



THE ERIE COUNTY LEGISLATURE

Session No. 20
NOVEMBER 2, 2023

April N.M. Baskin
Chair

Timothy J. Meyers
Majority Leader

John J. Mills
Minority Leader

Olivia M. Owens
Clerk of the Legislature

ROLL CALL

INVOCATION - Mr. Malczewski

PLEDGE OF ALLEGIANCE - Mr. Kooshoian

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING - Meeting No. 19

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MAJORITY CAUCUS	Recognizing National Stress Awareness Month
MAJORITY CAUCUS	Honoring National Veterans Small Business Week
JOHNSON	Acknowledging United States Antibiotic Awareness Week
BASKIN & JOHNSON	Honoring National Homeless Youth Awareness Month
BASKIN	Congratulating and Recognizing Wilbur Tyler on a Phenomenal Career
VINAL	Congratulating and Honoring Williamsville South (Girls Soccer)
VINAL	Congratulating and Honoring Sacred Heart (Girls Swimming)
VINAL	Congratulating and Honoring Williamsville South (Boys Soccer)
GILMOUR	Congratulating and Honoring Maddie Fusco
GREENE	Clarence Veterans Memorial Wall Honorees

TODARO	Honoring David Gierke for His Contributions to the Remote Controlled Aviation Community
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TODARO	Recognizing Tommy Che on Earning the All-Time Touchdown Pass Record for Depew Wildcats' Football
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MALCZEWSKI	Recognizing the Erie County Sheriff's Department on National Seat Belt Day
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MILLS	Honoring Veterans for Their Service to Our Country
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MILLS	Honoring American Legion Posts on Veterans Day
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MILLS	Celebrating Megan Parzymieso as Champion Ambassador for Women's Box Lacrosse
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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
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LL INTRO. 3-1 (2022)	BASKIN, MEYERS, JOHNSON, VINAL & GILMOUR	The Erie County Language Access Act	Health & Human Services
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LL INTRO. 3-1 (2023)	JOHNSON	The Occupancy Tax Modernization Act	Finance & Management
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LL INTRO. 3-2 (2023)	JOHNSON	The Occupancy Tax Modernization Act	Finance & Management
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LL INTRO. 7-1 (2023)	GILMOUR & MILLS	A Local Law Providing for the Extended Lease of Real Property Generally Known as the Wendt Mansion	Economic Development
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LL INTRO. 8-1 (2023)	JOHNSON	A Local Law Providing for the Extended Lease of Real Property Generally Known as the Jesse Nash Health Clinic	Health & Human Services
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COMMITTEE REPORTS:

Report No. 15 ECONOMIC DEVELOPMENT COMMITTEE

Report No. 11 HEALTH & HUMAN SERVICES COMMITTEE

LEGISLATOR RESOLUTIONS:

INTRO. 20-1 JOHNSON Re-Appropriation of
Community/Neighborhood
Development Funds

INTRO. 20-2 MINORITY
CAUCUS Electing a Cents Per Gallon Rate of
Sales and Compensating Use Taxes
on Motor Fuel & Diesel Motor Fuel

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

COMM. 16E-20 From the Energy &
Environment
Committee From the County Executive - ECSD
No. 3 - Southtowns Advanced
Wastewater Treatment Facility Phase
1 Expansion

*****Amendment
to COMM. 16E-20

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

COMM. 20E-1 COMPTROLLER EC Cultural Funding Grant
Monitoring Program - Buffalo Inner
City Ballet Finance &
Management

COMM. 20E-2 COMPTROLLER EC Cultural Funding Grant
Monitoring Program - Hull House
Foundation Finance &
Management

COMM. 20E-3 COMPTROLLER EC Cultural Funding Grant
Monitoring Program - WNY Artist
Group Finance &
Management

COMM. 20E-4 COMPTROLLER EC Cultural Funding Grant
Monitoring Program - Centro
Culturale Italiano di Buffalo Finance &
Management

COMM. 20E-5 COMPTROLLER EC Cultural Funding Grant
Monitoring Program - General
Pulaski Association Finance &
Management

COMM. 20E-6	EC CLERK	Proposed Resolution to Expedite Filing of Accountant Positions	Immediate Consideration Requested
COMM. 20E-7	COMPTROLLER	2024 Tentative Budget Revenue and Major Expenditure Estimates	Finance & Management Budget
COMM. 20E-8	SHERIFF	Community Reintegration Coordinator - Variable Minimum	Immediate Consideration Requested
COMM. 20E-9	SHERIFF	Air-One Post Maintenance Test Pilot Services	Public Safety
COMM. 20E-10	SHERIFF	Incarcerated Individual Eye Care	Public Safety
COMM. 20E-11	COUNTY EXECUTIVE	Purchase of 2023 & Any Unsold Tax Lien Certificates	Finance & Management
COMM. 20E-12	COUNTY EXECUTIVE	Transfer of Funds - Operating Budget for Medical Examiner's Office	Health & Human Services
COMM. 20E-13	COUNTY EXECUTIVE	Authorization to Accept Performance Incentive Initiative State Aid - Art. VI	Health & Human Services
COMM. 20E-14	COUNTY EXECUTIVE	Creation of a Consumer Protection Restitution Account	Public Safety
COMM. 20E-15	COUNTY EXECUTIVE	ECSD Sewage Sludge Disposal - Alternative Location	Energy & Environment
COMM. 20E-16	COUNTY EXECUTIVE	ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Systems Improvements Project	Energy & Environment
COMM. 20E-17	COUNTY EXECUTIVE	COMM. 19E-8 (2023) Time Extension Change Order - ECSD No. 3	Energy & Environment
COMM. 20E-18	COUNTY EXECUTIVE	ECSD Nos. 3 & 8 - Partial Closure of Capital Reserve Funds	Energy & Environment
COMM. 20E-19	COUNTY EXECUTIVE	Appointment to the ECCSAB	Public Safety
COMM. 20E-20	COUNTY EXECUTIVE	Teamsters Local Union No. 264 Captain & Lieutenants Unit & Sworn Unit, CSEA Local 1000 Correctional Unit Agreement	Finance & Management

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 20D-1	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 7-1 2023	RFP
COMM. 20D-2	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 8-1 2023	RFP
COMM. 20D-3	COMMISSIONER OF EC DEPARTMENT OF ENVIRONMENT & PLANNING	County Cultural Funding Grant Monitoring Program	Finance & Management
COMM. 20D-4	DIRECTOR OF BUDGET & MANAGEMENT	Budget Monitoring Report for Period Ending August 2023	Finance & Management

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

COMM. 20M-1	ASSEMBLYMAN GIGLIO	Acknowledgment of Receipt of Certified Resolution	Government Affairs
COMM. 20M-2	EC AGRICULTURAL & FARMLAND PROTECTION BOARD	EC Agricultural Districts Inclusion of Viable Agricultural Land	Energy & Environment
COMM. 20M-3	SECRETARY OF THE ECWA	ECWA 2024 Operating & Maintenance and Capital Budgets	Finance & Management
COMM. 20M-4	BUFFALO PLACE EXECUTIVE DIRECTOR	Buffalo Place - 2024 Budget	Finance & Management

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

MAJORITY CAUCUS

Recognizing National Stress Awareness Month

Attachments

Stress Awareness Month

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, NOVEMBER 1, 2023

Recognizing National Stress Awareness Month

WHEREAS, *National Stress Awareness Day*, the first Wednesday in November aims to identify and reduce the stress factors in your life; and

WHEREAS, National Stress Awareness Day was created to increase public awareness and help people recognize, manage, and reduce stress in their personal and professional lives; and

WHEREAS, the causes of stress are more likely to acquire physical and emotional, problems such as hypertension, heart diseases, decreased immunity, loss of sociability, and decreased mental vitality; and

WHEREAS, whether it's work or juggling the balance of relationships and childcare, there are many lifestyle factors that contribute to stress that eventually led to further mental health problems; and

WHEREAS, National Stress Awareness Day exists to remind you and bring you back in touch with your stressors and how to manage them; and

WHEREAS, the difference in potentially saving a life by increasing the awareness of the importance of effects of stress are critical for monitoring your own well-being along with the well-being of others.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby recognizes November 1, 2023, as *National Stress Awareness Day* and encourages all residents to understand the importance of taking care of your body and your mind.

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

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

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

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

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

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

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

MAJORITY CAUCUS

Honoring National Veterans Small Business Week

Attachments

Veterans Small Business Week

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, NOVEMBER 1, 2023

EC LEG OCT 30 '23 PM 4:58

Honoring National Veterans Small Business Week

WHEREAS, the annual National Veterans Small Business Week (NVSBW) is a time to honor and celebrate the contributions veterans have made to American small business; and

WHEREAS, National Veteran Small Business Week highlights the programs and services available to veteran entrepreneurs; and

WHEREAS, veteran small business owners are resilient, disciplined, and mission-oriented, thanks to their military service and committed to serving our country and communities; and

WHEREAS, National Veterans Small Business Week was created to honor and highlight America's nearly two million veteran entrepreneurs who have served our nation heroically in the military and now as leaders of their local communities; and

WHEREAS, each year, veteran-owned businesses make significant contributions to the U.S. economy, employing over 5 million Americans and generating \$1.3 trillion in total sales; and

WHEREAS, it is with great admiration that this Honorable Body National Veterans Small Business Week and our small businesses and their commitment to the community through their work and selfless efforts to help those in need.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby honor veteran-owned businesses for their exceptional dedication and tireless work ethic during National Veteran Small Business Week.

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

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

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

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

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

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

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

Olivia M. Owens
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

JOHNSON

Acknowledging United States Antibiotic Awareness Week

Attachments

United States Antibiotic Awareness Week

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

*Acknowledging and Recognizing
United States Antibiotic Awareness Week*

WHEREAS, U.S Antibiotic Awareness Week raises our consciousness about antibiotic resistance and how the medical community is educating us about the proper use of these disease-fighting drugs; and

WHEREAS, this national campaign is an annual campaign to raise awareness, increasing monitoring and research, reducing infections, making the best use of antimicrobial medications and committing to “sustainable investment.”; and

WHEREAS, antibiotic resistance happens when germs, like bacteria and fungi, develop the ability to defeat the drugs designed to kill them; and

WHEREAS, each year in the United States, more than 2.8 million people suffer infections from bacteria that are resistant to antibiotics and more than 35,000 people die as a direct result; and

WHEREAS, improving the way healthcare professionals prescribe antibiotics, and the way we take antibiotics, helps keep us healthy, helps fight antibiotic resistance, and ensures that these life-saving drugs will be available for future generations; and

WHEREAS, antibiotics can save lives and are critical tools for treating a number of common and more serious infections.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses our sincere thanks, heart-felt appreciation and blessings to all healthcare administration and employees during United States Antibiotic Awareness Week for their passion and hard work throughout our continuous fight with COVID-19 pandemic and recognizes Antibiotic Awareness Week this year from November 18-24, 2022.

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

Robert M. Graber
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

BASKIN & JOHNSON

Honoring National Homeless Youth Awareness Month

Attachments

National Homeless Youth Awareness Month

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, NOVEMBER 1, 2023

EC LEG OCT 31 '23 AM 10:01

Honoring National Homeless Youth Awareness Month

WHEREAS, Youth and young adults who have aged out of the foster care system are among the most vulnerable and forgotten populations in the US; and

WHEREAS, *National Homeless Youth Awareness Month* highlights the challenges that our youth experiencing homelessness face as well as the importance of connecting youth and families experiencing homelessness to educational services to ensure every young person has access to the supports that lead to a healthy and productive life; and

WHEREAS, the number of youth and families affected by homelessness or are at-risk of having inadequate or unstable housing continues to be a significant community issue; and

WHEREAS, 1 in 5 foster care youth experience homelessness within a year of leaving the foster care system; and

WHEREAS, today, young people in foster care have been particularly impacted in navigating through already difficult circumstances compounded by a public health crisis that made housing, employment, and educational opportunities even harder to access; and

WHEREAS, every November, *National Homeless Youth Awareness Month* is observed to educate one another on the impact of foster care in connection to homelessness and focusing on the importance to looking after one's mental health can preserve a person's ability to enjoy life, improve the balance between life activities and responsibility, and also efforts to achieve psychological resilience through organizations.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby proclaims November 2023 as *National Homeless Youth Awareness Month* and encourage all residents to understand and recognize the importance of organizations and their dedication to provide educational, emotional and mental support, and it is with great confidence that organizations will continue to knock down barriers and continue to provide their best to fight the good fight to give our youth and young adults the best resources available for many years to come.

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

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

BASKIN

Congratulating and Recognizing Wilbur Tyler on a
Phenomenal Career

Attachments

Wilbur Tyler

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, OCTOBER 18, 2023

EC LEG OCT 27 '23 PM 12:50

*Congratulating and Recognizing
Wilbur Tyler on a Phenomenal Career*

WHEREAS, for the past three decades, *Wilbur Tyler*, also known by many as “Wil” has gone above and beyond to proudly represent Erie County, in particular the City of Buffalo; and

WHEREAS, Wilbur Tyler was born on July 31, 1960 in South Carolina and moved to Buffalo at the age of seven; and

WHEREAS, Mr. Tyler grew up in a household that instilled hard work, discipline, compassion and multi layered skill sets; and

WHEREAS, Wil is a graduate of McKinley High School; and

WHEREAS, currently, Wilbur is a Varsity Official for area high schools and colleges throughout Western New York; and

WHEREAS, in addition to his longtime dedication as an official, Mr. Tyler is also a Licensed Private Investigator and looking forward to starting his own business; and

WHEREAS, it was in Buffalo that Wilbur met his future wife, Kat, whom he married and for the last 27 years, has established an unwavering and unbreakable love for each other; and

WHEREAS, throughout their union in marriage, Wil became a supportive stepfather to Sterling Lee and a father figure to Valentino Shine; and

WHEREAS, in 2000, Wil and Kat opened the EM Tea Coffee Cup Café, located at 80 Oakgrove Avenue; and

WHEREAS, earlier this year, Wil and Kat celebrated 23 years of exceptional service at the EM Tea Coffee Cup Café; and

WHEREAS, in 2009, Wil and Kat opened the 2nd Cup in downtown Buffalo, followed by the opening of The Sweet Spot and The Tee Cup in 2012, The Cup and the bowl in General Mills Cheerios plant in 2013 and finally, a multi-purpose banquet facility in downtown Buffalo; and

WHEREAS, for 24 years, Wilbur dedicated his life and loyalty to protect residents throughout the City of Buffalo as a Buffalo Firefighter; and

WHEREAS, Tyler received a promotion to Fire Investigator and retired on December 31, 2019, after 33 1/3 years of service in totality; and

WHEREAS, during his time with the Buffalo Fire Department, Wilbur has been a mentor to several young men in the community and young men who worked in the café and followed his footsteps in becoming a firefighter; and

WHEREAS, Mr. Tyler has demonstrated his ability to manage the most difficult situations including resuscitating an unconscious senior that collapsed, making a life-saving rescue at 235 Humboldt Parkway through scorching conditions and 4 days later, rescued a gentleman who was trapped in a car; and

WHEREAS, because of his heroism, Mr. Tyler was awarded the Ron Looby Memorial Performance Award; and

WHEREAS, Wilbur's ability to instill hope in everyone and provide opportunities for many others makes him a natural born leader in our community; and

WHEREAS, this Honorable Body desires to acknowledge and recognize individuals such as Wilbur who enhance, represent, and serve their community.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature pauses in its deliberations to *Wilbur Tyler* on his dedicated service to the people of the City of Buffalo; and be it further

RESOLVED, that this Honorable Body thanks Wil for his work ethic and dedication to the Buffalo Fire Department and wishes him the very best wishes on his retirement and commends him on a career well-served.

