie Watershed Management Phase 3
162RNRLEWMP2025
October 1, 2020 - September 31, 2025

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
409010	State Aid – Other	\$49,982
479000	County Share Contributions	27,414
	TOTAL	<u>\$77,396</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>CHANGE</u>
500000	Full Time – Salaries	\$31,536
500030	Seasonal – Wages	26,000
502000	Fringe Benefits	19,860
	TOTAL	<u>\$77,396</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into contract with Cornell University for the Lake Erie Watershed Regulation Review project in an amount not to exceed \$49,982; and be it further

RESOLVED, that authorization is hereby given to create that one Intern Seasonal (JG-01) B-100 #13703 with an effective date of July 29, 2023; and be it further

RESOLVED, that authorization is hereby given to the County Executive to amend contracts as necessary to implement any no-cost extensions that may be permitted by the grantor; and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to implement any budget adjustments as required to comply with the grantor funding requirements provided there are no changes to authorized personnel levels or county share amounts; and be it further

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

Item 35 – (COMM. 14E-20) SUNY ECC North Campus Sports Playing Fields - Term Agreement

Item 36 – (COMM. 14E-21) Buffalo & EC Central Library Electrical Switchgear Replacement

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

Item 37 – (COMM. 14E-22) Teamsters Local 264, 2024-2026 Collective Bargaining Agreement

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 38 – (COMM. 14E-23) Indigent Legal Services Grant - 2nd Upstate Family Defense (Child Welfare) Quality Improvement & Caseload Reduction

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 39 – (COMM. 14E-24) Authorization to Re-Appropriate ARPA Funding for Affordable Housing Development

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 40 – (COMM. 14E-25) Authorization to Contract with EC Soil & Water Conservation District for Admin. of the Nov. 2022 Storm Lake Effect Storm Damage Fund Program

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 41 – (COMM. 14E-26) Indigent Legal Services Grant - Counsel at First Appearance #4

Item 42 – (COMM. 14E-27) Indigent Legal Services Grant - 3rd Upstate Quality Improvement & Caseload Reduction

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 43 – (COMM. 14E-28) EC Comptroller's Office - Audit of the County Clerk's Office, Registrar Division Operating Budget Revenues 1/1/2022-12/31/2022

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 44 – (COMM. 14D-1) Filing for Local Law No. 5-1-2023 - A Local Law in relation to Ensuring that Service-Disabled Veterans have Greater Participation in Erie County Contracts

Received and filed.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 45 – (COMM. 14D-2) 2023 Mid-Year Budget Hearings Data

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYS AGRICULTURE & MARKETS

Item 46 – (COMM. 14M-1) EC Agricultural District No. C8 - Eight-Year Review Notice

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ANNOUNCEMENTS

Item 47 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, July 13, 2023, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, July 20, 2023.

Finally, Chair Baskin announced that the Legislature will conduct Mid-Year Budget Hearings, on Tuesday, July 11, 2023, and Wednesday, July 12, 2023, with separate hearings for the County Comptroller on Thursday, July 13, 2023, and the County Clerk hearing will be held on Thursday, July 20, 2023.

MEMORIAL RESOLUTIONS

Item 48 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Bernard J. Fronczak, and Steve H.J. Hunter III.

Item 49 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of William J. Costello Jr.

ADJOURNMENT

Item 50 – At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. MEYERS moved that the Legislature adjourn until Thursday, July 20, 2023 at 12:00 Noon. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, July 20, 2023 at 12:00 Noon.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE