THE ERIE COUNTY LEGISLATURE

Session No. 15
JULY 20, 2023

April N.M. Baskin
Chair

Timothy J. Meyers
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION - Ms. Vinal

PLEDGE OF ALLEGIANCE - Mr. Todaro

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING - Meeting No. 14

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

JOHNSON & BASKIN	Acknowledging and Honoring National Buffalo Soldiers Day
JOHNSON	In Remembrance of Maggie Clark
BASKIN	Acknowledging and Honoring 716 Day
KOOSHOIAN	Recognizing Isabelle Pezdek -- All Western New York First Team Selection -- Girls Softball, Grand Island High School
VINAL	Recognizing Gia Gangi - All Western New York First Team Selection - Girls Softball, Williamsville South
GILMOUR	Recognizing Jillian Locher - All Western New York First Team Selection - Girls Softball, Frontier High School
VINAL	Acknowledging Geoffrey Brown - Celebrating His 106th Birthday
KOOSHOIAN	Honoring Parkinson's Boxing for the Amherst Chamber of Commerce's Key Bank Sponsor Award
MINORITY CAUCUS	Recognizing Kenneth H. Stone on His Retirement from the Erie County Library System

MINORITY CAUCUS	Proclaiming August 6-12, 2023 as Farmers Market Week in Erie County
MILLS	Recognizing National Fishing Month in Erie County
MILLS	Proclaiming July 27, 2023 as Thomas Flyer Day in Erie County
MILLS	Honoring Sully O'Brien as the 2023 All-Bee Lacrosse Player of the Year
MILLS	Recognizing FeedMore WNY on National Food Bank Day in Erie County
MILLS	Recognizing August 8, 2023 as National Pickleball Day
MALCZEWSKI	Recognizing the Marilla Fire Company on Its 100th Anniversary
MALCZEWSKI	Recognizing Barn Dog Craft Distilling on National Rum Day
MALCZEWSKI	Celebrating the Grand Opening of 49 Coffee House & Market
GREENE	Recognizing Public Safety Dispatcher William Richter as Recipient of the 2023 Support Services Award
GREENE	Recognizing Public Safety Dispatcher Corrine Yard as Recipient of the 2023 Support Services Award
GREENE	Recognizing the Clarence Community Food Pantry on National Food Bank Day
GREENE	Recognizing Public Safety Dispatcher Molly Rosowski as Recipient of the 2023 Support Services Award
GREENE	Recognizing Public Safety Dispatcher Elizabeth Henry as Recipient of the 2023 Support Services Award
GREENE	Recognizing Carmine Tiso on National Pickleball Day
TODARO	Proclaiming August 31, 2023 as International Overdose Awareness Day in Erie County

TODARO	Celebrating the Grand Opening of Mary Alice Ubal Insurance Agency Inc.
TODARO	Proclaiming August 7, 2023 as Purple Heart Day in Erie County
TODARO	Honoring Walczak's Auto Service as 2023 Depew Founder's Day Outstanding Business
TODARO	Recognizing William Cansdale for His Service to the Town of Lancaster

LOCAL LAWS:

LL INTRO. 1-1 (2022)	TODARO, GREENE, LORIGO & MILLS	A Local Law Authorizing Twelve and Thirteen-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of a Licensed Adult	Energy & Environment
LL INTRO. 3-1 (2022)	BASKIN, MEYERS, JOHNSON, VINAL & GILMOUR	The Erie County Language Access Act	Health & Human Services
LL INTRO. 3-1 (2023)	JOHNSON	The Occupancy Tax Modernization Act	Finance & Management
LL INTRO. 6-1 (2023)	BARGNESI, MEYERS, GILMOUR & KOOSHOIAN	A Local Law Providing for the Extended Lease of Real Property Located at 13 Centre Drive, Orchard Park, NY, 14127	Public Safety
LL INTRO. 3-2	JOHNSON	The Occupancy Tax Modernization Act	

COMMITTEE REPORTS:

REPORT No. 11	PUBLIC SAFETY COMMITTEE
REPORT No. 11	ECONOMIC DEVELOPMENT COMMITTEE
REPORT No. 9	ENERGY & ENVIRONMENT COMMITTEE
REPORT No. 7	FINANCE & MANAGEMENT COMMITTEE
REPORT No. 8	HEALTH & HUMAN SERVICES COMMITTEE

LEGISLATOR RESOLUTIONS:

INTRO. 15-1	BASKIN	New Buffalo Bills Stadium Project MWBE Local Outreach & Recruitment Analysis	
INTRO. 15-2	TODARO	Calling for the Comptroller to Examine Hotel Occupancy Tax for Certain Hotels	

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

COMM. 7E-24	From the Energy & Environment Committee	From the County Executive - ECSD No. 3 - Proposed Increase and Improvement of Facilities (2022) ****Proposed Amendment to COMM. 7E-24 (2023)	
INTRO. 12-2	From the Economic Development Committee	From Legislator Malczewski - Calling for the Department of Public Works -- Division of Highways to Provide a Preventative Maintenance Plan to the Legislature ****Proposed Amendment to INTRO. 12-2 (2023)	

SUSPENSION OF THE RULES:

COMM. 15E-35	CLERK	Letter to State Comptroller - Audit Request of EC Comptroller & EC Clerk	

COMMUNICATIONS FROM ELECTED OFFICIALS:

COMM. 15E-1	COMPTROLLER	Notification of Forthcoming 2023 Bond Sale	R&F
COMM. 15E-2	COMPTROLLER	Department of Law Risk Retention Fund Spending - March, April & May 2023	Finance & Management
COMM. 15E-3	CLERK	ZOMBIE Initiative - 6 Month Report	Government Affairs
COMM. 15E-4	COMPTROLLER	Continued Imposition of Additional 1% & Additional 0.75% Sales & Compensating Use Tax for Period Ending November 30, 2025	Immediate Consideration Requested

COMM. 15E-5	COUNTY EXECUTIVE	Trailblazing Women Monument Projects - Contract for Site Preparation	Immediate Consideration Requested
COMM. 15E-6	COUNTY EXECUTIVE	Authorization to Contract with a Part-Time Firearms Examiner	Immediate Consideration Requested
COMM. 15E-7	COUNTY EXECUTIVE	Authorization to Enter Intro Contract for Training Services & Learning Management System Contract	Immediate Consideration Requested
COMM. 15E-8	COUNTY EXECUTIVE	Authorization of Request for Approval of SUNY Erie Community College Workforce Development Training Provider	Immediate Consideration Requested
COMM. 15E-9	COUNTY EXECUTIVE	Authorization to Enter Intro Inter-Municipal Agreements to Implement the Municipal Planning Grant Program	Immediate Consideration Requested
COMM. 15E-10	COUNTY EXECUTIVE	Grover Cleveland Golf Course Concessionaire Contract Amendment	Immediate Consideration Requested
COMM. 15E-11	COUNTY EXECUTIVE	Authorization to Accept Unified Court System Reimbursement for Court Cleaning & Minor Repair	Immediate Consideration Requested
COMM. 15E-12	COUNTY EXECUTIVE	Imposition of a Sales Tax Exemption on Residential Energy Sources	Immediate Consideration Requested
COMM. 15E-13	COUNTY EXECUTIVE	Public Auction of Surplus County Owned Parcels	Immediate Consideration Requested
COMM. 15E-14	COUNTY EXECUTIVE	Authorization to Enter Intro Agreement(s) for Online Auctioneer Services	Immediate Consideration Requested
COMM. 15E-15	COUNTY EXECUTIVE	Appointment to the EC Health Equity Advisory Board	Immediate Consideration Requested
COMM. 15E-16	COUNTY EXECUTIVE	Appointment to the EC Health Equity Advisory Board	Immediate Consideration Requested
COMM. 15E-17	COUNTY EXECUTIVE	Appointment to the EC Health Equity Advisory Board	Immediate Consideration Requested
COMM. 15E-18	COUNTY EXECUTIVE	Authorization to Extend Contract Periods to Current Grants	Immediate Consideration Requested

COMM. 15E-19	COUNTY EXECUTIVE	Rath Building - ErieNet POP Server Rm. 15th Floor - Mechanical & Electrical Contracts	Immediate Consideration Requested
COMM. 15E-20	COUNTY EXECUTIVE	Reconstruction of Colvin Ave. & Eggert Rd. at NYS 290 & Twin Cities Highway - Contract Amendment for Engineering Design Services	Immediate Consideration Requested
COMM. 15E-21	COUNTY EXECUTIVE	ECSD No. 8 - East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements, Contract No. 21-A	Immediate Consideration Requested
COMM. 15E-22	COUNTY EXECUTIVE	ECSD No. 8 - East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements, Contract No. 21-C	Immediate Consideration Requested
COMM. 15E-23	COUNTY EXECUTIVE	ECSD No. 3 - Southtowns Advanced Wastewater Treatment Facility (AWTF) - Clarifier No. 1 Concrete Repair Project, Contract No. 77	Immediate Consideration Requested
COMM. 15E-24	COUNTY EXECUTIVE	ECSD No. 8 - East Aurora Water Resource Recovery Facility (WRRF) - Driveway Installation Project, Contract No. 2	Immediate Consideration Requested
COMM. 15E-25	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - Board of Managers Resolutions	R&F
COMM. 15E-26	COUNTY EXECUTIVE	ECSD No. 3 - Engineering Term Contract Agreement	R&F
COMM. 15E-27	COUNTY EXECUTIVE	ECSD No. 4 - Warner Rd. & Bowmansville Pump Stations Valve Installations	R&F
COMM. 15E-28	COUNTY EXECUTIVE	ECSD No. 4 - Engineering Term Contract Agreement	R&F
COMM. 15E-29	COUNTY EXECUTIVE	Notification to the Legislature on the Appointment of Commissioner of Probation	Immediate Consideration Requested
COMM. 15E-30	MILLS	Minority Leader's Recommended Appointment to the Corrections Specialist Advisory Board	Immediate Consideration Requested
COMM. 15E-31	GREENE	Abstention on COMM. 13E-6 (2023)	RFP

COMM. 15E-32	GREENE	Abstention on COMM. 14E-27 (2023)	RFP
COMM. 15E-33	CLERK	EC Comptroller's Office Audit of the County Clerk's Office, Registrar Division	Finance & Management
COMM. 15E-34	CLERK	Amended Resolution to Authorize Entry Into Lease with Bella Vista Group for Cheektowaga Satellite Auto Bureau Office	Immediate Consideration Requested

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 15D-1	DIRECTOR OF BUDGET & MANAGEMENT	July Capital Projects Update	Finance & Management
COMM. 15D-2	DIRECTOR OF BUDGET & MANAGEMENT	Budget Monitoring Report for Period Ending May 2023	Finance & Management

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

COMM. 15M-1	ASSIGNED COUNSEL PROGRAM	Quarterly Report of the Assigned Counsel Program - 2nd Quarter of 2023	Government Affairs
COMM. 15M-2	ASSIGNED COUNSEL PROGRAM	Reports Designated by Resolution 233 of May 6, 1975	Government Affairs
COMM. 15M-3	TOWN OF LOCKPORT	Public Hearing Notice Concerning Zoning Code - Solar Energy Systems	R&F
COMM. 15M-4	ASSEMBLYMAN GOODELL	Acknowledgment of Receipt of Certified Resolution	R&F
COMM. 15M-5	GREG RAMSDELL	Email Request to Serve on Advisor Board	Public Safety
COMM. 15M-6	PARTNERSHIP FOR THE PUBLIC GOOD	Letter Concerning LL INTRO. 3-2	Finance & Management

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT
MINUTES OF PREVIOUS MEETING - Meeting No. 14

Attachments

Meeting No. 14 Minutes

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

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	Tom Partridge	Jack Chiappone
16 Samantha Court	4999 Tim Tam Trail	4421 Richwood Drive
West Seneca, NY 14224	Blasdell, NY 14219	Hamburg, NY 14075
New Appointment	New Appointment	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

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

Account Appropriations	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	$3,192
	$1,125,469

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

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

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

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	(15,000.00)
	TOTAL	$(147,000.00)

APPROPRIATIONS

	Capital Project Expense	$(147,000.00)

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

	CONSULTANT TEAMS			
Names of consultants:	**Aria Strategies**	**Fourth Economy**	**AEA Consulting**	**SAIRA consulting**
REVIEWERS	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
A.21108 – 2021 Erie County Medical Examiners Toxicology/Pathology Phase 7	$15,138.48
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:

General Construction Work		
Rodriguez Construction Group	Base Bid:	$1,708,000
Electrical Construction Work		
CIR Electrical Construction Corp.	Base Bid:	$ 269,680
Mechanical Construction Work		
John W Danforth Co.	Base Bid	$ 498,000
Plumbing Construction Work		
MKS Plumbing Corp.	Base Bid	$ 122,122
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
Sewer Operating Fund 220	$ 75,000.00
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

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

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

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	Charles Syms
Erie County Department of Homeland Security and Emergency Services	University at Buffalo School of Social Work
45 Elm Street	685 Baldy Hall
Buffalo, NY 14203	Buffalo, NY 14260
New Appointment	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

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

ACCOUNT	REVENUE	CHANGE
415360	Legal Settlements	$27,414
	TOTAL	$27,414

Department of Environment and Planning
Fund 110, Funds Center 16200

ACCOUNT	APPROPRIATION	CHANGE
559000	County Share – Grants	$27,414
	TOTAL	$27,414

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

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

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

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

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

JOHNSON & BASKIN	Acknowledging and Honoring National Buffalo Soldiers Day

Attachments

BUFFALO SOLDIERS

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

EC LEG JUL 10 '23 PM5:14

BUFFALO, NY, JULY 28, 2023

Acknowledging and Honoring National Buffalo Soldiers Day

WHEREAS, July 28th is National Buffalo Soldiers Day, the holiday celebrating the contributions of the earliest African-American troops in the United States military; and

WHEREAS, in 1866, Congress passed legislation known as the Army Organization Act, which formalized the creation of six all-Black U.S. Cavalry and infantry units; and

WHEREAS, the military allowed Black people to serve in a segregated military that was far from equal, as they were given low-quality and insufficient amounts of supplies; and

WHEREAS, during the Indian Wars of the late 19th Century, fourteen members of the Buffalo Soldiers were awarded the Medal of Honor; and

WHEREAS, their achievements in the face of adversity not only helped to open doors for younger Black Americans, in the military and in society as a whole, but also set a timeless example for all those who wear our Nation's uniform; and

WHEREAS, this Honorable Body will forever remember and respect the Buffalo Soldiers as valiant and brave men who we honor today as inspiring historical figures.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses our gratitude, sincere and recognize more than 180,000 Black Americans who fought to preserve the Union during the Civil War; and be it further;

RESOLVED, that the Erie County Legislature hereby recognizes National Buffalo Soldiers Day and sends much love and support to all programs and activities in honor of the Black Americans who served our Nation as members of the 9th and 10th Cavalry regiments.

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

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

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

JOHNSON	In Remembrance of Maggie Clark

Attachments

MAGGIE CLARK

EC LEG JUL 17 '23 AM11:28

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JULY 17, 2023

In Remembrance of Maggie Clark

WHEREAS, Almighty God, in His infinite wisdom, on July 9th, 2023, removed from our midst ***Maggie Clark*** in whose death we have lost a loving wife mother, aunt, grandmother, great-grandmother, sister, valued and respected citizen, and whose family has lost a leader, kind and devoted member; and

WHEREAS, ***Maggie Clark*** was born Maggie N Mays March 5, 1947, in Brunswick, Georgia to the late Bishop Jacob C. Mays Sr. and the late Alma Williams Mays; and

WHEREAS, she received her Christian upbringing as a member of her father's church, Sought Out COGIC; and

WHEREAS, at a young age she re-located to Buffalo, NY and attended school at Woodlawn Jr. High and Fosdick Masten (Girls); and

WHEREAS, Maggie or as most people know her as "Cookie", she was known as a devoted wife, mother, daughter, sister, NaNa, aunt, and Friend that could never ever be replaced; and

WHEREAS, Cookie was an outstanding citizen, neighbor, and church member in the Buffalo Community for well over 60 years; and

WHEREAS, in addtion, Maggie was a cosmetologist (former co-owner of Classic Beauty Salon), and a real estate investor; and

WHEREAS, Sister Cookie was a faithful member of State Tabernacle COGIC and bestowed unconditional love towards her church family, especially her pastor, Pastor Bell; and

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

WHEREAS, Maggies beautiful life will forever be cherished in the lives of her devoted, husband Earnest Clark Sr. of Atlanta, GA; two daughters: Ruenella Clark of Atlanta, GA and Kasinda O Clark of Buffalo, NY; two sons: Rayford Pearson Jr. (Linda) and Earnest Clark Jr, both of Buffalo, NY; seven grandchildren: Vandiaa Pearson, Quian Harris (Ka-Quain), Dalton Sharp, Kalik Harris, Raven Pearson, Rayya Pearson, Rayna Pearson, J'Mere Ridgeway, Jahyden Clark, and E 'Janna Clark, all of Buffalo, NY; six Great-Grandchildren: Ka'Myah, Kameron, Khalil, Ka' Mari, Autumn and our 'Little One' on the way all of Buffalo, NY and four brothers: Jacob Mays, Jr (Laura) of Buffalo, NY; James Mays (Hazel) of Brunswick; and

WHEREAS, after 76 fruitful and joyous years on this Earth, Maggie now rests peacefully her parents: Bishop Jacob C. Mays, Sr., and Alma Mays; Sisters: Marilyn Peacock and Ruby Cyiark. Brothers: Thomas Mays, David Mays, Samuel Mays, and William Mays; and

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

NOW, THEREFORE, BE IT

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

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

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

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

BASKIN	Acknowledging and Honoring 716 Day

Attachments

716 DAY

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, NY, JULY 16, 2023

EC LEG JUL 13 '23 PM1:06

Acknowledging and Honoring 716 Day

WHEREAS, 716 Day, a day which means the City of Good Neighbors, celebrating all things Buffalo; and

WHEREAS, 716 Day is a celebration of the achievements of artists, producers, engineers and videographers in Erie County that inspires greatness amongst our communities; and

WHEREAS, throughout our community, music continues to show its presence by way of local musical talent and professional influences, who have shown their dynamic worth of such recognition and praise today; and

WHEREAS, the 716 Day committee brings together the communities of Buffalo, Niagara Falls, and Lackawanna encouraging the residents in each respected city to go out and experience all that the 716 has to offer; and

WHEREAS, the 716 Day Committee's annual fundraiser - The 716 Mixtape consists of Hip-Hop artists from different generations and genres; and

WHEREAS, the 716 Mixtape is considered the soundtrack to the region and is shared with music directors at radio stations around the world; and

WHEREAS, the 716 Music Awards, brought to you by DNA Events and LitCity Buffalo is taking place at the Niagara Seneca Casino in celebrating of Hip-Hop artists' from the 716; and

WHEREAS, the 716 Spirit Sports awards by The Sports Commission gives a special recognition to professional athletes who have represented the city of Buffalo in a truly special way; and

WHEREAS, this year's awardees are Dion Dawkins of the Buffalo Bills, Kyle Okposo of the Buffalo Sabres, Dhane Smith of the Buffalo Bandits, Jessica Pegula - professional tennis player, and Davis Schneider of the Buffalo Bisons; and

WHEREAS, today, we also honor and remember the victims of the Tops Massacre: Celestine Chaney, Roberta A. Drury, Andre Mackniel, Katherine Massey, Margus D. Morrison, Heyward Patterson, Aaron Salter Jr., Geraldine Talley, Ruth Whitfield and Pearl Young; and

WHEREAS, today, this Honorable Body would like to acknowledge and celebrate 716 Day and recognize all local talent including singers, producers, engineers, and those individuals who paved the way for today's nominees.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize 716 Day and extend a well-deserved applause to those who contributed their time to provide our community with an exceptional event to lift up our local talent; and be it further

RESOLVED, the Erie County Legislature gives its best wishes to all nominees and congratulate them on today's recognition.

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

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

KOOSHOIAN	Recognizing Isabelle Pezdek -- All Western New York First Team Selection -- Girls Softball, Grand Island High School

Attachments

Isabelle Pezdek

Legislative Proclamation Submitted

By Legislator Kooshoian

EC LEG JUL 18 '23 AM 9:59

Re: Acknowledging Isabelle Pezdek
Selected to the All WNY Softball First Team
Grand Island High School

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
VINAL	Recognizing Gia Gangi - All Western New York First Team Selection - Girls Softball, Williamsville South

Attachments

Gia Gangi

Legislative Proclamation Submitted

EC LEG JUL 18 '23 AM 9:59

By Legislator Vinal

Re: Acknowledging Gia Gangi
Selected to the All WNY Softball First Team
Williamsville South High School

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

GILMOUR	Recognizing Jillian Locher - All Western New York First Team Selection - Girls Softball, Frontier High School

Attachments

Jillian Locher

Legislative Proclamation Submitted

EC LEG JUL 18 '23 AM 9:59

By Legislator Gilmour

Re: Acknowledging Jillian Locher
Selected to the All WNY Softball First Team
Frontier South High School

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
VINAL	Acknowledging Geoffrey Brown - Celebrating His 106th Birthday

Attachments

Geoffrey Brown

Legislative Proclamation Submitted EC LEG JUL 18 '23 AM 9:58

By Legislator Vinal

Re: Acknowledging Geoffrey Brown – Celebrating his 106th Birthday

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
KOOSHOIAN	Honoring Parkinson's Boxing for the Amherst Chamber of Commerce's Key Bank Sponsor Award

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
MINORITY CAUCUS	Recognizing Kenneth H. Stone on His Retirement from the Erie County Library System

Attachments

Kenneth H. Stone

EC LEG JUL 18 '23 AM 9:19

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Kenneth H. Stone on His Retirement From the Erie County Library System

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

WHEREAS, **Kenneth H. Stone** has dedicated twenty-seven years of exceptional service to Erie County as the Chief Financial Officer for the Erie County Library; and

WHEREAS, **Kenneth H. Stone** has been an esteemed member of the faculty at Buffalo State University, imparting his extensive knowledge and experience to students in the field of Public Budgeting through PAD 601; and

WHEREAS, **Kenneth H. Stone** has demonstrated a deep commitment to government finance for over three decades, starting his career as an Evaluator for the U.S. General Accounting Office and progressing to influential positions within City and County governments, including the roles of Program Development and Audit Manager for the City of Anaheim, California, and Budget Director for the City of Spokane, Washington; and

WHEREAS, **Kenneth H. Stone** has showcased exemplary leadership and expertise as the Deputy Director-Chief Financial Officer of the Buffalo and Erie County Public Library System, overseeing the financial operations of a regional library system spanning thirty-seven libraries across one thousand and forty-three square miles, serving the diverse needs of the citizens of Erie County; and

WHEREAS, **Kenneth H. Stone** has earned the admiration and respect of his colleagues for his dedication, collegiality, enthusiasm, professionalism, and hard work and is known to always have a warm and genuine smile on his face, uplifting everyone around him.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Kenneth H. Stone** on his retirement from the Buffalo and Erie County Library System and thank him for his significant professional achievements and contributions to the community.

IN WITNESS WHEREOF,
I HAVE HEREUNTO SET MY HAND AND SIGNATURE.

JOHN J. MILLS
Minority Leader of the
Erie County Legislature

FRANK J. TODARO
Erie County Legislator

CHRISTOPHER D. GREENE
Erie County Legislator

JAMES MALCZEWSKI
Erie County Legislator

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
MINORITY CAUCUS	Proclaiming August 6-12, 2023 as Farmers Market Week in Erie County

Attachments

Farmers Market Week

EC LEG JUL 18 '23 AM9:19

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Proclaiming August 6 - 12, 2023 as Farmers Market Week in Erie County

WHEREAS, The Erie County Legislature seeks to recognize and celebrate groups of people and organizations that give back and enhance the quality of life in our communities; and

WHEREAS, farmers markets operate in nearly every community across Erie County and are a valuable source of healthy farm fresh products that are grown and produced by area farmers and artisans; and

WHEREAS, **National Farmers Market Week** was first celebrated twenty-four years ago as a way to highlight the vital role farmers markets play in our nation's food system and encourage people to eat healthy locally grown produce; and

WHEREAS, farmers markets are major contributors to the continued growth in demand for organic and preservative-free food; and

WHEREAS, in addition to offering fresh produce, many farmers markets also provide artisanal baked and canned goods, fresh meat, and coffee; and

WHEREAS, Erie County offers a "produce locator" through its Erie Grown program, where residents can find area farmers markets, fresh produce stands, and u-pick opportunities to enjoy home-grown food that is healthy and delicious.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to proclaim **August 6 - 12, 2023, as Farmers Market Week in Erie County** and encourage residents to visit their local market.

IN WITNESS WHEREOF,
I HAVE HEREUNTO SET MY HAND AND SIGNATURE.

JOHN J. MILLS
Minority Leader of the
Erie County Legislature

FRANK J. TODARO
Erie County Legislator

CHRISTOPHER D. GREENE
Erie County Legislator

JAMES MALCZEWSKI
Erie County Legislator

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

MILLS	Recognizing National Fishing Month in Erie County

Attachments

National Fishing Month

EC LEG JUL 18 '23 AM 9:19

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing National Fishing Month in Erie County

WHEREAS, the Erie County Legislature wishes to recognize important days, weeks, and months throughout the year which are meant to raise awareness of unique causes and to encourage greater education and participation in certain ventures; and

WHEREAS, the month of August is recognized as **National Fishing Month** across the United States and is a time to acknowledge the joys of fishing and encourage new people to participate and learn about fishing; and

WHEREAS, whether it is our proximity to the Great Lakes, the many streams and creeks that flow through our towns and villages, Erie County is home to some of the best freshwater fishing in the world; and

WHEREAS, Outdoor Life, a prominent outdoor magazine, once noted that, "Few places in America measure up to the waters around Buffalo for variety and quality of fishing. Within a few minute's drive of the bustling downtown, fishermen can work the sprawling Lake Erie waterfront for smallmouth bass and walleyes; fish in the picturesque Niagara River for smallies, walleyes, trout, and salmon; or tap nearby Lake Ontario for the same species. The proximity of these three diverse waterways affords Buffalo-area anglers the opportunity to catch fish in virtually any weather 12 months of the year."; and

WHEREAS, the **Southtowns Walleye Association** is commended for its dedication to furthering the sport of fishing on all bodies of water, emphasizing community engagement; and

WHEREAS, the **Southtowns Walleye Association** is committed to preserving our natural resources for present and future generations.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **National Fishing Month in Erie County** and to thank the **Southtowns Walleye Association** for encouraging residents to get outdoors and explore our amazing waterways.

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

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
MILLS	Proclaiming July 27, 2023 as Thomas Flyer Day in Erie County

Attachments

Thomas Flyer Day

EC LEG JUL 18 '23 AM 9:19

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Proclaiming July 27, 2023, as Thomas Flyer Day in Erie County

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

WHEREAS, the Buffalo Transportation Pierce Arrow Museum proudly announces the opening of the Thomas Flyer Exhibit, dedicated to the legendary 1907 Thomas Flyer automobile; and

WHEREAS, this remarkable vehicle, winner of the prestigious **1908 New York to Paris "Great Race**," has returned to its hometown after one hundred and fifteen years on loan from the National Automobile Museum in Reno, Nevada; and

WHEREAS, the Thomas Flyer has been meticulously restored to its original condition as it appeared at the end of the epic race, showcasing the triumphs of American automotive engineering and perseverance; and

WHEREAS, we honor the memory of **George Schuster**, a Buffalo-born, Springville resident, who fearlessly drove the Thomas Flyer, leading the American team to a resounding victory, traversing over three continents and twenty-two thousand miles in one hundred sixty-nine days; and

WHEREAS, the American team's triumph in the race, winning by a remarkable margin of twenty-six days over their German and Italian competitors, stands as a testament to our great nation's indomitable spirit and ingenuity.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize the life of **George Schuster**, the courageous driver of the 1907 Thomas Flyer, and celebrate the one-hundred-fifteenth anniversary of the American team's victory by proclaiming **July 27, 2023, as Thomas Flyer Day in Erie County**.

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

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
MILLS	Honoring Sully O'Brien as the 2023 All-Bee Lacrosse Player of the Year

Attachments

Sully Oâ€™Brien

EC LEG JUL 14 '23 PM4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Rath Building – ErieNet POP Server Rm 15th Floor - Mechanical and Electrical Contracts

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into a contract with the lowest responsible bidders for the Mechanical and Electrical Contracts related to the Rath Building – ErieNet POP Server Rm 15th Floor Project. Bid openings were previously held by the Department of Public Works on June 20, 2023, and July 5, 2023. Only General Construction Bids were received on June 20, 2023. No Electrical or Mechanical bids were received for either bid opening date.

In accordance with General Municipal Law 103, the Department of Public Works plans to receive bids for Mechanical and Electrical portions of work related to the above-referenced project during the Legislative summer recess. To not delay the project further during the short construction season and to meet the deadline of the ErieNet initiative, the Department of Public Works looks for authorization to move forward on the project before your Honorable Body adjourns for recess.

DPW is requesting authorization for the County Executive to award a contract to the lowest responsible bidders in an amount not to exceed $1,500,000. The department will notify your Honorable Body (for information only) which contractor was awarded the contract.

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary, Jr., at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

Cc: William E. Geary, Jr., Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Rath Building – ErieNet POP Server Rm 15th Floor – Mechanical and Electrical Contracts
Date: July 14, 2023

SUMMARY

The Department of Public Works (DPW) is seeking authorization for the County Executive to enter into contract with the lowest responsible bidders for the Mechanical and Electrical Contracts related to the Rath Building – ErieNet POP Server Rm 15th Floor Renovation Project, located at Erie County Rath Building.

General Construction bids were received by the Department of Public Works on June 20, 2023 and were previously uploaded for approval under a separate resolution on June 23, 2023. Electrical and Mechanical bid openings were on June 20, 2023 and July 5, 2023 and no bids on either contract were received. In conformance with General Municipal Law (GML) 103, the Department of Public Works (DPW) along with our consultants, will solicit bids from mechanical and electrical contractors as allowed under GML 103 since these contracts were publicly bid twice previously with no proposals received.

This project is a partial renovation to the 15th Floor in the Rath Building to house a dedicated server room to support the ErieNet Project. Project scope includes renovations and installation of necessary infrastructure as necessary, to house the servers related to the Point of Presence (POP) Server Room on the 15th floor.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved Capital Budget, Funds Center 122, Fund 410, as follows:

A.21105 - DPW (B&G) – Preservation of County Buildings and Facilities	$ 200,000
A.23002 – DPW (B&G) – Mechanical, Electrical, Plumbing, and Misc Imp	$ 550,000
A.23072– DPW Rath Improvements	$ 750,000
TOTAL	$ 1,500,000

REASON FOR RECOMMENDATION

This project is necessary to facilitate the creating of a new Point of Presence (POP) Server room on the 15th floor of the Rath building to house the servers for ErieNet. The Department of Public Works plans to receive bids for Mechanical and Electrical portion of work related to the above-referenced project during the Legislative summer recess. It is necessary that this approval be granted so that a contract can be awarded immediately after receiving bids to not further delay the project during the short construction season.

BACKGROUND INFORMATION

DISS (Department of Information and Support Services) requires a Point of Presence (POP) server room to be installed on the 15th floor of the Rath Building for the ErieNet initiative. Asbestos containing materials are being abated as part of a separate contract and the General Construction Contract resolution was uploaded separately.

CONSEQUENCES OF NEGATIVE ACTION

If this renovation project is not completed, it would prevent the server room intended for the Point of Presence server room required for ErieNet, from being constructed.

STEPS FOLLOWING APPROVAL

Bids will be received during the Legislative recess, and a contract will immediately be awarded to the lowest responsible bidder, upon legislative approval.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

Timothy C. Callan 7/11/23
Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.21105 - DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities

A.23002 – DPW (Buildings and Grounds) – Mechanical, Electrical, Plumbing, and Miscellaneous Improvements

A.23072– DPW Rath Improvements

Rath Building – ErieNet POP Server Rm 15th Floor

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Rath Building – ErieNet POP Server Rm 15th Floor

WHEREAS, the Department of Information and Support Services (DISS) requires a Point of Presence server room to be installed on the 15th floor of the Erie County Rath Building in preparation of ErieNet; and

WHEREAS, construction for the abatement scope of work related to this Project was previously approved per COMM. 10E-9 (2023); and

WHEREAS, the Rath Building – ErieNet POP Server Rm 15th Floor renovation project includes the required scope of work to house the future Point of Presence to support ErieNet; and

WHEREAS, the County of Erie received General Construction bids for the Project on June 20, 2023, but did not receive any Mechanical or Electrical Construction bids at that time; and

WHEREAS, a resolution was uploaded on June 23, 2023 for approval to award to the lowest responsible bidder on the General Construction Contract; and

WHEREAS, the Electrical and Mechanical Construction portions of work were promptly re-bid, but the County of Erie did not receive any bids on July 5, 2023; and

WHEREAS, in conformance with General Municipal Law (GML) 103, the Department of Public Works is permitted to negotiate directly with contractors to award the work since no bids were received for two consecutive publicly advertised bids for the Electrical and Mechanical Construction scopes of work; and

WHEREAS, the Department of Public Works has already initiated early discussions with contractors per GML 103 as noted above and preliminary estimates for these contracts are $400,000 and $1,100,000 for the Electrical as well as Mechanical contracts respectively; and

WHEREAS, there are no additional resolution upload dates to get approval prior to legislative recess and therefore will not allow for the prompt award of the Mechanical and Electrical contracts to allow the project to proceed in a timely manner; and

WHEREAS, the Department of Public Works and its respective design consultants will review the scope of work for the Electrical and Mechanical scope of work related Rath Building – ErieNet POP Server Rm 15th Floor Project in detail with prospective bidders to ensure all requirements of the projects are met.

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 Electrical and Mechanical contracts related to the Rath Building – ErieNet POP Server Rm 15th Floor Renovation project for an amount not to exceed $1,500,000; and it be further

RESOLVED, that authorization is hereby given for the ErieNet POP Server Room Project Construction Contingency Fund $70,000 previously designated per COMM. 10E-9 (2023) and COMM 14E-11 (2023) be used for all contracts associated with the ErieNet POP Server Room Project and 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 authorization is hereby given for additional monies to be added to the overall Construction Contingency Fund for the Project under the Not To Exceed $1,500,000 requested within this resolution with the exact amount to be determined after final Mechanical and Electrical bid proposals are received; 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 to the Comptroller's Office to make payment from the following capital project in Funds Center 122, Fund 410:

A.21105 - DPW (B&G) – Preservation of County Buildings and Facilities	$ 200,000
A.23002 - DPW (B&G) – Mechanical, Electrical, Plumbing, and Misc Imp	$ 550,000
A.23072 - DPW Rath Improvements	$ 750,000
TOTAL	$ 1,500,000

and be it further

RESLOVED, that authorization is hereby given to the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; 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 Division of Budget and Management.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST

CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT		COMPLETE ITEMS 1 THROUGH 5
1.	CONTRACTOR'S NAME	Lowest Responsible Bidders
2.	AMOUNT OF CONTRACT	Not to exceed $1,500,000
3.	PROJECT NUMBER	A.21105 - $200,000 A.23002 - $550,000 A.23072 - $750,000
4.	PROJECT TITLE	Rath Building – ErieNet POP Server Rm 15th Floor Funding questions: Kristofer Straus #7294
5.	DEPARTMENT CONTACT	Letter pickup: Christy Weber at 8301
COMPTROLLER'S OFFICE		COMPLETE ITEMS 6 AND 7
6.	AVAILABILITY OF FUNDS	A.21105 - $948,448.07 A.23072 - $750,000.00 A.23002 - $1,000,000.00 Total $2,698,448.07
7.	PERFORMED BY	Elizabeth A Hall 7/7/2023

Date sent to Comptroller's Office: July 6, 2023

[55 compt_08]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
MILLS	Recognizing FeedMore WNY on National Food Bank Day in Erie County

Attachments

FeedMore WNY

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing FeedMore WNY on National Food Bank Day in Erie County

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

WHEREAS, the first Friday of September is recognized as **National Food Bank Day** in the United States and is a day to observe the outstanding service that local food banks provide and to recommit to ending hunger across America; and

WHEREAS, St. Mary's Food Bank Alliance, the first organization to operate using the food bank model, was founded by John van Hengel in 1967 as a way to prevent the wastage of groceries through the idea of redistributing unused food to the hungry; and

WHEREAS, in the United States alone, it is estimated that over forty-two million people struggle with food insecurity, and food banks are critical safety nets for these people; and

WHEREAS, the Food Bank of Western New York was founded in 1979 and, in 2019, merged with Meals on Wheels to create FeedMore WNY, and is the region's largest hunger relief organization; and

WHEREAS, in 2020 alone, FeedMore WNY's food bank program distributed more than 17 million pounds of nutritious fresh and shelf-stable foods to nearly 300 pantries, soup kitchens, emergency shelters, and other agencies throughout Erie, Niagara, Cattaraugus, and Chautauqua counties.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **September 1, 2023,** as **National Food Bank Day in Erie County** and recognize the men and women who give back every day to feed their neighbors and tackle hunger in our community.

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

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

MILLS	Recognizing August 8, 2023 as National Pickleball Day

Attachments

National Pickleball Day

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing August 8, 2023 as National Pickleball Day

WHEREAS, the Erie County Legislature wishes to recognize important days, weeks, and months throughout the year which are meant to raise awareness of unique causes and to encourage greater education and participation in certain ventures; and

WHEREAS, ***National Pickleball Day*** was created by Deirdre Morris on August 8, 2021 and is celebrated every year as a way to recognize and spread awareness of pickleball as a fun athletic activity that the whole family can enjoy; and

WHEREAS, Erie County is home to dozens of pickle courts, with many more planned for the future; and

WHEREAS, the game of pickleball was created by Joel Pritchard, Bill Bell, and Barney McCallum on Bainbridge Island, Washington in 1965 with a Wiffle ball and table tennis paddles on a badminton court as a way to alleviate their family's boredom on a Sunday afternoon; and

WHEREAS, as pickleball grew in popularity, Barney McCallum started making paddles specifically designed for the game and, in 1972, founded Pickleball Inc.; and

WHEREAS, the number of people playing pickleball has grown each year and is considered to be one of the fastest-growing sports in the United States, with over 4.8 million players; and

WHEREAS, the **Orchard Park Community Activity Center,** nestled at 4600 California Road, boasts a haven for pickle heads with its exquisitely designed pickleball courts, which have garnered immense popularity among residents and visitors alike; and

WHEREAS, the indoor lighted, hard courts provide an opportunity for pickle enthusiasts to indulge in their passion all year long, regardless of the weather conditions.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize ***National Pickleball Day in Erie County*** and thank the **Orchard Park Community Activity Center** for its efforts to support the sport of pickleball while promoting fitness.

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

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
MALCZEWSKI	Recognizing the Marilla Fire Company on Its 100th Anniversary

Attachments

Marilla Fire Company

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing the Marilla Fire Company on its 100th Anniversary

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

WHEREAS, fire companies are one of the most critical government services which protect our community from tragedy and disaster, whether it be fire, medical emergency, automobile accident, or any other call to duty that arises; and

WHEREAS, on July 17, 1923, a devastating fire engulfed and destroyed the home of Frank Hurley because Marilla lacked the proper resources and equipment to combat such a blaze without assistance from nearby fire companies; and

WHEREAS, following this tragedy, leaders of the town gathered on August 31, 1923, for a meeting to form a town-wide fire company, and on that day, the **Marilla Fire Company** was born; and

WHEREAS, the **Marilla Fire Company** has been an integral part of the Town of Marilla for one hundred years, providing not only high-quality emergency medical and fire services but also educating our community on fire prevention, traffic safety, and countless other services; and

WHEREAS, today, the **Marilla Fire Company** has over fifty members and responds to hundreds of calls every year, led by Chief Brad Wurthner, who is working to continue the excellent services provided to the citizens of Marilla for generations to come.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize the **Marilla Fire Company** for one hundred years of service to the Town of Marilla and to thank all its members, past and present, for their service to our community.

JAMES MALCZEWSKI
Erie County Legislator, 10th District

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

MALCZEWSKI	Recognizing Barn Dog Craft Distilling on National Rum Day

Attachments

Barn Dog Craft Distilling

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Barn Dog Craft Distilling on National Rum Day

WHEREAS, the Erie County Legislature wishes to recognize small businesses as a cornerstone of the Western New York economy and the fabric of our community; and

WHEREAS, on **August 16, 2023,** the nation will celebrate **National Rum Day,** which one-quarter of Americans consider to be their favorite spirit, and over one-third of Americans say is their favorite liquor to enjoy on a beach, with New York being the most rum-loving state in the country according to National Today; and

WHEREAS, Barn Dog Craft Distilling is a family-owned and operated distillery located at 1851 Four Rod Road in Marilla, New York, and is one of the region's premier craft liquor distillers with five signature spirits including their award-winning Black Boot Rum; and

WHEREAS, Barn Dog Craft Distilling has a bar and restaurant where they serve a variety of craft cocktails concocted from their feature rums as well as a gourmet dinner menu that pairs excellently with their handmade spirits; and

WHEREAS, the Gerhardt family, who has owned and operated **Barn Dog Craft Distilling** since 2017, makes a point to give back to the community, donating one dollar from every bottle of liquor sold to local charities.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Barn Dog Craft Distilling** on **National Rum Day**, 2023, and wish them many more years of success.

JAMES MALCZEWSKI
Erie County Legislator

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

MALCZEWSKI	Celebrating the Grand Opening of 49 Coffee House & Market

Attachments

49 Coffee House & Market

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Celebrating the Grand Opening of 49 Coffee House & Market

WHEREAS, the Erie County Legislature wishes to recognize small businesses as a cornerstone of the Western New York economy and the fabric of our community; and

WHEREAS, coffee shops have a unique way of bringing people together, from locals gathering with friends to strangers connecting over a shared love of their favorite brew or baked good, in an atmosphere that promotes community and connection; and

WHEREAS, 49 Coffee House & Eatery currently operates two locations in the Villages of Springville and Arcade, where they serve an expansive variety of coffee, coffee beverages, and teas in addition to their gourmet menu of breakfast items and sandwiches; and

WHEREAS, 49 Coffee House & Market celebrated the Grand Opening of the third location on Tuesday, July 11, 2023, at 17 South Main Street in the beautiful Town of Holland; and

WHEREAS, the new **49 Coffee House & Market** will serve the same high-quality food and beverages, with the same convenient online ordering, pickup options, and fast service but will work with their neighbors Rose Forestry LLC and The Hitching Post Ice Cream to form a collaborative market and create a unique shopping experience that customers are sure to love.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize and celebrate the Grand Opening of **49 Coffee House & Market** in Holland.

HON. JAMES MALCZEWSKI
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
GREENE	Recognizing Public Safety Dispatcher William Richter as Recipient of the 2023 Support Services Award

Attachments

William Richter

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Public Safety Dispatcher William Richter as Recipient of the 2023 Support Services Award

WHEREAS, when an emergency occurs, the prompt response of law enforcement, firefighters, and medical personnel is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone 911; and

WHEREAS, Public Safety Dispatchers are local police, fire, and medical professionals who use public safety telecommunications to respond to emergency calls quickly and are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our police officers and firefighters, monitoring their activities by radio, providing them information, and ensuring their safety so that emergency responders can make critical decisions, obtain information, and quickly dispatch needed aid; and

WHEREAS, each Dispatcher exhibits compassion, understanding, and professionalism during the performance of their job assisting those in need.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize ***William Richter*** and congratulate him on receiving the Amherst Police Department's 2023 Support Services Award.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

GREENE	Recognizing Public Safety Dispatcher Corrine Yard as Recipient of the 2023 Support Services Award

Attachments

Corrine Yard

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Public Safety Dispatcher Corrine Yard as Recipient of the 2023 Support Services Award

WHEREAS, when an emergency occurs, the prompt response of law enforcement, firefighters, and medical personnel is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone 911; and

WHEREAS, Public Safety Dispatchers are local police, fire, and medical professionals who use public safety telecommunications to respond to emergency calls quickly and are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our police officers and firefighters, monitoring their activities by radio, providing them information, and ensuring their safety so that emergency responders can make critical decisions, obtain information, and quickly dispatch needed aid; and

WHEREAS, each Dispatcher exhibits compassion, understanding, and professionalism during the performance of their job assisting those in need.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize ***Corrine Yard*** and congratulate him on receiving the Amherst Police Department's 2023 Support Services Award.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

GREENE	Recognizing the Clarence Community Food Pantry on National Food Bank Day

Attachments

Clarence Community Food Pantry

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing the Clarence Community Food Pantry on National Food Bank Day in Erie County

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

WHEREAS, the first Friday of September is recognized as ***National Food Bank Day*** in the United States and is a day to observe the outstanding service that local food banks provide and to recommit to ending hunger across America; and

WHEREAS, St. Mary's Food Bank Alliance, the first organization to operate using the food bank model, was founded by John van Hengel in 1967 as a way to prevent the wastage of groceries through the idea of redistributing unused food to the hungry; and

WHEREAS, in the United States alone it is estimated that over forty-two million people struggle with food insecurity and food banks are critical safety nets for these people; and

WHEREAS, the ***Clarence Community Food Pantry*** started in 1980 by Nancy May to assist less fortunate local families; and

WHEREAS, located in Clarence Presbyterian Church, the ***Clarence Community Food Pantry*** serves residents of Clarence, Clarence Center, and the Clarence School District.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to proclaim **September 1, 2023** as **National Food Bank Day in Erie County** and recognize the amazing men and women who give back every day to feed their neighbors and tackle hunger in our community.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

GREENE	Recognizing Public Safety Dispatcher Molly Rosowski as Recipient of the 2023 Support Services Award

Attachments

Molly Rosowski

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Public Safety Dispatcher Molly Rosowski as Recipient of the 2023 Support Services Award

WHEREAS, when an emergency occurs, the prompt response of law enforcement, firefighters, and medical personnel is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone 911; and

WHEREAS, Public Safety Dispatchers are local police, fire, and medical professionals who use public safety telecommunications to respond to emergency calls quickly and are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our police officers and firefighters, monitoring their activities by radio, providing them information, and ensuring their safety so that emergency responders can make critical decisions, obtain information, and quickly dispatch needed aid; and

WHEREAS, each Dispatcher exhibits compassion, understanding, and professionalism during the performance of their job assisting those in need.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize ***Molly Rosowski*** and congratulate him on receiving the Amherst Police Department's 2023 Support Services Award.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

GREENE	Recognizing Public Safety Dispatcher Elizabeth Henry as Recipient of the 2023 Support Services Award

Attachments

Elizabeth Henry

EC LEG JUL 18 '23 AM 9:18

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Public Safety Dispatcher Elizabeth Henry as Recipient of the 2023 Support Services Award

WHEREAS, when an emergency occurs, the prompt response of law enforcement, firefighters, and medical personnel is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone 911; and

WHEREAS, Public Safety Dispatchers are local police, fire, and medical professionals who use public safety telecommunications to respond to emergency calls quickly and are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our police officers and firefighters, monitoring their activities by radio, providing them information, and ensuring their safety so that emergency responders can make critical decisions, obtain information, and quickly dispatch needed aid; and

WHEREAS, each Dispatcher exhibits compassion, understanding, and professionalism during the performance of their job assisting those in need.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize ***Elizabeth Henry*** and congratulate him on receiving the Amherst Police Department's 2023 Support Services Award.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

GREENE	Recognizing Carmine Tiso on National Pickleball Day

Attachments

Carmine Tiso

EC LEG JUL 18 '23 AM 9:17

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Carmine Tiso on National Pickleball Day

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

WHEREAS, ***National Pickleball Day*** was created by Deirdre Morris on August 8, 2021, and is celebrated every year as a way to recognize and spread awareness of pickleball as a fun athletic activity that the whole family can enjoy; and

WHEREAS, Erie County is home to dozens of pickleball courts, with many more planned for the future; and

WHEREAS, the game of pickleball was created by Joel Pritchard, Bill Bell, and Barney McCallum on Bainbridge Island, Washington, in 1965 with a Wiffle ball and table tennis paddles on a badminton court as a way to alleviate their family's boredom on a Sunday afternoon; and

WHEREAS, as pickleball grew in popularity, Barney McCallum started making paddles specifically designed for the game and, in 1972, founded Pickleball Inc.; and

WHEREAS, the number of people playing pickleball has grown each year and is considered to be one of the fastest-growing sports in the United States, with over 4.8 million players; and

WHEREAS, in 2022 ***Carmine Tiso*** spearheaded a pickleball tournament in Clarence, New York, and with his team of volunteers, has raised over ten thousand dollars to support the Clarence Rotary Foundation supporting the Veterans Memorial Wall in Clarence Town Park.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize ***National Pickleball Day in Erie County*** and honor ***Carmine Tiso*** for his efforts to support local organizations through the sport of pickleball.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
TODARO	Proclaiming August 31, 2023 as International Overdose Awareness Day in Erie County

Attachments

International Overdose Awareness Day

EC LEG JUL 18 '23 AM 9:17

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Proclaiming August 31, 2023 as International Overdose Awareness Day in Erie County

WHEREAS, the Erie County Legislature wishes to increase awareness regarding the dangers of illegal drugs and the impact that they have on our families and communities; and

WHEREAS, August 31, 2023, is recognized as **International Overdose Awareness Day** across the world and is meant to serve as a stark reminder of the harm that drugs inflict on our society and serve as a time to raise awareness and promote resources to combat addiction and reduce future overdose deaths; and

WHEREAS, International Overdose Awareness Day also aims to reduce the stigma and stereotypes associated with the issue, which is a significant challenge faced by victims and their families; and

WHEREAS, despite unprecedented amounts of resources being available to individuals who struggle with addiction, more are needed, and far too many people still fall through the cracks and struggle to find the help they need; and

WHEREAS, fentanyl and other opioid-based drugs have greatly increased the risk of overdose and death and represent a growing challenge to addiction service providers, law enforcement, and the community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to declare **August 31, 2023, International Overdose Awareness Day in Erie County** and recognize the dedicated individuals and organizations that serve families and residents in our community who have been impacted by drug addiction; and

BE IT FURTHER RESOLVED, that the Erie County Legislature remains committed to working with its partners in government to provide critical addiction services and law enforcement tools to combat the drug epidemic in our communities.

FRANK J. TODARO
Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
TODARO	Celebrating the Grand Opening of Mary Alice Ubal Insurance Agency Inc.

Attachments

Mary Alice Ubal Insurance Agency Inc.

EC LEG JUL 18 '23 AM 9:17

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Celebrating the Grand Opening of Mary Alice Ubal Insurance Agency Inc.

WHEREAS, The Erie County Legislature seeks to honor individuals and institutions of Erie County who invest in their communities and enhance the quality of life for residents through their efforts; and

WHEREAS, America's progress has been driven by pioneers who think big, take risks and work hard; and

WHEREAS, from the storefront shops that anchor main street to the high-tech startups that keep America on the cutting edge, small businesses are the backbone of our economy and the cornerstones of our nation's promise; and

WHEREAS, **Mary Alice Ubal Insurance Agency Inc.** is owned and operated by Mary Ubal, a long-time resident of Buffalo, New York; and

WHEREAS, **Mary Alice Ubal Insurance Agency Inc.** has been with State Farm since 2012, located in West Seneca, New York, and will be opening a new location in Lancaster, New York, in 2023; and

WHEREAS, **Mary Alice Ubal Insurance Agency Inc.** offers a variety of insurance products, including auto, home, health, life, business, and more, depending on individual needs.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to celebrate **Mary Alice Ubal Insurance Agency Inc.** on their grand opening and wish them much success.

FRANK J. TODARO
Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
TODARO	Proclaiming August 7, 2023 as Purple Heart Day in Erie County

Attachments

Purple Heart Day

EC LEG JUL 18 '23 AM 9:17

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall, in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Proclaiming August 7, 2023 as Purple Heart Day in Erie County

WHEREAS, the Erie County Legislature wishes to recognize the brave men and women in our armed services who have been injured or paid the ultimate sacrifice in defense and service to our country; and

WHEREAS, August 7th is recognized as **Purple Heart Day** across the United States and is a time to pay tribute to members of the military who earned a Purple Heart while serving; and

WHEREAS, George Washington awarded the original Purple Heart, designated as a Badge of Merit in 1782, as a means for authorized subordinates to recognize soldiers for "any singularly meritorious action" as they saw fit; and

WHEREAS, The Badge of Merit faded from use but was reintroduced in 1932, this time as the Purple Heart, and in 1944 the rules governing the Purple Heart were adjusted to recognize the purpose we know it for today, specifically to honor service men and women who have been wounded or died; and

WHEREAS, the first service member to be given the modern Purple Heart was General Douglas MacArthur for his service in the Pacific theater during World War II, and since then, there have been over 1.8 million Purple Hearts earned.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to proclaim **August 7, 2023, as Purple Heart Day in Erie County** and recognize the brave members of our community who have earned a Purple Heart in service to our country.

FRANK J. TODARO
Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

TODARO	Honoring Walczak's Auto Service as 2023 Depew Founder's Day Outstanding Business

Attachments

Walczakâ€™s Auto Service

EC LEG JUL 18 '23 AM 9:17

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023, A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in Old County Hall in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:

Honoring Walczak's Auto Service as 2023 Depew Founder's Day Outstanding Business

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

WHEREAS, America's progress has been driven by pioneers who think big, take risks and work hard; and

WHEREAS, from the storefront shops that anchor our main streets to the high-tech startups that keep America on the cutting edge, small businesses are the backbone of our economy and the cornerstones of our nation's promise; and

WHEREAS, the Depew Founder's Day awards are given to hardworking individuals and businesses who go above and beyond for their community; and

WHEREAS, **Walczak's Auto Service** is owned by Dennis Walczak and is located at 6001 Transit Road in Depew, New York; and

WHEREAS, **Walczak's Auto Service** has been chosen as an outstanding Village of Depew Business for 2023; and

WHEREAS, **Walczak's Auto Service** is a small, family-operated auto repair facility that cares about its customers and families and strives to provide quality auto repair that is done right the first time.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Walczak's Auto Service** as the **2023 Depew Founder's Day Outstanding Business** and for providing a tradition of excellence in service in Western New York.

HON. FRANK J. TODARO
Erie County Legislator, 8th District

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT	
TODARO	Recognizing William Cansdale for His Service to the Town of Lancaster

Attachments

William Cansdale

EC LEG JUL 18 '23 AM 9:17

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 20, 2023 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in Old County Hall in the City of Buffalo, on the 20th day of July 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing William Cansdale for His Service to the Town of Lancaster

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

WHEREAS, after thirty-two years in public service with the Town and Village of Lancaster and eleven years with the Department of Public Works, **William Cansdale** has announced his retirement; and

WHEREAS, in 1991, while working at NYSEG, **William Cansdale** decided he wanted to give back to his community and successfully ran for Lancaster Village Board of Trustees; and

WHEREAS, William Cansdale served as the Mayor of Lancaster from 1993 until 2011, a total of five terms; and

WHEREAS, he made the difficult decision to step down as Mayor and accepted the role of Department of Public Works Superintendent for the Town of Lancaster in 2012; and

WHEREAS, William Cansdale has enjoyed making a positive difference in the community over the past thirty-two years; and

WHEREAS, as he enters retirement, **William Cansdale** looks forward to traveling and spending time with his wife, Brenda, their children, and four grandchildren.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **William Cansdale** for his thirty-two years of service to the Village of Lancaster and wishes him a happy and healthy retirement.

FRANK J. TODARO
Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

LL INTRO. 1-1 (2022)	TODARO, GREENE, LORIGO & MILLS	A Local Law Authorizing Twelve and Thirteen-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of a Licensed Adult

Attachments

LL INTRO. 1-1 (2022)

EC LEG APR 4 '22 PM3:52

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

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

SECTION 1. Legislative Intent

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

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

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

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

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

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

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

SECTION 2. Pilot Program Authorization

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

SECTION 3. State Requirements to Adhere Once Authorized

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

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

SECTION 4. Effective Date

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

SECTION 5. Severability

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

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

NEW YORK
STATE OF
OPPORTUNITY

Department of
Environmental
Conservation

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

A Report to the New York State Senate and Assembly

February 22, 2022



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

www.dec.ny.gov

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

- Prepared by -

Jeremy Hurst, NYSDEC Big Game Unit Leader

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

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

Preliminary Results from the 2021-22 Deer Hunting Seasons

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

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

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

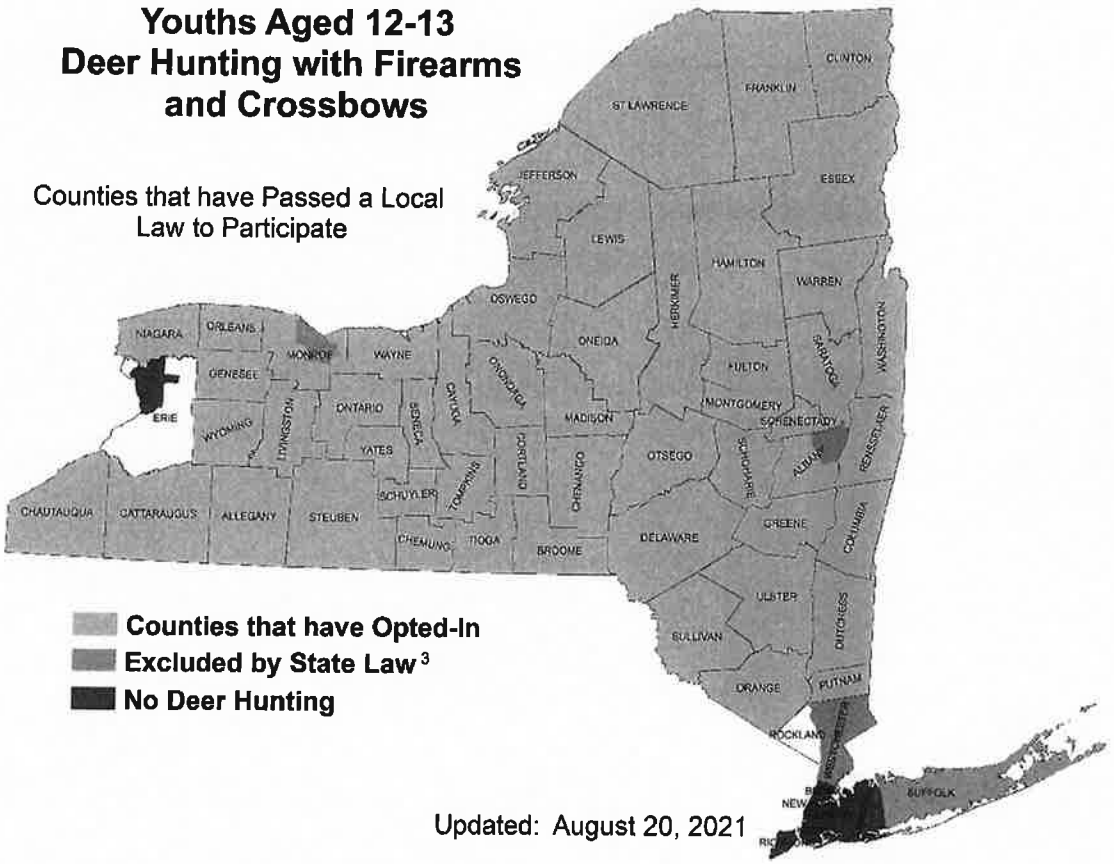
[2] Reported take value represents raw harvest reports with date of harvest between September 12, 2021 and January 1, 2022. This includes 173 deer reported taken with a bow. Calculated deer harvest was not available at the time of this report, as deer hunting seasons continued in portions of New York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

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

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

County Participation

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



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

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

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

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

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

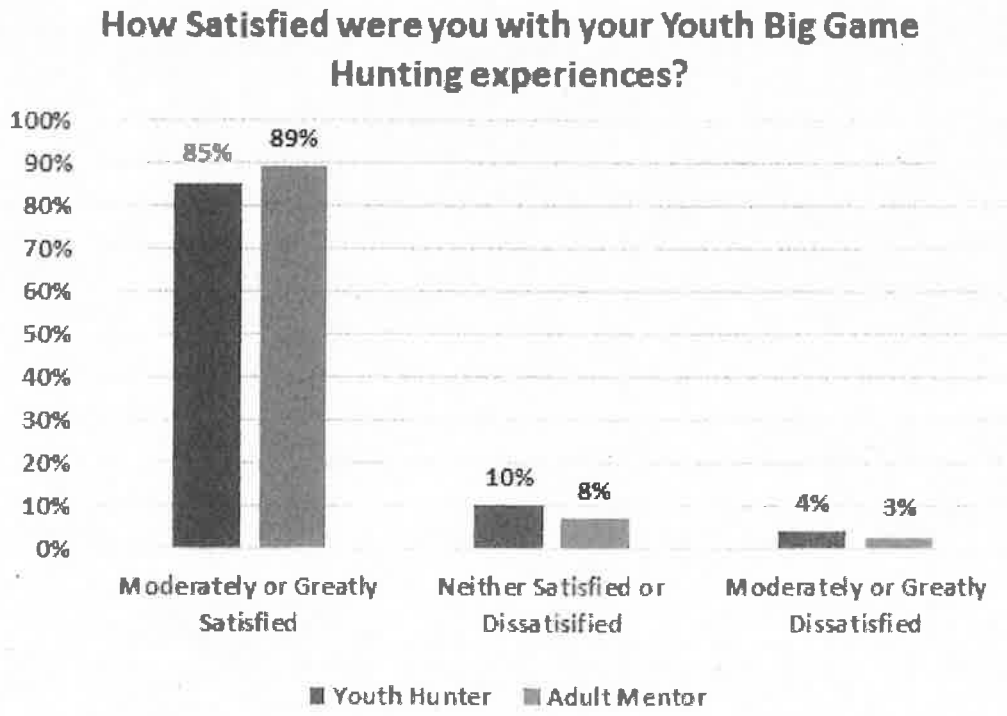
"Love the early opportunity with my father. Great bonding experience."

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

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



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



Recommendations

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

1- **Make permanent the authorization for 12- and 13-year-old hunters to hunt deer with a firearm and crossbow.** We assessed participation and harvest by junior big game hunters through a post-season survey and asked about their level of satisfaction with their big game hunting opportunities in 2021. More than 9,800 young hunters (aged 12 and 13), representing approximately 9,500 families were eligible to hunt deer with a firearm or crossbow in 2021. These hunters were safe and successful, and satisfaction levels were extremely high. 85% of these young hunters and 89% of their adult mentors reported being moderately or greatly satisfied with their youth big game hunting experience this past year. Existing state law permanently allows hunters aged 12 and 13 to hunt small game with a firearm or long bow and big game with a long bow, when properly supervised. Establishing the same permanent provisions for 12- and 13-year-old hunters to hunt big game with a firearm will ensure that 12-year-olds can continue to hunt big game when they are 13 and that younger siblings have the same opportunity when they turn 12.

2- **Allow 12- and 13-year-old hunters to also hunt black bear with a firearm and crossbow.** Youths aged 12 and 13 have been legally able to hunt black bears with a longbow in New York since 2011 and have done so without incident. Hunting black bear with a longbow is unquestionably more challenging than hunting black bear with a firearm. Nonetheless, 12- and 13-year-old hunters have routinely demonstrated that they can safely and successfully harvest a black bear with a longbow. These same hunters, and all 12- and 13-year-old hunters, should be given the opportunity to also hunt black bear with firearms and crossbows.

3- **Extend the authorization for 12- and 13-year-old hunters to hunt deer with a firearm or crossbow to all of New York State (subject to other provisions of ECL) and remove the requirement for counties to pass a local law opting-in.** Of all the eligible counties in New York, only Erie and Rockland Counties did not pass a local law authorizing participation in the pilot program as required by 11-0935. However, in both of these counties, hunters aged 14-years or older can hunt deer and bear with firearms and crossbows. Similarly, Westchester and Suffolk Counties were specifically excluded from the provisions of 11-0935 despite an existing firearms season for deer in January in Suffolk County and provisions in 11-0903(7) authorizing the same potential opportunity in Westchester County. Young hunters in Erie, Rockland, Suffolk, and Westchester counties should not be forced to hunt elsewhere and should be given opportunity to hunt in the same locations and in the same manner as their peers, older siblings, and other family members.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

LL INTRO. 3-1 (2022)	BASKIN, MEYERS, JOHNSON, VINAL & GILMOUR	The Erie County Language Access Act

Attachments

LL INTRO. 3-1 (2022)

EC LEG NOV 17 '22 PM1:58

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 3-1 -2022

LOCAL LAW NO. _____-2022

THE ERIE COUNTY LANGUAGE ACCESS ACT

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

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

Section 1. Legislative Intent and Findings

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

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

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

Section 2. Definitions

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

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

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

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

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

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

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

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

Section 3. Language Access Requirements

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

1. Providing competent and timely interpretation services to individuals in their primary or preferred language. Competent interpretation shall mean a spoken or signed, real-time communication in which the qualified human interpreter is fluent in both the source and target language and is trained as an interpreter. The interpreter shall know relevant terminology and provide accurate interpretations by choosing equivalent expressions that convey the best matching and meaning to the source language and capture, to the greatest extent possible, all nuances intended in the source material;

2. Identifying and translating vital documents provided to the public, including but not limited to, forms and instructions provided to or completed by program participants and beneficiaries in each designated countywide language;

a. Existing vital documents must be translated within 365 days of the effective date of this law.

b. New vital documents, produced after the effective date, must be translated as soon as is practicable but no later than 120 days after the English version is released to the public, except for emergency communications which must be translated immediately, or at most up to 5 days following the release of the English version.

3. Translation of pre-recorded informational messages on agency phone lines that provide vital public information in English, including emergency alerts and public service announcements;

4. Translated copies of vital documents which are already made available to the public in English must be made available to the public in the same way as the current English version. Translated vital documents must be published alongside any English documents that may be available online through the County website;

5. Online applications or machine interpretation or translation software shall not be used;

6. Family members, other clients, and any other member of the public who is not a qualified interpreter, shall not be used for interpretation with respect to the provision of services or benefits;

7. Posting of multilingual signage in conspicuous locations about the availability of free interpretation services. Where practicable, the same information should be communicated via pre-recorded announcements in each designated countywide language on the public address system in public waiting areas;

8. Accommodations for communication access shall be available upon request including American Sign Language Interpretation via an on-site interpreter, Video Remote Interpreter (VRI), or Communication Access Realtime Translation for individuals who are deaf, hard of hearing or have hearing loss.

9. All language access services must be provided at no cost to the person seeking services from the Department.

Section 4. Language Access Plans

Every County Agency, in consultation with the Language Access Advisory Board, shall develop and implement an agency-specific language access implementation plan to describe how language access services will be provided and to ensure meaningful equal access to direct public services. County agencies with existing language access plans shall review such plans, in consultation with the Advisory Board, to ensure compliance with the provisions of this act.

A final copy of each county agency language access plan shall be submitted to the County Legislature and the Advisory Board and shall be published on the agency's website no later than 180 days after the effective date of this act. Agency plans must be implemented within 90 days following submission of the final plan.

Each County Agency shall update its language access implementation plan biennially, based on changes in the agency's service population or services and in conjunction with the designated language access coordinator and the Advisory Board, and publish such updated plan on its website.

Each language access plan shall set forth, at a minimum, the following:

1. Designate a language access coordinator to oversee the creation and execution of an agency language access implementation plan, collect language data, and issue an annual report. The name, title and contact information of such language access coordinator is to be posted in a conspicuous place on such agency's website;

2. Describe how such agency will provide the language access service required by Section 3, including the titles of all available translated documents and the languages into which they have been translated and the number of fully bilingual employees in public contact positions and the languages they speak;

3. Incorporate a uniform training plan for agency employees, including annual training on the language access policies and the provision of language assistance services as well as providing a procedure that allows employees to report issues and problems implementing the language access plan;

4. Incorporate a process for tracking and reporting agency language access data including the number and type of requests for language access services, what languages service requests are for, how each request was fulfilled, the number of complaints received by the agency regarding language access, and how complaints were resolved.

5. Determine the methods such agencies will employ with regard to providing language access services, both through agency staffing and contracts with third parties. Whenever possible, County Agencies should prioritize hiring local interpreters.

6. Consider the following factors in developing such implementation plan:

a. the number or proportion of LEP persons in the eligible service population;

b. the frequency with which LEP individuals come into contact with the agency, if such data exists. If no relevant data has been collected, such agency must exclude this factor from consideration;

c. the importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation or translation); and

d. the resources available to the agency and the costs of providing various types of language services

7. When a member of the public states they are deaf, hard of hearing, or have hearing loss, the County Agency's designated language access coordinator shall submit notice and keep record of notice made to The Erie County Office for People with Disabilities on behalf of the member of the public in need of language access services. The Office for People with Disabilities will support the members of the public with communication services.

Section 5. Amending Article 17 of the Erie County Charter

Erie County Local Law No. 1-1959, constituting the Erie County Charter, as amended, is hereby amended at Article 17 to add a new Section 1708 to read as follows:

Section 1708. Language Access Advisory Board. There shall be a Language Access Advisory Board to advise on matters relating to LEP individuals and language access. The Board shall consist of seven members including:

1. County Executive, or their designee;
2. County Clerk, or their designee;
3. Sheriff, or their designee; and
4. Four community members to be appointed by the County Executive. All four community member appointments will be subject to confirmation by the County Legislature.

Membership on the board shall be reflective of the diversity of the county's population and members shall be representatives from community organizations and faith-based organizations serving LEP and deaf, hard of hearing and hearing loss communities in Erie County. Members of the Board shall be appointed for a term of three years. No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each. The Board shall annually designate one member to serve as Board chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the Board shall appoint a successor to that office from the Board's membership.

The Advisory Board shall be empaneled within ninety days following the effective date of this act. A quorum shall consist of a majority of the members of the Advisory Board entitled to vote on the matter under consideration. Approval of any matter shall require the affirmative vote of a majority of the members voting thereon. The Advisory Board shall adopt by-laws for the management and regulation of its affairs.

The Board shall:

1. Designate the top six languages LEP individuals speak in Erie County as the Countywide Languages. This process will take place every two years and will consider a wide variety of data sources, including but not limited to data collected by the U.S Census and American Community Survey, public schools, local interpreting agencies, federal refugee resettlement programs and County Agencies to determine which language groups are most in need of language services.
2. Advise County Agencies in developing and implementing their Language Access Plan.
3. Review Agency Language Access Plans and evaluate the implementation of those plans.
4. Create a mechanism to interact with public regarding proper language access plan implementation.

5. Review annual reports from County Agency language access coordinators and create a comprehensive annual report filed with the Legislature. Annual reports and recommendations will be made publicly available online through the County website.
6. Put forward additional policy recommendations as needed to improve language access services.

Section 6. Right to Privacy

The need for/use of language services by an individual contacting the County shall not be deemed by any County employee as a basis for inquiring into information related to an individual's immigration status or other personal attributes. No County employee shall inquire about or disclose confidential information, including, but not limited to, immigration status, unless such inquiry or disclosure is required by law.

Section 7. Effective Date

This Local Law shall take effect 180 days after it becomes law.

Section 8. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

Sponsors:
April N.M. Baskin
Timothy Meyers
Howard Johnson
Jeanne Vinal
John Gilmour

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

LL INTRO. 3-1 (2023)	JOHNSON	The Occupancy Tax Modernization Act

Attachments

LL INTRO. 3-1 (2023)

COUNTY OF ERIE

LOCAL LAW INTRO NO. 3-1-2023

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LOCAL LAW NO. _____-2023

A LOCAL LAW Titled: The Occupancy Tax Modernization Act

BE IT ENACTED BY THE COUNTY OF ERIE AS FOLLOWS:

Section 1. Legislative Intent.

a. The Erie County occupancy tax was established via local law by the Erie County Legislature in September 1974 and was amended via local law in 1975, 1983, 1987, and 2007. There has not been a comprehensive review of the various local laws governing the occupancy tax nor an effort to modernize and update the law in decades.

b. The Erie County Legislature ("Legislature") hereby finds and declares that short-term and vacation rental properties are in widespread use in Erie County, whether via hosting platforms such as Airbnb, VRBO, Homestay, or by other means.

c. Unlike other counties in New York State that maintain occupancy tax collection agreements with hosting or "home-sharing" platforms such as Airbnb, Erie County does not have any such agreements with such platforms and/or operators that provide short term and vacation rental properties.

d. The Legislature finds that there are unjustified variances and inconsistencies with this state of affairs, as hotels are required to collect taxes from guests pursuant to the County of Erie's hotel occupancy tax law, but operators and platforms for short term and vacation rentals have not been collecting such tax, are not readily subject to any health and safety regulations, and are not registered with the County, despite offering identical or substantially similar services.

e. The Legislature finds that the law should apply equally to all individuals and entities engaged in the rental of temporary accommodations, and that the current state of affairs has resulted in an unequal "playing field" for traditional hotels and motels compared to other types of short term and vacation rental properties. The Legislature further finds that this discrepancy also results in a loss of occupancy tax revenue to Erie County and its taxpayers.

f. The Legislature finds that, pursuant to Chapter 614 of the Laws of 1974 of the State of New York, operators of these transient lodging facilities should be subject to the same occupancy taxes as their counterparts in the traditional lodging industry to help ensure fairness across the lodging sector in Erie County.

g. The Erie County Legislature hereby finds that there is a need to bring the definition and administration of occupancy tax into the 21st Century by updating the various functions of the tax to meet the demands of the modern short-term rental industry within the parameters of the taxing authority delegated by the State of New York.

h. The Legislature hereby intends this that this Local Law will perform the following functions and beneficial purposes:

1. Clarify the reach of the tax to include non-traditional short-term and vacation rentals within Erie County;

2. Require all operators of properties used for short-term and vacation rentals to register with the County for the collection of the tax;

3. Bring all manner of short-term rental properties above ground to better ensure the safety of occupants and quality of life for the broader community;

4. Modernize and enhance enforcement capabilities of the County to pursue scofflaws who fail to collect and remit the tax or misappropriate the same;

5. Allow hosting platforms that have executed voluntary collection agreements with the County to collect and remit the tax on the operator's behalf;

6. Establish the methodology used to determine taxable rent for all properties used for transient lodging. Accordingly, collection and remittance of the tax for short-term and vacation rentals will be principally placed on the corporate hosting platform through a voluntary collection agreement and secondarily placed on individual operators opting not to enter into any such agreement; and

7. Reinvest in the continued development of the tourism to maintain and enhance infrastructure, create economic opportunity for residents, and increase the recreational appeal of Erie County.

i. Therefore, except for the limited purposes provided by Section 25 of this Local Law, Erie County Local Law No. 12-1974, Erie County Local Law No. 8-1975, Erie County Local Law No. 5-1983, Erie County Local Law No. 1-1987, and Erie County Local Law No. 4-2007 are hereby repealed in their entirety and replaced with this Local Law.

Section 2. Definitions.

a. Charter. The Charter of Erie County as established by Local Law 1-1959 and amended thereafter.

b. Clerk. The elected Clerk of Erie County.

c. Comptroller. The elected Comptroller of Erie County.

d. Exempt Entity. A government, corporation, or association exempt from taxation under Section 4 of this local law.

e. Hosting Platform. An application, technology, and/or similarly based service through which a third party desiring to offer an accommodation (a "host") and a third party desiring to book an accommodation (a "guest") have the opportunity to communicate, negotiate, and consummate a booking transaction for transient lodging accommodations pursuant to a direct agreement between a host and guest to which the hosting platform is not a party but still facilitates payments for rent on behalf of or for the host, and/or otherwise acts as intermediary between the host and the guest. Merely publishing an advertisement for transient accommodations does not make the publisher a hosting platform.

f. Operator. Any person or entity operating premises where short-term rental occupancy transactions are conducted in Erie County, including but not limited to the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such premises.

g. Occupancy. The use or possession, or the right to the use or possession of any room in a premises that is the subject of short-term rental occupancy transactions.

h. Permanent Resident. A person occupying any room or rooms in a premises that is the subject of a short-term rental occupancy transaction for at least thirty consecutive days.

i. Person. An individual, partnership, society, association, joint stock company, corporation, limited liability company, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

j. Rent. The consideration received for occupancy valued in money, whether received in monetary form or otherwise.

k. Room. Any room or rooms of any kind in any part or portion of a premises that is the subject of a short-term rental occupancy transaction, which is available for or let out for any purpose other than a place of assembly.

l. Return. Any return filed or required to be filed as herein provided.

m. Sheriff. The elected Sheriff of Erie County.

n. Short-Term Rental. A building or portion of it which is regularly used and kept open as such for lodging on an overnight basis. The term 'short-term rental' includes a hotel, motel, hostel, apartment hotel, motor court or inn, boardinghouse or club, campground with cabins, home-sharing property or vacation rental, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served, and

shall include those facilities commonly known as 'bed-and-breakfast' and 'tourist' facilities. "Short-term" and "vacation rentals" shall mean and include those units rented or leased to occupants – other than permanent residents – that are furnished apartments or living units in or consisting of a dwelling place ordinarily occupied for residential purposes or location that is otherwise made available for sleeping accommodations, directly by the owner or through an owner's agent or hosting platform.

Section 3. Imposition of Tax.

a. Except as otherwise provided by this Section, on and after the first day of June, 2023, there is hereby imposed and there shall be paid a tax of three percent upon the rent for every occupancy of a room or rooms in the County.

b. For all short-term rental transactions where rental capacity of the premises exceeds thirty (30) rooms, the rate of tax on occupancy shall be five percent.

c. If the charge for occupancy of a room includes only the cost of the room, board, and cleaning fees, any other charges that are separately stated and are only incurred at the option of the occupant and/or charged by a hosting platform shall not be included in the calculation of the occupancy tax imposed by this Local Law.

d. If the operator does not separate the charge for room and board from other charges, excluding cleaning fees but including those added by a hosting platform, the entire charge to the occupant is taxable until the occupant becomes a permanent resident as defined by this Local Law.

e. No tax shall be imposed upon a permanent resident as defined by this Local Law.

Section 4. Exempt Organizations

a. Except as otherwise provided in this Local Law, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law.

(1) The State of New York, or any of its agencies, instrumentalities, public corporations (including public corporations created pursuant to agreement or compact with another state or Canada), improvement districts or political subdivisions of the State;

(2) The United States of America, or any of its agencies and instrumentalities, insofar as it is immune from taxation;

(3) The United Nations or other world-wide international organizations of which the United States is a member; and

(4) Any corporation, association, trust or community chest, fund or foundation, organized and operated exclusively for religious, charitable or education purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which

inures to the benefit of any private shareholder or individual and no part of the activities of which is carrying out propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

b. Where any organization described in paragraph three (3) of subdivision (a) of this Section conducts its activities in furtherance of the purposes for which it was organized, and, as part of said activities, it engages in short-term rental transactions on the premises in which such not-for-profit activities are conducted, occupancy of rooms in the premises and rent therefrom received by such corporation or association shall not be subject to tax hereunder.

Section 5. Territorial Limitations

The tax imposed by this local law shall apply only within the territorial limits of the County of Erie.

Section 6. Registration

a. Within ten days after the effective date of this local law, or in the case of operators commencing business after such effective date, within three days after such commencement or opening, every owner and/or operator shall file with the Comptroller a Certification of Registration in a form prescribed by the Comptroller.

b. The Comptroller shall, within five business days after such registration issue without charge to each operator a Certificate of Authority empowering such operator to collect the tax from the occupant and duplicate thereof for each additional short-term rental of such operator. Each certificate or duplicate shall be certified, bear the seal of Erie County, and state the short-term rental to which it is applicable. Such Certificate of Authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy.

c. Where a host or operator uses a hosting platform that has executed a voluntary collection agreement with the County, such host or operator shall submit an application for a Certificate of Authority clearly stating all information required under applicable law but may otherwise designate such hosting platform as primarily and solely liable for collection and remittance of the tax.

d. If a Certificate of Authority is lost, stolen, or otherwise misplaced by an operator, such operator may apply, in a form prescribed by the Comptroller, for a replacement Certificate of Authority. Replacements shall be certified and issued to the operator at a cost of $50.00.

e. Failure to register a short-term rental with the Comptroller as required by this Section shall result in the imposition of a penalty amounting to one hundred dollars per day of non-registration. The Comptroller may, upon a showing of good cause by an owner or operator, waive up to 75% of the total amount of penalties incurred under this Subsection.

f. Such certificates shall be non-assignable and non-transferrable and shall be surrendered immediately to the Comptroller upon:

(1) the cessation of business at the short-term rental;

(2) the sale, lease, assignment, or other transfer to another host or operator; or

(3) the designated hosting platform service named as designee on the certificate provided by this Section is sold, renamed, or otherwise transferred.

For the purposes of this Subsection, a change in ownership of the owner, hosting platform, operator, or the parent company of the same greater than or equal to 50% shall be considered a transfer.

g. Violation of Subsection (e) of this Section shall immediately void any Certificate of Authority previously issued, in addition to any additional penalties otherwise imposed by this Local Law.

Section 7. Administration and Collection

a. The tax imposed by this local law shall be administered and collected by the Comptroller of the County of Erie or the Comptroller's designee by such means and in such manner as are other taxes which are now collected and administered by such officers in accordance with the Charter or as otherwise are provided by this Local Law.

b. The tax to be collected pursuant to this Local Law shall be stated, charged, and shown separately from the rent. At the time when the occupancy is arranged, contracted for or charged for, and upon any and all evidence of occupancy, any charge made shall be paid by the occupant to the operator as trustee for and on behalf of the County.

c. The operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law, and the operator shall have the same right in respect to collecting the tax from the occupant. In respect to non-payment of the tax by the occupant payable at the time such tax shall become due and owing, the operator retains all applicable rights including, but not limited to, rights of eviction, repossession, and enforcement of any innkeeper's lien that the operator may have in the event of non-payment of rent by the occupant. An operator shall join the Comptroller as a party in any action or proceeding brought by the operator against an occupant under this Local Law.

d. The tax imposed by this Local Law shall be paid upon any occupancy on and after the effective date of this Local Law except for any such occupancy reserved pursuant to a contract, lease or other arrangement made prior to such date. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Comptroller may by regulation provide for credit and/or refund of the amount of such tax upon application therefore as provided by this Local Law.

e. For the purpose of the proper administration of this Local Law and to prevent evasion of the tax hereby imposed, the following presumptions and burdens shall apply:

   1. It shall be presumed that all rents are subject to tax until the contrary is established.

   2. The burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator or the occupant.

   3. Where an occupant claims exemptions from the tax under the provisions of Section 4 of this Local Law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a copy of a certificate issued by the Comptroller certifying that the named entity is exempt from taxation under Section 4 of this Local Law, together with a writing duly executed by the exempt entity named in the certificate issued by the Comptroller certifying that the occupant is its agent, representative or employee and that the occupancy is paid or to be paid by, and is necessary or required in the course of or in connection with the affairs of said exempt entity.

f. A hosting platform may enter into a voluntary collection agreement with the County containing and specifying the following:

   1. The hosting platform shall be solely responsible and liable for collecting and remitting the applicable tax to the County for booking transactions completed through the respective hosting platform for short-term rentals as defined by Subsection 2(l) of this local law.

   2. The host or operator of the short-term rental who is not the hosting platform shall not be responsible for collecting and remitting the tax to the County on any transaction for which it has received confirmation that the hosting platform has collected the aforementioned tax and remitted it back to the County pursuant to a voluntary collection agreement.

   3. Neither the County, its officers, agents, and employees, or a hosting platform, its officers, agents, and employees, shall be required or made to furnish a copy or any portion of a voluntary collection agreement entered into between the County and a hosting platform. The hosting platform shall furnish to any operator using the hosting platform, a certificate, in a form to be determined by the Comptroller, confirming the existence and enforceability of such agreement.

g. Where an operator of a short-term rental uses a hosting platform that has voluntarily entered into and executed a voluntary collection agreement with the County pursuant to Subsection 7(f) of this Local Law, such hosting platform, for the purposes of tax registration, collection, and remittance under this Local Law, shall only be liable for transactions completed through the respective hosting platform pursuant to the terms of such agreement.

h. If the operator of a short-term rental uses a hosting platform that has not entered into and executed an agreement with the County pursuant to Subsection 7(f) of this Local Law, such operator shall be liable for the collection and remittance of the tax.

Section 8. Records.

Every operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon, in such form as the Comptroller may by regulation require. Such records shall be available for inspection and examination at any time upon demand by the Comptroller or the Comptroller's duly authorized agent or employee and shall be preserved for a period of five years.

Section 9. Returns.

a. Every operator or, in the case where a hosting platform has entered into voluntary collection agreement pursuant to Section 7(f) of this Local Law, such hosting platform, shall file with the Comptroller a return of occupancy and of rents, and of the taxes payable thereon for quarterly periods ending the last day of February, May, August, and November of each year, on and after the effective date of this Local Law subject to the limitations prescribed by Section 7(d) of this Local Law.

b. Such returns shall be filed within twenty days from the expiration of the period covered thereby. The Comptroller may permit or require returns to be made by other periods and upon such dates as the Comptroller or his duly authorized designee may specify. If the Comptroller deems it necessary in order to ensure the payment of the tax imposed by this Local Law, the Comptroller may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this Section and upon such dates as the Comptroller may specify.

c. Where a hosting platform has entered into a voluntary collection agreement with the County pursuant to Section 7(f) of this Local Law, the mechanism for increasing the number of return dates per calendar year must be included in such voluntary collection agreement.

d. The form of returns shall be prescribed by the Comptroller and shall contain such information as the Comptroller may deem necessary for the proper administration of this Local Law. The Comptroller may require amended returns to be filed. Such returns shall be delivered not later than twenty days following notice of the operator or hosting platform by the Comptroller and shall contain the information specified in the notice.

e. If the return required by this Section is not filed, or if a return as filed is incorrect or facially insufficient, the Comptroller shall take all necessary steps to enforce the filing of such return or a corrected return. The Comptroller shall not waive tax liability or suspend collection of tax imposed by this Local Law.

Section 10. Payment of Tax.

a. At the time of the filing a return of occupancy and of rents, each operator, or, in the case where a hosting platform has entered into voluntary collection agreement pursuant to Section 7(f) of this Local Law, such hosting platform shall pay to the Comptroller the taxes imposed by this Local Law upon the rents required to be included in such return, as well as all other moneys collected by the operator or hosting platform acting or purporting to act under the provisions of this Local Law.

b. Where the Comptroller, as a matter of discretion, deems it necessary to protect revenues to be obtained under this Local Law, the Comptroller may require any operator or hosting platform required to collect the tax imposed by this Local Law to file a bond with the Office of Comptroller, issued by a surety company authorized to transact business in the State of New York and approved by the Superintendent of the New York State Department of Financial Services as to the solvency and responsibility, in such amount as the Comptroller may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator or hosting platform.

c. In the event that the Comptroller determines that an operator or hosting platform is to file such bond, the Comptroller shall give notice to such operator or hosting platform to that effect. The Comptroller shall specify the amount of the bond required in writing and send it to such operator or hosting platform by certified mail at the address provided by such operator or hosting platform. Evidence of such mailing shall create a presumption that such operator or hosting platform has been notified.

d. Where an operator or hosting platform has been notified by the Comptroller that a bond shall be required pursuant to this Section, such operator or hosting platform shall file such bond within ten business days.

e. An operator or hosting platform may, within ten business days, request in writing a hearing before the Comptroller or the Comptroller's designee at which the necessity, propriety, and amount of the bond shall be determined by the Comptroller, notice of which shall be sent by certified mail to the address provided by such operator or hosting platform. Such determination shall be final and shall be complied with within ten business days after the Comptroller notifies such operator or hosting platform.

f. In lieu of the bond described in Subsection 10(b) of this Local Law, securities approved by the Comptroller or cash in such amount as the Comptroller may prescribe may be deposited. Such deposit shall be kept in the custody of the Comptroller who may at any time and without notice to the depositor, apply such deposit to any tax, interest, and/or

penalties due. For that purpose, any securities may be sold by the Comptroller at public or private sale without notice to the depositor.

Section 11. Determination of Tax.

a. If a return required by this Local Law is not filed, or if a return when filed is incorrect or facially insufficient, the amount of the tax due shall be determined by the Comptroller from such information as may be obtainable.

b. If necessary, the tax may be estimated on the basis of external indices, including but not limited to, the number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and publicly reported earnings.

c. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty days following receipt of notice from the Comptroller of such determination shall apply to the Comptroller for a hearing. The Comptroller may redetermine the same *sua sponte*.

d. After such hearing, the Comptroller shall give notice of such determination to the person against whom the tax is assessed. The determination of the Comptroller shall be reviewable by the Supreme Court of Erie County for error, illegality, unconstitutionality, or abuse of discretion pursuant to Article Seventy-Eight of the Civil Practice Law and Rules.

e. No party aggrieved by the determination of the Comptroller shall have standing to bring an action under Article 78 of the Civil Practice Law and Rules challenging the Comptroller's determination unless the amount of any tax sought to be reviewed, with any and all penalties and interest thereon, shall be first deposited with the Comptroller.

f. In addition to the requirements of Section 11(e) of this Local Law, any party challenging the determination of the Comptroller pursuant to Article 78 of the Civil Practice Law and Rules shall first file with the Comptroller an undertaking, issued by a surety company authorized to transact business in the State of New York and approved by the Superintendent of the New York State Department of Financial Services as to solvency and responsibility, in such amount as a Justice of the Supreme Court of Erie County shall approve to the effect that if such proceeding is dismissed or the tax confirmed, the petitioner shall pay all costs and charges which may accrue in the prosecution of the proceeding.

g. At the option of the petitioner, such undertaking filed with the Comptroller may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the applicant shall not be required to deposit such taxes, penalties, and interest as a condition precedent to the application.

Section 12. Disposition of Revenues.

a. All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of the County and shall be credited to and deposited in the general fund of the County.

b. Within sixty days of the effective date of this Local Law, the Comptroller shall create a special fund, the sole purpose of which shall be the distribution of revenues to not-for-profit corporations and public benefit corporations dedicated to the promotion and facilitation of tourism in Erie County.

c. Notwithstanding any provision of law to the contrary, with respect to tax imposed by this Local Law on and after January 1, 2024, all revenue resulting from such tax, including any interest and/or penalties thereon, shall be credited to and deposited in the fund created by the Comptroller pursuant to Subsection 12(b) of this Local Law.

d. On and after January 1, 2024, all amounts deposited in the fund created pursuant to Subsection 12(b) of this Local Law shall be made available and distributed to Buffalo Niagara Convention & Visitors Bureau, Inc. pursuant to a lawfully executed agreement between Buffalo Niagara Convention & Visitors Bureau, Inc. and the County of Erie. Such agreement shall include a requirement that Buffalo Niagara Convention & Visitors Bureau, Inc. shall submit an annual report to the County Executive, County Legislature, and County Comptroller concerning the expenditure of distributions received from the County, the annual budget and business plan, and any additional information as may be required pursuant to such agreement.

e. An agreement entered into pursuant to Subsection 12(d) of this Local Law shall be approved as to form by the County Attorney, approved by the County Legislature, for a period of three years. The County Executive shall, no later than January 1 of each year of the agreement term, execute a renewal of such agreement and shall file such renewal with the Clerk of the Legislature on or before the date of the first meeting of the Legislature for that year.

f. In the event that Buffalo Niagara Convention & Visitors Bureau, Inc. to cease operations, lose or alter it's 501(c)((6) status, or alter its purpose so that it's mission and/or significant activities no longer fulfills the legislative intent of this Local Law, distributions pursuant to Subsection 12(c) of this Local Law shall immediately cease. Thereafter, all revenues received by the County pursuant to this Local Law shall be credited to and deposited in the general fund of the County until such time as an agreement is lawfully executed between the County and a qualifying entity to fulfill the legislative intent of this Local Law.

g. All entities receiving distributions under this Section are subject to oversight by the Comptroller.

Section 13. Refunds.

a. In the matter provided by this Section, the Comptroller shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Comptroller for such refund shall be made within one year from the payment thereof. Whenever a refund is made by the Comptroller, the reasons therefore shall be stated in writing. Such application may be made by the occupant, operator, or hosting platform who has actually paid the tax.

b. Such application may be made by an operator who has collected and paid over such tax to the Comptroller provided that the application is made within one year of the payment by the occupant to the operator, but not actual refund of moneys shall be made to such operator until it shall first be established to the satisfaction of the Comptroller, under such regulations as the Comptroller may prescribe, that the occupant has been repaid in the amount for which the application was made. The Comptroller may, in lieu of any refund, allow credit therefore on payments due from the applicant.

c. An application for a refund or credit made as provided herein shall be deemed an application for a revision of any tax, penalty, or interest complained of and the Comptroller may receive evidence with respect thereto. After making a determination, the Comptroller shall notify the applicant who shall be entitled to review such determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided that such proceeding is instituted within thirty days following final notice of such determination and a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the Comptroller in such amount and with such sureties as a Justice of the Supreme County of Erie County shall approve to the effect that if such proceedings be dismissed or the tax confirmed, the petitioner shall pay all costs and charges which may accrue in the prosecution of such proceeding.

d. A person or entity shall not be entitled to a revision, refund or credit under this Section of a tax, interest or penalty which has been determined to be due pursuant to the provisions of Section 13 of this Local Law where such person or entity has had a hearing or an opportunity for a hearing, as provided by this Section, or has failed to avail himself or herself of the remedies therein provided.

e. No refund or credit shall be made of a tax, interest or penalty paid after a determination by the Comptroller made pursuant to Section 11 of this Local Law unless it is found that such determination was erroneous, illegal or unconstitutional, either by the Comptroller after a hearing pursuant to this Section, or by a Court under Article 78 of the Civil Practice Law and Rules, pursuant to the provisions of this Local Law.

Section 14. Reserves.

In cases where the occupant, operator, or hosting platform has applied for a refund and has instituted a proceeding under Article 78 of the Civil Practice Law and Rules to review an adverse determination on an application for refund pursuant to Section 13 of this Local Law, the comptroller shall set up appropriate reserves to meet any decision adverse to the County.

Section 15. Remedies Exclusive.

a. The remedies provided by Section 11 and Section 13 of this Local Law shall be the exclusive remedies available to any entity for the review of tax liability imposed by this Local Law.

b. No determination or proposed determination of tax or determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, or any other action not brought under Article 78 of the Civil Practice Law and Rules.

Section 16. Proceedings for Recover Tax.

a. Whenever any operator, hosting platform or other person or entity required to collect and remit occupancy tax pursuant to this Local Law fails to collect and remit and tax, penalty or interest imposed by this Local Law, the Erie County Attorney shall, upon the request of the Comptroller bring or cause to be brought an action to enforce the payment of the same on behalf of Erie County in the Supreme Court of Erie County within sixty days of such request. Should the County Attorney fail to bring such action within sixty days of the Comptroller's request, the Comptroller may bring or cause to be brought such action on behalf of Erie County.

b. If the Comptroller believes that any such operator, hosting platform, or any other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, the Comptroller may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.

c. As an additional or alternate remedy, the Comptroller may issue a warrant, directed to the Sheriff commanding the Sheriff or the Sheriff's duly authorized designee, to levy upon and sell the real and personal property of the operator, hosting platform, or any person liable for the tax as described by this Local Law which may be found within Erie County for payment of the amount thereof with any penalties, interest, and the cost of executing the warrant.

d. The Sheriff shall, within five business days following the receipt of the warrant, file a copy of such warrant with the Clerk. In the discretion of the Comptroller, a warrant of like terms, force and effect may be issued and directed to any officer or employee who shall have all the powers conferred by law upon the Sheriff under this Local Law, provided that such designee shall not be entitled to any fee or compensation in excess of the actual expenses paid in the performance of such duty.

e. The Clerk shall, within five business days after a warrant has been filed by the Sheriff or the Comptroller's designee, enter in the judgment docket the name of the person or entity named in the warrant and the amount of the tax penalties, penalties, and interest for which the warrant is issued and the date when such copy is filed. If the Clerk fails to

enter such information onto the judgment docket within five days, the Comptroller may enter such information on his or her own accord. At such time as warrant information specified by this Subsection is entered onto the judgment docket, the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the operator, hosting platform, or persons liable for the tax pursuant to this Local Law against which the warrant is issued.

f. The Sheriff or the Comptroller's designee shall proceed upon the warrant, in the same manner and with like effect, as provided by law in respect to executions issued against property upon judgments of a court of record.

g. If a warrant is returned not satisfied in full, the Comptroller may, from time to time, issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County had recovered judgment therefore and execution thereon had been returned unsatisfied.

Section 17. Notice Upon Sale.

a. Whenever an operator shall make a sale, transfer or assignment in bulk or in part or the whole of a short-term rental operation or a lease, license or other agreement or right to possess or operate such short-term rental operation, the seller, transferor or assignor shall notify the Comptroller by registered mail of the proposed sale and of the price, terms and conditions thereof. Failure to do so shall result in a fine not to exceed ten thousand dollars imposed against the seller, transferor, assignor, and, in the case of a corporate entity, the officers, partners, members, or owners of such entity.

b. Whenever an operator shall make a sale, transfer or assignment in bulk or in part or the whole of such operator's operation, lease, license or other agreement or right to possess or operate such short-term rental operation, otherwise than in the ordinary and regular course of business, the purchaser, transferee or assignee, shall at least ten days before taking possession of the subject of said sale, transfer or assignment or paying therefore, notify the Comptroller by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferor or assignee that it owes any tax pursuant to this Local Law, and whether or not the purchaser , transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

c. Whenever the purchaser, transferee or assignee shall fail to give notice to the Comptroller as required by the Subsection 17(a), or whenever the Comptroller shall inform the purchaser, transferee or assignee that a possible claim for such tax exists, any sums of money, property, causes of action, or other consideration which the purchaser, transferee or assignee is required to remit to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor or assignor to the County.

d. The purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property, causes of action, or other consideration to the extent of the amount of the County's claim.

e. Where a purchaser, transferee or assignee fails to comply with the provisions of this Section, the purchaser, transferee or assignee shall be liable for the payment to the County of all taxes, penalties, and interest theretofore or thereafter determined to be due to the County from the seller, transferor, or assignor.

f. All such liability imposed by this Section may be assessed and enforced in the same manner as the liability for the tax under this Local Law.

Section 18. General Powers of the Comptroller.

In addition to the powers granted to the Comptroller elsewhere in this Local Law, the Comptroller is hereby authorized and empowered:

a. To make, adopt and amend rules and regulations appropriate to the carrying out of this local law and the purposes thereof;

b. To extend for cause shown, the time of filing any return for a period not exceeding thirty days; and for cause shown, to remit penalties but not interest computed at the rate of six percent per annum; and to compromise disputed claims in connection with the taxes hereby imposed;

c. To request information from the New York State Department of Taxation and Finance or the Treasury Department of the United States relative to any person; and to afford information to such tax commission or such treasury department relative to any person, notwithstanding any other provision of this Local Law to the contrary;

d. To delegate any functions hereunder to the Deputy Comptroller or any officer or employee of the Office of Comptroller;

e. To prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;

f. To require any operator within the County to keep detailed records of the nature and type of hotel maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax imposed by this Local Law, and to furnish such information upon request to the Comptroller;

g. To require any operator within the County to maintain any and all records required by this Local Law for a concrete length of time in excess of the five-year period required under Section 8 of this Local Law not to exceed five additional years;

h. To permit an operator or hosting platform, upon a showing of good cause, to enter into an agreement with the County allowing the operator or hosting platform to make periodic payments in a manner and at such intervals to be prescribed by the Comptroller, provided that no such payment plan exceeds two years following the date that the return was due pursuant to Section 9 of this Local Law;

i. To assess and determine the taxes imposed under this Local Law.

Section 19. Administration of Oaths.

a. The Comptroller or the Comptroller's duly authorized employees or agents shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Local Law. The Comptroller shall have power to subpoena and require the attendance of witnesses and the production of books, papers and documents to secure information pertinent to the performance of this duties hereunder and of the enforcement of this Local Law and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of state or unable to attend in person or excused from attendance.

b. A Justice of the Supreme Court of Erie County either in court or at chambers shall have power to summarily enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Comptroller under this Local Law.

c. Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Comptroller under this Local Law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than five thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment.

d. The officers who serve the summons or subpoena of the Comptroller and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the Sheriff of Erie County, the Sheriff's duly appointed deputies or any officers or employees of the Comptroller who have been designated by the Comptroller to serve such process.

Section 20. Reference to Tax.

a. Whenever reference is made in placards, promotion, publication or other form of public-facing signage or advertisement to the tax imposed by this Local Law, such reference shall be substantially in the following form: "Tax on occupancy of rooms for short-term accommodation."

b. Whenever reference is made in any bill, receipt, statement or other evidence or memorandum of occupancy or rent charge issued or employed by the operator or hosting platform to the tax imposed by this Local Law, the phrase "occupancy tax" will suffice.

Section 21. Penalties and Interest.

a. Any person failing to file a return or to pay over any tax to the Comptroller within the time required by this Local Law shall be subject to a penalty of five percent of the amount of tax due, plus interest at the rate of one percent of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due.

b. The Comptroller may, if satisfied that the delay was excusable, waive all or any part of a penalty imposed by this Section. The Comptroller may not waive interest accrued at the rate of six percent annually. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this Local Law. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Local Law.

c. Any operator, occupant, or hosting platform failing to file a return required by this Local Law, or filing or causing to be filed any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Local Law, which is willfully false shall be subject to a fine not to exceed ten thousand dollars. The individual who engages in such conduct while acting as the agent of such operator, occupant or hosting platform shall be guilty of a misdemeanor. The Comptroller may, in his discretion, refer such violations to the Erie County District Attorney.

d. Any occupant, operator, or hosting platform who violates the provisions of this local law, in addition to any other penalties so specified by this Local Law, shall be subject to a fine not to exceed ten thousand dollars. Such violations include, but are not limited to:

   1. Failing to file a bond required to be filed pursuant to Section 11 of this Local Law;

   2. Failing to file a registration certificate and such data in connection therewith as the Comptroller may by regulation or otherwise require;

   3. Failure to display or surrender the Certificate of Authority as required by this Local Law or assigning or transferring such Certificate of Authority;

   4. Failing to charge the tax imposed by this Local Law altogether or separately from the rent;

   5. Failing to keep the records required by Section 8 of this Local Law or otherwise required by the Comptroller by regulation.

e. In addition to the penalties imposed by this Section and otherwise imposed elsewhere by this Local Law, entities in violation thereof shall be subject to daily fines not to exceed

five hundred dollars per day for each day such entity remains in violation of this Local Law. Such penalties shall be collected in the same manner as otherwise prescribed elsewhere in this Local Law.

f. The certificate of the Comptroller, to the effect that a tax has not been paid, that a return bond or registration certificate has not been filed or that information has not been supplied pursuant to the provisions of this Local Law, shall be presumptive evidence thereof.

Section 22. Returns to be Secret.

a. Within 120 days of the effective date of this Local Law, the County shall establish a confidential mechanism permitting owners and operators to submit returns, pay amounts owed, and transmit all other information required by this Local Law in electronic form.

b. Except as provided by a proper judicial order, or as otherwise provided by law, it shall be unlawful for the Comptroller or any officer or employee of the Office of Comptroller to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required under the Local Law. The officers charged with the custody of such returns shall not be required to produce any return required by this Local Law or evidence of any information contained in them in any action or proceeding in any court or administrative proceeding except on behalf of the Comptroller in an action or proceeding brought under the provisions of this Local Law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit into evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more.

c. Nothing herein shall be construed to prohibit the following:

(1) delivery to a taxpayer or a taxpayer's duly authorized representative of a certified copy of any return filed in connection with such taxpayer's obligation under this Local Law; or

(2) the publication of statistics so classified as to prevent the identification of particular returns and the items thereof;

(3) the inspection of the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty; or

(4) confirming for any person or entity that a named operator does not have any undue outstanding tax liabilities, interest and/or penalties pursuant to this Local Law.

d. Returns shall be preserved for five years and thereafter until the Comptroller permits them to be destroyed.

e. Any violation of subdivision (a) of this Section shall be punishable by a fine not exceeding $1,000. Any willful violation of subdivision (a) of this Section by an officer or employee of the County shall result in that officer or employee's immediate dismissal from office and prohibition from holding any public office for a period of five years thereafter.

f. In the event that any person or operator fails to timely and accurately file a return and/or collect and remit the tax due and owing to the County, and/or fails to adhere to the terms and conditions of any agreement said party enters into with the County for the payment of taxes due hereunder, the restriction contained in subdivision (a) of this Section shall be lifted. Only authorized officers and employees of the Office of Comptroller, Division of Budget and Management, and Department of Law are permitted to release limited identifying information regarding the delinquency, including, but not limited to, an operator, person or taxpayer's name, names of the principals of said owner and/or operator, and the amount of the delinquency.

Section 23. Notices and Limitations of Time.

a. Any notice authorized or required under the provisions of this local law may be given by sending the same by certified mail:

   1. In the case of an operator or hosting platform, to the address provided on the last return filed pursuant to the provisions of this Local Law; or

   2. In the case of an occupant, to the address provided by such occupant on the most recent application made to the Comptroller pursuant to Section 11 or Section 13 of this Local Law.

b. The mailing of such notice shall be presumptive evidence of receipt by the entity to which the notice is addressed. Any time period which is determined according to the notice provisions of this Local Law shall commence to run from the date of mailing of such notice.

c. The provisions of the Civil Practice Law and Rules or any other law conflicting with Chapter 614 of the Laws of 1974 relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess , determine or enforce the collection of any tax, interest, or penalty provided by this Local Law.

d. Where an operator or hosting platform files a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return.

e. Where no return has been filed by an operator or hosting platform as provided by Section 9 of this Local Law, the tax may be assessed at any time.

f. Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period. No extension authorized by this subsection shall, by itself or cumulatively, exceed two years past the original date of the return required by Section 9 of this Local Law.

Section 24. Effective Date.

This Local Law shall take effect upon filing with the New York Secretary of State and shall not be applied retroactively to the collection and remittance of taxes prior to the amendment to this local law taking effect.

Section 25. Completion of Unfinished Business.

Any matter undertaken or initiated and liabilities incurred under the provisions of the local laws repealed by Section 1 of this Local Law which are pending on the effective date of this Local Law shall be completed in the same manner and under the same terms and conditions and with the same effect as if conducted and completed in accordance with the provisions of the Local Laws herein repealed. Such matters include but are not limited to tax liability, interest and penalties previously incurred, warrants previously issued, and applications for refund previously made. Nothing in this Section shall be interpreted to exempt or excuse any operator or hosting platform from filing a certificate of registration with the Comptroller pursuant to Section 6(a) of this Local Law.

Section 26. Severability.

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

Sponsor:

HOWARD J. JOHNSON, JR.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

LL INTRO. 6-1 (2023)	BARGNESI, MEYERS, GILMOUR & KOOSHOIAN	A Local Law Providing for the Extended Lease of Real Property Located at 13 Centre Drive, Orchard Park, NY, 14127

Attachments

LL INTRO. 6-1 (2023)

EC LEG JUN 7 '23 PM3:41

COUNTY OF ERIE

LOCAL LAW INTRO – NO. 6-1 - 2023

LOCAL LAW – NO. _____ - 2023

A local law providing for the extended lease of real property located at 13 Centre Drive, Orchard Park, New York, 14127. This Local Law supersedes New York State County Law Section 215, subdivision (3).

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

Section 1 – Intent

The Erie County Legislature intends to supersede the real property lease term restrictions provided for in New York State County Law Section 215 (3) by authorizing Erie County to enter into a 10-year lease for warehouse and office space located at 13 Centre Drive in the Town of Orchard Park State of New York. The leased space will be used to house the Erie County Sheriff's Office Special Services Division, Professional Standards Division, Inventory Facility, and to provide for secure storage of emergency response equipment.

Section 2 – Authorization of Extended Lease Length

Notwithstanding the provisions of section 215 of the County Law or any special act or local law to the contrary, the County is hereby authorized to enter into a lease with 13 Centre Drive OPNY LLC for real property located at 13 Centre Drive in the Town of Orchard Park, New York for an initial term of ten years with two, five-year renewal options which may be enacted upon mutual written agreement of the parties.

Section 3 - Severability

If any article, section, subsection, paragraph, phrase or sentence of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Section 4 – Effective Date

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

Sponsors:
John Bargnesi
Timothy Meyers
John Gilmour
Michael Kooshoian

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

LL INTRO. 3-2	JOHNSON	The Occupancy Tax Modernization Act

Attachments

LL INTRO. 3-2 (2023)

COUNTY OF ERIE

EC LEG JUL 10 '23 AM11:44

LOCAL LAW INTRO NO. 3-2-2023

LOCAL LAW NO. ____-2023

A LOCAL LAW entitled: The Occupancy Tax Modernization Act

BE IT ENACTED BY THE COUNTY OF ERIE AS FOLLOWS:

Section 1. Legislative Intent.

a. In 1974, Erie County, through the passage of Chapter 664 of the New York Sessions Law of the same year was granted the power to impose an occupancy tax on per diem rentals of rooms for persons renting those rooms for limited periods of time. The Erie County occupancy tax was established via local law by the Erie County Legislature in September 1974 and was amended via local law in 1975, 1983, 1987, and 2007. There has not been a comprehensive review of the various local laws governing the occupancy tax nor an effort to modernize and update the law in decades.

b. The Erie County Legislature ("Legislature") hereby finds that the forums and mechanisms for renting rooms to non-permanent residents has evolved over the past half century with the widespread per diem rental of short-term and vacation rental properties in Erie County and elsewhere, via various online hosting platforms such as Airbnb, VRBO, Homestay, or by other means.

c. Unlike other counties in New York State that maintain occupancy tax collection agreements with hosting or "home-sharing" platforms such as Airbnb, Erie County does not have any such agreements with such platforms and/or operators that provide short term and vacation rental properties.

d. The Legislature finds that there are unjustified variances and inconsistencies with this state of affairs, as hotels are required to collect taxes from guests pursuant to the County of Erie's hotel occupancy tax law, but owners of other per diem rented rooms for occupancy, and operators and platforms for short term and vacation rentals have not been collecting such tax, are not readily subject to any health and safety regulations, and are not registered with the County, despite offering services which are identical or substantially similar to traditional hotels and motels.

e. The Legislature finds that the law should apply equally to all individuals and entities engaged in the rental of temporary accommodations, and that the current state of affairs has resulted in an unequal "playing field" for traditional hotels and motels compared to other types of short term and vacation rental properties. The Legislature further finds that this discrepancy also results in a loss of occupancy tax revenue to Erie County and its taxpayers.

f. The Legislature finds that, pursuant to Chapter 614 of the Laws of 1974 of the State of New York, operators of these transient lodging facilities should be subject to the same occupancy taxes as their counterparts in the traditional lodging industry to help ensure fairness across the lodging sector in Erie County.

g. The Erie County Legislature hereby finds that there is a need to bring the definition and administration of occupancy tax into the 21st Century by updating the various functions of the tax to meet the demands of the modern short-term rental industry within the parameters of the taxing authority delegated by the State of New York.

h. The Legislature hereby intends this that this Local Law will perform the following functions and beneficial purposes:

1. Clarify the reach of the tax to include non-traditional short-term and vacation rentals within Erie County;

2. Require all operators of properties used for non-permanent occupancy, or short-term and vacation rentals to register with the County for the collection of the tax;

3. Bring all manner of short-term rental properties above ground to better ensure the safety of occupants and quality of life for the broader community;

4. Modernize and enhance enforcement capabilities of the County to pursue scofflaws who fail to collect and remit the tax or misappropriate the same;

5. Allow hosting platforms that have executed voluntary collection agreements with the County to collect and remit the tax on the operator's behalf;

6. Establish the methodology used to determine taxable rent for all properties used for transient lodging. Accordingly, collection and remittance of the tax for short-term and vacation rentals will be principally placed on the corporate hosting platform through a voluntary collection agreement and secondarily placed on individual operators opting not to enter into any such agreement;

7. Reinvest in the continued development of the tourism to maintain and enhance infrastructure, create economic opportunity for residents, and increase the recreational appeal of Erie County; and

i. Therefore, except for the limited purposes provided by Section 25 of this Local Law, Erie County Local Law No. 12-1974, Erie County Local Law No. 8-1975, Erie County Local Law No. 5-1983, Erie County Local Law No. 1-1987, and Erie County Local Law No. 4-2007 are hereby repealed in their entirety and replaced with this Local Law.

Section 2. Definitions.

a. Charter. The Charter of Erie County as established by Local Law 1-1959 and amended thereafter.

b. Clerk. The elected Clerk of Erie County.

c. Comptroller. The elected Comptroller of Erie County.

d. Exempt Entity. A government, corporation, or association exempt from taxation under Section 4 of this local law.

e. Hosting Platform. An application, technology, and/or similarly based service through which a third party desiring to offer an accommodation (a "host") and a third party desiring to book an accommodation (a "guest") have the opportunity to communicate, negotiate, and consummate a booking transaction for transient lodging accommodations pursuant to a direct agreement between a host and guest to which the hosting platform is not a party but still facilitates payments for rent on behalf of or for the host, and/or otherwise acts as intermediary between the host and the guest. Merely publishing an advertisement for transient accommodations does not make the publisher a hosting platform.

f. Hotel. "Hotel" or "motel" shall mean and include any facility providing lodging on an overnight basis and shall include those facilities designated and commonly known as per diem rentals, "bed and breakfast" and "tourist" facilities. For the purposes of this Local Law, the terms "hotel" and "short-term rental" shall be interchangeable.

g. Operator. Any person or entity operating premises where short-term rental occupancy transactions are conducted in Erie County, including but not limited to the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such premises.

h. Occupancy. The use or possession, or the right to the use or possession of any room in a premises that is the subject of short-term rental occupancy transactions.

i. Permanent Resident. A person occupying any room or rooms in a premises that is the subject of a short-term rental occupancy transaction for at least thirty consecutive days.

j. Permanent Occupancy. The rental of a room for longing for a period of greater than thirty days.

k. Person. An individual, partnership, society, association, joint stock company, corporation, limited liability company, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

l. Rent. The consideration received for occupancy valued in money, whether received in monetary form or otherwise.

m. Room. Any room or rooms of any kind in any part or portion of a premises that is the subject of a short-term rental occupancy transaction, which is available for or let out for any purpose other than a place of assembly.

n. Return. Any return filed or required to be filed as herein provided.

o. Sheriff. The elected Sheriff of Erie County.

p. Short-Term Rental. A building or portion of it which is regularly used, advertised for use, or kept open as such for lodging on an overnight basis. Such use, advertisement, public availability need not be continuous to be considered regular. The term 'short-term rental' includes a hotel, motel, hostel, apartment hotel, motor court or inn, boardinghouse or club, campground with cabins, home-sharing property or vacation rental, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served, and shall include those facilities commonly known as 'bed-and-breakfast' and 'tourist' facilities. "Short-term" and "vacation rentals" shall mean and include those units rented or leased to occupants – other than permanent residents – that are furnished apartments or living units in or consisting of a dwelling place ordinarily occupied for residential purposes or location that is otherwise made available for sleeping accommodations, directly by the owner or through an owner's agent or hosting platform. A 'short-term rental' shall not include month-to-month residential lease agreements where the tenant occupies a unit as his or her primary residence.

Section 3. Imposition of Tax.

a. Except as otherwise provided by this Section, on and after the first day of June, 2023, there is hereby imposed and there shall be paid a tax of three percent upon the rent for every occupancy of a room or rooms in the County.

b. For all short-term rental transactions where rental capacity of the premises exceeds thirty (30) rooms, the rate of tax on occupancy shall be five percent.

c. If the charge for occupancy of a room includes only the cost of the room, board, and cleaning fees, any other charges that are separately stated and are only incurred at the option of the occupant and/or charged by a hosting platform shall not be included in the calculation of the occupancy tax imposed by this Local Law.

d. If the operator does not separate the charge for room and board from other charges, excluding cleaning fees but including those added by a hosting platform, the entire charge to the occupant is taxable until the occupant becomes a permanent resident as defined by this Local Law.

e. No tax shall be imposed upon a permanent resident as defined by this Local Law.

Section 4. Exempt Organizations

a. Except as otherwise provided in this Local Law, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law.

   1. The State of New York, or any of its agencies, instrumentalities, public corporations (including public corporations created pursuant to agreement or compact with another state or Canada), improvement districts or political subdivisions of the State;

   2. The United States of America, or any of its agencies and instrumentalities, insofar as it is immune from taxation;

   3. The United Nations or other world-wide international organizations of which the United States is a member; and

   4. Any corporation, association, trust or community chest, fund or foundation, organized and operated exclusively for religious, charitable or education purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no part of the activities of which is carrying out propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

b. Where any organization described in paragraph three (3) of subdivision (a) of this Section conducts its activities in furtherance of the purposes for which it was organized, and, as part of said activities, it engages in short-term rental transactions on the premises in which such not-for-profit activities are conducted, occupancy of rooms in the premises and rent therefrom received by such corporation or association shall not be subject to tax hereunder.

Section 5. Territorial Limitations

The tax imposed by this local law shall apply only within the territorial limits of the County of Erie.

Section 6. Registration

a. Within ten days after the effective date of this local law, or in the case of operators commencing business after such effective date, within three days after such commencement or opening, every owner and/or operator shall file with the Comptroller a Certification of Registration in a form prescribed by the Comptroller.

b. The Comptroller shall, within five business days after such registration issue without charge to each operator a Certificate of Authority empowering such operator to collect the tax from the occupant and duplicate thereof for each additional short-term rental of such

operator. Each certificate or duplicate shall be certified, bear the seal of Erie County, and state the short-term rental to which it is applicable. Such Certificate of Authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy.

c. Where a host or operator uses a hosting platform that has executed a voluntary collection agreement with the County, such host or operator shall submit an application for a Certificate of Authority clearly stating all information required under applicable law but may otherwise designate such hosting platform as primarily and solely liable for collection and remittance of the tax.

d. If a Certificate of Authority is lost, stolen, or otherwise misplaced by an operator, such operator may apply, in a form prescribed by the Comptroller, for a replacement Certificate of Authority. Replacements shall be certified and issued to the operator at a cost of $50.00.

e. Failure to register a short-term rental with the Comptroller as required by this Section shall result in the imposition of a penalty amounting to one hundred dollars per day of non-registration. The Comptroller may, upon a showing of good cause by an owner or operator, waive up to 75% of the total amount of penalties incurred under this Subsection. Good cause shall be determined by the Comptroller on a case-by-case basis and shall require, at minimum, a demonstration that the owner or operator lacked intent to violate the provisions of this Section and exercised reasonable diligence.

f. Such certificates shall be non-assignable and non-transferrable and shall be surrendered immediately to the Comptroller upon:

    1. the cessation of business at the short-term rental;

    2. the sale, lease, assignment, or other transfer to another host or operator; or

    3. the designated hosting platform service named as designee on the certificate provided by this Section is sold, renamed, or otherwise transferred.

        a. For the purposes of this Subsection, a change in ownership of the owner, hosting platform, operator, or the parent company of the same greater than or equal to 50% shall be considered a transfer.

g. Violation of Subsection (e) of this Section shall immediately void any Certificate of Authority previously issued, in addition to any additional penalties otherwise imposed by this Local Law.

Section 7. Administration and Collection

a. The tax imposed by this local law shall be administered and collected by the Comptroller of the County of Erie or the Comptroller's designee by such means and in such manner as

are other taxes which are now collected and administered by such officers in accordance with the Charter or as otherwise are provided by this Local Law.

b. The tax to be collected pursuant to this Local Law shall be stated, charged, and shown separately from the rent. At the time when the occupancy is arranged, contracted for or charged for, and upon any and all evidence of occupancy, any charge made shall be paid by the occupant to the operator as trustee for and on behalf of the County.

c. The operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law, and the operator shall have the same right in respect to collecting the tax from the occupant. In respect to non-payment of the tax by the occupant payable at the time such tax shall become due and owing, the operator retains all applicable rights including, but not limited to, rights of eviction, repossession, and enforcement of any innkeeper's lien that the operator may have in the event of non-payment of rent by the occupant. An operator shall join the Comptroller as a party in any action or proceeding brought by the operator against an occupant under this Local Law.

d. The tax imposed by this Local Law shall be paid upon any occupancy on and after the effective date of this Local Law except for any such occupancy reserved pursuant to a contract, lease or other arrangement made prior to such date. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Comptroller may by regulation provide for credit and/or refund of the amount of such tax upon application therefore as provided by this Local Law.

e. For the purpose of the proper administration of this Local Law and to prevent evasion of the tax hereby imposed, the following presumptions and burdens shall apply:

    1. It shall be presumed that all rents are subject to tax until the contrary is established.

    2. The burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator or the occupant.

    3. Where an occupant claims exemptions from the tax under the provisions of Section 4 of this Local Law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a copy of a certificate issued by the Comptroller certifying that the named entity is exempt from taxation under Section 4 of this Local Law, together with a writing duly executed by the exempt entity named in the certificate issued by the Comptroller certifying that the occupant is its agent, representative or employee and that the occupancy is paid or to be paid by, and is necessary or required in the course of or in connection with the affairs of said exempt entity.

f. A hosting platform may enter into a voluntary collection agreement with the County containing and specifying the following:

1. The hosting platform shall be solely responsible and liable for collecting and remitting the applicable tax to the County for booking transactions completed through the respective hosting platform for short-term rentals as defined by Subsection 2(l) of this local law.

2. The host or operator of the short-term rental who is not the hosting platform shall not be responsible for collecting and remitting the tax to the County on any transaction for which it has received confirmation that the hosting platform has collected the aforementioned tax and remitted it back to the County pursuant to a voluntary collection agreement.

3. Neither the County, its officers, agents, and employees, or a hosting platform, its officers, agents, and employees, shall be required or made to furnish a copy or any portion of a voluntary collection agreement entered into between the County and a hosting platform. The hosting platform shall furnish to any operator using the hosting platform, a certificate, in a form to be determined by the Comptroller, confirming the existence and enforceability of such agreement.

g. Where an operator of a short-term rental uses a hosting platform that has voluntarily entered into and executed a voluntary collection agreement with the County pursuant to Subsection 7(f) of this Local Law, such hosting platform, for the purposes of tax registration, collection, and remittance under this Local Law, shall only be liable for transactions completed through the respective hosting platform pursuant to the terms of such agreement.

h. If the operator of a short-term rental uses a hosting platform that has not entered into and executed an agreement with the County pursuant to Subsection 7(f) of this Local Law, such operator shall be liable for the collection and remittance of the tax.

Section 8. Records.

Every operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon, in such form as the Comptroller may by regulation require. Such records shall be available for inspection and examination at any time upon demand by the Comptroller or the Comptroller's duly authorized agent or employee and shall be preserved for a period of five years.

Section 9. Returns.

a. Every operator or, in the case where a hosting platform has entered into voluntary collection agreement pursuant to Section 7(f) of this Local Law, such hosting platform, shall file with the Comptroller a return of occupancy and of rents, and of the taxes payable thereon for quarterly periods ending the last day of February, May, August, and November of each year, on and after the effective date of this Local Law subject to the limitations prescribed by Section 7(d) of this Local Law.

b. Such returns shall be filed within twenty days from the expiration of the period covered thereby. The Comptroller may permit or require returns to be made by other periods and upon such dates as the Comptroller or his duly authorized designee may specify. If the Comptroller deems it necessary in order to ensure the payment of the tax imposed by this Local Law, the Comptroller may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this Section and upon such dates as the Comptroller may specify.

c. Where a hosting platform has entered into a voluntary collection agreement with the County pursuant to Section 7(f) of this Local Law, the mechanism for increasing the number of return dates per calendar year must be included in such voluntary collection agreement.

d. The form of returns shall be prescribed by the Comptroller and shall contain such information as the Comptroller may deem necessary for the proper administration of this Local Law. The Comptroller may require amended returns to be filed. Such returns shall be delivered not later than twenty days following notice of the operator or hosting platform by the Comptroller and shall contain the information specified in the notice.

e. If the return required by this Section is not filed, or if a return as filed is incorrect or facially insufficient, the Comptroller shall take all necessary steps to enforce the filing of such return or a corrected return. The Comptroller shall not waive tax liability or suspend collection of tax imposed by this Local Law.

Section 10. Payment of Tax.

a. At the time of the filing a return of occupancy and of rents, each operator, or, in the case where a hosting platform has entered into voluntary collection agreement pursuant to Section 7(f) of this Local Law, such hosting platform shall pay to the Comptroller the taxes imposed by this Local Law upon the rents required to be included in such return, as well as all other moneys collected by the operator or hosting platform acting or purporting to act under the provisions of this Local Law.

b. Where the Comptroller, as a matter of discretion, deems it necessary to protect revenues to be obtained under this Local Law, the Comptroller may require any operator or hosting platform required to collect the tax imposed by this Local Law to file a bond with the Office of Comptroller, issued by a surety company authorized to transact business in the State of New York and approved by the Superintendent of the New York State Department of Financial Services as to the solvency and responsibility, in such amount as the Comptroller may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator or hosting platform.

c. In the event that the Comptroller determines that an operator or hosting platform is to file such bond, the Comptroller shall give notice to such operator or hosting platform to that effect. The Comptroller shall specify the amount of the bond required in writing and send it to such operator or hosting platform by certified mail at the address provided by such

operator or hosting platform. Evidence of such mailing shall create a presumption that such operator or hosting platform has been notified.

d. Where an operator or hosting platform has been notified by the Comptroller that a bond shall be required pursuant to this Section, such operator or hosting platform shall file such bond within ten business days.

e. An operator or hosting platform may, within ten business days, request in writing a hearing before the Comptroller or the Comptroller's designee at which the necessity, propriety, and amount of the bond shall be determined by the Comptroller, notice of which shall be sent by certified mail to the address provided by such operator or hosting platform. Such determination shall be final and shall be complied with within ten business days after the Comptroller notifies such operator or hosting platform.

f. In lieu of the bond described in Subsection 10(b) of this Local Law, securities approved by the Comptroller or cash in such amount as the Comptroller may prescribe may be deposited. Such deposit shall be kept in the custody of the Comptroller who may at any time and without notice to the depositor, apply such deposit to any tax, interest, and/or penalties due. For that purpose, any securities may be sold by the Comptroller at public or private sale without notice to the depositor.

Section 11. Determination of Tax.

a. If a return required by this Local Law is not filed, or if a return when filed is incorrect or facially insufficient, the amount of the tax due shall be determined by the Comptroller from such information as may be obtainable.

b. If necessary, the tax may be estimated on the basis of external indices, including but not limited to, the number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and publicly reported earnings.

c. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty days following receipt of notice from the Comptroller of such determination shall apply to the Comptroller for a hearing. The Comptroller may redetermine the same *sua sponte*.

d. After such hearing, the Comptroller shall give notice of such determination to the person against whom the tax is assessed. The determination of the Comptroller shall be reviewable by the Supreme Court of Erie County for error, illegality, unconstitutionality, or abuse of discretion pursuant to Article Seventy-Eight of the Civil Practice Law and Rules.

e. No party aggrieved by the determination of the Comptroller shall have standing to bring an action under Article 78 of the Civil Practice Law and Rules challenging the Comptroller's determination unless the amount of any tax sought to be reviewed, with any and all penalties and interest thereon, shall be first deposited with the Comptroller.

f. In addition to the requirements of Section 11(e) of this Local Law, any party challenging the determination of the Comptroller pursuant to Article 78 of the Civil Practice Law and Rules shall first file with the Comptroller an undertaking, issued by a surety company authorized to transact business in the State of New York and approved by the Superintendent of the New York State Department of Financial Services as to solvency and responsibility, in such amount as a Justice of the Supreme Court of Erie County shall approve to the effect that if such proceeding is dismissed or the tax confirmed, the petitioner shall pay all costs and charges which may accrue in the prosecution of the proceeding.

g. At the option of the petitioner, such undertaking filed with the Comptroller may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the applicant shall not be required to deposit such taxes, penalties, and interest as a condition precedent to the application.

Section 12. Disposition of Revenues.

a. All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of the County and shall be credited to and deposited in the general fund of the County.

b. Within sixty days of the effective date of this Local Law, the Comptroller shall create a special account, the sole purpose of which shall be the distribution of revenues to not-for-profit corporations and public benefit corporations dedicated to the promotion and facilitation of tourism in Erie County.

c. Notwithstanding any provision of law to the contrary, with respect to tax imposed by this Local Law on and after January 1, 2024, all revenue resulting from such tax, including any interest and/or penalties thereon, shall be credited to and deposited in the account created by the Comptroller pursuant to Subsection 12(b) of this Local Law.

d. On and after January 1, 2024, all amounts deposited in the account created pursuant to Subsection 12(b) of this Local Law shall be made available and distributed to Buffalo Niagara Convention & Visitors Bureau, Inc. pursuant to a lawfully executed agreement between Buffalo Niagara Convention & Visitors Bureau, Inc. and the County of Erie. Such agreement shall include a requirement that Buffalo Niagara Convention & Visitors Bureau, Inc. shall submit an annual report to the County Executive, County Legislature, and County Comptroller concerning the expenditure of distributions received from the County, the annual budget and business plan, and any additional information as may be required pursuant to such agreement.

e. An agreement entered into pursuant to Subsection 12(d) of this Local Law shall be approved as to form by the County Attorney, approved by the County Legislature, for a period of three years. The County Executive shall, no later than January 1 of each year of the agreement term, execute a renewal of such agreement and shall file such

renewal with the Clerk of the Legislature on or before the date of the first meeting of the Legislature for that year.

f. In the event that Buffalo Niagara Convention & Visitors Bureau, Inc. to cease operations, lose or alter it's 501(c)((6) status, or alter its purpose so that it's mission and/or significant activities no longer fulfills the legislative intent of this Local Law, distributions pursuant to Subsection 12(c) of this Local Law shall immediately cease. Thereafter, all revenues received by the County pursuant to this Local Law shall be credited to and deposited in the general fund of the County until such time as an agreement is lawfully executed between the County and a qualifying entity to fulfill the legislative intent of this Local Law.

g. All entities receiving distributions under this Section are subject to oversight by the Comptroller.

Section 13. Refunds.

a. In the matter provided by this Section, the Comptroller shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Comptroller for such refund shall be made within one year from the payment thereof. Whenever a refund is made by the Comptroller, the reasons therefore shall be stated in writing. Such application may be made by the occupant, operator, or hosting platform who has actually paid the tax.

b. Such application may be made by an operator who has collected and paid over such tax to the Comptroller provided that the application is made within one year of the payment by the occupant to the operator, but not actual refund of moneys shall be made to such operator until it shall first be established to the satisfaction of the Comptroller, under such regulations as the Comptroller may prescribe, that the occupant has been repaid in the amount for which the application was made. The Comptroller may, in lieu of any refund, allow credit therefore on payments due from the applicant.

c. An application for a refund or credit made as provided herein shall be deemed an application for a revision of any tax, penalty, or interest complained of and the Comptroller may receive evidence with respect thereto. After making a determination, the Comptroller shall notify the applicant who shall be entitled to review such determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided that such proceeding is instituted within thirty days following final notice of such determination and a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the Comptroller in such amount and with such sureties as a Justice of the Supreme County of Erie County shall approve to the effect that if such proceedings be dismissed or the tax confirmed, the petitioner shall pay all costs and charges which may accrue in the prosecution of such proceeding.

d. A person or entity shall not be entitled to a revision, refund or credit under this Section of a tax, interest or penalty which has been determined to be due pursuant to the provisions

of Section 13 of this Local Law where such person or entity has had a hearing or an opportunity for a hearing, as provided by this Section, or has failed to avail himself or herself of the remedies therein provided.

e. No refund or credit shall be made of a tax, interest or penalty paid after a determination by the Comptroller made pursuant to Section 11 of this Local Law unless it is found that such determination was erroneous, illegal or unconstitutional, either by the Comptroller after a hearing pursuant to this Section, or by a Court under Article 78 of the Civil Practice Law and Rules, pursuant to the provisions of this Local Law.

Section 14. Reserves.

In cases where the occupant, operator, or hosting platform has applied for a refund and has instituted a proceeding under Article 78 of the Civil Practice Law and Rules to review an adverse determination on an application for refund pursuant to Section 13 of this Local Law, the comptroller shall set up appropriate reserves to meet any decision adverse to the County.

Section 15. Remedies Exclusive.

a. The remedies provided by Section 11 and Section 13 of this Local Law shall be the exclusive remedies available to any entity for the review of tax liability imposed by this Local Law.

b. No determination or proposed determination of tax or determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, or any other action not brought under Article 78 of the Civil Practice Law and Rules.

Section 16. Proceedings for Recover Tax.

a. Whenever any operator, hosting platform or other person or entity required to collect and remit occupancy tax pursuant to this Local Law fails to collect and remit and tax, penalty or interest imposed by this Local Law, the Erie County Attorney shall, upon the request of the Comptroller bring or cause to be brought an action to enforce the payment of the same on behalf of Erie County in the Supreme Court of Erie County within sixty days of such request. Should the County Attorney fail to bring such action within sixty days of the Comptroller's request, the Comptroller may bring or cause to be brought such action on behalf of Erie County.

b. If the Comptroller believes that any such operator, hosting platform, or any other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, the Comptroller may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.

c. As an additional or alternate remedy, the Comptroller may issue a warrant, directed to the Sheriff commanding the Sheriff or the Sheriff's duly authorized designee, to levy upon and

sell the real and personal property of the operator, hosting platform, or any person liable for the tax as described by this Local Law which may be found within Erie County for payment of the amount thereof with any penalties, interest, and the cost of executing the warrant.

d. The Sheriff shall, within five business days following the receipt of the warrant, file a copy of such warrant with the Clerk. In the discretion of the Comptroller, a warrant of like terms, force and effect may be issued and directed to any officer or employee who shall have all the powers conferred by law upon the Sheriff under this Local Law, provided that such designee shall not be entitled to any fee or compensation in excess of the actual expenses paid in the performance of such duty.

e. The Clerk shall, within five business days after a warrant has been filed by the Sheriff or the Comptroller's designee, enter in the judgment docket the name of the person or entity named in the warrant and the amount of the tax penalties, penalties, and interest for which the warrant is issued and the date when such copy is filed. For the purposes of this subsection, electronic recording of such information into the public-facing records database maintained by the Clerk shall constitute entry into the judgment docket. If the Clerk fails to enter such information onto the judgment docket within five days, the Comptroller may cause such information to be entered on his or her own accord. At such time as warrant information specified by this Subsection is entered onto the judgment docket, the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the operator, hosting platform, or persons liable for the tax pursuant to this Local Law against which the warrant is issued.

f. The Sheriff or the Comptroller's designee shall proceed upon the warrant, in the same manner and with like effect, as provided by law in respect to executions issued against property upon judgments of a court of record.

g. If a warrant is returned not satisfied in full, the Comptroller may, from time to time, issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County had recovered judgment therefore and execution thereon had been returned unsatisfied.

Section 17. Notice Upon Sale.

a. Whenever an operator shall make a sale, transfer or assignment in bulk or in part or the whole of a short-term rental operation or a lease, license or other agreement or right to possess or operate such short-term rental operation, the seller, transferor or assignor shall notify the Comptroller by registered mail of the proposed sale and of the price, terms and conditions thereof. Failure to do so shall result in a fine not to exceed ten thousand dollars imposed against the seller, transferor, assignor, and, in the case of a corporate entity, the officers, partners, members, or owners of such entity.

b. Whenever an operator shall make a sale, transfer or assignment in bulk or in part or the whole of such operator's operation, lease, license or other agreement or right to possess or

operate such short-term rental operation, otherwise than in the ordinary and regular course of business, the purchaser, transferee or assignee, shall at least ten days before taking possession of the subject of said sale, transfer or assignment or paying therefore, notify the Comptroller by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferor or assignee that it owes any tax pursuant to this Local Law, and whether or not the purchaser , transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

c. Whenever the purchaser, transferee or assignee shall fail to give notice to the Comptroller as required by the Subsection 17(a), or whenever the Comptroller shall inform the purchaser, transferee or assignee that a possible claim for such tax exists, any sums of money, property, causes of action, or other consideration which the purchaser, transferee or assignee is required to remit to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor or assignor to the County.

d. The purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property, causes of action, or other consideration to the extent of the amount of the County's claim.

e. Where a purchaser, transferee or assignee fails to comply with the provisions of this Section, the purchaser, transferee or assignee shall be liable for the payment to the County of all taxes, penalties, and interest theretofore or thereafter determined to be due to the County from the seller, transferor, or assignor.

f. All such liability imposed by this Section may be assessed and enforced in the same manner as the liability for the tax under this Local Law.

Section 18. General Powers of the Comptroller.

In addition to the powers granted to the Comptroller elsewhere in this Local Law, the Comptroller is hereby authorized and empowered:

a. To make, adopt and amend rules and regulations appropriate to the carrying out of this local law and the purposes thereof;

b. To extend for cause shown, the time of filing any return for a period not exceeding thirty days; and for cause shown, to remit penalties but not interest computed at the rate of six percent per annum; and to compromise disputed claims in connection with the taxes hereby imposed;

c. To request information from the New York State Department of Taxation and Finance or the Treasury Department of the United States relative to any person; and to afford information to such tax commission or such treasury department relative to any person, notwithstanding any other provision of this Local Law to the contrary;

d. To delegate any functions hereunder to the Deputy Comptroller or any officer or employee of the Office of Comptroller;

e. To prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;

f. To require any operator within the County to keep detailed records of the nature and type of hotel maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax imposed by this Local Law, and to furnish such information upon request to the Comptroller;

g. To require any operator within the County to maintain any and all records required by this Local Law for a concrete length of time in excess of the five-year period required under Section 8 of this Local Law not to exceed five additional years;

h. To permit an operator or hosting platform, upon a showing of good cause, to enter into an agreement with the County allowing the operator or hosting platform to make periodic payments in a manner and at such intervals to be prescribed by the Comptroller, provided that no such payment plan exceeds two years following the date that the return was due pursuant to Section 9 of this Local Law;

i. To assess and determine the taxes imposed under this Local Law.

Section 19. Administration of Oaths.

a. The Comptroller or the Comptroller's duly authorized employees or agents shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Local Law. The Comptroller shall have power to subpoena and require the attendance of witnesses and the production of books, papers and documents to secure information pertinent to the performance of this duties hereunder and of the enforcement of this Local Law and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of state or unable to attend in person or excused from attendance.

b. A Justice of the Supreme Court of Erie County either in court or at chambers shall have power to summarily enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Comptroller under this Local Law.

c. Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Comptroller under this Local Law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than five

thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment.

d. The officers who serve the summons or subpoena of the Comptroller and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the Sheriff of Erie County, the Sheriff's duly appointed deputies or any officers or employees of the Comptroller who have been designated by the Comptroller to serve such process.

Section 20. Reference to Tax.

a. Whenever reference is made in placards, promotion, publication or other form of public-facing signage or advertisement to the tax imposed by this Local Law, such reference shall be substantially in the following form: "Tax on occupancy of rooms for short-term accommodation."

b. Whenever reference is made in any bill, receipt, statement or other evidence or memorandum of occupancy or rent charge issued or employed by the operator or hosting platform to the tax imposed by this Local Law, the phrase "occupancy tax" will suffice.

Section 21. Penalties and Interest.

a. Any person failing to file a return or to pay over any tax to the Comptroller within the time required by this Local Law shall be subject to a penalty of five percent of the amount of tax due, plus interest at the rate of one percent of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due.

b. The Comptroller may, if satisfied that the delay was excusable, waive all or any part of a penalty imposed by this Section. The Comptroller may not waive interest accrued at the rate of six percent annually. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this Local Law. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Local Law.

c. Any operator, occupant, or hosting platform failing to file a return required by this Local Law, or filing or causing to be filed any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Local Law, which is willfully false shall be subject to a fine not to exceed ten thousand dollars. The individual who engages in such conduct while acting as the agent of such operator, occupant or hosting platform shall be guilty of a misdemeanor. The Comptroller may, in his discretion, refer such violations to the Erie County District Attorney.

d. Any occupant, operator, or hosting platform who violates the provisions of this local law, in addition to any other penalties so specified by this Local Law, shall be subject to a fine not to exceed ten thousand dollars. Such violations include, but are not limited to:

1. Failing to file a bond required to be filed pursuant to Section 11 of this Local Law;

2. Failing to file a registration certificate and such data in connection therewith as the Comptroller may by regulation or otherwise require;

3. Failure to display or surrender the Certificate of Authority as required by this Local Law or assigning or transferring such Certificate of Authority;

4. Failing to charge the tax imposed by this Local Law altogether or separately from the rent;

5. Failing to keep the records required by Section 8 of this Local Law or otherwise required by the Comptroller by regulation.

e. In addition to the penalties imposed by this Section and otherwise imposed elsewhere by this Local Law, entities in violation thereof shall be subject to daily fines not to exceed five hundred dollars per day for each day such entity remains in violation of this Local Law. Such penalties shall be collected in the same manner as otherwise prescribed elsewhere in this Local Law.

f. The certificate of the Comptroller, to the effect that a tax has not been paid, that a return bond or registration certificate has not been filed or that information has not been supplied pursuant to the provisions of this Local Law, shall be presumptive evidence thereof.

Section 22. Returns to be Secret.

a. Within 120 days of the effective date of this Local Law, the County shall establish a confidential mechanism permitting owners and operators to submit returns, pay amounts owed, and transmit all other information required by this Local Law in electronic form.

b. Except as provided by a proper judicial order, or as otherwise provided by law, it shall be unlawful for the Comptroller or any officer or employee of the Office of Comptroller to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required under the Local Law. The officers charged with the custody of such returns shall not be required to produce any return required by this Local Law or evidence of any information contained in them in any action or proceeding in any court or administrative proceeding except on behalf of the Comptroller in an action or proceeding brought under the provisions of this Local Law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit into evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more.

c. Nothing herein shall be construed to prohibit the following:

1. delivery to a taxpayer or a taxpayer's duly authorized representative of a certified copy of any return filed in connection with such taxpayer's obligation under this Local Law; or

2. the publication of statistics so classified as to prevent the identification of particular returns and the items thereof;

3. the inspection of the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty; or

4. confirming for any person or entity that a named operator does not have any undue outstanding tax liabilities, interest and/or penalties pursuant to this Local Law.

d. Returns shall be preserved for five years and thereafter until the Comptroller permits them to be destroyed.

e. Any violation of subdivision (b) of this Section shall be punishable by a fine not exceeding $1,000. Any willful violation of subdivision (b) of this Section by an officer or employee of the County shall result in that officer or employee's immediate dismissal from office and prohibition from holding any public office for a period of five years thereafter.

f. In the event that any person or operator fails to timely and accurately file a return and/or collect and remit the tax due and owing to the County, and/or fails to adhere to the terms and conditions of any agreement said party enters into with the County for the payment of taxes due hereunder, the restriction contained in subdivision (b) of this Section shall be lifted. Only authorized officers and employees of the Office of Comptroller, Division of Budget and Management, and Department of Law are permitted to release limited identifying information regarding the delinquency, including, but not limited to, an operator, person or taxpayer's name, names of the principals of said owner and/or operator, and the amount of the delinquency.

Section 23. Notices and Limitations of Time.

a. Any notice authorized or required under the provisions of this local law may be given by sending the same by certified mail:

1. In the case of an operator or hosting platform, to the address provided on the last return filed pursuant to the provisions of this Local Law; or

2. In the case of an occupant, to the address provided by such occupant on the most recent application made to the Comptroller pursuant to Section 11 or Section 13 of this Local Law.

b. The mailing of such notice shall be presumptive evidence of receipt by the entity to which the notice is addressed. Any time period which is determined according to the notice provisions of this Local Law shall commence to run from the date of mailing of such notice.

c. The provisions of the Civil Practice Law and Rules or any other law conflicting with Chapter 614 of the Laws of 1974 relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine, or enforce the collection of any tax, interest, or penalty provided by this Local Law.

d. Where an operator or hosting platform files a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return.

e. Where no return has been filed by an operator or hosting platform as provided by Section 9 of this Local Law, the tax may be assessed at any time.

f. Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period. No extension authorized by this subsection shall, by itself or cumulatively, exceed two years past the original date of the return required by Section 9 of this Local Law.

Section 24. Effective Date.

This Local Law shall take effect upon filing with the New York Secretary of State and shall not be applied retroactively to the collection and remittance of taxes prior to the amendment to this local law taking effect.

Section 25. Completion of Unfinished Business.

Any matter undertaken or initiated and liabilities incurred under the provisions of the local laws repealed by Section 1 of this Local Law which are pending on the effective date of this Local Law shall be completed in the same manner and under the same terms and conditions and with the same effect as if conducted and completed in accordance with the provisions of the Local Laws herein repealed. Such matters include but are not limited to tax liability, interest and penalties previously incurred, warrants previously issued, and applications for refund previously made. Nothing in this Section shall be interpreted to exempt or excuse any operator or hosting platform from filing a certificate of registration with the Comptroller pursuant to Section 6(a) of this Local Law.

Section 26. Severability.

If any clause, sentence, paragraph, section, subsection, subdivision, or any part of this Local Law or the application therefore to any person, individual, corporation, firm, partnership, entity or

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

Sponsor:

Howard J. Johnson, Jr.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

REPORT No. 11 PUBLIC SAFETY COMMITTEE

Attachments

PS Report No. 11

July 13, 2023 PUBLIC SAFETY COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT, EXCEPT LEGISLATORS GILMOUR & GREENE.

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

a. COMM. 14E-6 (2023)
COUNTY EXECUTIVE: "EC Emergency Medical Services Advisory Board"
(Chair's Ruling)

June 29, 2023

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

Re: Erie County Emergency Medical Services Advisory Board

Dear Honorable Members:

Pursuant to the power vested in me by Section 1407.1 of the Erie County Code, I hereby appoint the following individuals to the Erie County Emergency Medical Services Advisory Board. Their term will expire December 31, 2024.

Appointees:

Keith Mondschein 139 Colony Court Amherst, NY 14226	Matthew J. DeRose 111 Kettering Drive Tonawanda, NY 14223	Joshua Lembke 55 Claremont Avenue Tonawanda, NY 14223
Joseph M. Trzepacz 3704 Walden Avenue Apartment C Lancaster, NY 14086	Bryan J. Goyette 5626 Seneca Street West Seneca, NY 14224	Dennis M. Robinson 8440 Stanfield Road Colden, NY 14033

If you have any questions about this or any other matter, please feel free to contact my office at 858-8500.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

2. COMM. 14E-1 (2023)
SHERIFF

WHEREAS, the Erie County Sheriff's Division of Correctional Health provides daily care to the incarcerated population at the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, the division has conducted a search for optometry providers through a Request for Proposals; and

WHEREAS, after publishing the RFP and contacting eye care providers, National Eye Care was the only provider to submit a proposal; and

WHEREAS, the Division of Correctional Health has negotiated with National Eye Care, 2264 Saranac Lake, Lake Placid, New York, 12946, to provide on-site optometry services; and

WHEREAS, National Eye Care currently provides optometry services to the New York State Department of Corrections (Northern Hubs) and New York County/City Departments of Corrections, as well as multiple other correctional facilities across the country; and

WHEREAS, the agreement will commence upon the necessary County signatures; and

WHEREAS, it is a two-year contract, and it allows for three (3) one-year extensions with National Eye Care for up to $10,000.00 per year; and

WHEREAS, the Sheriff's Office and the Division of Budget and Management have identified funds in the 2023 County Budget to fund the agreement; and

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

516020 Professional Services $10,000.00

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Sheriff to enter into an agreement with National Eye Care, 2264 Saranac Lake, Lake Placid, New York, 12946, for optometry services at the Erie County Holding Center and the Erie County Correctional Facility; and be it further

RESOLVED, this is a two (2) year agreement, and it may be terminated by either party at any time with 90-day written notice; and be it further

RESOLVED, the contract allows for three (3) one-year extensions; and be it further

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

RESOLVED, that certified copies shall be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Purchasing Division, the Office of the Comptroller, and the Office of the Sheriff.
(5-0)

3. COMM. 14E-2 (2023)
SHERIFF
WHEREAS, the Erie County Sheriff's Office is seeking to expand re-entry programs further offered to the incarcerated populations of the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, the Sheriff's Community Reintegration office has been meeting with various community-based organizations and companies to discover new programs that can aid an individual's pre and post-release and reduce recidivism; and

WHEREAS, the Sheriff's Office seeks to enter into an agreement with the Community Music School of Buffalo to offer therapeutic music services, which a board-certified music therapist provides; and

WHEREAS, music therapy is a clinical and evidence-based use of music intervention to accomplish individualized goals within a therapeutic relationship used to assist people of all ages, abilities, and circumstances; and

WHEREAS, many strategies are implemented to support and aid in mental health, problem-solving, collaboration, self-expression, emotional intelligence, and goal setting while using music to motivate and engage the person; and

WHEREAS, music therapy has been implemented in correctional facilities around the United States for almost a century; and

WHEREAS, the agreement is for a one year with a minimum of 40-weekly sessions with costs not to cost $4,940.00 for the term of the contract; and

WHEREAS, the Sheriff's Office desires to enter into a contract with Top Youth Speakers to offer a 90-minute learning seminar to aid in developing resilience and unleashing one's potential; and

WHEREAS, the learning outcomes of the program include learning to let go of the past and focus on the future, develop personal fortitude, and understanding resilience to enhance mental; and

WHEREAS, the agreement is for one seminar with a cost not to exceed $4,980.00; and

WHEREAS, Emerge Careers and the Sheriff's Office have developed a pilot program to train individuals to receive their Commercial Driver's License; and

WHEREAS, the pilot program will enroll five individuals for a cost not to exceed $4,999.00; and

WHEREAS, Emerge Career focuses exclusively on pre and post-release training programs designed to prepare individuals for entry-level commercial driver training and commercial driver's license training; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Sheriff's Office and the County Executive to enter into an agreement with Community Music School of Buffalo, 217 East Delavan Avenue, Buffalo, New York 14208, for one year where the organization will provide a minimum of 40-weekly sessions with costs not to exceed $4,940.00 for the term of the contract; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Sheriff's Office and the County Executive to enter into an agreement with Top Youth Speakers, 16600 Monterey Road 852, Morgan Hill, California 95037, to provide one ninety-minute seminar with costs not to exceed $4980.00; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Sheriff's Office and the County Executive to enter into an agreement with Ameelio Emerge Public Benefit Corporation (d/b/a Emerge Career), New Haven, Connecticut, for one year with costs not to exceed $4,999.00 for the term of the contract; and be it further

RESOLVED, the parties can terminate at any time, by the mutual consent of the parties or by written notice; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the County Comptroller, the Division of Budget and Finance, the Division of Purchasing, and the Sheriff's Office for implementation.
(5-0)

4. COMM. 14E-23 (2023)
COUNTY EXECUTIVE
WHEREAS, the New York State Office of Indigent Legal Services (NYS ILS) will provide a three-year grant totaling $650,225.63 to the County to implement an early-intervention, multi-disciplinary model for the representation of parents in child welfare matters appearing in Erie County Family Court; and

WHEREAS, this funding will specifically provide the salary and fringe benefit for a full-time Deputy for Litigation and Appellate Support to provide mentoring and litigation support to Assigned Counsel Program (ACP) panel attorneys; and

WHEREAS, Erie County will contract with the Erie County Bar Association's Aid to Indigent Prisoners Society to deliver the services required through the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with the State of New York Office of Indigent Legal Services, in the amount of $650,225.63 over three years from January 1, 2023 to December 31, 2025 to fund an attorney position to aid in the representation of parents in child welfare matters; and be it further

RESOLVED, that authorization is hereby given to establish grant funding in the Department of Law (Fund 281, Funds Center 160) as follows:

Erie County Department of Law
ILS 2nd Upstate Family Defense (Child Welfare)
Quality Improvement & Caseload Reduction
Grant Fund 281, 160UFD2ILS2325
January 1, 2023 to December 31, 2025

Revenue	Budget
Account 409000 - State Aid Revenue	$650,225.63

Appropriation	Budget
Account 516602 - EC Bar Association	$650,225.63

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a three-year subcontract with the Erie County Bar Association Aid to Indigent Prisoners Society to deliver said services from January 1, 2023 to December 31, 2025; 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 the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Attorney, the Office of the Comptroller, the County Executive's Office and the Division of Budget and Management.
(5-0)

5. COMM. 14E-26 (2023)
COUNTY EXECUTIVE

WHEREAS, the New York State Office of Indigent Legal Services will provide a three-year grant totaling $750,000 to the County for the provision of indigent defense services at first appearance; and

WHEREAS, Erie County will contract with the Erie County Bar Association's Aid to Indigent Prisoners Society to deliver the services required through the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with the State of New York Office of Indigent Legal Services in the amount of $750,000 over three years from January 1, 2023 to December 31, 2025 to provide enhanced representation to indigent defendants at first appearance; and be it further

RESOLVED, that authorization is hereby given to establish grant funding in the Department of Law (Fund 281, Funds Center 160) as follows:

Erie County Department of Law
ILS Counsel at First Appearance #4 Grant
Grant Fund 281 160CAFA4ILS2325
January 1, 2023 to December 31, 2025

Revenue	Budget
Account 409000 - State Aid Revenue	$750,000

Appropriation	Budget
Account 516602 - EC Bar Association	$750,000

and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into a three-year subcontract with the Erie County Bar Association Aid to Indigent Prisoners Society to deliver said services from January 1, 2023 to December 31, 2025; 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 the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts; 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 Law, and the Division of Budget and Management. (5-0)

6. COMM. 14E-27 (2023)

COUNTY EXECUTIVE

WHEREAS, the New York State Office of Indigent Legal Services will provide a three-year grant totaling $300,000 to the County to improve the quality of representation to indigent defendants and reduce caseloads in indigent legal service provider programs; and

WHEREAS, Erie County will contract with the Legal Aid Bureau of Buffalo, Inc. to deliver the services required through the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with the State of New York Office of Indigent Legal Services, in the amount of $300,000 over three years to provide from July 1, 2020 to June 30, 2023 to improve the quality of representation to indigent defendants and reduce caseloads in indigent legal service provider programs; and be it further

RESOLVED, that authorization is hereby given to establish grant funding in the Department of Law (Fund 281, Funds Center 160) as follows:

Erie County Department of Law
Third Upstate Quality Improvement and Caseload Reduction Grant
Grant Fund 281, 160QID12ILS2325
July 1, 2020 to June 30, 2023

Revenue	Increase
Account 409000 - State Aid Revenue	$300,000

Appropriation	Increase
Account 516601 - Legal Aid Bureau of Buffalo	$300,000

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into three-year subcontract with the Legal Aid Bureau of Buffalo, Inc. to deliver said services from July, 1 2020 to June 30, 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 the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts; 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 Law, and the Division of Budget and Management. (4-0-1) Legislator Greene abstain.

HOWARD J. JOHNSON, JR.
CHAIR

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

REPORT No. 11 ECONOMIC DEVELOPMENT COMMITTEE

Attachments

ED Report No. 11

July 13, 2023 ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 14E-11 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Information and Support Services (DISS) requires a Point of Presence server room to be installed on the 15th floor of the Erie County Rath Building in preparation of ErieNet; and

WHEREAS, construction for the abatement scope of work for this Project was previously approved per COMM. 10E-9 (2023); and

WHEREAS, the Rath Building – ErieNet POP Server Rm 15th Floor renovation project includes the required scope of work to house the future Point of Presence to support ErieNet; and

WHEREAS, the Department of Public Works (DPW) received bids for the Rath Building 15th Floor Abatement Project on June 20, 2023; and

WHEREAS, the lowest bidder on the General Construction Contract was not an acceptable bid as the responsibility questionnaire was not included as required per Local Law 2-2021; and

WHEREAS, the lowest responsible bidder for the General Construction Contract was Rodriguez Construction; and

WHEREAS, no bids for the Mechanical Construction and the Electrical Construction Contracts were received and these contracts will have to be publicly re-bid; and

WHEREAS, the Department of Public Works and C&S Engineers are recommending award of the contract to the lowest responsible bidder for the Rath Building – ErieNet POP Server Rm 15th Floor Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the lowest responsible bidder for the Rath Building – ErieNet POP Server Rm 15th Floor Renovation project for an amount not to exceed as follows:

Abatement Construction Work		
Rodriguez Construction	Base Bid:	$ 639,000.00
Total Award of General Construction Contract:		$ 639,000.00

and be it further

RESOLVED, that authorization is hereby given that the sum of $33,000.00 will 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 authorization is hereby given for $37,000 of Construction Contingency Funds previously designated for the ErieNet POP Room Project per COMM. 10E-9 (2023) be used for all contracts associated with the ErieNet POP Server Room Projects; 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 to the Comptroller's Office to make payment from the following capital project in Funds Center 122, Fund 410:

A.23005 – DPW (Bldgs and Grounds) Prevention of County Buildings and Facilities	$351,000
A.22068 – 2022 DISS Point of Presence Server Room	$321,000
Total:	$672,000

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the County Executive's Office, the Comptroller's Office, and the Division of Budget and Management.
(5-0) Chair Baskin not present for vote.

2. COMM. 14E-12 (2023)
COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the Erie County Medical Examiner's Office Renovations Phase 7 project on June 13, 2023; and

WHEREAS, the Department of Public Works, along with Trautman Associates is recommending award of the contract to the lowest responsible bidders; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Trautman Associates for providing additional design and construction administration for Phase 7; and

WHEREAS, the Medical Examiner's Office added additional staff during the Phase 5 construction requiring additional design services by Trautman Associates; and

WHEREAS, the County Executive is requesting authorization to issue an agreement amendment to the firm of Watts Architecture & Engineering for providing asbestos, air monitoring and testing services.

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 Medical Examiner's Office Renovations – Phase 7 project for an amount not to exceed as follows:

General Construction Work:		
Resetarits Construction	Base Bid	$1,688,000
Hazardous Materials:		
Oneida Sales & Service	Base Bid	$81,400
Mechanical Work:		
John W. Danforth Company	Base Bid	$636,000
Electrical Construction Work		
CIR Electric & Construction Corp.	Base Bid	$342,100
Plumbing Work		
MKS Plumbing Corp.	Base Bid	$248,000
Roofing Work		
Progressive Roofing	Base Bid	$380,000
Total Award of Construction Contracts		$3,375,500

and be it further

RESOLVED, that authorization is hereby given for the sum of $330,000 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that authorization is hereby given to the County Executive to execute an Agreement Amendment with the firm of Trautman Associates, for additional design services for the Phase 5 Renovations and additional design and construction administration for Phase 7 project for an amount not to exceed $230,000.00; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute an Agreement Amendment with Watts Architecture and Engineering for additional abatement air monitoring and testing fee in an amount not to exceed $12,000.00 for this project; and be it further

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

A.21108	2021 Medical Examiners Toxicology/Pathology Renovations	$2,933,861.00
A.22006	2022 Medical Examiner's Toxicology/Pathology Renovations	$1,013,639.00
Total Payments not to exceed		$3,947,500.00

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) Chair Baskin not present for vote.

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

WHEREAS, the Erie County Legislature previously authorized the 2021-2022 Large Culvert/Small Bridge and Pedestrian Bridge Condition Inspection Contract with Popli Design Group in COMM 12E-19 (2021) on June 24, 2021; and

WHEREAS, the resolution includes the provisions to extend the contract for an additional 2-year period, covering 2023-2024, subject to renegotiated costs and Legislative approval; and

WHEREAS, Popli Design Group has performed the inspections in a timely and efficient manner in the previous 2-year period, covering 2021-2022; and

WHEREAS, there is a need for structural inspections, including large culvert/small bridges and pedestrian bridges, to be performed by an engineering firm specializing in such services; and

WHEREAS, Legislative approval is required for the County Executive to extend the contract with Popli Design Group for the 2023-2024 period.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract extension with Popli Design Group for the 2021-2022 Large Culvert/Small Bridge and Pedestrian Bridge Condition Inspection Services project for a 2-year period covering 2023-2024 in an amount not to exceed $497,150; and be it further

RESOLVED, that funds be made available for the Project from the following Projects in Fund 420, Funds Center 123:

B.21155 – 2021 Culvert Bridge Inspection Program	$212,601.95
B.22060 – 2022 Large Culvert, Small Bridge, Ped. Bridge Insp.	$200,000.00
B.23055 – 2023 Culvert Bridge & Ped Bridge Inspect	$ 84,548.05
TOTAL PROJECT	$497,150.00

and be it further

RESOLVED, that five (5) 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 Division of Purchase.
(5-0) Chair Baskin not present for vote.

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

WHEREAS, the 2021 year-end Budget Balancing resolution, Comm. 8E-1 (2022) was approved on May 12, 2022 allocating funding to a variety of community development and County projects in the interest of fostering tourism and supporting arts and cultural organizations, including $25,000,000 to the "Cultural Agency Capital Fund"; and

WHEREAS, the nonprofit arts and culture sector is a significant industry in the Western New York economy generating over $352 million in direct and indirect economic activity according to Arts Services Initiative; and

WHEREAS, the aforementioned Fund seeks to provide capital improvement grants to defray the cost of capital improvements at art and cultural institution's facilities; and

WHEREAS, a competitive application process was facilitated by the Department of Environment and Planning and the Erie County Capital Projects Committee reviewed applications and selected a list of awardees representing arts and cultural organizations throughout the County; and

WHEREAS; additional legislation is needed to enter into contracts with awarded arts and cultural organizations to facilitate the projects; and

WHEREAS, pursuant to 6 N.Y.C.R.R. § 617.1 which implements the State Environmental Quality Review Act requires the consideration of environmental factors into decision making processes of local governments prior to the Legislature undertaking, approving or funding an action; and

WHEREAS, the proposed cultural capital project is considered an Unlisted action pursuant to SEQR; and

WHEREAS, the Hispanic Heritage Cultural Institute was among those selected for grant awards.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature concurs with the City of Buffalo's negative declaration dated May 8, 2023, as set forth in 6 N.Y.C.R.R. § 617.7(c) denoting a de minimis environmental impact; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a contract with the Hispanic Heritage Council of Western New York in the amount of $500,000, from the capital account A.22095.1.3; 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, the authorization is hereby given to the County Executive and the Department of Law to execute easements, deed restrictions, intermunicipal agreements and/or place additional requirements on the aforementioned contracting entity and associated real property (project location) as necessary to implement the project; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Law, and Department of Environment and Planning.
(5-0) Chair Baskin not present for vote.

5. COMM. 14E-16 (2023) **AS AMENDED**
COUNTY EXECUTIVE

WHEREAS, the November 2022 Winter Storm and December 2022 Blizzard required extensive snow removal operations in order to allow for roads to be opened for travel; and

WHEREAS, during the snow removal operations for both of these storms, damage was caused to items such as curbs, sidewalk, drainage inlets, landscaping, and other county-maintained infrastructure and appurtenances within the County right-of-way; and

WHEREAS, the Erie County Department of Public Works desires to restore these items to their pre-storm conditions as part of the 2022 Storm Damage Restoration Project (CAP-STORM2022), (the "Project"); and

WHEREAS, the design of the 2022 Storm Damage Restoration is complete and will be publicly bid in June 2023; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary to execute the construction contract with the lowest responsible bidder, McLaughlin Construction Corp. dba. Edbauer Construction, and establish a construction contingency, for a total project construction phase allowance of $1,750,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the utilization of $1,750,000 within the November 2022 Storm Fund (Fund 254) to create a new capital project in Fund 420, Funds Center 123 for the 2022 Storm Damage Restoration Project as follows:

Project B.23XXX
2022 Storm Damage Restoration Project
Fund 420, Funds Center 123

REVENUES	
486000 Interfund Revenue Subsidy	$1,750,000
TOTAL	$1,750,000
APPROPRIATIONS	
CAPITAL PROJECT EXPENSE	$1,750,000
TOTAL	$1,750,000

and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute a contract for ECDPW Project CAP-STORM2022 with the lowest responsible bidder, McLaughlin Construction Corp. dba. Edbauer Construction in an amount not to exceed $1,685,000; and be it further

RESOLVED, that authorization is hereby given for the sum of $65,000 to be allocated to a construction contingency fund with authorization for the County Executive to execute change orders in an amount not to exceed the contingency fund; and be it further

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

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

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, and the Department of Law.
(5-0) Chair Baskin not present for vote.

6. COMM. 14E-20 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie Community College currently does not have the proper athletic fields in accordance with NCAA regulations to support their athletic teams; and

WHEREAS, the Erie County Department of Public Works (DPW) received professional Architectural/Engineering design qualifications and proposals for the SUNY Erie Community College North Campus ECC North Campus Sports Playing Fields – Term Agreement project on April 19, 2023; and

WHEREAS, a review of qualifications evaluated each firm, it was deemed, via the County's consultant selection process, that Wendel WD, Architects, Engineering, Surveying, and Landscape Architects, PC (Wendel) had the necessary expertise, experience, and manpower to provide the required architectural and engineering services to support the project; and

WHEREAS, it has been determined that it was appropriate to award the term contract to one design firm; and

WHEREAS, the qualifications and proposals were solicited by DPW as a term agreement with an initial scope of providing a new NCAA compliant multi-use field with supporting amenities as the initial (Phase 1) lump sum proposal; and

WHEREAS, the Phase 1 scope of work includes design of the initial scope of work as well as a masterplan for planning purposes of the open grass area apart of the campus north of the campus buildings bound by Arrow Drive, Main Street, Youngs Road and Tech Drive; and

WHEREAS, the County Executive is requesting authorization to enter into a three (3) year Term Agreement with Wendel for a lump sum proposal as submitted for Phase 1 providing professional architectural/engineering services for SUNY Erie Community College North Campus ECC North Campus Sports Playing Fields – Term Agreement project, with the possibility of two (2) one (1) year extensions at the discretion of DPW; and

WHEREAS, the design fee for the professional services described herein is being requested for the initial scope titled 'Phase 1' as future scopes of work to further develop the fields at the Erie Community College North Campus based on the needs of the facility and available construction funds; and

WHEREAS, proposals for design services for future scopes of work not included in 'Phase 1' will be negotiated with the County, ECC and the consultant and all future work will be proposed before your Honorable Body for approval based on available funds; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into one three (3) year Term Agreement with the firm of Wendel, with the possibility of two (2) one (1) year extensions, for providing professional engineering services on a lump sum basis for the SUNY Erie Community College North Campus ECC North Campus Sports Playing Fields – Term Agreement project for an amount not to exceed $500,000, including architectural and design services, site investigations and field work to support the project, and reimbursables; and be it further

RESOLVED, the initial design services as part of the term agreement includes design of the Phase 1 work as initial lump sum in the amount of $391,955 inclusive of base design fee, and reimbursables, with future work to be determined in coordination with the Consultant, ECC, and DPW as a negotiated lump sum fee for the scope of work at hand as agreed upon by all parties; and be it further

RESOLVED, authorization is hereby given for a design contingency to be included as part of the Phase 1 work in the amount of $108,045; and be it further

RESOLVED, that sufficient funding exists for this contract in the Buildings and Grounds Capital Project (Fund 480, Funds Center 122) E.20001 - 2000 Collegewide Improvements and Renovations; and be it further

RESOLVED, authorization is hereby given for any unused design contingency may be used for future phases of work; and be it further

RESOLVED, that such contract extensions are at the discretion of DPW as agreed upon by Wendel; 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 SUNY Erie Financial Officer.
(5-0) Chair Baskin not present for vote.

7. COMM. 14E-21 (2023)
COUNTY EXECUTIVE

WHEREAS, frequent repairs and limited to no availability on replacement parts make the electrical switchgear increasingly less reliable and more dangerous to maintenance staff to preform repairs; and

WHEREAS, the Buffalo Erie County Central Library seeks to upgrade the equipment for the well-being of the facility and safety of their staff as the current switchgear is beyond its useful life being original to the building; and

WHEREAS, completion of the Project will ensure the library will continue to perform efficiently for all staff and patrons; and

WHEREAS, the County of Erie received electrical construction bids for the Buffalo and Erie County Central Library Electrical Switchgear Replacement Project on June 14, 2023; and

WHEREAS, the Department of Public Works along with its consultant, Trautman Associates, are recommending award of the contracts to the lowest responsible bidder.

NOW, THEREFORE, BE IT

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

<u>Electrical Construction Work</u>		
Frey Electric Construction Co., Inc.	Base Bid:	$ 757,000.00
Total Award of Electrical Construction Contract:		$ 757,000.00

and be it further

RESOLVED, that authorization is hereby given for the sum of $76,000 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that authorization is hereby given for the Comptroller's Office to make payment for all the above from the following Capital Project, Fund 410, Funds Center 122 and Library State Aid Grant, Funds 821, Funds Center 420 and Grant 420NYSCONSTCTR2124 – NYS Construction Grant – Central, Account 516020 - Professional Services, Contracts and Fees as follows:

A.22007 – DPW (Buildings and Grounds) – Buffalo & Erie County Public Library – Various Improvements and Upgrades	$246,451
Grant 420NYSCONSTCTR2124 – NYS Construction Grant – Central	$586,549
Total payment not to exceed	$833,000

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, the Buffalo & Erie County Central Library, Kenneth Stone.
(5-0) Chair Baskin not present for vote.

8. COMM. 14E-24 (2023)
COUNTY EXECUTIVE

WHEREAS, Erie County has received funding through the American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF) to respond to negative impacts resulting from the COVID-19 pandemic and meet local needs within eligible use categories; and

WHEREAS, more than $89 million SLFRF was appropriated as part of a newly created American Rescue Plan Fund (Fund 253) in the 2022 Adopted Erie County Budget; and

WHEREAS, $24 million of which was appropriated to the Department of Health to support urgent COVID-19 response efforts necessary to decrease the spread of the virus and bring the pandemic under control; and

WHEREAS, with the end of the local COVID-19 State of Emergency, previously appropriated funding remained that was eligible for reallocation; and

WHEREAS, the County seeks to address vacant property in communities disproportionately impacted by the pandemic, while simultaneously addressing the ongoing lack of affordable housing that has been exacerbated by the pandemic; and

WHEREAS, $13.5 million in remaining SLFRF will be re-appropriated to increase the supply, quality, and diversity of housing while also addressing socioeconomic inequities amongst some of the lowest income residents of our community; and

WHEREAS, development of affordable housing is an enumerated eligible use within SLFRF to respond to the negative economic impacts of the pandemic; and

WHEREAS, Erie County's localized response to the pandemic seeks to address a shortage in housing supply while also providing opportunities for wealth-building via homeownership opportunities to low- and moderate-income families; and

WHEREAS, the County of Erie seeks to establish a relationship with a development partner to assist with the above stated goals and therefore requests approval to contract with the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) for the development of approximately 40 single-family, new construction, homeownership units for sale to low- and moderate-income income buyers whose incomes do not exceed 300% of the federal poverty level; and

WHEREAS, said units will be infill housing, constructed on vacant lots to be conveyed to or already owned by BENLIC for this purpose; and

WHEREAS, BENLIC will be responsible for securing financing and overseeing construction of said parcels, as well as marketing said homes, securing income-eligible homebuyers, and providing homebuyer counseling; and

WHEREAS, ARPA SLFRF guidelines mandate that funds must be committed by December 31, 2024, and expended by December 31, 2026.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the re-appropriation and transfer of $13,500,000 of remaining ARPA SLFRF from direct COVID-19 mitigation to affordable housing development within the American Rescue Plan Fund (Fund 253) as follows:

Health Division
Fund 253, Funds Center 12700

ACCOUNT	REVENUE	CHANGE
414027	Federal Aid – American Rescue Plan	$(13,500,000)
	TOTAL	$(13,500,000)

ACCOUNT	APPROPRIATION	CHANGE
516044	COVID 19 Mitigation – American Rescue	$(13,500,000)
	TOTAL	$(13,500,000)

Environment and Planning
Fund 253, Funds Center 16200

ACCOUNT	REVENUE	CHANGE
414027	Federal Aid – American Rescue Plan	$ 13,500,000
	TOTAL	$ 13,500,000

ACCOUNT	APPROPRIATION	CHANGE
516046	Affordable Housing – American Rescue Plan	$ 13,500,000
	TOTAL	$ 13,500,000

and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute an agreement with BENLIC for development of single-family infill homes within Erie County for sale to eligible low/moderate income buyers; 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 and re-appropriation of funds within the American Rescue Plan Fund (Fund 253) to effectuate the full utilization of ARPA SLFRF in advance of programmatic obligation and expenditure deadlines set by the U.S. Department of Treasury; and be it further

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

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Director of the Division of Budget and Management; the Comptroller's Office; Commissioner of the Department of Environment and Planning, and the County Attorney.
(6-0)

HOWARD J. JOHNSON, JR.
CHAIR

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

REPORT No. 9 ENERGY & ENVIRONMENT COMMITTEE

Attachments

EE Report No. 9

July 13, 2023 ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 9

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

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

a. COMM. 14M-1 (2023)
NYS AGRICULTURE & MARKETS: "EC Agricultural District No. C8 – Eight-Year Review Notice"
(Chair's Ruling)

2. COMM. 14E-9 (2023)
COUNTY EXECUTIVE
WHEREAS, the Erie County Parks System contains 2,923 acres of forests on 12 sites throughout Erie County; and

WHEREAS, currently Erie County Parks, Recreation and Forestry and the Department of Environment and Planning utilize the 2003 Erie County Forestry Management Plan to guide the management and policies related to forestry parcels; and

WHEREAS, the environmental setting, species, invasive species and forestry principles and priorities have changed significantly in the last 20 years; and

WHEREAS, the 2019 Erie County Parks Master Plan recommended the County perform a comprehensive update to the 2003 Erie County Forest Management Plan, including an extensive forest inventory; and

WHEREAS, Erie County is desirous of engaging landscape architecture, planning, and forestry services to update the Erie County Forest Management 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 #2023-026VF; and

WHEREAS, Erie County desires to select CC Environment & Planning to update the Erie County Forest Management Plan.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute Contracts for Consultant services in an amount not to exceed $141,870 with CC Environment & Planning to update the Erie County Forest Management Plan; and be it further

RESOLVED, that authorization is hereby given for an amount of $7,500 to be allocated for contingency fund with authorization from the County Executive to approve contract amendments with CC Environment & Planning; and be it further

RESOLVED, that the source of funds shall be as follows:

Capital Account	Amount	Description
A.22069.1	$113,400	
A.23006.3	$28,470	
	$141,870	Contract with CC Environment & Planning
A.22069.1.1	$7,500	Contingency
Total	$149,370	Contract with Contingency

and be it further

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

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Law, Department of Environment and Planning, and Department of Parks, Recreation and Forestry.
(6-0)

3. COMM. 14E-18 (2023)
COUNTY EXECUTIVE
WHEREAS, the Erie County Legislature established the Erie County Agricultural and Farmland Protection Board on March 18, 1993 in accordance with AML Article-25AA, Section 302(a); and

WHEREAS, the Erie County Agricultural and Farmland Protection Board is an advisory board on agricultural matters to the Erie County Legislature; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board and the Department of Environment and Planning utilize the current Agricultural and Farmland Protection Plan to guide decision making on agricultural matters; and

WHEREAS, the Erie County Agricultural and Farmland Protection Plan was last updated in 2012 and accepted by the Erie County Legislature on March 21, 2013; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board desires to update the 2013 Erie County Agricultural and Farmland Protection Plan to address changes in the last ten years and address emerging issues; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law ("AML") authorizes the New York State Department of Agriculture and Markets ("AGM") to maintain a state agricultural and farmland protection program to provide financial assistance to assist counties in developing and updating agricultural and farmland protection plans; and

WHEREAS, AGM has released a Request for Applications for State Assistance Payments for County Agricultural and Farmland Protection Planning Grants with applications accepted on a rolling basis; and

WHEREAS, any county that has established an agricultural and farmland protection board and has not had an agricultural and farmland protection plan approved by the Commissioner of AGM in the last ten years is eligible for funding; and

WHEREAS, the AGM County Agricultural and Farmland Protection Planning Grants program requires counties to provide a fifty percent local match; and

WHEREAS, Erie County desires to apply for said grant funding program and has allocated $50,000 within the 2023 Environment and Planning budget to pursue the AGM Planning Grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to apply to the AGM County Agricultural and Farmland Protection Planning Grant program; and be it further

RESOLVED, that if awarded, the County will provide the local match in the amount of $50,000 from the following source: Fund 110, Cost Center 16200, GL Account 559000; and be it further

RESOLVED, that the Clerk of the Legislature is directed to send certified copies of this resolution to the Erie County Executive's Office, Division of Budget, Management, Comptroller's Office, Department of Environment and Planning, and New York State Department of Agriculture and Markets. (6-0)

4. COMM. 14E-25 (2023)
COUNTY EXECUTIVE
WHEREAS, Erie County's agricultural industry is valued at $130 million dollars; and

WHEREAS, Erie County's agricultural industry is primarily comprised of family farms; and

WHEREAS, the preservation of agricultural land, protection of tax base, and soil and water resources is recommended by multiple County planning documents accepted by the Legislature including the Erie County Agriculture and Farmland Protection Plan and Erie-Niagara Framework for Regional Growth; and

WHEREAS, the financial viability of agricultural operations is necessary to preserve agricultural land, protect the tax base and preserve soil and water resources; and

WHEREAS, the November 2022 Lake Effect Snowstorm significantly impacted Erie County, resulting in total snowfall measurements in some areas of 81.2 inches; and

WHEREAS, a Federal Emergency Management Agency (FEMA) declared an emergency declaration for Erie County on November 19; and

WHEREAS, multiple businesses suffered damage by the heavy snow loads and high wind, including at least fifteen structures, ten of which are greenhouses owned by family farms; and

WHEREAS, data from a post-storm survey of agricultural operations administered by Cornell Cooperative Extension of Erie County indicated physical property damage to agribusinesses was estimated to be over $2 million dollars; and

WHEREAS, the survey also indicated that in many cases damage incurred to agricultural structures exceeded the owner's insurance coverage; and

WHEREAS, in furtherance of its governmental functions to protect air and water resources, protect the tax base and preserve soil and water resources, the County desires to support the viability of the agricultural industry by offering grant funding to agribusinesses for damages incurred during the November Lake Effect Storm; and

WHEREAS, the mission of the Erie County Soil and Water Conservation District is to protect and promote the health, safety, and general welfare of the present and future generations of Erie County residents through the conservation of soil, water, air, plant, and animal resources; and

WHEREAS, Erie County Soil and Water Conservation District is the County's designated public benefit corporation for agricultural, soil and water resource management and assistance; and

WHEREAS, there is an existing Public Benefit Contract between Erie County and the Erie County Soil and Water Conservation District in place; and

WHEREAS, the current agreement stipulates that the Erie County Soil and Water Conservation District will provide public benefits to the residents of Erie County by working with landowners, land managers, local government agencies, and other local interest groups to address a broad spectrum of resource concerns; and

WHEREAS, Erie County desires to engage with Erie County Soil and Water Conservation District to administer the proposed November Lake Effect Storm Assistance Program; and

WHEREAS, funding was allocated for this purpose in the 2022 Year-End Budget Balancing Amendments and Designations resolution, Comm. 8E.-1 (2023) approved on April 23, 2023.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute contracts for grant administration services and issuing of grants in relation to the November 2022 Storm Damage Fund with Erie County Soil and Water Conservation District in an amount to not to exceed $2,000,000; and be it further

RESOLVED, that sufficient funding exists for this contract in the 2023 Budget, Fund 110, Funds Center 1332010, Account 518087 – Nov 22 Storm Damage Fund; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute all other agreements necessary to administer a November 2022 Storm Damage Fund Program; and be it further

RESOLVED, that Erie County funding shall be distributed to qualifying businesses that incurred damage directly as a result of the November 2022 Lake Effect Snow Storm in accordance with the guidelines developed by Erie County; 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 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 Division of Budget and Management, the Department of Law, and the Department of Environment and Planning.
(6-0)

TIMOTHY J. MEYERS
CHAIR

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

REPORT No. 7 FINANCE & MANAGEMENT COMMITTEE

Attachments

FM Report No. 7

July 13, 2023 FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 7

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

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

a. COMM. 14E-3 (2023)
COMPTROLLER: "Appointment & Distribution Report – Sales & Compensating Use Tax"
(Chair's Ruling)

b. COMM. 14E-4 (2023)
COMPTROLLER: "Report on Audit of the EC Department of Law Contract Expenditures for Indigent Services – 1/1/2022-12/31/2022"
(Chair's Ruling)

c. COMM. 14E-5 (2023)
COMPTROLLER: "Annual Comprehensive Financial Report - 2022"
(Chair's Ruling)

d. COMM. 14D-2 (2023)
DIRECTOR OF BUDGET & MANAGEMENT: "2023 Mid-Year Budget Hearings Data"
(Chair's Ruling)

2. COMM. 14E-22 (2023)
COUNTY EXECUTIVE
WHEREAS, Erie County is a municipal corporation and is bound by the New York State Taylor Law to negotiate terms and conditions of employment with duly-elected employee organizations; and

WHEREAS, the Teamsters Local 264 – Civilian ("Teamsters" or "Unit") represents the employees who work at the Erie County Holding Center; and

WHEREAS, the existing collective bargaining agreement between Erie County and the Unit is set to expire on December 31, 2023; and

WHEREAS, Erie County and the Unit negotiated a collective bargaining agreement, covering the period between January 1, 2024 and December 31, 2026; and

WHEREAS, Unit membership recently ratified the agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the agreement between Erie County and Teamsters Local 264 – Civilian for the period January 1, 2024-December 31, 2026; and be it further

RESOLVED, that authorization is hereby given that all terms and conditions of the successor agreement shall be implemented in full; and be it further

RESOLVED, that authorization is provided to appropriate up to $900,000 from Fund 110, Funds Center 14010, Account 504998 – Net Impact Teamsters to cover the 2023 costs of the successor agreement; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any and all required budgetary adjustments to properly fund the increased costs associated with the Unit agreement and the Commissioner of Personnel is authorized to make any necessary personnel adjustments to implement the terms of the agreement for County employees; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Sheriff's Office, the Comptroller's Office, the Division of Budget and Management, Department of Labor Relations, Department of Personnel, and the Erie County Fiscal Stability Authority.
(5-0)

TIMOTHY J. MEYERS
CHAIR

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

REPORT No. 8 HEALTH & HUMAN SERVICES COMMITTEE

Attachments

HHS Report No. 8

July 13, 2023

HEALTH & HUMAN SERVICES
COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 14E-7 (2023)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature hereby confirms the following named individuals to the Erie County Youth Services Board, for a term ending July 1, 2025:

Appointees:

Maria Marinucci
394 Rosedale Boulevard
Amherst, NY 14226
New Appointment

Liza Acanfora
4890 Morgan Parkway
Hamburg, NY 14075
Re-Appointment

Nichelle Brown
19 Roehrer Avenue
Buffalo, NY 14208
Re-Appointment

David Caywood
124 Morris Avenue
Buffalo, NY 14214
Re-Appointment

Joshua Daniels
184 Northington Drive
East Amherst, NY 14051
Re-Appointment

Melissa Jones
108 Indian Church Road
Buffalo, NY 14210
Re-Appointment

Charity Lulas
10788 Gowanda State Road
North Collins, NY 14111
Re-Appointment

Brian Rochford
104 Devonshire Road
Buffalo, NY 14223
Re-Appointment

Susan Lumadue
148 Sterling Avenue
Buffalo, NY 14216
Re-Appointment

Le Shawn Davis, LMSW
279 Minnesota Avenue
Buffalo, NY 14215
New Appointment

(6-0)

2. COMM. 14E-8 (2023)
COUNTY EXECUTIVE
WHEREAS, the mission of the Erie County Department of Health (ECDOH) is to promote and protect the health, safety, and well-being of Erie County residents through active prevention, education, enforcement, advocacy and partnerships; and

WHEREAS, the ECDOH operates the Jesse Nash Health Center at 608 William Street in Buffalo that provides family planning, sexual health, immunizations, tuberculosis and other services; and

WHEREAS, the ECDOH is always looking for new opportunities to better engage with residents and community partners; and

WHEREAS, the Buffalo Fine Arts Academy d/b/a Buffalo AKG Art Museum presented the opportunity to collaborate on reaching residents and neighbors around the Health Center by leading an outreach campaign and installation of a new mural on the south faced of the Health Center through its Public Art Initiative; and

WHEREAS, Buffalo AKG not only has the experience of producing more than 40 murals, installations, residencies, and works of sculpture with community engagement, but has generously offered to cover more than 50% of the total budget, and

WHEREAS, when complete, this mural will have strengthened community bonds and increased the presence of the Health Center for decades to come.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with Buffalo Fine Arts Academy d/b/a Buffalo AKG Art Museum for the community engagement and mural installation project for the Jesse Nash Health Center at 608 William Street in the amount of $50,000, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that sufficient funding for this project is located within the Department of Health's 2023 Operating Budget (Fund 110, Funds Center 12710) Account 516020 – Professional Services, Contracts & Fees; and be it further

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

RESOLVED, the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive's Office, the Comptroller's Office, the Director of the Division of Budget and Management, the Department of Public Works, and the Department of Health.
(6-0)

3. COMM. 14E-10 (2023)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Health's Children with Special Needs Division currently contracts with many Special Education programs providing Related Services; and

WHEREAS, according to the New York State Education Department (NYSED), if a Committee on Preschool Special Education mandates Related Services, the county must contract with agencies who can provide those services; and

WHEREAS, the Erie is experiencing capacity issues and children are waiting to receive mandated services; and

WHEREAS, Optimal Therapy Associates Services, Red Barn Occupational Therapy, PLLC and Learning Ladder Therapeutic Associates are able to provide Related Services to some children on waiting lists.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with Optimal Therapy Associates Services, Red Barn Occupational Therapy PLC, and Learning Ladder Therapeutic Associates, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that sufficient funding to cover the cost of these contracts is located in the Department of Health's Division of Children with Special Needs 2023 Operating Budget (Fund 110, Funds Center 12750) Account 528000 – Services to Handicapped Children; and be it further

RESOLVED, that authorizes is hereby given to the Division of Budget and Management to make any other technical adjustments necessary to properly execute the terms of the agreement; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive's Office, the Comptroller's Office, the Division of Budget and Management, and the Department of Health.
(6-0)

4. COMM. 14E-15 (2023) **AS AMENDED**
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health's Office of Health Equity's (OHE) mission is to evaluate a wide variety of specific health outcomes among diverse populations to fully understand the depth of health disparities in Erie County; and

WHEREAS, OHE works to partner with community members, healthcare providers, faith and philanthropic leaders, and organizations to enact programs that help disadvantaged, marginalized, and diverse populations in Erie County achieve maximum health and wellness; and

WHEREAS, on May 14th, 2022, the mass shooting that took place at Tops Friendly Markets on the East Side of Buffalo left 10 dead, 3 wounded, and an entire community traumatized; and

WHEREAS, OHE has received a grant from New York State's Office of Minority Health and Health Disparities to contract with local agencies and nonprofits to provide holistic mental health interventions to Buffalo's East Side residents in response to the mass shooting; and

WHEREAS, these interventions will be tailored and culturally specific to those impacted by the mass shooting in addition to traditional intervention methods provided by local mental health agencies and providers.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with the New York State Office of Minority Health and Health Disparities Prevention to accept $50,000 to be made available as a grant to the Erie County Office of Health Equity in Grant Fund 281, Funds Center 12713 as follows:

Department of Health Office of Health Equity
Holistic Health Healing Grant
127HH2324
6/1/2023-2/15/2024

ACCOUNT	REVENUES	INCREASE (DECREASE)
409000	State Aid Revenues	$50,000
	TOTAL	$50,000

ACCOUNT	APPROPRIATIONS	INCREASE (DECREASE)
505000	Office Supplies	$ 1,060
516020	Professional Services, Contracts & Fees	37,050
530000	Other Expenses	11,000
912700	ID Health Services	$ 890
	TOTAL	$50,000

and be it further

RESOLVED, that authorization is hereby given for the Director of Budget and Management to adjust grant appropriations and revenues based on grantor approved funding levels provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that authorization is hereby given for a no-cost extension of this grant for up to 6 additional months based on grantor approval; and be it further

RESOLVED, that authorization is hereby given for the County Executive to enter into contract with Erie County Restorative Justice Coalition, Bend Well LLC, Krazi Yogi/Bending Buffalo, Yoga Me Blac, Eat Off Art, The Healing Station, Anything Arts LLC, AfroChick Yoga LLC, Dr. Latise Hairston, and John Baker, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that authorization is hereby given for the Department of Budget and Management to make any other technical adjustments necessary to properly execute the terms of the agreement; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive's Office, the Comptroller's, the Division of Budget and Management, and the Department of Health.
(6-0)

5. COMM. 14E-17 (2023)
COUNTY EXECUTIVE

WHEREAS, in the past 18 months, Erie County residents have faced multiple challenges that have greatly increased the demand for mental health services including the COVID-19 pandemic, 5/14 mass shooting, November storm, Christmas Blizzard, and tragic deaths of community members through various fire related events; and

WHEREAS, Erie County, like many communities across the United States, is still battling an opioid epidemic that continues to take loved ones away from families; and

WHEREAS, there are currently no mental health or substance use services offered at the Jesse Nash Health Center located at 608 William Street in Buffalo; and

WHEREAS, in accordance with N.Y County Law §215, a request for proposals was issued seeking qualified respondents to lease space at the Jesse Nash Health Clinic related to mental health or substance abuse services and Endeavor Health Services was the only qualified respondent to meet all the needs of the site; and

WHEREAS, Endeavor Health Services provides wellness and recovery through an array of mental health, substance use, education, and support services to Erie County residents of all ages; and

WHEREAS, a partnership between Erie County and Endeavor Health Services to bring mental health, substance use, education, and support services to the Jesse Nash Health Center will provide access to residents for these services to address their needs and challenges.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a 5-year lease agreement with Endeavor Health Services at the Jesse Nash Health Center located at 608 William Street, Buffalo; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive's Office, the Comptroller's Office, the Division of Budget and Management, the Department of Public Works, the Department of Law and the Department of Health.
(6-0)

JOHN J. GILMOUR
CHAIR

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT		
INTRO. 15-1	BASKIN	New Buffalo Bills Stadium Project MWBE Local Outreach & Recruitment Analysis

Attachments

23INTRO. 15-1

EC LEG JUL 13 '23 AM10:04

A RESOULTION TO BE SUBMITTED BY
LEGISLATOR BASKIN

Re: New Buffalo Bills Stadium Project MWBE Local Outreach & Recruitment Analysis

WHEREAS, New York State Executive Law, Article 15-A §§ 310-317 ("Article 15-A") governs the requirements for the participation of Minority and Women Enterprises (MWBEs) in New York State subcontracting on state funded public works projects; and

WHEREAS, the utilization goal of MWBEs is 30% of state funded public works projects; and

WHEREAS, on May 4, 2023, this honorable body passed the New Stadium Master Lease Agreement "New Stadium Project", a $1.5 billion-dollar construction project, which invested $250 million from Erie County and $600 Million from New York State dollar for a total of $850 million in public funds; and

WHEREAS, the New Stadium Master Lease Agreement is a legally binding agreement between Erie County and the State of New York with Bills Stadium and Events Company, LLC; and

WHEREAS, the legally binding New Master Lease Agreement's Construction Coordinating Agreement (CCA) Affirmative Action Plan states:

"D. The Contractor must document 'good faith efforts,' pursuant to 5 NYCRR § 142.8, to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Funded Contracts. Such documentation shall include, but not necessarily be limited to:

1. Evidence of outreach to MWBEs
2. Any responses by MWBEs to the Contractor's outreach;
3. Copies of advertisements for participation by MWBEs in appropriate general circulation, trade, and minority or women-oriented publications;
4. The dates of attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by ESD with MWBEs; and,
5. Information describing specific steps undertaken by the Contractor to reasonably structure the Contract scope of work to maximize opportunities for MWBE participation"; and

WHEREAS, the legally binding Master Lease Agreement's Construction Coordinating Agreement (CCA) Affirmative Action Plan states:

"IV. MWBE UTILIZATION PLAN (A.) The Contractor will submit an MWBE Utilization Plan, for any Funded Contract by submitting evidence thereof through the New York State Contract System ("NYSCS"), which can be viewed at https://ny.newnycontracts.com, provided, however, that the Contractor may arrange to provide such evidence via a non-electronic method (Form OCSD-4) to ESD, either prior to, or at the time of, the execution of the contract.

B. The Contractor agrees to use such MWBE Utilization Plan for the performance of MWBEs on the Funded Contract(s).
C. The Contractor further agrees that a failure to submit and/or use such MWBE Utilization Plan shall constitute a material breach of the terms of the Contract. Upon the occurrence of such a material breach, ESD shall be entitled to any remedy provided herein, including but not limited to, a finding of the Contractor non-responsiveness; and

WHEREAS, the legally binding Community Benefits Agreement (CBA) states:
"(d) MWBE and DBE Participation. Construction Manager and the Architect, to implement initiatives for maximizing participation in the design and construction of the Project, including:

(i) Developing and maintaining an easily accessible Project website where contractors and vendors can access all Project documents and sign up to receive notifications;
(ii) Collaborating with local small, women, and minority business organizations to identify firms that may be interested in participating in the Project, for example: Latin Chamber of Commerce, National Association of Minority Contractors, Women Business Enterprise Council, New York Contractor's Association, Buffalo Urban League, Independent Contractors Guild of WNY, Buffalo Employment Training Center (BETC), Center for Employment Opportunities (CEO) Buffalo and the Northland Workforce Training Center (collectively, the "Local Chambers") to ensure bid packages and other stadium-related contracting information are readily available to the Local Chambers, so they may circulate the same to their respective members;
(iii) Engaging and providing opportunities to MWBE firms consistent with the availability of MWBE firms in the marketplace;
(iv) The Construction Manager hosting pre-job conferences for contractors, suppliers, and subcontractors at every tier performing work on the Project, which shall address items such as manpower, key employees work dates, work hours, Project rules, employee transportation to and from the Project site, safety, employee absenteeism, and other relevant information.
(v) Encouraging partnerships between MWBE firms and other vendors, including encouraging vendors to partner with MWBE firms, encouraging larger vendors to subcontract work to MWBE firms, and encouraging business mentorship programs that might provide professional development opportunities for MWBE firms.
(vi) Encouraging the Construction Manager for the Project to develop a program that encourages long-term relationships with MWBE firms; that provides meaningful feedback to contractors, subcontractors and vendors relative to performance-related issues and encourages continued development of skills and abilities; that puts systems into place to ensure larger contractors and vendors are aware of MWBE firms that have successfully undertaken stadium related work."; and

WHEREAS, whereas failure to comply with the MWBE inclusionary requirements outlined in New Lease Agreement's Affirmative Action Plan, CCA and CBA could result in hundreds of millions of dollars in liquidated damages; and

WHEREAS, a transparent action plan of local MWBE engagement and recruitment should be prioritized by the Managing Contractor, Gilbane|Turner, has a history of total reliability on prime contractors to meet MWBE utilization goals has resulted in loopholes that further exclude and prohibit inclusion practices such as "pass through" or "staged entities" that give a false perception of the prime contractor truly partnering with a certified MWBE; and

WHEREAS, to date more than $400 Million in construction bid packages have been awarded on the New Buffalo Bills Stadium Project; and

WHEREAS, on last month, Empire State Development issued a letter to the Buffalo Bills noting that the project is "well below their expected performance" in meeting their 30% MWBE Utilization Goals; and

WHEREAS, this Honorable Body has intentions to review all "good faith efforts" to achieve the 30% MWBE Utilization Goals for the purposes of ensuring fair, effective, accessible, and equitable outreach to local MWBE subcontractors,

NOW, THEREFORE, BE IT

RESOLVED, The Erie County Legislature directs the Erie County Office of Equal Employment Opportunity to issue a survey to Erie County certified MWBE construction-related contractors, suppliers and vendors, as well as New York State certified MWBEs construction-related contractors, suppliers and vendors who operate in the Western New York region; and be it further

RESOLVED, the survey shall seek to assess local certified MWBES knowledge and understanding of bidding package opportunities published by the New Stadium Project's Managing Contractors, and be it further; and be it further

RESOLVED, that the survey list questions that identify local MWBE's comfort level with navigating the New Stadium Project's bid package announcement website and their awareness and accessibility to bid package outreach events; and be it further

RESOLVED, the results of the survey be submitted to the Erie County Legislature within 30 days of the passage of this resolution; and be it further

RESOLVED, copies of this resolution be sent to The Buffalo Bills Chief Operating Officer, Gilbane Construction Chief Executive Officer, Turner Construction Chief Executive Officer, New York State Governor, Empire State Development President, Empire State Development's Division of Minority and Women's Business Development Executive Vice President, Erie County Stadium Corporation Board of Directors, Erie County Stadium

Corporation President, Erie County Executive, and Erie County Division of Equal Employment, Opportunity, and Inclusion Director.

Fiscal Impact: None.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

INTRO. 15-2	TODARO	Calling for the Comptroller to Examine Hotel Occupancy Tax for Certain Hotels

Attachments

23INTRO. 15-2

EC LEG JUL 18 '23 AM 9:28

A RESOLUTION TO BE SUBMITTED BY LEGISLATOR TODARO

Re: Calling for the Comptroller to Examine Hotel Occupancy Tax for Certain Hotels

WHEREAS, New York City has been welcoming self-purported asylum seekers; and

WHEREAS, due to capacity limitations, New York City has then relocated self-purported asylum seekers to other areas across New York State, promising to pay for the housing of these individuals for one-year as they navigate the currently five-year process; and

WHERAS, funding for housing during this one-year period comes from state, federal and New York City taxpayers; and

WHEREAS, to date, New York City has relocated self-purported asylum seekers to three hotels in Erie County; and

WHEREAS, of these three hotels, two are behind on their property taxes owed to Erie County; and

WHEREAS, in 2019, the Erie County Comptroller issued a report regarding sex offenders living in hotels used by Erie County to provide emergency housing; and

WHEREAS, although the list from 2019 may not be the same list that the County uses today, one of the hotels from the 2019 list is also behind on their taxes; and

WHEREAS, tax dollars should not be paid to hotels who do not pay their taxes; and

WHEREAS, it is unknown from public records whether these hotels are current on their bed tax remittances.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature directs the Erie County Comptroller to ensure that hotels being used to house self-purported asylum seekers, as well as by Erie County to house individuals and families on an emergency basis, are current in their bed tax remittances and, if not, take all steps legally available to collect such taxes; and, be it further

RESOLVED, that the Erie County Legislature directs the Director of Real Property Tax Services to ensure that hotels being used to house self-purported asylum seekers, as well as by Erie County to house individuals and families on an emergency basis, are current in their property tax remittances and, if not, take all steps legally available to collect such taxes, including, but not limited to, foreclosure; and

RESOLVED, that a copy of this resolution be transmitted to the Erie County Executive, the Erie County Comptroller, the Erie County Director of Real Property Tax Services, the Erie County Attorney and the Mayor of the City of New York.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 7E-24	From the Energy & Environment Committee	From the County Executive - ECSD No. 3 - Proposed Increase and Improvement of Facilities (2022)

Attachments

23COMM. 7E-24

DISCHARGE

EC LEG APR 11 '23 AM 9:36

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

April 10, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Placeholder – Energy & Environment Committee

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management, respectfully requests that open item/placeholder be established on the agenda of the Legislature's Energy and Environment Committee for the following item:

- Erie County Sewer District No. 3, Proposed Increase and Improvement of Facilities (2022)

Should your honorable body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

****Proposed Amendment to COMM. 7E-24 (2023)

Attachments

Proposed Amendment to COMM. 7E-24

Erie County Legislature – July 20, 2023
Amendment to COMM. 7E-24 (2023)

July 10, 2023

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

RE: Amendment: Legislative Comm. 7E-24 (2023)
Erie County Sewer District No. 3
Proposed Increase and Improvement of Facilities (2022)

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, pertaining to an Increase and Improvement of Facilities for Erie County Sewer District No. 3.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E., BCEE in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:jf

Cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Amendment: Legislative Comm. 7E-24 (2023)
Erie County Sewer District No. 3
Proposed Increase and Improvement of Facilities (2022)
Date: July 10, 2023

SUMMARY

The Erie County Legislature is requested to approve the attached bond resolution for the proposed Increase and Improvement of Facilities in Erie County Sewer District (ECSD) No. 3. The Bond Resolution requires a roll call favorable vote of not less than two-thirds of all members of the Legislature.

FISCAL IMPLICATIONS

Approving this resolution will have no effect on Erie County's general fund.

REASONS FOR RECOMMENDATION

Pursuant to County Law, Article 5A, Section 268, an Increase and Improvement of Facilities in ECSD No. 3 requires a Public Hearing on the proposed project. The Erie County Legislature approved a resolution on September 22, 2022, calling for a public hearing. The public hearing was held on October 17, 2022, with no objections or concerns raised. The Erie County Legislature approved the project on December 15, 2022, noting that an application for this Increase and Improvement of Facilities shall be prepared and submitted to the New York State Comptroller's office for review. The New York State Comptroller's office reviewed said application and on July 6, 2023 determined that the public interest will be served by the Increase and Improvement of Facilities. The New York State Comptroller's office further determined that the additional cost from the Increase and Improvement of Facilities will not be an undue burden on those that are to bear the cost. The last step to finalize this action is to approve the enclosed bond resolution.

BACKGROUND INFORMATION

The new bond authorization will provide funding for improvements to the Southtowns Advanced Wastewater Treatment Facility, existing pumping stations, and collection systems components. On April 6, 2022, the ECSD No. 3 Board of Managers approved a map, plan, and report recommending the Increase and Improvement of Facilities. The map, plan, and report more fully describing the proposed work in ECSD No. 3 was filed with the Erie County Legislature in July 2022 pursuant to Legislative Comm. 13E-24 (2022).

CONSEQUENCES OF A NEGATIVE ACTION

The County would not be able to fund the necessary improvements in ECSD No. 3.

STEPS FOLLOWING APPROVAL

ECSD No. 3 will advance the necessary improvements.

RESOLUTION NO. _____, 2023

BOND RESOLUTION DATED _____, 2023

BOND RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (THE "COUNTY"), AUTHORIZING THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 3 (THE "PROJECT"), STATING THE TOTAL ESTIMATED MAXIMUM COST OF THE PROJECT TO BE $100,000,000, APPROPRIATING SUCH AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF UP TO $100,000,000 OF BONDS OR OTHER OBLIGATIONS OF THE COUNTY (COLLECTIVELY, THE "OBLIGATIONS") TO FINANCE SUCH APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK OR ANY OTHER SOURCE FOR THE PROJECT TO BE EXPENDED TOWARDS THE COST OF THE PROJECT AS INDICATED HEREIN, OR TOWARDS THE REDEMPTION OF ANY OF THE OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE OBLIGATIONS.

(Introduced_____, 2023)

(Adopted) _____, 2023

WHEREAS, the County Legislature (the "Legislature") of the County of Erie (the "County"), a municipal corporation of the State of New York (the "State") has been in the process of undertaking the increase and improvement of the facilities Erie County Sewer District No. 3 (the "District") (the "Project"); and

WHEREAS, such planning has been undertaken, together with appropriate environmental compliance determination proceedings under the State Environmental Quality Review Act, by the Legislature and/or the County's Department of Environment & Planning (the "Department"), and has included such administrative actions as are necessary or required by the State or any federal agency with respect to assessing the potential environmental impacts of the Project and ensuring the safety and security of persons and property in the County with respect to the Project; and

WHEREAS, the Legislature, in accordance with the recommendations of the Department, has determined: (A) that the Project is in the public interest of the County and should be undertaken, and (B) that there should be issued up to $100,000,000 of bonds, notes, or other obligations of the County (collectively, the "Obligations"), to finance the estimated maximum cost of the Project; and

WHEREAS, after a thorough review, the New York State Comptroller has issued an Order (on July 6, 2023) granting permission for the increase and improvement of the District; and

WHEREAS, it is now desired to adopt a resolution (in accordance with County Law § 259) authorizing the Project and further describes the plan of financing for the Project;

NOW, THEREFORE, BE IT

RESOLVED, by the Legislature (by the favorable vote of not less than two-thirds of all the members of the Legislature) as follows:

SECTION 1. Following from the approval of the Project application by the New York State Comptroller, the County hereby authorizes the Project and states that the Project generally consists of improvements to the Southtowns Advanced Wastewater Treatment Facility, improvements to the existing pump stations and the sanitary sewer collection system; all as more fully described in the report and estimate of cost approved by the Board of Managers of the District on April 6, 2022 and filed with the County Legislature pursuant to Section 268 of the County Law. The total estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is $100,000,000 and said amount is hereby appropriated therefor pursuant to the duly adopted 2023 Capital Budget for the County.

SECTION 2. The plan of financing for the Project includes the issuance of up to $100,000,000 of Obligations to finance the estimated maximum cost of the Project, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of such Obligations and the interest thereon as the same shall become due and payable. The said principal and interest to be reimbursed to the County by the assessment and levy on the real property in the District, all in accordance with their respective proportionate shares of equalized assessed value in the District. Any amounts received by the County from the United States of America and/or from the State of New York or other sources for the Project are hereby authorized to be expended towards the cost of the Project or the redemption of any Obligations issued therefor, or to be budgeted as an offset to the taxes for payment of the principal of and interest on such Obligations.

SECTION 3. The period of probable usefulness for the class of objects or purposes, for which the $100,000,000 of Obligations herein authorized are to be issued, within the limitations of subdivision 4 of paragraph (a) of Section §11.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), is forty (40) years.

SECTION 4. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized and (to the extent that such use has already occurred) is hereby ratified, pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution. The County intends to finance, and the County Comptroller, as the chief fiscal officer of the County (the "Comptroller") is hereby authorized to advance, such amounts as are necessary to pay the costs of the respective specific objects or purposes, classes

of objects or purposes and combinations of objects or purposes described in Section 1 hereof, prior to the issuance of the Obligations, out of any available funds of the County on an interim basis. The County reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (A) the date hereof or (B) any earlier expression by the County of its intent to reimburse expenditures for the applicable Project(s) or any earlier iteration thereof) with the proceeds of the Obligations, to the extent consistent with the financing plan for such Project(s) as stated herein. This resolution shall constitute the declaration (or reaffirmation) of the County's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the Obligations, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. Each of the Obligations shall contain the recital of validity prescribed by §52.00 of the Law and the Obligations shall be general obligations of the County, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York). The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Obligations as the same respectively become due and payable. An annual appropriation shall be made in each year in the County budget sufficient to pay the principal of and interest on the Obligations becoming due and payable in such year and, to the extent not paid from other sources or charges, there shall annually be levied on all the taxable real property of the County a tax sufficient to pay the principal of and interest on such Obligations.

SECTION 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00, 62.00, 62.10, 63.00, 164.00 and 168.00 of the Law, the powers and duties of the Legislature relative to authorizing the issuance of Obligations in the form of notes, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the procedures for the sale and issuance of the Obligations, and relative to executing any agreements for credit enhancement, are hereby delegated to the Comptroller. Without in any way limiting the scope of the foregoing delegation of powers, the Legislature, to the extent permitted by Section 58.00(f) of the Local Finance Law, is hereby specifically authorized to accept bids for the Obligations that are submitted in electronic format. In the absence or unavailability of the Comptroller, the Deputy County Comptroller is hereby specifically authorized to exercise the powers delegated to the Comptroller in this resolution.

SECTION 7. When this resolution takes effect, the Clerk of the Legislature shall cause the same (or a summary thereof) to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Law, in the Buffalo Challenger, Lancaster Bee and the Hamburg Sun, which are newspapers having general circulation in the County and published in the County. The validity of the Obligations may thereafter be contested only if the Obligations are authorized for an object or purpose for which the County is not authorized to expend money, or the provisions of law which should have been complied with at the date of the publication of this resolution (or a summary thereof) are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such

publication, or if the Obligations are authorized in violation of the provisions of the Constitution of the State of New York.

SECTION 8. Prior to the issuance of any Obligations, the County (acting through the Department and, to the extent necessary or appropriate, the Legislature) has or will have complied (to the extent not accomplished already) with any applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable federal laws and regulations in connection with the environmental quality review process relating to the Project (collectively, the "Environmental Compliance Proceedings"). In the event that any of such Environmental Compliance Proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this resolution, the Legislature will re-adopt, amend or modify this resolution prior to the issuance of the relevant Obligations, to the extent required and acting upon the advice of counsel. It is hereby determined by the Legislature, on the basis of the Environmental Compliance Proceedings and the findings of the Department, that to the extent that the Environmental Compliance Proceedings may apply to the Project, the Project will not result in a significant adverse impact on the environment.

SECTION 9. The County intends to issue the Obligations to finance a portion of the aggregate cost of the Project. The Comptroller is hereby authorized to covenant, in the name and on behalf of the County and for the benefit of the holders and beneficial owners of the Obligations, that the County will not make any use of the proceeds of the Obligations, or any funds reasonably expected to be used to pay the principal of or interest on the Obligations or any other funds of the County, and will not make any use of the facilities to be financed with the proceeds of the Obligations that would cause the interest on the Obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") or subject the County to any penalties under Section 148 of the Code, and that the County will not take any action or omit to take any action with respect to the Obligations, the proceeds thereof or any facilities to be financed thereby if such action or omission would cause the interest on the Obligations to become subject to federal income taxation under the Code or subject the County to any penalties under Section 148 of the Code.

SECTION 10. For the benefit of the holders and beneficial owners from time to time of the Obligations, the County agrees, in accordance with and as an obligated person with respect to the Obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the County's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination thereof, the Comptroller is authorized and directed to sign and deliver, in the name and on behalf of the County, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Clerk to the Legislature, which shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the Comptroller on behalf of the County, all of which shall be conclusively

evidenced by the signing of the Commitment or amendments thereto. The agreement formed, collectively, by this paragraph and the Commitment, shall constitute the County's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the County would be required to incur to perform thereunder. The County Comptroller is further authorized and directed to establish procedures in order to ensure compliance by the County with its various continuing disclosure agreements, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Comptroller shall consult with, as appropriate, the County Attorney and the County's bond counsel, the County's municipal advisor, or another qualified independent special counsel to the County. The Comptroller, acting in the name and on behalf of the County, shall be entitled to rely upon any legal advice provided by the County Attorney or such bond counsel or other special counsel in determining whether a filing should be made.

SECTION 11. The Comptroller is hereby specifically authorized to act, on the advice of bond counsel at the time of the issuance of the Obligations, to designate such Obligations, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 12. The Comptroller is further authorized to call in and redeem any outstanding Obligations that were issued pursuant to this bond resolution(at such times and in such amounts and maturities as may be deemed appropriate after consultation with the County officials and the County's municipal advisor), to approval any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such call(s) for redemption pursuant to Section 53.00 of the Law, with the understanding that no such call(s) for redemption will be made unless such notice of redemption shall have first been filed with the Clerk of the Legislature.

SECTION 13. This bond resolution shall take effect immediately upon approval by the County Executive.

The adoption of the foregoing resolution was moved by Legislator _____ and seconded by Legislator _____, before being duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

Dated: Buffalo, New York,
_____ __, 2023

The foregoing bond resolution is hereby approved.

_____
Mark C. Poloncarz
County Executive

_____ __, 2023.

I, Robert M. Graber, HEREBY CERTIFY that the County Executive of Erie County approved a bond resolution of which the foregoing is a certified copy and returned the same for filing in the office of the Erie County Legislature.

_____ __, 2023.

_____
Robert M. Graber
Clerk of the Erie County Legislature

APPROVED AS TO CONTENT:

By_____
Erie County Comptroller

APPROVED AS TO FORM:

By_____
Erie County Attorney

CERTIFICATE

I, Robert M. Graber, Clerk of the Erie County Legislature, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Erie County Legislature duly called and held on _____, 2023, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the County Legislature and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the County on _____ ____, 2023.

_____

Robert M. Graber
Clerk of the Erie County Legislature

(NOTICE TO BE ATTACHED TO AND TO BE PUBLISHED
WITH COPY OF RESOLUTION AFTER ADOPTION)

NOTICE

The bond resolution, a copy of which is published herewith, has been adopted by the Erie County Legislature on _____, 2023, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution of New York.

_____
Robert M. Graber
Clerk of the County Legislature

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT		
INTRO. 12-2	From the Economic Development Committee	From Legislator Malczewski - Calling for the Department of Public Works -- Division of Highways to Provide a Preventative Maintenance Plan to the Legislature

Attachments

23 INTRO. 12-2 DISCHARGE

DISCHARGE

EC LEG JUN 6 '23 AM 8:45

A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR MALCZEWSKI

Re: Calling for the Department of Public Works – Division of Highways to Provide a Preventative Maintenance Plan to the Legislature

WHEREAS, the Erie County Highway Department maintains 1,176 centerlane miles of road; and

WHEREAS, the lifespan of these roads is impacted by the weather and climate of the Western New York region; and

WHERAS, regular maintenance of these roads is required to keep them safe and passable; and

WHEREAS, preventative maintenance can extend the useful life of roadways at a significantly lower cost than full replacement; and

WHEREAS, the Division of Highways has set a goal of accomplishing 100 miles of pavement preservation improvements per year; and

WHEREAS, such a plan would allow the Division of Highways to cycle through and accomplish pavement preservation every twelve years; and

WHEREAS, understanding that the need for pavement preservation is contingent on not just weather, but other factors, such as use (for example, the average age of pavement surface on the New York State Thruway is 6 years), some roads may need to be addressed more frequently than others; and

WHEREAS, understanding also that emergencies arise that require adjustments to any preventative maintenance plan; and

WHEREAS, providing the Legislature with 12-year preventative maintenance plan which specifically lists roadways and the type of preventative maintenance procedure anticipated would allow the Legislature to more effectively monitor and evaluate road conditions and projects, as well as enable Legislators to be more responsive to constituent inquiries.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature directs the Erie County Department of Public Works, Division of Highways to provide a twelve-year pavement preservation program, including the roads to be addressed by year, as well as the planned maintenance, to be updated on an annual basis; and

RESOLVED, that a copy of this resolution be transmitted to the Erie County Executive and the Commissioner of the Department of Public Works.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

****Proposed Amendment to INTRO. 12-2 (2023)

Attachments

Proposed Amendment to INTRO. 12-2

Erie County Legislature
Meeting No. 15 – July 20, 2023
Amendment to INTRO. 12-2 (2023)

Replace the Final Whereas with the Following:

WHEREAS, due to these factors and related unknowns, a 12-year maintenance plan would be difficult and likely unreliable; and

WHEREAS, providing the Legislature with a 5-year preventative maintenance plan which specifically lists roadways and the type of preventative maintenance and/or other procedure anticipated would allow the Legislature to more effectively monitor and evaluate road conditions and projects, as well as enable Legislators to be more responsive to constituent inquiries.

Replace the First Resolve with the Following:

RESOLVED, that the Erie County Legislature directs the Erie County Department of Public Works, Division of Highways to provide a five-year pavement preservation program, including the roads to be addressed by year, as well as the planned maintenance, to be updated on an annual basis; and be it further

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-35	CLERK	Letter to State Comptroller - Audit Request of EC Comptroller & EC Clerk

Attachments

23COMM. 15E-35

SUSPENSION

EC LEG JUL 18 '23 AM10:02

COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

July 17, 2023

Hon. Thomas P. DiNapoli
New York State Comptroller
110 State Street
Albany, New York 12236

Re: Audit Request - Erie County Comptroller and Erie County Clerk

Dear Mr. DiNapoli:

I am writing to respectfully request an audit by the New York State Comptroller's Office of both the Erie County Clerk's Office and the Erie County Comptroller's Office, for the reasons outlined below.

As you are aware, the Clerk's Office was recently the subject of a five (5) month audit by the County Comptroller (the "Audit"), with the completed Audit report being released on June 30, 2023.

On May 4, 2023, the County Comptroller filed a letter with the Erie County Legislature indicating that the original Audit was going to be expanded and separated into two (2) audits. A copy of the May 4, 2023 letter is enclosed herein as **Exhibit A**.

The subject of the second audit by the County Comptroller, which has not yet commenced, is said to revolve around mortgage tax distributions and mortgage tax revenues. In addition, this second audit will purportedly include an evaluation of the internal controls relating to the preparation and submission of mortgage tax distribution amounts. These are important issues which effect every municipality that collects mortgage tax as well as multiple state and local agencies.

In analyzing the ninety-nine (99) page Audit to prepare the responses of the Clerk's Office, it was discovered that one of the Findings in the "Mortgage Tax" section is directed towards the *County Comptroller's Office,* not the Clerk. That Finding, located on pp.24-25 of the Audit (enclosed as **Exhibit B**) notes the following:

> *The Erie County Comptroller's Office approved the monthly Statement of Mortgages Recorded without verifying the accuracy of mortgage expense deducted based on the approved budget amount.*

Based on the finding of the County Comptroller's own Audit *against itself* relating to mortgage tax, it is respectfully submitted that a second audit focusing specifically on mortgage tax cannot and should not be conducted by the County Comptroller's Office. There is, at minimum, the appearance of a conflict of interest in doing so.

In pertinent part, Chapter 3 of the Generally Accepted Government Auditing Standards ("GAGAS"), which the County Comptroller states was followed in conducting the Audit, reads as follows:

> ***Objectivity (3.11)***
>
> *Auditors' objectivity in discharging their professional responsibilities is the basis for the credibility of auditing in the government sector. Objectivity includes independence of mind and appearance when conducting engagements, maintaining an attitude of impartiality, having intellectual honesty, and being free of conflicts of interest.*

It is my understanding, based on representations made by the County Comptroller to the local media, that the State Comptroller's Office has agreed to assist the County with a multiyear forensic audit into the Clerk's Office accounts. While the Clerk's Office has not received any confirmation of the involvement of the State Comptroller's Office, it would make sense to have the State Comptroller investigate the mortgage tax issue pinpointed by the County Comptroller as part of its forensic audit.

The County Clerk's Office has fully cooperated with the County Comptroller's Office in completing the original Audit and is in the process of responding to that Audit within the 60-day timeframe requested by the County Comptroller. The Finding of the Audit against the County Comptroller's Office relating to mortgage tax, combined with the May 4, 2023 letter filed with the County Legislature warning of a second audit focusing exclusively on mortgage tax, necessitated an immediate letter to you requesting intervention, before this second audit can begin.

For the reasons set forth above, the State Comptroller should audit both the County Comptroller's Office and the County Clerk's Office.

Thank you for your time and consideration of this important matter. Please do not hesitate to contact my office with any questions.

Respectfully submitted,

Michael P. Kearns

MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

EXHIBIT A

SUSPENSION

EC LEG MAY 4 '23 PM2:04

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

May 4, 2023

Honorable Michael P. Kearns
Erie County Clerk
92 Franklin Street
Buffalo, NY 14202

Re: Erie County Comptroller's Office Audit of the Erie County Clerk's Office – notification of expanded scope and separation into two audits

Dear Mr. Kearns:

This letter is notification that the audit scope for the Erie County Clerk's Office as documented in the February 13, 2023 announcement letter for testing and evaluating the revenue accounts for pistol permits, court fees and mortgage tax is being expanded and separated into two audits.

As outlined in the original scope, the current objectives will remain the same as previously indicated for the revenue accounts, however, we are expanding the scope of our original audit to include mortgage tax distributions. Mortgage tax distributions along with mortgage tax revenues will be treated as a separate audit.

In addition, the internal controls will be evaluated and tested to determine if they are adequate as it relates to the preparation and submission of mortgage tax distribution amounts, including proper recording of revenues, interest and distributions.

The expanded scope will perform a one (1) year review of mortgage tax revenue and distributions for the period of January 1, 2022 to December 31, 2022.

We would like to schedule a meeting for next week to discuss the expansion and to address any questions or concerns. Please contact our Auditor, Amy Barlow, at 716.858.1338 or by email at Amy.Barlow@erie.gov with your availability for next week.

Thank you in advance for your assistance and cooperation.

Sincerely,

Mary K. Nytz-Hosler
Deputy Comptroller of Audit

cc: Hon. Mark C. Poloncarz, Erie County Executive
Hon. Erie County Legislature
Hon. Kevin Hardwick, Erie County Comptroller
Robert W. Keating, Director, Division of Budget and Management
Erie County Fiscal Stability Authority

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SUSPENSION

RECEIVED
MAY 0 5 2023
Erie County Clerk's Office

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

May 4, 2023

Honorable Michael P. Kearns
Erie County Clerk
92 Franklin Street
Buffalo, NY 14202

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Mary K. Nytz-Hosler
Deputy Comptroller of Audit

cc: Hon. Mark C. Poloncarz, Erie County Executive
Hon. Erie County Legislature
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Robert W. Keating, Director, Division of Budget and Management
Erie County Fiscal Stability Authority

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EXHIBIT B

information contained in the monthly BDT is true and accurate, and to ensure that the proper authorizing signatures are on the BDT prior to transmittal.

Mortgage Tax:

Finding #1: The Erie County Clerk's Office did not withhold the proper amount of mortgage expense prior to remitting the revenue to the Comptroller's Office.

Similar to the manner in which local businesses collect sales tax from customers to remit to the NYS Department of Taxation and Finance, the Clerk's Office collects the state tax imposed on mortgages recorded in the Clerk's Office. To compensate the Clerk's Office for this service, the NYS Legislature has entitled County Clerks to "all their necessary expenses [related to the collection of mortgage tax], . . . shall be retained by them out of the moneys coming into their hands. The law authorizes County Clerks to tally up all reasonable expenses related to their mortgage tax collection duties and remove the total from the amount of tax collected each month. The Auditee provided the Mortgage Expense Request MT-3[10] Form which indicated that $572,105.00 was to be claimed in twelve increments on the Statement of Mortgages Recorded in the monthly amount of $47,675.42 for 2022 and if was approved by New York State Real Property.

During testing the Auditor found that the mortgage expense deducted from the monthly Statement of Mortgages Recorded was incorrect for January, February, March and April of 2022 resulting in a $3,045.02 loss of revenue. The Auditor recommends the Clerk's Office verifies the accuracy of the Statement of Mortgage Recorded prior to sending it to the Comptroller's Office for approval.

Finding #2: The Erie County Comptroller's Office approved the monthly Statement of Mortgages Recorded without verifying the accuracy of mortgage expense deducted based on the approved budget amount.

Every month, the Clerk's Office delivers a *Statement of Mortgages Recorded* to the Erie County Comptroller's Office each month containing breakdowns of the amount collected by the Clerk. The breakdown details how much money goes to the various entities entitled to portions of mortgage tax revenue such as the State of New York Mortgage Association (SONYMA), the Niagara Frontier Transportation Authority (NFTA), and the New York State Education Department (NYSED). The Clerk sends this monthly statement to the Comptroller for the purpose of signing off on the amounts contained in the statement. The document is not, however, accompanied by any supporting documentation that the Comptroller's Office may use to verify that the amounts stated are accurate. The Comptroller's Office, Accounting Division has requested this documentation, however the requests have been denied.

During testing the Auditor found that the Clerk's Office did not deduct the proper amount of mortgage tax expense in January, February, March or April 2022 resulting in a $3,045.02 loss of revenue.

[10] A sample form is attached as Exhibit J.

Year	Month	Total Service Fees	SAP Service Fees (ZFBM)	Variance
2022	April	$47,072.72	$47,675.42	($602.70)
2022	March	$47,079.10	$47,675.42	($596.32)
2022	Feb	$47,050.58	$47,675.42	($624.84)
2022	Jan	$46,454.26	$47,675.42	($1,221.16)

The Auditor recommends that the Comptroller's Office closely review the mortgage expense deducted on the Statement of Mortgages Recorded prior to approval to verify it is the approved budgeted amount.

Finding #3: Escrow Accounts held by the Clerk's Office are co-mingled with County funds in the Clerk's Office M&T Concentration bank account.

The Auditee stated during a walkthrough that attorneys can establish escrow accounts with the Clerk's Office to pay for transactions in the County Clerk's Registrar Division (Land Records). The Clerk's Office offers Registered User Online Services (RUOS) to customers who do frequent business with the Clerk's Office. Becoming a registered user requires a $250 deposit to open a non-interest-bearing escrow account which must remain open for a minimum of six months. A customer must upload a signed Escrow Agreement[11] to become a registered user and to add funds to their account.

Fieldwork included interviewing the Auditee about the collection and disbursement of the escrow funds. Based on the terms of the escrow agreement and the County of Erie Agency Fund Policy, the Clerk is required to maintain an Agency Fund bank account separate from County funds. The Auditor found that that money being held in escrow is deposited into the Clerk's Office Concentration bank account and is therefore co-mingled with County funds. The Auditor requested the escrow balance as of December 31, 2021 and the Clerk's process for tracking book balances at the end of each fiscal month, as per County policy. The Auditor also found that the Comptroller's Office was not aware of any escrow funds being held by the Clerk's Office nor does the Auditee use the County accounting system to record, collect or distribute escrow funds. The Auditee stated that the Clerk's Office does not reconcile the escrow funds and does not record disbursement or collection of escrow activity. The Auditor requested escrow fund activity reports. The reports provided were incomplete and unable to be used to verify the escrow fund balances or monthly activity. It was determined at this time that the Auditee is not following the County's Agency Fund Policy, or the Escrow Agreement provided by the Clerk's Office.

The Auditor recommends that the Clerk open a separate Agency bank account to hold these escrow funds. Furthermore, the Auditor suggests funds be transferred monthly to the Concentration account to cover escrow activity and that SAP should be utilized for tracking of these Agency funds, per the County Policy. This recommendation was immediately discussed with the Auditee during fieldwork.

Finding #4: Conflicting Amounts of Mortgage Tax Collected on NewVision Cash Code Summary Report and the Monthly Statement of Mortgages Recorded.

During testing of mortgage tax expenses, the Auditor found variants in the monthly mortgage tax revenue amounts for Additional, Basic, NFTA, and SONYMA tax that was different from the monthly statement of mortgages recorded.

Due to mortgage tax revenue is outside the scope of this audit, the Auditor expanded the scope of the

[11] A sample escrow agreement is attached as Exhibit K.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-1	COMPTROLLER	Notification of Forthcoming 2023 Bond Sale

Attachments

23COMM. 15E-1

EC LEG JUL 5 '23 PM3:13

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

July 5, 2023

Honorable Members
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Honorable Mark C. Poloncarz, Esq.
Erie County Executive
95 Franklin Street, 16th Floor
Buffalo, New York 14202

Re: Notification of Forthcoming 2023 Bond Sale

Dear Honorable Members and County Executive Poloncarz:

Pursuant to Section 1802(k) of the Erie County Charter, I am writing to inform you that my office plans to close the County's 2023 bond sale on or around July 27, 2023. The County will sell approximately $29,475,000 of new capital public improvements bonds and $365,000 of sewer district bonds. The bonds will be underwritten by Ramirez and Company, FHN Financial Capital Markets, and Jefferies.

If you have any questions, please contact my office.

Sincerely,

Kevin R. Hardwick, Ph.D.
Erie County Comptroller

cc: Robert W. Keating, Director of Budget and Management
Erie County Fiscal Stability Authority

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Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-2	COMPTROLLER	Department of Law Risk Retention Fund Spending - March, April & May 2023

Attachments

23COMM. 15E-2

EC LEG JUL 11 '23 AM11:12

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

July 11, 2023

Honorable Members
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Department of Law Risk Retention Fund Spending – March, April and May 2023

Dear Honorable Members:

Pursuant to Resolution Intro. 3-2 (2016), as amended, please find attached an accounting of expenses from the County's Risk Retention Fund for March-May 2023.

Sincerely,

K. R. Hardwick

Kevin R. Hardwick, Ph.D.
Erie County Comptroller

Attachment

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County of Erie
Law Department Spending
Risk Retention
March, 2023

Run Date: 07/10/2023

Vendor Number	Vendor Name	Expenditures
1	Derek Brenner	10,500.00
1	Gomez Law, LLC	4,500.00
1	Paul William Beltz, LLC	1,500,000.00
1	Thomas Kulik and The Barnes Firm,	30,000.00
103442	Hodgson Russ	3,355.20
106065	PHILLIPS LYTLE HITCHCOCK	39,275.00
116145	HURWITZ & FINE PC	1,063.07
118314	JEREMY C TOTH AS CUSTODIAN	21,698.82
135234	JEFFREY L METZNER M. D. P.C.	7,764.44
143544	THOMAS E WEBB JR ESQ	3,345.00
148572	ALISA LUKASIEWICZ, PLLC	7,380.00
171983	ANTHONY CALLISTO, JR	13,944.00
174432	IMES NATIONAL INC	14,250.00
		1,657,075.53

County of Erie
Law Department Spending
Risk Retention
April, 2023

Run Date: 07/10/2023

Vendor Number	Vendor Name	Expenditures
101109	BOND, SCHOENECK & KING, PLLC	4,593.50
103442	Hodgson Russ	66,005.06
104457	LAWLEY SERVICE INSURANCE GROUP	523,938.00
106065	PHILLIPS LYTLE HITCHCOCK	32,890.00
1100055	M & T BANK PURCHASING CARD	2,880.00
120447	LIPPES MATHIAS WEXLER FRIEDMAN LLP	149,843.52
143279	BENGART & DEMARCO LLP	20,640.46
148572	ALISA LUKASIEWICZ, PLLC	5,912.50
		806,703.04

County of Erie
Law Department Spending
Risk Retention
May, 2023

Run Date: 07/10/2023

Vendor Number	Vendor Name	Expenditures
1	Matthew Albert Trust Account	50,000.00
1	Michael & Kelly Julius and Richard	40,000.00
1	National Fuel Gas Distribution Corp	3,001.86
103442	Hodgson Russ	54,070.15
106065	PHILLIPS LYTLE HITCHCOCK	21,945.00
108576	QUEEN CITY IMAGING INC	3,460.65
1100055	M & T BANK PURCHASING CARD	36.69
116145	HURWITZ & FINE PC	19,416.60
143544	THOMAS E WEBB JR ESQ	2,220.00
171983	ANTHONY CALLISTO, JR	12,558.94
6	Randy Seufert	3,837.15
		210,547.04

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-3	CLERK	ZOMBIE Initiative - 6 Month Report

Attachments

23COMM. 15E-3

Erie County Clerk
Michael P. Kearns

ERIE COUNTY CLERK'S ZOMBIES INITIATIVE

WNY LAW CENTER

Hand Delivered: 7/13/2023

EC LEG JUL 13 '23 PM 2:21

Dear Honorable Legislators,

Enclosed with this letter is a 6 month report on the accomplishments of the Erie County Clerk ZOMBIES Initiative. This report highlights some of the great work being done by the initiative but is by no means exhaustive. We continue to receive community complaints about vacant properties from all corners of the County.

If you have an unreported vacant property in your community, please reach out to our initiative by emailing Jean Blizzard at jblizzard@wnylc.net or calling 716-828-8447. If you have additional questions, please feel free to reach out. We are grateful for this honorable body's support through the years and strive to continue to provide resources and assistance to communities across Erie County.

MICHAEL P. KEARNS
Erie County Clerk

Erie County Clerk
Michael P. Kearns

ERIE COUNTY CLERK'S ZOMBIES INITIATIVE

WNY LAW CENTER

Zombie Property Outreach Services

WNY Law Center 6 Month Update to Erie County Legislature

The Erie County Clerk's ZOMBIES Initiative is a collaboration between the Office of Erie County Clerk Michael P. Kearns and the Western New York Law Center. The primary goal and purpose of this collaboration is to provide resources to Erie County municipalities and communities facing zombie foreclosures. Since 2019, the Western New York Law Center (the Law Center) has contracted with the County of Erie through the Clerk's Office to provide services, county wide, to help address Zombie properties. These services range from research on vacant properties to sharing information through our Stay in Your Home Campaign to prevent people leaving homes before they must. We continue to provide services aimed at keeping people in their homes to prevent future vacancies and addressing current zombies to preserve neighborhoods across the county.

Date of services rendered: 1/1/2023 through 6/30/2023.

Nature of services rendered:

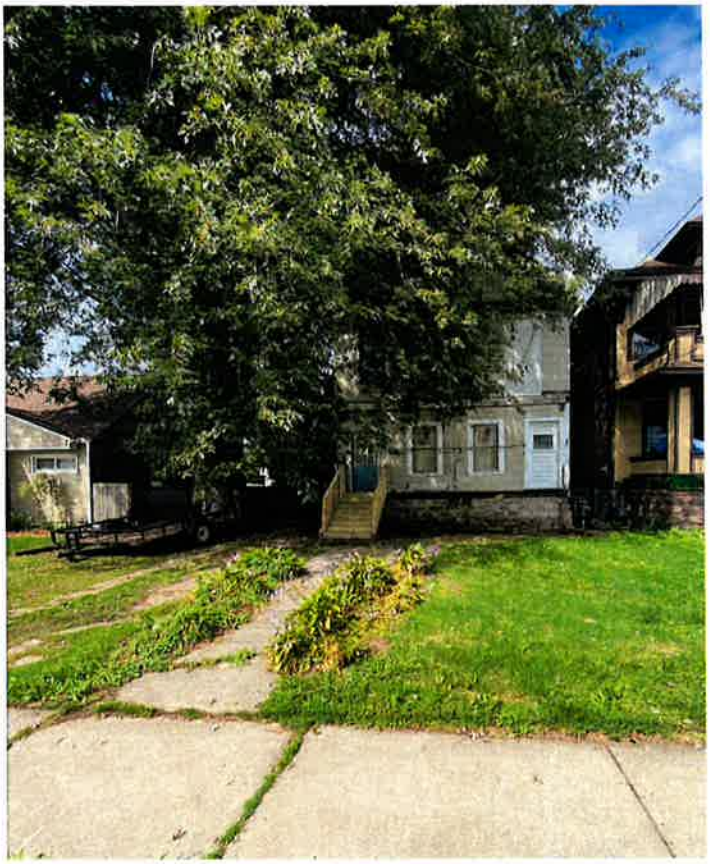
We continue to research properties, collect data, work with code enforcement, file complaints with the Department of Financial Services (DFS), negotiate with mortgage servicers, hold Task Force and Code Enforcement meetings, and publicize the issues of zombie properties and foreclosure prevention. Each property that is reported to us, through community complaints, code enforcement (CEO), bank partners, etc., is tracked in our internal system and mapped using Building Blocks software. This software enables us to overlay data on foreclosures, tax delinquency, and other points.

Since January of 2023, we have researched more than **150** vacant and abandoned properties and received complaints on approximately **60** previously unreported vacant properties. After an

initial report from the municipality or community member, the steps from the ZOMBIES Initiative team include: legal research; communicating with CEOs about specific violations; reporting properties to DFS; placing lawn signs and distributing information pamphlets to the neighbors; negotiating with the servicer and/or property maintenance company and if no resolution, sending a demand letter; and, if needed, litigation in New York State Supreme Court. Our goal is always to get the property into compliance with the Zombie Foreclosure Law through collaboration before we file a lawsuit against the bank or mortgage servicer.

COLLABORATION WITH SERVICERS

We continue to work with mortgage servicers, investors, and lenders to try to get resolutions for our problem properties. One example is on Hammerschmidt Ave. in the City of Buffalo. We received a community complaint about the property and discovered M&T Bank was the mortgage servicer. We worked with M&T to help verify the property was vacant and they were able to address some of the property condition issues while they completed the foreclosure. Ultimately, the property was too far gone to preserve and M&T had the property demolished. We are currently working with M&T to donate the lot to Habitat for Humanity where we hope it will be the site of a home for a new family. Below are before and after photos of the property.





Another mortgage servicer that we work closely with is Ocwen Financial Corp. Ocwen demolished a property on Orange Street in the City of Buffalo's Historic Fruit Belt Neighborhood and reached out to us to see what could be done for the community with this now vacant land. We helped facilitate the donation of the lot, assessed at **$4,000**, and it is now in the hands of a local not for profit in the City of Buffalo.

In addition to working with servicers and investors, we've maintained our relationships with municipalities to provide access to legal resources and education on ZOMBIE issues to help municipalities better understand their ability to deal with vacant and abandoned properties in their communities.

DEMOLITION

In Depew, we assisted the village in demolishing a property on Main Street that posed a significant health and safety risk to the community. Our attorney, Samantha Axberg extensively researched the local law regarding demolition in the municipality and provided the village with a guide on how to properly navigate the process to successfully demolish the structure.

LAWSUIT

In Cheektowaga, we filed a lawsuit against BSI Financial Services for a property on Crescent Court for non-compliance with maintenance. This lawsuit is ongoing, but we hope to have an update for the legislature soon. If we are successful in collecting any fines through the enforcement of the Zombie Foreclosure Law, the money comes back to the municipality as unrestricted funds; however, we suggest that they be used to further fund housing issues and vacancy prevention. This is the third lawsuit filed by the initiative and we are documenting properties currently that may be lawsuits in the future.

MEETING WITH ELECTED OFFICIALS

In Buffalo, we met with Councilmember Bryan Bollman to discuss zombie properties in the Love Joy District and how we can more collaboratively work together to address blight in the community. We look forward to continuing to develop our relationship with Councilmember Bollman and the Common Council.

TASKFORCE MEETINGS

In June, we held a hybrid virtual/in-person meeting with Zombies Initiative Task Force. This meeting was attended by dozens of partners including elected and municipal officials, code enforcement, not for profit partners, banks and mortgage servicers, etc. This quarterly meeting focuses on trends and updates on vacant and abandoned properties as well as other housing issues facing municipalities. At the most recent meeting in June, we had an attorney from the Law Center's evictions department present on basic eviction laws in New York State. Our next meeting is scheduled for Tuesday, September 19th from 10:30 AM – 12 PM. These meetings are open to your offices so please feel free to attend or send staff on your behalf if you'd like to keep up on what is happening with Zombie properties in Erie County.

As a part of our June Task Force meeting, Ocwen Financial flew a representative to Buffalo from Washington D.C. Tamara Gifford not only attends these task force meetings, but we also take the opportunity to visit properties that Ocwen services with her. These visits allow Ocwen to see the quality of maintenance work done by their vendors and take the firsthand knowledge of the state of these properties back to their team. Often, property maintenance companies will send photos of "completed" work to mortgage servicers; however, the quality of the work is not accurately reflected in these select photos.

THE GOOD NEIGHBOR PROJECT

Initiative like this is exactly why Ocwen was invited to be the first member of the Erie County Clerk's Good Neighbor Project. The Good Neighbor Project aims to hold mortgage servicers of vacant properties to the same standards as the residents who live in the community. The more we can proactively work with servicers to ensure vacant properties are well maintained, the more we are able to preserve the health and safety of residents and their neighborhoods.

CODE ENFORCEMENT ROUNDTABLE

Additionally, we hold Code Enforcement Officer roundtables to discuss property maintenance, best practices, and communicating with mortgage servicers. These roundtables provide code enforcement officers from across the county the opportunity to discuss best practices and

enforcement of the Zombie Foreclosure Law with each other and Law Center staff. Our next meeting will be held at the Clerk's office Tuesday, August 22nd from 10:30 AM – 12 PM.

FORECLOSURE FRIDAY

Making a return to Foreclosure Fridays where the ZOMBIE Taskforce highlights a zombie home to draw attention to the lack of work and cooperation of a mortgage servicer, the team held a press conference in the City of Tonawanda on Highland Avenue. This property is a priority for us as the chimney has loose and falling bricks. It was reported to us by a community member when a brick fell and damaged a neighbor's vehicle. Since the press conference, work regarding debris removal and sidewalk repair has occurred; but we are continuing to monitor and put pressure on the servicer to complete the masonry work that poses a significant danger to the community.

COMMUNITY OUTREACH AND EDUCATION

When we are not researching properties and providing direct legal services, we are out in the community connecting to residents, providing resources, and continuing to collect complaints. A few of the events that we have been to this year are Community Wellness Events at the Delevan Grider Community Center, Mayor Brown's Winter Bash, Maryvale and Buffalo Public Schools' Parent Resource Nights; Buffalo City Pride, Buffalo Juneteenth, Taste of Diversity, Massachusetts Avenue Project Markets, Buffalo Adult Education Services, Senior Center presentations, and guest speaking to Mental Health Peer Connection.

FINANCIAL REINVESTMENT IN COMMUNITY

The work that we do explicitly leads to servicers and investors spending money on preserving and maintaining vacant properties; this is a direct investment in the community. Not counting any pending work or settlements, through work completed on properties in Erie County, we have reinvested **$181,013.07** in communities since the beginning of the year.



Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-4	COMPTROLLER	Continued Imposition of Additional 1% & Additional 0.75% Sales & Compensating Use Tax for Period Ending November 30, 2025

Attachments

23COMM. 15E-4

EC LEG JUL 14 '23 PM11:11

ERIE COUNTY COMPTROLLER

KEVIN R. HARDWICK

July 14, 2023

Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Continued Imposition of Additional 1% and Additional 0.75% Sales and Compensating Use Tax for Period Ending November 30, 2025
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Please find enclosed for your approval, a Resolution reauthorizing the County's imposition of the additional 1% and the additional 0.75% sales and compensating use tax for the period December 1, 2023 to November 30, 2025.

The County's authority to impose these taxes expires on November 30, 2023. The New York State Legislature has passed legislation amending Article 29, Section 1210 of the New York State Tax Law to authorize the extension of the additional 1% and the additional 0.75% sales and compensating use tax.

The final step in the three-step process for reauthorizing these sales taxes is approval by your Honorable Body of the attached resolution. Since the imposition of these taxes in 2005 and 2006, the County Legislature has never refused to reauthorize these sales taxes. A failure to reauthorize the 1.75% sales tax would create a budget gap totaling tens of millions of dollars in 2023 and an approximate $363 million budget gap each year in 2024 and 2025. Local governments would also lose $12.5 million annually. I urge your Honorable Body to act to expeditiously approve the resolution; if you choose not to do so, the County would face a deficit situation in the 2023 Budget possibly triggering the deficit provision in Section 2511 of the Erie County Charter.

If your Honorable Body has any questions concerning this request, please do not hesitate to contact me.

Sincerely,

Kevin R. Hardwick, Ph.D.
Erie County Comptroller

Enclosure
cc: Erie County Executive Mark C. Poloncarz, Esq.
Robert W. Keating, Director of Budget and Management

95 FRANKLIN STREET • ROOM 1100 • BUFFALO, N.Y. • 14202
PHONE: (716) 858-8400 • FAX: (716) 858-6195 • www.erie.gov/comptroller

MEMORANDUM

To:	Erie County Legislature
From:	Erie County Comptroller
Re:	Continued Imposition of 1.75% Sales and Compensating Use Tax
Date:	July 14, 2023

SUMMARY

It is recommended and requested that the Erie County Legislature timely approve the attached resolution reauthorizing the continued imposition of the additional 1% and the additional 0.75% sales and compensating use tax for the period December 1, 2023 to November 30, 2025.

FISCAL IMPLICATIONS

Positive - $363,507,206 budgeted as revenue in 2023 for the County.

REASONS FOR RECOMMENDATION

In order to continue to impose the additional 1% and the additional 0.75% sales and compensating use tax for the period December 1, 2023 to November 30, 2025, Legislature approval of the attached resolution by a 2/3 vote of your Honorable Body is required.

BACKGROUND INFORMATION

The County's authority to impose these taxes expires on November 30, 2023. The New York State Legislature has passed legislation amending Article 29, Section 1210 of the New York State Tax Law to authorize the extension of the additional 1% and the additional 0.75% sales and compensating use tax. The final step in the three-step process for reauthorizing these sales taxes is approval by your Honorable Body of the attached resolution.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve the extension of the additional 1% and the additional 0.75% sales and compensating use tax would lead to a loss of $363 million in annual revenue to the County and $12.5 million in annual revenue to local governments in Erie County. This would create a severe challenge to the continued operation of County government and its delivery of services.

STEPS FOLLOWING APPROVAL

The Clerk of the Legislature will seal and certify five copies of the resolution and provide the certified resolutions to the Department of Law for transmittal and filing with the New York State Department of State.

RESOLUTION
of the

Legislature of Erie County, amending the Erie County Sales and Use Tax Resolution which imposes taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms, admission charges and club dues, pursuant to Article 29 of the Tax Law of the State of New York, to continue the imposition of the additional 1% rate of tax and the additional ¾% rate of tax, pursuant to Article 29 of the New York Tax Law.

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

Section 1. The first sentence of section two of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax. On and after March first, nineteen hundred eighty-nine, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing March first, nineteen hundred eighty-nine and ending November thirtieth, two thousand [twenty-three,] twenty-five, there is hereby imposed and there shall be paid an additional tax of one percent upon:

Section 2. Subdivisions (h) and (i) of section three of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, are amended to read as follows:

(h) With respect to the additional tax of 1 percent imposed for the period commencing March 1, 1989, and ending November 30, two thousand [twenty three] twenty-five, the provisions of subdivisions (a), (b), (c), (d), (e), (f) and (g) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (d) and (e) to an effective date shall be read as referring to March 1, 1989, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to November 1, 1988, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February 28, 1989.

Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March 1, 1989, any transaction which may not be subject to the additional tax imposed effective on that date.

(i) The taxes imposed under subdivisions (a), (c) and (d) of Section 2 shall be paid at the rate of 3 percent upon all sales made and services rendered on or after December first, two thousand [twenty] twenty-three. With respect to the tax rate of 3 percent effective December first, two thousand [twenty] twent- three, the provisions of subdivisions (b), (c), (d), (e) and (f) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (b), (c), (d) and (e) to an effective date shall be read as referring to December first, two thousand [twenty] twenty-three, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November thirtieth, two thousand [twenty-three] twenty-five. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December first, two thousand [twenty] twenty-three, any transaction which may not be subject to the lowered tax rate in effect on that date.

Section 3. Section four of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this resolution, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March first, nineteen hundred eighty-nine, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business, or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7), and (8) of subdivision (c) of section 2, (D) of any tangible personal property, however acquired, where not acquired for the purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section 2 have been performed, (E) of any telephone answering service described in subdivision (b) of section 2, and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [twenty] twenty-three, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [twenty] twenty-three, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [twenty] twenty-three, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real

property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [twenty] twenty-three, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [twenty] twenty-three, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or creator shall not be deemed a taxable use by such person.

Section 4. Section four-A of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes. In addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2009 and ending November 30, two thousand [twenty0-three] twenty-five. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section; provided that net collections from such additional rate shall be set aside for county purposes as provided in subdivision (f) of section 14 of this resolution.

Section 5. Subdivisions (D) and (E) of clause (1) of section 11 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, are amended to read as follows:

(D) With respect to the additional tax of one percent imposed by section 4 of this resolution for the period beginning March first, nineteen hundred eighty-nine, and ending November thirtieth, two thousand [twenty-three] twenty-five, in respect to the use of property used by the purchaser in this County prior to March first, nineteen hundred eighty-nine.

(E) With respect to the additional tax of three-quarters of one percent imposed by section 4-A of this resolution, for the period beginning December 1, 2009 and ending November 30, two thousand [twenty-three] twenty-five, in respect to the use of property used by the purchaser in this county prior to January 15, 2006.

Section 6. Subdivision (f) of section 14 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

(f) Net collections from the additional three-quarters of one percent rate of taxes imposed during the period commencing December 1, 2009 and ending November 30, two thousand [twenty three] twenty-five, by section 4-A of this resolution received by the county shall be used by the county solely for county purposes and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the Tax Law.

Section 7. Subdivision (g) of section 14 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

(g) The County shall allocate each calendar year the first twelve million five hundred thousand dollars ($12,500,000) of the net collections from the additional one percent rate of sales and compensating use taxes imposed during the period commencing December 1, [2020] 2023, and ending November 30, [2023] 2025, by sections 2 and 4 of this resolution to the cities of the County and the area in the County outside the cities and such net collections shall be applied or distributed in the same manner and proportion as the net collections for such cities and area are applied or distributed under the revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the Tax Law in effect on January 1, 2006, and shall be subject to all provisions of such agreement governing the net collections for such cities and area, and the County shall retain the remainder of net collections from such additional one percent rate which shall be used by the County for any County purpose and such remainder shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the Tax Law.

Section 9. This enactment shall take effect December first, two thousand twenty-three.

NOTE: ADDITIONS IN TEXT ARE INDICATED BY UNDERLINE; DELETIONS BY [BRACKETS]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-5	COUNTY EXECUTIVE	Trailblazing Women Monument Projects - Contract for Site Preparation

Attachments

23COMM. 15E-5

EC LEG JUL 14 '23 PM 4:03

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Trailblazing Women Monument Projects – Contract for Site Preparation
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning seeking legislative authorization to enter into a construction contract to prepare the site in front of Old County Hall for the placement of three monuments to trailblazing women. The cost for the site preparation is higher than was estimated. Thus, a transfer of funds is required to cover the project expenses.

Should your Honorable Body require further information, please contact Deputy Commissioner Bonnie Lawrence. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jw
Enclosure

cc: Karen King, Director, Commission on the Status of Women
Daniel Castle, Commissioner of Environment and Planning
Bonnie Lawrence, Deputy Commissioner of Environment and Planning

MEMORANDUM

To: Honorable Members of Erie County Legislature
From: Department of Environment and Planning
Re: Trailblazing Women Monument Project – Contract for Site Prep
Date: July 14, 2023

SUMMARY

It is recommended that the Erie County Legislature authorize the County Executive to enter into a construction contract with Scott Lawn Yard, Inc. to prepare the site in front of Old County Hall for the three (3) Trailblazing Women Monuments, previously approved under COMM.2E-30 (2022) to honor three (3) Western New York women who made significant contributions to their fields: Mary Burnett Talbert, Geraldine "Gawö:Sid-Tah" Green, and Louise Blanchard Bethune.

Erie County publicly advertised and posted for bids on May 18, 2023, seeking bids by June 6, 2023. No bids were received. A rebid process occurred, publicly advertised and posted on June 9, 2023, seeking bids by June 26, 2023. Three (3) bids were received by the deadline. After bids were reviewed, Scott Lawn Yard, Inc. ($288,500) is the lowest responsible bidder. However, the lowest bid was more than the estimated amount for the project, as such a transfer of funds for is required.

FISCAL IMPLICATIONS

Supplemental funding in the amount of $68,500 necessary for the project is available as a result of unbudgeted savings from eFMAP credits associated with DSH payments to Erie County Medical Center Corp. Upon this transfer, all funding for the project is available in the Capital Budget (Fund 410, Funds Center 162) Project A.21159 – Trailblazing Women Monument - $774,500.

REASONS FOR RECOMMENDATION

Erie County wishes to honor and memorialize the contributions of trailblazing women for the Western New York Community. Selection of the honored women and the artists has been guided by the Trailblazing Women Monument Steering Committee led by the Executive Director of the Erie County Commission on the Status of Women. Preparing the site will allow the monuments to be installed.

BACKGROUND INFORMATION

The Trailblazing Women Monument (TBWM) Steering Committee, consisting of residents, local agencies and non-profit groups, was established to develop a monument dedicated to notable Trailblazing Women from Erie County's historical past. The TBWM Committee decided that the first three monuments for this project would honor: Mary Burnett Talbert, Geraldine "Gawö:Sid-Tah" Green, and Louise Blanchard Bethune. Following meetings about funding, site location and design theme, the Committee determined that modification of the existing walkways and greenspace in front of Old County Hall was the desired location for the project.

CONSEQUENCES OF NEGATIVE ACTION

The installation of the proposed Trailblazing Women Monuments would not be able to take place at the selected site and the County will need to determine where and how to store the already commissioned monuments anticipated to be completed early fall 2023.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, the County Executive will execute a contract with Scott Lawn Yard, Inc. to complete the site preparation for artists; Vinnie Bagwell and Jiwoong Cheh to install the commissioned monuments. The funds will also be transferred as outlined above.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to authorized capital projects for which there are sufficient appropriations for the action proposed.

TIMOTHY C. CALLAN / Jessica Schuster
Deputy Comptroller / Associate Deputy Comptroller
Comptroller's Office

A.21159-2021 2021 Trailblazing Women Monument

DEPARTMENT OF ENVIRONMENT AND PLANNING

Unofficial Bid Results

Project Name: Trailblazing Women Monument Project – Site Prep

Bid Date: 06/26/2023

Project No.: DEP-A.21159

Bid Time, Local: 02:00 PM

Bidder	Base Bid
ICC•Commonwealth	1,398,000
Surianello General Concrete	540,000
Scott Lawn Yard., Inc..	288,500

RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Trailblazing Women Monument Project – Contract for Site Prep

WHEREAS, Erie County wishes to honor and memorialize the contributions of trailblazing women for the Western New York Community; and

WHEREAS, a Trailblazing Women Monument Steering Committee led by the Executive Director of the Erie County Commission on the Status of Women was established to honor pioneering women from Western New York; and

WHEREAS, the Steering Committee determined that the front of Old County Hall is the appropriate location for the monuments; and, site preparation is necessary to be able to install the monuments approved under COMM. 2E-30(2023); and

WHEREAS, bids for the site preparation were received by June 26, 2023, the deadline as advertised, and the lowest responsible bidder was identified as Scott Lawn Yard, Inc.; and

WHEREAS, Scott Lawn Yard Inc.'s bid exceeded the estimated cost for the project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the transfer of $68,500 in excess budget from Fund 110, Funds Center 120, Account #525160 – Indigent Care Adjustment -DSH into the Department of Environment and Planning 2023 Budget, Fund 110, Funds Center 16200 Account #570050 Interfund Transfer Capital as follows:

Department of Social Services
Fund 110, Funds Center 120

ACCOUNT	APPROPRIATION	CHANGE
525160	Indigent Care Adjustment -DSH	$(68,500)
	TOTAL	$(68,500)

Department of Environment and Planning
Fund 110, Funds Center 16200

ACCOUNT	APPROPRIATION	CHANGE
570050	Interfund Transfer Capital	$ 68,500
	TOTAL	$ 68,500

and be it further

RESOLVED, that authorization is hereby given to increase existing capital project A.21159 – 2021 Trailblazing Women Monument in the amount of $68,500 as follows:

Project A.21159
2021 Trailblazing Women Monument
Fund 410, Funds Center 162

REVENUES		ORIGINAL	CHANGE	REVISED
486000	Interfund Revenue Subsidy	$706,000	$68,500	$774,500
	TOTAL:	$706,000	$68,500	$774,500

APPROPRIATIONS	ORIGINAL	CHANGE	REVISED
CAPITALPROJECTS	$706,000	$38,500	$744,500
UNALLOCATED	$ 0	$30,000	$ 30,000
TOTAL:	$706,000	$68,500	$774,500

and be it further

RESOLVED, authorization is hereby given for a sum of $30,000 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 authorization is hereby given for any remaining funds upon completion of this project be returned to the General Fund; and be it further

RESOLVED, authorization is hereby given to the County Executive to enter into contract with lowest responsible bidder for the Trailblazing Women Monument Project, Scotts Lawn Yard, Inc. for amount not to exceed $288,500; 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 furnished to the Office of the County Executive, Division of Budget and Management, Department of Law, Office of the County Comptroller, Office of Public Advocacy, and Department of Environment and Planning.

TIMOTHY CALLAN - COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT	COMPLETE ITEMS 1 THROUGH 5
1. CONTRACTOR'S NAME	Scott Lawn Yard, Inc.
2. AMOUNT OF CONTRACT	Construction $288,500.00 Construction Contingency $30,000.00
3. PROJECT NUMBER	A.21159
4. PROJECT TITLE	2021 Trailblazing Women Monument
5. DEPARTMENT CONTACT	Funding questions: Bonnie Lange Lawrence Letter pickup: Bonnie Lange Lawrence #8560

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$ 318,010.00
7. PERFORMED BY	Elizabeth A Hall 7/3/2023
Date Sent to Comptroller's Office:	6/30/2023

[55 compt_10]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-6	COUNTY EXECUTIVE	Authorization to Contract with a Part-Time Firearms Examiner

Attachments

23COMM. 15E-6

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG JUL 14 '23 PM4:03

July 14, 2023

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

RE: Authorization to Contract with a Part-Time Firearms Examiner
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Please find enclosed a resolution from the Department of Central Police Services seeking legislative authorization for a part-time contract firearms analyst. The authorization will allow Central Police Services to continue to perform critical work in the Central Police Services Forensic Laboratory associated with the Gun Involved Violence Elimination (GIVE) Grant objectives.

Should your Honorable Body require further information, I encourage you to contact Commissioner James A. Jancewicz. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bs
Enclosure

cc: Brian Bray, Commissioner of Personnel
James A. Jancewicz, Commissioner of Central Police Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Central Police Services
Re: Authorization to Contract with a Part-Time Firearms Examiner
Date: July 14, 2023

SUMMARY

The Central Police Services (CPS) Forensics Laboratory is responsible for analyzing all seized weapons. To ensure a timely analysis for both investigative and prosecutorial purposes CPS is seeking authorization to contract with a certified Firearms Analyst. The contract-analyst will be responsible for firearms analysis as well as providing testimony, when requested, by the Erie County District Attorney's Office. The cost of the contractor will not exceed $35,000 during the grant cycle and is fully funded by the New York State Department of Criminal Justice Services. The contractor will not receive benefits or be considered a permanent position.

The use of this contractor will allow CPS to provide timely service to the participating Gun Involved Violence Elimination (GIVE) agencies. In addition, the contractor will participate in the Buffalo Police Department Shoot Meetings or similar intelligence meetings.

The County of Erie and CSEA have entered into a memorandum of understanding regarding this contract position.

FISCAL IMPLICATIONS

Central Police Services will use money from the 2023 GIVE Grant 7/1/2023-6/30/2024 to fund the work which is sufficient to cover the total cost. The money is found in grant 165GIVE2324, under Fund Center 165 Cost Center 1650040, Fund 281, Account# 516020 Professional Services, Contracts & Fees.

REASONS FOR RECOMMENDATION

Approval will allow the Central Police Services Forensic Laboratory to increase personnel resources to ensure timely firearms examinations. The part-time Firearms Examiner will assist in examining weapons involved in criminal activities and identifying and comparing projectiles and cartridges.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this request would restrict the county's ability to adequately accomplish analysis of seized firearms.

STEPS FOLLOWING APPROVAL

CPS will work with the Departments of Personnel, Labor Relations, Budget and Management and Purchasing to implement this request.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF CENTRAL POLICE SERVICES

RE: Authorization to Contract with a Part-Time Firearms Examiner

WHEREAS, the Erie County Legislature has the Department of Central Police Services Gun Involved Violence Elimination ("GIVE") Grant Adopted Budget Book B; and

WHEREAS, the contract received from the New York State Division of Criminal Justice Services authorizes a part-time contract position for Central Police Services; and

WHEREAS, there is a need to perform firearms analysis to meet the objectives of the GIVE Grant partners.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the County Executive to contract with a Firearms Examiner in the Department of Central Police Services in an amount not to exceed $35,000 for the period of July 1, 2023 to June 30, 2024; and be it further resolved

RESOLVED, that sufficient funding exists to cover the cost of the Firearms Examiner in Fund 281, Funds Center 16500, Grant 165GIVE2324, Account 516020 – Professional Services, Contracts & Fees; and be it further

RESOLVED, that authorization is hereby given for 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 be forwarded to the Erie County Executive's Office, Division of Budget and Management, Office of the Comptroller, Department of Personnel, Department of Labor Relations, Department of Purchasing, and Department of Central Police Services.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-7	COUNTY EXECUTIVE	Authorization to Enter Intro Contract for Training Services & Learning Management System Contract

Attachments

23COMM. 15E-7

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG JUL 14 '23 PM 4:03

July 14, 2023

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

Re: Authorization to Enter into Contract for Training Services and Learning Management System Contract
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Attached please find a resolution and accompanying memorandum authorizing the County Executive to enter into a contract for content services for web-based (on- line) employee training and accompanying learning management system to track employee completion of required training.

Should your Honorable Body require further information, I encourage you to contact Erie County Personnel Commissioner Brian C. Bray. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

RATH BUILDING • 95 FRANKLIN STREET • BUFFALO, N.Y. • 14202 • (716) 858-8500 • WWW.ERIE.GOV

MEMORANDUM

To:	Honorable Members of the Erie County Legislature
From:	Erie County Department of Personnel
Re:	Authorization to Enter into Contract for Training Services and Learning Management System Contract
Date:	July 14, 2023

SUMMARY

Erie County is required to provide specific training to county employees. This training includes mandatory employee compliance training, including workplace violence and harassment prevention, privacy, and safety training. Non-mandatory online training courses are also included on topics intended to develop and enhance employees' business and communication skills.

An RFP was issued, and the most qualified firm, as determined by the RFP Selection Committee, was selected. Approval of this item will allow the County Executive to enter into an agreement with the selected firm to provide web-based training content services and access to a learning management system.

FISCAL IMPLICATIONS

Available funds within the Departments of Personnel and Social Services will be utilized to fund this training services contract.

REASONS FOR RECOMMENDATION

Erie County must provide certain mandatory training services to county employees, and the current contract for online training expires on July 19, 2023. As the result of an RFP, an appropriate vendor (Skillsoft) has been chosen to provide these mandated services. The rating sheet is attached to this communication as Attachment A.

BACKGROUND INFORMATION

The Erie County Legislature last approved a contract for the Learning Management System in 2020 (Comm. 15E-3). Erie County began online training in 2011.

Mandated employee training is required for compliance with relevant laws and regulations. Various training requirements are in place to address critical areas such as sexual harassment prevention, workplace discrimination, occupational safety and health, and cybersecurity awareness. Erie County does not have sufficient staff to provide this training to all employees in-person, and, therefore, utilizes an online provider to handle all the mandated training.

CONSEQUENCES OF NEGATIVE ACTION

Erie County will not be capable of providing mandated training to county employees, which will make Eire County non-compliant with federal and state regulations.

STEPS FOLLOWING APPROVAL

The Erie County Departments of Personnel and Social Services will take the necessary steps to execute the appropriate contract with the selected vendor.

PERSONNEL DEPARTMENT

Recommendation for RFP 2020-023VF: Training Services and Learning Management System Contract (RFP # 2023-033VF)

The review panel has completed its task of evaluating the proposals for the above-named RFP. The proposals were graded by each panel member based on the following factors:

1. A complete and responsive proposal as required by this RFP
2. Demonstrated capability to provide the services.
3. Evaluation of the professional qualifications, personal background and resume(s) of individuals involved in providing services.
4. Experience to perform the proposed services.
5. Financial ability to provide the services.
6. Projected approach and plans to meet the requirements of the Pricing and Contract Terms

Proposer	Cost	Panel Score	Ranking
Percipio – Skill Soft	41,711	178.5	1
Learnsoft	283,000	165	2
Auzimur	430,000	159	3
Cornerstone on Demand	580,000	147	4
Reflection Software	125,000	127	5
Latitude Learning	347,290	97	6
Learning Alliance	839,000	0	7
Phoenix Business Consultants	900,000	0	8
			9

It is recommended that Skillsoft provide Training Services and Learning Management System Contract. Supporting documentation is included in this packet.

The Department of Personnel has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

Commissioner of Personnel Signature	Printed Name	Date
	Shawn Levin	6/29/23
County Executive Signature	Printed Name	Date
Lisa M. Chimera	Lisa M. Chimera	7/6/23

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PERSONNEL

RE: Authorization to Enter into Contract for Training Services and Learning Management System Contract

WHEREAS, Erie County is required to provide specific legally mandated training courses to all county employees; and

WHEREAS, this mandated training includes employee workplace violence and harassment prevention, privacy and safety courses; and

WHEREAS, the County Legislature last authorized a three (3) year contract for this service in 2020, and

WHEREAS, the request for proposal provision of Section 26.08 of the Erie County Administrative Code was complied with, and a summary of the process is included as Attachment A to this resolution; and

WHEREAS, the selection process has determined that Skillsoft is the most appropriate and cost-effective firm to provide content for web-based (online) training and learning management system services; and

WHEREAS the Departments of Personnel and Social Services share in the costs of the web-based training and learning management system services; and

WHEREAS the Departments of Personnel and Social Services want to continue contracting with Skillsoft for an additional three (3) year contract period; and

WHEREAS, the Departments of Personnel and Social Services have funds within their 2023 Budget to pay for the remaining 2023 portion of the employee training contract.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract for three (3) years with Skillsoft for the provision of web-based (online) training content and access to a learning management system in an amount not to exceed $45,000 total per year; and be it further

RESOLVED, that funding in an amount not to exceed $45,000 already exists within the 2023 Adopted Budget, Funds Center 16110 Personnel, Account 516020 Professional Services Contracts & Fees and Funds Center 120, Social Services, Account 516020 Professional Services Contracts & Fees; 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 Personnel, the Department of Law, and the Division of Budget and Management.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-8	COUNTY EXECUTIVE	Authorization of Request for Approval of SUNY Erie Community College Workforce Development Training Provider

Attachments

23COMM. 15E-8

EC LEG JUL 14 '23 PM4:0

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Authorization of Request for Approval of SUNY Erie Community College Workforce Development Training Provider
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Please find enclosed a resolution from SUNY Erie Community College seeking legislative authorization to approve a contract with Arc Training and Consultation Services. The Workforce Development department at SUNY Erie Community College provides high end training services to meet the needs of local business and industry. To assure the needs of SUNY Erie Community College corporate clients are met, various training providers will continue to supplement SUNY Erie faculty in providing subject matter experts to help train Western New York's workforce.

Should your Honorable Body require further information, I encourage you to contact SUNY Erie Officer in Charge, Dr. Adiam Tsegai. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/tcc
Enclosure

cc: Dr. Adiam Tsegai

MEMORANDUM

To:	Honorable Members of the Erie County Legislature
From:	SUNY Erie Community College
Re:	Authorization of Request for Approval of SUNY Erie Workforce Development Training Provider
Date:	July 14, 2023

SUMMARY

SUNY Erie Community College's Department of Workforce Development utilizes consultants to provide non-credit training for corporate clients in cases where faculty are unable or unavailable to provide training. The Workforce Development department maintains a list of approved training providers, which is approved annually by the SUNY Erie Board of Trustees. An RFP for skilled training services was released on March 20, 2023 and two proposals were received. A committee of three Workforce Development staff members reviewed both proposals and determined Arc Training and Consultation Services would be the best company to develop, customize, and deliver training programs in all areas of welding and pipefitting for existing and future corporate clients. Therefore, SUNY Erie wishes to accept the proposal for Arc Training and Consultation Services.

FISCAL IMPLICATIONS

Vendors provide non-credit programming and training for the Workforce Development department. The use of these industry and subject matter experts increases the scope of revenue generating programs offered by the SUNY Erie Community College Workforce Development department.

REASONS FOR RECOMMENDATION

To provide industry expertise in developing and delivering existing and new training courses and programs by the SUNY Erie Workforce Development department. Training services provided by this vendor will only be used if/when faculty are unable or unavailable to provide training themselves.

CONSEQUENCES OF NEGATIVE ACTION

Loss of revenue and the inability of SUNY Erie Community College to meet the training needs of WNY businesses.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, the County Executive will authorize SUNY Erie to utilize Arc Training and Consultation Services for training purposes at their proposed rates.

A RESOLUTION SUBMITTED BY:
SUNY Erie Community College Workforce Development

RE: Fees Authorized to be paid by SUNY Erie for 2022-2023 consultant services by Workforce Development (WFD) department to provide training – changes to fees

WHEREAS, Arc Training and Consultation Services is approved to provide hourly training to corporate training clients at an hourly rate not to exceed $200.00 per hour for consultation and training services, $80.00 per hour for rental of a Welding Booth Station: Four Hour Block (per student, per session), or $160.00 for rental of a Welding Booth Station: Eight Hour Block (per student, per session), based on the needs of corporate clients of the SUNY Erie Community College Workforce Development Department; and

WHEREAS, the Erie County Legislature must approve consulting contracts in excess of $50,000 for Erie Community College; and

WHEREAS, Arc Training and Consultation Services will develop, customize and deliver training programs in all areas and disciplines of Welding and Pipefitting, for Corporate Training clients of the ECC Workforce Development Department; and

WHEREAS, Arc Training and Consultation Service was chosen in response to the RFP "Skilled Trades Training and Related Services" based upon its experience and expertise as a provider of custom welding, pipefitter, and technical training; and

WHEREAS, the SUNY Erie Community College Workforce Development department generates a significant amount of revenue directly from advanced technical training programs, including Apprenticeship training. In order to maintain and expand the depth, scope, and availability of advanced training services, partnerships with such organizations as Arc Training and Consultation Service are necessary, when SUNY Erie Community College faculty members are unavailable to provide such training.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves awarding a contract to Arc Training and Consulation Services to provide Welding and Pipefitter training for the purpose of providing technical training to the corporate clients of the SUNY Erie Workforce Development department; and be it further

RESOLVED, that upon approval of this expenditure by the Erie County Legislature, the Officer in Charge of SUNY Erie Community College or his/her designee is authorized to enter into a contract with Arc Consultation and Training Services for the above mentioned services; and be it further

RESOLVED, that copies of this Resolution will be forwarded to the County Executive's Office, the Division of Budget and Management, the SUNY Erie Officer in Charge, and the Chairman of the SUNY Erie Board of Trustees.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-9	COUNTY EXECUTIVE	Authorization to Enter Intro Inter-Municipal Agreements to Implement the Municipal Planning Grant Program

Attachments

23COMM. 15E-9

EC LEG JUL 14 '23 PM4:03

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Authorization to Enter into Inter-municipal Agreements to Implement the Municipal Planning Grant Program
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning authorizing the execution of agreements with the Towns of Aurora, Brant, Clarence, Grand Island, North Collins and West Seneca and the Villages of Angola, Hamburg and North Collins, to update comprehensive plans, zoning codes and other planning documents to assist communities with land use planning.

Should your Honorable Body require further information, I encourage you to contact Commissioner Daniel Castle at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle, AICP, Commissioner
Mark Rountree, Chief Planner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Authorization to Enter into Inter-municipal Agreements to Implement the Municipal Planning Grant Program
Date: July 14, 2023

SUMMARY

It is recommended that the Erie County Legislature authorize the County Executive to enter into inter-municipal agreements with the Towns of Aurora, Brant, Clarence, Grand Island, North Collins and West Seneca and Villages of Angola, Hamburg and North Collins to provide funding to facilitate the updating of comprehensive plans, zoning codes and related planning documents. Erie County desires to assist municipalities with providing relevant planning documents to guide development within municipalities and Erie County.

FISCAL IMPLICATIONS

The County fiscal impact of the proposed resolution is $287,300. Funding was allocated for this purpose in the following capital accounts and accounts:

Capital Account/ Account	Amount
A.20064	$100,000
A.21152	$6,500
Fund 110, Cost Center 16200, GL Account 516020	$180,800
Total	$287,300

REASONS FOR RECOMMENDATION

Multiple Erie County municipal comprehensive plans, zoning codes, and planning studies have exceeded their intended planning horizon, and are in need of updates to reflect the current conditions of the community and also to address existing and emerging issues impacting communities.

A competitive application and selection process was administered by the Department of Environment and Planning. The following Town and Village projects were selected:

- Town of Aurora – Comprehensive Plan update – The Town will update its 2004 Comprehensive Plan. The updated Plan will address open space and farmland protection, will identify areas best suited for renewable energy siting, and will reflect community changes that have occurred since the 2004 Plan was prepared.
- Town of Brant – Comprehensive Plan update – The Town will update its 2003 Comprehensive Plan. The updated Plan will address current conditions, agriculture, environmental features, transportation needs, economic trends, and renewable energy development.

- Town of Clarence – Zoning Code update – The Town updated their Comprehensive Plan in 2016, and the proposed project will update the 2006 zoning code to be in accordance with the 2016 Comprehensive Plan.
- Town of Grand Island – Parks, Recreation, and Open Space Master Plan – The Town updated its Comprehensive Plan in 2018, though parks, recreation, and open space was minimally addressed. The Town will develop a Plan to specifically address in detail parks, recreation, and open space.
- Town of North Collins – Comprehensive Plan Update – The Town will update its 1996 Comprehensive Plan. The updated Plan will include a complete inventory of land use and zoning, environmental resources, infrastructure, and transportation, reflect changes in the community's desires, and provide direction for the Town's future.
- Town of West Seneca – Parks and Recreation Plan – The Town will create a Parks and Recreation Plan to inventory assets and provide recommendations to improve the Town's recreational offerings. The Plan will be incorporated into the Town's 2016 Comprehensive Plan.
- Village of Angola – Zoning Code update – The Village updated its Comprehensive Plan in 2019. The proposed project will update the zoning code to be in accordance with the 2019 Evans Angola Comprehensive Plan Update. The updated zoning will reflect the community's character and will enhance the Village's revitalization efforts, improve efficiencies, and encourage diversity and vibrancy in land use.
- Village of Hamburg – Comprehensive Plan update – Last updated in 2012, the Plan will address issues such as: housing, infrastructure, brownfield redevelopment, regional trail development, and form-based zoning.
- Village of North Collins – Village Center Streetscape Corridor Study – The Study will focus on the Main Street Business District, and will include recommendations to increase safety conditions and transition the area into a local destination for residents and tourists, thus attracting new business and investment.

BACKGROUND INFORMATION

Municipal comprehensive plans establish the official land use policies of the municipality. New York State's zoning enabling laws require a municipality's zoning laws to be in accordance with a comprehensive plan. Every City, Town and Village in Erie County possesses a zoning code and comprehensive plan.

Pursuant to Article IX of the New York State Constitution, local governments generally may exercise "Home Rule" authority over land use development decisions. Many Erie County communities currently possess planning documents which have exceeded the intended planning timeframe and do not adequately address current land uses or existing conditions.

The Erie County Municipal Planning Grant Program was recently created to assist municipalities with updating or creating new comprehensive plans and zoning codes to reflect existing conditions and comprehensively plan for the future of a community. Funding from the Agricultural Planning Grant Program is also being utilized to fund comprehensive plans in rural towns to better address planning for agriculture.

CONSEQUENCES OF NEGATIVE ACTION

If a resolution to enter into a contract is not approved, the aforementioned communities will be unable to update their planning documents to address critical issues.

STEPS FOLLOWING APPROVAL

Upon approval of the resolution, inter-municipal agreements with the Towns of Aurora, Brant, Clarence, Grand Island, North Collins, West Seneca and Villages of Angola, Hamburg and North Collins will be executed.

COMPTROLLER'S OFFICE

The proposed item has been reviewed by the Comptroller's Office and is related to an authorized capital projects for which there are sufficient appropriations for the action requested. The accounts include the following:

Capital Account	Amount
A.20064	$100,000
A.21152	$6,500
Total	$106,500

TIMOTHY CALLAN
Deputy Comptroller
Comptroller's Office

Jessica Schuster
Associate Deputy Comptroller

File:
A.20064
A.21152

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Authorization to Enter into Inter-municipal Agreements to Implement the Municipal Planning Grant Program

WHEREAS, zoning is a municipal law which governs how pieces of land may or may not be developed within a municipal division of government; and

WHEREAS, every Town, Village and City in Erie County possesses a zoning code; and

WHEREAS, New York State's zoning enabling statutes require that zoning laws be adopted in accordance with a comprehensive plan; and

WHEREAS, updated zoning codes in accordance with updated Comprehensive Plans are necessary to reflect the current conditions and legal standards, and the community's desired development; and

WHEREAS, additional planning efforts such as parks and recreation plans provide information which informs comprehensive plans and zoning codes; and

WHEREAS, many Erie County municipal planning documents do not adequately address planning for agriculture and renewable energy; and

WHEREAS, Erie County desires to aid the Towns of Aurora, Brant, Clarence, Grand Island, North Collins, West Seneca and Villages of Angola, Hamburg and North Collins in the updating of municipal planning documents;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of Aurora in the amount of $54,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of Brant in the amount of $30,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of Clarence in the amount of $35,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of Grand Island in the amount of $30,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of North Collins in the amount of $22,500, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of West Seneca in the amount of $20,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Village of Angola in the amount of $38,800, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Village of Hamburg in the amount of $30,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into intermunicipal agreements, contracts, agreements as necessary with the Village of North Collins in the amount of $27,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that the source of these funds shall be as follows:

Municipality	Amount	Source of Funds
Town of Aurora	$54,000	A.20064
Town of Brant	$30,000	A.20064
Town of Clarence	$35,000	Fund 110, Cost Center 16200, GL Account 516020
Town of Grand Island	$30,000	Fund 110, Cost Center 16200, GL Account 516020
Town of North Collins	$22,500	A.20064 - $16,000 and A.21152 - $6,500
Town of West Seneca	$20,000	Fund 110, Cost Center 16200, GL Account 516020

Village of Angola	$38,800	Fund 110, Cost Center 16200, GL Account 516020
Village of Hamburg	$30,000	Fund 110, Cost Center 16200, GL Account 516020
Village of North Collins	$27,000	Fund 110, Cost Center 16200, GL Account 516020

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 funding requirements; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Office of the County Executive, Division of Budget Management, Office of the Comptroller, Department of Environment and Planning, and the Department of Law.

TO: TIMOTHY CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT	COMPLETE ITEMS 1 THROUGH 5
1. CONTRACTOR'S NAME	Town of Aurora Town of Brant Town of North Collins
2. AMOUNT OF CONTRACT	Town of Aurora $54,000.00 Town of Brant $30,000.00 > $100,000 Town of North Collins $16,000.00
3. PROJECT NUMBER	A.20064
4. PROJECT TITLE	2020 Office of Agriculture – Farmland Protection Planning Program
5. DEPARTMENT CONTACT	Funding questions: Mark Rountree Letter pickup: Nancy Brown

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$ 100,000.00
7. PERFORMED BY	Elizabeth A Hall 7/3/2023

Date Sent to Comptroller's Office: 6/30/2023

[55 compt_10]

TO: TIMOTHY CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT — COMPLETE ITEMS 1 THROUGH 5

1.	CONTRACTOR'S NAME	Town of North Collins
2.	AMOUNT OF CONTRACT	$6,500.00
3.	PROJECT NUMBER	A.21152
4.	PROJECT TITLE	2021 Office of Agriculture – Farmland Protection Planning Project
5.	DEPARTMENT CONTACT	Funding questions: Mark Rountree Letter pickup: Nancy Brown

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6.	AVAILABILITY OF FUNDS	$ 25,000.00
7.	PERFORMED BY	Elizabeth A Hall 7/3/2023

Date Sent to Comptroller's Office: 6/30/2023

[55 compt_10]

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 7/3/2023

PROJECT TITLE: A.21152 2021 Office of Agriculture - Farmland Protection Planning Program

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: **YES** X **NO** _____

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	$ 100,000.00
Total Project Appropriations	$ 100,000.00
Less: Total Expenditure To Date	$ 27,704.20
Less: Total Commitments	$ 47,295.80
Available Appropriations As Of Date Of Request	$ 25,000.00
Less: Contract Amount	$ 6,500.00
Net Available Appropriations	$ 18,500.00

Comments: There is $72,295.80 cash in the project.

Request Approved: Jessica Ashbaker 7/3/23

Request Denied: _____

Date: 7/3/23

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 7/3/2023

PROJECT TITLE: A.20064 2020 Office of Agriculture - Farmland Protection Planning Program

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: **YES** X **NO** _____

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	$ 100,000.00
Total Project Appropriations	$ 100,000.00
Less: Total Expenditure To Date	$ -
Less: Total Commitments	$ -
Available Appropriations As Of Date Of Request	$ 100,000.00
Less: Contract Amount	$ 100,000.00
Net Available Appropriations	$ -

Comments: There is $100,000.00 cash in the project.

Request Approved: Jessica Schuster 7/3/23

Request Denied: _____

Date: 7/3/23

Fund/Group *
Funds Center *
Funded Program A.20044 (2020 OCA FARMLAND PROTECTION PLANNING PR)

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
484000 Interfnd Rev Subsidy	100,000.00-		100,000.00-		100,000.00-
* Revenue	100,000.00-		100,000.00-		100,000.00-
CAPITALPROJECTS Capital Project Exp	100,000.00		100,000.00		
* Expense	100,000.00		100,000.00		
** Commitment Item					100,000.00-

Capital Trial Balance Date Printed: 07/03/2023 Client:140 Page: 2 of 2

Fund(s): 400..599 Fiscal Year: 2023 Period: 1 to 6 Project(s): A.20044 2020 OCA FARMLAND PROTECTION PLANNING PR

Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	100,000.00			100,000.00
389999 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	100,000.00			100,000.00
484000 INTERFUND REVENUE SUBSIDY	100,000.00-			100,000.00-
* Revenues	100,000.00-			100,000.00-
** Total				

Fund/Group:
Funds Center:
Funded Program A.21152 (2021 Agriculture Farmland Protection

Commitment Item	Original Budge	Adjustments	Current Budget	Commitment	Actuals
486000 Interfnd Rev Subsidy		100,000.00-	100,000.00-		100,000.00-
* Revenue		100,000.00-	100,000.00-		100,000.00-
516020 Pro Ser Cnt and Fees				40,295.80	27,704.20
CAPITALPROJECTS Capital Project Exp		100,000.00	100,000.00		
* Expense		100,000.00	100,000.00	40,295.80	27,704.20
** Commitment Item				40,295.80	72,295.80-

Capital Trial Balance Date Printed: 07/03/2023 Client:100 Page: 2 of 3

Fund(s): 400..599 Fiscal Year: 2023 Project(s): A.21152 2021 Agriculture Farmland Protection
Period: 1 to 6

Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	100,000.00		27,704.20-	72,295.80
200000 ACCOUNTS PAYABLE CONTROL ACCT	4,295.00-	27,704.20	23,419.20-	
200200 GR/IR ACCOUNT		23,419.20	23,419.20-	
389569 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	96,718.00	51,123.40	74,542.60-	72,295.80
486000 INTERFUND REVENUE SUBSIDY	100,000.00-			100,000.00-
* Revenues	100,000.00-			100,000.00-
516020 PROFESSIONAL SERVICE CONTRACTS AND FEES	4,295.00	23,419.20		27,704.20
* Expenditures	4,295.00	23,419.20		27,704.20
** Total		74,542.60	74,542.60-	

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-10	COUNTY EXECUTIVE	Grover Cleveland Golf Course Concessionaire Contract Amendment

Attachments

23COMM. 15E-10

County of Erie

Mark C. Poloncarz
County Executive

EC LEG JUL 14 '23 PM 4:04

July 14, 2023

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

RE: Grover Cleveland Golf Course Concessionaire Contract Amendment
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution from the Erie County Department of Parks, Recreation and Forestry authorizing the County Executive or Deputy County Executive to amend a contract with the vendor "19th at Grover Grill" which would add concession service at Elma Meadows Golf Course to their scope of contracted services for the remainder of the 2023 golf season.

Should your Honorable Body require further information, I encourage you to contact Commissioner Troy Schinzel at the Department of Parks, Recreation and Forestry. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/kh
Enclosure

cc: Troy Schinzel, Commissioner - Department of Parks, Recreation and Forestry
Kate Hilliman, Deputy Commissioner - Department of Parks, Recreation and Forestry

Rath Building • 95 Franklin Street • Buffalo, N.Y. • 14202 • (716) 858-8500 • www.erie.gov

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Parks, Recreation and Forestry
Re: Contract Amendment for Grover Cleveland Golf Course Concessionaire
Date: July 14, 2023

SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Erie County Department of Parks, Recreation and Forestry ("Department of Parks") authorizing the County Executive or Deputy County Executive to amend the contract for the Grover Cleveland Golf Course concessionaire, "19th at Grover Grill," to add concession service at Elma Meadows Golf Course to their scope of services for the remainder of the 2023 golf season.

FISCAL IMPLICATIONS

The "19th at Grover Grill" contract stipulates that the vendor will pay 5% of gross revenues monthly to the Department of Parks. Addition of a service at Elma Meadows Golf Course will result in 5% gross revenues from sales at that site paid to the Department of Parks as well.

REASONS FOR RECOMMENDATION

Approval of this resolution will enable the Department of Parks to ensure continuity of concession services for patrons of the Elma Meadows Golf Course and avoid a service gap until a permanent concessionaire is in place.

BACKGROUND INFORMATION

In 2022, the Department of Parks advertised a Request for Proposals for concessionaire services at Elma Meadows Golf Course. The Grateful Grind Café was the only response received and was awarded a 3-year contract to operate the concessions at Elma Meadows Golf Course. In May 2023, the Department of Parks was made aware that over the course of the vendor's current contract period, the vendor was non-compliant with the schedule requirements at Elma Meadows Golf Course and was frequently not open for patronage, resulting in a deficiency in concession services despite the terms of their contract. As a result, the Department of Parks terminated the vendor's contract effective July 10, 2023.

The current concessionaire at Grover Cleveland Golf Course has expressed a willingness and ability to step in as concessionaire at Elma Meadows Golf Course for the remainder of this golf season. This would ensure continuity of concession services. A contract amendment is necessary to add a second location, Elma Meadows Golf Course concessions (club house and halfway house), as a site of service to their current contract.

The Department of Parks investigated the possibility of installing vending machines at Elma Meadows Golf Course in lieu of a concessionaire; however, the vending company contracted by

Erie County is unable to install machines until late August, which leaves a large service gap for patrons and is not practical given the length of season.

CONSEQUENCES OF NEGATIVE ACTION

If this contract amendment is not approved, the patrons of Elma Meadows Golf Course will be left with no concessions. Food and beverages are in high demand at the Erie County golf courses and it would be a detriment to our public service if we were unable to close this service gap.

STEPS FOLLOWING APPROVAL

A contract amendment will be drafted for the Grover Cleveland Golf Course vendor, "19th at Grover Grill," by the Erie County Legal Department. The vendor will then move forward with taking occupancy of the concession facilities at Elma Meadows Golf Course to provide food and beverage services as soon as possible.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PARKS, RECREATION AND FORESTRY

RE: Grover Cleveland Golf Course Concessionaire Contract Amendment

WHEREAS, the Department of Parks, Recreation and Forestry ("Department of Parks") advertised a Request for Proposals ("RFP") for concessionaire services at the Grover Cleveland Golf Course and previously selected a vendor known as the "19th at Grover Grill;" (*see*, Comm. 6E-6 (2023)); and

WHEREAS, concession service at Erie County public golf courses is in high demand and ensures the highest level of service for public patrons; and

WHEREAS, effective July 10, 2023 the Elma Meadows Golf Course is without a concessionaire to provide food and beverage service to patrons; and

WHEREAS, the "19th at Grover Grill" is willing and able to add services at Elma Meadows Golf Course to ensure continuity of service at that course; and

WHEREAS, the services allowed by this amendment would be limited to the remainder of the 2023 golf season.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to amend the current contract with the "19th at Grover Grill" to add concession services at Elma Meadows Golf Course for the 2023 golf season; and be it further

RESOLVED, that the Erie County Department of Parks will advertise a new RFP for a concessionaire vendor at Elma Meadows Golf Course with services commencing in 2024; and be it further

RESOLVED, that the provisions of section 26.08 of the Erie County Code are hereby waived for these limited purposes; 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 Comptroller's Office, the Division of Budget and Management; the Department of Law, and the Department of Parks, Recreation and Forestry.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-11	COUNTY EXECUTIVE	Authorization to Accept Unified Court System Reimbursement for Court Cleaning & Minor Repair

Attachments

23COMM. 15E-11

EC LEG JUL 14 '23 PM 4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Authorization to Accept Unified Court System Reimbursement for Court Cleaning and Minor Repair
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Please find enclosed a resolution from the Department of Public Works requesting authorization to accept reimbursement from the Unified Court System (UCS) for the expenses incurred by the County for the mandated cleaning and minor repair work provided for court-occupied space, pursuant to Chapter 686, Laws of 1996 for State Fiscal Years 2023-2024 (April 1, 2023-March 31, 2024) through 2027-2028 (April 1, 2027-March 31, 2028).

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary, Jr. at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/ao
Enclosure

cc: William E. Geary, Jr., Commission of the Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Authorization to Accept Unified Court System Reimbursement for Court Cleaning and Minor Repair
Date: July 14, 2023

SUMMARY

The Department of Public Works is requesting authorization to accept reimbursements from the Unified Court System (UCS) for the expenses incurred by the County for the mandated cleaning and minor repair work provided for court-occupied space, pursuant to Chapter 686, Laws of 1996 for State Fiscal Years 2023-2024 (April 1, 2023-March 31, 2024) through 2027-2028 (April 1, 2027-March 31, 2028).

FISCAL IMPLICATIONS

Positive. This would help offset the expenses that the County incurs for cleaning and minor repair work provided to the Courts. Projected reimbursement for State Fiscal Year (April 1, 2023- March 31, 2024) is $2,494,494.

REASONS FOR RECOMMENDATION

Legislative authorization is necessary to for Erie County departments to accept reimbursements from the State.

BACKGROUND INFORMATION

Erie County is mandated to provide cleaning and minor repair work to court-occupied spaces, pursuant to Chapter 686, Laws of 1996. The Unified Court System (UCS) has entered into a new five-year contract agreement with municipalities to establish the terms and conditions for cleaning and minor repair of court-occupied space, beginning in the State Fiscal Year 2023-2024 (April 1, 2023-March 31, 2024) through State Fiscal Year 2027-2028 (April 1, 2027-March 31, 2028). The UCS agrees to reimburse Erie County for up to 100% of the State approved budget, each year, for cleaning and minor repair work

CONSEQUENCES OF NEGATIVE ACTION

If the resolution is not approved, the County will not be able to accept the reimbursements and the expenses incurred for the services will be paid for by the taxpayers of Erie County.

STEPS FOLLOWING APPROVAL

The County will enter into an agreement to accept the reimbursements from the UCS to help offset the expenses incurred for the cleaning and minor repairs of court-occupied space throughout the five-year contract period of State Fiscal Years 2023-2024 through 2027-2028.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Authorization to Accept Unified Court System Reimbursement for Court Cleaning and Minor Repair

WHEREAS, the Unified Court System (UCS) has entered into a new five-year contract agreement with municipalities to establish the terms and conditions for cleaning and minor repair of court-occupied space, pursuant to Chapter 686, Laws of 1996, beginning in the State Fiscal Year 2023-2024 (April 1, 2023-March 31, 2024) through State Fiscal Year 2027-2028 (April 1, 2027-March 31, 2028); and

WHEREAS, the UCS seeks authorization to enter into an agreement with Erie County to provide reimbursements to the County for expenses incurred for cleaning and minor repairs of court-occupied space up to 100% of the State approved budget throughout the new five-year contract period, with annual renewal letters provided with updated budgets; and

WHEREAS, Legislative authorization is required for the Erie County Department of Public Works to accept reimbursements from the UCS for cleaning and minor repairs of court-occupied space.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the Department of Public Works to enter into an agreement to accept reimbursements from the Unified Court System (UCS) for up to 100% of the State approved budget for cleaning and minor repairs of court-occupied space, pursuant to Chapter 686, laws of 1996 for the new five-year contract period beginning April 1, 2023-March 31, 2024 through April 1, 2027-March 31, 2028, with annual renewal letters provided with updated budgets; and be it further

RESOLVED, that authorization is hereby given to deposit the reimbursements into the Division of Building and Ground's annual Operating Budgets, Fund 110, Funds Center 122, Account 405170 – State Aid-Court Facility Incentive Aid through the contract period; 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 the Department of Public Works.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-12	COUNTY EXECUTIVE	Imposition of a Sales Tax Exemption on Residential Energy Sources

Attachments

23COMM. 15E-12

EC LEG JUL 14 '23 PM 4:01

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

Re: Imposition of a Sales Tax Exemption on Residential Energy Sources

Dear Honorable Members:

Please find enclosed Resolution for your approval a Resolution authorizing the County of Erie to impose an exemption residential energy sources for a three-month period. This action will ensure Erie County residents pay no sales tax on any residential energy sources for the three-month period of December 1, 2023 to February 29, 2024.

In addition, per this cover letter, the County of Erie formally requests that the Commissioner of Taxation and Finance wave and reduce the 90-day notice requirement period for this resolution to 30 days pursuant to Tax Law Section 1210(d), so that this resolution may take effect on December 1, 2023.

Should your Honorable Body require further information, I encourage you to contact the Division of Budget and Management or the County Attorney's Office. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz
Erie County Executive

MCP/mc
Enclosure

cc: Kevin Hardwick, PhD., Erie County Comptroller
Jeremy Toth, Erie County Attorney
Robert W. Keating, Director of Budget and Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Office of the County Executive
Re: Imposition of a Sales Tax Exemption on Residential Energy Sources
Date: July 14, 2023

SUMMARY

New York State allows for counties to provide an exemption to sales and compensating use tax on residential sources of energy which includes natural gas, propane (100 pounds or more), electricity, steam, coal, fuel oil, and wood (for heating). New York State already provides this exemption on its 4% sales tax and approval would make all such items sales tax free for a three-month period from December 1, 2023 to February 29, 2024.

FISCAL IMPLICATIONS

Based on prior quarterly taxable sales and purchase information provided by the New York State Department of Tax and Finance, the Division of Budget and Management estimates Erie County will lose between $8.6 million and $9.5 million in sales tax revenue over the three-month period this exemption is enacted for.

REASONS FOR RECOMMENDATION

Sales tax is among the most regressive forms of taxation, disproportionately impacting lower-income residents. New York State already exempts residential energy sources from the State-imposed 4% sales tax and approval of this resolution would make all such items sales-tax free for a three-month period. Erie County would join 42 other counties in providing some form of exemption on residential energy. The period of December 1st thru February 29th constitutes the highest period of energy consumption due to winter heating needs and therefore, provide the biggest benefits to residents.

BACKGROUND INFORMATION

The exemption sales tax on residential energy sources may only take effect or be repealed at the start of a New York State sales tax quarter (March 1, June 1, September 1, December 1). If a locality is interested in adopting an exemption residential energy sources, several steps must be taken. These include enacting a local law, ordinance or resolution in the form provided by the Commissioner (used in here), requesting a waiver of the 90-day notice period required by the Tax Law to no less than 30 days, and mailing that enactment by certified or registered mail no later than January 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION

Erie County would continue to charge its 4.75% sales tax all residential energy sources.

STEPS FOLLOWING APPROVAL

The Clerk of the Legislature will seal and certify five copies of the resolution and provide the certified resolutions to the Department of Law for filing with the Secretary of State, the State Comptroller, and the Erie County Clerk, within five days of enactment, pursuant to section 1210(e) of the Tax Law. No later than January 30, 2024, the Department of Law will send a certified copy of this resolution via certified mail to the Commissioner of Taxation and Finance.

Resolution

of the

County of Erie, exempting residential energy sources and services from sales and compensating use taxes pursuant to the authority of Article 29 of the Tax Law of the State of New York.

NOW, THEREFORE BE IT

RESOLVED, that be it enacted by the Legislature of the County of Erie as follows:

SECTION 1. Section six of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is hereby further amended by adding a new subdivision (e) to read as follows:

(e) Receipts from the sale of energy sources and services and the use of such sources and services shall be exempt from the taxes imposed by this resolution, as authorized by paragraph three of subdivision (a) of section 1210 of the New York Tax Law.

SECTION 2. This act shall take effect December 1, 2023, and shall expire and be deemed repealed on March 1, 2024.

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to seal and certify five copies of the resolution and provide the certified resolutions to the Department of Law for filing with the Secretary of State, the State Comptroller, the Erie County Clerk, and the State Tax Commissioner within five days of enactment, pursuant to section 1210(e) of the Tax Law; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Comptroller's Office and the Division of Budget and Management.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-13	COUNTY EXECUTIVE	Public Auction of Surplus County Owned Parcels

Attachments

23COMM. 15E-13

EC LEG JUL 14 '23 PM4:02

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

Re: Public Auction of Surplus County Owned Parcels

Dear Honorable Members:

Please find attached a resolution and memorandum to authorize the public auction of surplus Erie County owned vacant land parcels.

Should your Honorable Body require further information, I encourage you to contact Director Scott A. Bylewski at the Department of Real Property Tax Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/sab
Enclosure

cc: Scott A. Bylewski, Director, Department of Real Property Tax Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Real Property Tax Services
Re: Public Auction of Surplus County Owned Parcels
Date: July 14, 2023

SUMMARY

Real Property Tax Services has received requests for surplus county owned parcels, as well as identified with the Department of Environment and planning other parcels. The County Lands Advisory Review Committee has met and has deemed these parcels as surplus and recommend the sale of these parcels via public auction.

FISCAL IMPLICATIONS

Positive as once these properties are sold at public auction they will return to the tax rolls.

REASONS FOR RECOMMENDATION

These properties have been deemed surplus by the County Lands Advisory Review Committee. Selling these parcels will reduce exposure to risk, liability, and maintenance. The properties would be put into productive use.

BACKGROUND INFORMATION

Over the years, Erie County has retained ownership of various vacant lots that at one point were for County purpose or were obtained through the In Rem foreclosure process. It is the recommendation of the Director of Real Property Tax Services and the Erie County Lands Advisory Review Committee that these surplus parcels be sold via public auction. The Lands Advisory Review Committee conducted the environmental review pursuant to the SEQR. The Committee determined that the sales are classified as Unlisted Action(s) under SEQR, and that there was no significant environmental impact, negative declaration(s) were issued.

CONSEQUENCES OF NEGATIVE ACTION

The County would retain ownership with exposure to risk and liability. The property would remain underutilized.

STEPS FOLLOWING APPROVAL

Upon separate appointment of auctioneer, a public auction or auctions will be conducted. After the property or properties are struck down at auction, and upon payment in full, the County Executive will execute quit claim deed(s) to said property owners.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF REAL PROPERTY TAX SERVICES

Re: Public Auction of Surplus County Owned Parcels

WHEREAS, the Director of Real Property Tax Services recommended the transfer of the surplus county owned properties described below; and

WHEREAS, the County Lands Advisory Review Committee reviewed the proposed sale under SEQR and classified the action as Unlisted and issued negative declaration(s) acknowledging the minimal environmental impact; and

WHEREAS, the parcels were reviewed and deemed surplus by the County Lands Advisory Review Committee.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby concurs with the SEQR classification and findings of the County Lands Advisory Review Committee of a minimal environmental impact; and be it further

RESOLVED, that authorization is hereby given for the surplus county owned parcels listed in the attached exhibit be sold at public auction; and be it further

RESOLVED, that authorization is hereby given to the Erie County Executive to execute quit claim deed(s) conveying any and all interest of the County of Erie in said properties to purchasers at public auction; 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 Law, the Department of Environment and Planning, the Division of Budget and Management, and the Department of Real Property Tax Services.

EXHIBIT A

#	Address #	Street	SBL	Town
1	0	Daggett Ln.	115.12-1-28	Lancaster
2	0	Bryant St.	115.12-8-10	Lancaster
3	0	Bryant St.	115.12-8-23	Lancaster
4	0	Bryant St.	115.12-8-14	Lancaster
5	0	Bryant St.	115.12-8-15	Lancaster
6	0	Florence Ave.	115.12-8-24	Lancaster
7	0	Schuyler Dr.	192.20-7-24	Evans
8	0	Ellicott St.	250.08-2-14	Evans
9	0	Monroe Ave.	250.11-4-18	Evans
10	0	Madison Ave.	250.11-4-27	Evans
11	0	Madison Ave.	250.11-4-28	Evans
12	454	Monroe Ave.	250.11-8-15	Evans
13	0	Monroe Ave.	250.11-8-17	Evans
14	449	Roanoke Ave.	250.11-8-4	Evans
15	0	Roanoke Ave.	250.11-8-5	Evans
16	0	Roanoke Ave.	250.11-8-7	Evans
17	0	Granger St.	250.12-1-17	Evans
18	0	Granger St.	250.12-1-2	Evans
19	0	Madison Ave.	250.12-4-11	Evans
20	0	Delaware St.	250.12-9-25	Evans
21	0	Eisenhower Ave.	250.12-9-27	Evans
22	0	Lenox St.	250.14-6-8	Evans
23	0	Sterling Ave.	250.14-7-18	Evans
24	0	Rosewood Ave.	250.17-2-48	Evans
25	0	Utica St.	250.17-3-28	Evans
26	0	Potomac Ave.	250.17-4-16	Evans
27	0	Railroad Ave.	251.07-4-3	Evans
28	0	Richmond St.	251.13-4-6	Evans
29	359	Harding Ave.	250.14-5-35	Evans
30	0	Erie Rd.	205.00-2-36	Evans
31	0	Erie Rd.	250.12-6-33	Evans
32	0	Erie Rd.	250.12-7-11	Evans
33	0	Erie Rd.	250.12-7-36	Evans
34	0	Erie Rd.	251.05-1-75	Evans
35	0	Erie Rd.	250.12-6-12	Evans
36	0	Erie Rd.	250.12-6-13	Evans
37	0	Dawn Ave.	250.12-8-59	Evans
38	0	Fillmore Ave.	251.13-3-10	Evans

39	0	Roosevelt Dr.	206.05-2-9	Evans
40	0	Lake Shore Rd.	220.09-3-23	Evans
41	0	Lake Shore Rd.	220.09-3-33	Evans
42	0	Harmony Pl.	220.13-1-1	Evans
43	0	Maple St.	235.16-1-3	Evans
44	0	Maple St.	235.16-1-4	Evans
45	525	Cottage Ave.	250.08-6-3	Evans
46	0	Kenmore St.	250.11-10-13	Evans
47	0	Roanoke Ave.	250.11-2-33	Evans
48	0	Eisenhower Ave.	250.11-6-45	Evans
49	0	Eisenhower Ave.	250.15-3-10	Evans
50	0	Kennedy Ave.	250.11-9-32	Evans
51	0	Jefferson Ave.	250.11-9-6	Evans
52	0	Jefferson Ave.	250.12-1-30	Evans
53	0	Jefferson Ave.	250.12-4-24	Evans
54	0	Jefferson Ave.	250.12-4-29	Evans
55	0	Jefferson Ave.	250.12-4-31	Evans
56	624	Adams Ave.	250.12-4-34	Evans
57	0	Dawn Ave.	250.14-4-10	Evans
58	0	Pleasant Ave.	250.14-10-67	Evans
59	0	Porter Ave.	250.17-5-19	Evans
60	0	Porter Ave.	250.17-5-23.1	Evans
61	0	Cain Rd.	251.00-3-39	Evans
62	0	South Main St.	251.00-3-41	Evans
63	0	Labelle Ave.	151.54-6-19	Blasdell

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-14	COUNTY EXECUTIVE	Authorization to Enter Intro Agreement(s) for Online Auctioneer Services

Attachments

23COMM. 15E-14

EC LEG JUL 14 '23 PM 4:02

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

Re: Authorization to Enter into Agreement(s) for Online Auctioneer Services

Dear Honorable Members:

Please find attached a resolution and memorandum to authorize entering into Agreement(s) for Online Auctioneer Services. This will allow for real property declared surplus to be sold via online public auction.

Should your Honorable Body require further information, I encourage you to contact Director Scott A. Bylewski at the Department of Real Property Tax Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/sab
Enclosure

cc: Scott A. Bylewski, Director, Department of Real Property Tax Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Real Property Tax Services
Re: Authorization to Enter into Agreement(s) for Online Auctioneer Services
Date: July 14, 2023

SUMMARY

Real Property Tax Services has received requests for surplus county owned parcels, as well as identified with the Department of Environment and planning other parcels. The County Lands Advisory Review Committee has met and has deemed these parcels as surplus and recommend the sale of these parcels via public auction. At or around the same time, the County issued a Request for Proposals Issued by the County of Erie to Provide Online Auctioneer Services for Sale of County Property, dated May 12, 2023; RFP # 2023-035VF.

FISCAL IMPLICATIONS

Positive as once these properties are sold at public auction they will return to the tax rolls. Fees associated with the auction will be paid by the successful bidders.

REASONS FOR RECOMMENDATION

Properties have been deemed surplus by the County Lands Advisory Review Committee. Selling these parcels will reduce exposure to risk, liability, and maintenance. The properties would be put into productive use. A public online auction appears to be the fairest and most equitable way for the County to maximize dollars received given the locations and sizes of the parcels sought to be auctioned.

BACKGROUND INFORMATION

Over the years, Erie County has retained ownership of various vacant lots that at one point were for County purpose or were obtained through the In Rem foreclosure process. It is the recommendation of the Director of Real Property Tax Services and the Erie County Lands Advisory Review Committee that these surplus parcels be sold via public auction. The County has expressed interest in using online auction services for County-owned parcels to maximize monies received.

CONSEQUENCES OF NEGATIVE ACTION

The County may not be able to maximize dollars received per property and the property would remain underutilized.

STEPS FOLLOWING APPROVAL

Upon the appointment of the auctioneer(s), a public auction or auctions will be conducted. An appropriate agreement will be entered into with each auctioneer selected. After the property or properties are struck down at auction, and upon payment in full, the County Executive will execute quit claim deed(s) to said property owners.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF REAL PROPERTY TAX SERVICES

Re: Authorization to Enter into Agreement(s) for Online Auctioneer Services

WHEREAS, via a separate resolution, the County Legislature is considering declaring surplus county owned parcels; and

WHEREAS, a Request for Proposals was issued to Provide Online Auctioneer Services for Sale of County Property; and

WHEREAS, an online auction may help maximize dollars received by the County per parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute all agreements necessary to implement the providing of online auctioneer services; and be it further

RESOLVED, that the online auctioneer services will be paid for out of the proceeds obtained at each sale by the winning bidder; and be it further

RESOLVED, that authorization is hereby given to the Erie County Executive to enter into agreements for online auctioneer services with Auctions International, Inc. and Monahan Real Estate & Development, LLC dba Cash Auctions; 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 Law, the Department of Environment and Planning, the Division of Budget and Management, and the Department of Real Property Tax Services.

ONLINE AUCTIONEER
CONSULTANT EVALUATION FORM

DATE: 7/12/2023

		CONSULTANT TEAMS			
	Names of consultants:	**AARauctions**	**GovDeals**	**Cash Auctions**	**Auctions International**
REVIEWERS		**RATING**	**RATING**	**RATING**	**RATING**
REVIEWER 1:		3	4	2	1
REVIEWER 2:		1	4	3	2
REVIEWER 3:		3	4	1	2
FINAL RANKING:		3	4	2	1

SHORTLIST FOR INTERVIEWS/REFERENCES:	
1	Auctions Intl
2	Cash Auctions

FORMAL RECORDED VOTE:		
RANK	**CONSULTANT**	**VOTES BY**
Recommended:	Auctions Intl. and Cash Auctions	Unanimous

REVIEWED & APPROVED: _____
County Executive

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-15	COUNTY EXECUTIVE	Appointment to the EC Health Equity Advisory Board

Attachments

23COMM. 15E-15

EC LEG JUL 14 '23 PM 4:02

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

Re: Appointment to the EC Health Equity Advisory Board

Dear Honorable Members,

Pursuant to The Erie County Health Equity Act of 2021, I, Mark C. Poloncarz, Erie County Executive, do hereby submit for your confirmation the following individual to be appointed to the Erie County Health Equity Advisory Board by the recommendation of the Buffalo Federation of Neighborhood Centers for a full three-year term expiring on July 1, 2026.

Appointee

Chandra Redfern
131 Thamesford Court
Williamsville, New York 14221

Should you have any questions, please do not hesitate to contact my office at (716) 858-8500.

Sincerely,

Mark C. Poloncarz
Erie County Executive

MCP/jah

cc: Willie Underwood, III, MD, MSc, MPH

BFNC
Buffalo Federation of
Neighborhood Centers

March 22, 2023

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

Dear Erie County Legislature,

I am writing to express my interest in serving on the Erie County Health Equity Advisory Board. The creation of the Office of Health Equity by the legislature has sent a clear message that Erie County strongly believes that health status should not be dictated by social position. The effects of events over the past three years continue to demonstrate the need for such an office.

The Buffalo Federation of Neighborhood Centers, Inc. is a community-based organization which provides comprehensive family focused services for adults and youth living in low income and disadvantaged neighborhoods throughout Erie and Niagara Counties. Services provided by BFNC are focused on resolving the social determinants of health. As a Human Services professional with over 20 years' experience I have served as an advocate for those in the community that are often unable to advocate for themselves. It is my belief that wellness is not a luxury and should be able to be obtained by all community members despite their status in life. I have a strong administrative background and possess a broad range of skills. In addition, one of my areas of expertise is in mental health within BIPOC communities. With my background and knowledge, I believe I would serve as an excellent advisory board member for the Office of Health Equity. I would be honored to have the opportunity to serve on the board and put my knowledge and years of experience to use.

Attached you will find my resume, detailing some of my community experience. I am confident that I would make an excellent addition to the advisory board. Please contact me if you require additional information. I look forward to hearing from you and thank you so much for your time.

Sincerely,

Chandra Redfern

Chandra Redfern
Chief Executive Officer

Cc: Mark C. Poloncarz, Erie County Executive

Chandra Redfern

(716) 866-0854(c)
clredfern12@gmail.com

Senior level executive experienced in driving service and productivity. Highly competitive, enthusiastic, and persuasive; able to achieve results others believed to be impossible. Incredibly adept at creating systems and controls necessary to ensure that organizational expectations for superior service, maximum revenue generation and productivity are achieved. Experienced in partnership building and program development. Flexible and versatile – able to maintain balance under pressure. Poised and competent with demonstrated ability to easily transcend cultural differences.

Qualifications Summary

- Skilled in program development, re-organization, problem solving and negotiation.
- Client and quality focused executive providing the strategic vision and leadership that drives operational processes, productivity, efficiency, and bottom-line improvement.
- Outstanding leadership/ coaching philosophy promoting employee participation using creative problem-solving to contribute to organizational success.
- Strong ability to set and achieve priorities and manage multiple projects in tandem without compromise to quality.
- Excellent interpersonal and communication skills with proficiency to instill confidence, build and maintain strategic business/ client relationships.
- Strong communicator who interacts respectfully and effectively with individuals across the spectrum of social and economic backgrounds and cultures. Experience in the operations of and management of government-funded programs that are responsive to the needs of the community.

Professional Experience

Buffalo Federation of Neighborhood Centers Inc. **2000-present**

The Buffalo Federation of Neighborhood Centers, Inc. is a community based nonprofit organization that was birthed from the Settlement House movement. The agency has an annual budget of approximately ten million dollars. BFNC strives to ensure that their doors are open to all people and communities – helping them navigate a path from where they are to where they want to be.

Chief Executive Officer **2021- present**

- Responsible for the administration, programs, and strategic plan of the organization.
- Responsible for the overall impact of the organization on the community. Works closely with the Board to craft and adapt the strategy to achieve increased impact, including raising the funds to support it.
- Serves as the principal resource to the Board of Directors and its key committees and gives strong direction in policy formulation and interpretation. Partners with the Board of Directors and the Senior Leadership team to craft organizational goals and to develop strategies to ensure achievement.
- Accountable for building and leading high-performing teams, ensuring team alignment and collaboration to achieve organizational results. Maintains accountability for the operational and fiscal integrity of the organization within policies set by the Board of Directors. Assesses organizational capacity to implement strategies and identify gaps in systems and staffing. Works with the Chief Financial Officer to manage organizational spending, monitor budget compliance, and mitigate financial risks.

Chief Operating Officer **2018- 2021**

- Communicate organization goals and operational plans to all levels of the organization.
- Strategic planning and coordination of the organization's programs, projects, and policy positions.
- Oversee the daily operations of the organizational programs.
- Generation of and analysis of program data, ensuring that program operations and business operations align.

- Project Manager for 22-million-dollar mixed use low-income senior housing development project.
- Development of community partnerships that align with and enhance the mission and vision of the agency.

Director of Residential Services **2011- 2018**

- Responsible for the overall management of 195 Office of Mental Health licensed and unlicensed adult housing living programs with serious mental illness.
- Generation of and analysis of program data
- Project Manager for 22-million-dollar mixed-use low-income housing development project.
- Project Manager for implementation of the agency electronic chart record system.
- Preparation and submission of grant proposals.
- Program and policy development.
- Served as acting executive director during the leave of the agency executive director.

Assistant to the Executive Director for Residential Services **2009-2011**

- Aided the Executive Director in monitoring the program operations of licensed and unlicensed housing.
- Successfully renegotiated re-certifications of previously sanctioned community residences.
- Led the department in converting from paper charts to digital record keeping.

Coordinator, Adult Case Management **2004-2009**

- Managed the daily operations of two adult case management programs for 150 individuals in a community setting, while providing supervision to seven staff members
- Monitored billing processes, ensured that contract goals were met or exceeded and performed quality reviews.

Director of Support Services, Buffalo Adolescent Pregnancy Prevention Services **2002-2004**

- Managed the daily operations of a pregnancy prevention program, supervised a staff of four case managers who provided services at multiple locations.
- Assisted in the development of a unified case management reporting procedure
- Promoted awareness of the program through community presentations and outreach efforts.

Reaching Out Case Manager, Buffalo Adolescent Pregnancy Prevention Services **2001-2002**

- Provided linkage, advocacy and referral to adolescents who were pregnant, parenting or "at-risk" of becoming pregnant
- Group facilitation
- Served as a liaison to the Family Court of New York in Erie County

Supportive Case Manager **2000-2001**

- Conducted intake, assessment, and implementation of individualized service plans in a community-based setting based on recipient's needs.
- Provided linkage, advocacy and referral to adults diagnosed with a serious mental illness

Volunteerism & Affiliations

New York State Cannabis Advisory Board 2022- present
Board Member

Health Foundation for Western & Central New York 2021- present
Cohort 10 Fellow

New York State Suicide Prevention Council 2021- present
Member

Jack and Jill of America, Inc. 2020- present
Buffalo Chapter Member

Suicide Prevention Coalition of Erie County 2020- present
Member

Gerard Place 2018- present
Advisory Committee

Oishei Foundation Leadership Group
2008 Cohort

Leadership Buffalo Class of 2007

Past Volunteerism & Affiliations

Erie County Department of Mental Health Mental Health Sub Committee Workgroup 2015- 2017

Urban Christian Ministries 2013-2016
Board of Directors

Gerard Place 2007-2015
Board of Directors

XCEL Leadership Center 2009-2010
Board of Directors

Mental Health Association of Erie County 2007-2009
Board of Directors

Buffalo Adolescent Pregnancy Prevention Services 2002-2007
Community Counsel

Community Action for Prenatal Care Initiative (CAPC) 2001-2012
Enhanced Outreach Worker, Chairperson Faith –Based Workgroup

Sister to Sister Connection of Western New York Board of Directors, 2001-2007
Chairperson Mini-Mentoring Event, Chairperson Summit Planning Committee

Education
CANISIUS COLLEGE – Buffalo, NY
Master of Science in Counseling & Human Services Degree, 2005
Bachelor of Arts in Psychology & Criminal Justice, 1999

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-16	COUNTY EXECUTIVE	Appointment to the EC Health Equity Advisory Board

Attachments

23COMM. 15E-16

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

Re: Appointment to the EC Health Equity Advisory Board

Dear Honorable Members,

Pursuant to The Erie County Health Equity Act of 2021, I, Mark C. Poloncarz, Erie County Executive, do hereby submit for your confirmation the following individual to be appointed to the Erie County Health Equity Advisory Board by the recommendation of the National Medical Association – Buffalo Chapter for a full three-year term expiring on July 1, 2026.

Appointee

Willie Underwood, III, MD, MSc, MPH
661 Lafayette Avenue
Buffalo, New York 14222

Should you have any questions, please do not hesitate to contact my office at (716) 858-8500.

Sincerely,

Mark C. Poloncarz
Erie County Executive

MCP/jah

cc: Willie Underwood, III, MD, MSc, MPH

National Medical Association

May 22, 2023

Erie County
Attn: County Executive's Office
95 Franklin Street
Buffalo, NY 14202

To Whom It May Concern:

My name is Fred D. Archer III, MD and as the President of the Buffalo Affiliate of the National Medical Association I would like to recommend Willie Underwood, III, MD, MSc, MPH to serve on the Erie County Board of Health Equity.

I have had the good fortune of knowing Dr. Underwood personally and professionally for the past 7+ years. He is board-certified Urologist with a medical practice in Buffalo, NY. In addition, he also has a Master's in Public Health and is considered an expert in health care disparities and policy at both the local and national level serving as an outspoken community advocate for health care disparities and equity in underserved population. Along with his active involvement in local and national professional medical organizations, he has published extensively in peer-reviewed publications, received millions of dollars in NIH research funding, and holds patents related to prostate cancer biomarkers.

Dr. Underwood would be an exceptional addition to this board as it starts its important work to advance health equity for all Erie County residents and I cannot recommend him highly enough.

Thank you for taking the time to read this recommendation. Please feel free to contact me with any questions.

Sincerely,

Fred D. Archer III, MD
President
Buffalo Affiliate of the
National Medical Association
farcher@upa.chob.edu

CURRICULUM VITAE

PERSONAL

Name:	WILLIE UNDERWOOD, III, M.D., MSci., MPH, FACS
Email	Wunder_wil@yahoo.com (personal)
03/2020-09/2022	Executive Director Buffalo Center for Health Equity Buffalo, NY
09/2022-present	Chief Medical and Research Officer Buffalo Center for Health Equity Buffalo, NY
	Co-Founder KAPS Biotechnology, LLC Buffalo, NY
	Founder WILL U Enterprises, LLC Buffalo, NY
04/2017-present	Member of the Board of Directors of Highmark NY (Blue Cross and Blue Shield of Western and Northeastern NY)
06/2022-06/2023	Chair-Elect of the Board Trustees of the American Medical Association
06/2019-present	Board of Trustees of the American Medical Association
01/01/2020-present	Commissioner (Board) of The Joint Commission

CURRENT CLINICAL

07/2009	Clinical Associate Professor (Volunteer Faculty), University of Buffalo, Jacobs School of Medicine, Department of Urology
05/2019	Locum Tenens and more than 20 years of experience in the field of urology and urologic oncology, including but not limited to more than 12 years of robotic surgery, especially prostatectomies.
	Locum Tenen

06/2019-present	Samaritan Medical Center, NY
11/2021-present	Guthrie Clinic, NY

EDUCATION

05/1983	William A. Wirt High School, Gary, IN
05/1989	Morehouse College, Atlanta, GA; BS (Biology)
05/1994	State University of New York at Syracuse, Upstate Medical University, Syracuse, NY, M. Sci. (Anatomy and Cellular Biology) & M.D.
12/2004	University of Michigan, School of Public Health, Ann Arbor, MI MPH (Health Management & Policy)
06/2016	University of Buffalo - School of Management, Center for Entrepreneurial Leadership Certificate Program (2016 High-Tech CEL Program)

LEADERSHIP EDUCATION

05/2015	Levinson Institute Leadership for Physician Executives Seminar (Harvard Medical School Accreditation)
09/2018	National Association of Corporate Directors Advanced Master Class

POSTDOCTORAL TRAINING

07/1994-06/1996	Internship and Residency, General Surgery, University of Connecticut Health Center, Farmington, CT
07/1996-06/2000	Residency, Urology, University of Connecticut Health Center, Farmington, CT
07/2000-06/2002	Robert Wood Johnson Foundation Clinical Scholars Program, University of Michigan, Ann Arbor, MI
07/2005-06/2010	Robert Wood Johnson Foundation Harold Amos Medical Faculty Development Program

PATENT

JULY 12, 2018	US Patent number 9995748 Titled: Biomarker for Prostate Cancer Comprising IL-8, TNF-Alpha and sTNF-Alpha-R1
May 20, 2019	Japanese Patent number 6513668 Biomarker for Prostate Cancer

ACADEMIC APPOINTMENTS

07/1998-06/2000	Teacher Assistant for gross anatomy laboratory dissection, Department of Anatomy, University of Connecticut Health Center, Farmington, CT
10/2001- 03/2004	Lecturer in the Department of Urology, University of Michigan Health System, Ann Arbor, MI

03/2004-06/2005	Assistant Professor in the Department of Urology, University of Michigan Health System, Ann Arbor, MI
07/2002-06/2005	Clinical Faculty Department of Surgery/ Section of Urology, Veterans Affairs Medical Center, Ann Arbor, MI
07/2004-06/2005	Chief, Section of Urology, Department of Surgery Veterans Affairs Medical Center, Ann Arbor, MI
11/2005-10/2008	Assistant Professor of Urology, Department of Urology, Wayne State University and Karmanos Cancer Institute, Detroit, MI
11/2005-10/2008	Scientist, Behavioral Communication and Oncology Program, Karmanos Cancer Institute, Detroit, MI
10/2008-06/2009	Assistant Professor Urology & Cancer Prevention and Control Roswell Park Cancer Institute
07/2009-present	Clinical Associate Professor of Urology University of Buffalo
04/2011-04/2019	Associate Professor Urology & Cancer Prevention and Control Roswell Park Cancer Institute
04/2012-09/2014	Associate Clinical Director, RPCI Referring Physician and Patient/Family Experience Initiatives

CONSULTING ACTIVITIES

10/2001-06/2005	Clinical Faculty, Department of Surgery/ Division of Urology, Department of Veterans Affairs Medical Center, Ann Arbor, MI

SCIENTIFIC ACTIVITIES

05/1986-08/1986	Research Assistant, Department of Anatomy, Morehouse College School of Medicine, Atlanta, GA
07/1991-05/1994	Graduate student, Department of Anatomy Cellular Biology and Clinical Pathology, State University of New York at Syracuse, Upstate Medical University, Syracuse, NY

GRANT SUPPORT

Current

National Institutes of Health - 1R42MD013412- dates 0107/01/18 -06/30/22

Title: KAPS Biotech – A Novel Biomarker to Improve Prostate Cancer Diagnosis. (MPI) Willie Underwood and (MPI) Kailash Chadha (Total Award $1.75 million).

Previous

National Cancer Institute-1R01CA152425-01 Dates 7/2010-9/2016: "Race, Prostate Cancer Treatment, and Treatment Decision Difficulty and Regret" (MPI) Willie Underwood, III MD and (MPI) Heather Orom PhD (Total Award 3.7 million).

National Cancer Institute Community Network Partnership-1U54CA153598-01 Dates 7/2010-9/2016: "Western New York Cancer Coalition (WNYC2) Center to Reduce Disparities" (MPI) Willie Underwood, III MD and (MPI) Debra Erwin PhD (Total Award 4.5 million).

Robert Wood Johnson Foundation's Harold Amos Medical Faculty Development Award Dates 7/2006-7/2012: "Determining the Patient Factors that Influence Prostate Cancer Treatment in Southwestern Michigan" (Total award of $365,400, @ 40% effort). (PI) Underwood

AUA Foundation/Astellas Rising Star in Urology Award 1/1/07 to 12/31/11: Salary supplemental Funding for the project entitled "Determining the Patient Factors that Influence Prostate Cancer Treatment in Southwestern Michigan" (Total award of 147,000). (PI) Underwood

Community Networks Partnership (CNP) for Older Underserved African American Adults, grant number: 1 U01 CA114583-01 (Co-investigator @ 5% effort).
PI Terrance Albrecht

CNP for Older Underserved African American Adults, grant number: 1 U01 CA114583-01 (Pilot Investigator: "Using SEER-Medicare to Evaluate Prostate Cancer Racial Treatment Disparities in Metro Detroit" @ 5% effort).
PI Terrance Albrecht

Robert Wood Johnson Foundation's Clinical Scholars Program Fellowship in Health Services Research 7/01/00- 6/30/02.

Tuition Scholarship, University of Michigan, Master's in Public Health in Health Management and Policy, 9/01/00-12/31/01.

NCI/SWOG, "Chemoprevention of Prostate Cancer with Selenium and Vitamin E Alone and in Combination, Phase III (SELECT)", Site Principal Investigator; 9/1/00-6/30/05.

Veterans Administration Cooperative Studies Program, "Prostate Cancer Intervention Versus Observation Trial"- Site PI Underwood; 7/1/02-6-30-05 (approximately $10,000 direct cost annually)

NIH/NCI, University of Michigan Cancer Center, Prostate SPORE Career Development Award, Pilot Investigator 9/1/2004-3/31/05 Total award $70, 000 (25% effort and $35,000 research support)

NIH/NCI, University of Michigan Cancer Center, Prostate Spore Career Development Award, Pilot Investigator 9/1/2002-3/31/03 (25% effort)

University of Michigan ASCO/Hartford Foundation Geriatric Oncology Pilot Grant, Pilot Investigator; $25, 000, 1/03-12/03

NIA P30AG15281, Michigan Center for Urban African American Aging Research, Pilot Investigator Award; 20,000, 9/01/02-9/01/03

LICENSURE/ BOARD CERTIFICATION/Certificates

2001-01/2024	State of Michigan (License # 4301077059)
02/2004-02/2024	American Board of Urology Certification (Certification # 14851)

2008-2009	State of Georgia
09/2008-12/2021	State of New York (License # 250131)

HEALTH CARE QUALITY REGIONAL AND NATIONAL LEADERSHIP POSITION

2010	Represent RPCI to the Western NY Prostate Cancer Quality Advisory Committee. This committee was formed by the insurance carriers and consent of the urology groups/departments and primary care physicians in WNY to address prostate cancer care issues.
2016-2022	Quality Improvement and Patient Safety Committee; Medical Society of the State of New York
2016-2022	Committee to Eliminate Health Care Disparities; Medical Society of the State of New York
2017-2021	Co-Chair HealthNow of Western/Northeastern New York Healthcare Quality, Safely Value and Innovation Committee
2021-present	Highmark Health of Western and Northeastern New York Quality Management Committee
2021-Present	Highmark Health and Highmark Inc. Enterprise Quality, Safety and Value Board Committee
2021-Present	Commissioner of The Joint Commission

HONORS & AWARDS

1991	American Heart Association Research Fellowship
1997	Third Prize in Essay Contest American Urology Association, New England Section 1997, Co-Author, "Percutaneous Radiographic Management of Renal Vascular Disease"
1997	AMA/Glaxo-Wellcome Leadership Award
1998	University of Connecticut Health Center Minority Achievement Award for Excellence and Contributions to the Health Center
1999	American Cancer Society Greater Hartford Area Distinguished Service Award
2001	Finalist for the National Resident Consortium of Residents Fitzhugh Mullan Award for Resident Leadership

2009	SUNY Upstate Medical University, Outstanding Young Alumnus Award
2010	The International Hermes Creative Awards, Platinum Winner Video/Educational Category "Living With Fear: A Prostate Cancer Special"
2010	1st place poster contest Western Section of the American Urology Association 2010, "Prospective Clinical Trial of Preoperative Sunitinib in Patients with Renal Cell Carcinoma."

NATIONAL/REGIONAL LEADERSHIP POSITIONS

1999-2000	Member of the Governing Council, Member-At-Large Position to the Resident Fellows Section of the AMA
1999-2003	Member of the Governing Council, Member-At-Large Position, Candidate Associate Society of the American College Surgeons
1999-2000	Chair-Elect of the Governing Council, the Resident Fellows Section of the AMA
2000-2001	Chair of the Governing Council, the Resident Fellows Section of the AMA
2001-2002	Vice-Chair of the Executive Committee to the Candidate Associate Society of the American College of Surgeons
2002-2003	Chair of the Executive Committee to the Candidate Associate Society of the American College of Surgeons
2000-2001	Member Health Section Assembly on the Nation's Uninsured, Uncommon Bedfellows Group
2007-2008	Chairperson of the Wayne County Medical Society Legislative Committee
2008-2014	Accreditation Council for Graduate Medical Education (ACGME)- Residency Review Committee for Urology
2010-present	Board Member and Medical Advisor to the Love Canal Medical Fund, Inc.
2011-2019	AMA Council on Legislation (Appointed by the AMA Board of Trustees)
2013-2014	Chair of the Erie County Legislative Affairs Committee
2013-present	Member of the Board Erie County Medical Society
2014-2015	Sectary/Treasurer of the Erie County Medical Society

2015-2016 Co-Chair Health-Law Committee; Erie County Medical Society

2015-2016 Vice-President of the Erie County Medical Society

2016-2017 President-Elect of the Erie County Medical Society

2017-2018 President of the Erie County Medical Society

2017-present Member of the Board of Directors Blue Cross Blue Shield of Western New York Insurance Company

2017-present Member of the Board of Directors Blue Cross Blue Shield of Northeastern New York Insurance Company

2017-present Member of the Board of Directors of HealthNow New York Insurance Company (parent company of BCBS of Western and Northeastern NY)

2016-present Executive Committee of AMA's Council on Legislation

2018-2019 Chair of AMA's Council on Legislation

2019-2023 Member of the Board of Trustees of the American Medical Association

INSTITUTIONAL LEADERSHIP ACTIVITIES

2008-present Member of the RPCI Prostate Cancer Product Line Committee. This committee is responsible for making suggestions and implementing strategy for improving prostate cancer care and RPCI patient volume.

2010-present Lead the negotiations for the successful Buffalo, NY Veteran Affairs Hospital- Roswell Park Cancer Contractual Agreement for prostate cancer patient care.

2010 Member of the RPCI outcome committee. The purpose of this committee is to evaluate clinical outcome and publish outcome in a manual.

2011 Represent RPCI to the Western NY Prostate Cancer Quality Advisory Committee. This committee was formed by the insurance carriers and consent of the urology groups/departments and primary care physicians in WNY to address prostate cancer care issues.

2009 Leader of the RPCI Genital Urinary Databases (Kidney and Prostate cancers). I supervise two employees and two urology-oncology fellows' efforts in data collection, analysis and internal and external reporting of the data.

2011 RPCI Medical Executive Committee Member At Large (Elected Position)

MEMBERSHIPS IN PROFESSIONAL SOCIETIES

1997- 2002 American Medical Association Resident Fellows Section

1997-2002 AMPAC Resident Member

1997-present American Urology Association Member

1997- 2002 American Association of Clinical Urologists Candidate member

1998-2002 American Urology Association Representative to the Resident- Fellows Section of the AMA

1998-1999 Appointed Resident Member to the Surgical Caucus Executive Committee of the AMA

2001-2002 Advisory Committee of the National Hispanic Medical Association Health Services and Policy Leadership Award Program

2000-2002 Invited Guest to the Accreditation Council of Graduate Medical Education Executive Meetings

2001-2003 Invited Guest to the American Urology Association's Health Policy Council held during the American Urology Association Annual meeting.

2000-2003 Michigan Cancer Consortium Prostate Cancer Action Committee

2004-2005 American Urology Association's Delegate to the Young Physician's Section of the American Medical Association

2003-2015 Member of the Board of Directors to the UROPAC Board

2004-2008 Michigan Cancer Consortium - Prostate Cancer Advisory Committee

2005-2007 American Association of Clinical Urologist's Alternative Delegate to House of Delegates of the American Medical Association

2005-2007 Board of Directors of the American Association of Clinical Urologists

2005-2006 NIH Review Member for Minority Health Initiatives Grants

2006-2008 Wayne County Medical Society Legislative Committee

2006-2008 Wayne County Medical Society Public Health Committee

2006-2008 American Urology Association's Alt. Delegate to the AMA HOD

2007-2008 Member of the AMA-NMA Joint Committee to End Healthcare Disparities

2008-present American Urology Association's Delegate to the AMA HOD

2012-present American Society of Clinical Oncology

2002-present Member of the National Medical Association

2017-present Fellow of the American College of Surgeons

TEACHING ACTIVITIES

2000 "Diseases of the Genital Urinary System & Renal Pathophysiology," Toxicology and Pathophysiology course, School of Public Health University of Michigan, Ann Arbor, MI, Sept. 2000

2001-present "Prostate Disease and Erectile Dysfunction", Men Health 101, University of Michigan, Ann Arbor, MI, Oct. annually

2003 -2005 "Urologic Emergencies", University of Michigan School of Medicine, Ann Arbor, MI, Feb. annually

2003-2005 Second year medical students Pathophysiology Lecture Series: Urologic Diseases of the Prostate, annually

EXTRAMURAL INVITED PRESENTATIONS

"Percutaneous Radiographic Management of Renal Vascular Disease", Abstract Presentation New England Section, American Urology Association, Sept.1997, Boston, MA

"Enhance Expression of Interleukin 10 and Gamma Interferon in Seminal Plasma of Nonbacterial Chronic Prostatitis Patients" Abstract Presentation
New England Section, American Urology Association Sept.1998, Waterville Valley, NH

"Enhance Expression of Interleukin 10 and Gamma Interferon in Seminal Plasma of Nonbacterial Chronic Prostatitis Patients"; "The Pathophysiology of Renal Artery Stenosis"; "The Role of An Education in The African American Community", Guest Lecturer at Morehouse College Department of Biology and Health Careers Program April 1998, Atlanta, GA

"Enhance Expression of Interleukin 10 and Gamma Interferon in Seminal Plasma of Nonbacterial Chronic Prostatitis Patients" & "Interleukin 10 (IL-10) To Interleukin 2 (IL-2) Ratios In Seminal Plasma Correlate With Pain Symptoms In Patients With Nonbacterial Chronic Prostatitis", Abstract Presentation National Medical Association Annual Meeting Aug.1999, Las Vegas, NV

"Racial Disparity in the Treatment of Localized Prostate Cancer", Genital Urinary Oncology Conference, University of Michigan Health System, Oct. 2000, Ann Arbor, MI

"Prostate Cancers Among African American are Similarly Responsive to Radical Prostatectomy as are Caucasian Prostate Cancers of Matched Stage and Grade", Abstract Presentation National Medical Association Annual Meeting, Aug. 2001, Nashville, TN

"Racial Disparity in Bladder Cancer Survival" Abstract Presentation National Medical Association Annual Meeting, Aug. 2002, Honolulu, HI

"Racial Disparities in The Treatment of Clinically Localized Prostate Cancer", Abstract Presentation National Medical Association Annual Post Convention Meeting, Aug. 2002, Maui, HI

"Racial Disparities in the Treatment of Clinically Localized Prostate Cancer", Michigan Prostate Research Colloquium, 3rd Annual Symposium, Advances In Prostate Cancer Research, March 2003, Detroit, MI

"Racial/Ethnic Disparities In The Treatment Of Localized/Regional Prostate Cancer.", North Central Section AUA, Sept. 2003, Vancouver, British Columbia Canada

"Racial Variations in Pelvic Lymph Node Dissections in Older Aged Men Receiving A Prostatectomy for Prostate Cancer" The Gerontological Society of America's 56th Annual Scientific Meeting, Nov. 2003, San Diego, CA

"Racial/Ethnic Disparities in the Treatment of Localized/Regional Prostate Cancer."
The Gerontological Society of America's 56th Annual Scientific Meeting, Nov. 2003, San Diego, CA

Section Chairman and Moderator for The Conference on Genetics and Health Disparities March 20-21 2004, Institute for Social Research, 426 Thompson Street, Ann Arbor, MI, Room 6050

"Racial Variations in the Utilization of Pelvic Lymph Node Dissection in Men Receiving a Radical Prostatectomy for Localized/Regional Prostate Cancer" American Urology Association 99th Annual meeting, May 2004, San Francisco, CA

"Effects of Brachytherapy on Racial Treatment Trends in Localized/Regional Prostate Cancer: Contemporary Data from SEER". American Urology Association 99th Annual meeting, May 2004, San Francisco, CA

"PSA Testing Utilization by Urologists and Primary Care Physicians: Data from the 2000 National Ambulatory Medical Care Survey" American Urology Association 99th Annual meeting, May 2004, San Francisco, CA

"Academia vs Private Practice" American Urology Association Resident Committee Program (Moderator) American Urology Association 99th Annual meeting, May 2004, San Francisco, CA

"Twenty-six Years of Racial Disparity in Bladder Cancer Survival" The Gerontological Society of America's 57th Annual Scientific Meeting, Washington, DC November 19-23, 2004

"Academia vs Private Practice" The University of Michigan Diversity and Career Development Office and The House Officer Association Career Development Series 2004-5, Ann Arbor, MI. Monday, November 15, 2004. Presented by: Steven Gay, M.D. and Willie Underwood, M.D.

"Racial Disparities in the Treatment of Prostate Cancer" Grand Round for Department of Urology, Wayne State University Medical Center, Detroit, MI. November 12, 2004

"Racial Disparities in the Treatment of Prostate Cancer: The Nitty-Gritty" Grand Rounds for The Karmanos Cancer Center, Detroit, MI. January, 18, 2005

Key Note Speaker "Racial Disparities in Health Care: Why Do They Exist?" Black History Month Celebration, State University of New York, Upstate Medical Center, Syracuse, NY. February 24, 2005

"Racial/Ethnic Disparities in Prostate Cancer" Great Lakes Urology Meeting, Troy MI. March 11, 2005

"Racial Disparities in the Treatment of Prostate Cancer: The Nitty-Gritty" Grand Rounds for SUNY Upstate Medical Center, Syracuse, NY. April 14, 2005

"Healthcare Disparities From A Social Science Prospective" Meharry Medical College, Nashville, TN. May 20, 2005

Co-Moderator of the AUA Resident Committee Forum "Urology and Your Career Path: Consideration of a Two Track System of Training" American Urology Association 100th Annual meeting, San Antonio, TX, May 21, 2005

"The Use of Brachytherapy for the Treatment of Clinically Localized Prostate Cancer in Older Aged Men" The Gerontological Society of America's 58th Annual Scientific Meeting, Orlando, FL. Oct. 2005
"Racial Variations in the Use of Specific Prostate Cancer Treatment Modalities" The Gerontological Society of America's 58th Annual Scientific Meeting, Orlando, FL. Oct. 2005
"Racial/Ethnic Disparities in Prostate Cancer Treatment" National Leadership Summit on Eliminating Racial and Ethnic Disparities in Health Washington, D.C. January 9-11, 2006
"Case Presentation on the Management of Advanced Prostate Cancer" Flower Hospital Family Resident Conference April 11, 2006 (Co- Presentation with Barbara J. Messinger-Rapport, MD, Ph.D., FACP, CMD Section of Geriatric Medicine, Desk A91 Cleveland Clinic Foundation)

"Racial/Ethic Disparities in Definitive Treatment for Clinically Localized Prostate Cancer" 10th Biennial Symposium on Minorities, the Medically Underserved & Cancer. Washington, D.C April 21, 2006

Co-Moderator Professional Oral Presentation Session II 10th Biennial Symposium on Minorities, the Medically Underserved & Cancer. Washington, D.C April 21, 2006 (Michael S. Simon, MD, MPH, Karmanos Cancer Institute)

Collaboration to Improve Outcomes in Cancer: Focus on Age, Racial Disparities, and Comprehensive Geriatric Assessment in Prostate and Breast Cancers "Treatment Outcomes for Localized Prostate

Cancer in Older Men: Impact of Age and Race". American Geriatrics Society Annual Meeting. Seattle, WA May 5, 2007

"The Role of Physician Recommendation in Prostate Cancer Treatment Decisions" Presentation at the American Urology Association 102th Annual meeting, Anaheim, CA May 20, 2007.

"Clinical Research Study Design" National Medical Association annual meeting, Waikiki, HI Aug. 2007

"Prostate Cancer Disparities: Advances in Care and Elimination of Disparities" Annual Meeting of the Association of Academic Minority Physician, Naples, Florida Oct. 16, 2007

"PSA Testing Who, Why, and When: It is Controversial, So What?" Michigan Medical Society Annual Physician Education Program, Southfield, MI Oct. 25, 2007

"Factor Influence Patients Prostate Cancer Treatment Decision-Making" Robert Wood Johnson Foundation Harold Amos Career Faculty Development Meeting, Arizona, NM. Oct 5, 2007.

"The Importance of Advocacy for Urology" American Urology Association Foundation Research Education Meeting Los Angeles, CA. Aug. 2. 2007

"Why Should We Participate in the Politics of Medicine? Michigan Urologic Society Novi, MI Jan. 16, 2008.

"Race, Health and Healthcare" Alpha Kappa Alpha Sorority, Black History Month Program on Healthcare Disparities in the African American Committee University of Michigan. Ann Arbor, MI Feb. 10, 2008

"General & Epidemiological Trends & Socioeconomics: Outcomes, Practice Patterns, Quality of Life and Cost Effectiveness (II)" American Urology Association Annual Meeting. Orlando, FL May 18, 2008. Moderators: **W. Underwood, III** and Steven A. Johnson
"Race and Education Related Differences in Intentions to Seek Care for Gross Hematuria: Implications for Timely Diagnosis of Bladder Cancer" American Association for Cancer Research (AACR) Third Conference, The Science of Cancer Health Disparities in Racial/Ethnic Minorities and the Medically Underserved, Miami, FL September 30 – October 3, 2010 (Accepted but withdrawn secondary being unable to attend the meeting)

"Racial/Ethnic Disparities in Prostate Cancer Treatment Among Those Who Are Too Young Not To Treat" American Urology Association National Meeting May, 2011 Late Breaking Research Session Washington, DC.

Senate Congressional Press Conference: Senators Wyden and Portman Introduce a Medicare Wellness Program that Experts Predict Could Save Medicate Billions "Helps Move Focus from 'Sick' Care to 'Health' Care" March 28, 2012.

"Racial Differences in Cancer Risk Perception" The 5th World Cancer Congress. Beijing, China May 16, 2012.

"Air Spreads Cancer: So Don't Cut Me Open" American Urology Association National Meeting. Atlanta, GA May 18, 2012.

"The Nitty Gritty of Racial Disparities in Prostate Cancer", Center for Healthful Behavior Change (CHBC) Research Seminar, Department of Population Health at New York University School of Medicine. New York, NY May 14, 2013

"Racial Differences in the Receipt of Definitive Treatment for Clinically Localized Prostate Cancer", The 6th World Cancer Congress. Xi'an, China May 23, 2013.

"Prostate Cancer Disparities: Why Should I Care?", Wake Forest University, Winston-Salem, NC December 4, 2013.

"New Prostate Cancer Biomarkers", Cancer Biomarker Research Group in the Division of Cancer Prevention, National Cancer Institute, National Institute of Health, Washington DC, January 31, 2014.

"PSA Controversy- What Does Race Have to Do With It?" University of Minnesota, Grand Rounds, September 2nd, 2014.

"The Nitty Gritty of Racial Disparities in Prostate Cancer" University of Minnesota, Invited Speaker, September 2nd, 2014.

"PSA Controversy- What Does Race Have to Do With It?" Department of Urology at the University of Rochester, September 17th, 2014.

"Emotional distress predicts choosing surgery over active surveillance in clinically localized prostate cancer patients" New Orleans, LA, May 2015.

"Unsuspected Metastases Found During Screening for a Trial of Patients with Non-Metastatic Castration Resistant Prostate Cancer." New Orleans, LA, May 2015.

"Effect of Abiraterone Acetate and Low Dose Prednisone on PSA in Patients with Non-Metastatic Castration-Resistant Prostate Cancer: The Results from AMAAGEN Study" New Orleans, LA, May 2015.

"Patient Centered Approach to Prostate Cancer" AUA, San Diego California, May 2016.

"Prostate Cancer Treatment Decision-Making: Quality vs Quantity of Life" AUA, San Diego California, May 2016.

"Ethnic & Racial Disparities in Prostate Cancer" CT State Urology Society, October 2016.

Racial/Ethnic Disparity in Treatment for Prostate Cancer: Does Cancer Severity Matter" APHA, Denver Colorado, November 2016.

"Non-Clinical Factors that Influence Prostate Treatment Decision Making" Bunts-Hackler Conference, VCU Medical Center, Richmond VA, March 2017.

Lecturer- "The Road to Early Detection: Engaging, Educating, and Treating African American Men for Prostate Cancer" The Pennsylvania Prostate Cancer Conference (Pennsylvania Prostate Cancer Coalition), Hershey, PA, September 23, 2017.

Grand Rounds Speaker- "Impact of Bias on Patient Outcomes" Roswell Park Cancer Institute, Department of Urology, Buffalo NY, March 2018.

Keynote Speaker: Student National Medical Association 2018 Graduating class. Jacobs School of Medicine and Biomedical Sciences, University at Buffalo, Buffalo, New York, May 2, 2018

Keynote Speaker: Take Home Messages: Outcomes. American Urological Association Conference, San Francisco, May 21, 2018

Keynote Speaker: 2ND World Congress on Clinical Research & Biomarkers Conference, Toronto, Canada, September 17 – 18, 2018

Keynote Speaker: Prime Time Plenary Session: Racial Disparities in Prostate Cancer: Should African American Men Receive Active Surveillance American Urology Association Annual Meeting, Chicago, IL May 6, 2019.

American Urology Association's University: Clinical Problem Solving (CPS) Protocol: Shared Decision Making and Engaging Disparities in Prostate Cancer (2021) series

American Urology Association's University: Course Director for Engaging Disparities in Prostate Cancer Care (2021)

American Urology Association's University: Methods in Clinical Urology Research (MCURe) Workshop (2021) Course instructor lecture entitled: Building The Clinical Research Team

BIBLIOGRAPHY

Peer-Reviewed Publications

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Books

1. Michigan Cancer Consortium Prostate Cancer Action Committee (MCC PCAC) Making the Choice: What to Do About Early Staged Prostate Cancer 2003 (Booklet)

Chapters in Edited Books

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Published Abstracts

1. J. Wong, **W. Underwood,III**, L. Miller, S. Goralnick, D. Kreutzer, P. Albertsen. "IL 10(T2) to IL-2(T1) Ratios Directly Correlate with Nerve Growth Factor and Stem Cell Factor Levels in Seminal Plasma of Chronic Abacterial Prostatitis Patients." Abstract, J. Urology 163, No. 4(s), 24-5, 2000.
2. **W. Underwood, III**, M. Rubin, J. Wei, J. Montie, S. Manley, M. Sanda. "Prostate Cancers among African American are Similarly Responsive to Radical Prostatectomy as are Caucasian Prostate Cancers of Matched Stage and Grade." Abstract, J. Urology 165 No.5(s): 64-5, 2001.
3. **W. Underwood, III**, S. DeMonner, P. Ubel, A. Fagerlin, J. Wei. "Decreasing Racial Disparity in the Use of Active Therapy For Localized Prostate Cancer Between 1992 and 1998". Abstract, J.

Urology 167, No.4(s); 71, 2002.

4. **W. Underwood, III**, R. Dunn, C. Williams, C. Lee. "Racial Disparity in Bladder Cancer Survival" Abstract, J. Urology 169, No. 4 (s); 32, 2003.
5. K.E. Fletcher, S.Q. Davis, **W. Underwood, III**, R.S. Mangrulkar, L.F. McMahon, S.K. Saint, "The Effects Of Interventions To Decrease Resident Fatigue, Hours And Sleep Deprivation: A Systematic Review Of The Literature." Abstract, JGIM Vol. 18 (supplement 1) 240, 2003
6. **W. Underwood, III**, H. Gonzalez, M. Sanda, J. Wei, D. Wood "Racial Variations in Pelvic Lymph Node Dissections in Older Aged Men Receiving A Prostatectomy for Prostate Cancer" Abstract, The Gerontologist Vol. 43 Issue 1; pp 141, 2003
7. **W. Underwood, III**, S. DeMonner, P. Ubel, A. Fagerlin, M. G. Sanda, and J. T. Wei, "Racial/Ethnic Disparities in the Treatment of Localized/Regional Prostate Cancer." Abstract, The Gerontologist Vol. 43 Issue 1; pp 244, 2003
8. **W. Underwood, III**, R. Dunn, C. Williams and C.T. Lee, "Twenty-six Years of Racial Disparity in Bladder Cancer Survival" Abstract, The Gerontologist Vol. 44 Issue 1; pp 449, Oct. 2004
9. D. Davis, **W. Underwood, III**, H. González, , I. J. Powell and D.P. Wood "Geographic and Demographic Variations in the Use of Pelvic Lymph Node Dissection in Men Diagnosed with Clinically Localized Prostate Cancer" Abstract, J Urology 171, No 4, Supplement , pp 42, April 2004
10. **W. Underwood, III**, I.J. Powell, D. Davis, H. Gonzalez, S. Demonner, M. Sanda and J. Wei "Racial Variations in the Utilization of Pelvic Lymph Node Dissection in Men Receiving A Radical Prostatectomy for Localized/Regional Prostate Cancer" Abstract, J Urology, 171, No 4, Supplement , pp126, April 2004.
11. **W. Underwood, III,** J. Jackson, E. Baker, R. Dunn, JT Wei, and DP. Wood "Effects of Brachytherapy on Racial Treatment Trends in Localized/Regional Prostate Cancer: Contemporary Data from SEER" Abstract, J Urology, 171, No 4, Supplement, pp120, April 2004.
12. **W. Underwood, III,** B. West, and H. Gonzalez "PSA Testing Utilization by Urologists and Primary Care Physicians: Data from the 2000 National Ambulatory Medical Care Survey" Abstract, J Urology, 171, No 4, Supplement, pp34, April 2004.
13. C.T. Lee, R.L. Dunn and **W. Underwood, III** "Racial Disparity in Bladder Cancer Stage and Grade Migration" Abstract, J Urology, 171, No 4, Supplement, pp 86, April 2004.
14. **W. Underwood, III,** J. Jackson, J.T. Wei, R. Dunn, E. Baker, and D.P. Wood "Racial Trends in Localized/Regional Prostate Cancer: 1992-1999" Ethnicity & Disease, Volume 14, Supplement 2, pp 71, Autumn 2004
15. M.A. Elshaikh, L.A. Copeland, J.S. Jackson, L.A. Penner, and **W. Underwood, III**. The Impact of Prostate Brachytherapy on Regional, Racial and Age Related Patterns of Treatment for Clinically Localized Prostate Cancer. Brachytherapy 4(2): 84, 2005.
16. **W. Underwood, III**, S. DeMonner, P. Ubel, A.Fagerlin, M.G. Sanda, J.T. Wei "Radical/Ethnic Disparities in the Treatment of Localized/Regional Prostate Cancer." [Abstract]. The Journal of Urology. 2004; 172(4):1547-1548.
17. **W. Underwood, III,** L.A. Copeland, M.A. Elshaikh, L.A. Penner, and J.S. Jackson. The Use of Brachytherapy for the Treatment of Clinically Localized Prostate Cancer in Older Aged Men. The Gerontologist 45(2) pp 10, Oct. 2005.

18. **W. Underwood, III,** L.A. Copeland, M.A. Elshaikh, L.A. Penner, and J.S. Jackson Racial Variations in the Use of Specific Prostate Cancer Treatment Modalities. The Gerontologist 45(2) pp 125, Oct. 2005.
19. **W. Underwood, III,** R. Dunn, C. Williams, and C. Lee Race-Regional Disparities In Bladder Cancer Mortality. The Gerontologist 46 (1) pp 505, Oct. 2006
20. M.E. Bowen, H. Orom, **W. Underwood, III.** & H.M. González (2007). Chemotherapy Treatment and Cognitive Decline: Findings from the Health and Retirement Study (1998-2004) [Abstract]. The Gerontologist, 47 (Special Issue I), 555.
21. **W. Underwood, III**, H. Orom, B. West, S. Soloman, and L.A. Penner. The Role of Physician Recommendation in Prostate Cancer Treatment Decisions. J Urology, 177 (4) pp.97, April, 2007.
22. N.J. Hellenthal, **W. Underwood, III,** R. Penetrante, A. Litwin, S. Zhang, G.E. Wilding, B.T. Teh, H.L. Kim, "Prospective Clinical Trial of Preoperative Sunitinib in Patients with Renal Cell Carcinoma" [Abstract]. The Journal of Urology, Vol.183, Issue 4, Supplement1, page e569 April, 2010.
23. **W. Underwood, III,** H. Orom, B. West, H.M. González, & Penner, L. (2008). The Role Physician Recommendations and Treatment Side Effects in Prostate Cancer Treatment Decision-Making [Abstract]. The Gerontologist, 47 (Special Issue I), 8.
24. N.J. Hellenthal, **W. Underwood, III,** R. Penetrante, A. Litwin, S. Zhang, G.E. Wilding, B.T. Teh, H.L. Kim, "Prospective Clinical Trial of Preoperative Sunitinib in Patients with Renal Cell Carcinoma" [Abstract]. The Journal of Urology, Vol.183, Issue 4, Supplement1, page e569 April, 2010.
25. M. Hayn, T. Schwaab, **W. Underwood, III** & H.L. Kim, "Application of R.E.N.A.L. Nephrometry Score to laparoscopic Partial Nephrectomy" [Abstract]. The Journal of Urology, Vol.183, Issue 4, Supplement1, page e245 April, 2010.
26. M. Hayn, M. Glasgow, H. Orom, **W. Underwood, III.** "Racial/ethnic Disparities in the Utilization of Pelvic Lymph Node Dissection in the Treatment of Localized/regional Prostate Cancer" [Abstract]. The Journal of Urology, Vol.183, Issue 4, Supplement1, page e100 April, 2010.
27. H. Orom, M.T. Kiviniemi, **W. Underwood, III**. "Racial/Ethnic Minorities Perceive themselves at Lower Risk for Breast and Colon Cancer than Whites" [Abstract]. Annals of Behavioral Medicine (2010)
28. D. Kapoor, S. Zimberg, L. Ohrin, **W. Underwood, III**, C. Olsson. 436 Utilization "Utilization Trends in Prostate Cancer Therapy" [Abstract]. The Journal of urology. 2011.
29. H. Orom, A. Scates-Preisinger, J.D. Gaeddert, **W. Underwood, III**. "Low Awareness that Cigarette Smoking is a Risk Factor for Bladder Cancer" [Abstract]. Annals of Behavioral Medicine, (2011).
30. **W. Underwood, III**. "Racial Differences in Cancer Risk Perception" [Abstract]. BIT's 5th World Cancer Congress, Beijing, China, May 2012.
31. **W. Underwood III**, M. Poch, H. Orom. 1644 "Air Spreads Cancer: So Don't Cut Me Open" [Abstract] The Journal of urology. 2012;187(4):e664.
32. R.L. O'Malley, T. Ito, K. Attwood, **W. Underwood, III**, M.H. Hayn, K.A. Brewer, H.L. Kim, et al. 1848 "Predicting Malignancy and Aggressive Histology in Patients with Small Renal Masses: A Novel Externally Validated Nimogram" [Abstract] The Journal of urology. 2012;187(4):e747.

33. L. Ross, J. Johnson, **W. Underwood, III** & T. Alford, (2012). "CBPR to Develop a One-Stop Shop for Prostate Cancer Education and Screening" Journal of Cancer Education, 27(3)Suppl:S204.
34. M.A. Poch, D.C. Mehedint, R.L. O'Malley, **W. Underwood, III**, C.C. Hong, L. Ross, K.A. Guru, et al. 165 "Live Better: The Effect of Lifestyle Behaviors on Post-Prostatectomy Health Related Quality of Life Outcomes" [Abstract] The Journal of urology. 2012;187(4):e68-e9.
35. H. Orom, **W. Underwood, III**, D.L. Homish, G.G. Homish, A. Brasel, C.J. Nelson. "Treatment Decision-Making Self-Efficacy Predicts Better Quality of Life in Prostate Cancer Patients Managed with Active Surveillance" [Abstract]. Psycho-Oncology, ... (2012)
36. R.L. O'Malley, K.A. Brewer, M.H. Hayn, H.L. Kim, D.C. Mehedint, R Narayanan, M.W. Safwat, W. **Underwood, III**, W.C. Huang, T. Schwaab "Woman Are More Likely Than Men to Undergo Radical Excision of a Small Renal Mass Despite Inferior Preoperative Renal Function" [Abstract]. The Journal of Urology. 2012; 187(4):e749-e750.
37. **W. Underwood, III**. "Racial Differences in the Receipt of Definitive Treatment for Clinically Localized Prostate Cancer" [Abstract]. BIT's 6th World Cancer Congress, Xi'an, China, May 2013.
38. E.D. Crawford, J.R. DePalantino, P.W. Kantoff, N. Shore, **W. Underwood, III,** V. Reddy, J. Wang, S. Mundle, Z. Yang, T. McGowan, C.J. Ryan "Unsuspected Metastases Found During Screening For a Trial of Patients with Non-Metastatic Castration Resistant Prostate Cancer" [Abstract]. The Journal of Urology. 2015; 193(4):e934.
39. C.J. Ryan E.D. Crawford, N.D. Shore, **W. Underwood, III**, J. Wang, J.R. DePalantino, A. Londhe, P.W. Kantoff, Z. Yang, S. Black, T. McGowan, P.W Kantoff " Effect of Abiraterone Acetate and Low Dose Prednisone of Prostate-Specific Antigen in Patients with Non-Metastatic Castration-Resistant Prostate Cancer: The Results from Impact and Abiraterone Acetate in Prostate-Specific Antigen Core Study" [Abstract]. The Journal of Urology. 2015; 193(4):e1091.
40. C. Ryan, E.D. Crawford, N.D. Shore, **W. Underwood III**, A. Londhe, S. Black, T. McGowan, P.W. Kantoff " Impact of Abiraterone Acetate in Prostate Specific Antigen Trial Update: Effect of Abiraterone Acetate and Low Dose Prednisone on Prostate-Specific Antigen and Radiographic Disease Progression in Patients with Non-Metastatic Castration-Resistant Prostate Cancer." [Abstract]. The Journal of Urology. 2016; 195(4):e680.
41. K. Chadha, **W. Underwood, III** "KAPS a Biomarker to Detect Prostate Cancer" 1st Global Summit on Precision Diagnosis for Prostate Cancer, Boston, MA, September 2016.
42. H. Orom, C. Biddle, **W. Underwood III**, D.L. Homish, "Perceived risk for cancer progression depends on treatment received among men with prostate cancer." [Abstract]. American Public Health Association, Denver, CO, October 2016.
43. K. Moses, H. Orom, A. Brasel, J. Gaddy, **W. Underwood III,** "Racial/Ethnic Disparities in the Receipt of Definitive Treatment for Prostate Cancer: Does Cancer Severity Matter." [Abstract]. American Public Health Association, Denver, CO, October 2016

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-17	COUNTY EXECUTIVE	Appointment to the EC Health Equity Advisory Board

Attachments

23COMM. 15E-17

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG JUL 14 '23 PM 4:03

July 14, 2023

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

Re: Appointment to the EC Health Equity Advisory Board

Dear Honorable Members,

Pursuant to The Erie County Health Equity Act of 2021, I, Mark C. Poloncarz, Erie County Executive, do hereby submit for your confirmation the following individual to be appointed to the Erie County Health Equity Advisory Board by the recommendation of the University at Buffalo's School of Public Health and Health Professions for a full three-year term expiring on July 1, 2026.

Appointee

Heather Orom, Ph.D.
666 West Ferry Street Apt. 35
Buffalo, New York 14222

Should you have any questions, please do not hesitate to contact my office at (716) 858-8500.

Sincerely,

Mark C. Poloncarz
Erie County Executive

MCP/jah

cc: Heather Orom, Ph.D.

RATH BUILDING • 95 FRANKLIN STREET • BUFFALO, N.Y. • 14202 • (716) 858-8500 • WWW.ERIE.GOV

University at Buffalo
School of Public Health and Health Professions

May 23, 2023

Erie County
Attn: County Executive's Office
95 Franklin Street
Buffalo, New York 14202

To Whom It May Concern:

On behalf of the University at Buffalo School of Public Health and Health Professions (UBSPHHP), I present a recommendation for Heather Orom, PhD to serve on the Erie County Board of Health Equity.

Dr. Orom is a tenured associate professor in our department of Community Health and Health Behavior where she serves as director of graduate studies. She also serves as the University at Buffalo (UB) School of Public Health and Health Professions (SPHHP) Associate Dean for Equity, Diversity and Inclusion. In addition, she is a one of the associate directors and founding member of the University at Buffalo Community Health Equity Research Institute. Her research interests include eliminating health disparities in our community, understanding and impacting risk perception, and decision making in cancer survivorship.

Her administrative, research, teaching and community engagement experience would add greatly to the collective qualifications of the Health Equity Board.

Please feel free to contact me with any questions.

Sincerely,

Jean Wactawski-Wende, PhD
Dean
SUNY Distinguished Professor

School of Public Health and Health Professions
Office of the Dean

175 Biomedical Education Building, Buffalo, NY 14214-8016
716.829.5374

www.sphhp.buffalo.edu

Curriculum Vitae
Heather Orom, Ph.D.
July 2023

Contact Information

Department of Community Health and Health Behavior
School of Public Health and Health Professions
304 Kimball Tower
3435 Main Street
Buffalo, NY 14214-8028

Tel. 716-829-6682
Fax. 716-829-6040
Email: horom@buffalo.edu

Education

1993-1997	B.A., Comparative Literature Marlboro College, Marlboro, Vermont
2000-2003	M.A., Psychology University of Illinois at Chicago
2003-2005	Ph.D., Psychology University of Illinois at Chicago Dissertation: *Relational Expectancies and Abstaining from Smoking: Rethinking Social Support* Advisor: Daniel P. Cervone
2005-2008	Agency for Healthcare Research and Quality (AHRQ) Postdoctoral Research Fellow, Institute of Gerontology, Wayne State University and Population Studies and Disparities Research, Karmanos Cancer

Appointments

May 2021-present	Director of Graduate Studies for MS and PhD, Department of Community Health and Health Behavior, School of Public Health and Health Professions, University at Buffalo, State University of New York
June 2015-present	Associate Professor, Department of Community Health and Health Behavior, School of Public Health and Health Professions, University at Buffalo, State University of New York
October 2016-present	Associate Dean for Equity, Diversity and Inclusion, School of Public Health and Health Professions, University at Buffalo, State University of New York (Assistant to Associate in 2019)

January 2016-May 2021	Director of Graduate Studies, Department of Community Health and Health Behavior, School of Public Health and Health Professions, University at Buffalo, State University of New York
August 2015-present	Director of PhD/MS Program, Department of Community Health and Health Behavior, School of Public Health and Health Professions, University at Buffalo, State University of New York
2019 – present	Associate Director, University at Buffalo Community Health Equity Research Institute
2009 – present	Adjunct Professor, Department of Urology, Roswell Park Cancer Institute

Other Professional Experience

2008-2015	Assistant Professor, Department of Community Health and Health Behavior, School of Public Health and Health Professions, University at Buffalo, State University of New York
2006-2008	Associate Member, Population Studies and Prevention Program, Karmanos Cancer Institute, Detroit, MI
2005-2008	Member, Communication and Behavioral Oncology Research Program, Karmanos Cancer Institute
2005	Research Assistant to Dr. Daniel Cervone, A Social Cognitive Theory of Personality and Smoking (NIDA), University of Illinois at Chicago
2002-2003	Editorial Assistant, *Journal of Research on Personality*, University of Illinois at Chicago
2001-2002	Teaching Assistant: Personality Psychology, Writing in Psychology, University of Illinois at Chicago
1999	Research Assistant to Dr. Thomas Hess, Social Cognition and Aging Laboratory, North Carolina State University

Ongoing Research Support

SUNY seed funding (Orom, PI) 03/01/2023-08/31/2024
Interventions to Decrease Cancer Information Avoidance
Total award: $31,175

Health Resources and Services Administration (Homish, PI) 09/30/2022-09/20/2025
Public Health (PH) PRACTICE: Prepare, Respond And Collaborate To Address Inequities, COVID, and Other Emergencies
Role: Co-Investigator
Total award: $1,344,003; Percent effort: in kind

National Science Foundation 2200173 (Surtees, PI) 9/012022-02/29/2024
PIPP Phase I: Center for Ecosystems Data Integration and Pandemic
Pilot test a community-wide early warning system for detecting future epidemic threats including analyzing waste water and hospital data.
Role: Co-Investigator
Total award: $1,000 000; Percent effort: 2%

R13TR003486 08/13/2020 – 07/31/2023
Igniting Hope: Mobilizing Community Resources to Achieve Health Equity 2020
Role: Co-Investigator
Total award: $24,711; Percent effort: 1%

Completed Funding

R01CA197351
National Cancer Institute/ NIH 08/13/2015 – 07/31/2020
"Don't Know" Responses to Risk Perception Questions: Identifying Mechanisms and Solutions
Role: Principal Investigator (Multiple PI mechanism; PIs, Orom, Hay)
Total award: $1,260,000; Percent effort: 18%

University at Buffalo Clinical and Translational Scientific Institute (CTSI) 03/01/2019-02/28/2020
The Pathway to Sleep Health Disparities in Middle-aged and Older Adults: The Role of Social Determinants
PI: Rebecca Lorenz, Yu-Ping Chang
Total Award: $35,000, Effort in kind

University at Buffalo Clinical and Translational Scientific Institute (CTSI) 07/01/2018-06/30/2019
Aligning with Schools to Help Manage Asthma (Project ASTHMA)
PI: Lucy Holmes
Role: Co-Investigator
Total Award: $50,000, Effort in kind

Community Foundation of Greater Buffalo 10/01/2017-02/28/2019
J. Warren Perry and Charles Donald Perry Memorial Fund
Peer Difference Education to Improve STEM Success for Minority & Low Income Students
Role: Principal Investigator
Total Award: $15,000; Percent effort: 1%

Center for Global Health Equity Seed Grant 05/01/16-/04/30/18
University at Buffalo
Dealing with Disparities in Food Acquisition: A Transdisciplinary Exploration of the Influence of Social, Environmental, Cultural and Personal Determinants on Food Acquisition Practices among the Burmese Americans
PI: Samina Raja
Role: Co-Principal Investigator
Total award: $34,765; Percent effort: 2.5%

Invest Health Planning Grant 05/15/16-12/31/17

Robert Wood Johnson Foundation and Reinvestment Fund
Role: Team member/ Co-Investigator
Total award: $60,000; Effort in kind

R01CA197351- supplement
National Cancer Institute/ NIH 08/01/2016 – 07/31/2017
"Don't Know" Responses to Risk Perception Questions: Identifying Mechanisms and Solutions
Role: Principal Investigator (Multiple PI mechanism; PIs, Orom, Hay)
Total award: $369,000; Percent effort: in kind

R03CA177775 01/01/2014-12/31/2016
National Cancer Institute/ NIH
Don't Know Responses to Perceived Risk Items: Implication for Health Behavior
Role: Co-Investigator (PI, Waters)
Total award: $186,000; Percent effort: 7.5%

R01CA152425 06/01/15 – 05/31/16
National Cancer Institute/ NIH
Race, Prostate Cancer Treatment, and Treatment Decision Difficulty and Regret
Role: Principal Investigator (Multiple PI mechanism; PIs, Orom, Underwood)
Effort in kind

R01CA152425 08/01/10 – 05/31/15
National Cancer Institute/ NIH
Race, Prostate Cancer Treatment, and Treatment Decision Difficulty and Regret
Role: Principal Investigator (Multiple PI mechanism; PIs, Orom, Underwood)
Total award: $2,800,000; Percent effort: 20%

University at Buffalo 12/1/2012-11/30/13
Civic Engagement Research Dissemination Fellowship
Role: Principal Investigator
Total award: $1,944; research expenses only

Health Foundation for Western & Central New York 1/1/2012 – 1/31/2013
Barriers and Opportunities to Implementing Programs to Enhance Caregiver Coping in Minority Communities: Evaluation of the Powerful Tools for Caregivers Cultural Diversity Program
Role: Principal Investigator
Total award: $23,231; Percent effort: 9.7%

R03AG023271 09/30/03-08/31/05
National Institute on Aging/ NIH
Aging, Context, Everyday Problem Solving and Self-Efficacy
Role: Co-Investigator (PI, Artistico)
Total award: $150,000; Percent effort: 28%

Awards and Honors

2021	School of Public Health and Health Professions Dean's Award, University at Buffalo
2018	Society of Behavioral Medicine Leadership Institute Fellow
2018	MAC Academic Leadership Development Program Fellow
2017	Outstanding Research Mentor Award, University at Buffalo CTSEP (Collegiate Science & Technology Entry Program)
2015	Citation Abstract, Annual Meeting of the Society of Behavioral Medicine
2014	University at Buffalo School of Public Health and Health Professions Outstanding Junior Researcher
2014	Inducted into Delta Omega, Gamma Lambda Chapter (University at Buffalo), National Honor Society for Public Health
2013	University at Buffalo School of Public Health and Health Professions Dean's Award for Community Service
2012-2013	University at Buffalo Civic Engagement Research Dissemination Fellow
2012	Citation Abstract, Annual Meeting of the Society of Behavioral Medicine
2010	Citation Abstract, Annual Meeting of the Society of Behavioral Medicine
2004	University of Illinois at Chicago University Fellowship (tuition and stipend)
2003	American Psychological Society Student Travel Award
2000	University of Illinois at Chicago University Fellowship (tuition and stipend)
1997	*Magna cum laude* Graduate of Marlboro College

Publications in Peer-Reviewed Journals

[1]indicates senior authorship by Dr. Orom; [2]indicates authorship by students supervised by Dr. Orom; [3] indicates authorship by postdocs supervised by Dr. Orom

86. A qualitative analysis of Black men's attitudes towards obesity and bariatric surgery (in press). Myneni, A. A., Simmonds, I., **Orom, H**., Anderson, L. M., Singh, R., Homish, G. G., Wright, A. J., Pigott, S., Onoh, J. C., Hoffman, A. B., & Noyes, K., *Surgery for Obesity and Related Diseases*.

85. Hay, J. L., Kiviniemi, M. T., **Orom, H.** & Waters, E.A. (2023). Moving beyond the "health halo" of alcohol: What will it take to achieve population awareness of the cancer risks of alcohol? *Cancer Epidemiology, Biomarkers & Prevention, 32*, 9-11 (Commentary).

84. [2]Allard, N. C. & [1]**Orom, H.** (2022). Examining beliefs and information-seeking behaviors of young adults aged 20-39 to help inform cancer prevention communication. *Preventive Medicine, 166.*

83. Lewicka, M., Hay, J.L., Waters, E.A., Schofield, E., **Orom, H.** & Kiviniemi, M. T. (2022). Cultural worldview and personal and social risk perceptions for COVID-19 in a U.S. population-based sample. *Journal of Primary Prevention, 44, 53-68.*

82. Lewicka, M., Hamilton, J. G., Waters, E. A., **Orom, H.**, Schofield, E., Kiviniemi, M. T., Kanetsky, P. A., Jennifer L. Hay, J. L (2022). Associations between social COVID-19 exposure and psychological functioning. *Journal of Behavioral Medicine*.

81. Waters E.A, Kiviniemi, M.T., Hay, J.L., [1]**Orom, H.** (2022). Dismissing "don't know" responses to perceived risk survey items threatens the validity of theoretical and empirical behavior change research. *Perspectives on Psychological Science, 17*, 841-851.

80. Aidoo-Frimpong, G., Collins, R. L., Agbemenu, K., **Orom, H.**, Morse, G.D., & LaRon, N.E. (2022). Barriers to HIV pre-exposure prophylaxis uptake and ways to mitigate them: Perspectives of Ghanaian immigrants in the United States. *Aids Education and Prevention, 34,* 209-225.

79. Murphy, T. F., Hubbard Robinson, R., Wofford, K. M. Lesse, A. J., Grinslade, S., Taylor, Jr, T.L., Pointer, K. M., Nicholas, G. F., **Orom, H.** (2022). A community-university run conference as a catalyst for addressing health disparities in an urban community. *Journal of Clinical and Translational Science*.

78. **Orom, H.,** [2]Allard, N.C., Kiviniemi, M.T., Hay, J. L., Waters, E.A., Schofield, E., Thomas, S.N. & Tuman, M. (2021). Racial/ethnic differences in prosocial beliefs and prevention behavior during the COVID-19 pandemic. *Journal of Racial and Ethnic Health Disparities, 9,* 1807-1817.

77. Kiviniemi, M.T., **Orom, H.**, Hay, J.L., & Waters, E.A. (2021). Limitations in American adults' awareness of and beliefs about alcohol as a risk factor for cancer. *Preventive Medicine Reports*,

76. Graczyk, A.M., Leone, L.A., **Orom, H**., Ziegler, A.M., Crandall, A.K., Klasko-Foster, L.B., Temple, J.L. (2022). Alcohol mixed energy drink usage and risk-taking among college students in Western New York State. *Journal of American College Health*, 70,1651-1664.

75. Kiviniemi, M.T., **Orom, H.**, Hay, J.L., & Waters, E.A. (2022). Prevention is political: Political party affiliation predicts perceived risk and prevention behaviors for COVID-19. *BMC Public Health, 22,* 298.

74. Aidoo-Frimpong, G., **Orom, H**., Agbemenu, K., Collins, R. L., Morse, G. D., & Nelson, L. E. (2022). Exploring awareness, perceptions, and willingness to use HIV pre-exposure prophylaxis: A qualitative study of Ghanaian immigrants in the United States. *AIDs Patient Care and STDs, 36*, 8-16.

73. Holmes, L. C., **Orom, H.**, Lehman, H. K., Lampkin, S., Halterman, J. S., Akiki, V., Supernault-Sarker, A. A., Butler, A. B., Piechowski, D., Sorrentino, P. M., Chen, Z., Wilding, G. E. (2022). A pilot school-based health center intervention to improve asthma chronic care in high-poverty schools. *Journal of Asthma, 59*, 523-535.

72. [3]O'Neill, J., Cameron, C. E., Leone, L., [1]**Orom, H.** (2021). Financial scarcity is indirectly related to multiple aspects of executive function through stress and the strength of association depends on childhood poverty. *Journal of Theoretical Social Psychology, 5*, 464-477.

71. [2]Aidoo-Frimpong, G., Agbemenu, K & [1]**Orom, H**. (2021). A review of cultural influences on risk for HIV and culturally-responsive risk mitigation strategies among African immigrants in the US. *Journal of Immigrant and Minority Health, 23*, 1280-1292.

70. [3]Chen, X., Schofield, E., **Orom, H.**, Hay J.L., Kiviniemi, M.T., & Waters, E.A. (2021). Health literacy, education, and internal consistency of psychological scales. *Journal of Health Literacy Research and Practice, 5*, e245-e255.

69. [3]Chen, X., Schofield, E., Hay J.L., Waters, E.A., Kiviniemi, M.T., & [1]**Orom, H.** (2021). Race/ethnicity, nativity status, and patient portal access and use. *Journal of Health Care for the Poor and Underserved, 32, 700-711.*

68. [1]**Orom, H**. Schofield, E., Kiviniemi, M.T., & Waters, E.A, & Hay J.L. (2021). Agency beliefs are associated with lower health information avoidance. *Health Education Journal, 80*, 272-286.

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5. Albrecht, T. L., Eggly, S. S., Gleason, M. E. J., Harper, F. W. K., Foster, T. S., Peterson, A. M., **Orom, H.**, Penner, L. A., & Ruckdeschel, J. C. (2008). The influence of clinical communication on patients' decision making about clinical trials. *Journal of Clinical Oncology, 26,* 2666-2673.

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2. Penner, L. A., **Orom, H.,** Albrecht, T. L., Franks, M. M., Foster, T. S., & Ruckdeschel, J. C., (2007). Camera-related behaviors during video recorded medical interactions. *Journal of Nonverbal Behavior, 31,* 99-117.

1. Sheffield, D., Biles, P. L., **Orom, H.**, Maxiner, W., & Sheps, D. S. (2000). Race and sex differences in cutaneous pain perception. *Psychosomatic Medicine, 62*, 517-523.

Chapters in Edited Books

6. Artistico, D., Berry, J. M., Black, J., Cervone, D., Lee, C., & **Orom, H.** (2011). Psychological functioning in adulthood: A self-efficacy analyses. In C. Hoare (Ed.), *The Oxford handbook of reciprocal adult development and learning*, (2nd Ed) (pp. 215-247). New York: Oxford University Press.

5. Cervone, D., Mor, N., **Orom, H.**, Shadel, W. G., & Scott, W. D. (2011). Self-efficacy beliefs and the architecture of personality: On knowledge, appraisal, and self-regulation. In K.D. Vohs & R.F. Baumeister (Eds.), *Handbook of self-regulation,* (2nd Ed.) (pp. 461-484). New York: Guilford.

4. Penner, L. A., Albrecht, T. L., **Orom, H.**, Coleman, D., & Underwood, W. III, (2010). Health and health care disparities. In J. F. Dovidio, M. Hewstone, & P. Glick, et al. (Eds.) *The SAGE handbook of prejudice, stereotyping, and discrimination* (pp. 472-490). London, England: Sage.

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2. Cervone, D., Caldwell, T. L., & **Orom, H.** (2008). Beyond person and situation effects:

intraindividual personality architecture and its implications for the study of personality and social behavior. In F. Rhodewalt (Ed.) *Personality and social behavior* (pp. 9-48). New York: Taylor & Francis.

1. Cervone, D., Mor, N., **Orom, H.**, Shadel, W. G., & Scott, W. D. (2004). Self-Efficacy beliefs and the architecture of personality: On knowledge, appraisal, and self-regulation. In R.F. Baumeister & K.D. Vohs (Eds.), *Handbook of self-regulation* (pp. 188-210). New York: Guilford.

Reports

5. Tufte, J., **Orom, H.**, M. Kulka, L., Irizarry, E. (June, 2022). *Greater Buffalo Racial Equity Roundtable 2020 annual report.*

6. Tufte, J., **Orom, H.**, M. Kulka, L., Irizarry, E. (June, 2021). *Greater Buffalo Racial Equity Roundtable 2020 annual report.*

4. Tufte, J., **Orom, H.**, Harris, M. Kulka, L. (June, 2020). *Greater Buffalo Racial Equity Roundtable 2020 annual report.*

3. Tufte, J., **Orom, H.**, Harris, M. (June, 2019). *Greater Buffalo Racial Equity Roundtable 2019 annual report.*

2. Biddle, C. **Orom, H.**, Ranahan, M. (November, 2019). *Greater Buffalo Racial Equity Roundtable annual report (2018).*

1. **Orom, H.** & Gage, E. (2013, January). *Evaluation of the Powerful Tools for Caregivers diversity program: Dissemination successes and challenges*. From the Health Foundation of Western and Central New York Web site: http://www.hfwcny.org/Tools/BroadCaster/Upload/Project345/ Docs/Powerful_Tools_for_Caregivers_Evaluation_2013.pdf

Invited Talks

12. November, 2022. VA Western New York Healthcare System at Buffalo. *Promising strategies for reducing health and health care inequities*, Buffalo, NY.

11. December 2020, Michigan Technological University. COVID-19 Health Disparities Town Hall. Panel member.

10. March, 2020. Association of Schools and Programs of Public Health. Annual Meeting and Undergraduate Summit. *Frameworks for shifting campus climate to promote inclusion.* Panel member. Held virtually due to COVID-19 pandemic.

9. April, 2019. VA Western New York Healthcare System at Buffalo *Causes of cancer health disparities; Examples from prostate cancer,* Buffalo, NY.

8. October, 2017. Erie Niagara Area Health Education Center (AHEC*) Social determinants of health*, Buffalo, NY.

7. June, 2017. Northtowns US Too Prostate Cancer Support Group, *Live Well Live Long! Study*, Buffalo, NY.

6. March, 2016. Annual meeting of the Society of Behavioral Medicine. *NIH grantspersonship: Opportunities to fund research and training seminar.* Washington, DC.

5. June, 2015. Cancer Prevention Grand Rounds, Roswell Park Cancer Institute. *Prostate Cancer Treatment Decision Making: Initial Lessons from the Live Well Live Long! Cohort*, Buffalo, NY.

4. March, 2015. Community Health Alliance, SUNY Geneseo. Racial/ethnic disparities across the cancer control and care continuum. Geneseo, NY.

3. March, 2012. Institute of Gerontology Colloquium, Wayne State University. *Racial ethnic disparities in health: A health behavior perspective*. Detroit, MI.

2. January, 2012. Roswell Park Cancer Institute Health Disparities Research Forum. *Racial ethnic disparities in health: A health behavior perspective.* Buffalo, NY.

1. June, 2011. Memorial Sloan Kettering Cancer Institute Psychiatry and Behavioral Sciences Grand Rounds. *What are the roots of racial disparities in prostate cancer treatment?* New York, NY.

Peer-Reviewed Conference Presentations

[1]Indicates first or senior authorship by Dr. Orom; [2]indicates authorship by students supervised by Dr. Orom; [3]indicates authorship by postdocs supervised by Dr. Orom

Kiviniemi, M. T. The power of saying don't know: Inclusion vs exclusion of don't know response options affect question answering behavior and estimates of population parameters. Paper presented at the 2023 HINTS Data Users Conference, Bathesda, MD.

125. [2]Allard, N. C., Hay, J. L., Kiviniemi, M. T., Waters, E. A., Lewicka, M., & [1]**Orom, H.** (2023, April). Is there evidence that use of "don't know" responses for illness risk perception questions indicates satisficing? Poster presented at the annual meeting of the Society of Behavioral Medicine, Phoenix, AZ.

124. Kiviniemi, M.T., Waters, E.A., Hay, J.A., & **Orom, H.** (2023, April). Lack of options for respondents to indicate uncertainty about perceived risk attenuates estimates of risk-behavior relations. Paper presented at the annual meeting of the Society of Behavioral Medicine, Phoenix, AZ.

123. Lewicka, M., Hamilton, J. G., Schofield, E., Carlsson, S., Kiviniemi, M. T., **Orom, H.**, Ray, A., Waters, E. A., Allard, N., & Hay, J. L. (2023). *Correlates of COVID-19 attributable alcohol consumption in women.* Poster presented at the American Society of Preventive Oncology, San Diego, CA.

122. Graczyk, A. M. & **Orom, H.** (2023). *Initial results of a public health pipeline program for BIPOC in Buffalo, NY.* Paper presented at the annual meeting of the Association of Schools and Programs of Public Health, Arlington, VA.

121. Waters, E. A., Pogge, G., Hay, J. L., Kiviniemi, M., Hay, J.L., **Orom, H.**, & Shepperd, J. A. (2022). *Proxy risk uncertainty: Caregivers' "don't know" responses to items assessing their child's asthma risk.* Recorded research spotlight presented at the annual meeting of the Society of Behavioral Medicine, Baltimore, MD.

120. Tuman, M., Hamilton, J. G. Waters, E.A., **Orom, H.** Kiviniemi, M.T., Schofield, E., Hay, J.L., & Kanetsky, P. *Associations between social exposure to COVID-19, concerns, and psychological outcomes among Florida adults.* Poster presented at the annual meeting of the Society of Behavioral Medicine, Baltimore, MD.

119. [2]Allard, N.C., **Orom, H.**, Schofield, E.A., Kiviniemi, M.T., Hay, J.L., & Waters, E.A. (2022). *Validation of a Behavioral Measure of Health Information Avoidance.* Poster presented at the annual meeting of the Society of Behavioral Medicine, Baltimore, MD.

118. [2]Aidoo-Frimpong G., Agbemenu, K., Nelson, E. L., & [1]**Orom, H.** (2021, October). *Willingness to use PrEP among Ghanaian immigrants in the US: A qualitative study.* Annual Meeting of the American Public Health Association, Denver, CO and online.

117. [1]**Orom, H.**, Schofield, E., Waters, E. A., Kiviniemi, M. T., & Hay, J. L. (2021, April). *The US failure to control the COVID-19 epidemic has a whiteness problem.* Paper presented at the annual meeting of the Society of Behavioral Medicine, Washington, DC. (Virtual Conference).

116. [2]Aidoo-Frimpong G., Agbemenu, K., Nelson, E.L., [1]**Orom, H.** (2021, March). *Exploring awareness, perceptions, and willingness to use pre-exposure prophylaxis among US-Based Ghanaian immigrants: A qualitative study.* Poster presented at the Consortium of Universities for Global Health (CUGH) 2021. (Virtual Conference).

115. Murphy, T. F., Pointer, K., Hubbard Robinson, R., Nicholas, G., Taylor, H., **Orom, H.** & Grinslade, S. (2020, November). *Sustainable response to the COVID pandemic in an urban underserved community in Buffalo, New York.* Poster presented at the 2020 Fall Virtual Clinical & Translational Science Awards Program Meeting.

114. **Orom, H.**, Schofield, E., Waters, E. A., Kiviniemi, M. T., & Hay, J. L. (2020, April). *Beliefs associated with health information avoidance.* Paper presented at the annual meeting of the Society of Behavioral Medicine, Washington, DC. (Conference Cancelled).

113. Noyes, K. Majumdar M., Mynenu, A. A., **Orom, H.**, Schwaitzberg, S. D., & Hoffman, A. B. (2019, April). *Too old, too sick, too late: Disparity in access to bariatric surgery among African American men.* Paper presented at the Annual Meeting of the Society of American Gastrointestinal and Endoscopic Surgeons, Baltimore, MD.

112. Hay, J. L., Schofield, E., Kiviniemi, M., Waters, E. A., [3]Chen X., Kaphigst, K. Li, Y. [1]**Orom, H.** (2019, March). *Addressing high levels of "I don't know" responding to risk perception questions.* Poster presented at the annual meeting of the Society of Behavioral Medicine, Washington, DC.

111. **Orom, H.**, [2]O'Neill, J., Kiviniemi, M.T., Waters, E.A., Ghobrial, S. [3]Chen, X., Schofield, E., Li Y., & Hay, J. L. (2019, March). *Race/Ethnicity and socioeconomic status moderate associations between time orientation and health behavior or body mass index.* Poster presented at the annual meeting of the Society of Behavioral Medicine, Washington, DC.

110. [3]Chen, X., **Orom, H.**, Waters, E.A., Hay J.L., Schofield, E., Li Y., & Kiviniemi, M.T. (2019, March). *Knowledge, beliefs, and "don't know" responding to tobacco products.* Paper to be presented at the annual meeting of the Society of Behavioral Medicine, Washington, DC.

109. [2]O'Neill, J. & **[1]Orom, H.** (2018, November). Food insecurity is related to poorer executive function, less healthy meal planning, and higher BMI. Poster presented at the annual meeting of the American Public Health Association, San Diego, CA.

108. **[1]Orom, H.**, Judelsohn, A., Raja, S., Kim, I., Diaz Del Carpio, R. (2018, November). *Opportunities for supporting a healthy diet among refugees from Burma.* Paper presented at the annual meeting of the American Public Health Association, San Diego, CA.

107. [3]Chen, X., Hay, J. L., Kiviniemi, M. T., Waters, E. A., [2]Biddle, C., Schofield, E. A., Li, Y. **[1]Orom, H.** (2018, April). *Individualism and hierarchism are associated with lower trust in government health information.* Poster presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

106. [2]Riley, K. E., Hay, J. L., Waters, E. A., Kiviniemi, M. T., Schofield, E. A., [2]Biddle, C., Li, Y., [3]Chen, X., **[1]Orom, H**. (2018, April). *Examining the role of lay risk beliefs in the risk perception-health behavior relationship.* Poster presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

105. [2]O'Neill, J. & **[1]Orom, H**. (2018, April). *Stress is associated with reduced executive function, greater disinhibited eating, and higher BMI.* Poster presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

104. [2]O'Neill, J. & **[1]Orom, H**. (2018, April). *Financial strain is associated with higher stress and reduced executive function*. Poster presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

103. [3]Chen, X., Hay, J. L., Waters, E. A., Kiviniemi, M. T., [2]Biddle, C., Schofield, E., Li, Y., Kaphingst, K., & **[1]Orom, H**. (2018, April). *Examining the association between health literacy and health information seeking*. Poster presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

102. [3]Chen, X., Hay, J. L., Kiviniemi, M. T., Waters, E. A., [2]Biddle, C., Schofield, E., Li, Y., & **Orom, H**. (2018, April). *Individualism and hierarchism are associated with lower trust in government health information*. Poster presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

101. **[1]Orom, H**., [2]Schmit, L., Judelsohn, A., [2]Sosnowski, N. A., Aye Nay Na Sa, Kim, L., Diaz Del Carpio, R., & Raja, S. (2018, April). Awareness of chronic disease risk is low among Burmese refugees. Poster presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

100. **[1]Orom, H.**, Schofield, E., Kiviniemi, M. T., Waters, E. A., [2]Biddle, C., Li, Y., & Hay, J. L. (2018, April). *Why do some people not know their risk for diabetes and colorectal cancer?* Poster presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

99. [1]**Orom, H.**, [2]Biddle, C., Underwood, W. Homish, G. G., Nelson, C., & Olsson, C. A. (2017, November). *Racial/ethnic and socioeconomic disparities in prostate cancer survivors' prostate-specific quality of life.* Paper presented at the annual meeting of the American Public Health Association, Atlanta, GA.

98. [2]Wilson, K., [1]**Orom, H.**, [2]Bowdwin, M. (2017, November). *Involvement of romantic partners in prostate cancer patients' treatment decisions.* Poster presented at the annual meeting of the American Public Health Association, Atlanta, GA.

97. [1]**Orom, H.**, [2]Biddle, C., & Underwood, W. (2017, November). *Prostate cancer treatment side effects cause emotional distress in survivorship.* Poster presented at the annual meeting of the American Public Health Association, Atlanta, GA.

96. [1]**Orom, H.**, Hay, J. L., [2]Biddle, C., Kiviniemi, M. T., Waters, E. A., & Li, Y. (2017, April). *"I don't know my risk": Additional evidence that don't know responding to risk perception questions is due to knowledge deficits.* Poster presented at the annual meeting of the Society of Behavioral Medicine, San Diego, CA.

95. Waters, E.A., Schofield, E., Biddle, C., Hay, J., Kiviniemi, M., Li, Y., Kaphingst, K., [1]**Orom, H.**, (2017, March). *Education, health literacy, and numeracy: Implications for uncertainty about risk.* Poster presented at the annual meeting of the Society of Behavioral Medicine, San Diego, CA.

94. Kiviniemi, M. T. **Orom, H.**, Hay, J. L., Waters, E. A., [2]Biddle, C. & Li, Y. (2017, April). *Do people know what they say they don't? Presence and positioning of don't know response options shift perceived risk estimates.* Paper presented at the annual meeting of the Society of Behavioral Medicine, San Diego, CA.

93. [2]Biddle, C., Hay, J., Kiviniemi, M., Waters, E.A., [1]**Orom, H.**, (2017, March). *Risk perception uncertainty matters: Greater uncertainty predicts a lower likelihood of behavior change.* Poster presented at the annual meeting of the Society of Behavioral Medicine, San Diego, CA.

92. [2]Biddle, C., Hay, J., Waters, E.A., Kiviniemi, M., [1]**Orom, H.**, (2017, March). *Different types of risk: Risk uncertainty varies by risk framing.* Paper presented at the annual meeting of the Society of Behavioral Medicine, San Diego, CA.

91. [1]**Orom, H.**, [2]Biddle, C, Underwood, W., & Homish, D. L. (2016, October). *Perceived risk for cancer progression depends on treatment received among men with prostate cancer.* Paper presented at the annual meeting of the American Public Health Association, Denver, CO.

90. [2]Biddle, C., Allen, G., Fox, C., Lamonte, M., Fallavollita, J., Homish, G., [1]**Orom, H.**, (2016, October). *Race and income disparities in follow-up for cardiovascular-related referrals.* Poster presented at the annual meeting of the American Public Health Association, Denver, CO.

89. Moses, K., **Orom, H.**, [2]Brasel, A., Gaddy, J., Underwood, W. (2016, October). *Racial/Ethnic disparities in the receipt of definitive treatment for prostate cancer: Does cancer severity matter?* Poster presented at the annual meeting of the American Public Health Association, Denver, CO.

88. Underwood, W., Moses, K. A., **Orom, H.**, [2]Brasel, A. (2016, September). *Racial disparities in prostate cancer treatment continue despite the higher mortality in African American men.* Poster presented at the ninth AACR Conference on the Science of Cancer Health Disparities in Racial/Ethnic Minorities and the Medically Underserved, Fort Lauderdale, FL.

87. Moses, K. A., **Orom, H.**, Homish, L. D., Nelson, C., Kapoor, D. A., Schiffman, Z., Reyna, J., Olsson, C. A., Underwood, W., III. (2016, May). *Prostate cancer treatment decision-making: Quality vs quantity of life.* Poster presented at the annual meeting of the American Urological Association, San Diego, CA.

86. Hatton, M., **Orom, H.**, & Anders, P. (2016, April). *Blood pressure / blood sugar assessment by recent dental school graduates.* Paper presented at the 2016 Oral Medicine and Future of Health Care Conference. Atlanta, GA.

85. [2]Biddle, C., Underwood, W., Homish, D.L. [1]**Orom, H.**, (2016, April). *Active treatment decision making associated with better decisional outcomes, but more decisional difficulty.* Paper presented at the annual meeting of the Society of Behavioral Medicine, Washington D.C.

84. [2]Biddle, C., Hay, J., Kiviniemi, M., Waters, E.A., Ellis, E., [1]**Orom, H.**, (2016, April). *Uncertainty about perceived disease risk may be a valuable addition to measures of risk perception.* Poster presented at the annual meeting of the Society of Behavioral Medicine, Washington D.C.

83. [2]Biddle, C., **Orom, H.**, Waters, E.A., Kiviniemi, M., Ellis, E., Hay, J., (2016, April). *Illness information avoidance is associated with lower need for cognition and intuitive risk beliefs.* Poster presented at the annual meeting of the Society of Behavioral Medicine, Washington D.C. Received the Award for Outstanding Trainee Abstract in Health Decision Making.

82. [1]**Orom, H.**, Underwood, W., Nelson, C. J., Homish, D. L. (2016, March). *Racial/ethnic disparities in prostate cancer patients' QOL underlie disparities in emotional distress.* Paper presented at the annual meeting of the Society of Behavioral Medicine, Washington, D.C. (Symposium presentation).

81. [1]**Orom, H.**, [2]Cheng, Z., [2]Scott, I., Underwood, W., III, & Homish, D. L. (2016, March). *Prostate cancer patients' quality of relationship with their physicians impacts their treatment choice.* Paper presented at the annual meeting of the Society of Behavioral Medicine, Washington, D.C.

80. [1]**Orom, H.**, [2]Sharma, C. K., [2]LaValley, S. A., Homish, G, G,, Underwood, W. 3rd, & Homish D. L. (2015, November). *Racial discrimination and stigma consciousness are associated with chronic disease risk factors.* Poster presented at the annual meeting of the Gerontological Society of America, Orlando, FL.

79. [3]Mollica, M., Underwood, W., III, Nelson, C. J., Homish, G. G., Homish, D. L., & [1]**Orom, H.** (2015, July). *Prostate cancer patients with stronger spiritual beliefs have greater confidence in their prognosis.* Poster presented at the 2015 World Congress of Psycho-Oncology, Washington, D.C.

78. [1]**Orom, H.**, Underwood, W., Homish, D. L., Kapoor, D., Nelson, C., Schiffman, Z., & Reyna,

J. (2015, May). *Emotional distress predicts choosing surgery over active surveillance in clinically localized prostate cancer patients.* Paper presented at the annual meeting of the American Urological Society, New Orleans, LA.

77. Moses, K. A., **Orom, H.,** [2]Brasel, A., Gaddy, J., & Underwood, W. (2015, May). *Emerging disparity in treatment for prostate cancer among Hispanic men- Data from SEER 2004-2009.* Poster presented at the annual meeting of the American Urological Society, New Orleans, LA.

76. [2]Biddle, C. Underwood, W., III, Homish, D. L., & **[1]Orom, H.** (2015, April). *Not so straightforward: The complex relationship between knowledge and prostate cancer treatment decision-making.* Paper presented at the annual meeting of the Society of Behavioral Medicine, San Antonio, TX. Recognized as "Citation Abstract" and a Meritorious Student Abstract.

75. [2]Biddle, C. Underwood, W., III, Homish, D. L., & **[1]Orom, H.** (2015, April). *Are prostate cancer patients engaging in informed treatment decision-making?* Paper presented at the annual meeting of the Society of Behavioral Medicine, San Antonio, TX. Recognized as a Meritorious Student Abstract.

74. [3]Mollica, M., Homish, D. L., Underwood, W., III, Homish, D.L., **[1]Orom, H.** (2015, April). *Spirituality is associated with less difficult prostate cancer treatment decision making.* Poster presented at the annual meeting of the Society of Behavioral Medicine, San Antonio, TX.

73. McKillip, M., Kiviniemi, M.T., **Orom, H.**, Waters, E., and Hay, J.L. (2015, April). *"Don't know" responses to questions about HIV risk: Prevalence, trends over time, and correlates.* Poster presented at the annual meeting of the Society of Behavioral Medicine, San Antonio, TX.

72. Kiviniemi, M.T., Ellis, E.M., **Orom, H.**, Waters, E., and Hay, J.L. (2015, April). *Providing a "Don't Know" response option changes population perceived risk estimates.* Poster presented at the annual meeting of the Society of Behavioral Medicine, San Antonio, TX.

71. [2]O'Quin, K., **Orom, H.**, Underwood, W., III, & Homish, D. L. (2014, November). *Relationship between patient centeredness and trust in physicians for older men with prostate cancer.* Poster presented at the annual meeting of the American Public Health Association, New Orleans, LA.

70. **[1]Orom, H.**, Homish, D. L., Homish, G. G., Underwood, W., & Nelson, C. (2014, November). *Intervention targets for newly diagnosed prostate cancer patients experiencing significant emotional distress.* Poster presented at the annual meeting of the American Public Health Association, New Orleans, LA.

69. Meluch, A., Cline, R. J. W., **Orom, H.**, & Hernandez, T. (2014, November). *"There's no real support system": Institutional support failures in a slowly-evolving environmental disaster.* Paper to be presented at the annual meeting of the National Communication Association, Chicago, IL.

68. Cline, R. J. W., **Orom, H.**, Meluch, A., Chung, J. E., & Hernandez, T., (2014, May). *Social dynamics and mental health in a slowly-evolving environmental disaster.* Paper presented at the annual meeting of the International Communication Association, Seattle, WA.

67. **[1]Orom, H.**, Homish, G.G., Homish, D.L., Kiviniemi, M.T., & Underwood, W. (2014, April).

Prostate cancer survivors opposed to USPSTF recommendation against PSA screening. Poster presented at the annual meeting of the Society of Behavioral Medicine, Philadelphia, PA.

66. Ellis, E. M., **Orom, H.**, Giovino, G. A., & Kiviniemi, M. T. (2014, January). *Race/Ethnicity moderates effects of psychological distress on smoking behavior and fruit and vegetable consumption.* Poster presented at the Health Information National Trends Study User's Conference, Bethesda, MD.

65. Kiviniemi, M. T., Hay, J. L., **Orom, H.**, & Waters, E. A. (2014, January). *Preferences for not knowing cancer risk: Prevalence and correlates in HINTS 4.* Paper presented at the Health Information National Trends Study User's Conference, Bethesda, MD.

64. [1]**Orom, H.**, Homish, D. L., Homish, G. G., & Underwood, W., (2013, November). *Patient- centered care is associated with the influence of physicians' prostate cancer treatment recommendation.* Paper presented at the annual meeting of the American Public Health Association, Boston, MA.

63. [1]**Orom, H.**, Gage, E., [2]O'Quin, K., & LaValley, S. (2013, November). *Disseminating a psycho-educational caregiver intervention in minority communities: Challenges and lessons learned.* Roundtable session presented at the annual meeting of the American Public Health Association, Boston, MA.

62. [2]O'Quin, K. [2]Semalulu, T., & [1]**Orom, H.** (2013, November). *Medication (mis)management: Community perspectives.* Paper presented at the annual meeting of the American Public Health Association, Boston, MA. Recipient of the Retirement Research Foundation/Lawrence G. Branch best doctoral student research award for a paper submitted to the Public Health and Aging section of the American Public Health Association.

61. [2]O'Quin, K. [2]Semalulu, T., & [1]**Orom, H.** (2013, November). *Older adults and their caregivers perceive patient-centered communication improves medication adherence.* Paper presented at the annual meeting of the American Public Health Association, Boston, MA.

60. [2]Semalulu, T. & [1]**Orom, H.** (2013, November). *Knowledge, attitudes and behaviors: The evaluation of a malaria education program in Southeastern Uganda.* Poster presented at the annual meeting of the American Public Health Association, Boston, MA.

59. [2]Biddle, C., [2]Brasel, A., Underwood, W., III, & [1]**Orom, H.** (2013, September). *"The physician doesn't have all the answers, but at least the answers that he does have he could explain": Physician-patient communication contributes to high uncertainty in men with elevated PSA.* Paper presented at the 2013 International American Association for Cancer Education Conference, Seattle, WA.

58. Gage, E., **Orom, H.**, [2]O'Quin, K., LaValley, S. (2013, August). *Identifying and engaging community partners for programs aimed to reduce health disparities.* Paper presented at the annual meeting of the Society for the Study of Social Problems, New York, NY.

57. Cline, R. J. W., **Orom, H.**, Hernandez, T., & Chung, J. E. (2013, July). *The role of the social toxicity in responses to a slowly-evolving environmental disaster: The case of amphibole asbestos exposure in Libby, Montana, USA.* Paper presented at the annual conference of the International Communication Association, London, UK.

56. [1]**Orom, H.**, [2]O'Quin, K. E., [2]Reilly, S. M., Kiviniemi, M. Hubbard-Robinson, R., Showard, K., Wilkenson-Jacobs, D., [2]Hall, V., & [2]Ruch, A. (2012, December). *Cancer risk appraisal in a predominantly African American neighborhood.* Poster presented at the 2012 Summit on the Science of Eliminating Health Disparities, National Harbour, MD.

55. [2]O'Quin, K. E., [2]Reilly, S. M., [2]Hall, V., [2]Slevar, M., [2]Ruch, A., [2]Gillespie, S., Hubbard-Robinson, R., Showers, K., Wilkenson-Jacobs, D., Kiviniemi, M., & [1]**Orom, H**. (2012, December). *Growing Healthy Together": An example of how a community-hospital-university partnership can mobilize communities toward healthy environments and lifestyles.* Poster presented at the annual meeting of the P2 Collaborative of Western New York, Buffalo, NY. and at the 2012 Summit on the Science of Eliminating Health Disparities, National Harbour, MD.

54. [2]Semalulu, T., **Orom, H.**, &, Underwood, W., III (2012, October). *Social and learning climate experienced by underrepresented minority students in medical school: A systematic review.* Poster presented at the annual meeting of the American Public Health Association, San Francisco, CA.

53. Underwood, W., III, Poch, M., & **Orom, H.** 2012, May). *Air spreads cancer: So don't cut me open.* Poster presented at the annual meeting of the American Urological Association, Atlanta, GA.

52. **Orom, H.**, Hay, J. L. Kiviniemi, M. T., Waters, E. A. & Drake, B. F. (2012, April). *Knowledge deficit or defensive processing? Examining explanations for reporting "I don't know" to risk perception questions.* Paper presented at the annual meeting of the Society of Behavioral Medicine, New Orleans, LA.

51. **Orom, H.**, Underwood, W., Homish, D. L., Homish, G. G., [2]Brasel, A., &, Nelson, C. J. (2012, February). Treatment decision-making self-efficacy predicts better quality of life in prostate cancer patients managed with active surveillance. Paper presented at the annual meeting of the American Psychosocial Oncology Society. Miami, FL.

50. Waters, E. A., Hay, J., **Orom, H.**, Kiviniemi, M.T., & Drake, B. (2011, October). *"Don't know" responses to risk perception measures: Implications for underserved populations.* Poster presented at the annual Meeting of the Society for Medical Decision Making, Chicago, IL.

49. [2]Brasel, A., **Orom, H.**, & Underwood, W. (2011, October). *Racial/Ethnic disparities in the treatment of prostate cancer among men age 55 years and younger.* Paper presented at the annual meeting of the American Public Health Association, Washington, DC.

48. [2]Scates-Preisinger, A., **Orom, H.**, [2]Gaeddert, J., Lee, C.T., [2]Olszewska, P., & Underwood, W., III. (2011, October). *Race and education differences in intentions to seek care for gross hematuria: Implications for timely diagnosis of bladder cancer.* Poster presented at the annual meeting of the American Public Health Association, Washington, DC.

47. [2]O'Quin, K. E., [2]Reilly, S., Hubbard-Robinson, R., Brown, N., [2]Ruch, A., Kiviniemi, M., [1]**Orom, H**. (2011, October). *Utilizing a community health assessment as a tool for education: The unique mixed methods approach of the Growing Healthy Together, Grider Community Assessment project.* Poster presented at the annual meeting of the P2

Collaborative of Western New York, Buffalo, NY.

46. [2]Brasel, A., **Orom, H.**, Underwood, W., III, & Shavers, V. (2011, September). *Prostate cancer: Are guideline recommendations on who receives pelvic lymph node dissection being followed for all races?* Paper presented at the 2011 International Cancer Education Conference, Buffalo, NY.

45. [1]**Orom, H.**, [2]Brasel, A., & Underwood, W., III. (2011, September). *Racial/ethnic disparities in prostate cancer treatment persist.* Poster presented at the AACR Conference on the Science of Cancer Health Disparities in Racial/Ethnic Minorities and the Medically Underserved, Washington, DC.

44. Sabo, J. D., Cline, R. J. W., Child, J. T., **Orom, H.**, Hernandez, T., Bobovski, L., & Schwartz A. G. (2011, May). *"I would rather die than ask for help": Personal and social factors in resistance to seeking social support in a slow-motion technological disaster.* Poster presented at the D.C. Health Communication Conference, Fairfax, VA.

43. **Orom, H.**, [2]Scates-Preisinger, A., [2]Gaeddert, J., & Underwood, W. (2011, April). *Low awareness that cigarette smoking is a risk factor for bladder cancer.* Poster presented at the annual meeting of the Society of Behavioral Medicine, Washington, D.C.

42. Smith, P. H., Cline, R. J. W., **Orom, H.**, Homish, G. G., Hernandez, T., Berry-Bobovski, L., & Schwartz, A. (2011, February). *Asbestos exposure, asbestos related disease, and smoking in Libby, Montana.* Poster presented at the annual meeting of the Society for Research on Nicotine and Tobacco, Toronto, Canada.

41. [1]**Orom, H.**, Kiviniemi, M. T., Underwood, W., & Ross, L. (2010, November). *Is perceived susceptibility for breast cancer less predictive of mammogram use among Blacks and Hispanics than Whites?* Paper presented at the annual meeting of the American Public Health Association, Denver, CO.

40. Hayn, M., Glasgow, M., **Orom, H.**, & Underwood, W., III. (2010, May). Racial/ethnic disparities in the utilization of pelvic lymph node dissection in the treatment of localized/regional prostate cancer. Poster presented at the annual meeting of the American Urological Association, San Francisco, CA.

39. [1]**Orom, H.**, Kiviniemi, M.T., & Underwood, W. III. (2010, March). *Racial/ethnic minorities perceive themselves at lower risk for breast and colon cancer than whites.* Paper presented at the annual meeting of the Society of Behavioral Medicine, Seattle, WA.

38. Kiviniemi, M. T., & **Orom, H.** (2010, March). *Interplay of perceived risk and cancer worry as influences on colorectal cancer screening.* Poster presented at the annual meeting of the American Society of Preventive Oncology, Las Vegas, NV.

37. [1]**Orom, H.**, Ross, L., & Underwood, W., III. (2009, November). *Theory of planned behavior and health disparities: Can models of individual-level processes be extended to complex multi-level phenomena?* Paper presented at the annual meeting of the American Public Health Association, Philadelphia, PA.

36. [1]**Orom, H.**, Cline, R. J. W., [2]Gaeddert, J., [2]Kim, S. H., [2]Wittberg, M. E., Hernandez, T., Ruckdschel, J. C., & Berry-Bobovski, L. (2009, November). *Lay epidemiologies of asbestos-related disease in Libby, MT.* Paper presented at the annual meeting of the American Public

Health Association, Philadelphia, PA.

35. Ross, L., **Orom, H.**, & Underwood, W., (2009, November). *Racial variations in patterns of cancer information seeking: Results from the 2003 Health Information National Trends Survey (HINTS).* Paper presented at the annual meeting of the American Public Health Association, Philadelphia, PA.

34. Cline, R. J. W., **Orom, H.**, Berry-Bobovski, L., Hernandez, T., Black, B., Schwartz, A. G., & Ruckdschel, J. C. (2009, November). *Courtesy stigma at the community level: Stigmatized by association with the slow-motion technological disaster (SMTD) in Libby, MT.* Paper presented at the annual meeting of the American Public Health Association, Philadelphia, PA.

33. Cline, R. J. W., **Orom, H.**, Berry-Bobovski, L., Hernandez, T., Black, B., Schwartz, A. G., & Ruckdschel, J. C. (2009, November). *Social conflict and its sources in a slow-motion technological disaster: The Libby, Montana amphibole-asbestos disaster*. Paper presented at the annual meeting of the American Public Health Association, Philadelphia, PA.

32. Cline, R. J. W., **Orom, H.**, Hernandez, T., Berry-Bobovski, L., Black, B., Schwartz, A. G., & Ruckdschel, J. C. (2009, November). *Toxic social environments: A model for understanding and responding to slow-motion technological disasters based on the case of amphibole-* Public Health Association, Philadelphia, PA.

31. [1]**Orom, H.**, Kiviniemi, M. T., Ross, L., & Underwood, W., III. (2009, September). *Racial/Ethnic minorities perceive themselves at lower risk for cancer than Whites.* Paper presented at the Health Information National Trends Survey Data Users Conference, Silver Springs, MD.

30. Kiviniemi, M. T., **Orom, H.**, & Giovino, G. A. (2009, September). *Negative affect and smoking behavior: The nature of the relation differs by race/ethnicity.* Poster presented at the Health Information National Trends Survey Data Users Conference, Silver Springs, MD.

29. [1]**Orom, H.**, & Cline, R. J. W. (2008, November). *Ties that bind and fray: Family communication processes in a slow-motion technological disaster.* Paper presented at the annual meeting of the National Communication Association, San Diego, CA.

28. [1]**Orom, H.**, Cline, R. J., Hernandez, T., & Schwartz, A. G. (2008, November). *Caregiving for relatives with asbestos-related disease: Burdens, barriers, and communication intervention strategies.* Paper presented at the annual meeting of the National Communication Association, San Diego, CA.

27. [1]**Orom, H.**, Harper, F. W. K., Albrecht, A. L., Salkowski, A., & Schwartz, A. G. (2008, October). *Family Communication about Lung Cancer in Families with a History of the Disease: Does it Increase Prevention Behavior?* Paper presented at the annual meeting of the American Public Health Association, San Diego, CA.

26. [1]**Orom, H.**, Cline, R. J. W., Sayir, A., Hernandez, T., Broadway, S. C., Silk, K. J., & Schwartz, A. G. (2008, October). *Community-wide disaster alert: Psychological consequences of living a slow-motion technological disaster.* Poster presented at the annual meeting of the American Public Health Association, San Diego, CA.

25. Cline, R. J. W., **Orom, H.**, Berry-Bobovski, L., Sayir, A., Hernandez, T., Black, B., Schwartz,

A. G., & Ruckdeschel, J. C. (2008, October). *Social support processes during a slow-motion technological disaster: The deterioration of a previously altruistic community.* Paper presented at the annual meeting of the National Communication Association, San Diego, CA.

24. Cline, R. J. W., **Orom, H.**, Sayir, A., Berry-Bobovski, L., Broadway, S. C., Silk, K. J., Hernandez, T., Black, B., Schwartz, A. G., & Ruckdeschel, J. C. (2008, October). *When communication "creates" the disaster: Communication and information need in a slow-motion technological disaster.* Paper presented at the annual meeting of the American Public Health Association, San Diego, CA.

23. Cline, R. J. W., **Orom, H.**, Sayir, A., Berry-Bobovski, L., Silk, K. J., Broadway, S. C., Hernandez, T., Black, B., Schwartz, A. G., & Ruckdeschel, J. C. (2008, October). *Us-them relationships in a slow-motion technological disaster. Dynamics and consequences of stigma associated with asbestos-related disease in Libby, MT.* Paper presented at the annual meeting of the American Public Health Association, San Diego, CA.

22. Cline, R. J. W., **Orom, H.**, Sayir, A., Berry-Bobovski, L., Silk, K. J., Broadway, S. C., Hernandez, T., Black, B., Schwartz, A. G., & Ruckdeschel, J. C. (2008, October). *Slow-motion social support? Social support needs and processes in a slow-motion technological disaster.* Paper presented at the annual meeting of the American Public Health Association, San Diego, CA.

21. Cervone, D., Caldwell, T. L., **Orom, H.**, & Shadel, W. G. (2008, July). *Self-regulation and personal goals in different domains.* Paper presented at the 29th International Congress of Psychology, Berlin, Germany.

20. Underwood, W., III & **Orom, H.** (2008, June). *Black men with prostate cancer: Caught in a catch-22?* Paper presented at the 7th Biennial Society for the Psychological Study of Social Issues Convention, Chicago, IL.

19. Salkowski, A., **Orom, H.**, Albrecht, T., Harper, F., & Schwartz, A. (2008, October). Risk perception, worry and interest in screening among individuals with a family history of lung cancer. Paper presented at the National Society of Genetic Counselors Annual Educational Conference, Los Angeles, CA.

18. Penner, L. A. & **Orom, H.** (2008, March). *Enduring goodness: A person by situation perspective on prosocial behavior.* Paper presented at the Herzliya Symposium on Personality and Social Psychology; Prosocial Motives, Emotions, and Behavior, Herzliya, Israel.

17. [1]**Orom, H.**, Penner, L. A., & Underwood, W., III. (2008, February). *Dispositional optimism and self-efficacy predict cancer treatment decision-making satisfaction and difficulty.* Poster presented at the annual meeting of the Society for Personality and Social Psychology, Albuquerque, NM.

16. Coté, M. L., **Orom, H.**, Wenzlaff, A., & Schwartz, A. G. (2007, November). *Ascertaining first-degree relatives in adult-onset cancer research: The genetic epidemiology of lung cancer study, 1999-2003.* Poster presented at the American Association for Cancer Research Science of Cancer Health Disparities Conference, Atlanta, GA.

15. Underwood, W. **Orom, H.**, West, B., González, H. M., & Penner, L. (November, 2007). *The role of physician recommendations and treatment side effects in prostate cancer*

treatment decision- making. Poster presented at the annual meeting of the Gerontological Society of America, San Francisco, CA.

14. Bowen, M. E., **Orom, H.**, Underwood, W., & González, H. (November, 2007). Chemotherapy treatment and cognitive decline: Findings from the Health and Retirement Study (1998-2004). Poster presented at the annual meeting of the Gerontological Society of America, San Francisco, CA.

13. [1]**Orom, H.**, Cline, R. J. W., Berry-Bobovski, L., Hernandez, T., Black, B., Schwartz, A. G., & Ruckdeschel, J. C. (2007, November*). "I'm watching each one of my family members die:" Public health functions of families and family dynamics in a slow-motion technological disaster.* Paper presented at the annual meeting of the American Public Health Association, Washington, DC.

12. Cline, R. J. W., Berry-Bobovski, L., **Orom, H.**, Sayir, A. D., Coleman, D. K., Francis, C., Hernandez, T., Black, B., Schwartz, A., & Ruckdeschel, J. C. (2007, November). *"You'd think she had AIDS:" Stigmatizing responses to asbestos-related disease as a barrier to health behavior.* Paper presented at the annual meeting of the American Public Health Association, Washington, DC.

11. [1]**Orom, H.**, Coté, M. L., Gonzales, H. M., & Underwood, W., III. (2007, May*). Family History of Cancer: A Poor Indicator of Risk for Immigrant Patients?* Poster presented at the HINTS Data Users Conference, Pasadena, CA.

10. González, H. M., Bowen, M. E., & **Orom, H.** (2007, May). *"Paradox, what paradox?"* Paper presented at the Pan American Congress on Geriatrics and Gerontology, Puebla, Mexico.

9. Underwood, W., **Orom, H.**, West, B., Soloman, S., & Penner, L. A. (2007, May). *The role of physician recommendations in prostate cancer treatment decisions.* Poster presented at the annual meeting of the American Urological Association, Anaheim, CA.

8. **Orom, H.** (2006, February). *Exposure to social smoking temptations increases the salience of the goal to abstain among smokers who are motivated to quit.* Poster session presented at the annual meeting of the Society for Research on Nicotine and Tobacco, Orlando, FL.

7. **Orom, H.**, Eggly, S., Albrecht, L., Penner, L., & Ruckdeschel, J. (November, 2006). Patient age and involvement in oncology consultations influence the quality of physician/companion relationships. Poster presented at the annual meeting of Gerontological Society of America, Dallas, TX.

6. Underwood, W., **Orom, H.**, Brittain, K., & Albrecht, T. (2006, November). *The role of information technology in prostate cancer*. Poster presented at the annual meeting of the American Public Health Association, Boston, MA.

5. [1]**Orom, H.**, Cervone, D., Artistico, D., Shadel, W. G., & Kassel, J. (2006, July). *Activation of smoker self-beliefs is systematically associated with self-efficacy to abstain from smoking.* Poster presented at the 4th International Biennial SELF Research Conference, Ann Arbor, MI.

4. Cervone, D., Caldwell, T. L., Fiori, M., & **Orom, H.** (2006, July). *Identifying and explaining intra-individual coherence: Applying a knowledge-and-appraisal model of personality*

architecture (KAPA). Paper presented at the 13th European Conference on Personality, Athens, Greece.

3. **Orom, H.**, Artistico, D., Steineck, M., & Cervone, D. (November, 2003). *Ecological relevance of problem context increases everyday problem solving ability among older adults.* Poster presented at the annual meeting of Gerontological Society of America, San Diego.

2. [1]**Orom, H.**, Steineck, M, Artistico, D, & Cervone, D. (2003, May). *Age-Related increases in verbalization of problem definitions when thinking aloud about solutions to everyday problems.* Poster presented at the annual meeting of the American Psychological Society, Atlanta, GA.

1. [1]**Orom, H.**, & Cervone, D. (2002, July). *The role of self-concept in self-efficacy.* Poster presented at the 11th European Conference on Personality, Jena, Germany.

Campus Talks

18. August, 2022, School of Nursing, University at Buffalo. *Social Determinants of health (SDOH) and Why they Account for much of our Health*

17. April, 2022, Clinical and Translational Science Institute Health Inequities Workshop Series, University at Buffalo. *Health Policy and Community Structure.*

16. July, 2021. Dietetics Journal Club. *Health care disparities: Mechanisms and solutions.*

15. June, 2021. Center for Leadership and Organizational Effectiveness. *How leaders in anchor institutions can play key roles in reducing health inequities.*

14. April, 2021. University at Buffalo Inclusive Excellence Summit. *Strategies for making your classroom more culturally inclusive.*

13. April, 2021, Clinical and Translational Science Institute Health Inequities Workshop Series, University at Buffalo. *Health Policy and Community Structure.*

12. March, 2021, Clinical and Translational Science Institute Health Inequities Workshop Series, University at Buffalo. *Terminologies and Factors Contributing to Health Inequities.*

11. November, 2020, Department of Neurology, University at Buffalo. *Health care disparities: Mechanisms and solutions.*

10. September, 2020, University at Buffalo. *Origins of racial/ethnic health disparities in the US.* Student organized health disparities workshop.

9. July 2020. University at Buffalo, Panelist for invited talk by Davarian Baldwin.

8. June, 2020. University at Buffalo. *Racial Health Inequities: The COVID-19 disaster was decades in the making.* Presentation for Alumni engagement series.

7. March, 2019. Public Health Interest Group. *Segregation: A root cause of racial/ethnic*

health disparities in Buffalo.

6. February 2018. Center for Global Health Equity, *Perceptions of nutrition and disease risk among Refugees from Burma.*

5. March, 2015. University at Buffalo. *Racial/Ethnic health disparities: Patterns and causes*. Presentation for the Campus Health Educator Program (CHE).

4. October, 2013. Second Buffalo Food Policy Summit. *Just sustainabilities in food systems research*, panelist.

3. December, 2012. Department of Psychology, University at Buffalo. *When perceived risk for cancer is low, Why? And should we care? A health disparities perspective.* Presentation at the Social Psychology Brown Bag.

2. October, 2012. Department of Community Health and Health Behavior. *When perceived risk for cancer is low, Why? And should we care? A health disparities perspective.* Presentation at the Community Health and Health Behavior Brown Bag.

1. September, 2008. Department of Social and Preventive Medicine (Now Epidemiology and Environmental Health). *Family dynamics and health in the context of a slow-motion technological disaster.* Presentation at the Social and Preventive Medicine Seminar.

Teaching Experience and Course Development

Courses Developed and Coordinated or Instructed

Fall 2010, Spring 2012, Fall 2016, 2017, 2018, 2019, 2020, 2021, 2022	**CHB 625 Health Disparities** Department of Community Health and Health Behavior, University at Buffalo Role: Developed course, instructed course Percent taught: 100%
Fall 2013, 2014	**CHB 625 Health Disparities** Department of Community Health and Health Behavior, University at Buffalo Role: Co-Instructed course Percent taught: 50%
Fall 2009, 2010, 2011, 2013, 2014, 2015, 2016	**CHB 601 Principles of Community Health and Health Behavior** (was Principles of Community Health and Health Behavior I) Department of Community Health and Health Behavior, University at Buffalo Role: Substantially revised course design and syllabus, coordinated course, gave lectures Percent taught: 40%

Spring 2010, 2011, 2012, 2014, 2015, 2016	**CHB 602 Community Health and Health Behavior Interventions (was Principles of Community Health and Health Behavior II)** Department of Community Health and Health Behavior, University at Buffalo Role: Substantially revised course design and syllabus, coordinated course, gave lectures Percent taught: 40%

Curricula Developed

2018 Lead the creation of the microcredential, *Strategies for Eliminating Health* Inequalities

Workshops and Trainings developed

2021-2022 *Preventing and responding to harassment and discrimination on field training* Workshop conducted with all School of Public Health and Health Professions students who participate in field training or clinical rotations (delivered to approximately students 300 per year).

Independent Study Courses

Semester	Student	Degree Program	Topic/Project
Spring 2016	Xanya Harris	BS	Uncertainty about illness risk
Spring 2015	Chaman Sharma	BS	Discrimination and chronic disease
Fall 2014	Chaman Sharma	BS	Discrimination and chronic disease
Spring 2014	Melissa Graham	MS	Risk perception and cancer among anglers
Spring 2012	Victoria Hall	MPH	Community health assessment
Fall 2011	Sarah Reilly	MPH	Community health assessment
Spring 2010	Teresa Semalulu	BS	Social and educational climate experienced by underrepresented minority medical students
Summer 2010	Paulina Olszewska	MD	Race and education differences in intentions to seek medical care for gross hematuria: Implications for timely diagnosis of bladder cancer
Spring 2008	Sun Hee Kim, Mary Beth Wittberg,	MA	Family Impacts of Environmental Hazard Disasters

Other

2009 Created the Health Disparities learning module for the School of Public Health and Health Professions Foundations of Public Health an on-line series; the module was adapted for use by the UB – University at Albany Empire State Public Health Training Center to train public health professionals in Western New York

Guest lectures

Spring 2021, 2022, 2023	**Collegiate Science and Technology Entry Program (CSTEP)** Social Determinants of health (SDOH), University at Buffalo
Spring 2020, 2021, 2022; Fall 2020, 2021	**PUB 220 Behavioral and Social Influences on Health,** Racial/Ethnic Health Inequities, University at Buffalo
Fall 2019	**Humanities Day**, History of Racism in Medicine, Jacobs School of Medicine and Biomedical Sciences, University at Buffalo
Fall 2019	**MS3 IDM 730 Intersessions: Medical Humanities**, History of Racism in Medicine
Fall 2019	**IMC 500 Medicine and Society,** Social Determinants and Health Disparities, Jacobs School of Medicine and Biological Sciences, University
Spring 2018, 2019	**Health in the Neighborhood,** Intervening in Social Determinants, Jacobs School of Medicine and Biological Sciences, University at Buffalo
Spring 2017, 2018, 2019	**CHB 610 ProSem** Professional development modules
Spring 2017, 2018, 2019, 2021, 2023	**CHB 602 Community Health and Health Behavior Interventions** Reaching Vulnerable Populations, School of Public Health and Health Behavior, University at Buffalo
Spring 2017	**CHB 602 Community Health and Health Behavior Interventions** Intervening in Social Determinants, School of Public Health and Health Behavior, University at Buffalo
Spring 2017	**CHB 602 Community Health and Health Behavior Interventions** Social Media Interventions for Public Health, School of Public Health and Health Behavior, University at Buffalo
Spring 2017	**CHB 605, Research Methods for Community Health and Health Behavior,** Methodological issues in disparities, School of Public Health and Health Behavior University at Buffalo
Spring 2017, 2018	**PUB 220 Social and Behavioral Foundations of Public Health: Principles, Practices, and Policies,** Racial/Ethnic Health Disparities, School of Public Health and Health Behavior, University at Buffalo
Fall 2016, 2017, 2018	**Humanities Day**, Health Disparities: Overview of the Problem and its causes and potential solutions, Jacobs School of Medicine and Biomedical Sciences, University at Buffalo
Fall 2016	**Going "Glocal": An examination of global/local health issues (UB Seminar)**, Disparities Overview, School of Nursing, University at Buffalo
Spring 2016	**First Year Spring Break Community Immersion Program,** Health Disparities: Overview of the Problem and its causes and potential solutions, School of Medicine and Biomedical Sciences, University at Buffalo
Spring 2010, 2011	**CHB 605 Research Methods for Community Health and Health Behavior**, Qualitative Research Methods, University at Buffalo
Spring 2011, 2012, 2013	**CHB 502 Health Behavior Change**, Characteristics and Causes of Health Disparities, University at Buffalo

Spring 2011	**SPM 533 Principles of Public Health**, Health Disparities: Explanations and Solutions, University at Buffalo
Spring 2009, 2011, 2012, 2013	**PSY 432 Toxic Communities and Psychosocial Wellbeing**, Psychological Effects of Environmental Hazards, University at Buffalo
Spring 2008, Fall 2009, Fall 2010	**HB 527/CHB 501, Study of Health Behavior**, Theory of Reasoned Action/Planned Behavior; Stages of Change; Health Communication, University at Buffalo
Fall 2009	**PSY 325, Health Psychology**, Health Psychology of Toxic Exposures: Coping with Asbestos Related Disease in Libby, MT, University at Buffalo

Faculty Mentoring

April 2023-present	Member, mentoring committee for Kimberly Krytus, Assistant Clinical Professor, Community Health and Health Behavior
Sept 2022-present	Chair, mentoring committee for Nicholas Felicione, Assistant Professor, Community Health and Health Behavior
Sept 2022-present	Chair, mentoring committee for Jessica Kulak, Assistant Clinical Professor, Community Health and Health Behavior
May 2021-present	Chair, mentoring committee for Elizabeth Bartelt, Assistant Clinical Professor, Community Health and Health Behavior
Feb 2019-May 2021	Chair, faculty mentoring committee for Lucia Leone, Assistant Professor, Community Health and Health Behavior
March 2019-present	Chair, faculty mentoring committee for Sarahmona Przybyla, Assistant Professor, Community Health and Health Behavior

Postdoctoral fellows mentored

September 2018-March 2019	Xuewei Chen
August 2014-May 2015	Michelle Mollica

Student Supervision

Doctoral Students in Progress

August 2020-present	Natasha Allard, candidate in community health and health behavior, major advisor
March 2018-present	Maria Keller, candidate in community health and health behavior, committee member

Doctoral Students Graduated

December 2018-May 2023	Temitopie Oke, candidate in social work	Director of Evaluation, Us Helping Us

January 2020-May 2022	Gloria Aidoo-Frimpong, candidate in community health and health behavior, committee member	Postdoctoral Fellow, Yale University
September 2016-July 2021	Amanda Crandall, candidate in community health and health and health behavior, committee member behavior, committee member	Postdoctoral fellow, University of Michigan
January 2016-October 2020	Jessica O'Neill, candidate in community health and health behavior, major advisor and committee chair	Fellow, American Associate for the Advancement of Science
July 2017-May 2020	Hao Zhang, candidate in urban planning, committee member	Vice President/Chief Operating Officer, Urban League of Rochester, NY
August 2015-July 2019	Adam Graczyk, candidate in community health and health behavior committee member	Assistant Clinical Professor, University at Buffalo
July 2017-May 2019	Lynne Klasko, candidate in community health and health behavior, committee member	Social and Implementation Scientist, Global Public Health, Johnson & Johnston
August 2013-August 2017	Caitlin Biddle, candidate in community health and health behavior major advisor and committee chair	Data Scientist, Highmark Blue Cross Blue Shield of WNY
January 2014-December 2016	Susan LaValley, candidate in community health and health behavior, committee member	Research Scientist, Roswell Park Cancer Institute
May 2013-July 2013	Lauren Nicholas, candidate in sociology, committee member	Assistant Professor, D'Youville College
August 2011-August 2015	Whitney Mendel, candidate in social work, committee member	Assistant Professor or public health, Daemon College

MS Students Graduated

August 2020-May 2021	Danielle Tanis, major advisor
August 2011- November 2014	Karen O'Quin, major advisor

MPH Students Advised

January 2023-present	Sanja Stanar
August 2022-present	Melody Cephas
August 2022-present	Ifeoluwaniayo Dada
August 2022-present	Zara Farooq
August 2022-present	Gina Mersereau
August 2022-present	Omar Obeidat
August 2021-present	Sarah Verwij

August 2021-May 2023	Andee Wik
August 2020- May 2022	Lyanne Wooley
August 2020-May 2022	Ann Stoklosa
August 2020- May 2022	Alexis Gigliello
January 2021- May 2022	Kalia McCray
August 2020- May 2022	Jessica Burke
August 2020- May 2022	Ian Troidl
August 2020- May 2022	Onisa Martin
August 2020- May 2022	Alexis Gigliello
August 2020-May 2021	Emily Bystrak
January 2020-August 2021	Kristen Buell
August 2019-December 2020	Autum Carter
August 2019-December 2020	Allison Emborsky
August 2018-August 2021	Kaytlan Locicero
August 2018-May 2020	Abigail Agbi
May 2018-May 2019	Samantha Navas
December 2017 – May 2020	James Harris
August 2017-present	Raechele Leone
August 2017-present	Kassandra Lema
December 2017-May 2018	Aminah McBryde
August 2016-May 2018	Kellie Schmidt
April 2015-May 2017	Sharyl Evans
April 2015-May 2016	Melina Bowdwin
July 2013-Dec 2015	Cheri Cipriano
May 2014-May 2016	Lucy Holmes, MD
August 2014-May 2015	Michelle Molica, PhD
August 2013-May 2014	Erin Mattison
August 2013-May 2014	Marissa Slevar
August 2013-May 2014	Jessica Perkins
August 2011-May 2013	Teresa Semalulu
August 2012-May 2013	Victoria Hall
August 2011-May 2012	Sarah Reilly
August 2010-May 2012	Alicia Brasel
August 2009-May 2011	Amanda Scates-Preisinger
August 2009-May 2011	John Gaeddert

MPH Integrative Projects Supervised

Fall 2022	Kaytlan Locicero	Flu Vaccine Uptake among African Americans adults
Summer 2021	Kristen Buell	Improving Acute Care for people with Intellectual and Developmental Disabilities
Spring 2020	Abigail Agbi	Examining the State of Healthcare Quality in Rural America

Spring 2020	James Harris	Re-Ordering Health Priorities: A Workforce Strategy to Reduce Disparities in Oral Health
Spring 2019	Christina Barron	Redlining my Health: How Policies of Redlining Affects Health Disparities in Certain Neighborhoods in New York City
Spring 2019	Samantha Navas	Cancer strong: An intervention to support psychosocial well-being in pediatric oncology patients – A program proposal
Fall 2018	Kassandra Lema	Evaluating NYSOH Medicaid Renewal Procedures
Fall 2018	Raechele Leone	Can Hospitals Promote Health Behavior Change to Decrease Chronic Disease Burden of Obesity?
Spring 2018	Aminah McBryde	Mental and physical health consequences of social isolation and stigma for Muslim American women as a result of delayed marriage
Spring 2018	Kellie Schmit	Perceptions of illness risk among refugees from Burma
Spring 2017	Sharyl Evans	Sexual Assault Prevention on College Campuses
Spring 2016	Melina Bowdwin	Treatment decision making in men diagnosed with prostate cancer
Spring 2016	Lucy Holmes	The effect of spirometry testing on asthma disease classification in a pediatric primary care office
Fall 2015	Cheri Cipriano	Barriers to, and facilitators of culturally competent care for refugee patients
Spring 2015	Michelle Mollica	Spirituality, treatment decision making, and regret in newly diagnosed men with localized prostate cancer
Spring 2014	Jessica Perkins	Are safety trainings on dairy farms an effective means to decrease negative worker/cow interactions?
Spring 2014	Erin Mattison	The public health dilemma of adolescent pregnancy
Spring 2014	Marissa Slevar	Girls on the run of Buffalo: An assessment of self-esteem and physical activity
Spring 2013	Teresa Semalulu	Impact of a brief community-led malaria education program in Southeastern Uganda
Spring 2013	Victoria Hall	Effects of diabetes self-management education in a patient-centered medical home: A preliminary study
Spring 2012	Sarah Reilly	The Grider area action plan: Strategies to improve community health
Spring 2012	Alicia Brasel	Advancing men's health: Exploring the prostate cancer screening scare
Spring 2011	Amanda Scates-Preisinger	Barriers to and facilitators of health on the East Side of Buffalo: A comparative analysis of recent theories in public health

Spring 2010	John Gaeddert	The effects of climate change-related heat waves on morbidity and mortality on populations with cardiovascular disease

Interns Supervised

Summer 2020	Jerry Ingram	C-STEP	Validating a measures of health information avoidance
Summer 2020	Naomi Holmes	UCLA	Validating a measures of health information avoidance
Summer 2018	Helen Xu	University of Rochester	Time orientation and health behavior
Summer 2018	Susie Ghobrial	Touro College	Time orientation and health behavior
Summer 2017	Amanda Sosnowski	Barnard College	Uncertainty about perceived risk
May 2016 – May 2017	Kaytlan Locicero	C-STEP	Identifying physicians' influence on prostate cancer treatment decision.
Summer 2016	Kennethia Wilson	iSEED	The involvement of partners in prostate cancer patients' treatment decision
Summer 2015	I'Yanna Scott	C-STEP	Factors associated with the influence of physician recommendations on prostate cancer patients' treatment decisions
Summer 2015	Zinan Chang	RPCI Summer Research Experience	Factors associated with the influence of physician recommendations on prostate cancer patients' treatment decisions

Service

Professional/ Public Service

National Service

June 2023	ASPPH section retreat, discussion facilitator
March 2023	Application Review for ASPPH/CDC Fellowship Program
May 2022-June 2022	ASPPH section retreat conference planning committee, round table discussion facilitator
November 2011-November 2012	Co-Chair, American Public Health Association Cancer Forum Program Committee
November 2008-November 2010	Member, American Public Health Association Cancer Forum Program Planning Committee

Grant reviews

2022, Reviewer, NIH Faculty Institutional Recruitment for Sustainable Transformation (FIRST) Program: FIRST Cohort

2019, Reviewer, CTSI Translational Pilot Studies Program, Penn State University

2019, 6/3-6/4, Ad Hoc member, Social Psychology, Personality and Interpersonal Processes (SPIP) NIH study section

2018, External reviewer, CCNY-MSK Partnership for Research, Training, and Community Outreach grant proposal

10/17-10/18 2018, Ad Hoc member, Health Disparities and Equity Promotion (HDEP) NIH study section

July 2016, Jan 2017, Sept 2017, Reviewer, Buffalo Translational Consortium Scholars Award Program

2014, 2015, 2016, Reviewer, Susan G. Komen, Western New York Affiliate community grants

2015, Reviewer, Health Research Board, Republic of Ireland

2015, Reviewer, Swiss National Science Foundation

Ad Hoc Journal Reviewing

2023-present	*Behavior & Information Technology*
2023-present	*Psychology & Health*
2023-present	*American Journal of Preventive Medicine*
2022-present	*Medical Care*
2022-present	*Social Science & Medicine*
2022-present	*Journal of Public Health Dentistry*
	Public Health Reports
2020-present	*The Journal of Rural Health*
2018-present	*Health Education & Behavior*
	Journal of Risk Research
2017-present	*Cancer, Epidemiology, Biomarkers and Prevention*
2017-present	*Built Environment*
	Journal of Immigrant and Minority Health
2017-present	*Translational Behavioral Medicine*
2016-present	*Preventing Chronic Disease*
	Journal of Racial and Ethnic Health Disparities
2015-present	*BMC Research Notes*
2013	*BMJ Open*
2013-present	*PLOS ONE*
	Journal of Women's Health
	Health Education Research
2012-present	*American Journal of Community Psychology*
	BMC Public Health
2010-present	*Journal of Health Communication*

	Psycho-Oncology
2009-present	*Annals of Behavioral Medicine*
2009-present	*Nicotine & Tobacco Research*
	Journal of Basic and Applied Psychology
2007-present	*Cancer Causes and Control*
	Journal of Social and Clinical Psychology
	American Journal of Public Health
2006-present	*Psychology of Addictive Behaviors*

Conference abstract reviewing

2015	American Public Health Association, Medical Care Section
2008-2011, 2015	American Public Health Association, Cancer Forum
2008-2012, 2016	American Public Health Association, Public Health Education & Promotion Section

Conference Session Moderation

2010	American Public Health Association, Cancer Forum
2011	American Public Health Association, Public Health Education & Health Promotion

Professional Society Memberships

2014-present	Delta Omega
2021-present	ASPPH Diversity and Inclusion Section

University Service

Service to the University at Buffalo

January 2023-May 2023	Graduate Curriculum Diversification Subcommittee
January 2023	Member, Community Health Equity Research Institute administrator position search committee
September 2021-present	COACHE Survey planning, implementation and data interpretation team, Chair EDI and Belonging section
September 2021-November 2021	Chair, undergraduate curriculum workgroup, President's Advisory Council on Race
August 2020-December, 2020	Member, Community Health Equity Research Institute administrator position search committee
December 2019-February 2020	Member, Community Health Equity Research Institute administrator position search committee

February 2020-present	Steering Committee Member, Community Health Equity Research Institute
August 2019-present	Associate director, Community Health Equity Research Institute
August 2019-present	Member, University committee of unit diversity officers
April 2019- present	Sexual harassment information advisor for the School of Public Health and Health Behavior
July 2019-September 2019	Member, Diversity and inclusion studies advanced graduate certificate curriculum committee
February 2019-March 2019	Member, scoping committee for Diversity and Inclusion Studies Advanced Graduate Certificate/MPS
October 2018-September 2022	Member, Maureen R. Mussenden Scholarship and ASCEND Triad Healthcare Recruiting Scholarship Committee
May 2018 – December 2019	Member, Center for Diversity Innovation Director search committee
January 2018- May 2019	Member, University climate Survey Committee
May 2017-present	Member, iSEED Executive Committee
Oct 2017 – July 2019	Member, Inclusive Excellence Leadership Council
July 2017	Panel Member, Women in STEM panel for CLIMB UP
July 2017	Panel Member, Why Earn a PhD?, UB Undergraduate Research Conference, Niagara Falls, NY

Service to the School of Public Health and Health Professions

January 2023-present	Leader, Resources Working Group, School of Public Health and Health Professions Equity, Diversity and Inclusion Council
August 2022-present	Member, School of Public Health and Health Professions Equity, Diversity and Inclusion Council
January 2021-May 2022	Chair, assistant director for equity, diversity and inclusion search committee
October 2019-present	Chair, Undergraduate Public Health faculty position (2) search committee
June 2020-August 2022	Facilitator, School of Public Health and Health Professions Equity, Diversity and Inclusion Council
October 2019-February 2020	Member, Undergraduate Public Health teaching faculty position search committee
January 2018 – June 2022	Member, School of Public Health and Health Professions academic action committee
Dec 2017 – present	Member, Student success and retention committee
September 2017-May 2020	*Interdisciplinary Training in Cancer Epidemiology at UB* T32 advisory committee (5T32CA113951, PIs Freudenheim, Moysich)
October 2016 – present	Member, Executive and planning committee

September 2015- May 2021	Member, Undergraduate public health advisory committee
September 2014-June 2016	Member, Civic engagement and public policy strategic strength (CEPP) faculty advisory committee
January 2014	Advised data analysis and interpretation of MPH employer survey
December 2013-October 2016	Member, School diversity committee
September 2013	Health information vendor, UB Family Medicine Patient Voices breast cancer awareness walk & wellness
July 2013	Health information vendor, UB on the Green's care fair
May 2012	Facilitated field training affiliation agreement between P2 Collaborative of Western New York and the School of Public Health and Health Professions
April, 2012	Judge, Sigma Xi graduate student research poster competition
May 2011-July 2011	Facilitated field training affiliation agreement between Erie County Senior Services and the School of Public Health and Health Professions
January 2010-January 2011	Member, School of Public Health and Health Professions communications committee
December 2009-May 2010	Member, Environmental Health Sciences Division faculty position search committee
2008-2009	Member, Core Curriculum Committee

Service to the Department of Community Health and Health Behavior

June 2021 - present	Member, Community Health and Health Behavior faculty (3) search committee
April 2021-July, 2021	Member, Academic and Business Services Coordinator search committee
May 2019-October 2019	Member, Community Health and Health Behavior chair position search committee
March 2019-present	Member, Academic programs leadership committee
November 2016-May 2017	Member, Undergraduate Public Health teaching faculty position search committee
June 2016-May 2017	Member, Global Health Equity faculty position search committee
May 2016-May 2017	Member, Community Health and Health Behavior faculty position search committee

May 2015-May 2017	Chair, Community Health and Health Behavior student engagement committee
October 2014-September 2015	Chair, Community Health and Health Behavior student awards Committee
May 2014-present	Chair, Community Health and Health Behavior PhD admissions Committee
April 2013-December 2013	Member, Community Health and Health Behavior Faculty Position Search Committee
March 2012-present	Manage nomination and selection process for the annual Community Health and Health Behavior Community Service Award
March 2011-May 2018	Organizer of the annual Community Health and Health Behavior annual luncheon to celebrate student achievements
August 2010-May 2012, April 2015-July 2016	Faculty Advisor, Community Health and Health Behavior graduate student association
May 2010-September 2010	Faculty organizer of the Community Health and Health Behavior Graduate Student fundraiser for student travel to the annual meeting of the American Public Health Association
October, 2011, April 2014	Perry Lecture abstract reviewer/judge
September 2010-May 2014	Co-Chair, Community Health and Health Behavior PhD admissions committee
August 2010-May 2012	Departmental Representative, School of Public Health and Health Professions faculty council
September 2009-April 2010	Member, Community Health and Health Behavior faculty position search committee
May 2009-June 2009	Member, Community Health and Health Behavior PhD program and curriculum development committee
April 2009-present	Member, Department of Community Health and Health Behavior MPH advisory committee
September 2008-present	Member, Graduate Faculty

Community Service

May 2022-August 2022	Invest Health City Teams Buffalo visit co-convenor

March 2022-August 2022	Conference program committee member, 2021 Igniting Hope conference presented by the African American Health Disparities Task Force
March 2021-August 2021	Conference program committee member, 2021 Igniting Hope conference presented by the African American Health Disparities Task Force
May 2018-August 2019	Conference program committee member, 2019 Igniting Hope conference presented by the African American Health Disparities Task Force
August 2017-April 2018	Conference program committee member, 2018 Igniting Hope conference presented by the African American Health Disparities Task Force
August 2017-present	Member, African American Healthcare Equity Task Force
May 2016-May 2018	Project Rainfall team member
October 2012 – September 2014	Presenter, Sacred Heart career exploration seminar; Faculty mentor to 2 Sacred Heart High School interns; Member, Sacred Heart Middle States Accreditation committee
July 2011-October 2014	Volunteer, Garden of Stewardship Buffalo East Side community garden
July 2013-April, 2014	Faculty mentor for the creation and dissemination, presenter of the "Getting the most out of your 15 minutes with your doctor" program (5 community presentations)
October 2013	Presenter, Seneca Nation Community Health Assessment workshop
December 2012- December 2013	Faculty facilitator of the Tuscarora Nation community health assessment
June 2012	Presenter, Western New York Health Equity Coalition
April 2012	Presenter, facilitator, Buffalo Community Conversation to identify health priorities for the Delavan-Grider community
January 2012- May 2012	Member, P2 Collaborative of Western New leadership team
August 2011- present	PI, Delevan-Grider Community Health Assessment, and Community Health Promotion project
August 2012- December 2012	Faculty mentor for community garden service learning project (Community engagement and education project)
December 2010	Organizer and presenter at Round Table on Western New York Disparities: Partnering with healthcare organizations to reduce social barriers to health

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-18	COUNTY EXECUTIVE	Authorization to Extend Contract Periods to Current Grants

Attachments

23COMM. 15E-18

EC LEG JUL 14 '23 PM 4:03

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

Re: Authorization to extend contract periods to current grants

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Homeland Security & Emergency Services requesting authorization to extend the contract period for six (6) grants.

If your Honorable Body requires any further information, please contact Commissioner Daniel Neaverth Jr at the Department of Homeland Security & Emergency Services. Thank you for your consideration of this request.

Sincerely yours,

Mark Poloncarz

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/sb
Enclosure

cc: Commissioner of Homeland Security & Emergency Services, Daniel Neaverth Jr.

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Homeland Security & Emergency Services
Re: Authorization to extend contract periods on current grants
Date: July 14, 2023

SUMMARY

Within the Department of Homeland Security and Emergency Services the reliance on grants is critical to the sustainment of effective support services for local first responders. The grant profile for the department is made up of both Federal and State grants, each with a corresponding grant period of performance. Through both the COVID-19 pandemic and administrative changes within New York State government the grants administered to the Erie County Department of Homeland Security and Emergency Services have been delayed in their delivery. Due to both a delay in the delivery of grants funds as well as delays in shipping times of various equipment, grantees may use grant extensions to meet the intended goals of the grant. In order to maximize every dollar available, the Department of Homeland Security and Emergency Services asks this body for permission to enter into a grant contract extension with New York State. Each of the following grants are seeking approval for a six (6) month extension. Should this request be approved all of the following grants will share a date of 02/29/2024.

- Fiscal Year 2019 Hazmat Grant – HS167HAZMAT1922
- Fiscal Year 2019 Technical Rescue Grant Program – HS167TECHRESCUE1922
- Fiscal Year 2020 State Homeland Security Grant Program – HS167SHSP2023
- Fiscal Year 2020 Critical Infrastructure Grant Program – HS167CIGP2223
- Fiscal Year 2020 Hazmat Grant – HS167HAZMAT2023
- Fiscal Year 2020 Regional Catastrophic Preparedness Gant – HS167RCPG2023

FISCAL IMPLICATIONS

The grant funding for this action is already in place. There is no reduction or increase in funding that comes with this request.

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

The Department of Homeland Security & Emergency Services manages multiple grants that span across several response capabilities. Through both the COVID-19 pandemic and administrative changes within New York State government the grants administered to the Department of Homeland Security and Emergency Services have been delayed in their delivery. Due to both a delay in the delivery of grants funds as well as delays in shipping times of various equipment grantees may request grant extensions. In order to maximize every dollar available, the Department of Homeland Security and Emergency Services asks this body for permission to enter into a grant contract extension with New York State.

CONSEQUENCES OF NEGATIVE ACTION

Without this legislation the Department of Homeland Security and Emergency Services stands in jeopardy of loosing the ability to spend the funds related to the above listed grants.

STEPS FOLLOWING APPROVAL

The Department of Homeland Security and Emergency will spend the remainder of the grant funds by 02/29/2024.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF HOMELAND SECURITY & EMERGENCY SERVICES

RE: Authorization to extend contract periods on current grants

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

WHEREAS, the New York State Department of Homeland Security & Emergency Services has the following six (6) grants that need to have a contract period that is extended six (6) months past their current contract end date which is August 31st, 2024

- Hazmat Grant – HS167HAZMAT1922
- Rescue Grant Program – HS167TECHRESCUE1922
- State Homeland Security Grant Program – HS167SHSP2023
- Critical Infrastructure Grant Program – HS167CIGP2223
- Hazmat Grant – HS167HAZMAT2023
- Regional Catastrophic Preparedness Gant – HS167RCPG2023, and;

WHEREAS, the Department of Homeland Security & Emergency Services requires legislative approval to extend the grant contract periods; and

WHEREAS, no financial impact will be incurred by Erie County to authorize the extension of these grant contract periods; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to extend grant contract periods.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to extend the grant contract per the grantor requirements to February 29th, 2024 (02/29/2024) for the following grants,

- Hazmat Grant – HS167HAZMAT1922
- Technical Rescue Grant Program – HS167TECHRESCUE1922
- State Homeland Security Grant Program – HS167SHSP2023
- Critical Infrastructure Grant Program – HS167CIGP2223
- Hazmat Grant – HS167HAZMAT2023
- Regional Catastrophic Preparedness Gant – HS167RCPG2023;

and be it further

RESOLVED, that these grants, under the Department of Homeland Security & Emergency Services will meet the goals and objectives; 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 as well as approve no-cost grant extensions without additional legislative approval; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive's Office, Comptroller's Office, Department of Homeland Security & Emergency Services, Department of Law, and Division of Budget and Management.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-19	COUNTY EXECUTIVE	Rath Building - ErieNet POP Server Rm. 15th Floor - Mechanical & Electrical Contracts

Attachments

23COMM. 15E-19

EC LEG JUL 14 '23 PM4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Rath Building – ErieNet POP Server Rm 15th Floor - Mechanical and Electrical Contracts

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into a contract with the lowest responsible bidders for the Mechanical and Electrical Contracts related to the Rath Building – ErieNet POP Server Rm 15th Floor Project. Bid openings were previously held by the Department of Public Works on June 20, 2023, and July 5, 2023. Only General Construction Bids were received on June 20, 2023. No Electrical or Mechanical bids were received for either bid opening date.

In accordance with General Municipal Law 103, the Department of Public Works plans to receive bids for Mechanical and Electrical portions of work related to the above-referenced project during the Legislative summer recess. To not delay the project further during the short construction season and to meet the deadline of the ErieNet initiative, the Department of Public Works looks for authorization to move forward on the project before your Honorable Body adjourns for recess.

DPW is requesting authorization for the County Executive to award a contract to the lowest responsible bidders in an amount not to exceed $1,500,000. The department will notify your Honorable Body (for information only) which contractor was awarded the contract.

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary, Jr., at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

Cc: William E. Geary, Jr., Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Rath Building – ErieNet POP Server Rm 15th Floor – Mechanical and Electrical Contracts
Date: July 14, 2023

SUMMARY

The Department of Public Works (DPW) is seeking authorization for the County Executive to enter into contract with the lowest responsible bidders for the Mechanical and Electrical Contracts related to the Rath Building – ErieNet POP Server Rm 15th Floor Renovation Project, located at Erie County Rath Building.

General Construction bids were received by the Department of Public Works on June 20, 2023 and were previously uploaded for approval under a separate resolution on June 23, 2023. Electrical and Mechanical bid openings were on June 20, 2023 and July 5, 2023 and no bids on either contract were received. In conformance with General Municipal Law (GML) 103, the Department of Public Works (DPW) along with our consultants, will solicit bids from mechanical and electrical contractors as allowed under GML 103 since these contracts were publicly bid twice previously with no proposals received.

This project is a partial renovation to the 15th Floor in the Rath Building to house a dedicated server room to support the ErieNet Project. Project scope includes renovations and installation of necessary infrastructure as necessary, to house the servers related to the Point of Presence (POP) Server Room on the 15th floor.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved Capital Budget, Funds Center 122, Fund 410, as follows:

A.21105 - DPW (B&G) – Preservation of County Buildings and Facilities	$ 200,000
A.23002 – DPW (B&G) – Mechanical, Electrical, Plumbing, and Misc Imp	$ 550,000
A.23072– DPW Rath Improvements	$ 750,000
TOTAL	$ 1,500,000

REASON FOR RECOMMENDATION

This project is necessary to facilitate the creating of a new Point of Presence (POP) Server room on the 15th floor of the Rath building to house the servers for ErieNet. The Department of Public Works plans to receive bids for Mechanical and Electrical portion of work related to the above-referenced project during the Legislative summer recess. It is necessary that this approval be granted so that a contract can be awarded immediately after receiving bids to not further delay the project during the short construction season.

BACKGROUND INFORMATION

DISS (Department of Information and Support Services) requires a Point of Presence (POP) server room to be installed on the 15th floor of the Rath Building for the ErieNet initiative. Asbestos containing materials are being abated as part of a separate contract and the General Construction Contract resolution was uploaded separately.

CONSEQUENCES OF NEGATIVE ACTION

If this renovation project is not completed, it would prevent the server room intended for the Point of Presence server room required for ErieNet, from being constructed.

STEPS FOLLOWING APPROVAL

Bids will be received during the Legislative recess, and a contract will immediately be awarded to the lowest responsible bidder, upon legislative approval.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

Timothy C. Callan 7/11/23
Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.21105 - DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities

A.23002 – DPW (Buildings and Grounds) – Mechanical, Electrical, Plumbing, and Miscellaneous Improvements

A.23072– DPW Rath Improvements

Rath Building – ErieNet POP Server Rm 15th Floor

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Rath Building – ErieNet POP Server Rm 15th Floor

WHEREAS, the Department of Information and Support Services (DISS) requires a Point of Presence server room to be installed on the 15th floor of the Erie County Rath Building in preparation of ErieNet; and

WHEREAS, construction for the abatement scope of work related to this Project was previously approved per COMM. 10E-9 (2023); and

WHEREAS, the Rath Building – ErieNet POP Server Rm 15th Floor renovation project includes the required scope of work to house the future Point of Presence to support ErieNet; and

WHEREAS, the County of Erie received General Construction bids for the Project on June 20, 2023, but did not receive any Mechanical or Electrical Construction bids at that time; and

WHEREAS, a resolution was uploaded on June 23, 2023 for approval to award to the lowest responsible bidder on the General Construction Contract; and

WHEREAS, the Electrical and Mechanical Construction portions of work were promptly re-bid, but the County of Erie did not receive any bids on July 5, 2023; and

WHEREAS, in conformance with General Municipal Law (GML) 103, the Department of Public Works is permitted to negotiate directly with contractors to award the work since no bids were received for two consecutive publicly advertised bids for the Electrical and Mechanical Construction scopes of work; and

WHEREAS, the Department of Public Works has already initiated early discussions with contractors per GML 103 as noted above and preliminary estimates for these contracts are $400,000 and $1,100,000 for the Electrical as well as Mechanical contracts respectively; and

WHEREAS, there are no additional resolution upload dates to get approval prior to legislative recess and therefore will not allow for the prompt award of the Mechanical and Electrical contracts to allow the project to proceed in a timely manner; and

WHEREAS, the Department of Public Works and its respective design consultants will review the scope of work for the Electrical and Mechanical scope of work related Rath Building – ErieNet POP Server Rm 15th Floor Project in detail with prospective bidders to ensure all requirements of the projects are met.

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 Electrical and Mechanical contracts related to the Rath Building – ErieNet POP Server Rm 15th Floor Renovation project for an amount not to exceed $1,500,000; and it be further

RESOLVED, that authorization is hereby given for the ErieNet POP Server Room Project Construction Contingency Fund $70,000 previously designated per COMM. 10E-9 (2023) and COMM 14E-11 (2023) be used for all contracts associated with the ErieNet POP Server Room Project and 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 authorization is hereby given for additional monies to be added to the overall Construction Contingency Fund for the Project under the Not To Exceed $1,500,000 requested within this resolution with the exact amount to be determined after final Mechanical and Electrical bid proposals are received; 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 to the Comptroller's Office to make payment from the following capital project in Funds Center 122, Fund 410:

A.21105 - DPW (B&G) – Preservation of County Buildings and Facilities	$ 200,000
A.23002 - DPW (B&G) – Mechanical, Electrical, Plumbing, and Misc Imp	$ 550,000
A.23072 - DPW Rath Improvements	$ 750,000
TOTAL	$ 1,500,000

and be it further

RESLOVED, that authorization is hereby given to the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; 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 Division of Budget and Management.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST

CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT		COMPLETE ITEMS 1 THROUGH 5
1.	CONTRACTOR'S NAME	Lowest Responsible Bidders
2.	AMOUNT OF CONTRACT	Not to exceed $1,500,000
3.	PROJECT NUMBER	A.21105 - $200,000 A.23002 - $550,000 A.23072 - $750,000
4.	PROJECT TITLE	Rath Building – ErieNet POP Server Rm 15th Floor Funding questions: Kristofer Straus #7294
5.	DEPARTMENT CONTACT	Letter pickup: Christy Weber at 8301
COMPTROLLER'S OFFICE		COMPLETE ITEMS 6 AND 7
6.	AVAILABILITY OF FUNDS	A.21105 - $948,448.07 A.23072 - $750,000.00 A.23002 - $1,000,000.00 Total $2,698,448.07
7.	PERFORMED BY	Elizabeth A Hall 7/7/2023

Date sent to Comptroller's Office: July 6, 2023

[55 compt_08]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-20	COUNTY EXECUTIVE	Reconstruction of Colvin Ave. & Eggert Rd. at NYS 290 & Twin Cities Highway - Contract Amendment for Engineering Design Services

Attachments

23COMM. 15E-20

EC LEG JUL 14 '23 PM4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Reconstruction of Colvin Avenue (CR 118) and Eggert Road (CR 130) at NYS 290 & Twin Cities Highway
Contract Amendment for Engineering Design Services
Town of Tonawanda
CAP-118-130-23

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to execute an amendment to an existing agreement with the design firm CHA Consulting, Inc. for engineering design services for the above referenced project.

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary, Jr., at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz
Erie County Executive

MCP/dms
Enclosure

cc: William E. Geary, Jr., Commissioner of the Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Reconstruction of Colvin Avenue (CR 118) and Eggert Road (CR130) at NYS 290 & Twin Cities Highway
Contract Amendment for Engineering Design Services
Town of Tonawanda
CAP-118-130-23
Date: July 14, 2023

SUMMARY

The Department of Public Works is seeking authorization to amend the existing agreement between the County of Erie and the design firm of CHA Consulting, Inc. for final design of the rehabilitation of Colvin Avenue (CR 118) and Eggert Road (CR 130) at NYS Route 290 and Twin Cities in the Town of Tonawanda. CHA Consulting, Inc. was selected in accordance with County policy using the County selection process and approved for this project in COMM 3E-25 (2022).

FISCAL IMPLICATIONS

The total cost of the engineering design phase of this project is currently estimated at $533,368. Funding for this project is currently available from the approved, as adopted Erie County Capital Budgets, in Fund 420, Funds Center 123 as follows:

SAP Project B.21150 - 2021 Capital Overlay Project	$ 33,368
SAP project B.22053 – 2022 General Road Design	$500,000
	$533,368

REASONS FOR RECOMMENDATION

To advance the project in a timely fashion, it is desired to execute this contract amendment with CHA Consulting, Inc. CHA Consulting, Inc. was previously approved as project design engineers because of their expertise, experience, and manpower to provide the County of Erie with the service required.

BACKGROUND INFORMATION

In the original contract concrete repairs were to be designed for Colvin Boulevard from Eggert Road to the Twin Cities Highway. After a thorough examination of the concrete pavement in this area and the extent of poor concrete it was determined to be more economical to remove the concrete pavement and replace it in its entirety. Thus, the design services scope changes to a complete reconstruction instead of some repairs.

Project design engineering services will commence upon approval of this resolution.

CONSEQUENCES OF NEGATIVE ACTION

This action is required to ensure project advancement. Negative action would halt design and result in continued deterioration of the road surface, decreased rideability, and increased

maintenance responsibilities and cost.

STEPS FOLLOWING APPROVAL

Upon the Erie County Legislature's approval, a contract amendment will be executed between CHA Consulting, Inc. and the County by the County Executive. Once the agreement is executed final design work will begin immediately thereafter.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

Timothy C. Callan 6/30/23

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.21150
B.22053

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

RE: Reconstruction of Colvin Avenue (CR 118) and Eggert Road (CR130) at NYS 290 & Twin Cities Highway
Contract Amendment for Engineering Design Services
Town of Tonawanda
CAP-118-130-23

WHEREAS, it is desired to continue with the Colvin Boulevard from Eggert Road to the Twin Cities Highway project and CHA Consulting Inc. contract which was originally approved by the Legislature in COMM 3E-25(2022); and

WHEREAS, the deterioration of these roads is to such an extent, that replacement is needed as opposed to rehabilitation, thus requiring a contract amendment for final design; and

WHEREAS, the total cost of the final design engineering phase of this Project is $533,368, and is available in Capital Project B.21150, 2021 Capital Overlay, and B. 22053, 2022 General Road Design, Fund 420, Funds Center 123.

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature hereby authorizes the County Executive to execute an amendment to CHA Consulting, Inc. agreement, for engineering design services in an amount not to exceed $533,368 and execute any necessary Change Orders; and be it further

RESOLVED, that funding for this Project is hereby appropriated and made available for the project from Fund 420, Fund Center 123, as follows:

B.21150	2021 Capital Overlay	$33,368
B.22053	2022 General Road Design	$500,000
TOTAL PROJECT		$533,368

and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, the Comptroller's Office, and the Division of Budget and Management.

TO: Timothy Callan, Deputy Comptroller, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT	COMPLETE ITEMS 1 THROUGH 5
1. CONTRACTOR'S NAME	CHA Consulting, Inc
2. AMOUNT OF CONTRACT	$533,368 CHA Consulting. Inc.
3. PROJECT NUMBER	B.21150 $33,368 B.22053 $500,000
4. PROJECT TITLE	Rehabilitation of Colvin Ave. & Eggert Road
5. DEPARTMENT CONTACT	Funding questions: William E. Geary, Jr. at 7555 Letter pickup: Christy Weber at 8301

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	B. 21150 - $2,658,070.65 } $3,158,070.65 $ B. 22053 - $ 500,000.00 }
7. PERFORMED BY	Elizabeth S Hall
Date Sent to Comptroller's Office:	6/30/2023

[55 compt_10]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-21	COUNTY EXECUTIVE	ECSD No. 8 - East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements, Contract No. 21-A

Attachments

23COMM. 15E-21

EC LEG JUL 14 '23 PM4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF)
Control Building Improvements
Contract No. 21-A General Construction Close Out – Willett Builders, Inc.

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of the East Aurora WRRF Control Building Improvements Project, Erie County Sewer District No. 8, Contract No. 21-A General Construction.

Should your Honorable Body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ds

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

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MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF)
Control Building Improvements
Contract No. 21-A General Construction Close Out – Willett Builders. Inc.
Date: July 14, 2023

SUMMARY

Acceptance and approval of Contract No. 21-A in the final contract amount of $367,724.37 together with Change Order No. 1 (Final), a decrease of $10,275.63 in Capital Bond Account No. C.21150, as well as authorization to issue final payment to the contractor, Willett Builders, Inc., is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Capital Bond Account No. C.21150 (American Rescue Plan funds).

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 21-A was bid on January 13, 2022 and awarded by the Erie County Legislature on February 17, 2022 pursuant to Legislative Comm. 25E-3 (2021). The project consisted of general construction for the East Aurora WRRF Control Building Improvements Project in Erie County Sewer District No. 8.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to Willett Builders, Inc.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriations for the action proposed.

Signed Timothy C. Callan Date 6/30/23
Title Timothy C. Callan, Ph.D.
Deputy Comptroller
Comptroller's Office

Erie County Sewer District No. 8
Contract No. 21-A General Construction Close Out – Willett Builders, Inc.
Capital Bond Account No. C.21150

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements
Contract No. 21-A General Construction Close Out – Willett Builders, Inc.

WHEREAS, pursuant to Legislative Comm. 25E-3 (2021), Contract No. 21-A was awarded to Willett Builders, Inc. for General Construction associated with the East Aurora WRRF Control Building Improvements Project in Erie County Sewer District No. 8; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 21-A, in the final contract amount of $367,724.37 which includes Change Order No. 1 (Final), a decrease of $10,275.63, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 21-A between the County of Erie and Willett Builders, Inc. (180 Genesee Street, Corfu, NY 14036) is accepted in the final contract amount of $367,724.37, which includes Change Order No. 1 (final), a decrease of $10,275.63; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 21-A, to Willett Builders, Inc. for a total contract amount of $367,724.37; 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, Division of Budget and Management, Department of Law, and Division of Sewerage Management.

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT — COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME: Willet Builders
2. AMOUNT OF CONTRACT: $ 367,724.37
3. PROJECT NUMBER: C.21150
4. PROJECT TITLE: 21-A General Construction Close Out
5. DEPARTMENT CONTACT: Beth Pfalzer x6144

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS: $ 24,806,816.70
7. PERFORMED BY: [signature] 6/29/23

Date Sent to Comptroller's Office: 6/29/23

[55 compt_10]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-22	COUNTY EXECUTIVE	ECSD No. 8 - East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements, Contract No. 21-C

Attachments

23COMM. 15E-22

EC LEG JUL 14 '23 PM4:0

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF)
Control Building Improvements
Contract No. 21-C Plumbing Construction Close Out – Willett Builders, Inc.

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of the East Aurora WRRF Control Building Improvements Project, Erie County Sewer District No. 8, Contract No. 21-C Plumbing Construction.

Should your Honorable Body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ds

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

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MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF)
Control Building Improvements
Contract No. 21-C Plumbing Construction Close Out – Willett Builders. Inc.
Date: July 14, 2023

SUMMARY

Acceptance and approval of Contract No. 21-C in the final contract amount of $112,038.59 together with Change Order No. 2 (Final), a decrease of $1,214.87 in Capital Bond Account No. C.21150, as well as authorization to issue final payment to the contractor, Willett Builders, Inc., is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Capital Bond Account No. C.21150 (American Rescue Plan funds).

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 21-C was bid on January 13, 2022 and awarded by the Erie County Legislature on February 17, 2022 pursuant to Legislative Comm. 25E-3 (2021). The project consisted of plumbing construction for the East Aurora WRRF Control Building Improvements Project in Erie County Sewer District No. 8.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to Willett Builders, Inc.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriations for the action proposed.

Signed _____ Date 6/30/23

Title Timothy C. Callan, Ph.D.
Deputy Comptroller
Comptroller's Office

Erie County Sewer District No. 8
Contract No. 21-C Plumbing Construction Close Out – Willett Builders, Inc.
Capital Bond Account No. C.21150

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements
Contract No. 21-C Plumbing Construction Close Out – Willett Builders, Inc.

WHEREAS, pursuant to Legislative Comm. 25E-3 (2021), Contract No. 21-C was awarded to Willett Builders, Inc. for Plumbing Construction associated with the East Aurora WRRF Control Building Improvements Project in Erie County Sewer District No. 8; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 21-C, in the final contract amount of $112,038.59, which includes Change Order No. 2 (Final), a decrease of $1,214.87, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 21-C between the County of Erie and Willett Builders, Inc. (180 Genesee Street, Corfu, NY 14036) is accepted in the final contract amount of $112,038.59, which includes Change Order No. 2 (final), a decrease of $1,214.87; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 21-C to Willett Builders, Inc. for a total contract amount of $112,038.59; 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, Division of Budget and Management, Department of Law, and Division of Sewerage Management.

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT — COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME: Willet Builders
2. AMOUNT OF CONTRACT: $112,038.59
3. PROJECT NUMBER: C.21150
4. PROJECT TITLE: 21-C Plumbing Construction Close Out
5. DEPARTMENT CONTACT: Beth Pfalzer x6144

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS: $24,806,816.70
7. PERFORMED BY: Linda Lunch 6/29/23

Date Sent to Comptroller's Office: 6/29/23

[55 compt_10]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-23	COUNTY EXECUTIVE	ECSD No. 3 - Southtowns Advanced Wastewater Treatment Facility (AWTF) - Clarifier No. 1 Concrete Repair Project, Contract No. 77

Attachments

23COMM. 15E-23

EC LEG JUL 14 '23 PM 4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility (AWTF)
Clarifier No. 1 Concrete Repair Project
Contract No. 77 Close Out – Hunting Valley Construction, Inc.

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of the Southtowns AWTF Clarifier No. 1 Concrete Repair Project, Erie County Sewer District No. 3, Contract No. 77.

Should your Honorable Body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ds

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility (AWTF)
Clarifier No. 1 Concrete Repair Project
Contract No. 77 Close Out – Hunting Valley Construction, Inc.
Date: July 14, 2023

SUMMARY

Acceptance and approval of Contract No. 77 in the final contract amount of $110,000.00 together with Change Order No. 1 (Final), a decrease of $37,500.00 in Erie County Sewer District No. 3 Capital Bond Account No. C.17301, as well as authorization to issue final payment to the contractor, Hunting Valley Construction, Inc., is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 3 Capital Reserve Account No. C.00007 through Capital Bond Account No. C.17301.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 77 was bid on December 14, 2022 and awarded by the Erie County Legislature on January 19, 2023 pursuant to Legislative Comm. 22E-2 (2022). The project consisted of general construction of the Southtowns AWTF Clarifier No. 1 Concrete Repair Project, in Erie County Sewer District No. 3.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to Hunting Valley Construction, Inc.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriations for the action proposed.

Signed Timothy C Callan Date 7/5/23

Title Timothy C. Callan, Ph.D.
Deputy Comptroller
Comptroller's Office

Erie County Sewer District No. 3
Contract No. 77
Contract Close Out – Hunting Valley Construction, Inc.
Capital Reserve Account No. C.00007 (through Capital Bond Account No. C.17301)

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility (AWTF)
Clarifier No. 1 Concrete Repair Project
Contract No. 77 Close Out – Hunting Valley Construction, Inc.

WHEREAS, pursuant to Legislative Comm. 22E-2 (2022), Contract No. 77 was awarded to Hunting Valley Construction, Inc. for general construction associated with the Southtowns AWTF Clarifier No. 1 Concrete Repair Project in Erie County Sewer District No. 3; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No.77, in the final contract amount of $110,000.00 which includes Change Order No. 1 (Final), a decrease of $37,500.00, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 77 between the County of Erie and Hunting Valley Construction, Inc. (825 Rein Road, Cheektowaga, New York, 14225) is accepted in the final contract amount of $110,000.00 which includes Change Order No. 1 (final), a decrease of $37,500.00; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 77 to Hunting Valley Construction, Inc. for a total contract amount of $110,000.00; and be it further

RESOLVED, that the unused funds, in the amount of $37,500.00, be returned to the Erie County Sewer District No. 3 Capital Reserve Account C.00007 and the budget for the Capital Reserve Account be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of the County Executive, Office of the County Comptroller, Division of Budget and Management, Department of Law, and Division of Sewerage Management.

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT	COMPLETE ITEMS 1 THROUGH 5
1. CONTRACTOR'S NAME	Hunting Valley Construction
2. AMOUNT OF CONTRACT	$110,000.00
3. PROJECT NUMBER	C.00007 (through Capital Bond Account No. C.17301)
4. PROJECT TITLE	Clarifier No. 1 Concrete Repair Project Cont 77
5. DEPARTMENT CONTACT	Beth Pfalzer x6144

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$ 16,933,838.37
7. PERFORMED BY	Dera Fuca 6/29/23
Date Sent to Comptroller's Office:	6/29/23

[55 compt_10]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-24	COUNTY EXECUTIVE	ECSD No. 8 - East Aurora Water Resource Recovery Facility (WRRF) - Driveway Installation Project, Contract No. 2

Attachments

23COMM. 15E-24

EC LEG JUL 14 '23 PM4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF)
Driveway Installation Project
Contract No. 26 Construction Close Out – Thomann Asphalt Paving Corp.

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of the East Aurora WRRF Driveway Installation Project, Erie County Sewer District No. 8, Contract No. 26.

Should your Honorable Body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ds

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

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MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF)
Driveway Installation Project
Contract No. 26 Construction Close Out – Thomann Asphalt Paving Corp.
Date: July 14, 2023

SUMMARY

Acceptance and approval of Contract No. 26 in the final contract amount of $169,625.00 together with Change Order No. 1 (Final), a decrease of $150.00 in Erie County Sewer District No. 8 Capital Bond Account No. C.00071, as well as authorization to issue final payment to the contractor, Thomann Asphalt Paving Corp., is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 8 Capital Reserve Account No. C.11801 through Capital Bond Account No. C.00071.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 26 was bid on December 15, 2022 and awarded by the Erie County Legislature on January 19, 2023 pursuant to Legislative Comm. 22E-1 (2022). The project consisted of General Construction of the East Aurora WRRF Driveway Installation Project in Erie County Sewer District No. 8.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to Thomann Asphalt Paving Corp.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriations for the action proposed.

Signed Timothy C. Callan Date 7/5/23

Title Timothy C. Callan, Ph.D.
Deputy Comptroller
Comptroller's Office

Erie County Sewer District No. 8
Contract No. 26 Construction Close Out – Thomann Asphalt Paving Corp.
Capital Reserve Account No. C.11801 (through Capital Bond Account No. C.00071)

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility (WRRF) Driveway Installation Project
Contract No. 26 Construction Close Out – Thomann Asphalt Paving Corp.

WHEREAS, pursuant to Legislative Comm. 22E-1 (2022), Contract No. 26 was awarded to Thomann Asphalt Paving Corp. for the East Aurora WRRF Driveway Installation Project in Erie County Sewer District No. 8; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 26, in the final contract amount of $169,625.00 which includes Change Order No. 1 (Final), a decrease of $150.00, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 26 between the County of Erie and Thomann Asphalt Paving Corp. (56 Gunnville Road, Lancaster, NY 14086) is accepted in the final contract amount of $169,625.00, which includes Change Order No. 1 (final), a decrease of $150.00; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 26 to Thomann Asphalt Paving Corp. for a total contract amount of $169,625.00; and be it further

RESOLVED, that the unused funds, in the amount of $150.00, be returned to the Erie County Sewer District No. 8 Capital Reserve Account C.11801 and the budget for the Capital Reserve Account be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of the County Executive, Office of the County Comptroller, the Division of Budget and Management, Department of Law, and Division of Sewerage Management.

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT	COMPLETE ITEMS 1 THROUGH 5
1. CONTRACTOR'S NAME	Thomann Asphalt
2. AMOUNT OF CONTRACT	$169,625.00
3. PROJECT NUMBER	C.11801 (through Capital Bond Account No. C.00071)
4. PROJECT TITLE	EA Driveway Installation Proj. Cont. 26
5. DEPARTMENT CONTACT	Beth Pfalzer x6144

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$2,601,972.11
7. PERFORMED BY	Derek Turner 6/29/23
Date Sent to Comptroller's Office:	6/29/23

[55 compt_10]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-25	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - Board of Managers Resolutions

Attachments

23COMM. 15E-25

LEG JUL 14 '23 PM 4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Erie County Sewer Districts 1-6 and 8
Board of Managers Resolutions

Dear Honorable Members:

Enclosed please find an accompanying memorandum from the Department of Environment and Planning pertaining to the Erie County Sewer District Nos. 1-6 and 8 Board of Managers Budget Resolutions.

Should you Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:bp
Enclosure

CC: J. Fiegl – Department of Environment and Planning

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MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment & Planning
RE: Erie County Sewer District Nos. 1-6 and 8
Board of Managers Budget Resolutions
Date: July 14, 2023

SUMMARY

The Erie County Legislature is asked to receive and file the attached resolutions from the Boards of Managers for the various Sewer Districts concerning the applicable levies.

FISCAL IMPLICATIONS

None.

REASON FOR RECOMMENDATION

The attached resolutions are being submitted for the Legislature's information. Certain actions required under Section 271 of New York State County Law have already been completed by the Boards of Managers who represent the administrative heads for the respective sewer districts.

BACKGROUND INFORMATION

The Boards of Managers are required to levy a benefit assessment on the various parcels of land within the Erie County Sewer Districts in proportion as nearly be made to the benefit each receives. This has been documented through the attached budget resolutions.

CONSEQUENCES OF NEGATIVE ACTION

There are no consequences of a negative action.

STEPS FOLLOWING APPROVAL

There are no additional steps necessary once this item has been received and filed.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 1

WHEREAS, the Board of Managers for Erie County Sewer District No. 1 has prepared its budget for 2024 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 75 % and 25 % of the total sanitary sewer tax levy of $ 3,536,562. shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY MR. BOWEN

SECONDED BY MR. SALAH

APPROVED/DISAPPROVED 4, 0

Flat Usage Charge: $ 210.00

Footage Charge: $ 1.00

Dated: 6-16-2023

MATT A. SALAH, P.E.
SECRETARY, ECSD NO. 1
BOARD OF MANAGERS

MAS:bp
06/23
c: 1.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 2

WHEREAS, the Board of Managers for Erie County Sewer District No. 2 has prepared its budget for 2024 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 73 % and 27 % of the total sanitary sewer tax levy of $ 4,071,022.00 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY Mayer George

SECONDED BY A. Horton

APPROVED/DISAPPROVED 3|0

Flat Usage Charge: $335.00

Footage Charge: $1.00

Dated: 6/21/2023

Angela M Horton

ANGELA M. HORTON, P.E.
SECRETARY, ECSD NO. 2
BOARD OF MANAGERS

AMH:bp
06/23
c: 2.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 3

WHEREAS, the Board of Managers for Erie County Sewer District No. 3 has prepared its budget for 2024 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 71 % and 29 % of the total sanitary sewer tax levy of $ 8,098,417 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY DAVID KACZOR

SECONDED BY MELISSA HARTMAN

APPROVED/DISAPPROVED APPROVED 8-0

Flat Usage Charge: $ 275

Footage Charge: $1.00/$2.00/$3.50

Dated: JUNE 14, 2023

DAVID C. MILLAR, P.E.
SECRETARY, ECSD NO. 3
BOARD OF MANAGERS

DM:bp
06/23
c: 3.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 4

WHEREAS, the Board of Managers for Erie County Sewer District No. 4 has prepared its budget for 2024 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 69 % and 31 % of the total sanitary sewer tax levy of $ 2,656,973.00 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY W. Jansdale

SECONDED BY E. Schiller

APPROVED/DISAPPROVED 4 - 0

Flat Usage Charge: $222

Footage Charge: $1.00

Dated: 6/14/23

Nadine Wetzel

NADINE WETZEL, P.E.
SECRETARY, ECSD NO. 4
BOARD OF MANAGERS

NW:bp
06/23
c: 4.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 5

WHEREAS, the Board of Managers for Erie County Sewer District No. 5 has prepared its budget for 2024 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 58 % and 42 % of the total sanitary sewer tax levy of $ 817,267 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY Mr. Ruprough

SECONDED BY Mr. Lavecat

APPROVED/DISAPPROVED 5-0

Flat Usage Charge: $ 170.00

Footage Charge: $ 1.00

Dated: 6/12/23

William J Lardo

WILLIAM LARDO
SECRETARY, ECSD NO. 5
BOARD OF MANAGERS

WL:bp
06/23
c: 5.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 6

WHEREAS, the Board of Managers for Erie County Sewer District No. 6 has prepared its budget for 2024 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County Law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that a portion of the cost of sanitary sewerage system be assessed on parcel charges and assessed value charges to all parcels in the District; and be it further

RESOLVED, that for the storm sewer system an assessed value charge be spread to all lots or parcels within the District; and be it further

RESOLVED, that a single parcel be used as a unit of assessment to determine parcel charges; and be it further

RESOLVED, that one parcel charge be assessed for each residential tax account; for each non-residential tax account, one parcel charge be assessed for each tax account less than one acre; and each non-residential account one acre or more in size be assessed five parcel charges per acre; and be it further

RESOLVED, for all parcels with new dwelling structures connected, a fixed water usage charge of $300.00 will be added annually until such time actual water usage data becomes available and the actual amount can be calculated; and be it further

RESOLVED, for parcels with new apartments, only the corresponding 60% of the fixed water usage charge will be applied to each new rental unit annually until such time actual water usage data becomes available and the actual amount can be calculated; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the District be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266; and be it further

RESOLVED, that approximately 6 % and 94 % of the total sanitary sewer tax levy of $ 2,121,021 shall be raised from the assessed value and parcel charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment roll and proposed rate be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a public hearing as required by Section 271 of the County Law.

MOVED BY J. Balcerczyk

SECONDED BY M. Kunik

APPROVED/DISAPPROVED 3/0

Parcel Charge $107.00

Dated: 6/13/23

GARRY S. PECAK, P.E.
SECRETARY, ECSD No. 6
BOARD OF MANAGERS

GP:bp
06/23
c: 6.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 8

WHEREAS, the Board of Managers for Erie County Sewer District No. 8 has prepared its budget for 2024 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County Law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that flat usage and water usage charges be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that a single family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for all parcels with new dwelling structures connected, a fixed water usage charge of $200.00 will be added annually until such time actual water usage data becomes available and the actual amount can be calculated; and be it further

RESOLVED, for parcels with new apartments, only the corresponding 60% of the fixed water usage charge will be applied to each new rental unit annually until such time actual water usage data becomes available and the actual amount can be calculated; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the District be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266; and be it further

RESOLVED, that approximately 70 % and 30 % of the total sanitary sewer tax levy of $ 1,169,792 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY M. Plesh

SECONDED BY J McCann

APPROVED/DISAPPROVED Approved 5-0

Flat Usage Charge: $110

Footage Charge: $1.50

Dated: 6/13/23

Mary L Plesh

MARY L.PLESH, P.E.
SECRETARY – ECSD NO. 8
BOARD OF MANAGERS

MLP:bp
06/23
c: 8.4.1. Budget By Yr.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-26	COUNTY EXECUTIVE	ECSD No. 3 - Engineering Term Contract Agreement

Attachments

23COMM. 15E-26

EC LEG JUL 14 '23 PM 4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Erie County Sewer District No. 3
Engineering Term Contract Agreement
Arcadis of New York, Inc.
Work Order: ARC-2

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on November 21, 2022, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E., BCEE in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Enclosure
cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Engineer Term Contract Agreement
Arcadis of New York, Inc.
Work Order: ARC-2
Date: July 14, 2023

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Arcadis of New York, Inc. for Erie County Sewer District (ECSD) No. 3 in an amount not to exceed $74,811.84.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from ECSD No. 3 Capital Account No. C.00062.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order ARC-2 to Arcadis of New York, Inc. to provide Engineering Services associated with a freshwater mussel survey for planned work associated with improvements to the Southtowns Advanced Wastewater Treatment Facility (AWTF) outfall pipe in Lake Erie. This survey is required by the New York State Department of Environment and Conservation (NYSDEC).

BACKGROUND INFORMATION

On November 17, 2022, the Erie County Legislature passed a resolution authorizing a 3-year Term Agreement with Arcadis of New York, Inc. for Engineering Services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the Erie County Sewer Districts. As required by the NYCDEC, Arcadis's scope consists of preparing a freshwater mussel survey of the Southtowns AWTF outfall pipe that is located under Lake Erie. Such survey will be conducted and prepared by an underwater diver. If mussels were found to be present on the outfall pipe, additional work will be required.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

COMPTROLLER'S OFFICE REVIEW

The proposed action has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

Signed _____ Date 6/28/23

Title Timothy C. Callan, Ph.D.
Deputy Comptroller

Work Order: ARC-2
Capital Account No. C.00062

ERIE COUNTY SEWER DISTRICT NO. 3
WORK ORDER NO. ARC-2

ENGINEER: Arcadis of New York, Inc.

CONTRACT DATE: November 17, 2022

1. **Title of Proposal:**
   Arcadis of New York, Inc. to provide Engineering Services associated with freshwater mussel survey for planned work associated with improvements to the Southtowns Advanced Wastewater Treatment Facility (AWTF) outfall pipe in Lake Erie.

2. **Company/Address/Principal In-Charge:**
   Jason J. Williams, P.E.
   Arcadis of New York, Inc.
   50 Fountain Plaza
   Suite 600
   Buffalo, NY 14202

3. **Effective Dates of Proposal:**
   June 21, 2023

4. **Brief Description of Work for Which Proposal is Submitted:**
   As required by the NYCDEC, Arcadis's will prepare freshwater mussel survey for the Southtowns AWTF outfall pipe located under Lake Erie, as detailed in Arcadis letter, dated June 20, 2023. If mussels were found to be present on the outfall pipe, additional work will be required under a separate authorization.

5. **Engineering Cost:**
   $74,811.84

Source of Funds: Capital Account No. C.00062 of ECSD No. 3.

6. **Project No:** ARC-2

7. **Attachments:** Arcadis letter dated 6/20/2023 (5 pages)

DATE: June 27, 2023

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

Authorized By: _____
Joseph Fiegl, P.E., BCEE
Deputy Commissioner

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT — COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME: Arcadis
2. AMOUNT OF CONTRACT: $18,472.41
3. PROJECT NUMBER: C.00062
4. PROJECT TITLE: Engineering Term Agreement Work Order ARC -1
5. DEPARTMENT CONTACT: Beth Pfalzer x6144

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS: 2,171,058.06
7. PERFORMED BY: Deven Funds 6/28/23

Date Sent to Comptroller's Office: 6/28/23

[55 compt_10]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-27	COUNTY EXECUTIVE	ECSD No. 4 - Warner Rd. & Bowmansville Pump Stations Valve Installations

Attachments

23COMM. 15E-27

EC LEG JUL 14 '23 PM 4:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Erie County Sewer District No. 4
Warner Road and Bowmansville Pump Stations Valve Installations
Contract No. 58, Change Order No. 2

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to Change Order No. 2 for the Warner Road and Bowmansville Pump Stations Valve Installations, Erie County Sewer District No. 4, Contract No. 58 dated June 15, 2023.

Should your Honorable Body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mp
Enclosure
cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 4
Warner Road and Bowmansville Pump Stations Valve Installations
Contract No. 58, Change Order No. 2
Date: July 14, 2023

SUMMARY

Your Honorable Body is requested to receive and file this communication pertaining to Change Order No. 2 to STC Construction, Inc. for the Warner Road and Bowmansville Pump Stations Valve Installations Project, Erie County Sewer District No. 4, Contract No. 58, dated June 15, 2023. The Change Order, in the amount of $49,282.00, was necessary to install fiberglass reinforced plastic (FRP) platforms at both Bowmansville and Warner Road Pumping Stations to access air release valves replaced as part of this Contract.

FISCAL IMPLICATIONS

There will be no fiscal impact on the County's General Fund. This Change Order will be funded through Capital Account C.21150 (American Rescue Plan).

REASONS FOR RECOMMENDATION

FRP platforms were planned for these stations in a future project due to safety concerns over maintenance and removal of these valves. The location of the valves in the stations are above an intermediate platform level and placed at the highest point in the piping system to effectively release trapped air so it does not impede flow or damage facilities. With the depth of the station and width of the intermediate platform, use of a lift is not possible and a portable ladder is extremely difficult to use safely. Permanent ladders and platforms are needed for the safety of personnel and for ease of maintenance.

STC Construction, Inc. has experience in this type of work and the platforms are directly related to work already being performed on the valves at both stations. The STC Construction, Inc. proposal price of $49,282.00 is approximately 60% of the $81,302 estimate provided by the engineer for the future project, making installation under this project more economical as well. This cost savings is possible because this Contractor is on site and has already made provisions for work in this area.

BACKGROUND INFORMATION

This Warner Road and Bowmansville Pump Stations Valve Installations Project was awarded to STC Construction, Inc. under Legislative Comm. 8E-28 (2022) and involves the installation of a buried isolation valve at Warner Road Pump Station and air release valves at both stations. After award of Contract No. 58, the air release valve at Warner Road Pumping Station failed, highlighting the need for more immediate installation of the platforms.

CONSEQUENCES OF NEGATIVE ACTION

No platforms would be available for use at this time, increasing the risks to personnel safety during maintenance activities and future replacement if the valve were to fail again. If this work was performed under a future project, the cost could be greater, estimated at over $30,000 greater, due to the added costs of mobilization and other provisions for work in the area of the valves.

STEPS FOLLOWING APPROVAL

This is a receive and file item.

COMPTROLLER'S OFFICE REVIEW

This change order has been reviewed by the Comptroller's Office and is related to an authorized capital account for which there are sufficient funds available.

Signed _____ Date 7/3/23

Timothy C. Callan, Ph.D. / Jessica Schuster
Deputy Comptroller / Associate Deputy
Comptroller's Office

Erie County Sewer District No. 4
Warner Road and Bowmansville Pump Stations Valve Installations
Contract No. 58, Change Order No. 2
Funding: Capital Account C.21150 (American Rescue Plan)

DEPARTMENT OF ENVIRONMENT AND PLANNING
DIVISION OF SEWERAGE MANAGEMENT
CONSTRUCTION CONTRACT CHANGE FORM

Date: 6/15/2023

Change Order No. 2 Amount $49,282.00 Bond Account C.21150

District No. 4 Contract No. 58 General/Mechanical File No. 4.3.3.58

Project Warner Road and Bowmansville Pump Stations Valve Installations

Contractor's Name STC Construction, Inc.

Contractor's Address 63 Zoar Valley Road, P.O. Box 459, Springville, NY 14141-0459

Description of Change to Contract:
Fiberglass reinforced plastic (FRP) platforms will be added at both Bowmansville and Warner Road Pumping Stations to access air release valves installed as part of this Contract.

Reason for Modification:
FRP platforms were planned for these stations in a future project due to safety concerns over maintenance and removal of these valves. The location of the valves in the stations are above an intermediate platform level, just below the concrete slab of the level above. The valves must be placed at the highest point in the piping system to effectively release trapped air, so it does not impede flow or damage facilities. With the depth of the station and width of the intermediate platform, use of a lift is not possible, and a portable ladder is extremely difficult to use safely. Permanent ladders and platforms are needed for the safety of personnel and for ease of maintenance.

After award of Contract No. 58, the air release valve at Warner Road Pumping Station failed, highlighting the need for more immediate installation of the platforms. STC Construction, Inc. has experience in this type of work and as the platforms are directly related to work already being performed on the valves at both stations.

Time Extension:
A time extension of 30 days is being requested to ensure there is enough time to order, receive, and install all the components.

Indirect Costs:
There are no indirect costs associated with the change order.

Additional Engineering Costs:
There are no additional engineering costs associated with this change order.

Erie County Sewer District No. 4
Contract No. 58
Change Order No. 2
Sheet 2 of 2

Contract Cost Summary:

Original Contract	$167,000.00
Change Order No. 1	$ 0
Change Order No. 2	$ 49,282.00
Revised Contract Amount	$216,282.00

Authorization:

Contractor _____ Date _____
STC Construction, Inc.

County of Erie _____ Date _____
M.P Joseph Fiegl, P.E, BCEE. – Deputy Commissioner DSM

Erie County Legislature Comm # E- (2023) Date R&F

Erie County Sewer District No. 4 Board of Managers Date R&F

CC: ECSD No. 4 BOM
G. Pecak/ M. Plesh/ D. Carr/ File 4.3.3.58
B. Strzeszynski/ P. Breier – Northern Region Offices
K. Kaminski / C. Horne – Southtowns AWTF

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT — COMPLETE ITEMS 1 THROUGH 5

1.	CONTRACTOR'S NAME	STC Construction
2.	AMOUNT OF CONTRACT	$49,282.00
3.	PROJECT NUMBER	C.21150
4.	PROJECT TITLE	Warner Road and Bowmansville Pump Stations Valve Installations
5.	DEPARTMENT CONTACT	Beth Pfalzer x6144

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6.	AVAILABILITY OF FUNDS	$24,800,816.70
7.	PERFORMED BY	Elizabeth A Hall 7/3/2023
	Date Sent to Comptroller's Office:	6/30/2023

[55 compt_10]

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-28	COUNTY EXECUTIVE	ECSD No. 4 - Engineering Term Contract Agreement

Attachments

23COMM. 15E-28

EC LEG JUL 14 '23 PM4:0

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 14, 2023

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

RE: Erie County Sewer District No. 4
Engineering Term Contract Agreement
Arcadis of New York, Inc.
Work Order: ARC-3

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on November 21, 2022, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E., BCEE in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ms
Enclosure
cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

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MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 4
Engineer Term Contract Agreement
Arcadis of New York, Inc.
Work Order: ARC-3
Date: July 14, 2023

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Arcadis of New York, Inc. for Erie County Sewer District (ECSD) No. 4 in an amount not to exceed $35,500.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from ECSD No. 4 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order ARC-3 to Arcadis of New York, Inc. to provide Engineering Services associated with evaluating the new flow measurement device monitoring, for billing purposes, wastewater generated in ECSD No. 4 and ultimately transmitted to the Buffalo Sewer Authority (BSA) for conveyance / treatment.

BACKGROUND INFORMATION

On November 17, 2022, the Erie County Legislature passed a resolution authorizing a 3-year Term Agreement with Arcadis of New York, Inc. for Engineering Services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the Erie County Sewer Districts. To verify the accuracy of ECSD No. 4's newly installed permanent flow measurement device located near Nash Road and the City of Buffalo boundary, the BSA's consultant and Arcadis will be installing temporary flow measuring devices downstream and upstream from the Nash Road meter, respectively. Once sufficient data are gathered, Arcadis will analyze and compare the data collected by the three flow measuring devices and provide a technical memorandum of their findings.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

ERIE COUNTY SEWER DISTRICT NO. 4
WORK ORDER NO. ARC-3

ENGINEER: Arcadis of New York, Inc.

CONTRACT DATE: November 17, 2022

1. **Title of Proposal:**
Arcadis of New York, Inc. to provide Engineering Services associated with wastewater flow monitoring generated by ECSD No.4 and transmitted to the Buffalo Sewer Authority for treatment.

2. **Company/Address/Principal In-Charge:**
Daniel Seider, P.E.
Arcadis of New York, Inc.
50 Fountain Plaza
Suite 360
Buffalo, NY 14202

3. **Effective Dates of Proposal:**
July 6, 2023

4. **Brief Description of Work for Which Proposal is Submitted:**
Arcadis to install a temporary flow measuring device upstream of the Nash Rd. meter for the same duration of BSA's downstream meter. Once sufficient data are gathered, Arcadis will analyze and compare the data collected by all three flow measuring devices, the upstream meter, the Nash Rd meter, and the BSA's downstream meter, and provide a summary technical memorandum of their findings as detailed in their letter, dated July 5, 2023.

5. **Engineering Cost:**
$35,500.00

Source of Funds: ECSD No. 4 Professional Services Account No. 516020.

6. **Project No:** ARC-3

7. **Attachments:** Arcadis letter dated 7/5/2023 (9 pages)

8. **File:** 0.3.2. ARC (23-25) Eng

DATE: July 6, 2023 Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

Authorized By: _____
Joseph Fiegl, P.E., BCEE
Deputy Commissioner

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-29	COUNTY EXECUTIVE	Notification to the Legislature on the Appointment of Commissioner of Probation

Attachments

23COMM. 15E-29

EC LEG JUL 17 '23 PM3:2

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 17, 2023

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

Re: Notification to the Legislature on the appointment of Commissioner of Probation

Dear Honorable Members:

Pursuant to Article 3, Section 307 of the Erie County Charter, I hereby appoint Richard B. Robillard, to the position of Commissioner of Probation effective August 12th, 2023.

Should your Honorable Body require further information, I encourage you to contact my Chief of Staff, Benjamin Swanekamp. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

cc: Richard B. Robillard
Brian Bray, Commissioner of Personnel

RATH BUILDING • 95 FRANKLIN STREET • BUFFALO, N.Y. • 14202 • (716) 858-8500 • WWW.ERIE.GOV

June 22, 2023

Mr. Brian Bray, Commissioner of Personnel Erie County
95 Franklin St., 6th Floor
Buffalo, NY 14202

Dear Mr. Bray:

Please consider my attached resume to be an expression of interest in the anticipated vacancy for the position of Erie County Probation Department Commissioner. I have been a member of probation administration for approximately three and a half years and have first hand knowledge of the issues specific to a large county probation department. I have over twenty years of experience in the Erie County Probation Department and am particularly in touch with the issues and opportunities the department is currently facing.

At the time of potential appointment, I will have served one year as Deputy Commissioner and had previously worked over two years in the Principal Probation Officer title immediately prior to my current position. As both of these would be half of the time needed in each position individually, I believe the time combined in these two positions could be prorated to be the equivalent experience necessary to qualify me for the position of Commissioner.

I would look forward to meeting with you and other county leadership to discuss my interest and qualifications. Thank you.

Sincerely,

Richard B. Robillard
Deputy Commissioner
Erie County Probation Department
richard.robillard@erie.gov
716 858-8264

RICHARD B. ROBILLARD 211 Brookside Drive, West Seneca, New York 14220

EDUCATION Bachelor of Arts Sociology - magna cum laude
State University of New York at Buffalo

RELEVANT EMPLOYMENT HISTORY

Erie County Probation Department 02/01-03/05 & 07/06-present

- Deputy Commissioner 08/27/2022-present
  Develop initial policy and procedures and make recommendations for review by department Commissioner
  Represent department at meetings with county department heads, court personnel and law enforcement agencies.
  Preparation of records and reports for state and department review.
  Assist in preparation of Annual Plan for OPCA.
  Assist in formulation of department annual budget.
  Main point of contact for GIVE X (Gun Involved Violence Elimination) grant
  Interact with the NYS Division of Criminal Justice Services to resolve issues specific to Erie County

-Principal Probation Officer 03/2020-08/26/2022
  Direct supervision of multiple units of the adult division including 12 Probation Supervisors and related staff.
  Coordination of services with other agencies and departments.
  Develop initial policy and procedures and make recommendations for review by department Commissioner and Deputy Commissioner
  Meet and confer with court personnel and law enforcement agencies.
  Preparation of records and reports for state and department review.
  Assist in preparation of Annual Plan for OPCA.
  Assist in formulation of department annual budget.

-Probation Supervisor – 09/15-03/2020: Presentence investigation supervisor
  Continued in-house PSI training for an additional 40+ new officers 2015-present.
  DNA coordinator: handling DNA collection issues among our department, the courts, other counties and DCJS, data issue reconciliation and analysis.
  Assignment and submission of expedited PSI's: tracking of data and assisting in developing procedures specific to the expedited unit, resolving issues with courts, correctional facilities, and other interested parties.

-Probation Officer
  Original member of expedited presentence investigation unit.
  Responsible for in-house PSI training for over 30 new officers from 2009-2015.
  Assisted in implementation of Dragonspeak technology.
  Completed first presentence reports using new Caseload Explorer format and created instructional documents for other officers.

Participant in OPCA teleconferences regarding updating of presentence report module of fundamentals of probation practices.

-caseload assignments: 02/01-03/03: Presentence investigator
03/03-03/05: Adult supervision caseload
07/06-03/08: Juvenile supervision caseload and predispositional reports
04/08-09/15: Expedited presentence investigator

Erie County District Attorney's Office 2006

-Crime Victim Advocate

Responsible for processing of Crime Victims Compensation claims, court accompaniment for victims, and program outreach.

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-30	MILLS	Minority Leader's Recommended Appointment to the Corrections Specialist Advisory Board

Attachments

23COMM. 15E-30

EC LEG JUL 18 '23 AM 9:17

ERIE COUNTY LEGISLATURE

REPUBLICAN CAUCUS

July 18, 2023

FOR IMMEDIATE CONSIDERATION AND APPROVAL

Hon. Robert M. Graber
Clerk of the Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

RE: Minority Leader's Recommended Appointment to the Corrections Specialist Advisory Board

Dear Mr. Graber:

As required by Local Law #3 from 2019, establishing the Corrections Specialist Advisory Board, the Minority Leader of the Erie County Legislature is to recommend one voting member.

Pursuant to Local Law #3 from 2019, I recommend:

Kevin Ryan
409 Starin Avenue
Buffalo, NY 14216

Sincerely,

JOHN J. MILLS
Minority Leader

cc: Hon. April N.M. Baskin
Hon. Howard J. Johnson, Jr.
Mr. Kevin Ryan

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-31	GREENE	Abstention on COMM. 13E-6 (2023)

Attachments

23COMM. 15E-31

EC LEG JUL 18 '23 AM 9:17

ERIE COUNTY LEGISLATURE

92 Franklin Street
Buffalo, New York 14202

July 18, 2023

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, NY 14202

RE: Abstention on Comm. 13E-6 (2023)

Dear Mr. Graber:

Pursuant to Rule 2.21 of the 2023 Rules of Order of the Erie County Legislature and in accordance with Section 5b of Erie County Local Law No. 2 - 2018, I abstain from voting on the above referenced item. The reason for my abstention is based on potential conflicts created by my private sector employment.

Sincerely,

Christopher D. Greene
Erie County Legislature
District 6

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-32	GREENE	Abstention on COMM. 14E-27 (2023)

Attachments

23COMM. 15E-32

EC LEG JUL 18 '23 AM 9:17

ERIE COUNTY LEGISLATURE

92 Franklin Street
Buffalo, New York 14202

July 18, 2023

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, NY 14202

RE: Abstention on Comm. 14E-27 (2023)

Dear Mr. Graber:

Pursuant to Rule 2.21 of the 2023 Rules of Order of the Erie County Legislature and in accordance with Section 5b of Erie County Local Law No. 2 - 2018, I abstain from voting on the above referenced item. The reason for my abstention is based on potential conflicts created by my private sector employment.

Sincerely,

Christopher D. Greene
Erie County Legislature
District 6

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-33	CLERK	EC Comptroller's Office Audit of the County Clerk's Office, Registrar Division

Attachments

23COMM. 15E-33

EC LEG JUL 17 '23 PM12:51

COUNTY OF ERIE

MICHAEL P. KEARNS

ERIE COUNTY CLERK

July 17, 2023

The Honorable Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

Re: Erie County Comptroller's Office Audit of the County Clerk's Office, Registrar Division

Dear Honorable Members:

The Erie County Clerk's Office is in receipt of the Erie County Comptroller's Office Audit of the County Clerk's Office, Registrar Division (the "Audit"). According to the cover letter dated June 30, 2023, the Comptroller's Office has completed its initial Audit of the Registrar Division for the period dated January 1, 2022 through December 31, 2022.

Notwithstanding the fact that the Audit was released on June 30, 2023, the day before my wedding and subsequent honeymoon wherein I was out of the office for two weeks, the Clerk's Office will be submitting its responses to the County Legislature within the 60-day timeframe requested by the Comptroller's Office as indicated on p.29 of the Audit.

Respectfully submitted,

MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

OLD COUNTY HALL • 92 FRANKLIN STREET • BUFFALO, N.Y. • 14202 • PHONE: (716) 858-8866 • FAX: (716) 858-6550

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15E-34	CLERK	Amended Resolution to Authorize Entry Into Lease with Bella Vista Group for Cheektowaga Satellite Auto Bureau Office

Attachments

23COMM. 15E-34

EC LEG JUL 17 '23 PM 12:25

COUNTY OF ERIE

MICHAEL P. KEARNS

ERIE COUNTY CLERK

IMMEDIATE CONSIDERATION REQUESTED

July 17, 2023

The Honorable Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

Re: Amended Resolution to Authorize Entry into Lease with Bella Vista Group for Cheektowaga Satellite Auto Bureau Office

Dear Honorable Members:

The attached proposed Resolution is an amended copy of COMM. 13E-5, previously submitted to this Honorable Body via letter dated June 14, 2023. The proposed amended Resolution incorporates the requested revisions and recommendations from Assistant Erie County Attorney Richard Stanton concerning the estimates for Gross Rent, reaffirming that renewal of any lease is subject to further authorization by the Legislature, and identifying the account from which the Lease can be paid. With these revisions now incorporated, it is respectfully requested that the original item be moved out of committee to the full Legislature, and that immediate consideration and approval of this new Amended Resolution be granted.

The text of the cover letter to the original Resolution is duplicated below for convenience:

The purpose of this Resolution is to request authorization for the County Executive to execute a five-year lease with Bella Vista Group for space for the Cheektowaga Auto Bureau to be located within the Urbandale Plaza at 2122 George Urban Boulevard, Depew, New York 14043, and to authorize the transfer of funds within the Erie County Clerk's Office and the expenditure of said funds for necessary renovations and improvements to the Leased Premises.

Enclosed please find a proposed Resolution to provide authorization for the County Executive to execute a lease contract with Bella Vista Group for the County of Erie to provide space for the Cheektowaga Auto Bureau.

A memorandum of support is also enclosed. Immediate consideration and approval is requested in order to expedite approval of the lease for the re-opening of an Auto Bureau office in Urbandale Plaza to provide convenient access to Auto Bureau services for residents of Cheektowaga and surrounding areas.

OLD COUNTY HALL • 92 FRANKLIN STREET • BUFFALO, N.Y. • 14202 • PHONE: (716) 858-8866 • FAX: (716) 858-6550

Thank you for your consideration of this matter. If your Honorable Body requires further information, kindly contact the Office of the Erie County Clerk.

Respectfully submitted,

MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

IMMEDIATE CONSIDERATION REQUESTED

MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Michael P. Kearns, Erie County Clerk
RE: Lease for Erie County Auto Bureau – Depew/Cheektowaga Office
Date: July 17, 2023

SUMMARY

The Erie County Clerk's Office is requesting authorization to enter into a lease in the Urbandale Plaza, located at 2122 George Urban Boulevard in Depew, New York with Bella Vista Group. The purpose of this lease to house the Erie County Auto Bureau – Depew/Cheektowaga Office. This is the same landlord from whom space was previously leased and the same location that was previously leased. Based upon a County Clerk's Office review of its spacing needs for the Erie County Auto Bureau Depew/Cheektowaga Office, it was determined that the Office could be physically downsized to decrease the cost to Erie County of the next lease while still operating effectively. The lease shall be in place for sixty (60) months, and includes approximately 7,000 square feet.

FISCAL IMPLICATIONS

The following rent breakdown was requested to be itemized in the proposed Resolution by Assistant County Attorney Richard Stanton: the first five-year term of the lease will include a monthly Gross Rent not to exceed $23 per square foot, with such Gross Rent to include a Base Rent of $15 per square foot, and an estimated Additional Rent of $8 per square foot which covers the financing over five years of Landlord improvements of $267,646, estimated lease space taxes, estimated costs of common area maintenance and taxes, with the County to be responsible for maintenance of repairs of the interior space of the leased premises and utilities.

REASONS FOR RECOMMENDATION

The previous lease for space of the Erie County Auto Bureau's Depew-Cheektowaga Office has expired. Based upon a County Clerk's Office review of its spacing needs for the Erie County Auto Bureau Depew/Cheektowaga Office, it was determined that the Office could be physically downsized to decrease the cost to Erie County of the next lease while still operating effectively. After reviewing the two (2) proposals submitted in response to the RFP that was issued, the Clerk's Office concluded that the best location for the Auto Bureau Office in the Cheektowaga area was to remain at the same location previously being leased with renovations to modernize the office, ensure its handicap accessibility, and decrease its size.

CONSEQUENCES OF NEGATIVE ACTION

The Clerk's Office will no longer have an Office to provide in-person Auto Bureau services that is convenient to access for residents of the Cheektowaga area and nearby East Buffalo.

IMMEDIATE CONSIDERATION REQUESTED

STEPS FOLLOWING APPROVAL

The County Clerk will work with the County Attorney and Division of Budget and Management to enter into a lease agreement with the landlord.

* REQUEST FOR IMMEDIATE PASSAGE

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NEW YORK

A Resolution Submitted by the Erie County Clerk
Re: Cheektowaga Satellite Auto Bureau at Urbandale Shopping Center

WHEREAS, pursuant to New York State Vehicle and Traffic Law §205, the County Clerk shall act as an agent of the Commissioner of the Department of Motor Vehicles and in such capacity the Erie County Clerk operates the Erie County Auto Bureau; and

WHEREAS, the Erie County Auto Bureau, at full operations, maintains six (6) branch locations and one (1) mobile unit throughout the County of Erie to provide convenient services to County residents; and

WHEREAS, the Erie County Clerk, recognizing a need to provide updated Auto Bureau services in the Town of Cheektowaga region, issued a request for proposals for a new facility to serve those customers and (2) responses were received; and

WHEREAS, those responses were evaluated by a team in the Erie County Clerk's Office and they determined the submission by Bella Vista Group proposing to lease space in the Urbandale Shopping Center, located at 2122 George Urban Boulevard, Depew, New York 14043 to be the best proposal; and

WHEREAS, the Erie County Clerk's Office is requesting authorization to enter into a lease agreement with Bella Vista Group for the purpose of locating the Erie County Auto Bureau in the Urbandale Shopping Center.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is hereby authorized to enter into an Agreement with Bella Vista Group for the purpose of keeping the Erie County Auto Bureau in Cheektowaga at the Urbandale Shopping Center; and be it further

RESOLVED, that said Lease Agreement shall be for a term of sixty (60) months and include 7,000 square feet, with a monthly Gross Rent not to exceed $23.00 per square foot; with such Gross Rent to include a Base Rent of $15.00 per square foot; and an estimated Additional Rent of $8.00 per square foot which covers the financing over five (5) years of landlord improvements of approximately $267,646.00, estimated lease spaced taxes, and estimated costs of common area maintenance and taxes, with the County to be responsible for maintenance of repairs of the interior space of the leased premises and utilities; and be it further

RESOLVED, that the County Executive, or the Deputy County Executive, is authorized to authorize the said Lease Agreement with the fundamental terms set forth above, subject to a form of the final Lease Agreement being approved by the County Attorney; and be it further

* REQUEST FOR IMMEDIATE PASSAGE

RESOLVED, that provided the County is not in default of the terms of the Lease Agreement, and subject to authorization by the County Legislature, the County shall be entitled to renew the lease for two (2) consecutive five (5) year terms, in an annual amount not to exceed a two percent (2%) annual increase in the base rent, at the County's sole discretion upon written notice to the landlord; and be it further

RESOLVED, that the account from which the said Lease Agreement may be paid is identified herein as: General Account 1132015 (Auto Bureau); with the general ledger being GL 545000; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive; the Erie County Attorney; the Director of the Division of Budget and Management; and the Erie County Clerk.



Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15D-1	DIRECTOR OF BUDGET & MANAGEMENT	July Capital Projects Update

Attachments

23COMM. 15D-1

EC LEG JUL 1 '23 AM 8:33

WBS	Project Name	Dept	Total Project	Bonded	Other Aid	PAYGO	Updated Spent	Updated Committed	Updated Available	Status	Estimated Completion
A.23001	DPW (Buildings and Grounds) – Roof Replacement and Exterior Waterproofing (Countywide)	122	2,000,000	2,000,000	-	-	-	-	2,000,000		
A.23002	DPW (Buildings and Grounds) – Mechanical, Electrical, Pumbling, and Miscelleanous Improvements	122	1,000,000	1,000,000	-	-	-	-	1,000,000	Work has started	
A.23003	DPW (Buildings and Grounds) – Buffalo Niagara Convention Center (BNCC) Improvements	122	500,000	500,000	-	-	-	-	500,000		
A.23004	DPW (Buildings and Grounds) – Erie County Sheriff's Department – Miscellaneous Renovations	122	700,000	700,000	-	-	-	-	700,000		
A.23005	DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities	122	500,000	500,000	-	-	-	-	500,000	Work to begin in Aug-Sept timeline	
A.23006	Countywide Parks Improvements and ADA Accessibility	164	500,000	500,000	-	-	74,560	95,340	330,100	Approximately $300,000 in projects will take place this summer with the remainder in spring 2024	Spring 2024
A.23007	Vehicles and Equipment - Parks and Recreation	164	500,000	500,000	-	-	6,672	485,668	7,660	Some items are on state contract and in stock now. Probably only $250,000 spent in the next 1-3 months	Fall 2023
A.23008	Inclusive Playgrounds (2)	164	500,000	500,000	-	-	-	21,000	479,000	Location and design selection starting now. Earliest equipment delivery and groundbreaking would be late summer.	Fall 2023
A.23009	Replacement of the Police, Fire, and Medical Computer Aided Dispatch and Record Management System	165	5,000,000	5,000,000	-	-	-	-	5,000,000	Finalizing RFP to be released	2024
A.23010	Microsoft E5 Enterprise Agreement/Security Enhancements	105	1,000,000	1,000,000	-	-	444,295	-	555,705	Install and operate Microsoft E5 Enterprise agreement. The installation of the E5 Enterprise software provides threat detection, identity management, access management, advance analytics, information management, compliance management, and security management.	2023
A.23011	PC/Thin Client Replacements	105	600,000	600,000	-	-	-	-	600,000	Replace and update all out of support thin clients and PC's in the County. New units will support Windows 11.	Spring 2024
A.23012	Youth Facility HVAC Replacement	122	1,300,000	663,000	637,000	-	-	-	1,300,000	Ordering of materials is happening and work will begin shortly.	
A.23013	Youth Facility Security Upgrades	122	817,000	416,670	400,330	-	-	-	817,000	Bid will happen in July and funds will begin being expended in August.	
A.23050	DPW Rehab of Highmark Stadium - 11th Year	122	5,484,957	-	3,219,395	2,265,562	-	-	5,484,957		
A.23051	DPW EPA Regulatory Compliance	122	350,000	-	-	350,000	-	250,000	100,000		Unknown
A.23052	DPW Code & Environment Compliance	122	250,000	-	-	250,000	-	-	250,000		Unknown
A.23053	Preservation of County Highway Facilities	122	250,000	-	-	250,000	2,182	-	247,818		Unknown
A.23054	Convention Center Security Upgrades	122	327,600	-	-	327,600	-	-	327,600		Unknown
A.23056	Gasboy Software Upgrades - Fleet	107	150,000	-	-	150,000	-	93,000	57,000	Working with vendor	2023
A.23057	Vehicle Replacements - Fleet	107	400,000	-	-	400,000	-	-	400,000	Building vehicle spec sheets	2023
A.23058	Shelter Bldg & Comfort Station Rehab	164	200,000	-	-	200,000	6,125	8,345	185,530	Projects yet to be awarded	Summer 2024
A.23059	Exterior Signage Plan Phase 2	164	300,000	-	-	300,000	-	-	300,000	Phase 2 to be bid Fall 2023	Summer 2024

WBS	Project Name	Dept	Total Project	Bonded	Other Aid	PAYGO	Updated Spent	Updated Committed	Updated Available	Status	Estimated Completion
A.23060	Countywide Park Amenities	164	100,000	-	-	100,000	-	48,175	51,825	Items Ordered	Spring 2024
A.23061	Municipal Planning Grant Program	162	350,000	-	-	350,000	-	-	350,000	RFP to be released in June, 2023	2025
A.23062	Buffalo Southern Railroad Capital Improvement	162	400,000	-	-	400,000	-	-	400,000	Match to Federal grant - Federal contract is not executed	2026
A.23063	DL&W Railroad Bridge Capital Program	162	150,000	-	-	150,000	-	-	150,000	Match to Federal grant - Federal contract is not executed	2026
A.23064	Jefferson Ave Fine Arts Project	162	200,000	-	-	200,000	-	-	200,000	SEQR recently Completed, Meeting planned	Unknown
A.23065	Backup System Replacement	105	400,000	-	-	400,000	-	-	400,000	Work is underway and will be completed this year	Late 2023
A.23066	Server Replacement	105	300,000	-	-	300,000	73,072	-	226,928	Work is underway and will be completed this year	Late 2023
A.23067	Network Equipment Upgrades	105	300,000	-	-	300,000	-	-	300,000	Work is underway and will be completed this year	Late 2023
A.23068	DSS Technology Upgrades	120	284,500	-	150,785	133,715	-	205,740	78,760	Bids are currently out	Late 2023
A.23069	Child Advocacy Center Relocation	162	1,000,000	-	-	1,000,000	-	-	1,000,000	Meeting held 1/23 to review County requirements	Unknown
A.23070	Office Furniture Upgrades	112	100,000	-	-	100,000	-	89,851	10,149	Will be purchasing office furniture	2023
A.23071	Tow Path Fenian Inv Monument Project	164	95,000	-	-	-	-	94,821	179	Project awarded with upcoming ground breaking	Fall 2023
A.23072	DPW (Buildings and Grounds) – Rath Building Improvements	122	750,000	750,000	-	-	-	-	750,000		
A.23073	EMS Ambulance Building Design and Construction	122	1,725,000	1,725,000	-	-	-	-	1,725,000	For the design and construction of a new ECDOH-EMS Ambulance Division building.	
A.23074	Countywide Roads, Pathways, and Parking Lot Improvements	164	750,000	750,000	-	-	-	-	750,000		
A.23075	Emery Maintenance and Out Building Exterior Improvements	164	1,100,000	1,100,000	-	-	-	-	1,100,000	Design is completed and bid documents being drawn up.	Spring 2024
A.23076	Renaissance Commerce Park	162	3,800,000	3,800,000	-	-	-	-	3,800,000	Anticipated to be allocated towards railroad reconstruction. Extended negotiation with landowner and railroad have delayed the project.	2026
A.23077	Kleinhans Music Hall Capital Campaign	162	650,000	650,000	-	-	-	-	650,000	Contract being written and funds will be transferred shortly thereafter.	2023
A.23078	Public Safety Needs Assessment and Feasibility Study	162	750,000	750,000	-	-	-	-	750,000	RFP currently being written.	2024
B.23001	Preservation Roads Construction Kenmore Avenue	123	865,000	865,000	-	-	-	362,416	502,584	Contract signed and project construction is underway	2023
B.23002	Rehabilitation of Vermont Street (CR226) Construction	123	1,700,000	1,700,000	-	-	-	1,372,106	327,894	Out to Bid Now Project to start by June 1	2023
B.23003	Trevett Road (CR420) Reconstruction and Slope Stabilization	123	750,000	750,000	-	-	-	-	750,000	Out to Bid Now Project to start by June 1	2023
B.23004	Preservation Roads Construction Abbott & Willet Road	123	3,162,500	3,162,500	-	-	-	-	3,162,500	Bidding in November afor spring 2024 construction	2024
B.23005	2023 Federal Aid - Road Design Summary	123	5,750,000	1,750,000	4,000,000	-	-	-	5,750,000	RFPs in place and design will begin shortly	2024
B.23006	Vehicle and Equipment Replacement - Highways	123	6,750,000	6,750,000	-	-	-	5,271,540	1,478,460	Updated Quotes are being gathered for Bidding, timeline for delivery unknown	2023
B.23007	Federal Aid Bridge Replacement - Sharp Street	123	2,315,000	925,000	1,390,000	-	-	-	2,315,000	Bidding in October for spring 2024 construction	2024

2023 Capital Projects

WBS	Project Name	Dept	Total Project	Bonded	Other Aid	PAYGO	Updated Spent	Updated Committed	Updated Available	Status	Estimated Completion
B.23008	Federal Aid Bridge Preservation - Design	123	1,500,000	500,000	1,000,000	-	-	-	1,500,000	Waiting on annoucement for Bridge NY awards	
B.23009	Preservation of Bridges Construction - Holland	123	1,500,000	1,500,000	-	-	-	-	1,500,000	Bidding in September for spring 2024 construction	2024
B.23010	Rehabilitation of Borden Road (CR332)	123	3,000,000	3,000,000	-	-	-	-	3,000,000	Bidding in October for spring 2024 construction	2024
B.23011	Preservation of Bridges & Culverts Construction - Miscellaneous Culvert Repairs/Replacements	123	500,000	500,000	-	-	-	-	500,000	Bidding in October for spring 2024 construction	2024
B.23012	Federal Aid Bridge Replacement - Goodrich Road Bridge	123	1,750,000	530,000	1,220,000	-	-	-	1,750,000	Bidding in October for spring 2024 construction	2024
B.23050	Capital Overlay Program Countywide	123	9,000,000	-	-	16,485,000	600,808	2,815,519	13,068,672	Work on road program has begun.	2024
B.23051	Emergency Engineering Design Services	123	250,000	-	-	250,000	-	-	250,000	On going repair designs 2023	2024
B.23052	Preservation of Bridges/Culverts - Construction	123	250,000	-	-	250,000	-	-	250,000	Construction repairs 2023	2024
B.23053	Highway Safety Improvements	123	400,000	-	-	400,000	-	340,000	60,000	On going repairs 2023	Spring 2024
B.23054	Lakeshore Rd Federal Aid Road Construction	123	700,000	-	560,000	140,000	-	-	700,000	Bid construction Fall 2023	2024
B.23055	Culvert Bridge & Pedestrian Bridge Inspection	123	250,000	-	-	250,000	-	-	250,000	2023-2024 inspection contract	2024
B.23056	FEMA Hazard Mitigation Ellicott Creek	123	500,000	-	375,000	125,000	-	-	500,000	Waiting on grant	2024
E.23050	SUNY Erie Community College Facility Master Plan Phase 2	122	5,000,000	-	2,500,000	2,500,000	-	-	5,000,000		
E.23051	SUNY Erie Community College Sports Field Relocation & Improvements	122	5,000,000	-	4,500,000	500,000	-	-	5,000,000	Project funding needs to be reconsidered now that Amherst has withdrawn support.	2024
F.23001	DPW (Buildings and Grounds) - Buffalo & Erie County Public Library Roof Replacement	123	2,000,000	2,000,000	-	-	-	-	2,000,000		
F.23050	DPW Buffalo & EC Public Library Improvements	122	500,000	-	250,000	250,000	-	-	500,000		Unknown
	Total for 2023		**$ 89,226,557**	**$ 47,337,170**	**$ 20,202,510**	**$ 29,076,877**	**$ 1,207,714**	**$ 11,553,520**	**$ 83,950,323**		

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15D-2	DIRECTOR OF BUDGET & MANAGEMENT	Budget Monitoring Report for Period Ending May 2023

Attachments

23COMM. 15D-2

EC LEG JUL 11 '23 PM12:53

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 11, 2023

Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Budget Monitoring Report for Period Ending May 2023

Dear Honorable Legislators:

Please find attached the Budget Monitoring Report ("BMR") for the period ending May 31, 2023, as well as a vacancy report from the County's SAP system as of May 31, 2023.

The BMR shows that for the first five months of 2023 the County has a $21,587,347 positive variance. This variance is largely related to three factors.

First, is Interest Earnings revenue which through May is $9.2 million over budget. Second, is sales tax which has a $5.3 million positive variance and growth of 2.60% for 2023-related payments received to date as compared to 2022. Third, is the MMIS-Medicaid weekly shares cost, which through May has a $2.9 million positive variance. The timing of changes to Medicaid weekly share payments enacted within the New York State SFY 2023-2024 Budget will generate an overall 2023 Medicaid weekly shares positive budget variance of $7.2 million but will negatively impact Erie County for 2024 and future years. All other items through May have generated a net $3,410,371 positive variance.

We still have concerns due to the State Budget action to double the Assigned Council rate to $158 per hour. This action has the potential to increase 2023 County costs by over $5 million and by $10 million in future years. The adopted 2023-2024 state budget also includes a major new County mandate for local health departments to inspect each multi-family dwelling for lead paint every 3-years. Further guidance on this program from the New York State Department of Health is needed, but this program could also cost Erie County an additional $5 million per year. In positive fiscal news, Erie County received a Seneca Exclusivity payment of $786,002 from New York State for the 4th quarter of 2022 period. It is anticipated another payment for the succeeding quarterly period will be received in August.

I am available to attend a meeting of your Honorable Body's Finance and Management Committee to discuss this report and other fiscal matters.