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

VINAL

Congratulating and Honoring Williamsville South (Girls Soccer)

Attachments

Williamsville South (Girls Soccer)

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

EC LEG OCT 31 '23 AM 9:56

Congratulating and Honoring Williamsville South (Girls Soccer)

WHEREAS, throughout Western New York, Sacred Heart has long been known for their athletics excellence; and

WHEREAS, in a thriller at the Monsignor Martin All-Catholic girls swimming championships at Maryvale, Sacred Heart beat Mount St. Mary/Cardinal O'Hara by two points Friday by winning the last event, the 400 freestyle relay; and

WHEREAS, Sacred Heart's Maya Huntress, who set two All-Catholic records in the 50- and 100-yard freestyle, won the Natalie Lewis Memorial Award as the event's outstanding swimmer; and

WHEREAS, Sacred Heart finished the event with 156 points, and Mount St. Mary/Cardinal O'Hara had 154 points; and

WHEREAS, this Honorable Body takes delight in acknowledging and recognizing *Williamsville South Gril Soccer* and best representing the Western New York community; and

WHEREAS, the *Williamsville South* coaches, staff and student-athletes continue to display their character through good sportsmanship, athletic prowess and success, both on and off the field, and it is the desire of this Honorable Body to recognize dynamic young people for these accomplishments.

NOW, THEREFORE, BE IT

RESOLVED, that with the utmost respect and admiration, the Erie County Legislature recognizes and congratulates *Williamsville South Girls Soccer* program on their achievements, both on and off the field, as we extend our heartfelt congratulations and praise to the Billies on representing Western New York.

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

VINAL

Congratulating and Honoring Sacred Heart (Girls Swimming)

Attachments

Honoring Sacred Heart (Girls Swimming)

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

EC LEG OCT 31 '23 AM 9:56

Congratulating and Honoring Sacred Heart (Girls Swimming)

WHEREAS, throughout Western New York, Sacred Heart has long been known for their athletics excellence; and

WHEREAS, in a thriller at the Monsignor Martin All-Catholic girls swimming championships at Maryvale, Sacred Heart beat Mount St. Mary/Cardinal O'Hara by two points Friday by winning the last event, the 400 freestyle relay; and

WHEREAS, Sacred Heart's Maya Huntress, who set two All-Catholic records in the 50- and 100-yard freestyle, won the Natalie Lewis Memorial Award as the event's outstanding swimmer; and

WHEREAS, Sacred Heart finished the event with 156 points, and Mount St. Mary/Cardinal O'Hara had 154 points; and

WHEREAS, this Honorable Body takes delight in acknowledging and recognizing Sacred Heart for best representing the Western New York community; and

WHEREAS, the *Sacred Heart* coaches, staff and student-athletes continue to display their character through good sportsmanship, athletic prowess and success, both on and off the field, and it is the desire of this Honorable Body to recognize dynamic young people for these accomplishments.

NOW, THEREFORE, BE IT

RESOLVED, that with the utmost respect and admiration, the Erie County Legislature recognizes and congratulates *Sacred Heart Swimming* program on their achievements, both on and off the field, as we extend our heartfelt congratulations and praise this team on representing Western New York.

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

VINAL

Congratulating and Honoring Williamsville South (Boys
Soccer)

Attachments

Honoring Williamsville South (Boys Soccer)

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

EC LEG OCT 31 '23 AM 9:56

Congratulating and Honoring Williamsville South (Boys Soccer)

WHEREAS, throughout Western New York, Williamsville South High School has long been known for their athletics excellence; and

WHEREAS, *Williamsville South* earned a 2-1 victory against Williamsville East in the Section VI Class A1 boys soccer final Saturday at West Seneca West; and

WHEREAS, backup goalkeeper Aidan King played the final 20 minutes after an injury to senior Brodie Utz and helped Williamsville South (14-3-2) win its second sectional title in three years; and

WHEREAS, this Honorable Body takes delight in acknowledging and recognizing *Williamsville South Boys Soccer* and best representing the Western New York community; and

WHEREAS, the *Williamsville South* coaches, staff and student-athletes continue to display their character through good sportsmanship, athletic prowess and success, both on and off the field, and it is the desire of this Honorable Body to recognize dynamic young people for these accomplishments.

NOW, THEREFORE, BE IT

RESOLVED, that with the utmost respect and admiration, the Erie County Legislature recognizes and congratulates *Williamsville South Boys Soccer* program on their achievements, both on and off the field, as we extend our heartfelt congratulations and praise to the Billies on representing Western New York.

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

GILMOUR

Congratulating and Honoring Maddie Fusco

Attachments

Maddie Fusco

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, NOVEMBER 1, 2023

EC LEG OCT 31 '23 AM 9:56

Congratulating and Honoring Maddie Fusco

WHEREAS, *Maddie Fusco*, current graduate student at Hilbert and graduate from Hamburg High School continued her strong season by finishing in 21st place in a loaded field at the Canisius Alumni Invite; and

WHEREAS, on October 14, 2023, Fusco broke the Hilbert 5K record by running a 19:08.3, beating the previous record by 19 seconds, while also moving into the top times fastest AMCC 5K times this season; and

WHEREAS, Fusco went on to receive the honors of being named the Allegheny Mountain Collegiate Conference Runner of the Week October 16th; and

WHEREAS, prior to her exceptional career at Hilbert, Maddie was a two-year varsity soccer and track and field athlete in high school and helped lead Hamburg to the 2018 Section VI Girl's Soccer Champions; and

WHEREAS, Maddie has been a Track and Field athlete (outdoor and indoor) in the Hamburg school district since 7th grade; and

WHEREAS, the dedication and exceptional work of *Maddie Fusco* throughout his collegiate career at Hilbert is nothing short of outstanding, and it is with great admiration that this Honorable Body acknowledges and congratulates her for her record breaking accomplishment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize and extend our congratulations to *Maddie Fusco* on breaking the Hilbert College 5K record and acknowledge her accolades and accomplishment throughout her storied career as a student – athlete.

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

Olivia M. Owens
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

GREENE

Clarence Veterans Memorial Wall Honorees

Attachments

Clarence Veterans Memorial Wall Honorees

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

Recognizing Kenneth G. Schroeder Jr.
as a Clarence Veterans Memorial Wall Honoree

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Kenneth G. Schroeder Jr.*, who served in the United States Navy from 1951-1955, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Robert H. Riegle
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of **Robert H. Riegle**, who served in the United States Army from 1958-1960, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Albert Rabin Sr.
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

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

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

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

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

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

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

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

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

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

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

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

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Christopher L. Odien
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of **Christopher L. Odien**, who served in the United States Navy from 1980-1986, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Willis F. Miller
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Willis F. Miller*, who served in the United States Army from 1951-1953, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Claron R. Miller
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Claron R. Miller*, who served in the United States Army from 1965-1968, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Donald R. Miller
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Donald R. Miller*, who served in the United States Army from 1967-1969, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Vernon A. Miller
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Vernon A. Miller*, who served in the United States Navy from 1967-1970, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Jack M. Leo
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Jack M. Leo*, who served in the United States Air Force from 1970-1990, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing John C. Gettens
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

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

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

Recognizing Douglas J. Chadwick as a Clarence Veterans Memorial Wall Honoree

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Douglas J. Chadwick*, who served in the United States Marine Corps from 2005-2009, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Mark A. Callanan
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Mark A. Callanan*, who served in the United States Marine Corps from 2006-2016, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Edward T. Ballow
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

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

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Donald C. Valone
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Donald C. Valone*, who served in the United States Air Force from 1951-1952, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Donald H. Webster Jr.
as a Clarence Veterans Memorial Wall Honoree**

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to celebrate the life and service of *Donald H. Webster Jr.*, who served in the United States Air Force from 1950-1954, and whose selfless and patriotic service on behalf of family, friends, neighbors, and country truly merits this great honor.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

TODARO

Honoring David Gierke for His Contributions to the Remote
Controlled Aviation Community

Attachments

David Gierke

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Honoring David Gierke for His Contributions to the
Remote Controlled Aviation Community**

WHEREAS, the Erie County Legislature is pleased to honor exceptional individuals in our community who excel in their field and are a source of pride for the towns, villages, and neighborhoods that they call home; and

WHEREAS, **Dave Gierke** lives in Lancaster, New York, and is a retired high school shop teacher with a passion for remote-controlled planes; and

WHEREAS, whether it is building remote-controlled planes in his basement, flying them competitively, or writing about planes, **David Gierke** has done it all; and

WHEREAS, **Dave Gierke's** passion for planes was passed on to him from his father, a Merchant Marine, who enjoyed building model airplanes; and

WHEREAS, **Dave Gierke** was an enthusiastic member of the former Flying Bisons Club, where he honed his skills and learned the finer points of model airplane flight; and

WHEREAS, in addition to his work developing and patenting several parts for model airplanes, he has also been a columnist for Model Airplane News for twenty years and continues to analyze and evaluate plane systems.; and

WHEREAS, in recognition of his tremendous contributions to the industry, **Dave Gierke** was introduced into the Academy of Aeronautic Hall of Fame at-large in 2003 and, in 2023, was inducted into the Hall of Fame for the Precision Aerobatics Model Pilots' Association and the National Miniature Pylon Racing Association in 2023.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Dave Gierke** for his contributions to the remote-controlled aviation community.

HON. FRANK J. TODARO
Erie County Legislator – District 8

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

TODARO

Recognizing Tommy Che on Earning the All-Time
Touchdown Pass Record for Depew Wildcats' Football

Attachments

Tommy Che

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Tommy Che on Earning the All-Time Touchdown Pass Record for Depew Wildcats' Football

WHEREAS, the Erie County Legislature is pleased to honor exceptional individuals in our community who excel in their athletic and academic endeavors; and

WHEREAS, **Tommy Che** is the quarterback for the Depew High School Wildcats' Football; and

WHEREAS, in a recent game against WNY Maritime/Tapestry, **Tommy Che** set Depew's all-time touchdown pass record (25) as well as a share of the single-season touchdown record (14) enroute to a 28-0 Wildcats' victory; and

WHEREAS, despite relentless pressure from the opposing defense, **Tommy Che** was able to complete touchdown passes of fifty and forty-one to secure his place in the record books and earn a hard-earned victory for the Wildcats; and

WHEREAS, **Tommy Che's** success is a direct result of his hard work, dedication, and pursuit of excellence in his craft; and

WHEREAS, in addition to his effort, **Tommy Che** is fortunate to have a strong support system of family, friends, coaches, and teammates who can share in his record-breaking accomplishments.

NOW, THEREFORE, **BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Tommy Che** for breaking the Depew Wildcats' all-time touchdown pass and single-season touchdown records.

HON. FRANK J. TODARO

Erie County Legislator – District 8

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

MALCZEWSKI

Recognizing the Erie County Sheriff's Department on National
Seat Belt Day

Attachments

National Seat Belt Day

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing the Erie County Sheriff's
Department on National Seat Belt Day**

WHEREAS, National Seat Belt Day takes place on November 14, 2023, to encourage drivers and passengers of motor vehicles to buckle up their seat belts and save lives; and

WHEREAS, despite over ninety percent of Americans wearing their seat belt, approximately half of all automotive passenger fatalities were not wearing their seatbelt, according to the National Highway Traffic and Safety Administration; and

WHEREAS, the three-point seatbelt was mandated to be in vehicles approximately sixty years ago, and during that time, it has saved hundreds of thousands of lives; and

WHEREAS, the Erie County Sheriff's Office participates in the national Click It or Ticket campaign during the weekend of Memorial Day every year to encourage residents across Erie County to utilize this important safety device and to educate them on the potential hazards or fines for not properly doing so; and

WHEREAS, the fine men and women of the Erie County Sheriff's Office are dedicated to protecting and serving the best interests of the residents of Erie County and doing everything in their power to keep our community a safe and peaceful place to live and raise a family.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize November 14, 2023, as National Seatbelt Day and to honor the Erie County Sheriff's Department for their efforts to educate our community and help keep motorists safe.

JAMES MALCZEWSKI
Erie County Legislator

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

MILLS

Honoring Veterans for Their Service to Our Country

Attachments

Honoring Veterans

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:

Honoring Veterans for Their Service to Our Country

WHEREAS, **Veterans Day** originated as a commemoration of the formal end of World War I, which took place on the 11th day of the 11th month at the 11th hour in 1918; and

WHEREAS, initially referred to as Armistice Day, a day dedicated to the pursuit of world peace, the United States Congress, in 1954, expanded its significance to allow a grateful nation to pay its due respect to the veterans of all its wars who have contributed significantly to the preservation of this great nation; and

WHEREAS, **Veterans Day** is a day to honor the men and women who served in various branches of the United States Armed Forces throughout the entirety of the United States' history; and

WHEREAS, The American public owes an eternal debt of gratitude to the men and women in the armed forces who have made immense sacrifices and rendered unwavering service to our country, defending our freedoms; and

WHEREAS, **Veterans Day** provides the American people an opportunity to pause, reflect, and express our gratitude to the United States Armed Forces for protecting the American way of life, our liberty, and the Constitution of the United States; and

WHEREAS, Erie County proudly recognizes and respects the more than fifty-two thousand Erie County Veterans for their invaluable contributions as Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who have consistently placed their lives, well-being, and security of others before their own.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to acknowledge, on this **Veterans Day**, the sacrifices, dedication, and service to all members of the Armed Forces, especially the members from Erie County who answered their country's call without hesitation.

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

MILLS

Honoring American Legion Posts on Veterans Day

Attachments

American Legion Posts

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring American Legion Posts on Veterans Day

WHEREAS, **Veterans Day** originated as a commemoration of the formal end of World War 1, which took place on the 11th day of the 11th month at the 11th hour in 1918; and

WHEREAS, initially referred to as Armistice Day, a day dedicated to the pursuit of world peace, the United States Congress, in 1954, expanded its significance to allow a grateful nation to pay its due respect to the veterans of all its wars who have contributed significantly to the preservation of this great nation; and

WHEREAS, **Veterans Day** is a day to honor all men and women who served in various branches of the United States Armed Forces throughout the entirety of U.S. history; and

WHEREAS, **The American Legion** is built on a promise from men and women who swore with their lives to defend and protect the United States through military service. The promise begins at enlistment, grows through training and discipline in the U.S. Armed Forces, and continues after discharge as veterans in service to community, state, and nation; and

WHEREAS, **Veterans Day** provides the American people an opportunity to pause, reflect, and express our gratitude to the United States Armed Forces for protecting the American way of life, our liberty, and the Constitution of the United States; and

WHEREAS, Erie County proudly recognizes and respects the more than fifty-two thousand Erie County veterans for their invaluable contributions as Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen, who have consistently placed their lives, well-being, and security of others before their own.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to acknowledge, on this **Veterans Day**, the sacrifices, dedication, and service to all members of the Armed Forces, especially the members from **American Legion Posts** across the 11th district who answered their country's call without hesitation.

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

MILLS

Celebrating Megan Parzymieso as Champion Ambassador for
Women's Box Lacrosse

Attachments

Megan Parzymieso

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., NOVEMBER 2, 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 2nd day of November 2023 A.D., a resolution was adopted, of which the following is a true copy:*

Celebrating Megan Parzymieso
As Champion Ambassador for Women's Box Lacrosse

WHEREAS, the Erie County Legislature is pleased to honor exceptional individuals in our community who excel in their athletic and academic endeavors; and

WHEREAS, **Megan Parzymieso**, a remarkable fifteen-year-old sophomore at Orchard Park High School, serves as the President of her class and is a bridge between generations in the world of box lacrosse; and

WHEREAS, **Megan Parzymieso's** journey led her to become the sole sophomore participant in the prestigious Lacrosse North American Invitational Tournament, a precursor to the upcoming World Box Lacrosse Championships; and

WHEREAS, **Megan Parzymieso's** lacrosse journey began in the fifth grade, evolving from field lacrosse to her experiences with teams like the East Aurora Beast and Junior Bandits, where she crossed paths with Amber Hill, a coach at Hilbert College and an esteemed figure in the box lacrosse world; and

WHEREAS, **Megan Parzymieso's** unwavering dedication to excellence has not only brought her success in the world of lacrosse but also serves as a source of inspiration and support for her twin brother, Tommy, who battles Duchenne Muscular Dystrophy; and

WHEREAS, **Megan Parzymieso's** dreams reach even greater heights as she aspires to continue playing lacrosse in college and become a medical doctor, with the noble goal of positively impacting healthcare and research, drawing inspiration from her twin brother's journey.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Megan Parzymieso**, an ambassador for women's box lacrosse, and wish her success in her future endeavors.