Sincerely yours,

Robert W. Keating
Director of Budget and Management

RWK
Attachment

cc: Erie County Executive Mark C. Poloncarz
Erie County Fiscal Stability Authority

January-May 2023 Budget Monitoring Report (BMR)

Account Type	Annual Budget	Period Budget January-May	Actuals January-May	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed
Revenue							
** Property Tax	301,424,356-	301,424,356-	301,424,356-	0-	100%	0-	100%
** Property Tax Related	15,978,966-	6,000,423-	5,184,265-	816,158-	86%	10,794,701-	32%
** Sales Tax	583,527,694-	240,696,931-	246,268,177-	5,571,247	102%	337,259,517-	42%
** Sales Tax to Local Govt.	403,187,071-	165,555,822-	170,160,829-	4,605,007	103%	233,026,242-	42%
** Other Sources	39,286,651-	18,687,704-	30,595,129-	11,907,424	164%	8,691,522-	78%
** Fees, Fines or Charges	35,403,927-	19,765,938-	18,894,452-	871,487-	96%	16,509,475-	53%
*** Local Source Revenue	1,378,808,665-	752,131,174-	772,527,207-	20,396,033	103%	606,281,458-	56%
*** Federal Revenue	190,711,636-	94,264,768-	85,860,309-	8,404,459-	91%	104,851,327-	45%
*** State Revenue	215,425,174-	87,762,283-	82,667,837-	5,094,446-	94%	132,757,337-	38%
*** Interfund Revenue	729,966-	729,966-	728,801-	1,165-	100%	1,165-	100%
**** County Revenue	**1,785,675,441-**	**934,888,192-**	**941,784,154-**	**6,895,962**	**101%**	**843,891,287-**	**53%**
Expense							
** Salaries	273,231,778	111,429,717	102,299,919	9,129,798	92%	170,931,859	37%
** Non-Salaries	30,099,084	12,400,583	16,447,270	4,046,687-	133%	13,651,814	55%
** Countywide Adjustments	114,874	423,198-		423,198-	0%	114,874	0%
*** Personnel Related Expense	303,445,736	123,407,102	118,747,189	4,659,914	96%	184,698,547	39%
*** Fringe Benefit Total	146,039,779	59,053,255	55,034,970	4,018,285	93%	91,004,809	38%
** Supplies and Repairs	12,754,817	4,728,882	3,209,085	1,519,797	68%	9,545,731	25%
** Other	39,503,057	15,456,656	12,867,617	2,589,039	83%	26,635,440	33%
** Contractual	675,437,792	274,801,213	273,927,529	873,684	100%	401,510,262	41%
** Equipment	11,648,213	2,254,333	1,703,776	550,557	76%	9,944,437	15%
** Allocations	215,611,218	76,328,132	76,591,404	263,272-	100%	139,019,815	36%
** Program Specific	579,308,775	236,896,673	236,153,291	743,381	100%	343,155,484	41%
** Debt Services	62,414,953	26,950,185	26,950,185		100%	35,464,768	43%
*** All Other Operating Expense	1,596,678,825	637,416,074	631,402,888	6,013,187	99%	965,275,937	40%
**** County Expense	**2,046,164,340**	**819,876,432**	**805,185,047**	**14,691,385**	**98%**	**1,240,979,294**	**39%**
***** Net	**260,488,900**	**115,011,760-**	**136,599,107-**	**21,587,347**		**397,088,007**	

Note on the BMR:

The BMR helps the Budget Office identify, understand and resolve financial issues that may emerge during the year. The positive period variance indicated should not be interpreted as a projection of a year-end positive balance

January-May 2023 Budget Monitoring Report
Detail by Account

Account Type	Annual Budget	Period Budget January-May	Actuals January-May	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
Revenue								
400000 Real Property Taxes	(301,424,356)	(301,424,356)	(301,424,356)	(0)	100.00%	(0)	100.00%	
** Property Tax	(301,424,356)	(301,424,356)	(301,424,356)	(0)	100.00%	(0)	100.00%	
400010 Exemption Removal	(935,212)	(920,000)	(980,630)	60,630	106.59%	45,419	104.86%	
400030 Gn/Sale-Tax Acq Prop	(5,000)	0	0	0	0.00%	(5,000)	0.00%	
400040 Other Pay/Lieu-Tax	(5,100,000)	(4,980,000)	(4,105,064)	(874,936)	82.43%	(994,936)	80.49%	
400050 Int&Pen on R P Taxes	(13,485,555)	(217,788)	(217,788)	0	100.00%	(13,267,767)	1.62%	
400060 Omitted Taxes	(6,000)	(6,000)	(4,148)	(1,852)	69.13%	(1,852)	69.13%	
466060 Prop Tax Rev Adjust	3,552,801	123,365	123,365	0	100.00%	3,429,436	3.47%	
** Property Tax Related	(15,978,966)	(6,000,423)	(5,184,265)	(816,158)	86.40%	(10,794,701)	32.44%	
402000 Sales Tax EC Purp	(220,020,488)	(90,757,688)	(92,861,715)	2,104,027	102.32%	(127,158,773)	42.21%	
402100 1% Sales Tax-EC Purp	(207,730,136)	(85,684,699)	(87,665,360)	1,980,661	102.31%	(120,064,776)	42.20%	Sales Tax The gross County Share of Sales Tax is showing a positive variance of $5.6 Million after 41% of the year. The 2023 growth rate is 2.60 %.
402120 .25% Sales Tax	(51,925,690)	(21,418,181)	(21,913,701)	495,519	102.31%	(30,011,989)	42.20%	
402130 .5% Sales Tax	(103,851,380)	(42,836,362)	(43,827,402)	991,040	102.31%	(60,023,978)	42.20%	
** Sales Tax	(583,527,694)	(240,696,931)	(246,268,177)	5,571,247	102.31%	(337,259,517)	42.20%	
402140 Sales Tax to Loc Gov	(403,187,071)	(165,555,822)	(170,160,829)	4,605,007	102.78%	(233,026,242)	42.20%	
** Sales Tax to Local Govt.	(403,187,071)	(165,555,822)	(170,160,829)	4,605,007	102.78%	(233,026,242)	42.20%	
402300 Hotel Occupancy Tax	(11,200,000)	(4,649,436)	(4,535,908)	(113,528)	97.56%	(6,664,092)	40.50%	
402500 OTB Betting & Gaming	(2,140,000)	(986,218)	(1,003,846)	17,628	101.79%	(1,136,154)	46.91%	
402510 Video Lottery Aid	(288,560)	0	0	0	0.00%	(288,560)	0.00%	
402520 Gaming Facilities Aid	0	0	(786,002)	786,002	0.00%	786,002	0.00%	
402610 Medical Marj Exc Tax	(280,000)	(116,667)	(75,828)	(40,839)	65.00%	(204,172)	27.08%	Gaming Facilities revenue received in May for $786,002. An additional payment is expected to be forthcoming in August.
415010 Post Mortem Toxicol	(72,932)	(30,388)	(70,762)	40,374	232.86%	(2,170)	97.02%	
415100 Real Property Trans	(228,045)	(95,019)	(71,532)	(23,487)	75.28%	(156,513)	31.37%	
415160 Mortgage Tax	(589,268)	(245,528)	(238,377)	(7,151)	97.09%	(350,891)	40.45%	
415360 Legal Settlements	0	0	(27,748)	27,748	0.00%	27,748	0.00%	
415500 Prisoner Transport	(21,000)	(8,750)	(10,942)	2,192	125.05%	(10,058)	52.11%	
415620 Commissary Reimb	(172,933)	(72,055)	(72,055)	0	100.00%	(100,878)	41.67%	
415622 Jail Phone Revenue	(361,389)	(269,952)	(361,389)	91,438	133.87%	0	100.00%	
416540 Insurance	0	0	0	0	0.00%	0	0.00%	
416570 Post Exposure Rabies	(133,048)	(55,437)	(55,435)	(1)	100.00%	(77,613)	41.67%	
416920 Medicd-Early Interve	(180,000)	(75,000)	(90,700)	15,700	120.93%	(89,300)	50.39%	
417200 Day Care Repay Recov	(55,234)	(23,014)	(16,097)	(6,917)	69.94%	(39,137)	29.14%	
417500 Repay Em Ast/Adults	(175,668)	(73,195)	(119,653)	46,458	163.47%	(56,015)	68.11%	
417510 Repay Medical Asst	(2,715,828)	(1,131,595)	(807,682)	(323,913)	71.38%	(1,908,146)	29.74%	
417520 Repay-Family Assist	(244,932)	(102,055)	(160,179)	58,124	156.95%	(84,753)	65.40%	
417530 Repay-Foster Care/Ad	(1,099,910)	(458,296)	(481,079)	22,783	104.97%	(618,831)	43.74%	
417550 Repay-SafetyNetAsst	(3,241,416)	(1,350,590)	(1,648,551)	297,961	122.06%	(1,592,865)	50.86%	
417560 Repay-Serv For Reclp	(3,173)	(1,322)	(1,120)	(202)	84.72%	(2,053)	35.30%	
417570 SNAP Fraud Incentives	(57,233)	(23,847)	(21,561)	(2,287)	90.41%	(35,672)	37.67%	
417580 Repaymts-Handi Child	(336,885)	(140,369)	(72,513)	(67,855)	51.66%	(264,372)	21.52%	
418025 Recov-SafetyNet Bur	0	0	(36,690)	36,690	0.00%	36,690	0.00%	
418030 Repayments-IV D Adm	(4,423,828)	(1,843,262)	(1,753,229)	(90,033)	95.12%	(2,670,599)	39.63%	
418110 Comm Coll Respreads	(8,017,437)	(8,017,437)	(3,617,437)	(4,400,000)	45.12%	(4,400,000)	45.12%	
418112 Comm Coll Resp. Adj.	4,400,000	4,400,000	0	4,400,000	0.00%	4,400,000	0.00%	
418130 Comm Coll Reimb	(66,750)	(27,813)	(15,124)	(12,689)	54.38%	(51,626)	22.66%	
418410 OCSE Medical Payments	(1,253,652)	(522,355)	(488,123)	(34,232)	93.45%	(765,529)	38.94%	
418430 Donated Funds	(628,275)	(261,781)	(261,781)	(0)	100.00%	(366,494)	41.67%	
420020 ECC Cap Cons-Otr Gvt	(95,000)	0	0	0	0.00%	(95,000)	0.00%	
420499 OthLocal Source Rev	(94,494)	(39,373)	0	(39,373)	0.00%	(94,494)	0.00%	
420500 Rent-Rl Prop-Concess	(44,285)	(18,452)	(28,074)	9,621	152.14%	(16,211)	63.39%	
420520 Rent-Rl Prop-Rtw-Eas	(2,500)	(1,042)	(204)	(837)	19.62%	(2,296)	8.17%	
420550 Rent-663 Kensington	(14,292)	(5,955)	(5,955)	0	100.00%	(8,337)	41.67%	
420560 Rent-1500 Broadway	(258,936)	(107,890)	(107,761)	(129)	99.88%	(151,175)	41.62%	
421550 Forft Crime Proceed	(105,453)	(8,333)	(61,808)	53,474	741.69%	(43,645)	58.61%	
422000 Copies	(4,500)	(1,875)	(3,292)	1,417	175.59%	(1,208)	73.16%	
422040 Gas Well Drill Rents	(1,500)	(625)	(500)	(125)	80.00%	(1,000)	33.33%	
422050 E-Payable Rebates	(150,000)	(62,500)	31,768	(94,268)	-50.83%	(181,768)	-21.18%	
423000 Refunds P/Y Expend	(1,000)	(417)	12,957	(13,374)	-3109.68%	(13,957)	-1295.71%	
445000 Recovery Int - SID	(302,126)	(125,886)	(124,025)	(1,861)	98.52%	(178,101)	41.05%	
445030 Int & Earn - Gen Inv	(1,200,400)	(500,167)	(8,493,432)	7,993,265	1698.12%	7,293,032	707.55%	
445040 Int & Earn-3rd Party	(175,000)	(72,917)	(1,251,821)	1,178,904	1716.78%	1,076,821	715.33%	
466000 Misc Receipts	(388,240)	(81,767)	(19,515)	(62,252)	23.87%	(368,725)	5.03%	
466020 Minor Sale - Other	(26,500)	(11,042)	(9,883)	(1,159)	89.51%	(16,617)	37.29%	
466070 Refunds P/Y Expenses	(980,000)	(408,333)	(1,874,121)	1,465,787	458.97%	894,121	191.24%	
466090 Misc Trust Fd Rev	(497,698)	(497,698)	(497,698)	0	100.00%	0	100.00%	
466120 Other Misc DISS Rev	(3,400)	(1,417)	(1,609)	193	113.59%	(1,791)	47.33%	
466130 Oth Unclass Rev	0	0	(37,179)	37,179	0.00%	37,179	0.00%	
466150 Chlamydia Study Forms	(8,000)	(3,333)	(2,083)	(1,250)	62.49%	(5,917)	26.04%	
466180 Unanticlp P/Y Rev	0	0	(646,362)	646,362	0.00%	646,362	0.00%	
466260 Intercept-LocalShare	(78,378)	(32,658)	(84,037)	51,380	257.33%	5,659	107.22%	
466280 Local Srce - ECMCC	(20,000)	(8,333)	(10,642)	2,309	127.70%	(9,358)	53.21%	
466360 Stadium Reimbursement	(790,000)	(329,167)	(210,098)	(119,069)	63.83%	(579,902)	26.59%	
467000 Misc Depart Income	(8,503)	(3,543)	0	(3,543)	0.00%	(8,503)	0.00%	
479100 Other Contributions	(28,000)	(8,167)	(50,720)	42,554	621.06%	22,720	181.14%	Through 41% of the year, the County has achieved 78% of the annual Other Sources revenue budget.
480020 Sale-Excess Material	(387,000)	(161,250)	(203,328)	42,078	126.09%	(183,672)	52.54%	
480030 Recycling Revenue	(34,050)	(14,188)	(14,364)	176	101.24%	(19,686)	42.18%	
** Other Sources	(39,286,651)	(18,687,704)	(30,595,129)	11,907,424	163.72%	(8,691,522)	77.88%	
406610 STD Clinic Fees	(222,470)	(92,696)	(104,835)	12,139	113.10%	(117,635)	47.12%	
415000 Medical Exam Fees	(779,750)	(324,896)	(304,633)	(20,263)	93.76%	(475,117)	39.07%	
415050 Treasurer Fees	(125,000)	(52,083)	(96,343)	44,260	184.98%	(28,657)	77.07%	
415105 Passport Fees	(27,625)	(11,510)	(23,520)	12,010	204.34%	(4,105)	85.14%	
415110 Court Fees	(368,755)	(153,648)	(140,825)	(12,823)	91.65%	(227,930)	38.19%	
415120 Small Claims AR Fees	(600)	(250)	(5)	(245)	2.00%	(595)	0.83%	
415130 Auto Fees	(4,005,783)	(1,669,076)	(2,030,016)	360,940	121.63%	(1,975,767)	50.68%	
415140 Comm of Educ Fees	(129,463)	(53,943)	(38,016)	(15,927)	70.47%	(91,447)	29.36%	
415150 Recording Fees	(7,365,400)	(3,068,917)	(2,072,229)	(996,687)	67.52%	(5,293,171)	28.13%	
415170 Summary Page Fees	0	0	0	0	0.00%	0	0.00%	
415180 Vehicle Use Tax	(5,995,431)	(2,498,096)	(2,583,637)	85,541	103.42%	(3,411,794)	43.09%	

415185	E-Z Pass Tag Sales	(8,750)	(3,646)	(3,375)	(271)	92.57%	(5,375)	38.57%
415200	Civil Serv Exam Fees	(55,000)	0	0	0	0.00%	(55,000)	0.00%
415210	3rd Party Deduct Fee	(17,000)	(4,250)	(1,250)	(3,000)	29.41%	(15,750)	7.35%
415510	Civil Proc Fees-Sher	(1,020,000)	(425,000)	(449,951)	24,951	105.87%	(570,049)	44.11%
415520	Sheriff Fees	(45,000)	(18,750)	(17,035)	(1,715)	90.85%	(27,965)	37.86%
415600	Inmate Disclp Surch	(15,000)	(6,250)	(9,450)	3,200	151.20%	(5,550)	63.00%
415605	Drug Testing Charge	(35,000)	(14,583)	(11,792)	(2,791)	80.86%	(23,208)	33.69%
415610	Restitution Surcharge	(20,000)	(8,333)	(5,825)	(2,508)	69.90%	(14,175)	29.12%
415630	Bail Fee-Alt / Incar	(3,000)	(1,250)	(16,367)	15,117	1309.33%	13,367	545.55%
415640	Probation Fees	(475,000)	(197,917)	(139,124)	(58,792)	70.29%	(335,876)	29.29%
415650	DWI Program	(624,742)	(260,309)	0	(260,309)	0.00%	(624,742)	0.00%
415670	Elec Monitoring Ch	(6,000)	(2,500)	(2,031)	(469)	81.24%	(3,969)	33.85%
415680	Pmt-Home Care Review	(10,000)	(4,167)	(56)	(4,111)	1.34%	(9,944)	0.56%
416020	Comm Sanitat & Food	(1,175,000)	(489,583)	(472,450)	(17,133)	96.50%	(702,550)	40.21%
416030	Realty Subdivisions	(12,000)	(5,000)	(2,714)	(2,286)	54.28%	(9,286)	22.62%
416040	Individ Sewr Sys Opt	(425,000)	(177,083)	(152,897)	(24,186)	86.34%	(272,103)	35.98%
416050	Lead Saf RRP Train	0	0	0	0	0.00%	0	0.00%
416090	Pen & Fines-Health	(20,000)	(8,333)	(3,470)	(4,863)	41.64%	(16,530)	17.35%
416150	PPD Tests	(8,580)	(3,575)	(100)	(3,475)	2.80%	(8,480)	1.17%
416160	TB Outreach	(47,380)	(19,742)	(17,583)	(2,159)	89.06%	(29,797)	37.11%
416190	ImmunizationsService	(8,283)	(3,451)	(100)	(3,351)	2.90%	(8,183)	1.21%
416580	Training Course Fees	(63,910)	(26,629)	(35,900)	9,271	134.81%	(28,010)	56.17%
416610	Pub Health Lab Fees	(200,000)	(83,333)	(90,641)	7,308	108.77%	(109,359)	45.32%
418040	Inspec Fee Wght/Meas	(167,642)	(69,851)	(89,068)	19,217	127.51%	(78,574)	53.13%
418050	Item Price Waivr Fee	(256,364)	(106,818)	(117,832)	11,013	110.31%	(138,532)	45.96%
418400	Subpoena Fees	(4,572)	(1,905)	(2,687)	782	141.04%	(1,885)	58.77%
418500	Park & Rec Chgs-Camp	(280,000)	(116,667)	(108,359)	(8,308)	92.88%	(171,641)	38.70%
418510	Park & Rec Chgs-Shel	(495,000)	(345,274)	(324,901)	(20,373)	94.10%	(170,100)	65.64%
418520	Chgs-Park Emp Subsis	(16,200)	(6,750)	(6,750)	0	100.00%	(9,450)	41.67%
418530	Golf Chg-Other Fees	(335,000)	(45,105)	(73,568)	28,463	163.10%	(261,432)	21.96%
418540	Golf Chg-Greens Fees	(795,000)	(371,016)	(434,058)	63,042	116.99%	(360,942)	54.60%
418550	Sale of Forest Prod	(9,000)	(3,750)	(4,617)	867	123.12%	(4,383)	51.30%
418590	Spec Events Receipts	(8,100)	(3,375)	0	(3,375)	0.00%	(8,100)	0.00%
420000	Tx&Assm Svs-Oth Govt	(169,000)	(169,000)	(169,777)	777	100.46%	777	100.46%
420010	Elec Exp Other Govt	(8,369,412)	(8,369,412)	(8,369,412)	0	100.00%	0	100.00%
420030	Police Svcs-Oth Gvt	(307,550)	(128,146)	(128,596)	450	100.35%	(178,954)	41.81%
420190	Gen Svc-Oth Gov	(960)	(400)	(400)	0	100.00%	(560)	41.67%
420271	CESQG Charges	(60,000)	0	0	0	0.00%	(60,000)	0.00%
421000	Pistol Permits	(225,645)	(94,019)	(111,024)	17,005	118.09%	(114,621)	49.20%
421500	Fines&Forfeited Bail	(10,000)	(4,167)	(1,874)	(2,292)	44.98%	(8,126)	18.74%
421510	Fines and Penalties	(4,600)	(1,917)	(450)	(1,467)	23.48%	(4,150)	9.78%
466010	NSF Check Fees	(2,920)	(1,217)	(2,218)	1,002	182.32%	(702)	75.97%
466190	Item Pricing Penalty	(557,040)	(232,100)	(117,890)	(114,210)	50.79%	(439,150)	21.16%
466340	STOPDWI VIP Prs Fees	(15,000)	(6,250)	(4,800)	(1,450)	76.80%	(10,200)	32.00%
**	Fees, Fines or Charges	(35,403,927)	(19,765,938)	(18,894,452)	(871,487)	95.59%	(16,509,475)	53.37%
***	Local Source Revenue	(1,378,808,665)	(752,131,174)	(772,527,207)	20,396,033	102.71%	(606,281,458)	56.03%
405570	ME 50% Fed Presch	(3,199,680)	(2,033,200)	(2,387,395)	354,195	117.42%	(812,285)	74.61%
410070	FA-IV-B Preventive	(1,035,686)	(431,536)	(431,536)	0	100.00%	(604,150)	41.67%
410080	FA-Admin Chargeback	1,835,629	764,845	764,845	0	100.00%	1,070,784	41.67%
410120	FA-SNAP ET 100%	(344,497)	(143,540)	(129,375)	(14,165)	90.13%	(215,122)	37.55%
410150	SSA-SSI Prl Inc Prg	(17,600)	(7,333)	(9,400)	2,067	128.18%	(8,200)	53.41%
410240	HUD Rev D14.267 CoC	(6,477,277)	(2,662,567)	(767,313)	(1,895,254)	28.82%	(5,709,964)	11.85%
410500	FA-Civil Defense	(342,777)	(142,824)	(142,824)	0	100.00%	(199,953)	41.67%
410510	Fed Drug Enforcement	(38,744)	(16,143)	0	(16,143)	0.00%	(38,744)	0.00%
410520	Fr Ci Bflo Pol Dept	(29,250)	(12,188)	(5,777)	(6,411)	47.40%	(23,473)	19.75%
411000	MH Fed Medi Sal Sh	(969,177)	(391,709)	(428,943)	37,234	109.51%	(540,234)	44.26%
411490	Fed Aid - TANF FFFS	(39,223,148)	(24,342,978)	(27,314,920)	2,971,942	112.21%	(11,908,228)	69.64%
411495	FA - SYEP	(1,737,068)	(723,778)	(347,414)	(376,364)	48.00%	(1,389,654)	20.00%
411500	Fed Aid - MA In House	1,965,117	818,799	577,353	241,446	70.51%	1,387,764	29.38%
411520	FA-Family Assistance	(37,682,769)	(15,701,154)	(11,803,879)	(3,897,275)	75.18%	(25,878,890)	31.32%
411540	FA-Social Serv Admin	(29,746,461)	(12,394,359)	(9,573,853)	(2,820,505)	77.24%	(20,172,608)	32.18%
411550	FA-Soc Serv Adm A-87	(1,275,590)	(531,496)	(278,395)	(253,101)	52.38%	(997,195)	21.82%
411570	Fed Aid - SNAP Admin	(15,194,264)	(6,330,943)	(5,698,846)	(632,097)	90.02%	(9,495,418)	37.51%
411580	Fed Aid - SNAP ET 50%	(4,141,052)	(1,725,438)	(1,166,426)	(559,012)	67.60%	(2,974,626)	28.17%
411590	FA-HEAP	(4,561,210)	(1,900,504)	(4,082,533)	2,182,029	214.81%	(478,677)	89.51%
411610	FA-Serv/Recipients	(4,866,010)	(2,027,504)	(2,020,854)	(6,650)	99.67%	(2,845,156)	41.53%
411640	FA-Daycare Block Grt	(19,339,794)	(14,208,248)	(14,262,240)	53,992	100.38%	(5,077,554)	73.75%
411670	FA-Refugee&Entrants	(126,706)	(52,794)	(49,834)	(2,960)	94.39%	(76,872)	39.33%
411680	FA-Foster Care/Adopt	(23,126,797)	(9,636,165)	(5,138,323)	(4,497,842)	53.32%	(17,988,474)	22.22%
411690	FA-IV-D Incentives	(341,203)	(142,168)	(188,440)	46,272	132.55%	(152,763)	55.23%
411700	FA-TANF Safety Net	(360,963)	(150,401)	(121,373)	(29,028)	80.70%	(239,590)	33.62%
411780	Fed Aid-Medicaid Adm	(116,171)	(48,405)	(62,500)	14,095	129.12%	(53,671)	53.80%
414000	Federal Aid	(141,000)	(58,750)	(241,742)	182,992	411.48%	100,742	171.45%
414010	Federal Aid - Other	0	0	(30,173)	30,173	0.00%	30,173	0.00%
414020	Misc Federal Aid	(77,488)	(32,287)	(62,084)	29,797	192.29%	(15,404)	80.12%
414030	FMAP Revenue	0	0	(406,115)	406,115	0.00%	406,115	0.00%
414035	FED LATCF Revenue	0	0	(50,000)	50,000	0.00%	50,000	0.00%
***	Federal Revenue	(190,711,636)	(94,264,768)	(85,860,309)	(8,404,459)	91.08%	(104,851,327)	45.02%
405000	State Aid Fr Da Sal	(77,682)	0	0	0	0.00%	(77,682)	0.00%
405010	St Re Indigent Care	(30,000)	(12,500)	(12,500)	0	100.00%	(17,500)	41.67%
405170	SA-Crt Fac Incen Aid	(2,167,000)	(902,917)	(985,973)	83,057	109.20%	(1,181,027)	45.50%
405190	StAid-Octane Testing	(25,885)	(10,785)	(7,851)	(2,935)	72.79%	(18,034)	30.33%
405500	SA-Spec Need Presch	(37,057,308)	(15,290,545)	(16,508,213)	1,217,668	107.96%	(20,549,095)	44.55%
405520	SA-NYS DOH El Serv	(4,259,038)	(1,774,599)	(1,669,842)	(104,757)	94.10%	(2,589,196)	39.21%
405530	SA-Admin Preschool	(379,134)	(157,973)	(411,150)	253,178	260.27%	32,016	108.44%
405540	SA-Art VI-P H Work	(3,712,202)	(1,546,751)	(1,546,750)	(1)	100.00%	(2,165,452)	41.67%
405560	SA-NYS DOH El Admin	(546,948)	(227,895)	(227,895)	0	100.00%	(319,053)	41.67%
405590	SA-Medicaid El Admin	(116,171)	(48,405)	(62,500)	14,095	129.12%	(53,671)	53.80%
405595	SA-Med Anti Fraud	(471,085)	(196,285)	(80,994)	(115,291)	41.26%	(390,091)	17.19%
406000	SA-Fr Prob Serv	(1,429,470)	(595,613)	(595,613)	0	100.00%	(833,858)	41.67%
406010	SA-Fr Nav Law Enforc	(80,500)	(33,542)	0	(33,542)	0.00%	(80,500)	0.00%
406020	SA-Snomob Lw Enforc	(20,000)	(8,333)	(6,991)	(1,342)	83.89%	(13,009)	34.96%
406500	Refugee Hlth Assment	(91,041)	(37,934)	(56,165)	18,231	148.06%	(34,876)	61.69%
406550	Emerg Med Training	(435,395)	(181,415)	(169,860)	(11,555)	93.63%	(265,535)	39.01%
406560	SA-Art VI-PubHlthLab	(4,405,561)	(1,835,650)	(1,835,650)	(0)	100.00%	(2,569,911)	41.67%

After 41% of the year, the County has achieved 53% of the annual Fees, Fines, or Charges revenue budget.

Federal Aid

Formula-driven Federal Aid appears under budget, mainly in Health and Human Service Departments, is offset by savings in associated expenditures.

After 41% of the year, the County has achieved 45% of the budgeted Federal revenue.

State Aid

Formula-driven State Aid appears under budget, mainly in Health and Human Service Departments, is offset by savings in associated expenditures.

406810 SA-Foren Mntl Hea Sr	(2,901,411)	(1,208,921)	(1,065,562)	(143,359)	88.14%	(1,835,849)	36.73%
406830 SA-Mental Health II	(35,630,158)	(14,298,980)	(14,121,371)	(177,609)	98.76%	(21,508,787)	39.63%
406860 State Aid - OASAS	(16,860,534)	(6,851,596)	(6,546,590)	(305,006)	95.55%	(10,313,944)	38.83%
406880 State Aid - OPWDD	(537,102)	(223,793)	(224,806)	1,014	100.45%	(312,296)	41.86%
406890 Handpd Park Surch	(14,000)	(5,833)	(1,575)	(4,258)	27.00%	(12,425)	11.25%
407500 SA-MA In House	1,965,117	818,799	44,441	774,358	5.43%	1,920,676	2.26%
407510 SA-Spec Need Adult	(2,310)	(963)	0	(963)	0.00%	(2,310)	0.00%
407520 SA-Family Assistance	0	0	(15,212)	15,212	0.00%	15,212	0.00%
407540 SA-Soc Serv Admin	(30,554,134)	(12,730,889)	(12,052,952)	(677,938)	94.67%	(18,501,182)	39.45%
407600 SA-Sec Det Other Co	(802,307)	(334,295)	(192,227)	(142,068)	57.50%	(610,080)	23.96%
407610 SA-Sec Det Loc Yth	(2,258,810)	(1,380,171)	(1,246,946)	(133,225)	90.35%	(1,011,864)	55.20%
407625 SA-Raise the Age	(8,650,476)	(3,854,365)	(4,110,036)	255,671	106.63%	(4,540,440)	47.51%
407630 SA-Safety Net Assist	(10,411,479)	(4,338,116)	(3,923,588)	(414,528)	90.44%	(6,487,891)	37.69%
407640 SA-Emrg Assist/Adult	(429,184)	(178,827)	(134,617)	(44,210)	75.28%	(294,567)	31.37%
407650 SA-Foster Care/Adopt	(28,331,826)	(11,804,928)	(7,117,828)	(4,687,099)	60.30%	(21,213,998)	25.12%
407670 SA-EAF Prev POS	(6,725,218)	(2,802,174)	(779,954)	(2,022,220)	27.83%	(5,945,264)	11.60%
407680 SA-Serv Fr Recipnts	(5,997,122)	(2,498,801)	(4,245,062)	1,746,261	169.88%	(1,752,060)	70.79%
407710 SA-Legal Serv/Disab	(162,242)	(67,601)	0	(67,601)	0.00%	(162,242)	0.00%
407730 State Aid - Burials	(1,034)	(431)	(70)	(361)	16.25%	(964)	6.77%
407740 SA-Veterns Srv Agenc	(70,000)	0	0	0	0.00%	(70,000)	0.00%
407780 SA-Daycare Block Grt	(3,899,715)	(1,624,881)	(764,199)	(860,682)	47.03%	(3,135,516)	19.60%
407785 SA-WDI Enrollment	0	0	(204,750)	204,750	0.00%	204,750	0.00%
407795 State Aid - Code Blue	(427,812)	(248,255)	(346,194)	97,939	139.45%	(81,618)	80.92%
408000 SA-Youth Progs	(25,181)	(10,492)	(10,576)	84	100.80%	(14,605)	42.00%
408020 Youth-Reimb Programs	(996,576)	(415,240)	(414,783)	(457)	99.89%	(581,793)	41.62%
408030 Homeless/Run NR RHY1	(117,000)	(48,750)	(49,140)	390	100.80%	(67,860)	42.00%
408040 Homeless/Run Re RHY2	(84,000)	(35,000)	(21,000)	(14,000)	60.00%	(63,000)	25.00%
408050 Youth - Homeless Adv	0	0	0	0	0.00%	0	0.00%
408055 Youth Sports/Edu Opp	(100,000)	(41,667)	(17,479)	(24,188)	41.95%	(82,521)	17.48%
408061 STSJP - RTA	(450,000)	(187,500)	(171,000)	(16,500)	91.20%	(279,000)	38.00%
408065 Yth-Supervision	(310,000)	(129,167)	(96,316)	(32,851)	74.57%	(213,684)	31.07%
408530 SA-Crim Justice Prog	(711,517)	(267,644)	(270,777)	3,133	101.17%	(440,740)	38.06%
409000 State Aid Revenues	(86,755)	(7,773)	4,363	(12,136)	-56.13%	(91,118)	-5.03%
409010 State Aid - Other	(4,217,610)	(30,822)	(314,274)	283,452	1019.64%	(3,903,337)	7.45%
409020 SA-Misc	(63,386)	(26,411)	(14,154)	(12,257)	53.59%	(49,232)	22.33%
409030 SA-Main-Lieu of Rent	(157,578)	(65,658)	(65,658)	1	100.00%	(91,920)	41.67%
409060 SA-Prob Pretrial Ser	(99,394)	0	0	0	0.00%	(99,394)	0.00%
***** State Revenue**	**(215,425,174)**	**(87,762,283)**	**(82,667,837)**	**(5,094,446)**	**94.20%**	**(132,757,337)**	**38.37%**
486010 Resid Equity Tran-In	(729,966)	(729,966)	(728,801)	(1,165)	99.84%	(1,165)	99.84%
***** Interfund Revenue**	**(729,966)**	**(729,966)**	**(728,801)**	**(1,165)**	**99.84%**	**(1,165)**	**99.84%**
****** County Revenue**	**(1,785,675,441)**	**(934,888,192)**	**(941,784,154)**	**6,895,962**	**100.74%**	**(843,891,287)**	**52.74%**

Expenses								
500000 Full Time - Salaries	266,000,391	108,778,485	100,484,355	8,294,130	92.38%	165,516,036	37.78%	Through 41% of the year, the County has spent 37% of budgeted salaries.
500010 Part Time - Wages	4,398,923	1,636,350	1,012,041	624,309	61.85%	3,386,882	23.01%	
500020 Regular PT - Wages	1,825,798	721,839	579,167	142,672	80.23%	1,246,631	31.72%	
500030 Seasonal - Wages	1,006,666	293,044	224,356	68,687	76.56%	782,310	22.29%	
** Salaries	273,231,778	111,429,717	102,299,919	9,129,798	91.81%	170,931,859	37.44%	
500300 Shift Differential	2,219,409	920,297	889,820	30,477	96.69%	1,329,589	40.09%	
500320 Uniform Allowance	1,131,050	244,500	244,500	0	100.00%	886,550	21.62%	
500330 Holiday Worked	2,482,406	1,028,790	930,661	98,129	90.46%	1,551,745	37.49%	
500340 Line-up Pay	2,946,478	1,213,654	1,099,321	114,333	90.58%	1,847,157	37.31%	
500350 Other Employee Pymts	2,532,210	1,018,564	949,568	68,996	93.23%	1,582,642	37.50%	After 41% of the year, overtime is showing a unfavourable variance of $4.3 Million
501000 Overtime	18,787,531	7,974,778	12,333,400	(4,358,622)	154.66%	6,454,131	65.65%	
** Non-Salaries	30,099,084	12,400,583	16,447,270	(4,046,687)	132.63%	13,651,814	54.44%	
504990 Reductions Per Srv	(2,700,000)	(1,112,130)	0	(1,112,130)	0.00%	(2,700,000)	0.00%	
504992 Salary Reserves	1,914,874	688,932	0	688,932	0.00%	1,914,874	0.00%	
504998 Net Impact Teamsters	900,000	0	0	0	0.00%	900,000	0.00%	
** Countywide Adjustments	114,874	(423,198)	0	(423,198)	0.00%	114,874	0.00%	
*** Personnel Related Expense	303,445,736	123,407,102	118,747,189	4,659,914	96.22%	184,698,547	39.13%	
502000 Fringe Benefits	143,411,408	58,134,134	0	58,134,134	0.00%	143,411,408	0.00%	
502010 Employer FICA	0	0	7,154,471	(7,154,471)	0.00%	(7,154,471)	0.00%	All departmental Fringe Benefit expense is budgeted in account 502000. Actual expense is recorded at the detailed level indicated. The exception is the budget for Workers Compensation and ECMC legacy-related expense.
502020 Empler FICA-Medicare	0	0	1,661,176	(1,661,176)	0.00%	(1,661,176)	0.00%	
502030 Employee Health Ins	0	0	17,903,339	(17,903,339)	0.00%	(17,903,339)	0.00%	
502040 Dental Plan	0	0	641,315	(641,315)	0.00%	(641,315)	0.00%	
502050 Workers' Compensation	11,496,779	4,563,523	5,028,744	(465,221)	110.19%	6,468,035	43.74%	
502060 Unemployment Ins	0	0	123,311	(123,311)	0.00%	(123,311)	0.00%	
502070 Hosp & Med-Retirees'	1,782,192	742,580	13,215,931	(12,473,351)	1779.73%	(11,433,739)	741.55%	
502090 Hlth Ins Waiver	0	0	1,123,644	(1,123,644)	0.00%	(1,123,644)	0.00%	
502100 Retirement	0	0	11,429,542	(11,429,542)	0.00%	(11,429,542)	0.00%	After 41% of the year, the County has spent 38% of the total budgeted Fringe Benefit expense.
502130 WkrsCmp OtherFd Reim	(9,408,053)	(3,875,177)	(2,581,371)	(1,293,806)	66.61%	(6,826,682)	27.44%	
502140 3rd Party Recoveries	(1,242,547)	(511,805)	(665,133)	153,328	129.96%	(577,414)	53.53%	
*** Fringe Benefit Total	146,039,779	59,053,255	55,034,970	4,018,285	93.20%	91,004,809	37.68%	
505000 Office Supplies	1,143,848	441,740	239,020	202,720	54.11%	904,829	20.90%	
505200 Clothing Supplies	822,179	273,833	150,357	123,476	54.91%	671,822	18.29%	
505400 Food & Kitchen Supp	1,916,326	802,003	777,567	24,436	96.95%	1,138,759	40.58%	
505600 Auto Tr & Hvy Eq Sup	3,127,974	1,324,555	725,346	599,209	54.76%	2,402,628	23.19%	
505800 Medical & Hlth Supp	2,286,301	616,412	531,678	84,735	86.25%	1,754,624	23.25%	
506200 Maintenance & Repair	3,443,489	1,264,214	785,118	479,096	62.10%	2,658,371	22.80%	
507000 E-Z Pass Supplies	14,700	6,125	0	6,125	0.00%	14,700	0.00%	
** Supplies and Repairs	12,754,817	4,728,882	3,209,085	1,519,797	67.86%	9,545,731	25.16%	
555000 General Liability	8,520,262	2,789,333	(6,974)	2,796,307	-0.25%	8,527,236	-0.08%	
555010 Settlmts/Jdgmnts-Lit	0	0	1,709,076	(1,709,076)	0.00%	(1,709,076)	0.00%	
555020 Travel & Mileage-Lit	0	0	413	(413)	0.00%	(413)	0.00%	
555030 Litig & Rel Disburs.	0	0	36,615	(36,615)	0.00%	(36,615)	0.00%	
555040 Expert/Cons Fees-Lit	0	0	508,394	(508,394)	0.00%	(508,394)	0.00%	
555050 Insurance Premiums	0	0	542,188	(542,188)	0.00%	(542,188)	0.00%	
* Risk Retention	8,520,262	2,789,333	2,789,713	(379)	100.01%	5,730,549	32.74%	
510000 Local Mileage Reimb	1,809,265	728,914	360,639	368,275	49.48%	1,448,626	19.93%	
510100 Out Of Area Travel	677,996	230,581	136,049	94,532	59.00%	541,947	20.07%	
510200 Training And Educat	749,377	271,854	193,567	78,287	71.20%	555,810	25.83%	Risk Retention expense is budgeted in account 555000 while actual expense is recorded at a detailed level in the accounts indicated. In total Risk Retention is on budget for the period.
511000 Control Board Expense	490,000	204,167	441,928	(237,761)	216.45%	48,072	90.19%	
515000 Utility Charges	3,708,150	1,346,146	1,277,015	69,131	94.86%	2,431,135	34.44%	
516040 DSS Trng & Edu Pro	1,759,781	1,007,425	528,833	478,593	52.49%	1,230,949	30.05%	
530000 Other Expenses	4,319,811	1,793,276	580,959	1,212,317	32.40%	3,738,851	13.45%	
530010 Chargebacks	1,636,212	681,755	643,634	38,121	94.41%	992,578	39.34%	
530030 Pivot Wage Subsidies	2,582,049	1,127,121	1,090,928	36,193	96.79%	1,491,121	42.25%	
545000 Rental Charges	13,250,154	5,276,084	4,824,353	451,731	91.44%	8,425,802	36.41%	
** Other	39,503,057	15,456,656	12,867,617	2,589,039	83.25%	26,635,440	32.57%	
* Non Profit Agency Subsidy	26,289,314	7,115,036	7,115,036	0	100.00%	19,174,278	27.06%	
* Non Profit Purchase of Servic	145,653,744	54,685,307	49,670,127	5,015,180	90.83%	95,983,617	34.10%	
516020 Pro Ser Cnt and Fees	26,431,606	6,487,605	4,950,579	1,537,026	76.31%	21,481,027	18.73%	
516021 Indep Proced Review	50,000	20,833	20,833	0	100.00%	29,167	41.67%	
516030 Maintenance Contracts	9,152,305	5,754,201	6,123,750	(369,549)	106.42%	3,028,556	66.91%	
516042 Foreclosure Action	1,752,754	1,752,754	1,752,754	0	100.00%	0	100.00%	
516080 Life Safety Contract	1,477,468	395,690	435,423	(39,733)	110.04%	1,042,046	29.47%	
516045 Prog Start-Up Costs	0	(369,342)	0	(369,342)	0.00%	0	0.00%	
520000 Municipal Assoc Fees	118,427	118,427	118,426	1	100.00%	1	100.00%	
520010 Txs&Asses-Co Ownd Pr	600	250	229	21	91.59%	371	38.16%	
520020 Co Res Enrl Comm Col	8,305,275	3,588,031	3,586,966	1,066	99.97%	4,718,309	43.19%	
520040 Curr Pymts Mass Tran	3,657,200	1,828,600	1,828,600	0	100.00%	1,828,600	50.00%	
520050 Garbage Disposal	115,000	47,917	44,417	3,499	92.70%	70,583	38.62%	
520070 Buffalo Bills Maint	3,048,714	947,173	947,173	0	100.00%	2,101,541	31.07%	
520072 Working Capital Asst	1,933,237	0	0	0	0.00%	1,933,237	0.00%	
* Professional Srvs Contracts a	56,042,587	20,572,138	19,809,150	762,988	96.29%	36,233,437	35.35%	
516050 Dept Payments-ECMCC	5,401,316	3,496,293	3,547,199	(50,906)	101.46%	1,854,117	65.67%	
516051 ECMCC Drug & Alcohol	397,493	165,622	165,622	0	100.00%	231,871	41.67%	
* ECMCC Payments	5,798,809	3,661,915	3,712,821	(50,906)	101.39%	2,085,988	64.03%	
516060 Sales Tax Loc Gov 3%	403,187,071	165,555,822	170,160,829	(4,605,007)	102.78%	233,026,242	42.20%	
516070 Flat Dist from 1%	12,500,000	12,500,000	12,500,000	0	100.00%	0	100.00%	
520030 NFTA-Share Sales Tax	25,966,267	10,710,995	10,959,567	(248,572)	102.32%	15,006,700	42.21%	
* Sales Tax to Local Government	441,653,338	188,766,817	193,620,395	(4,853,579)	102.57%	248,032,943	43.84%	
** Contractual	675,437,792	274,801,213	273,927,529	873,684	99.68%	401,510,262	40.56%	
561410 Lab & Tech Eqt	8,638,481	1,792,066	1,551,711	240,355	86.59%	7,086,770	17.96%	
561420 Office Furn & Fixt	849,073	231,672	89,907	141,765	38.81%	759,166	10.59%	
561430 Bldg Grs & Hvy Eq	928,088	21,204	1,045	20,159	4.93%	927,043	0.11%	
561440 Motor Vehicles	1,232,571	209,391	61,113	148,278	29.19%	1,171,458	4.96%	
** Equipment	11,648,213	2,254,333	1,703,776	550,557	75.58%	9,944,437	14.63%	
559000 County Share - Grants	15,328,919	1,141,918	1,141,925	(7)	100.00%	14,186,994	7.45%	
570000 InterFund Trans-Subs	125,000	125,000	125,000	0	100.00%	0	100.00%	
570020 Interfund - Road	17,237,687	8,230,562	8,230,562	0	100.00%	9,007,125	47.75%	
570025 InterFd Co Share 911	5,505,969	2,361,317	2,361,317	0	100.00%	3,144,652	42.89%	
570028 InterFd Co Share Lib	769,976	769,976	769,976	0	100.00%	0	100.00%	
570030 Interfund-ECC Sub	19,804,317	19,804,317	19,804,317	0	100.00%	0	100.00%	
570050 InterFund Trans-Cap	152,494,023	44,544,000	44,544,000	0	100.00%	107,950,023	29.21%	
575000 Interfnd Exp Non-Sub	4,354,310	0	0	0	0.00%	4,354,310	0.00%	
575040 I/F Expense-Utility	5,724,468	1,790,195	1,525,608	264,587	85.22%	4,198,860	26.65%	

* Interfund Expense	221,344,668	78,767,285	78,502,705	264,581	99.66%	142,841,964	35.47%
910200 ID Budget Services	0	0	0	0	0.00%	0	0.00%
910600 ID Purchasing Srv	(286,309)	(119,295)	(109,161)	(10,134)	91.51%	(177,148)	38.13%
910700 ID Fleet Services	(3,087,181)	(1,294,125)	(748,646)	(545,479)	57.85%	(2,338,535)	24.25%
911200 ID Comptroller's Srv	0	0	0	0	0.00%	0	0.00%
911400 ID District Atty Srv	0	0	0	0	0.00%	0	0.00%
911500 ID Sheriff Div. Srvs	(194,907)	(81,211)	(99,549)	18,338	122.58%	(95,358)	51.08%
911600 ID Jail Mgt. Service	0	0	0	0	0.00%	0	0.00%
911630 ID Correctional Fac	(45,000)	(18,750)	0	(18,750)	0.00%	(45,000)	0.00%
912000 ID DSS Service	(167,814)	(69,922)	0	(69,922)	0.00%	(167,814)	0.00%
912100 ID Utility Fund Srv	4,966	2,069	0	2,069	0.00%	4,966	0.00%
912215 ID DPW Mail Srvs	(13,561)	(5,650)	(2,112)	(3,539)	37.37%	(11,449)	15.57%
912220 ID Build&Grounds Srv	0	(0)	0	(0)	0.00%	0	0.00%
912300 ID Highways Services	32,000	13,333	3,459	9,874	25.94%	28,541	10.81%
912400 ID Mental Health Srv	0	0	0	0	0.00%	0	0.00%
912520 ID Youth Deten Srvs	0	0	0	0	0.00%	0	0.00%
912530 ID Youth Bureau Srvs	0	0	0	0	0.00%	0	0.00%
912600 ID Probation Services	0	0	0	0	0.00%	0	0.00%
912700 ID Health Services	(3,427)	(1,428)	(96,439)	95,011	6753.80%	93,012	2814.09%
912730 ID Health Lab Srv	7,187	2,995	0	2,995	0.00%	7,187	0.00%
912740 ID Med Ex Services	0	0	0	0	0.00%	0	0.00%
913000 ID Veterans Services	0	0	0	0	0.00%	0	0.00%
914000 ID CW Accts Budget	84,610	(7,800)	(7,800)	0	100.00%	92,410	-9.22%
916000 ID County Attny Srv	(153,032)	(63,112)	(6,834)	(56,278)	10.83%	(146,198)	4.47%
916200 ID Env & Plan Srv	57,182	23,826	12,604	11,222	52.90%	44,578	22.04%
916300 ID Senior Services	0	0	0	0	0.00%	0	0.00%
916390 ID Senior Srvs Grant	24,906	10,378	0	10,378	0.00%	24,906	0.00%
916400 ID Parks Services	(70,986)	(29,578)	(16,697)	(12,881)	56.45%	(54,289)	23.52%
916500 ID CPS Services	0	0	0	0	0.00%	0	0.00%
916700 ID Emergency Services	0	(0)	0	(0)	0.00%	0	0.00%
916790 ID Emerg Srvs Grant	115,445	48,102	23,070	25,032	47.96%	92,375	19.98%
942000 ID Library Services	153,143	63,810	37,246	26,564	58.37%	115,898	24.32%
980000 ID DISS Services	(2,190,672)	(912,793)	(900,442)	(12,351)	98.65%	(1,290,230)	41.10%
* Interdepartmental Billings	(5,733,450)	(2,439,153)	(1,911,301)	(527,852)	78.36%	(3,822,149)	33.34%
** Allocations	215,611,218	76,328,132	76,591,404	(263,272)	100.34%	139,019,815	35.52%
525000 MMIS-Medicaid Loc Sh	190,454,017	76,425,700	73,516,102	2,909,598	96.19%	116,937,915	38.60%
525020 UPL Expense	6,786,138	-	-	-	0%	6,786,138	0.00%
525030 MA - Gross Loc Pymts	39247	16352.92	6408.2	9944.72	39%	32,839	16%
525040 Family Assistance-FA	38,780,099	16,158,375	12,016,792	4,141,583	74%	26,763,307	31%
525050 CWS - Foster Care	99,177,933	29,324,139	25,489,401	3,834,738	87%	73,688,532	26%
525060 Safety Net Assist	39,665,565	16,527,319	14,882,091	1,645,227	90%	24,783,474	38%
525070 Emer Assist To Adlts	1,034,035	430,848	388,689	42,159	90%	645,346	38%
525080 Ed Handicapped Child	592,608	246,920	106,087	140,833	43%	486,521	18%
525091 Child Care - Title XX	1,580,796	658,665	928,339	(269,674)	141%	652,457	59%
525092 Child Care - CCBG	21,720,590	9,250,246	17,897,516	(8,647,270)	193.48%	3,823,074	82.40%
525100 Housekeeping - DSS	36,486	15,203	-	15,203	0.00%	36,486	0.00%
525110 Meals On Wheels WNY	70,000	29,167	29,167	-	100.00%	40,833	41.67%
525120 Adult Special Needs	2,310	963	-	963	0.00%	2,310	0.00%
525130 OCFS Yth Fac Charges	7,979,770	3,324,904	3,338,274	(13,370)	100%	4,641,496	42%
525140 HEAP Program Costs	570,000	237,500	705,647	(468,147)	297%	(135,647)	124%
525150 DSH Expense	90,977,571	50,573,845	50,573,845	-	100%	40,403,726	56%
525160 Indigent Care DSH	6,691,290	3,345,645	2,986,344	359,301	89.26%	3,704,946	44.63%
528000 Svcs Spec Need Child	64,569,406	26,855,086	29,880,748	(3,025,662)	111.27%	34,688,658	46.28%
528010 Srvs Early Inv Prog	8,570,914	3,471,631	3,407,841	63,790	98.16%	5,163,073	39.76%
530020 Independent Living	10,000	4,167	-	4,167	0.00%	10,000	0.00%
** Program Specific	579,308,775	236,896,673	236,153,291	743,381	99.69%	343,155,484	40.76%
570040 I/F Subsidy Debt Srv	62,414,953	26,950,185	26,950,185	0	100.00%	35,464,768	43.18%
** Debt Services	62,414,953	26,950,185	26,950,185	0	100.00%	35,464,768	43.18%
*** All Other Operating Expense	1,596,678,825	637,416,074	631,402,888	6,013,187	99.06%	965,275,937	39.54%
**** County Expense	2,046,164,340	819,876,432	805,185,047	14,691,385	98.21%	1,240,979,294	39.35%
***** Net	260,488,900	(115,011,760)	(136,599,107)	21,587,347		397,088,007	

Through 41% of the year Medicaid is showing a positive variance of $ 2.9M. An overall $ 7.3M is expected for all of 2023.

The UPL Expense payment expected for December 2022 has been delayed and is expected sometime in 2023.

Report: ZHR_VACANT_POS_RPT
System: PRD/100/ZHR_VACANT_RPT
User: SCHLOSSK
Department: 102 Budget & Management

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

Date: 07/06/2023
Time: 09:06:33
As of: 05/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CHF PRCL(PT)	51016090	GRP 09	PT	P	10/08/2022	BUDGET & MANAGEMENT DIVISION	110		26,227.00		01	100.000

26,227.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Totals for Budget & Management

26,227.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LARESTUIN SE	51016728	GRP 01	SeasonP		07/08/2021	DEPARTMENT OF LABOR RELATIONS	110		14,100.00		07	100.000

14,100.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Totals for Labor Relations

14,100.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
TAX ACCT PT	51015554	GRP 10	PT	P	01/01/2022	DEPARTMENT OF REAL PROPERTY TAX	110		27,856.00		01	100.000

27,856.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Totals for Real Property Tax Services

27,856.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CLERK PT	51002354	GRP 01	PT	P	06/18/2022	RECORDING	110		18,330.00		02	100.000
	51004348	GRP 01	PT	T	05/06/2023	RECORDING	110		18,330.00		02	100.000
18,330.00 Perm Budget Amt					1 Perm Vac	18,330.00 Temp Budget Amt		1 Temp Vac		2		
JR MT V CS P	51002287	GRP 05	PT	T	06/04/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002289	GRP 05	PT	T	09/25/2021	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002294	GRP 05	PT	P	10/09/2021	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002296	GRP 05	PT	T	06/04/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002326	GRP 05	PT	T	12/18/2021	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002327	GRP 05	PT	T	11/26/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002331	GRP 05	PT	P	11/06/2021	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002332	GRP 05	PT	P	11/12/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002333	GRP 05	PT	P	06/03/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002338	GRP 05	PT	P	08/18/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002340	GRP 05	PT	T	08/27/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002341	GRP 05	PT	T	06/04/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51008178	GRP 05	PT	P	05/30/2023	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51008179	GRP 05	PT	T	06/04/2022	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
124,272.00 Perm Budget Amt					6 Perm Vac	165,696.00 Temp Budget Amt		8 Temp Vac		14		

Totals for County Clerk

142,602.00 Perm Budget Amt 7 Perm Vac 184,026.00 Temp Budget Amt 9 Temp Vac 16

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DS SE RE S S	51011340	GRP 51	SeasonP		08/14/2021	STADIUM DETAIL	110		3,511.00		07	0.000
	51011342	GRP 51	SeasonP		08/13/2021	STADIUM DETAIL	110		3,511.00		07	0.000
	51011344	GRP 51	SeasonP		07/17/2021	STADIUM DETAIL	110		3,511.00		07	0.000
	10,533.00	Perm Budget Amt		3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	3		
DS SEC RES S	51011471	GRP 50	SeasonP		12/04/2021	STADIUM DETAIL	110		2,200.00		07	0.000
	51011472	GRP 50	SeasonP		09/25/2021	STADIUM DETAIL	110		2,200.00		07	0.000
	51011474	GRP 50	SeasonP		07/24/2021	STADIUM DETAIL	110		2,200.00		07	0.000
	51011504	GRP 50	SeasonP		02/26/2022	STADIUM DETAIL	110		2,200.00		07	0.000
	51011579	GRP 50	SeasonP		07/02/2022	STADIUM DETAIL	110		2,200.00		07	0.000
	51011599	GRP 50	SeasonP		09/19/2022	STADIUM DETAIL	110		2,200.00		07	0.000
	51017508	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017509	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017510	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017511	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017512	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017514	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017515	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017516	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017519	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017520	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017521	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017522	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017523	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017524	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017525	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017526	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017527	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017528	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017529	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017530	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017531	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017532	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017533	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017534	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017535	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017536	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017537	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017538	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017539	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017540	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017541	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017542	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017543	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017544	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	51017545	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017546	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017547	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017548	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017549	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017550	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017551	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017552	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000
	51017553	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,100.00		07	0.000

60,500.00 Perm Budget Amt 49 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 49

Totals for Office of the Sheriff

71,033.00 Perm Budget Amt 52 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 52

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
HC GD PT	51016613	GRP 08	PT	P	02/13/2023	SECURITY HC	110		19,149.00		02	100.000
	51016747	GRP 08	PT	P	02/13/2023	SECURITY HC	110		19,149.00		02	100.000
	51017848	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000
	51017849	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000
	51017850	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000
	51017851	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000
	51017852	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000
	51017853	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000
	51017854	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000
	51017855	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000
	51017856	GRP 08	PT	P	01/01/2023	SECURITY HC	110		19,149.00		02	100.000

210,639.00 Perm Budget Amt 11 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 11

Totals for Jail Management

210,639.00 Perm Budget Amt 11 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 11

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
EN CR 1 SEA	51012143	GRP 02	SeasonP		01/28/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		13,418.00		02	0.000
13,418.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
CASEWKR PT	51011888	GRP 09	PT	P	05/06/2023	CHILD PROTECTIVE SERVICES	110		26,227.00		02	49.020
	51011889	GRP 09	PT	P	04/24/2023	CHILD PROTECTIVE SERVICES	110		26,227.00		02	49.020
52,454.00 Perm Budget Amt				2 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		2		
EN CR 1 PT	51002087	GRP 02	PT	P	05/03/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		18,606.00		02	0.000
18,606.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
EN CR 2 PT	51002103	GRP 05	PT	P	05/19/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		20,712.00		02	0.000
	51017076	GRP 05	PT	P	05/20/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		20,712.00		02	0.000
	51017082	GRP 05	PT	P	05/23/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		20,712.00		02	0.000
62,136.00 Perm Budget Amt				3 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		3		

Totals for Department of Social Services

146,614.00 Perm Budget Amt				7 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		7		

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DET HM IN PT	00002980	GRP 09	PT	P	03/11/2022	INTAKE	110		21,237.00		02	51.000
	00002982	GRP 09	PT	P	05/02/2022	INTAKE	110		21,237.00		02	51.000
42,474.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
DET SEC GD P	00002970	GRP 05	PT	P	07/09/2021	BUILDING SERVICES	110		12,562.00		01	51.000
12,562.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
YTH DET WK P	51006935	GRP 07	PT	P	04/22/2023	SECURE PART TIME YDW CHILD CARE	110		14,353.00		02	51.000
	51006936	GRP 07	PT	T	02/25/2023	SECURE PART TIME YDW CHILD CARE	110		14,353.00		02	51.000
	51016801	GRP 07	PT	T	02/10/2023	SECURE PART TIME YDW CHILD CARE	110		14,353.00		02	51.000
	51016802	GRP 07	PT	P	05/21/2023	SECURE PART TIME YDW CHILD CARE	110		14,353.00		02	51.000
28,706.00	Perm Budget Amt		2	Perm Vac	28,706.00	Temp Budget Amt	2	Temp Vac		4		

Totals for Youth Services Division

83,742.00	Perm Budget Amt		5	Perm Vac	28,706.00	Temp Budget Amt	2	Temp Vac		7		

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

As of: 05/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
C IN C EMS P	51005153	GRP 15	PT	P	05/20/2023	EMS TRAINING	110		7,206.00		07	100.000
	51005154	GRP 15	PT	P	07/16/2020	EMS TRAINING	110		7,721.00		07	100.000
	51005155	GRP 15	PT	P	05/20/2023	EMS TRAINING	110		7,206.00		07	100.000
	51005158	GRP 15	PT	P	01/06/2020	EMS TRAINING	110		1,716.00		07	100.000
	51005164	GRP 15	PT	P	01/06/2020	EMS TRAINING	110		3,217.00		07	100.000
	51005165	GRP 15	PT	P	01/06/2020	EMS TRAINING	110		6,348.00		07	100.000
	51005168	GRP 15	PT	P	05/19/2023	EMS TRAINING	110		4,933.00		07	100.000
	51005169	GRP 15	PT	P	01/06/2020	EMS TRAINING	110		6,866.00		07	100.000
	51005173	GRP 15	PT	P	05/09/2020	EMS TRAINING	110		6,863.00		07	100.000
	51006156	GRP 15	PT	P	05/09/2020	EMS TRAINING	110		3,432.00		07	100.000
	51008194	GRP 15	PT	P	05/20/2023	EMS TRAINING	110		4,289.00		07	100.000
59,797.00	Perm Budget Amt		11	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac		11
C L IN EMS P	51005203	GRP 08	PT	P	05/19/2023	EMS TRAINING	110		3,298.00		07	100.000
	51005231	GRP 08	PT	P	05/20/2023	EMS TRAINING	110		3,298.00		07	100.000
	51005243	GRP 08	PT	P	05/20/2023	EMS TRAINING	110		2,648.00		07	100.000
	51005246	GRP 08	PT	P	05/19/2023	EMS TRAINING	110		2,648.00		07	100.000
	51005248	GRP 08	PT	P	02/15/2023	EMS TRAINING	110		3,298.00		07	100.000
	51005252	GRP 08	PT	P	05/19/2023	EMS TRAINING	110		3,298.00		07	100.000
	51005257	GRP 08	PT	P	05/20/2023	EMS TRAINING	110		375.00		07	100.000
	51005260	GRP 08	PT	P	05/19/2023	EMS TRAINING	110		999.00		07	100.000
	51005272	GRP 08	PT	P	03/11/2023	EMS TRAINING	110		3,298.00		07	100.000
	51005275	GRP 08	PT	P	05/20/2023	EMS TRAINING	110		3,298.00		07	100.000
	51011947	GRP 08	PT	P	05/19/2023	EMS TRAINING	110		999.00		07	100.000
27,457.00	Perm Budget Amt		11	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac		11
PR WK IN PT	51005276	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		1,117.00		07	100.000
	51005277	GRP 01	PT	P	01/06/2020	EMS TRAINING	110		779.00		07	100.000
	51005278	GRP 01	PT	P	05/22/2021	EMS TRAINING	110		1,855.00		07	100.000
	51005279	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		1,132.00		07	100.000
	51005280	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		1,132.00		07	100.000
	51005284	GRP 01	PT	P	08/01/2020	EMS TRAINING	110		1,132.00		07	100.000
	51005286	GRP 01	PT	P	04/28/2023	EMS TRAINING	110		1,132.00		07	100.000
	51005287	GRP 01	PT	P	09/25/2021	EMS TRAINING	110		1,132.00		07	100.000
	51005289	GRP 01	PT	P	05/26/2021	EMS TRAINING	110		779.00		07	100.000
	51005291	GRP 01	PT	P	05/20/2023	EMS TRAINING	110		779.00		07	100.000
	51005293	GRP 01	PT	P	01/15/2022	EMS TRAINING	110		1,132.00		07	100.000
	51005297	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		1,317.00		07	100.000
	51006149	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		2,783.00		07	100.000
	51006177	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		557.00		07	100.000
	51006178	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		557.00		07	100.000
	51006183	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		557.00		07	100.000
	51011943	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		278.00		07	100.000
	51011945	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		278.00		07	100.000

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

As of: 05/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	51011946	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		186.00		07	100.000
	18,614.00	Perm Budget Amt		19	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	19		
REG NRS PT	51012177	GRP 08	PT	P	08/05/2022	YOUTH DETENTION HEALTH SERVICES	110		27,818.00		02	50.000
	27,818.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		

Totals for Health

	133,686.00	Perm Budget Amt		42	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	42		

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CH EL CL C P	51003576	GRP 09	PT	P	01/08/2016	ADMINISTRATION-BOE - DEM.	110		26,227.00		05	100.000
26,227.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
DABAPRCOPBOE	51014951	GRP 13	PT	P	06/20/2020	ADMINISTRATION-BOE - REP.	110		9,897.00		05	100.000
9,897.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
ELC FIN CL P	51007156	GRP 06	PT	P	01/01/2020	ADMINISTRATION-BOE - REP.	110		21,949.00		05	100.000
21,949.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
ELC IN S S P	51007157	GRP 11	PT	P	03/19/2020	ADMINISTRATION-BOE - REP.	110		30,366.00		05	100.000
30,366.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
ELE WKR PTNB	00003139	GRP 01	PT	P	03/13/2021	ADMINISTRATION-BOE - REP.	110		10,093.00		05	100.000
	00003141	GRP 01	PT	P	08/20/2021	ADMINISTRATION-BOE - REP.	110		10,093.00		05	100.000
	00003145	GRP 01	PT	P	07/30/2021	ADMINISTRATION-BOE - REP.	110		10,093.00		05	100.000
	00003146	GRP 01	PT	P	11/13/2021	ADMINISTRATION-BOE - REP.	110		10,093.00		05	100.000
	00003147	GRP 01	PT	P	08/20/2021	ADMINISTRATION-BOE - REP.	110		10,093.00		05	100.000
	00003150	GRP 01	PT	P	07/24/2020	ADMINISTRATION-BOE - REP.	110		10,093.00		05	100.000
	00003153	GRP 01	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110		10,093.00		05	100.000
	00003157	GRP 01	PT	P	01/18/2020	ADMINISTRATION-BOE - REP.	110		3,673.00		05	100.000
	00003159	GRP 01	PT	P	12/03/2022	ADMINISTRATION-BOE - DEM.	110		10,093.00		05	100.000
	00003161	GRP 01	PT	P	05/01/2021	ADMINISTRATION-BOE - REP.	110		6,456.00		05	100.000
	00003165	GRP 01	PT	P	11/05/2022	ADMINISTRATION-BOE - REP.	110		3,673.00		05	100.000
	51007639	GRP 01	PT	P	05/27/2023	ADMINISTRATION-BOE - DEM.	110		18,330.00		05	100.000
	51007645	GRP 01	PT	P	02/25/2023	ADMINISTRATION-BOE - DEM.	110		18,330.00		05	100.000
	51012654	GRP 01	PT	P	12/16/2022	ADMINISTRATION-BOE - DEM.	110		18,330.00		05	100.000
	51016026	GRP 01	PT	P	08/21/2021	ADMINISTRATION-BOE - REP.	110		18,330.00		05	100.000
	51016027	GRP 01	PT	P	08/21/2021	ADMINISTRATION-BOE - REP.	110		18,330.00		05	100.000
	51016029	GRP 01	PT	P	08/16/2019	ADMINISTRATION-BOE - REP.	110		18,330.00		05	100.000
	51016030	GRP 01	PT	P	08/27/2022	ADMINISTRATION-BOE - REP.	110		18,330.00		05	100.000
	51016105	GRP 01	PT	P	08/27/2022	ADMINISTRATION-BOE - REP.	110		18,330.00		05	100.000
241,186.00 Perm Budget Amt					19 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		19		
CL PT	51004176	GRP 04	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110		19,802.00		05	100.000
	51005585	GRP 04	PT	P	08/27/2011	ADMINISTRATION-BOE - REP.	110		19,802.00		05	100.000
	51008264	GRP 04	PT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		19,802.00		05	100.000
	51012979	GRP 04	PT	P	01/01/2016	ADMINISTRATION-BOE - REP.	110		19,802.00		05	100.000

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
79,208.00 Perm Budget Amt					4 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			4		
MATECBOE PT	51007110	GRP 07	PT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		23,264.00		05	100.000
	51008695	GRP 07	PT	P	09/15/2020	ADMINISTRATION-BOE - DEM.	110		23,264.00		05	100.000
46,528.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			2		
PR EL C A PT	51016471	GRP 08	PT	P	01/01/2022	ADMINISTRATION-BOE - REP.	110		24,684.00		05	100.000
24,684.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			1		
PR SUVP EL P	51005970	GRP 09	PT	P	04/26/2021	ADMINISTRATION-BOE - DEM.	110		26,227.00		05	100.000
26,227.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			1		
SR EL CL PT	51004839	GRP 07	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110		23,264.00		05	100.000
	51014079	GRP 07	PT	P	09/02/2017	ADMINISTRATION-BOE - REP.	110		23,264.00		05	100.000
46,528.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			2		

Totals for Board of Elections

552,800.00 Perm Budget Amt					33 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			33		

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
INTERN SEAS	51016418	GRP 01	SeasonP		08/05/2022	ENVIRONMENTAL COMPLIANCE	110		14,100.00		07	100.000
	51016419	GRP 01	SeasonP		01/01/2020	PLANNING	110		14,100.00		07	100.000
	51016836	GRP 01	SeasonP		07/08/2021	PLANNING	110		14,100.00		07	100.000
	51016837	GRP 01	SeasonP		07/08/2021	PLANNING	110		14,100.00		07	100.000
	51017359	GRP 01	SeasonP		05/20/2023	ENVIRONMENTAL COMPLIANCE	110		8,905.00		07	32.400
	51017360	GRP 01	SeasonP		11/05/2022	ENVIRONMENTAL COMPLIANCE	110		8,905.00		07	32.400
	51017363	GRP 01	SeasonP		05/20/2023	ENVIRONMENTAL COMPLIANCE	110		8,905.00		07	32.400

83,115.00 Perm Budget Amt 7 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 7

Totals for Environment & Planning Divis'n

83,115.00 Perm Budget Amt 7 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 7

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LIFEGD CP S	51003312	GRP 47	SeasonP		08/26/2022	WENDT/BENNETT BEACH PARK	110		8,400.00		02	100.000
	51005651	GRP 47	SeasonP		08/21/2022	WENDT/BENNETT BEACH PARK	110		8,400.00		02	100.000
16,800.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
LIFEGD SEAS	51003309	GRP 45	SeasonP		09/01/2022	WENDT/BENNETT BEACH PARK	110		8,000.00		02	100.000
	51003603	GRP 45	SeasonP		09/06/2022	WENDT/BENNETT BEACH PARK	110		8,000.00		02	100.000
	51004452	GRP 45	SeasonP		09/12/2022	WENDT/BENNETT BEACH PARK	110		8,000.00		02	100.000
	51005656	GRP 45	SeasonP		09/06/2022	WENDT/BENNETT BEACH PARK	110		4,000.00		02	100.000
	51005657	GRP 45	SeasonP		09/04/2022	WENDT/BENNETT BEACH PARK	110		8,000.00		02	100.000
	51013372	GRP 45	SeasonP		09/17/2022	WENDT/BENNETT BEACH PARK	110		4,000.00		02	100.000
	51017911	GRP 45	SeasonP		01/01/2023	WENDT/BENNETT BEACH PARK	110		8,000.00		02	100.000
	51017912	GRP 45	SeasonP		01/01/2023	WENDT/BENNETT BEACH PARK	110		8,000.00		02	100.000
56,000.00	Perm Budget Amt		8	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		8		
PARK ATT SEA	51011823	GRP 33	SeasonP		12/15/2022	COMO LAKE PARK	110		5,376.00		03	100.000
	51011824	GRP 33	SeasonP		11/06/2021	ELLICOTT CREEK PARK	110		5,376.00		03	100.000
	51011825	GRP 33	SeasonP		09/26/2022	WENDT/BENNETT BEACH PARK	110		5,376.00		03	100.000
16,128.00	Perm Budget Amt		3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		3		
REC ATT SEAS	51017282	GRP 33	SeasonP		05/25/2023	GROVER CLEVELAND PARK	110		16,000.00		03	100.000
16,000.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		

Totals for Parks

104,928.00	Perm Budget Amt		14	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		14		

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
FIRE INST PT	51002955	GRP 11	PT	P	01/31/2022	FIRE SAFETY	110		2,397.00		02	100.000
2,397.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
HS INSTR PT	51017929	GRP 11	PT	P	01/01/2023	DISASTER PREPAREDNESS	110		3,074.00		07	100.000
	51017930	GRP 11	PT	P	01/01/2023	DISASTER PREPAREDNESS	110		3,074.00		07	100.000
	51017931	GRP 11	PT	P	01/01/2023	DISASTER PREPAREDNESS	110		3,074.00		07	100.000
9,222.00 Perm Budget Amt					3 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		3		

Totals for Emergency Services

11,619.00 Perm Budget Amt					4 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		4		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
Totals for FUND 110												
1,608,961.00	Perm Fund Amt		185	Perm Vac		212,732.00	Temp Fund Amt		11	Temp Vac		196

Run Totals: Total Perm Vac 185 Total Temp Vac 11 Total Vacancies 196 Total Positions 637 Percent 31%

Report: ZHR_VACANT_POS_RPT
System: PRD/100/ZHR_VACANT_RPT
User: SCHLOSSK
Department: 100 Legislative Branch

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Date: 07/06/2023
Time: 09:46:47
As of: 05/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ADM CL LEG	51008245	GRP 08	FT	P	03/26/2023	DISTRICT OFFICE STAFF	110		51,967.00		05	100.000
51,967.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
FIR AD AS LE	51011829	GRP 10	FT	P	04/18/2023	LEGISLATURE MAJORITY STAFF	110		58,644.00		05	100.000
58,644.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		

Totals for Legislative Branch

110,611.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BUS IN SY AN	51017021	GRP 12	FT	P	01/01/2022	APPLICATION SERVICES	110		67,914.00		01	100.000
67,914.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		
COMP OPR	51016668	GRP 07	FT	P	08/13/2022	CLIENT SERVICES	110		48,978.00		01	100.000
48,978.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		
ERP SUP AN	00003395	GRP 13	FT	T	02/11/2023	APPLICATION SERVICES	110		73,524.00		01	100.000
0.00 Perm Budget Amt			0 Perm Vac		73,524.00 Temp Budget Amt		1 Temp Vac			1		
SR COMP OP	51016753	GRP 08	FT	P	01/30/2023	CLIENT SERVICES	110		51,967.00		01	100.000
51,967.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		
SR TCH SS SP	51016756	GRP 13	FT	P	04/07/2023	APPLICATION SERVICES	110		73,524.00		01	100.000
73,524.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		
SUP PRT GRPH	51016457	GRP 10	FT	P	04/12/2023	PRINT, COPY & GRAPHICS	110		58,644.00		02	100.000
58,644.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		
TCH SP COMP	51011229	GRP 10	FT	T	02/26/2022	APPLICATION SERVICES	110		58,644.00		02	100.000
0.00 Perm Budget Amt			0 Perm Vac		58,644.00 Temp Budget Amt		1 Temp Vac			1		
TCH SUP SR S	00010262	GRP 12	FT	T	09/24/2022	INFRASTRUCTURE SERVICES	110		67,914.00		01	100.000
0.00 Perm Budget Amt			0 Perm Vac		67,914.00 Temp Budget Amt		1 Temp Vac			1		

Totals for Information & Support Services

301,027.00 Perm Budget Amt	5 Perm Vac	200,082.00 Temp Budget Amt	3 Temp Vac	8

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
MIN WO OB EC	51017023	GRP 11	FT	P	12/03/2022	EQUAL EMPOPPORTUNITY,DIVERSITY&INCLUSION	110		63,929.00		07	100.000
63,929.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
MIN WO OB ES	51017025	GRP 08	FT	P	11/01/2022	EQUAL EMPOPPORTUNITY,DIVERSITY&INCLUSION	110		51,967.00		01	100.000
51,967.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		

Totals for Equal Employment Opportunity

115,896.00 Perm Budget Amt				2 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
TAX MAP TCH	51012601	GRP 06	FT	T	04/15/2023	DEPARTMENT OF REAL PROPERTY TAX	110		46,209.00		01	100.000

0.00 Perm Budget Amt 0 Perm Vac 46,209.00 Temp Budget Amt 1 Temp Vac 1

Totals for Real Property Tax Services

0.00 Perm Budget Amt 0 Perm Vac 46,209.00 Temp Budget Amt 1 Temp Vac 1

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCOUNTANT	51011177	GRP 09	FT	T	04/22/2023	ACCOUNTING	110		55,216.00		01	100.000
	51011179	GRP 09	FT	T	01/30/2023	ACCOUNTING	110		55,216.00		01	100.000
0.00 Perm Budget Amt					0 Perm Vac	110,432.00 Temp Budget Amt		2 Temp Vac		2		
ACCT AUDITOR	51009174	GRP 09	FT	T	02/18/2023	AUDIT & CONTROL	110		55,216.00		01	100.000
0.00 Perm Budget Amt					0 Perm Vac	55,216.00 Temp Budget Amt		1 Temp Vac		1		
ASC DECO XIV	51014369	GRP 14	FT	P	11/20/2021	ADMINISTRATION	110		81,199.00		04	100.000
81,199.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
DIR ACT SRV	00003006	GRP 15	FT	P	04/10/2023	AUDIT & CONTROL	110		89,220.00		01	100.000
89,220.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
STAFF AUD	51012879	GRP 11	FT	P	10/03/2022	AUDIT & CONTROL	110		63,929.00		01	100.000
63,929.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		

Totals for Comptroller

234,348.00 Perm Budget Amt 3 Perm Vac 165,648.00 Temp Budget Amt 3 Temp Vac 6

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP CC LEGAL	00002330	GRP 13	FT	P	02/18/2023	RECORDING	110		73,524.00		04	100.000
73,524.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
DOC CLK	00003099	GRP 05	FT	P	01/24/2023	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		43,605.00		01	100.000
	00003103	GRP 05	FT	P	10/15/2022	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		43,605.00		01	100.000
	51001417	GRP 05	FT	P	05/20/2023	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		43,605.00		01	100.000
	51013776	GRP 05	FT	T	04/10/2023	RECORDING	110		43,605.00		01	100.000
130,815.00 Perm Budget Amt					3 Perm Vac	43,605.00 Temp Budget Amt		1 Temp Vac		4		
MESSENGER	51016039	GRP 03	FT	P	04/10/2021	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		36,637.00		03	100.000
36,637.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
MOT VEH REP	00006595	GRP 05	FT	T	01/28/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
	00006616	GRP 05	FT	T	02/25/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
	51014710	GRP 05	FT	T	05/20/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
0.00 Perm Budget Amt					0 Perm Vac	130,815.00 Temp Budget Amt		3 Temp Vac		3		
MV REP 55A	51005054	GRP 05	FT	P	07/13/2022	AUTO BUREAU BRANCH OFFICES	110		43,605.00		02	100.000
43,605.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
SR DOC CLK	00008741	GRP 06	FT	T	04/15/2023	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		46,209.00		01	100.000
	51001597	GRP 06	FT	T	04/15/2023	RECORDING	110		46,209.00		01	100.000
	51008346	GRP 06	FT	T	01/28/2023	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		46,209.00		01	100.000
0.00 Perm Budget Amt					0 Perm Vac	138,627.00 Temp Budget Amt		3 Temp Vac		3		

Totals for County Clerk

284,581.00 Perm Budget Amt 6 Perm Vac 313,047.00 Temp Budget Amt 7 Temp Vac 13

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST DA III	00000433	GRP 14	FT	P	04/22/2023	LOWER COURTS	110		81,199.00		04	100.000
	00000454	GRP 14	FT	P	04/22/2023	SUPERIOR COURTS	110		81,199.00		04	100.000
162,398.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
ASST DA IV	51003277	GRP 15	FT	P	05/24/2023	SUPERIOR COURTS	110		89,220.00		04	100.000
89,220.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
DATA ENT OPR	51013119	GRP 04	FT	T	02/11/2023	LOWER COURTS	110		41,689.00		01	100.000
	51013121	GRP 04	FT	T	03/11/2023	ADMINISTRATION	110		41,689.00		01	100.000
0.00	Perm Budget Amt		0	Perm Vac	83,378.00	Temp Budget Amt	2	Temp Vac		2		
PARALEGAL	51008252	GRP 05	FT	T	09/20/2022	SUPERIOR COURTS	110		43,605.00		01	100.000
	51016770	GRP 05	FT	P	03/25/2022	SUPERIOR COURTS	110		43,605.00		01	100.000
	51016771	GRP 05	FT	P	02/25/2023	SUPERIOR COURTS	110		43,605.00		01	100.000
87,210.00	Perm Budget Amt		2	Perm Vac	43,605.00	Temp Budget Amt	1	Temp Vac		3		
SR CASWKR DV	51016773	GRP 10	FT	P	04/22/2023	SPECIAL PROGRAMS	110		58,644.00		01	100.000
58,644.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SR CL TYP	51016231	GRP 04	FT	T	04/09/2022	LOWER COURTS	110		41,689.00		01	100.000
	51016234	GRP 04	FT	T	04/09/2022	LOWER COURTS	110		41,689.00		01	100.000
0.00	Perm Budget Amt		0	Perm Vac	83,378.00	Temp Budget Amt	2	Temp Vac		2		

Totals for District Attorney

397,472.00	Perm Budget Amt		6	Perm Vac	210,361.00	Temp Budget Amt	5	Temp Vac		11		

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

As of: 05/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCT CLK SH	51013478	GRP 04	FT	P	05/15/2023	CIVIL PROCESS	110		37,380.00		01	100.000
37,380.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
COR OFF	51002520	GRP 11	FT	P	12/14/2022	PROFESSIONAL STANDARDS	110		57,169.00		01	100.000
57,169.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
COR OFF CF	51017960	GRP 11	FT	P	05/31/2023	PROFESSIONAL STANDARDS	110		56,139.00		01	100.000
56,139.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
DAT EN OP SH	51016429	GRP 04	FT	T	12/31/2022	CIVIL PROCESS	110		37,380.00		01	100.000
0.00 Perm Budget Amt					0 Perm Vac	37,380.00 Temp Budget Amt		1 Temp Vac		1		
DEP SH CRIM	00002428	GRP 08	FT	T	05/21/2023	POLICE/PATROL SERVICES	110		66,857.00		01	100.000
	00002475	GRP 08	FT	T	05/21/2023	INVESTIGATIVE SERVICES	110		66,857.00		01	100.000
	00002478	GRP 08	FT	T	03/25/2023	POLICE/PATROL SERVICES	110		66,857.00		01	100.000
	00002481	GRP 08	FT	T	05/21/2023	COMMUNITY PROGRAMS	110		66,857.00		01	100.000
	00002511	GRP 08	FT	P	08/10/2023	POLICE/PATROL SERVICES	110		66,857.00		01	100.000
	51016917	GRP 08	FT	T	05/21/2023	COMMUNITY PROGRAMS	110		66,857.00		01	0.000
66,857.00 Perm Budget Amt					1 Perm Vac	334,285.00 Temp Budget Amt		5 Temp Vac		6		
DEP SH OF	00002522	GRP 08	FT	T	01/07/2023	PROFESSIONAL STANDARDS	110		54,993.00		01	100.000
0.00 Perm Budget Amt					0 Perm Vac	54,993.00 Temp Budget Amt		1 Temp Vac		1		
REC CLK HC	51004832	GRP 06	FT	T	04/08/2023	ADMINISTRATION AND PROFESSIONAL SERVICES	110		41,956.00		01	100.000
0.00 Perm Budget Amt					0 Perm Vac	41,956.00 Temp Budget Amt		1 Temp Vac		1		
RECEPTIONIST	51009202	GRP 03	FT	T	05/20/2023	COMMUNITY PROGRAMS	110		36,001.00		02	100.000
	51013230	GRP 03	FT	P	05/20/2023	POLICE/PATROL SERVICES	110		36,001.00		02	100.000
36,001.00 Perm Budget Amt					1 Perm Vac	36,001.00 Temp Budget Amt		1 Temp Vac		2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
Totals for Office of the Sheriff												

253,546.00 Perm Budget Amt 5 Perm Vac 504,615.00 Temp Budget Amt 9 Temp Vac 14

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST COOK HC	00000329	GRP 04	FT	P	12/05/2021	FOOD SERVICES HC	110		37,380.00		02	100.000
37,380.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
COM REIN CRD	51018018	GRP 10	FT	P	01/01/2023	COMMUNITY RE-INTEGRATION PROGRAM	110		54,488.00		01	100.000
54,488.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
COR OFF	00002015	GRP 11	FT	P	05/03/2023	SECURITY CF	110		57,169.00		01	100.000
	00002044	GRP 11	FT	P	05/12/2023	SECURITY CF	110		57,169.00		01	100.000
	51002518	GRP 11	FT	P	04/15/2023	SECURITY CF	110		57,169.00		01	100.000
	51003443	GRP 11	FT	P	06/14/2023	SECURITY CF	110		57,169.00		01	100.000
228,676.00 Perm Budget Amt					4 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		4		
COR OFF CF	51011302	GRP 11	FT	T	01/14/2023	SECURITY CF	110		56,139.00		01	100.000
	51011701	GRP 11	FT	P	01/14/2023	SECURITY CF	110		56,139.00		01	100.000
	51011896	GRP 11	FT	T	01/29/2023	SECURITY CF	110		56,139.00		01	100.000
	51012172	GRP 11	FT	T	01/14/2023	SECURITY CF	110		56,139.00		01	100.000
	51013927	GRP 11	FT	P	03/04/2023	SECURITY CF	110		56,139.00		01	100.000
	51014509	GRP 11	FT	P	02/28/2023	SECURITY CF	110		56,139.00		01	100.000
	51017667	GRP 11	FT	T	10/22/2022	SECURITY CF	110		56,139.00		01	100.000
	51017823	GRP 11	FT	T	01/29/2023	SECURITY CF	110		56,139.00		01	100.000
	51017956	GRP 11	FT	P	05/31/2023	SECURITY CF	110		56,139.00		01	100.000
	51017957	GRP 11	FT	P	05/31/2023	SECURITY CF	110		56,139.00		01	100.000
	51017958	GRP 11	FT	P	05/31/2023	SECURITY CF	110		56,139.00		01	100.000
	51017959	GRP 11	FT	P	05/31/2023	SECURITY CF	110		56,139.00		01	100.000
	51018010	GRP 11	FT	P	04/05/2023	SECURITY CF	110		56,139.00		01	100.000
	51018011	GRP 11	FT	P	04/05/2023	SECURITY CF	110		56,139.00		01	100.000
	51018012	GRP 11	FT	P	04/05/2023	SECURITY CF	110		56,139.00		01	100.000
	51018013	GRP 11	FT	P	04/05/2023	SECURITY CF	110		56,139.00		01	100.000
	51018014	GRP 11	FT	P	04/05/2023	SECURITY CF	110		56,139.00		01	100.000
673,668.00 Perm Budget Amt					12 Perm Vac	280,695.00 Temp Budget Amt		5 Temp Vac		17		
DEP SH OF	00002552	GRP 08	FT	P	01/25/2023	TRANSPORTATION	110		54,993.00		01	100.000
	00002602	GRP 08	FT	P	06/21/2023	SECURITY HC	110		54,993.00		01	100.000
	00002645	GRP 08	FT	T	10/22/2022	SECURITY HC	110		54,993.00		01	100.000
	00002656	GRP 08	FT	P	01/28/2023	SECURITY HC	110		54,993.00		01	100.000
	00002675	GRP 08	FT	P	01/17/2023	SECURITY HC	110		54,993.00		01	100.000
	00002736	GRP 08	FT	P	02/16/2023	SECURITY HC	110		54,993.00		01	100.000
	00002738	GRP 08	FT	T	09/23/2022	SECURITY HC	110		54,993.00		01	100.000
	00002747	GRP 08	FT	P	04/05/2023	SECURITY HC	110		54,993.00		01	100.000
	00002754	GRP 08	FT	T	01/07/2023	SECURITY HC	110		54,993.00		01	100.000
	00002786	GRP 08	FT	P	10/13/2022	TRANSPORTATION	110		54,993.00		01	100.000
	00002809	GRP 08	FT	P	02/22/2023	SECURITY HC	110		54,993.00		01	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	00002822	GRP 08	FT	T	10/18/2022	SECURITY HC	110		54,993.00		01	100.000
	00002853	GRP 08	FT	P	11/12/2022	SECURITY HC	110		54,993.00		01	100.000
	00002930	GRP 08	FT	P	01/16/2023	SECURITY HC	110		54,993.00		01	100.000
	51001232	GRP 08	FT	T	12/31/2022	SECURITY HC	110		54,993.00		01	100.000
	51003264	GRP 08	FT	P	02/07/2023	SECURITY HC	110		54,993.00		01	100.000
	51003429	GRP 08	FT	P	03/25/2023	SECURITY HC	110		54,993.00		01	100.000
	51005325	GRP 08	FT	T	01/14/2023	SECURITY HC	110		54,993.00		01	100.000
	51010806	GRP 08	FT	T	01/14/2023	SECURITY HC	110		54,993.00		01	100.000
	51012180	GRP 08	FT	T	02/11/2023	SECURITY HC	110		54,993.00		01	100.000
	51012184	GRP 08	FT	P	02/08/2023	SECURITY HC	110		54,993.00		01	100.000
	51012186	GRP 08	FT	T	01/14/2023	SECURITY HC	110		54,993.00		01	100.000
	51016779	GRP 08	FT	T	10/17/2022	SECURITY HC	110		54,993.00		01	100.000
	51017832	GRP 08	FT	P	05/29/2023	SECURITY HC	110		54,993.00		01	100.000
	51017842	GRP 08	FT	P	01/01/2023	SECURITY HC	110		54,993.00		01	100.000
	51017843	GRP 08	FT	P	01/01/2023	SECURITY HC	110		54,993.00		01	100.000
879,888.00	Perm Budget Amt			16	Perm Vac	549,930.00	Temp Budget Amt		10	Temp Vac		26	
KIT HLP HC	00005425	GRP 03	FT	P	07/14/2022	FOOD SERVICES HC	110		36,001.00		03	100.000
	00005426	GRP 03	FT	P	03/19/2023	FOOD SERVICES HC	110		36,001.00		03	100.000
72,002.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		2	
LABORER SHER	51009878	GRP 04	FT	T	03/06/2023	PROGRAMS HC	110		37,380.00		03	100.000
0.00	Perm Budget Amt			0	Perm Vac	37,380.00	Temp Budget Amt		1	Temp Vac		1	
NURSE EDU	51018020		FT	P	01/01/2023	JAIL MEDICAL SERVICES ADMINISTRATION	110		50,559.00			100.000
50,559.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1	
PRINCLK (CF)	51011704	GRP 08	FT	P	06/01/2023	HOLDING CENTER MEDICAL SERVICES	110		42,989.00		01	100.000
42,989.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1	
SEC CLK HC	00007797	GRP 06	FT	P	01/09/2023	SECURITY HC	110		41,956.00		01	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
41,956.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
RECEPTIONIST	51009198	GRP 03	FT	P	04/13/2023	JAIL MANAGEMENT ADMINISTRATION	110		36,001.00		02	100.000
36,001.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
REG NURS HC	51007847	GRP 08	FT	P	06/03/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51007848	GRP 08	FT	P	09/10/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51007849	GRP 08	FT	P	01/16/2023	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51007878	GRP 08	FT	P	05/14/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51010471	GRP 08	FT	T	09/10/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51010472	GRP 08	FT	T	05/21/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51010473	GRP 08	FT	P	07/27/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51010474	GRP 08	FT	P	08/04/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51010475	GRP 08	FT	P	05/04/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51016085	GRP 08	FT	T	10/22/2022	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51016088	GRP 08	FT	P	03/10/2023	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
	51016918	GRP 08	FT	P	05/13/2023	HOLDING CENTER MEDICAL SERVICES	110		61,676.00		02	100.000
555,084.00 Perm Budget Amt					9 Perm Vac	185,028.00 Temp Budget Amt		3 Temp Vac		12		
REG NURSE CH	51013385	GRP 08	FT	P	03/25/2023	CORRECTIONAL FACILITY MEDICAL SERVICES	110		58,564.00		02	100.000
58,564.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
SR MD SC SH	51016919	GRP 04	FT	P	04/13/2022	HOLDING CENTER MEDICAL SERVICES	110		37,380.00		01	100.000
37,380.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		

Totals for Jail Management

2,768,635.00 Perm Budget Amt					51 Perm Vac	1,053,033.00 Temp Budget Amt		19 Temp Vac		70		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACC CLK	00000010	GRP 04	FT	T	05/06/2023	FINANCIAL RECORDS & SERVICES	110		41,689.00		01	49.200
	00000017	GRP 04	FT	T	03/11/2023	FINANCIAL RECORDS & SERVICES	110		41,689.00		01	49.200
	00000020	GRP 04	FT	T	04/08/2023	SUPPORT COLLECTION UNIT	110		41,689.00		01	37.770
	51016977	GRP 04	FT	T	04/08/2023	SUPPORT COLLECTION UNIT	110		41,689.00		01	37.770
	51017001	GRP 04	FT	T	09/10/2022	PERSONNEL/PAYROLL	110		41,689.00		01	47.220
	0.00 Perm Budget Amt				0 Perm Vac	208,445.00 Temp Budget Amt		5 Temp Vac		5		
ADMIN ASST	51016669	GRP 09	FT	P	03/25/2023	FINANCIAL RECORDS & SERVICES	110		55,216.00		01	49.020
	55,216.00 Perm Budget Amt				1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
AST DP CM SS	00000368	GRP 15	FT	T	01/29/2023	DSS COMMISS. OFFICE & COMM RELATIONS	110		89,220.00		01	47.220
	0.00 Perm Budget Amt				0 Perm Vac	89,220.00 Temp Budget Amt		1 Temp Vac		1		
AST SP INV	00000530	GRP 07	FT	P	05/20/2023	INVESTIGATIONS AND COLLECTIONS	110		48,978.00		01	37.700
	48,978.00 Perm Budget Amt				1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
CASE ASST SS	51009711	GRP 06	FT	P	03/30/2023	ADOPTION	110		46,209.00		01	49.020
	51014358	GRP 06	FT	T	05/07/2023	ADOPTION	110		46,209.00		01	49.020
	51017758	GRP 06	FT	T	05/07/2023	SERVICES DIVISION ADMINISTRATION	110		46,209.00		01	49.020
	46,209.00 Perm Budget Amt				1 Perm Vac	92,418.00 Temp Budget Amt		2 Temp Vac		3		
CASEASTSSSPS	51017741	GRP 06	FT	P	01/01/2023	SERVICES DIVISION ADMINISTRATION	110		46,209.00		01	49.020
	46,209.00 Perm Budget Amt				1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
CASEWORKER	00000886	GRP 09	FT	T	04/09/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00		01	49.020
	00000900	GRP 09	FT	T	12/04/2022	ADOPTION	110		55,216.00		01	49.020
	00000916	GRP 09	FT	T	12/03/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00		01	49.020
	00000951	GRP 09	FT	T	12/03/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00		01	49.020
	00000973	GRP 09	FT	P	04/17/2023	CPS AFTER HOURS PROGRAM	110		55,216.00		01	49.020
	00000978	GRP 09	FT	T	04/09/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00		01	49.020
	51009135	GRP 09	FT	T	10/01/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00		01	49.020
	51009577	GRP 09	FT	T	11/06/2022	ADULT & FAMILY SERVICES	110		55,216.00		01	49.020
	51009578	GRP 09	FT	T	12/04/2022	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51009593	GRP 09	FT	T	03/11/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51009599	GRP 09	FT	T	04/09/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51009723	GRP 09	FT	P	04/04/2023	ADULT & FAMILY SERVICES	110		55,216.00		01	49.020
	51009726	GRP 09	FT	P	04/07/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00		01	49.020
	51011926	GRP 09	FT	T	03/11/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51011927	GRP 09	FT	P	03/13/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51011952	GRP 09	FT	T	02/28/2022	CPS AFTER HOURS PROGRAM	110		55,216.00		01	49.020

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	51011953	GRP 09	FT	P	12/29/2022	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51012064	GRP 09	FT	P	01/28/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51012513	GRP 09	FT	T	12/03/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00		01	49.020
	51013364	GRP 09	FT	T	09/10/2022	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51013365	GRP 09	FT	P	07/26/2022	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51016666	GRP 09	FT	P	06/02/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
441,728.00	Perm Budget Amt		8	Perm Vac		773,024.00	Temp Budget Amt	14	Temp Vac	22		
CH SUP IN SP	51012359	GRP 07	FT	T	12/17/2022	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		48,978.00		01	37.770
0.00	Perm Budget Amt		0	Perm Vac		48,978.00	Temp Budget Amt	1	Temp Vac	1		
CH SUP INV	00001360	GRP 07	FT	T	05/21/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		48,978.00		01	37.770
	00001379	GRP 07	FT	T	05/20/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		48,978.00		01	37.770
0.00	Perm Budget Amt		0	Perm Vac		97,956.00	Temp Budget Amt	2	Temp Vac	2		
CHFCASAST SS	51017892	GRP 10	FT	P	01/01/2023	SERVICES DIVISION ADMINISTRATION	110		58,644.00		01	49.020
58,644.00	Perm Budget Amt		1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac	1		
CLERK	00001470	GRP 01	FT	T	05/06/2023	CHILD PROTECTIVE SERVICES	110		38,590.00		01	49.020
	51009639	GRP 01	FT	T	05/21/2023	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		38,590.00		01	38.490
	51009641	GRP 01	FT	T	03/11/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110		38,590.00		01	38.490
0.00	Perm Budget Amt		0	Perm Vac		115,770.00	Temp Budget Amt	3	Temp Vac	3		
CLERK TYPIST	00001629	GRP 01	FT	T	12/04/2021	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		38,590.00		01	0.000
	00001633	GRP 01	FT	T	05/21/2023	FINANCIAL RECORDS & SERVICES	110		38,590.00		01	47.220
	51003542	GRP 01	FT	T	05/27/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		38,590.00		01	37.770
	51004218	GRP 01	FT	T	02/12/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110		38,590.00		01	38.490
	51004220	GRP 01	FT	T	08/27/2022	CHILD PROTECTIVE SERVICES	110		38,590.00		01	49.200
	51009661	GRP 01	FT	T	05/20/2023	ADOPTION	110		38,590.00		01	49.020
	51009663	GRP 01	FT	T	01/14/2023	EMPLOYMENT ASSESSMENT	110		38,590.00		01	32.690
	51009665	GRP 01	FT	T	04/17/2023	FINANCIAL RECORDS & SERVICES	110		38,590.00		01	47.220
	51009667	GRP 01	FT	T	03/25/2023	FINANCIAL RECORDS & SERVICES	110		38,590.00		01	47.220
	51009668	GRP 01	FT	T	01/15/2022	FINANCIAL RECORDS & SERVICES	110		38,590.00		01	47.220
	51009690	GRP 01	FT	T	04/22/2023	FINANCIAL RECORDS & SERVICES	110		38,590.00		01	47.220
	51010582	GRP 01	FT	T	03/26/2023	ADULT & FAMILY SERVICES	110		38,590.00		01	49.200
	51017978	GRP 01	FT	T	03/26/2023	INVESTIGATIONS AND COLLECTIONS	110		38,590.00		01	37.700

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
0.00	Perm Budget Amt			0	Perm Vac	501,670.00 Temp Budget Amt		13	Temp Vac	13		
CLK SS 55A	00001532	GRP 01	FT	T	07/02/2022	FINANCIAL RECORDS & SERVICES	110		38,590.00		02	47.220
0.00	Perm Budget Amt			0	Perm Vac	38,590.00 Temp Budget Amt		1	Temp Vac	1		
COOR QUAL AS	51017355	GRP 11	FT	P	05/16/2022	SERVICES DIVISION ADMINISTRATION	110		63,929.00		01	49.020
63,929.00	Perm Budget Amt			1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
CORESTE-APS	51008890	GRP 06	FT	P	10/22/2022	ADULT & FAMILY SERVICES	110		46,209.00		01	49.020
46,209.00	Perm Budget Amt			1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
COUN SS	00002140	GRP 14	FT	T	03/22/2023	CHILDREN'S SERVICES	110		81,199.00		01	49.200
	00002142	GRP 14	FT	P	07/31/2023	LEGAL SERVICES -IVD	110		81,199.00		01	37.770
	51002110	GRP 14	FT	T	03/12/2023	CHILDREN'S SERVICES	110		81,199.00		01	49.200
	51012901	GRP 14	FT	T	05/11/2023	CHILDREN'S SERVICES	110		81,199.00		01	49.200
81,199.00	Perm Budget Amt			1	Perm Vac	243,597.00 Temp Budget Amt		3	Temp Vac	4		
CSWK ARAB SP	51017991	GRP 09	FT	P	05/01/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
55,216.00	Perm Budget Amt			1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
CSWK BENG SP	51017990	GRP 09	FT	P	05/01/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
55,216.00	Perm Budget Amt			1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
CSWK KARE SP	51017989	GRP 09	FT	P	05/01/2023	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
55,216.00	Perm Budget Amt			1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
CSWK SPAN SP	00000985	GRP 09	FT	P	08/17/2023	ADOPTION	110		55,216.00		01	49.020
	00001327	GRP 09	FT	P	10/20/2021	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51006969	GRP 09	FT	P	02/22/2022	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020
	51009738	GRP 09	FT	P	03/30/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00		01	49.020
	51012377	GRP 09	FT	T	11/05/2022	ADULT & FAMILY SERVICES	110		55,216.00		01	49.020
	51017351	GRP 09	FT	P	04/27/2022	CHILD PROTECTIVE SERVICES	110		55,216.00		01	49.020