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

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

LL INTRO. 1-1 (2022)

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

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

SECTION 1. Legislative Intent

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

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

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

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

A 2021 version of this law was passed by this honorable body and vetoed by County Executive Poloncarz. Executive Poloncarz cited the “many unfortunate firearm hunting accidents across the state and county, especially those involving youth hunters¹” as the reason for the law’s veto. The first year of the pilot program has ended and the Department of Environmental Conservation has

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

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

SECTION 2. Pilot Program Authorization

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

SECTION 3. State Requirements to Adhere Once Authorized

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

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

SECTION 4. Effective Date

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

SECTION 5. Severability

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

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



Department of
Environmental
Conservation

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

A Report to the New York State Senate and Assembly

February 22, 2022



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

www.dec.ny.gov

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

- Prepared by -

Jeremy Hurst, NYSDEC Big Game Unit Leader

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

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

Preliminary Results from the 2021-22 Deer Hunting Seasons

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

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

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

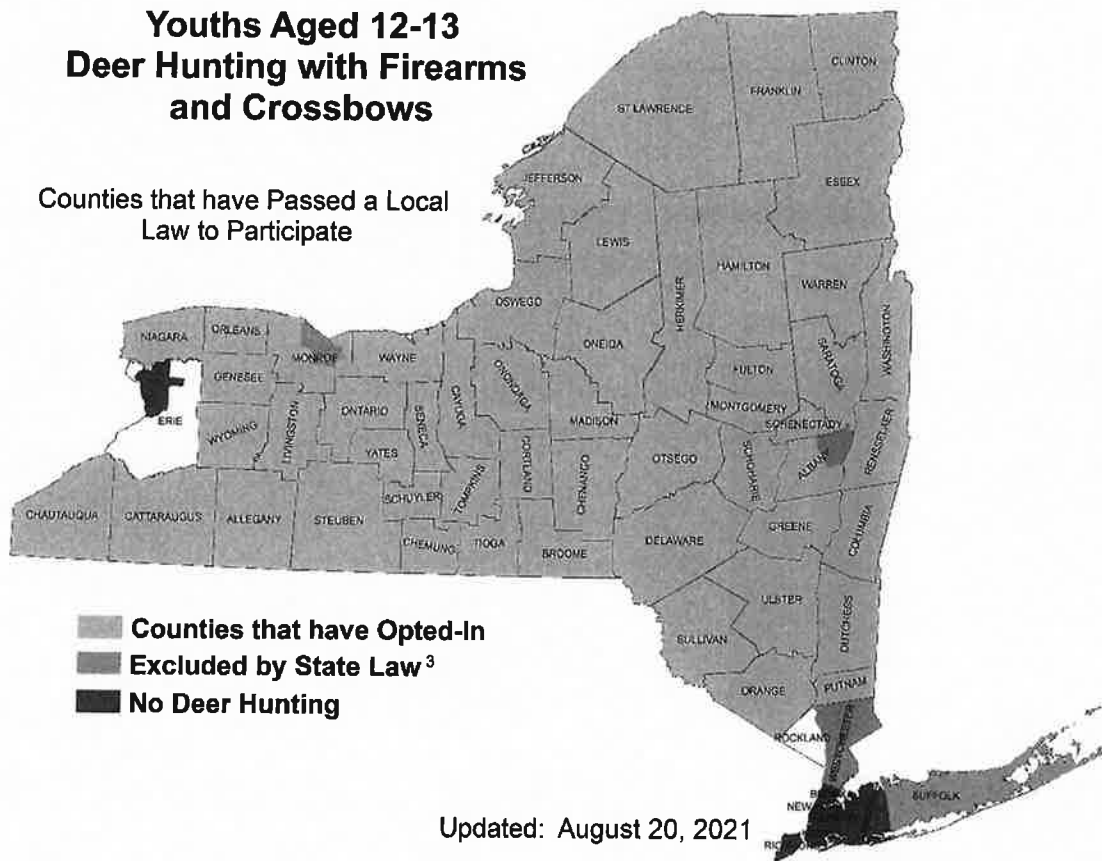
² Reported take value represents raw harvest reports with date of harvest between September 12, 2021 and January 1, 2022. This includes 173 deer reported taken with a bow. Calculated deer harvest was not available at the time of this report, as deer hunting seasons continued in portions of New York until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

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

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

County Participation

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



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

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

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

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

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

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

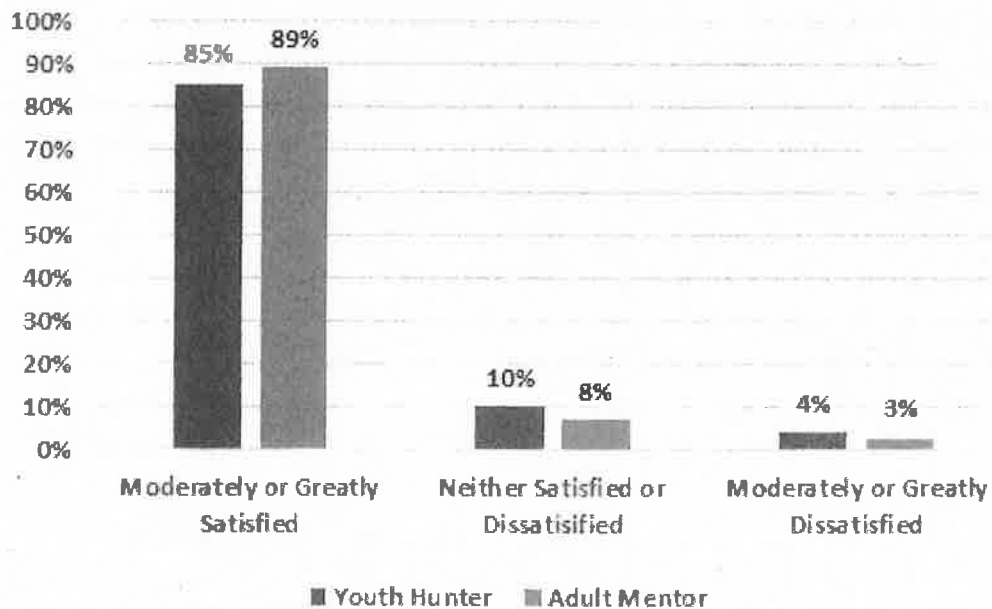
"The youth hunt is great...I think it builds a great trust and cooperation between DEC officers, young hunters and their parents, that extends well beyond the weekend. Great experience."

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



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

How Satisfied were you with your Youth Big Game Hunting experiences?



Recommendations

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

- 1- **Make permanent the authorization for 12- and 13-year-old hunters to hunt deer with a firearm and crossbow.** We assessed participation and harvest by junior big game hunters through a post-season survey and asked about their level of satisfaction with their big game hunting opportunities in 2021. More than 9,800 young hunters (aged 12 and 13), representing approximately 9,500 families were eligible to hunt deer with a firearm or crossbow in 2021. These hunters were safe and successful, and satisfaction levels were extremely high. 85% of these young hunters and 89% of their adult mentors reported being moderately or greatly satisfied with their youth big game hunting experience this past year. Existing state law permanently allows hunters aged 12 and 13 to hunt small game with a firearm or long bow and big game with a long bow, when properly supervised. Establishing the same permanent provisions for 12- and 13-year-old hunters to hunt big game with a firearm will ensure that 12-year-olds can continue to hunt big game when they are 13 and that younger siblings have the same opportunity when they turn 12.
- 2- **Allow 12- and 13-year-old hunters to also hunt black bear with a firearm and crossbow.** Youths aged 12 and 13 have been legally able to hunt black bears with a longbow in New York since 2011 and have done so without incident. Hunting black bear with a longbow is unquestionably more challenging than hunting black bear with a firearm. Nonetheless, 12- and 13-year-old hunters have routinely demonstrated that they can safely and successfully harvest a black bear with a longbow. These same hunters, and all 12- and 13-year-old hunters, should be given the opportunity to also hunt black bear with firearms and crossbows.
- 3- **Extend the authorization for 12- and 13-year-old hunters to hunt deer with a firearm or crossbow to all of New York State (subject to other provisions of ECL) and remove the requirement for counties to pass a local law opting-in.** Of all the eligible counties in New York, only Erie and Rockland Counties did not pass a local law authorizing participation in the pilot program as required by 11-0935. However, in both of these counties, hunters aged 14-years or older can hunt deer and bear with firearms and crossbows. Similarly, Westchester and Suffolk Counties were specifically excluded from the provisions of 11-0935 despite an existing firearms season for deer in January in Suffolk County and provisions in 11-0903(7) authorizing the same potential opportunity in Westchester County. Young hunters in Erie, Rockland, Suffolk, and Westchester counties should not be forced to hunt elsewhere and should be given opportunity to hunt in the same locations and in the same manner as their peers, older siblings, and other family members.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

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

LL INTRO. 3-1 (2022)

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 3-1 -2022

LOCAL LAW NO. _____-2022

THE ERIE COUNTY LANGUAGE ACCESS ACT

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

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

Section 1. Legislative Intent and Findings

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

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

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

Section 2. Definitions

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

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

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

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

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

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

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

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

Section 3. Language Access Requirements

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

1. Providing competent and timely interpretation services to individuals in their primary or preferred language. Competent interpretation shall mean a spoken or signed, real-time communication in which the qualified human interpreter is fluent in both the source and target language and is trained as an interpreter. The interpreter shall know relevant terminology and provide accurate interpretations by choosing equivalent expressions that convey the best matching and meaning to the source language and capture, to the greatest extent possible, all nuances intended in the source material;
2. Identifying and translating vital documents provided to the public, including but not limited to, forms and instructions provided to or completed by program participants and beneficiaries in each designated countywide language;
 - a. Existing vital documents must be translated within 365 days of the effective date of this law.
 - b. New vital documents, produced after the effective date, must be translated as soon as is practicable but no later than 120 days after the English version is released to the public, except for emergency communications which must be translated immediately, or at most up to 5 days following the release of the English version.
3. Translation of pre-recorded informational messages on agency phone lines that provide vital public information in English, including emergency alerts and public service announcements;

4. Translated copies of vital documents which are already made available to the public in English must be made available to the public in the same way as the current English version. Translated vital documents must be published alongside any English documents that may be available online through the County website;
5. Online applications or machine interpretation or translation software shall not be used;
6. Family members, other clients, and any other member of the public who is not a qualified interpreter, shall not be used for interpretation with respect to the provision of services or benefits;
7. Posting of multilingual signage in conspicuous locations about the availability of free interpretation services. Where practicable, the same information should be communicated via pre-recorded announcements in each designated countywide language on the public address system in public waiting areas;
8. Accommodations for communication access shall be available upon request including American Sign Language Interpretation via an on-site interpreter, Video Remote Interpreter (VRI), or Communication Access Realtime Translation for individuals who are deaf, hard of hearing or have hearing loss.
9. All language access services must be provided at no cost to the person seeking services from the Department.

Section 4. Language Access Plans

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

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

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

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

1. Designate a language access coordinator to oversee the creation and execution of an agency language access implementation plan, collect language data, and issue an annual report. The name, title and contact information of such language access coordinator is to be posted in a conspicuous place on such agency's website;
2. Describe how such agency will provide the language access service required by Section 3, including the titles of all available translated documents and the languages into which they have been translated and the number of fully bilingual employees in public contact positions and the languages they speak;
3. Incorporate a uniform training plan for agency employees, including annual training on the language access policies and the provision of language assistance services as well as providing a procedure that allows employees to report issues and problems implementing the language access plan;
4. Incorporate a process for tracking and reporting agency language access data including the number and type of requests for language access services, what languages service requests are for, how each request was fulfilled, the number of complaints received by the agency regarding language access, and how complaints were resolved.
5. Determine the methods such agencies will employ with regard to providing language access services, both through agency staffing and contracts with third parties. Whenever possible, County Agencies should prioritize hiring local interpreters.
6. Consider the following factors in developing such implementation plan:
 - a. the number or proportion of LEP persons in the eligible service population;
 - b. the frequency with which LEP individuals come into contact with the agency, if such data exists. If no relevant data has been collected, such agency must exclude this factor from consideration;
 - c. the importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation or translation); and
 - d. the resources available to the agency and the costs of providing various types of language services
7. When a member of the public states they are deaf, hard of hearing, or have hearing loss, the County Agency's designated language access coordinator shall submit notice and keep record of notice made to The Erie County Office for People with Disabilities on behalf of the member of the public in need of language access services. The Office for People with Disabilities will support the members of the public with communication services.

Section 5. Amending Article 17 of the Erie County Charter

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

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

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

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

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

The Board shall:

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

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

Section 6. Right to Privacy

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

Section 7. Effective Date

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

Section 8. Severability

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

Sponsors:

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

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

LL INTRO. 3-1 (2023)

COUNTY OF ERIE

LOCAL LAW INTRO NO. 3-1-2023

EC LEG MAR 21 '23 08:39

LOCAL LAW NO. ____-2023

A LOCAL LAW Titled: The Occupancy Tax Modernization Act

BE IT ENACTED BY THE COUNTY OF ERIE AS FOLLOWS:

Section 1. Legislative Intent.

- a. The Erie County occupancy tax was established via local law by the Erie County Legislature in September 1974 and was amended via local law in 1975, 1983, 1987, and 2007. There has not been a comprehensive review of the various local laws governing the occupancy tax nor an effort to modernize and update the law in decades.
- b. The Erie County Legislature (“Legislature”) hereby finds and declares that short-term and vacation rental properties are in widespread use in Erie County, whether via hosting platforms such as Airbnb, VRBO, Homestay, or by other means.
- c. Unlike other counties in New York State that maintain occupancy tax collection agreements with hosting or “home-sharing” platforms such as Airbnb, Erie County does not have any such agreements with such platforms and/or operators that provide short term and vacation rental properties.
- d. The Legislature finds that there are unjustified variances and inconsistencies with this state of affairs, as hotels are required to collect taxes from guests pursuant to the County of Erie’s hotel occupancy tax law, but operators and platforms for short term and vacation rentals have not been collecting such tax, are not readily subject to any health and safety regulations, and are not registered with the County, despite offering identical or substantially similar services.
- e. The Legislature finds that the law should apply equally to all individuals and entities engaged in the rental of temporary accommodations, and that the current state of affairs has resulted in an unequal “playing field” for traditional hotels and motels compared to other types of short term and vacation rental properties. The Legislature further finds that this discrepancy also results in a loss of occupancy tax revenue to Erie County and its taxpayers.
- f. The Legislature finds that, pursuant to Chapter 614 of the Laws of 1974 of the State of New York, operators of these transient lodging facilities should be subject to the same occupancy taxes as their counterparts in the traditional lodging industry to help ensure fairness across the lodging sector in Erie County.