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
276,080.00 Perm Budget Amt					5 Perm Vac	55,216.00 Temp Budget Amt		1 Temp Vac		6		
EMP CO SPAN	51010451	GRP 09	FT	P	06/22/2023	EMPLOYMENT ASSESSMENT	110		55,216.00		01	32.690
55,216.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
EMP COUNS	00003228	GRP 09	FT	P	02/13/2023	EMPLOYMENT ASSESSMENT	110		55,216.00		01	32.690
	00003264	GRP 09	FT	P	04/08/2023	EMPLOYMENT ASSESSMENT	110		55,216.00		01	32.690
	00003270	GRP 09	FT	T	12/04/2022	EMPLOYMENT ASSESSMENT	110		55,216.00		01	32.690
	51013181	GRP 09	FT	P	04/08/2023	EMPLOYMENT ASSESSMENT	110		55,216.00		01	32.690
	51016884	GRP 09	FT	T	04/22/2023	EMPLOYMENT ASSESSMENT	110		55,216.00		01	32.690
165,648.00 Perm Budget Amt					3 Perm Vac	110,432.00 Temp Budget Amt		2 Temp Vac		5		
EN CR WK 1	00003315	GRP 02	FT	T	05/20/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		39,171.00		02	0.000
0.00 Perm Budget Amt					0 Perm Vac	39,171.00 Temp Budget Amt		1 Temp Vac		1		
HOME MAKER	00004322	GRP 03	FT	P	11/14/2022	ADOPTION	110		36,637.00		02	49.020
	00004330	GRP 03	FT	P	06/01/2023	ADOPTION	110		36,637.00		02	49.020
73,274.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
JR EMP COUNS	51013059	GRP 07	FT	T	12/03/2022	EMPLOYMENT ASSESSMENT	110		48,978.00		01	32.690
0.00 Perm Budget Amt					0 Perm Vac	48,978.00 Temp Budget Amt		1 Temp Vac		1		
PARALEGAL	00006997	GRP 05	FT	T	04/23/2023	CHILDREN'S SERVICES	110		43,605.00		01	49.020
0.00 Perm Budget Amt					0 Perm Vac	43,605.00 Temp Budget Amt		1 Temp Vac		1		
PRIN CLERK	00007389	GRP 06	FT	P	08/25/2023	EMPLOYMENT ASSESSMENT	110		46,209.00		01	32.690
46,209.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
SOC W EX ARA	51017454	GRP 06	FT	P	12/05/2022	TEMPORARY ASSISTANCE SERVICE TEAMS	110		46,209.00		01	38.490

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
46,209.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
SOC WEL EX	00009762	GRP 06	FT	T	02/25/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		46,209.00		01	0.000
	00009770	GRP 06	FT	P	05/26/2023	LONG TERM CARE ELIGIBILITY	110		46,209.00		01	0.000
	00009812	GRP 06	FT	T	02/25/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	00009817	GRP 06	FT	T	02/25/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	00009822	GRP 06	FT	T	02/25/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	00009834	GRP 06	FT	T	08/27/2022	LONG TERM CARE ELIGIBILITY	110		46,209.00		01	0.000
	00009838	GRP 06	FT	P	04/05/2023	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		46,209.00		01	38.490
	00009888	GRP 06	FT	T	02/25/2023	LONG TERM CARE ELIGIBILITY	110		46,209.00		01	0.000
	00009908	GRP 06	FT	P	04/14/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	00009917	GRP 06	FT	T	02/26/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51002107	GRP 06	FT	P	04/27/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		46,209.00		01	0.000
	51002537	GRP 06	FT	T	10/08/2022	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51003944	GRP 06	FT	P	07/17/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51005503	GRP 06	FT	T	08/27/2022	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		46,209.00		01	0.000
	51005508	GRP 06	FT	T	01/15/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	0.000
	51006776	GRP 06	FT	T	04/22/2023	TTW-TRANSITION TO WORK TEAMS	110		46,209.00		01	38.490
	51008653	GRP 06	FT	P	10/25/2022	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		46,209.00		01	0.000
	51009796	GRP 06	FT	T	02/26/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009800	GRP 06	FT	T	02/25/2023	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		46,209.00		01	38.490
	51009801	GRP 06	FT	T	02/11/2023	CHILD DAY CARE	110		46,209.00		01	49.020
	51009804	GRP 06	FT	P	04/08/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009807	GRP 06	FT	P	03/16/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		46,209.00		01	0.000
	51009812	GRP 06	FT	P	04/26/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009813	GRP 06	FT	T	05/31/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009819	GRP 06	FT	T	01/15/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	49.200
	51009820	GRP 06	FT	T	10/09/2022	LONG TERM CARE ELIGIBILITY	110		46,209.00		01	0.000
	51009824	GRP 06	FT	T	03/26/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009828	GRP 06	FT	T	10/09/2022	LONG TERM CARE ELIGIBILITY	110		46,209.00		01	0.000
	51009832	GRP 06	FT	T	10/08/2022	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009847	GRP 06	FT	T	04/22/2023	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		46,209.00		01	38.490
	51011710	GRP 06	FT	T	02/25/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51016694	GRP 06	FT	T	02/26/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		46,209.00		01	0.000
415,881.00 Perm Budget Amt				9 Perm Vac		1,062,807.00 Temp Budget Amt		23 Temp Vac		32		
SOC WEL EX S	00009949	GRP 06	FT	P	01/05/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		46,209.00		01	0.000
	51002670	GRP 06	FT	T	03/13/2022	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
46,209.00 Perm Budget Amt					1 Perm Vac	46,209.00 Temp Budget Amt		1 Temp Vac		2		
SPE AS MA SS	51010454	GRP 05	FT	T	07/02/2022	ADMIN. SUPPORT SERVICES ADMIN.	110		43,605.00		01	47.220
0.00 Perm Budget Amt					0 Perm Vac	43,605.00 Temp Budget Amt		1 Temp Vac		1		
SR ACCT CLK	00008111	GRP 06	FT	T	05/20/2023	FINANCIAL RECORDS & SERVICES	110		46,209.00		01	47.220
	51014032	GRP 06	FT	P	02/25/2023	PERSONNEL/PAYROLL	110		46,209.00		01	47.220
46,209.00 Perm Budget Amt					1 Perm Vac	46,209.00 Temp Budget Amt		1 Temp Vac		2		
SR CASWRKER	00008196	GRP 10	FT	T	05/20/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,644.00		01	49.020
	00008258	GRP 10	FT	T	05/20/2023	CHILD PROTECTIVE SERVICES	110		58,644.00		01	49.020
	00008272	GRP 10	FT	T	05/20/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,644.00		01	49.020
	00008292	GRP 10	FT	T	05/20/2023	CHILD PROTECTIVE SERVICES	110		58,644.00		01	49.020
	51013363	GRP 10	FT	T	05/07/2023	CHILD PROTECTIVE SERVICES	110		58,644.00		01	49.020
0.00 Perm Budget Amt					0 Perm Vac	293,220.00 Temp Budget Amt		5 Temp Vac		5		
SR CL TYP	00008578	GRP 04	FT	T	12/04/2022	EC WORKS CENTER	110		41,689.00		01	38.490
	00008614	GRP 04	FT	T	05/06/2023	EC WORKS CENTER	110		41,689.00		01	38.490
	00008629	GRP 04	FT	T	05/21/2023	EMPLOYMENT ASSESSMENT	110		41,689.00		01	32.690
	00008655	GRP 04	FT	P	04/15/2023	LEGAL SERVICES -IVD	110		41,689.00		01	37.770
	00008677	GRP 04	FT	T	04/23/2023	EMPLOYMENT ASSESSMENT	110		41,689.00		01	32.690
	00008687	GRP 04	FT	T	01/01/2023	INVESTIGATIONS AND COLLECTIONS	110		41,689.00		01	37.700
	51003659	GRP 04	FT	T	02/11/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110		41,689.00		01	38.490
	51005509	GRP 04	FT	T	01/15/2023	FINANCIAL RECORDS & SERVICES	110		41,689.00		01	47.220
	51012480	GRP 04	FT	T	03/12/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		41,689.00		01	0.000
	51016154	GRP 04	FT	P	05/20/2023	ADULT & FAMILY SERVICES	110		41,689.00		01	49.020
	51017014	GRP 04	FT	T	05/24/2023	EMPLOYMENT ASSESSMENT	110		41,689.00		01	32.690
83,378.00 Perm Budget Amt					2 Perm Vac	375,201.00 Temp Budget Amt		9 Temp Vac		11		
SR CLERK	00008397	GRP 03	FT	P	04/22/2023	FINANCIAL RECORDS & SERVICES	110		40,312.00		01	47.220
	00008407	GRP 03	FT	P	05/20/2023	LONG TERM CARE ELIGIBILITY	110		40,312.00		01	0.000
80,624.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
EMP COUNS	00008766	GRP 10	FT	T	05/20/2023	EMPLOYMENT ASSESSMENT	110		58,644.00		01	32.690

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
0.00 Perm Budget Amt				0 Perm Vac		58,644.00 Temp Budget Amt		1 Temp Vac		1		
SR SUP ACCTS	51017754	GRP 10	FT	P	11/14/2022	FINANCIAL RECORDS & SERVICES	110		58,644.00		01	47.220
58,644.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
SR SUP CL AD	51010053	GRP 11	FT	P	05/18/2023	FISCAL MANAGEMENT	110		63,929.00		01	47.220
63,929.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
SR SWE	00009348	GRP 07	FT	P	02/25/2023	LONG TERM CARE ELIGIBILITY	110		48,978.00		01	0.000
	00009375	GRP 07	FT	P	02/11/2023	LONG TERM CARE ELIGIBILITY	110		48,978.00		01	0.000
	00009383	GRP 07	FT	T	04/08/2023	TTW-TRANSITION TO WORK TEAMS	110		48,978.00		01	38.490
	00009413	GRP 07	FT	P	05/29/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		48,978.00		01	0.000
	00009426	GRP 07	FT	T	02/26/2023	LONG TERM CARE ELIGIBILITY	110		48,978.00		01	50.000
	00009459	GRP 07	FT	P	06/01/2023	TTW-TRANSITION TO WORK TEAMS	110		48,978.00		01	38.490
	00009463	GRP 07	FT	T	03/11/2023	SNAP ELIGIBILITY TEAMS	110		48,978.00		01	50.000
	00009513	GRP 07	FT	P	04/11/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		48,978.00		01	0.000
	51003684	GRP 07	FT	T	04/22/2023	SNAP ELIGIBILITY TEAMS	110		48,978.00		01	50.000
	51003933	GRP 07	FT	T	07/30/2022	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		48,978.00		01	0.000
	51005467	GRP 07	FT	P	04/22/2023	LONG TERM CARE ELIGIBILITY	110		48,978.00		01	0.000
	51016153	GRP 07	FT	P	02/10/2023	SERVICES DIV SUPPORT SERVICES	110		48,978.00		01	49.020
	51017453	GRP 07	FT	P	03/28/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		48,978.00		01	0.000
391,824.00 Perm Budget Amt				8 Perm Vac		244,890.00 Temp Budget Amt		5 Temp Vac		13		
SS CLIN SP	51017757	GRP 11	FT	P	01/01/2023	SERVICES DIVISION ADMINISTRATION	110		63,929.00		01	49.020
63,929.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
SS TM WKR	00009736	GRP 05	FT	T	09/11/2021	CASA - HOME CARE ELIGIBILITY TEAMS	110		43,605.00		01	0.000
	00009738	GRP 05	FT	P	06/08/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		43,605.00		01	0.000
	00009746	GRP 05	FT	P	04/03/2023	HOMEFINDING/RECRUITMENT	110		43,605.00		01	49.200
	00009759	GRP 05	FT	T	04/23/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		43,605.00		01	49.200
	51004216	GRP 05	FT	T	03/04/2023	CHILD PROTECTIVE SERVICES	110		43,605.00		01	49.200
	51009753	GRP 05	FT	T	04/08/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		43,605.00		01	49.020
	51012085	GRP 05	FT	T	12/03/2022	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		43,605.00		01	49.200

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
87,210.00	Perm Budget Amt			2	Perm Vac	218,025.00	Temp Budget Amt		5	Temp Vac		7		

Totals for Department of Social Services

3,054,442.00	Perm Budget Amt			60	Perm Vac	4,895,880.00	Temp Budget Amt		102	Temp Vac		162

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
AST SP MM HV	51017984	GRP 10	FT	P	04/01/2023	BUILDING MAINTENANCE & REPAIRS	110		55,230.00		02	100.000
55,230.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
BLDG MN MCH	51017985	GRP 09	FT	P	04/01/2023	BUILDING MAINTENANCE & REPAIRS	110		51,717.00		02	100.000
51,717.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
HEAD LABORER	51016794	GRP 04	FT	P	04/21/2023	CUSTODIAL SERVICES	110		37,633.00		02	100.000
37,633.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
JANITOR	51014330	GRP 03	FT	P	09/07/2022	CUSTODIAL SERVICES	110		36,637.00		01	100.000
	51014337	GRP 03	FT	P	02/10/2023	UNIFIED COURT SYSTEM	110		36,637.00		01	11.000
73,274.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
LABORER	00005525	GRP 03	FT	P	06/06/2023	UNIFIED COURT SYSTEM	110		36,637.00		03	11.000
	51001158	GRP 03	FT	P	04/17/2023	UNIFIED COURT SYSTEM	110		36,637.00		03	11.000
	51016604	GRP 03	FT	T	09/10/2022	CUSTODIAL SERVICES	110		36,637.00		03	100.000
73,274.00 Perm Budget Amt					2 Perm Vac	36,637.00 Temp Budget Amt		1 Temp Vac		3		
MNT WKR	51017986	GRP 05	FT	P	04/01/2023	BUILDING MAINTENANCE & REPAIRS	110		39,589.00		02	100.000
39,589.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
STATION ENG	00010063	GRP 09	FT	P	04/17/2023	CORR FAC/HOLDING CTR MAINT & REPAIRS	110		51,717.00		01	100.000
51,717.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		

Totals for Dept of Public Works

382,434.00 Perm Budget Amt 9 Perm Vac 36,637.00 Temp Budget Amt 1 Temp Vac 10

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCOUNTANT	00000102	GRP 09	FT	P	12/12/2022	ADMINISTRATION & MANAGEMENT	110		55,216.00		01	0.000
55,216.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
FOR M H MICA	51008604	GRP 12	FT	P	10/21/2021	ADULT MENTAL HEALTH SERVICES	110		67,914.00		01	0.000
67,914.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
FOR MH S I A	51016623	GRP 11	FT	T	03/21/2023	ADULT MENTAL HEALTH SERVICES	110		63,929.00		01	50.000
0.00 Perm Budget Amt					0 Perm Vac	63,929.00 Temp Budget Amt		1 Temp Vac		1		
SR CL TYP	00008507	GRP 04	FT	P	04/22/2023	ADULT MENTAL HEALTH SERVICES	110		41,689.00		01	30.000
	51011356	GRP 04	FT	P	05/20/2023	ADMINISTRATION & MANAGEMENT	110		41,689.00		01	0.000
83,378.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		

Totals for Dept of Mental Health

206,508.00 Perm Budget Amt 4 Perm Vac 63,929.00 Temp Budget Amt 1 Temp Vac 5

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP COM YS	51009980	GRP 16	FT	P	04/08/2023	ADMINISTRATION - DETENTION	110		97,852.00		02	51.000
97,852.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
DET HM IN WK	51015090	GRP 09	FT	T	01/14/2023	INTAKE	110		55,216.00		01	51.000
0.00 Perm Budget Amt					0 Perm Vac	55,216.00 Temp Budget Amt		1 Temp Vac		1		
DET SEC GD	00002962	GRP 05	FT	T	05/06/2023	BUILDING SERVICES	110		39,589.00		01	51.000
	00002964	GRP 05	FT	P	04/23/2022	BUILDING SERVICES	110		39,589.00		01	51.000
	51016805	GRP 05	FT	P	08/27/2022	BUILDING SERVICES	110		39,589.00		01	51.000
79,178.00 Perm Budget Amt					2 Perm Vac	39,589.00 Temp Budget Amt		1 Temp Vac		3		
JR YDW	51017894	GRP 06	FT	P	01/01/2023	SECURE DIRECT CARE SUPPORT	110		42,301.00		07	51.000
	51017895	GRP 06	FT	P	01/01/2023	SECURE DIRECT CARE SUPPORT	110		42,301.00		07	51.000
	51017896	GRP 06	FT	P	01/01/2023	SECURE DIRECT CARE SUPPORT	110		42,301.00		07	51.000
	51017897	GRP 06	FT	P	01/01/2023	SECURE DIRECT CARE SUPPORT	110		42,301.00		07	51.000
169,204.00 Perm Budget Amt					4 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		4		
JUVE JUS CON	51010682	GRP 10	FT	T	05/06/2023	NON-SECURE CHILD CARE	110		58,644.00		01	0.000
	51010684	GRP 10	FT	P	10/13/2022	JUVENILE DELINQUENCY SERVICES TEAM	110		58,644.00		01	51.000
	51015088	GRP 10	FT	T	05/06/2023	JUVENILE DELINQUENCY SERVICES TEAM	110		58,644.00		01	51.000
	51017902	GRP 10	FT	P	01/01/2023	JUVENILE DELINQUENCY SERVICES TEAM	110		58,644.00		01	51.000
117,288.00 Perm Budget Amt					2 Perm Vac	117,288.00 Temp Budget Amt		2 Temp Vac		4		
SR YTH DT WK	51017666	GRP 08	FT	P	10/22/2022	YOUTH DETENTION - RAISE THE AGE	110		48,372.00		01	51.000
48,372.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
SS TM WKR	51017900	GRP 05	FT	P	01/01/2023	NON-SECURE CHILD CARE	110		43,605.00		01	0.000
43,605.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
YTH DET WK	00010495	GRP 07	FT	P	05/23/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	00010496	GRP 07	FT	T	12/03/2022	SECURE CHILD CARE	110		45,234.00		01	51.000
	00010509	GRP 07	FT	P	01/12/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	00010515	GRP 07	FT	T	01/28/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	00010524	GRP 07	FT	P	07/21/2022	SECURE CHILD CARE	110		45,234.00		01	51.000
	51009938	GRP 07	FT	P	11/02/2022	SECURE CHILD CARE	110		45,234.00		01	51.000
	51010480	GRP 07	FT	P	11/05/2022	SECURE CHILD CARE	110		45,234.00		01	51.000
	51010482	GRP 07	FT	P	04/08/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	51013102	GRP 07	FT	T	08/28/2021	SECURE CHILD CARE	110		45,234.00		01	42.000
	51015086	GRP 07	FT	T	09/24/2022	SECURE CHILD CARE	110		45,234.00		01	51.000

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	51016391	GRP 07	FT	T	02/11/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	51016803	GRP 07	FT	T	05/02/2023	SECURE CHILD CARE	110		45,234.00		01	51.000

271,404.00 Perm Budget Amt 6 Perm Vac 271,404.00 Temp Budget Amt 6 Temp Vac 12

Totals for Youth Services Division

826,903.00 Perm Budget Amt 17 Perm Vac 483,497.00 Temp Budget Amt 10 Temp Vac 27

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACC CLK	51017987	GRP 04	FT	P	04/13/2023	CHILDREN WITH SPECIAL NEEDS ADMIN.	110		41,689.00		01	47.000
41,689.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			1		
CHIEF PRI CL	51016708	GRP 09	FT	P	08/03/2023	ACCOUNTING AND FISCAL MANAGEMENT	110		55,216.00		01	64.000
55,216.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			1		
INV PH SAN	00005212	GRP 08	FT	P	04/22/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		51,967.00		01	64.000
	00005231	GRP 08	FT	P	05/25/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		51,967.00		01	64.000
	51013157	GRP 08	FT	P	05/15/2023	LEAD POISONING PREVENTION	110		51,967.00		01	64.000
	51016531	GRP 08	FT	P	05/09/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		51,967.00		01	64.000
207,868.00 Perm Budget Amt					4 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			4		
JR EPID	51016615	GRP 09	FT	P	09/11/2021	SURVEILLANCE & EPIDEMIOLOGY	110		55,216.00		01	64.000
55,216.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			1		
MED OFF ASST	00006375	GRP 04	FT	T	04/22/2023	IMMUNIZATIONS	110		41,689.00		01	64.000
	51011554	GRP 04	FT	P	05/06/2023	TB OUTREACH	110		41,689.00		01	64.000
41,689.00 Perm Budget Amt					1 Perm Vac	41,689.00 Temp Budget Amt	1 Temp Vac			2		
PEER NAV SUD	51015730	GRP 03	FT	P	02/13/2023	OPIOID OVERDOSE PREVENTION	110		40,312.00		01	64.000
40,312.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			1		
PUB HLTH ED	51009233	GRP 08	FT	P	04/08/2023	OPIOID OVERDOSE PREVENTION	110		51,967.00		01	64.000
51,967.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			1		
REG NURSE	51012178	GRP 08	FT	P	06/23/2023	YOUTH DETENTION HEALTH SERVICES	110		58,564.00		02	50.000
58,564.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt	0 Temp Vac			1		
CORE INV	51009116	GRP 08	FT	T	03/04/2023	MEDICAL EXAMINER'S OFFICE	110		51,967.00		01	100.000
	51013929	GRP 08	FT	P	02/09/2023	MEDICAL EXAMINER'S OFFICE	110		51,967.00		01	100.000
	51017888	GRP 08	FT	P	01/01/2023	MEDICAL EXAMINER'S OFFICE	110		51,967.00		01	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
103,934.00	Perm Budget Amt			2	Perm Vac	51,967.00	Temp Budget Amt	1	Temp Vac	3		
SUP ACCT	00010107	GRP 11	FT	T	01/29/2022	ACCOUNTING AND FISCAL MANAGEMENT	110		63,929.00		01	64.000
0.00	Perm Budget Amt			0	Perm Vac	63,929.00	Temp Budget Amt	1	Temp Vac	1		
REG NURS RPT	51001122	GRP 08	RPT	P	06/07/2023	YOUTH DETENTION HEALTH SERVICES	110		46,852.00		02	50.000
	51015205	GRP 08	RPT	P	06/13/2023	YOUTH DETENTION HEALTH SERVICES	110		46,852.00		02	0.000
93,704.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		

Totals for Health

750,159.00	Perm Budget Amt			15	Perm Vac	157,585.00	Temp Budget Amt	3	Temp Vac	18		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
OUTR WKR VS	51016921	GRP 07	FT	P	11/05/2022	OFFICE OF VETERANS' AFFAIRS	110		48,978.00		01	100.000

48,978.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Totals for Office of Veterans' Services

48,978.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
AS VO MA TE	51010511	GRP 06	FT	P	06/24/2022	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
46,209.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
CHF EL CL CU	51017706	GRP 09	FT	P	04/22/2023	ADMINISTRATION-BOE - REP.	110		55,216.00		05	100.000
55,216.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
COM OP BD EL	51004171	GRP 07	FT	P	01/17/2020	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000
	51006950	GRP 07	FT	P	01/20/2018	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000
97,956.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
DAT MAN SUP	51010603	GRP 12	FT	P	04/22/2023	ADMINISTRATION-BOE - DEM.	110		67,914.00		05	100.000
67,914.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
ELECT CLK	00003133	GRP 06	FT	P	01/12/2023	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	51004927	GRP 06	FT	P	02/06/2021	ADMINISTRATION-BOE - DEM.	110		46,209.00		05	100.000
	51004928	GRP 06	FT	P	01/28/2023	ADMINISTRATION-BOE - DEM.	110		46,209.00		05	100.000
	51004934	GRP 06	FT	P	01/01/2022	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	51007031	GRP 06	FT	P	09/28/2020	ADMINISTRATION-BOE - DEM.	110		46,209.00		05	100.000
	51008969	GRP 06	FT	P	02/11/2023	ADMINISTRATION-BOE - DEM.	110		46,209.00		05	100.000
	51009356	GRP 06	FT	P	01/09/2021	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	51010510	GRP 06	FT	P	08/02/2019	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	51013177	GRP 06	FT	P	02/22/2021	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
	51014311	GRP 06	FT	P	01/01/2020	ADMINISTRATION-BOE - REP.	110		46,209.00		05	100.000
462,090.00 Perm Budget Amt					10 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		10		
JR ELECT CLK	51003564	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	51004714	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	51010548	GRP 04	FT	P	03/22/2021	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	51010579	GRP 04	FT	P	11/06/2021	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
	51012039	GRP 04	FT	P	05/27/2023	ADMINISTRATION-BOE - DEM.	110		41,689.00		05	100.000
208,445.00 Perm Budget Amt					5 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		5		
SYSCH TEC BOE	51007132	GRP 07	FT	P	05/28/2016	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000
	51007756	GRP 07	FT	P	12/09/2014	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
97,956.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
PRIN EL CLK	00007410	GRP 08	FT	P	04/25/2016	ADMINISTRATION-BOE - REP.	110		51,967.00		05	100.000
51,967.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
SEC COM ELEC	51011881	GRP 08	FT	P	01/09/2014	ADMINISTRATION-BOE - REP.	110		51,967.00		05	100.000
51,967.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
SR ELEC CLK	51003560	GRP 07	FT	P	05/27/2023	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000
	51003562	GRP 07	FT	P	01/03/2023	ADMINISTRATION-BOE - DEM.	110		48,978.00		05	100.000
97,956.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
SUPV BA DES	51009102	GRP 12	FT	P	01/01/2020	ADMINISTRATION-BOE - DEM.	110		67,914.00		05	100.000
67,914.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
VOT MAC TECH	51008243	GRP 07	FT	P	03/28/2015	ADMINISTRATION-BOE - REP.	110		48,978.00		05	100.000
48,978.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
VOT SYS COOR	51014426	GRP 08	FT	P	05/02/2018	ADMINISTRATION-BOE - REP.	110		51,967.00		05	100.000
51,967.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
WEB COM BOE	51014952	GRP 10	FT	P	09/05/2019	ADMINISTRATION-BOE - REP.	110		58,644.00		05	100.000
58,644.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
ADM AS BOE R	51003727	GRP 09	RPT	P	05/17/2014	ADMINISTRATION-BOE - REP.	110		50,597.00		05	100.000
50,597.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
COMM BOE-RPT	51012853	GRP 14	RPT	P	02/10/2023	ADMINISTRATION-BOE - DEM.	110		79,169.00		05	100.000
	51012977	GRP 14	RPT	P	03/19/2016	ADMINISTRATION-BOE - REP.	110		79,169.00		05	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
158,338.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
ELEC CLK RPT	51005612	GRP 06	RPT	P	12/22/2018	ADMINISTRATION-BOE - DEM.	110		23,105.00		05	100.000
	51013452	GRP 06	RPT	P	01/01/2018	ADMINISTRATION-BOE - REP.	110		45,054.00		05	100.000
	51013453	GRP 06	RPT	P	01/20/2018	ADMINISTRATION-BOE - REP.	110		45,054.00		05	100.000
113,213.00 Perm Budget Amt					3 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		3		
JR EL CL RPT	51004555	GRP 04	RPT	P	05/27/2023	ADMINISTRATION-BOE - DEM.	110		20,845.00		05	100.000
	51007554	GRP 04	RPT	P	12/15/2020	ADMINISTRATION-BOE - REP.	110		40,647.00		05	100.000
61,492.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
SR EL CL RPT	51004642	GRP 07	RPT	P	05/20/2023	ADMINISTRATION-BOE - REP.	110		24,489.00		05	100.000
	51006647	GRP 07	RPT	P	09/04/2018	ADMINISTRATION-BOE - REP.	110		47,753.00		05	100.000
72,242.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
VO MA TE RPT	51010013	GRP 07	RPT	P	08/17/2020	ADMINISTRATION-BOE - REP.	110		47,753.00		05	100.000
47,753.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		

Totals for Board of Elections

1,968,814.00 Perm Budget Amt					41 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		41		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
JR PERS SP	51017952	GRP 10	FT	P	01/01/2023	CIVIL SERVICE ADMINISTRATION	110		58,644.00		01	100.000
58,644.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		
CH ETH OF RP	51017953	GRP 15	RPT	P	01/01/2023	OFFICE OF ETHICS	110		66,915.00		07	100.000
66,915.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		

Totals for Personnel

125,559.00 Perm Budget Amt			2 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST PLANNER	51017903	GRP 08	FT	P	01/01/2023	PLANNING	110		51,967.00		01	100.000
51,967.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
SM BUS RE CO	51018003	GRP 13	FT	P	01/01/2023	ECONOMIC DEVELOPMENT	110		73,524.00		01	100.000
73,524.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		
SR PLANNER	51016417	GRP 12	FT	P	03/26/2022	OFFICE OF AGRICULTURE	110		67,914.00		01	100.000
67,914.00 Perm Budget Amt				1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac		1		

Totals for Environment & Planning Divis'n

193,405.00 Perm Budget Amt 3 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 3

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PARK RANGER	51016840	GRP 07	FT	P	04/22/2023	CHESTNUT RIDGE PARK	110		46,172.00		07	100.000
46,172.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
PARK SUPT	51016460	GRP 13	FT	P	05/25/2023	ELLICOTT CREEK PARK	110		73,524.00		02	100.000
73,524.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
PK MN WK II	51001383	GRP 05	FT	P	05/13/2023	FORESTRY	110		43,064.00		03	100.000
	51001392	GRP 05	FT	P	04/22/2023	ELLICOTT CREEK PARK	110		43,064.00		03	100.000
86,128.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		

Totals for Parks

205,824.00 Perm Budget Amt 4 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 4

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
FOR BIO I	51017063	GRP 11	FT	T	04/08/2023	FORENSIC LABORATORY	110		63,929.00		02	100.000

0.00 Perm Budget Amt 0 Perm Vac 63,929.00 Temp Budget Amt 1 Temp Vac 1

Totals for Central Police Services

0.00 Perm Budget Amt 0 Perm Vac 63,929.00 Temp Budget Amt 1 Temp Vac 1

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BLDG GD	51015602	GRP 04	FT	T	03/26/2023	BUILDING SECURITY	110		37,633.00		01	100.000

0.00 Perm Budget Amt 0 Perm Vac 37,633.00 Temp Budget Amt 1 Temp Vac 1

Totals for Emergency Services

0.00 Perm Budget Amt 0 Perm Vac 37,633.00 Temp Budget Amt 1 Temp Vac 1

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
Totals for FUND 110												
12,229,142.00	Perm Fund Amt		236	Perm Vac		8,232,085.00	Temp Fund Amt		166	Temp Vac		402

Run Totals: Total Perm Vac 236 Total Temp Vac 166 Total Vacancies 402 Total Positions 3,992 Percent 10%

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15M-1	ASSIGNED COUNSEL PROGRAM	Quarterly Report of the Assigned Counsel Program - 2nd Quarter of 2023

Attachments

23COMM. 15M-1

ASSIGNED COUNSEL PROGRAM

Michelle Parker, Executive Director/Chief Defender

The Brisbane Building
403 Main Street, Suite 215
Buffalo, NY 14203

Phone (716) 856-8804
Fax (716) 856-0424

Real Attorneys
Professional Defenders

EC LEG JUL 13 '23 PM12:22

Officers 2023-2024

Peter P. Vasilion
President

Joseph Terranova
Vice President

Pamela Thibodeau
Secretary

Ayoka Tucker
Treasurer

Kevin Stadelmaier
First Deputy Defender
Criminal Division

Yvonne Vertlieb
Second Deputy Administrator
Family Division

Lori A. Hoffman
Deputy for Quality Assurance

David Heraty
Deputy for Litigation Support
And Appellate Bureau

Matthew Powers
Deputy for Legal Education
Director of the
John R. Nuchereno
Center for Legal Excellence

Kevin Condon
Deputy for Child Welfare

Mission Statement

We strive to help those who cannot help themselves; who face steep odds against the power of the State; and who struggle with poverty, mental issues, helplessness, and dread. We save lives and we save families. We are the first line of defense for the freedoms granted to us by the U.S. Constitution and the Bill of Rights.

July 10, 2023

Robert M. Graber
Clerk of the Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

RE: Erie County Legislature Resolution of March 4, 2004
Comm. 5E-24 (2004)

Dear Mr. Graber:

Pursuant to the above-referenced Resolution and the related letter from the Erie County Attorney to the Chairman of the Legislature dated March 16, 2004, this letter with enclosure constitutes the Quarterly Report of the Assigned Counsel Program for the 2nd quarter of 2023.

County funds appropriated for 2023 fiscal year: $9,444,952

Portion of appropriation allocated to 2nd quarter: $2,361,238

Portion of appropriation allocated for year to date: $4,722,476

Funds disbursed by Erie County to Assigned Counsel Program in 2nd quarter: $4,722,476

Funds disbursed by Erie County to Assigned Counsel Program, year to date: $7,038,714

Administrative expenses in 2nd quarter: $1,323,707

Administrative expenses, year to date: $2,405,600

Payments made to attorneys for legal services in 2nd quarter: $2,741,189

Payments made to attorneys for legal services, year to date: $4,970,942

Payments made to investigators in 2nd quarter: $20,692

Payments made to investigators, year to date: $39,089

Payments made to experts in 2nd quarter: $85,543

Payments made to experts, year to date: $174,025

Payments made for transcripts in 2nd quarter: $21,473

Payments made for transcripts, year to date: $38,400

Please note that the figures for payments made to attorneys, year to date, are payments actually made and do not include liability incurred for legal work performed but either not yet billed or billed and not actually paid as of the end of the quarter.

A list of all attorneys who have received payments during the 1st quarter of this year for legal services rendered is enclosed with this letter.

Thank you.

Very truly yours,

Michelle Parker

Michelle Parker
Director/Chief Defender

MP:hpk

Enc.

cc: Jeremy C. Toth, Erie County Attorney
Robert W. Keating, Erie County Director of Budget & Management

ATTORNEYS RECEIVING ASSIGNED COUNSEL PAYMENTS
1st QUARTER 2023

Abate, Jeffrey	Dolgoff, Barry	Kelly, Sean
Abbarno, Anthony	Domenico, Anthony	Kobiolka, Michael
Adeniji, Jesutowo	Donatelli, Alan	Kotnis, Mark
Alba, Samuel	Dorliae, Cecile	Krajewski, Jeffrey
Altshiler, Florina	Dougherty, Connor	Kullman, Paul
Amendola, Francis	Dubois, Daniel	Kulpit, Jessica
Ancona, Elena	Duncan, TheArthur	Lenhardt, Clayton
Anderson, Ryan	Evans, Jason	Lilac, Dean
Anderson, Heather	Fabiatos, Lee	Longo, Frank
Anthis, Sara	Farah, Elias	Loss, Katrina
Auricchio, James	Farrell, Bethany	MacDonald, Brian
Bauerle, Ariel	Ferullo, Michael	Mackay, Parker
Bedaska, John	Fina, Gregory	Maloney, James
Bellrose Lloyd, Jacqueline	Fiske, Andrew	Manfredi, Corinne
Bender, Debra	Flynn, Robert	Marranca, Mindy
Berchou, Catherine	Franczyk, Timothy	Marrero, Rachel
Bernard, Scott	Frank, Cortney	Martin, Alexander
Billanti, Catherine	Gallagher, Timothy	Martnshin, Edward
Blahowicz, Ashley	Garrity, Patrick	McCann, Stephen
Bogulski, Frank	Gartner, Peter	McIver, James
Bojak, Adam	Genovese, Giovanni	McKeating, Michael
Broderick, William	Gibbons, Kenneth	McLaughlin, Patrick
Brooks, Matthew	Gibbons, Kevin	Michalek, Jr., Paul
Brooks, Timothy	Gioia, Rebecca	Midlik, Tara
Buffamonte, Angelo	Goldstein, Robert	Miserendino, Samuel
Buscaglia, Kara	Greenberg, Charles	Monahan, Todd
Bryne, Mark	Greene, Alvin	Moncher, Michelle
Caffrey, Daniel	Grennell, John	Muscato, Joseph
Canterbury, Ian	Griebel, Daniel	Mussari, Louis
Carey, Catherine	Harrington, Jeffrey	Newcomb, Terence
Carney, Ryan	Harris, Kevin	Osman, Mayada
Chabala, Anthony	Hennessy, Shawn	O'Sullivan, Evelyne
Chamberlain, Alison	Hennessy, Timothy	Pajak, David
Chan, Mary	Hoerner, Kaitlyn	Parisi, Ryan
Cimasi, Michael	Hoffman, Alan	Parker, Brian
Cole, Richard	Housh, Frank	Paul, Kim
Connelly, Caitlin	Hughes, Stephen	Pawarski, Timothy
Conroy, Michael	Ieraci, Frank	Penn, Mary
Cooper, Cindy	Jablonski, Justin	Petersen, Frederick
Creighton, Lauren	Jarzembek, Joseph	Platzer, Kathleen
Curtin, William	Jay, Hope	Popoola, Ifeoluwa
Cutting, Robert	Johnson, Robert	Poretta, Michael
Dell, Paul	Jones, Deonna	Potter, Todd
DeMatteo, James	Kane, Kevin	Puleo, Dean
Desiderio, Lawrence	Kapperman, Kelly	Quinlivan, Patrick
Dinki, Edward	Karalus, Susan	Radack, Andrew

ATTORNEYS RECEIVING ASSIGNED COUNSEL PAYMENTS
1st QUARTER 2023

Repka, Crystal	Voelkl, Jeffrey	
Roberts, Jr., Linwood	Ward, Daniel	
Robshaw, Nora	Weinrieb, Pieter	
Rosciglione, Maria	Whorley, Daniel	
Rougeux, Debra	Wiens, Wallace	
Ruffino, Brian	Wilson, David	
Sacha, Mark	Wojtan, Thomas	
Salevsky, Brent	Worrell, Mark	
Sanfilippo, Salvatore	Zosh, Michael	
Santoro, Jeffrey		
Sarkovics, David		
Schaus, Daniel		
Scherer, Jeffrey		
Schwegler, Lawrence		
Scinta, Joseph		
Seegert, Seth		
Shatkin, Marc		
Smith, Cara		
Smith, Jennifer		
Smith, Victoria		
Stachowski, Michael		
Stadler, Joseph		
Starr, Suzanne		
Steinhaus, Robert		
Stiller, Douglas		
Swerdlin, Matthew		
Szczur, Celia		
Tabashneck, Andrew		
Tarantino, Daniel		
Terranova, Joseph		
Tesseyman, Jr., Francis		
Texido, Nicholas		
Thibodeau, Pamela		
Tota-Neal, Delrease		
Towey, Brian		
Tupchik, Lana		
Turner, Joseph		
Underwood, Stephen		
Vallone-Bacon, Gina		
Varavenkataraman, Radhika		
Vasilion, Peter		
Venzon, Catharine		
Vesper, Jessica		
Violanti, Louis		
		191

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15M-2	ASSIGNED COUNSEL PROGRAM	Reports Designated by Resolution 233 of May 6, 1975

Attachments

23COMM. 15M-2

ASSIGNED COUNSEL PROGRAM

Michelle Parker, Executive Director/Chief Defender

The Brisbane Building
403 Main Street, Suite 215
Buffalo, NY 14203

Phone (716) 856-8804
Fax (716) 856-0424

Real Attorneys
Professional Defenders

Officers 2023-2024

Peter P. Vasilion
President

Joseph Terranova
Vice President

Pamela Thibodeau
Secretary

Ayoka Tucker
Treasurer

Kevin Stadelmaier
First Deputy Defender
Criminal Division

Yvonne Vertlieb
Second Deputy Administrator
Family Division

Lori A. Hoffman
Deputy for Quality Assurance

David Heraty
Deputy for Litigation Support
And Appellate Bureau

Matthew Powers
Deputy for Legal Education
Director of the
John R. Nuchereno
Center for Legal Excellence

Kevin Condon
Deputy for Child Welfare

Mission Statement

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July 10, 2023

EC LEG JUL 13 '23 PM 2:22

Robert Graber
Clerk of the Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Re: Resolution 233 of May 6, 1975

Dear Mr. Graber,

Pursuant to the above-referenced Resolution, I am enclosing a financial report, cash basis, for the period 1/1/2023-6/30/2023, along with a list of attorneys who are currently on our panel. I am also enclosing copies of the minutes of each meeting of our Board of Directors that has been held within that six month period.

Thank you.

Very truly yours,

Michelle Parker

Michelle Parker
Director/Chief Defender

MP:hpk
Encs.

ECBA AIP
Assigned Counsel Program

Report to the Clerk of Erie County Legislature		Period 1/1/23-6/30/2023
Source of Funds:		
	County of Erie: Rec'd 1st, 2nd and 3rd qtr 2023	$7,083,704
	NYS: ILS (2022)	1,170,447
	NYS: ILS (2023)	405,795
	NYS:ATD (2022)	104,484
	Niagara County	55,000
	Redlich Horwitz Foundation - Restricted Funds	75,000
	Donation - Training Restricted	0
	Total:	$8,894,430
Program Expenditures:		
	Attorney Fees	4,970,942
	Transcripts	38,400
	Experts	174,025
	Investigators	39,089
	Total:	$5,222,457
Administration:		
	Personnel (Wages, Hosp, FICA, Unemploy, Disability, Work. Comp & Pension)	2,059,180
	Util/Telephone	21,370
	Space Rental	108,272
	Office Supplies	12,033
	Postage	2,229
	Travel/Conferences	7,733
	Vehicle Lease (ILS/NYS approved)	2,673
	Insurance	3,344
	Legal/accounting (Accountant)	0
	Dues &Assoc. Membership Fees	3,745
	Office Printing/copying (Reproduction)	5,104
	Training	6,059
	Equipment Purchase	34,719
	Computer Maintenance	59,540
	Legal Publications	19,913
	Temps/Recruitment	10,800
	Consultants	10,254
	Payroll Service	4,509
	Bank Charges	730
	Online Billing Software fees	32,095
	Intern/Law Student	0
	Misc (Misc & Misc Volunteer Support)	1,296
	Total:	$2,405,600
	Grand Total:	$7,628,056

Assigned Counsel Panel
Active
As Of June 30, 2023

JEFFREY	ABATE	JASON	EVANS
ANTHONY	ABBARNO	LEE	FABIATOS
JESTOWO	ADENIJI	ELIAS	FARAH
SAMUAL	ALBA	BETH	FARRELL
FLORINA	ALTSHIER	M. KREAG	FERULLO
FRANCIS	AMENDOLA	GREGORY	FINA
ELENA	ANCONA	ANDREW	FISKE
RYAN	ANDERSON	ROBERT	FLYNN
HEATHER	ANDERSON	CORTNEY	FRANK
SARA LEE	ANTHIS	KATHRYN	FRIEDMAN
JAMES	AURICCHIO	TIMOTHY	GALLAGHER
ARIEL	BAUERLE	PATRICK	GARRITY
JOHN	BEDASKA	PETER	GARTNER
JACQUELINE	BELLROSE LLOYD	GIOVANNI	GENOVESE
DEBRA	BENDER	KENNETH	GIBBONS
CATHERINE	BERCHOU	KEVIN	GIBBONS
SCOTT	BERNARD	REBECCA	GIOIA
CATHERINE	BILLANTI	ROBERT	GOLDSTEIN
ASHLEY	BLAHOWICZ	CHARLES	GREENBERG
FRANK	BOGULSKI	ALVIN	GREENE
ADAM	BOJAK	JOHN	GRENNELL
WILLIAM	BRODERICK JR	DANIEL	GRIEBEL
MATTHEW	BROOKS	JEFFREY	HARRINGTON
TIMOTHY	BROOKS	KEVIN	HARRIS
ANGELO	BUFFOMANTE	SHAWN	HENNESSY
KARA	BUSCAGLIA	TIMOTHY	HENNESSY
DANIEL	CAFFERY	THOMAS	HEUBUSCH
IAN	CANTERBURY	KAITLYN	HOERNER
CATHERINE	CAREY	ALAN	HOFFMAN
RYAN	CARNEY	FRANK	HOUSCH
ANTHONY	CHABALA	STEPHEN	HUGHES
ALISON	CHAMBERLAIN	FRANK	IERACI
MARY	CHAN	JUSTIN	JABLONSKI
MICHAEL	CIMASI	JOSEPH	JARZEMBEK
JAMES	CIMINELLI	HOPE	JAY
RICHARD W.	COLE	ROBERT	JOHNSON
CAITLIN	CONNELLY	DEONNA	JONES
MICHAEL	CONROY	KEVIN	KANE
CINDY	COOPER	KELLY	KAPPERMAN
LAURA	CREIGHTON	SUSAN	KARALUS
WILLIAM	CURTIN	SEAN	KELLY
ROBERT	CUTTING	MICHAEL	KOBIOLKA
PAUL G.	DELL	MARK	KOTNIS
JAMES	DEMATTEO	JEFFREY	KRAJEWSKI
LAWRENCE	DESIDERIO	PAUL	KULLMAN
EDWARD	DINKI	DANIEL	SCHAUS
BARRY	DOLGOFF	JEFFREY	SCHERER
ANTHONY	DOMENICO	LAWRENCE	SCHWEGLER
ALAN	DONATELLI	JOSEPH	SCINTA
CECILE	DORLIAE	SETH	SEEGERT
JESSICA	KULPIT	MARC	SHATKIN
CLAYTON	LENHARDT	CARA	SMITH
DEAN	LILAC	VICTORIA	SMITH
FRANK	LONGO	JENNIFER	SMITH
KATRINA	LOSS	ALEXANDER	MARTIN
BRIAN	MACDONALD	EDWARD	MARTINSHIN
PARKER	MACKAY	STEPHEN	MCCANN
JAMES	MALONEY	JAMES	MCIVER

Assigned Counsel Panel
Active
As Of June 30, 2023

CORINNE	MANFREDO		MICHAEL	MCKEATING
MINDY	MARRANCA		BONNIE	MCLAUGHLIN
CONNOR	DOUGHERTY		PATRICK	MCLAUGHLIN
DANIEL	DUBOIS		PAUL	MICHALEK JR
THEARTHUR	DUNCAN			
TARA	MIDLIK		NICHOLAS	TEXIDO
SAMUEL	MISERENDINO		PAMELA	THIBODEAU
TODD	MONAHAN		DELREASE	TOTA-NEAL
MICHELLE	MONCHER		BRIAN	TOWEY
JOSEPH	MUSCATO		EMILY	TROTT
LOUIS	MUSSARI		LANA	TUPCHIK
TERENCE	NEWCOMB		JOSEPH	TURNER
BARBARA	O'NEILL		STEPHEN	UNDERWOOD
EVELYNE	O'SULLIVAN		GINA	VALLONE-BACON
MAYADA	OSMAN		RADHIKA	VARAVENKATARAMAN
DAVID	PAJAK		PETER	VASILION
RYAN	PARISI		CATHARINE	VENZON
BRIAN	PARKER		JESSICA	VESPER
KIM	PAUL		LOUIS	VIOLANTI
TIMOTHY	PAWARSKI		JEFFREY	VOELKL
BRITTANY LEE	PENBERTHY		DANIEL	WARD
MARY	PENN		PIETER	WEINRIEB
FREDRICK	PETERSEN		DANIEL	WHORLEY
KATHLEEN	PLATZER		WALLACE	WIENS
IFEOUWLA	POPOOLA		DAVID	WILSON
MICHAEL	PORETTA		THOMAS	WOJTAN
TODD	POTTER		MICHAEL	ZOSH
PATRICK	QUINLIVAN			
ANDREW	RADACK			
CRYSTAL	REPKA			
SCOTT	RIORDAN			
LINWOOD	ROBERTS			
NORA	ROBSHAW			
MARIA	ROSCIGLIONE			
BRIAN	RUFFINO			
MARK	SACHA			
BRENT	SALEVSKY			
SALVATORE	SANFILIPPO			
JEFFREY	SANTORO			
DAVID	SARKOVICS			
JOSEPH	STADLER			
SUZANNE	STARR			
ROBERT	STEINHAUS			
DOUGLAS	STILLER			
MATTHEW	SWERDLIN			
CELIA	SZCZUR			
ANDREW	TABASHNECK			
DANIEL	TARANTINO			
JOSEPH	TERRANOVA			
FRANCIS	TESSEYMAN JR			

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MINUTES

Regular Meeting of the Board of Directors

Erie County Bar Association Aid to Indigent Prisoners Society, Inc.

April 20, 2023

Board Members Present: Hon. John J. Aman, Kristin Arcuri, Hon. Michael E. Hudson (ret.), Anne Joynt, Brian Melber, Catherine Nagel, Terence Newcomb, Michelle Parker, Nora Robshaw, Joseph Terranova, Pamela Thibodeau, Delrease Tota-Neal, Emily Trott, Peter Vasilion, Rachel Marrero.

Excused: Richard Barnes, Jill Bond, Hon. Susan Eagan

Guests: Hope Keilman, CFO; Amy Brown, Supervising Administrative Assistant

1. A quorum being present, ED Michelle Parker called the meeting to order at 12:21 p.m.

2. Approval from the Board of Minutes from February 15, 2023; motion to approve by Joseph Terranova; seconded by Delrease Tota-Neal; passed unanimously.

3. Approval of the minutes of Executive Session from February 15, 2023; motion to approve by Terence Newcomb; seconded by Catherine Nagel; passed unanimously.

4. New Business-Nominations Committee:
    a. The following people's terms expires as of April 2023, and are rotating off due to completion of second term:
        - Emily Trott
        - Richard Barnes
        - Terence Newcomb
        - Hon. John Aman-term will expire as of June 2023 and will decline appointment.

    b. Reporting of the Nominating Committee:
        - Term expiring in April 2023; eligible for and agreed to serve a 2nd term: Catherine Nagel
        - Officer Nominations
            - Treasurer 2024-2025: Ayoka Tucker
            - Secretary 2023-2024: Pamela Thibodeau
            - Vice President-elect 2023-2024: Anne Joynt
            - (Elevation from VP-elect to VP: Joseph Terranova)
            - (Elevation from VP to President: Peter Vasilion)
        - Nomination for open Director seats: 2022-2025:
            - Rachel Marrero
            - Linwood Roberts

- Lana Tupchik

Motion to accept open seats and officer nominations by Terence Newcomb; seconded by Brian Melber. Passed unanimously. Rachel Marrero entered the meeting.

- Reappointed by Countywide Elected Leaders
  - County Executive Mark Poloncarz: Matthew Kibler
  - Majority Leader Tim Meyers: Rashied McDuffie
  - Minority Leader John Mills: Peter Vasilion

5. Report of Executive Director/Chief Defender

Updates to Panel Attorney Handbook

As reported last time, this was issued in February. We have forwarded a copy to ILS for their review and comment. We have diaried a date in September to do a further review with the CFO, Assignments Supervisor and Voucher Supervisor; and a date in October for a further review with the First and Second Deputies. We will issue the updated Panel Attorney Handbook in January 2024.

Updates to Employee Handbook

As reported last time, this was issued in February. We have diaried for review this Fall as well and will have an updated Handbook in January 2024. So far, the changes will include an update to the language about Remote Work.

ILS –

Years 4 & 5 – Every indication is that we will obtain the funding and positions we requested for year 5; that's based on the final review phone conference with ILS Director Patricia Warth and GC Burton Phillips. We expect that ILS will issue the written work plan shortly. This is important because going forward, Year 6, etc., will duplicate Year 5 and not permit us to continue to grow the program.

ACP Summit – First Deputy Kevin Stadelmaier and I attended the ACP Summit held in Albany on March 29. ILS convened this so that there could be an exchange of ideas between the ACPs since those are similarly situated. There was discussion of recruitment strategies, supporting panel attorney professional development, mentor and 2nd-chair programs, use of professional resources such as LMSWs, mitigation support, and investigators, and developing CLE programs. The keynote address was given by Jonathan Rapping, the founder and CEO of Gideon's Promise, a non-profit that seeks to develop the professionalism of public defense.

ACP Criminal Defense Advisory Group - First Deputy Kevin Stadelmaier and I attended the ACP CDAG held in Albany on April 19. The topics included a discussion of parental representation; Deputy for Child Welfare Kevin Condon appeared virtually for that

discussion. There was also a discussion of the mechanics of ILS' Aid To Locality funding mechanism; CFO Hope Keilman appeared virtually for that discussion.

Biannual Performance Measures Report – this is due on Friday, April 28; we have the initial draft from First Deputy Kevin Stadelmaier and will timely file the final version.

Criminal Division –

- First Deputy Kevin Stadelmaier and Deputy for QA Lori Hoffman have created a three-day CLE opportunity over Columbus Day weekend this October that will be confined to representing defendants in DWI matters. Starting January 1 there will be a DWI Panel; attendance at this CLE will be required for anyone who wishes to be assigned a DWI matter.

Family Court Division –

- - Second (2022) Upstate Family Defense QI and Caseload Reduction Grant of $650,225.63[1] - We continue to follow-up with the County on this grant application.

- - First (2021) Upstate Family Defense QI and Caseload Reduction Grant of $500k[2] - Second Deputy Yvonne Vertlieb has hired an LMSW for pre-petition support.

- - Federal non-competitive Title IV-e funding[3] - ILS approved the Program's joint submission with the County of Erie of July 2022 to obtain funding from the federal government's Health & Human Services' Children's Bureau. ILS has now submitted this to the State OCFS which is the lead agency for the federal HHS Children's Bureau grant.

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[1] The Program is one of the 2022 awardees of this second round of competitive ILS Family Defense grants; this funding will permit Second Deputy Yvonne Vertlieb to create a position for Deputy for Litigation Support & Appeals on the Family Court side (akin to David Heraty's role on the Criminal side.)

[2] The Program is one of the 2021 awardees of this first round of competitive ILS Family Defense grants; this is directed to pre-petition support [an LMSW; community outreach to let people know we have pre-petition services available; funding two hourly attorney positions ($13,000 per year each); their role will be to provide pre-petition legal advice by phone to people who are under investigation by CPS.] DSS agreed to work collaboratively with ACP on prepetition matters involving: 1) educational neglect, 2) children with mental health issues, 3) children placed at Compass House (a runaway and homeless youth shelter), and 4) mothers who test positive for a controlled substance or non-Rx medications.

[3] Estimate: $160,000 per year – a stream of funding that would permit us to hire two parent-advocates (a person who has been part of the child welfare system –i.e., a child in foster care, or a parent involved in an Article 10 matter; someone who has successfully navigate the child welfare system. Their role is to support the respondent parent in a way that only a person can do who has experienced the system.)

6. Committee minutes:

   a. Recruitment Committee - Terry Newcomb, Joe Terranova, Emily Trott, Nora Robshaw, and Peter Vasilion; plus, First Deputy Kevin Stadelmaier and Second Yvonne Vertlieb. The goal is to engage to develop awareness of our Program. The Committee met for their bimonthly meeting on April 12, 2023; the notes are available to anyone who wants to read them. Most recently we have updated the ad on the back of the Courts tab in the BAEC 2023-2024 Bar Directory. Last year's ad focused on the 60th anniversary. This year the message is more tailored to inviting people to come work for the Program, with a QR Code for signing up. The next meeting is June 6, 2023.

   b. Ad Hoc Grants Committee: We thank Judge Hudson for his review of our draft application to NYS DCJS for a grant that was available to strengthen safety and security measures at nonprofit, community-based organizations at risk of hate crimes or attacks because of their ideology, beliefs, or mission. This was timely submitted on February 28, 2023; we expect to hear back by the end of April.

   c. Convene a Bylaws Committee to reanimate that issue – do so when there is a new Board in place after June.

7. Report of CFO

   a. March 2023 Preliminary Financials (pre-audit)-Hope Keilman, CFO reported financials and cash flow are good. Erie County has paid us up to June 30. Vouchers have increased, we are $2.2 million ahead from last year. The number of vouchers and dollar amounts have increased.
   b. We have ILS funds to make up for the gap. There is a gap year for Hurrell-Harring but does not affect our Program because we did not start operating with ILS funds until Year Two and the money moves forward. The only difference is that Legal Aid may get a bit more funding, but it should not be a huge issue (estimated around $800,000.)
   c. First quarter report of staff demographics: attached
   d. The status of Evans Bank line of credit remains as $0 balance.
      - Annual Board Resolution moving the check signer from the former Board President, Terence Newcomb to the new Board President, Peter Vasilion. The three check signers will be Peter Vasilion, Ayoka Tucker, and ED Michelle Parker.
      - Motion to approve by Kristin Arcuri; seconded by Hon. Michael Hudson; passed unanimously.

8. Executive Session- Motion to go into Executive Session by Joseph Terranova; seconded by Delrease Tota-Neal; Passed unanimously. CFO Hope Keilman and Amy Brown exited the meeting.

9. Adjourn

a. Next meeting: Wednesday, June 21, 2023, at 12:15 p.m.

b. Other 2023 Meeting Dates:
   - Wednesday, August 16 at 12:15 p.m.
   - Wednesday, November 15 at 12:15 p.m.

Meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners Society, Inc.
Regular Meeting Called by President
February 15, 2023

Board Members present: Hon. John J. Aman; Kristin Arcuri; Jill K. Bond; Hon. Michael E. Hudson (ret.); Anne Joynt; Hon. Keith Kibler; Matthew Kibler; Rashied McDuffie; Catherine Nagel; Terry Newcomb; Nora Robshaw; Joseph Terranova; Pamela Thibodeau; Delrease Tota-Neal; Ayoka Tucker; Peter Vasilion; Michelle Parker.

Excused: Richard Barnes; Hon. Sharon M. LoVallo; Brian Melber.

Guests present: Hope Keilman, CFO; Amy Brown, Supervising Administrative Assistant

1. Michelle Parker started her Report of Executive Director at 12:22 p.m.

2. A quorum being present, Michelle Parker called the meeting to order at approximately 12:26 p.m.

3. Approval of the Board minutes from November 9, 2022; no comments; motion to approve by Joseph Terranova; seconded by Hon. Mike Hudson (ret.). Passed unanimously.

   Approval of the Board minutes of Executive Session from November 9, 2022; no comments; motion to approve by Terry Newcomb; seconded by Joseph Terranova. Passed unanimously.

4. Report of Executive Director/Chief Defender:

Vouchers

It's come to our attention that some panel attorneys are under the misapprehension that voucher payments are starting to be issued late.

The Program goal has always been to review and finalize vouchers within 30 to 60 days. Once finalized, it comes to be for further review and to submit the voucher to the judge. We continue to maintain a pandemic-era practice whereby I approve for payment all vouchers that have not been approved by a judge on the Monday before the first Friday of the month – the first Friday is when payment issues to the attorney.

During the pandemic in 2020 and 2021, a monthly average of approximately 765 vouchers were submitted. Therefore with 2 voucher staff members, we were able to review and pay under 30 days from the date of submission.

The monthly average is now about 1800 vouchers – an increase of 134%. We have returned to the pre-pandemic practice of review within 30 to 60 days (as of 2/14/2023, the review is occurring within 47 days.)

To process within thirty (30) days, we'd have to hire another voucher processer; that will cut into out 18-b funding. We do not propose that we proceed in that vein unless we were at a point that the vouchers took in excess of 60 days to review and finalize for judicial review.

CFO Hope Keilman noted that the complaints arise from newer attorneys who joined the panel right before the pandemic. During the pandemic, they got used to getting paid in under thirty (30) days. Now that we're back to pre-pandemic levels, they are taken aback at what is essentially business as usual.

Updates to Panel Attorney Handbook

Thanks to the hard work of all of the Program's leaders – the supervisors and managers – there is now an update to the Panel Attorney Handbook. This will issue this week.

Updates to Employee Handbook

Thanks to the hard work of all the Program's leaders – the supervisors and managers – and HR Specialist Katie Hartung, an updated 2023 Employee Handbook issued. The biggest changes arise from the feedback from the First and Second Deputies with respect to recruitment – that the Program's meager vacation time was presenting a barrier to attracting new talent. Therefore, we revised the grant of vacation time as follows; the time accrues monthly and tracks closer to the vacation accrual at LABoB than in the past:

Previously	Current
Years 1 – 4 = 10 vacation days	Year 1 = 10 days
Years 4 + = 15 days	Years 2 – 4 = 15 days
	Years 5 – 19 = 20 days
	Years 20+ = 25 days

Under the prior policy, there was different treatment for the Program's management-level positions (Chief Defender, Chief Financial Officer, First Deputy - Criminal, Second Deputy – Family Court) as well as the attorney positions (Deputy for Litigation Support, Deputy – Forensic Support, Deputy – Training/CLE.) We have eliminated those distinctions:

Previously	Current
Years 1 – 2 = 10 vacation days	Same as above
Years 3 – 5 = 15 vacation days	
Years 5+ = 20 vacation days	
All vacation time credited 100% on January 1 of each year.	Now subject to a monthly accrual in the same manner as the other employees.

We also added language about the Program's history, its commitment to Equal Employment Opportunity; added a Workplace Harassment Policy, a Workplace Violence Policy, a Compensation Time policy (applies to exempt employees, capped at 80 hours), created a grant of Personal Leave (for fulltime: 4 days per year; otherwise, pro-rated); and added a policy about bringing a pet to the office.

We supplemented or clarified the language of the policies as to Work Schedule, Attendance, Hybrid Employees (working remotely), added Juneteenth to the list of recognized holidays (a holiday we have recognized in practice since 2021), emphasized the consequences of calling in sick the day before or after a holiday, clarified the Gifts policy (placing a limit of $25 as to the value of any gift from an attorney or vendor), and updated the Telecommuting Policy to become a Remote Work Policy.

Given the problems with recent departures, we included language that anyone departing who turns in their Program laptop having reset it to factory settings will be considered to have committed an act of vandalism. As to an employee separating from employment, we placed limits on use of accrued time and on remote work during the period of one's two-week notice.

As to a former employee is rehired at the Program within twelve months of their departure, we added that restoration of benefits at the level at the time of their previous separation will include restoration of their previously accrued sick leave – since that is not paid out at separation.

We have set forth that someone who gives their two-week notice cannot use accrued time within those two weeks, unless it is a pre-authorized leave for a medical appointment. If someone already has pre-approved vacation time, that cannot be part of the two-week notice period.

We have amended the timesheet forms to include better accountability for remote work and accrual of comp time by Exempt employees.

ILS –

Years 4 & 5 – These are still not finalized; our understanding was that LABoB was to have their portion completed by October 14. We had a phone conference with ILS representatives performing the intermediate review on January 27; the delay continues to be a matter of finalizing LABoB's budget. Year 4 is essentially approved; we answered questions about year 5. After the intermediate review, it will then go to ILS Director Patricia Warth and GC Burton Phillips; Burton will have questions about vouchers and the claiming process; Patricia will have questions about what happens going forward.

Criminal Division –

- First Deputy Kevin Stadelmaier and Deputy for QA Lori Hoffman have continued to revise the Mentor Program. There is now a Mentor-at-Large for DVJSA (Domestic

Violence Survivors Act – person convicted of 8+ years can make a 440.47 appeal based on their status as a victim of domestic violence) – Jessica Kulpit. This is in addition to the Mentors at Large for Homicides (Paul Dell), Misdemeanors/Felonies (Nick Texido & Judge Franczyk) and for Parole (Mark Worrell.)

- The team has also revised the panel attorney Training Program which rolled out in January. There is another Training scheduled for April.

- We have approved that one of the *Gendron* team of attorneys, Brian Parker, can submit his voucher and then continue to keep the matter open as needed to communicate with his client's counsel in the federal prosecution.

Family Court Division –

- Second (2022) Upstate Family Defense QI and Caseload Reduction Grant of $650,225.63[1] - We don't have the money yet. ILS has informally approved the contract and sent it to the County on January 17; we await the County's execution and submission to ILS for their execution. This is on a 30-day diary.

- First (2021) Upstate Family Defense QI and Caseload Reduction Grant of $500k[2] - Last time we reported that Second Deputy Yvonne Vertlieb had hired an LMSW for pre-petition support. That position is now open again. Also: the proposition was for two AOC positions budgeted at $13,000 per year. ILS preferred two hourly attorney positions; we made that change (still budgeted at $13,000/year; $75/hour) and Yvonne hired Lauren Creighton and Michelle Moncher to fill those roles.

- RHF Grant - Good news: we previously emailed the Board about the 2-year grant of $300,000 from the Redlich Horwitz Foundation grant to expand pre-petition legal advocacy work. This will fund a position of Deputy for Pre-petition Support; former panel member Kevin Condon will start on Tuesday, March 14. Once Kevin Condon is in place, then Yvonne will proceed with the second interviews (with Kevin's input) for the pre-petition LMSW.

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[1] The Program is one of the 2022 awardees of this second round of competitive ILS Family Defense grants; this funding will permit Second Deputy Yvonne Vertlieb to create a position for Deputy for Litigation Support & Appeals on the Family Court side (akin to David Heraty's role on the Criminal side.)

[2] The Program is one of the 2021 awardees of this first round of competitive ILS Family Defense grants; this is directed to pre-petition support [an LMSW; community outreach to let people know we have pre-petition services available; funding two ~~AOC~~ **hourly attorney** positions ($13,000 per year each); their role will be to provide pre-petition legal advice by phone to people who are under investigation by CPS.] DSS agreed to work collaboratively with ACP on prepetition matters involving: 1) educational neglect, 2) children with mental health issues, 3) children placed at Compass House (a runaway and homeless youth shelter), and 4) mothers who test positive for a controlled substance or non-Rx medications.

- Federal non-competitive Title IV-e funding[3] - ILS approved the Program's joint submission with the County of Erie of July 2022 to obtain funding from the federal government's Health & Human Services' Children's Bureau. ILS has now submitted this to the State OCFS which is the lead agency for the federal HHS Children's Bureau grant.

Communications to the panel: We discontinued our weekly Constant Contact each Friday which was designed to promote the in-house programs available to support the panel attorneys (mitigation, social worker, investigators, and in-house attorney support) and success stories from the panel. Since the service units are running at full capacity and ILS will not fund further staffing, there is reduced need to promote these programs to the panel. Therefore, both the First and Second Deputies have been handling communications to their separate panels.

Cultural Competency: We concluded our partnership with the National Federation for Just Communities re: CLEs on Cultural Competency. Both our agency and our sister agency, the Legal Aid Bureau of Buffalo, require the training for our collective employees. Topics since last meeting:

November: Representing LGBTQ+ Clients.
December: Representing Clients In Domestic Violence
January (final of 12): Wrap-up: Diversity, Equality & Inclusion Awareness and Anti-Bias

Staff (non-confidential or not related to specific personnel)

Quarterly Assessment of Employee Demographics:

as of 12/31/2022 (unchanged since 9/30/2022)

Comparison	Erie Cty	ACP
Female	52%	78%
Male	48%	22%
Born outside USA	10%	3%
Caucasian	74.90%	**78.00%**
Black	13.10%	**17.00%**
Native American	0.53%	**2.50%**
Hispanic	4.5%	**2.50%**
Asian	3.81%	0.00%
Native Hawaiian	0.03%	0.00%

[3] Estimate: $160,000 per year – a stream of funding that would permit us to hire two parent-advocates (a person who has been part of the child welfare system –i.e., a child in foster care, or a parent involved in an Article 10 matter; someone who has successfully navigate the child welfare system. Their role is to support the respondent parent in a way that only a person can do who has experienced the system.)

Black/Hispanic	0.53%	0.00%
Multi Racial	2.27%	0.00%
Other	0.33%	0.00%
	100.00%	100%

We held a Program Leadership (supervisors/managers) meeting on 1/25/2023 to discuss these numbers and the goal to become intentional about acting in an inclusive manner to create diversity.

Training –

We held the annual Workplace Violence Prevention training in December.

We held an all-hands seminar to review the revised Employee Handbook in January.

There is a supervisor/manager training on Mon, March 6 through the CF&S EAP re: Supervisory Training for EAP (EAP services, assisting employees, developing resilience, etc.)

There is a supervisor/manager training on Thursday, March 23 through TripleTrack HR Partners on Screening, Interviewing & Hiring (an update to the same presentation in September 2021.)

Mid-June: Trauma-Informed Leadership

Mid-September: Enabling Meaningful Performance Conversations

Mid-December: Leadership vs Management: What's the Difference?

5. CFO Report

   a. December 2022 Financial Statement (pre-audit)
   - Expenses this year are $14.9 million; in 2021 they were $11.9 million. ILS distributions are $5.7 million, and we received $9.1 million from Erie County. The Erie County contract will be used in full this year and no money will be returned.

   b. Insurance was audited; we needed to increase the rates for the Lawyers Professional Liability and for Management Errors and Omissions. These limits were at $250,000; we brought it up to $1 million to conform to the size of the business as it now exists. This brought up our insurance to $5,000-$6,000 per year. We have also obtained Cyber Insurance at a cost of $2,000 per year.

   c. In 2020 and 2021, Hunt did not institute escalation fees on our monthly rent due to the inability of other renters in the building to afford to pay those fees. Therefore, the rent in 2022 escalated quite a bit, instead of a small annual increase.

d. Status of Line of Credit: this is established and is at balance of $0.

6. Committee minutes

a. Recruitment Committee: The Recruitment Committee includes Hon. John Aman, Terry Newcomb, Joe Terranova, Emily Trott, Nora Robshaw, and Peter Vasilion; plus, First Deputy Kevin Stadelmaier and Second Deputy Yvonne Vertlieb. The goal is to engage to develop awareness of our Program. The Committee met for their bimonthly meeting on December 6, 2022, and February 7, 2023; the notes are available to anyone who wants to read them. The next meeting is April 4, 2023.

b. Ad Hoc Grants Committee: DCJS is accepting applications for grants to strengthen safety and security measures at nonprofit, community-based organizations at risk of hate crimes or attacks because of their ideology, beliefs, or mission. Cybersecurity projects will also be considered for funding. Still drafting; deadline is February 28, 2023

c. Convene a Bylaws Committee to reanimate that issue – do so when there is a new Board in place after April.

7. New Business:

a. President Newcomb to appoint a Nominating Committee; he will get in touch with Joseph Terranova and Peter Vasilion to discuss:

- Replacement: second 3-year term expiring: Emily Trott, Rich Barnes
- First 3-year term expiring (eligible for reappointment): Catherine Nagel,
- President/appointment term expired 2022: Terry Newcomb
- Ascending Vice-president: Peter Vasilion
- Ascending VP-elect: Joe Terranova; opening for VP-elect.
- Other officer positions: Secretary – Anne Joynt; Treasurer – Ayoka Tucker.

MMP to check with elected officials re: Board appointments:
- COE County Executive current appointment: Matt Kibler
- COE Leg. Majority Leader Hon. Tim Meyer current appointment: Rashied McDuffie
- COE Leg. Minority Leader Hon. John Mills current appointment: Peter Vasilion

8. Executive Session

Michelle Parker volunteered to take Executive Session notes; motion to go into Executive Session by Hon. Mike Hudson (ret.); seconded by Anne Joynt; passed unanimously. CFO Hope Keilman and Amy Brown exited the meeting at 1:21 p.m.

Motion to go out of Executive Session by Joseph Terranova; seconded by Hon. Mike Hudson (ret.); passed unanimously.

9. Adjourned at 1:44 p.m.

    a. The next meeting is the third Wednesday in April, 4/19/2023 at 12:15 p.m., virtual and in-person.

    b. Further 2023 Meeting Dates:
        1. Wednesday, June 21 at 12:15
        2. Wednesday, August 16 at 12:15
        3. Wednesday, November 15 at 12:15

MINUTES

Regular Meeting of the Board of Directors

Erie County Bar Association Aid to Indigent Prisoners Society, Inc.

June 21, 2023 (draft)

Board Members Present: Kristin Arcuri, Hon. Susan Eagan, Hon. Michael E. Hudson (ret.), Catherine E. Nagel, Michelle M. Parker, Todd Potter, Nora Robshaw, Joseph Terranova, Pamela Thibodeau, Delrease Tota-Neal, Ayoka Tucker, Lana Tupchik, Peter P. Vasilion.

Excused: Tim Graber, Hon. Sharon Lovallo.

Not Present: TheArthur Duncan, Anne Joynt, Hon. Keith Kibler, Matthew Kibler, Rachel Marrero, Rashied McDuffie, Brian Melber, Linwood Roberts.

Guests: Hope Keilman, CFO; Amy Brown, Supervising Administrative Assistant

1. A quorum being present, ED Michelle Parker called the meeting to order at 12:26 p.m.

2. Approval from the Board minutes and the minutes of Executive Session from April 20, 2023; motion to approve by Pamela Thibodeau; seconded by Joseph Terranova. Todd Potter abstained. Passed unanimously.

3. Report of the Executive Director

   Updates to Employee Timekeeping

   We have revised our timekeeping forms for better accountability as to remote and comp time. Exempt personnel are permitted – as a matter of policy – to earn comp time for time over 40 hours. This is capped at 80 hours total. The new form includes a place to describe the nature of the work that went over 40 hours. One cannot expend accrued time (sick, vacation, personal leave) and also accrue comp time at the same time; one's use of accrued time is diminished to the extent that there is time more than 40 hours.

   Erie County Department of Law

   18-b Rate

   On Thursday, February 2, we had sent information to the County Department of Law and Department of Budget re: the outlook for increased voucher expense if the rate went up to $119 per the Governor's proposed budget (for 2022: it would have been an additional $5,304,302.)

On Tuesday, May 2, when we learned the budget would pass, we alerted the County Departments that the $158 rate would mean an increase of $9,304,805 as to 18-b vouchers. If the State split this, it would mean a net increase of $4,652,403. We responded to the Budget inquiries that followed.

In the meantime, we have advised the panel on two occasions (May and June) that we will pay the attorneys retroactively once the County funding is in place.

By letter dated June 12, 2023, the Director of Budget & Management has advised the Legislature that "… the State Budget will double the Assigned Coun[sel] rate for $158 per hour. This action has the potential to increase 2023 County costs by over $5 million and by $10 million in future years."

On Monday, June 12, our ILS representative Nora Christenson advised that ILS is still working on the certification form they will use to assist counties and NYC to claim one-half of the 18-b voucher. We advised the County Departments.

On Friday, June 16, followed up with the Departments on our previous requests to advise that we are starting to pay attorney vouchers that include work on dates following 4/1/2023 – the date of the rate increase. Asked where we stand re: amending the COE/ACP contract and having funding in place to report at this ACP Board meeting. There was not yet a response.

President Vasilion proposes that the next contract with the County shall refer to "the statutory rate" instead of specifying an hourly rate.

Outstanding Contracts

On Friday, June 9, we met with the Deputy County Attorney Kristen Walder regarding her questions about the process associated with various ILS grants and distributions:

- Awaiting fully executed contract ILS #12 (paralegal position) from Erie County – they received from ILS on 10/14/22; EC needs to send to ILS for signature still; legislative resolution completed.

- Awaiting fully executed contract ILS 2nd FC Upstate from Erie County (this is the competitive grant we won for ILS to provide pre-petition support by way of an LMSW and AOC); the County received it from ILS on 1/17/23; need resolution and then to ILS for signatures.

- Awaiting approval from ILS #13 (extension of ILS #10); sent to Erie County 9/2022 for their submission to ILS.

- Awaiting approval from ILS CAFA4; sent to Erie County November 2022 for their submission to ILS.

- *Hurrel-Harring* year 4/5 – need resolution and then send to us for signatures.

Erie County Comptroller

We met with the Deputy Comptroller for Audit, Mary Hosler and her aide Eric Mikols regarding the Comptroller's 2022 Audit of Public Defense. This audit applies to both our ACP and the Legal Aid Bureau of Buffalo. CFO Hope Keilman provided the various budgetary information they requested.

ILS –

Years 4 & 5 – ILS has issued written approval for the funding and positions we requested for year 5. This is good news; going forward, Year 6, etc., will duplicate Year 5 and not permit us to continue to grow the program as we had in the past.

Criminal Division –

First Deputy Kevin Stadelmaier and his team are working on several initiatives for 2023, including: revamping the Mentorship Program; formalizing the Attorney Complaint Procedure; creating a DWI Mentor at Large; updating the Felony Attorney Training; creating a Transcript Bank; creating Parole Training; Creating a Statewide Public Defender/Assigned Counsel Program Coalition of Social Workers; Creating a Statewide Public Defender/Assigned Counsel Program Coalition of Investigators; creating a Legal Server for internal use with Defender Data; working with the ESCO re: use of technology for remote contact with incarcerated clients and to provide discovery to incarcerated clients.

We are outsourcing to NYSDA the forensic consult needs of our panel attorneys. Our proposed Year 5 budget included NYSDA membership; once this is finalized, then we can fully proceed with having NYSDA take on panel calls and requests for connections to experts.

The three-day CLE opportunity over Columbus Day weekend re: representing defendants in DWI matters (the precursor to a DWI Panel) has been moved to the January 2024 3-day weekend associated with honoring Dr. Martin Luther King, Jr.

We are proceeding with a CLE re: the Ethics of Business Relationships re: retainer ethics, ethics associated with assigned work, billing ethics, and relationships with clients (client decisions vs. attorney decisions.) This CLE will also be available to the Family Court panel.

Family Court Division –

ILS has invited Second Deputy Yvonne Vertlieb to join a workgroup of about 11 or 12 other individuals from various ACPs and institutional providers to modify the ILS Standards for Parental Representation in State Intervention Matters to include all the missing representation guidance for other petition types. This will amend the practice Standards to include all that is covered under FCA 262 (i.e., custody and contempt.)

- Second (2022) Upstate Family Defense QI and Caseload Reduction Grant of $650,225.63[1] - We continue to follow-up with the County on this grant application.

- First (2021) Upstate Family Defense QI and Caseload Reduction Grant of $500k[2] - Second Deputy Yvonne Vertlieb has hired a Social Worker with an LMSW for pre-petition support. Alex is working in conjunction with Deputy for Child Welfare, Kevin Condon, whose position is private grant funded.

- Federal non-competitive Title IV-e funding[3] - ILS approved the Program's joint submission with the County of Erie of July 2022 to obtain funding from the federal government's Health & Human Services' Children's Bureau. ILS has now submitted this to the State OCFS which is the lead agency for the federal HHS Children's Bureau grant.

4. Report of CFO

Hope Keilman, CFO reported: Cash flow is good. Vouchers are over budget on attorney fees, done on an accrual basis and ILS is done on a cash basis. There is approximately $1M for years 4 and 5 from ILS that covers excess voucher fees on the criminal side to help offset that overage. Not concerned with cash flow, at this point, but that could change with the rate change and county funding. We are in the middle of the 2022 Audit and have the information ready to submit to ILS. Current administrative expenses are under budget.

5. Old Business

Committees

a. Recruitment Committee: The goal of this committee is to develop awareness of our Program. The Recruitment Committee included former Board members Hon. John Aman, Terry Newcomb, and Emily Trott. At this meeting, the following

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[1] The Program is one of the 2022 awardees of this second round of competitive ILS Family Defense grants; this funding will permit Second Deputy Yvonne Vertlieb to create a position for Deputy for Litigation Support & Appeals on the Family Court side (akin to David Heraty's role on the Criminal side.)

[2] The Program is one of the 2021 awardees of this first round of competitive ILS Family Defense grants; this is directed to pre-petition support [an LMSW; community outreach to let people know we have pre-petition services available; funding two hourly attorney positions ($13,000 per year each); their role will be to provide pre-petition legal advice by phone to people who are under investigation by CPS.] DSS agreed to work collaboratively with ACP on prepetition matters involving: 1) educational neglect, 2) children with mental health issues, 3) children placed at Compass House (a runaway and homeless youth shelter), and 4) mothers who test positive for a controlled substance or non-Rx medications.

[3] Estimate: $160,000 per year – a stream of funding that would permit us to hire two parent-advocates (a person who has been part of the child welfare system –i.e., a child in foster care, or a parent involved in an Article 10 matter; someone who has successfully navigate the child welfare system. Their role is to support the respondent parent in a way that only a person can do who has experienced the system.)

board members joined this Committee: Ayoka Tucker, Pamela Thibodeau, Kris Arcuri, and Todd Potter. Continuing their service: Joe Terranova, Nora Robshaw, and Peter Vasilion; plus, First Deputy Kevin Stadelmaier and Second Yvonne Vertlieb. The Committee will meet in July now that the new members are named.

b. Ad Hoc Grants Committee: We await word from the NYS DCJS regarding our application for a grant that was available to strengthen safety and security measures at nonprofit, community-based organizations at risk of hate crimes or attacks because of their ideology, beliefs, or mission. This was timely submitted on February 28, 2023. On June 15, DCJS advised "We are still in the process of reviewing applications and will notify awardees once we are ready to make awards."

c. Bylaws Committee - To do: at the August Board meeting, convene a Bylaws Committee to reanimate that issue.

d. Nominating Committee - this can await the February 2024 meeting, unless there is a board opening in the meantime.

6. New Business:

    i. Convene an Audit Committee: Chair to serve as internal employee contact pursuant to the Whistleblower Policy; Vice-president Terranova will continue as Chair. Joining him will be Lana Tupchik, Hon. Michael E. Hudson (ret.), and Delrease Tota-Neal.

7. Executive Session

Michelle Parker volunteered to take Executive Session notes; motion to go into Executive Session by Hon. Hudson (ret.); seconded by President Vasilion; passed unanimously. CFO Hope Keilman and Amy Brown exited the meeting at 1:34 p.m.

* * *

Motion to go out of Executive Session by Joe Terranova; seconded by Hon. Hudson (ret.); passed unanimously.

8. Adjourned at 1:52 p.m.

    a. The next meeting is the third Wednesday in August: 8/16/2023 at 12:15 pm, virtual and in-person.

    b. Further 2023 Meeting Dates:
        i. Wednesday, November 15 at 12:15

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15M-3	TOWN OF LOCKPORT	Public Hearing Notice Concerning Zoning Code - Solar Energy Systems

Attachments

23COMM. 15M-3

EC LEG JUL 14 '23 PM2:28

NOTICE OF PUBLIC HEARING
TOWN OF LOCKPORT TOWN BOARD

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town of Lockport Town Board, Niagara County, New York, on the 2nd day of August, 2023 commencing at 7:30 P.M., at the Town Hall, 6560 Dysinger Road, Lockport, New York, on the adoption of a proposed Local Law entitled, "A Local Law Amending Article XXIX of the Zoning Code - Solar Energy Systems," an abstract of which is as follows:

The proposed Local Law makes certain revisions to Article XXIX of the Town of Lockport Zoning Code, including but not limited to the following: increasing certain setback requirements, increasing certain screening requirements, clarifying the approval process, requiring the submission of a construction schedule for utility-scale solar energy systems, requiring a screening plan for utility-scale solar energy systems to include native vegetation, limiting Electrical Energy Storage Devices, prohibiting utility scale solar energy systems from being placed on parcels of land containing 50% or more "prime farmland" and/or "farmland of statewide importance," requiring fencing around a utility scale system to be designed to allow for the movement of deer and other animals through the system, requiring a decommissioning plan with bond for the complete removal of a utility scale solar energy system at end of life, and setting standards and fees for continued operation of solar energy systems.

The complete text of said Law is available for public inspection during normal business hours at the Town of Lockport Town Hall, 6560 Dysinger Road, Lockport, New York, and on the Town of Lockport website. https://elockport.com

At such public hearing, all persons interested, who wish to be heard will be heard.

Dated: July 11, 2023

By Order of the
TOWN OF LOCKPORT TOWN BOARD

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15M-4	ASSEMBLYMAN GOODELL	Acknowledgment of Receipt of Certified Resolution

Attachments

23COMM. 15M-4

ANDREW GOODELL
Assemblyman 150th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

MINORITY LEADER PRO TEMPORE
RANKING MINORITY MEMBER
Committee on Social Services
COMMITTEES
Cities
Governmental Operations
Judiciary

July 11, 2023

EC LEG JUL 14 '23 PM2:28

Robert M. Graber
Clerk of the Legislature of Erie County
92 Franklin St # 4
Buffalo, NY 14202

Dear Mr. Graber,

Thank you for sending a copy of the resolutions adopted by the Legislature of Erie County on May 11, 2023.

Intro. 10-3 (2023) Resolution Supporting Kyra's Law in the New York State Senate and Assembly.

I appreciate the information included and the Legislature's input on these important issues.

Sincerely,

Andy Goodell
Assemblyman

ALBANY OFFICE: Room 446, Legislative Office Building, Albany, New York 12248 • 518-455-4511, FAX: 518-455-4328
DISTRICT OFFICE: Fenton Building, 2 East Second Street, Suite 320, Jamestown, New York 14701 • 716-664-7773, FAX: 716-483-0299
Email: goodella@nyassembly.gov

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15M-5	GREG RAMSDELL	Email Request to Serve on Advisor Board

Attachments

23COMM. 15M-5

Malczewski, James

From: Greg KD2MIC <kd2micqrp@gmail.com>
Sent: Wednesday, July 12, 2023 9:51 AM
To: Malczewski, James
Subject: Re: Personnel appointment

EC LEG JUL 13 '23 PM1:09

[**Caution**: this email is **not** from an Erie County employee: attachments or links **may not be safe**.]

Thank you in advance for any assistance.

Greg - KD2MIC

On Wed, Jul 12, 2023, 09:05 Malczewski, James <James.Malczewski@erie.gov> wrote:

> Greg
>
> Thank you for the communication. As the minority, we have no say in setting the agenda or any items on it. I will reach out to Chairwoman Baskin to discuss.
>
> Jim
>
> **From:** Greg KD2MIC <kd2micqrp@gmail.com>
> **Sent:** Tuesday, July 11, 2023 8:46 PM
> **To:** Malczewski, James <James.Malczewski@erie.gov>
> **Subject:** Personnel appointment
>
> [**Caution**: this email is **not** from an Erie County employee: attachments or links **may not be safe**.]
>
> Good evening Mr. Malczewski.
>
> I am inquiring about a personnel appointment within DHS.
>
> I am a member of Erie County ARES/RACES, a group of amateur radio volunteers that offer their time, skills, and equipment to Emergency Services community groups in time of need.
>
> We have been without an active leader for several years now. To change that, Joseph Tedesco, KC2DKP, had agreed to take the reins. Unfortunately, he is unable to do so until the County Legislature makes the appointment. As my

representative, I am seeking your help to get the action onto your group's agenda and having a confirming vote so that we may move forward.

Respectfully,

Greg Ramsdell, KD2MIC

Erie County Legislature
Meeting Date: 07/20/2023

SUBJECT

COMM. 15M-6	PARTNERSHIP FOR THE PUBLIC GOOD	Letter Concerning LL INTRO. 3-2

Attachments

23COMM. 15M-6

EC LEG JUL 14 '23 PM5:14

PARTNERSHIP FOR THE PUBLIC GOOD

Thank you, Erie County Legislators, for proposing to expand the occupancy tax to non-traditional short-term and vacation rentals, such as Airbnb. At Partnership for the Public Good (PPG), we agree that a tax like this is necessary for the long-term health of our community. However, **we urge you to allocate this tax revenue to our community's expansive affordable housing needs** rather than tourism. We think this is critical because: 1) Erie County is currently experiencing a catastrophic housing crisis and 2) Airbnb and other non-traditional short-term rental programs reduce affordable housing supply and increase rental prices. Airbnb and other sites like it are exacerbating the housing crisis. Therefore, we should use funds derived from Airbnb and services like it to counterbalance the detrimental effect it's having on our local housing market.

Erie County is experiencing a housing crisis. We know that rents are increasing at a rate that is untenable for many of our residents. According to a 2021 report by Jason Knight and Russell Weaver, the **square footage for housing has increased at 4x the rate of wages** between 2012 and 2018 in Buffalo Niagara.[i] We're now seeing the effects of this mismatch between wages and rents. According to the Homeless Alliance of WNY's point-in-time count of homelessness, **homelessness in Erie County has nearly doubled since just last year.**[ii] Further, our supply of affordable housing is woefully inadequate relative to the need for affordable housing in our region. Knight and Weaver found that we **need 75,000 more affordable units (a 75% increase from our current supply) to fill the gap**. If we don't divert funds to swiftly address this housing crisis, the health of our housing market will continue to suffer, and we will continue to see drastic increases in homelessness.

Unlike hotels, Airbnb and other non-traditional short-term rentals uniquely exacerbate the housing crisis. A 2021 study found that **Airbnb reduces the long-term rental supply in a given area, especially the supply of affordable housing.**[iii] That is, Airbnb is reducing the very thing we need—more affordable housing. Airbnb also **increases local rents and house prices.**[iv] These programs are making our affordable housing crisis worse.

Given our existing affordable housing emergency and given the negative impacts that rentals like Airbnbs have on affordable housing, **we should allocate any tax revenue gained from this source to affordable housing creation and repair**. Currently, the legislature intends to allocate these funds to tourism promotion. While we understand that this was likely done to mirror the revenue use from hotel taxation, **hotels do not have this same detrimental impact on our local housing market.** And in this case, feeding Airbnb-derived revenues back into tourism will simply compound the problem; the more tourists that come to the county, the more that the market for Airbnb rentals will grow, and the fewer long-term rentals will be available. **We must use the revenue produced by these short-term rentals to combat the destructive effects that they have on our affordable housing supply.**

PARTNERSHIP FOR THE PUBLIC GOOD

Thank you for your consideration.

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[i] Jason Knight, Russell Weaver (2021) Engaging the Future of Housing in the Buffalo-Niagara Region: A Preliminary Exploration of Challenges that Lie Ahead, https://ppgbuffalo.org/files/documents/housing_neighborhoods/general/housingneighborhoods-_engaging_the_future_of_housing_in_the_buffalo-niagara_region.pdf, 60.

[ii] "2022 Point in Time: January 26, 2022," Homeless Alliance of WNY, https://wnyhomeless.org/app/uploads/PIT-By-County-2022.xlsx-PIT-by-County.pdf; "2023 Point in Time: January 25, 2023," Homeless Alliance of WNY, https://wnyhomeless.org/app/uploads/2023-PIT-by-Counties.pdf

[iii] Li, Hui and Kim, Yijin and Srinivasan, Kannan, Market Shifts in the Sharing Economy: The Impact of Airbnb on Housing Rentals (July 1, 2021). Management Science, Available at SSRN: https://ssrn.com/abstract=3435105or http://dx.doi.org/10.2139/ssrn.3435105

[iv] Kyle Barron, Edward Kung, Davide Proserpio (2020) The Effect of Home-Sharing on House Prices and Rents: Evidence from Airbnb. Marketing Science 40(1):23-47.