- g. The Erie County Legislature hereby finds that there is a need to bring the definition and administration of occupancy tax into the 21st Century by updating the various functions of the tax to meet the demands of the modern short-term rental industry within the parameters of the taxing authority delegated by the State of New York.
- h. The Legislature hereby intends this that this Local Law will perform the following functions and beneficial purposes:
 - 1. Clarify the reach of the tax to include non-traditional short-term and vacation rentals within Erie County;
 - 2. Require all operators of properties used for short-term and vacation rentals to register with the County for the collection of the tax;
 - 3. Bring all manner of short-term rental properties above ground to better ensure the safety of occupants and quality of life for the broader community;
 - 4. Modernize and enhance enforcement capabilities of the County to pursue scofflaws who fail to collect and remit the tax or misappropriate the same;
 - 5. Allow hosting platforms that have executed voluntary collection agreements with the County to collect and remit the tax on the operator's behalf;
 - 6. Establish the methodology used to determine taxable rent for all properties used for transient lodging. Accordingly, collection and remittance of the tax for short-term and vacation rentals will be principally placed on the corporate hosting platform through a voluntary collection agreement and secondarily placed on individual operators opting not to enter into any such agreement; and
 - 7. Reinvest in the continued development of the tourism to maintain and enhance infrastructure, create economic opportunity for residents, and increase the recreational appeal of Erie County.
- i. Therefore, except for the limited purposes provided by Section 25 of this Local Law, Erie County Local Law No. 12-1974, Erie County Local Law No. 8-1975, Erie County Local Law No. 5-1983, Erie County Local Law No. 1-1987, and Erie County Local Law No. 4-2007 are hereby repealed in their entirety and replaced with this Local Law.

Section 2. Definitions.

- a. Charter. The Charter of Erie County as established by Local Law 1-1959 and amended thereafter.
- b. Clerk. The elected Clerk of Erie County.
- c. Comptroller. The elected Comptroller of Erie County.

- d. Exempt Entity. A government, corporation, or association exempt from taxation under Section 4 of this local law.
- e. Hosting Platform. An application, technology, and/or similarly based service through which a third party desiring to offer an accommodation (a “host”) and a third party desiring to book an accommodation (a “guest”) have the opportunity to communicate, negotiate, and consummate a booking transaction for transient lodging accommodations pursuant to a direct agreement between a host and guest to which the hosting platform is not a party but still facilitates payments for rent on behalf of or for the host, and/or otherwise acts as intermediary between the host and the guest. Merely publishing an advertisement for transient accommodations does not make the publisher a hosting platform.
- f. Operator. Any person or entity operating premises where short-term rental occupancy transactions are conducted in Erie County, including but not limited to the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such premises.
- g. Occupancy. The use or possession, or the right to the use or possession of any room in a premises that is the subject of short-term rental occupancy transactions.
- h. Permanent Resident. A person occupying any room or rooms in a premises that is the subject of a short-term rental occupancy transaction for at least thirty consecutive days.
- i. Person. An individual, partnership, society, association, joint stock company, corporation, limited liability company, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.
- j. Rent. The consideration received for occupancy valued in money, whether received in monetary form or otherwise.
- k. Room. Any room or rooms of any kind in any part or portion of a premises that is the subject of a short-term rental occupancy transaction, which is available for or let out for any purpose other than a place of assembly.
- l. Return. Any return filed or required to be filed as herein provided.
- m. Sheriff. The elected Sheriff of Erie County.
- n. Short-Term Rental. A building or portion of it which is regularly used and kept open as such for lodging on an overnight basis. The term ‘short-term rental’ includes a hotel, motel, hostel, apartment hotel, motor court or inn, boardinghouse or club, campground with cabins, home-sharing property or vacation rental, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served, and

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

Section 3. Imposition of Tax.

- a. Except as otherwise provided by this Section, on and after the first day of June, 2023, there is hereby imposed and there shall be paid a tax of three percent upon the rent for every occupancy of a room or rooms in the County.
- b. For all short-term rental transactions where rental capacity of the premises exceeds thirty (30) rooms, the rate of tax on occupancy shall be five percent.
- c. If the charge for occupancy of a room includes only the cost of the room, board, and cleaning fees, any other charges that are separately stated and are only incurred at the option of the occupant and/or charged by a hosting platform shall not be included in the calculation of the occupancy tax imposed by this Local Law.
- d. If the operator does not separate the charge for room and board from other charges, excluding cleaning fees but including those added by a hosting platform, the entire charge to the occupant is taxable until the occupant becomes a permanent resident as defined by this Local Law.
- e. No tax shall be imposed upon a permanent resident as defined by this Local Law.

Section 4. Exempt Organizations

- a. Except as otherwise provided in this Local Law, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law.
 - (1) The State of New York, or any of its agencies, instrumentalities, public corporations (including public corporations created pursuant to agreement or compact with another state or Canada), improvement districts or political subdivisions of the State;
 - (2) The United States of America, or any of its agencies and instrumentalities, insofar as it is immune from taxation;
 - (3) The United Nations or other world-wide international organizations of which the United States is a member; and
 - (4) Any corporation, association, trust or community chest, fund or foundation, organized and operated exclusively for religious, charitable or education purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which

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

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

Section 5. Territorial Limitations

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

Section 6. Registration

- a. Within ten days after the effective date of this local law, or in the case of operators commencing business after such effective date, within three days after such commencement or opening, every owner and/or operator shall file with the Comptroller a Certification of Registration in a form prescribed by the Comptroller.
- b. The Comptroller shall, within five business days after such registration issue without charge to each operator a Certificate of Authority empowering such operator to collect the tax from the occupant and duplicate thereof for each additional short-term rental of such operator. Each certificate or duplicate shall be certified, bear the seal of Erie County, and state the short-term rental to which it is applicable. Such Certificate of Authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy.
- c. Where a host or operator uses a hosting platform that has executed a voluntary collection agreement with the County, such host or operator shall submit an application for a Certificate of Authority clearly stating all information required under applicable law but may otherwise designate such hosting platform as primarily and solely liable for collection and remittance of the tax.
- d. If a Certificate of Authority is lost, stolen, or otherwise misplaced by an operator, such operator may apply, in a form prescribed by the Comptroller, for a replacement Certificate of Authority. Replacements shall be certified and issued to the operator at a cost of \$50.00.

- e. Failure to register a short-term rental with the Comptroller as required by this Section shall result in the imposition of a penalty amounting to one hundred dollars per day of non-registration. The Comptroller may, upon a showing of good cause by an owner or operator, waive up to 75% of the total amount of penalties incurred under this Subsection.
- f. Such certificates shall be non-assignable and non-transferrable and shall be surrendered immediately to the Comptroller upon:
 - (1) the cessation of business at the short-term rental;
 - (2) the sale, lease, assignment, or other transfer to another host or operator; or
 - (3) the designated hosting platform service named as designee on the certificate provided by this Section is sold, renamed, or otherwise transferred.

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

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

Section 7. Administration and Collection

- a. The tax imposed by this local law shall be administered and collected by the Comptroller of the County of Erie or the Comptroller's designee by such means and in such manner as are other taxes which are now collected and administered by such officers in accordance with the Charter or as otherwise are provided by this Local Law.
- b. The tax to be collected pursuant to this Local Law shall be stated, charged, and shown separately from the rent. At the time when the occupancy is arranged, contracted for or charged for, and upon any and all evidence of occupancy, any charge made shall be paid by the occupant to the operator as trustee for and on behalf of the County.
- c. The operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law, and the operator shall have the same right in respect to collecting the tax from the occupant. In respect to non-payment of the tax by the occupant payable at the time such tax shall become due and owing, the operator retains all applicable rights including, but not limited to, rights of eviction, repossession, and enforcement of any innkeeper's lien that the operator may have in the event of non-payment of rent by the occupant. An operator shall join the Comptroller as a party in any action or proceeding brought by the operator against an occupant under this Local Law.

- d. The tax imposed by this Local Law shall be paid upon any occupancy on and after the effective date of this Local Law except for any such occupancy reserved pursuant to a contract, lease or other arrangement made prior to such date. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Comptroller may by regulation provide for credit and/or refund of the amount of such tax upon application therefore as provided by this Local Law.
- e. For the purpose of the proper administration of this Local Law and to prevent evasion of the tax hereby imposed, the following presumptions and burdens shall apply:
 - 1. It shall be presumed that all rents are subject to tax until the contrary is established.
 - 2. The burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator or the occupant.
 - 3. Where an occupant claims exemptions from the tax under the provisions of Section 4 of this Local Law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a copy of a certificate issued by the Comptroller certifying that the named entity is exempt from taxation under Section 4 of this Local Law, together with a writing duly executed by the exempt entity named in the certificate issued by the Comptroller certifying that the occupant is its agent, representative or employee and that the occupancy is paid or to be paid by, and is necessary or required in the course of or in connection with the affairs of said exempt entity.
- f. A hosting platform may enter into a voluntary collection agreement with the County containing and specifying the following:
 - 1. The hosting platform shall be solely responsible and liable for collecting and remitting the applicable tax to the County for booking transactions completed through the respective hosting platform for short-term rentals as defined by Subsection 2(1) of this local law.
 - 2. The host or operator of the short-term rental who is not the hosting platform shall not be responsible for collecting and remitting the tax to the County on any transaction for which it has received confirmation that the hosting platform has collected the aforementioned tax and remitted it back to the County pursuant to a voluntary collection agreement.
 - 3. Neither the County, its officers, agents, and employees, or a hosting platform, its officers, agents, and employees, shall be required or made to furnish a copy or any portion of a voluntary collection agreement entered into between the County and a hosting platform. The hosting platform shall furnish to any operator using the hosting platform, a certificate, in a form to be determined by the Comptroller, confirming the existence and enforceability of such agreement.

- g. Where an operator of a short-term rental uses a hosting platform that has voluntarily entered into and executed a voluntary collection agreement with the County pursuant to Subsection 7(f) of this Local Law, such hosting platform, for the purposes of tax registration, collection, and remittance under this Local Law, shall only be liable for transactions completed through the respective hosting platform pursuant to the terms of such agreement.
- h. If the operator of a short-term rental uses a hosting platform that has not entered into and executed an agreement with the County pursuant to Subsection 7(f) of this Local Law, such operator shall be liable for the collection and remittance of the tax.

Section 8. Records.

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

Section 9. Returns.

- a. Every operator or, in the case where a hosting platform has entered into voluntary collection agreement pursuant to Section 7(f) of this Local Law, such hosting platform, shall file with the Comptroller a return of occupancy and of rents, and of the taxes payable thereon for quarterly periods ending the last day of February, May, August, and November of each year, on and after the effective date of this Local Law subject to the limitations prescribed by Section 7(d) of this Local Law.
- b. Such returns shall be filed within twenty days from the expiration of the period covered thereby. The Comptroller may permit or require returns to be made by other periods and upon such dates as the Comptroller or his duly authorized designee may specify. If the Comptroller deems it necessary in order to ensure the payment of the tax imposed by this Local Law, the Comptroller may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this Section and upon such dates as the Comptroller may specify.
- c. Where a hosting platform has entered into a voluntary collection agreement with the County pursuant to Section 7(f) of this Local Law, the mechanism for increasing the number of return dates per calendar year must be included in such voluntary collection agreement.
- d. The form of returns shall be prescribed by the Comptroller and shall contain such information as the Comptroller may deem necessary for the proper administration of this Local Law. The Comptroller may require amended returns to be filed. Such returns shall be delivered not later than twenty days following notice of the operator or hosting platform by the Comptroller and shall contain the information specified in the notice.

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

Section 10. Payment of Tax.

- a. At the time of the filing a return of occupancy and of rents, each operator, or, in the case where a hosting platform has entered into voluntary collection agreement pursuant to Section 7(f) of this Local Law, such hosting platform shall pay to the Comptroller the taxes imposed by this Local Law upon the rents required to be included in such return, as well as all other moneys collected by the operator or hosting platform acting or purporting to act under the provisions of this Local Law.
- b. Where the Comptroller, as a matter of discretion, deems it necessary to protect revenues to be obtained under this Local Law, the Comptroller may require any operator or hosting platform required to collect the tax imposed by this Local Law to file a bond with the Office of Comptroller, issued by a surety company authorized to transact business in the State of New York and approved by the Superintendent of the New York State Department of Financial Services as to the solvency and responsibility, in such amount as the Comptroller may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator or hosting platform.
- c. In the event that the Comptroller determines that an operator or hosting platform is to file such bond, the Comptroller shall give notice to such operator or hosting platform to that effect. The Comptroller shall specify the amount of the bond required in writing and send it to such operator or hosting platform by certified mail at the address provided by such operator or hosting platform. Evidence of such mailing shall create a presumption that such operator or hosting platform has been notified.
- d. Where an operator or hosting platform has been notified by the Comptroller that a bond shall be required pursuant to this Section, such operator or hosting platform shall file such bond within ten business days.
- e. An operator or hosting platform may, within ten business days, request in writing a hearing before the Comptroller or the Comptroller's designee at which the necessity, propriety, and amount of the bond shall be determined by the Comptroller, notice of which shall be sent by certified mail to the address provided by such operator or hosting platform. Such determination shall be final and shall be complied with within ten business days after the Comptroller notifies such operator or hosting platform.
- f. In lieu of the bond described in Subsection 10(b) of this Local Law, securities approved by the Comptroller or cash in such amount as the Comptroller may prescribe may be deposited. Such deposit shall be kept in the custody of the Comptroller who may at any time and without notice to the depositor, apply such deposit to any tax, interest, and/or

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

Section 11. Determination of Tax.

- a. If a return required by this Local Law is not filed, or if a return when filed is incorrect or facially insufficient, the amount of the tax due shall be determined by the Comptroller from such information as may be obtainable.
- b. If necessary, the tax may be estimated on the basis of external indices, including but not limited to, the number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and publicly reported earnings.
- c. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty days following receipt of notice from the Comptroller of such determination shall apply to the Comptroller for a hearing. The Comptroller may redetermine the same *sua sponte*.
- d. After such hearing, the Comptroller shall give notice of such determination to the person against whom the tax is assessed. The determination of the Comptroller shall be reviewable by the Supreme Court of Erie County for error, illegality, unconstitutionality, or abuse of discretion pursuant to Article Seventy-Eight of the Civil Practice Law and Rules.
- e. No party aggrieved by the determination of the Comptroller shall have standing to bring an action under Article 78 of the Civil Practice Law and Rules challenging the Comptroller's determination unless the amount of any tax sought to be reviewed, with any and all penalties and interest thereon, shall be first deposited with the Comptroller.
- f. In addition to the requirements of Section 11(e) of this Local Law, any party challenging the determination of the Comptroller pursuant to Article 78 of the Civil Practice Law and Rules shall first file with the Comptroller an undertaking, issued by a surety company authorized to transact business in the State of New York and approved by the Superintendent of the New York State Department of Financial Services as to solvency and responsibility, in such amount as a Justice of the Supreme Court of Erie County shall approve to the effect that if such proceeding is dismissed or the tax confirmed, the petitioner shall pay all costs and charges which may accrue in the prosecution of the proceeding.
- g. At the option of the petitioner, such undertaking filed with the Comptroller may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the applicant shall not be required to deposit such taxes, penalties, and interest as a condition precedent to the application.

Section 12. Disposition of Revenues.

- a. All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of the County and shall be credited to and deposited in the general fund of the County.
- b. Within sixty days of the effective date of this Local Law, the Comptroller shall create a special fund, the sole purpose of which shall be the distribution of revenues to not-for-profit corporations and public benefit corporations dedicated to the promotion and facilitation of tourism in Erie County.
- c. Notwithstanding any provision of law to the contrary, with respect to tax imposed by this Local Law on and after January 1, 2024, all revenue resulting from such tax, including any interest and/or penalties thereon, shall be credited to and deposited in the fund created by the Comptroller pursuant to Subsection 12(b) of this Local Law.
- d. On and after January 1, 2024, all amounts deposited in the fund created pursuant to Subsection 12(b) of this Local Law shall be made available and distributed to Buffalo Niagara Convention & Visitors Bureau, Inc. pursuant to a lawfully executed agreement between Buffalo Niagara Convention & Visitors Bureau, Inc. and the County of Erie. Such agreement shall include a requirement that Buffalo Niagara Convention & Visitors Bureau, Inc. shall submit an annual report to the County Executive, County Legislature, and County Comptroller concerning the expenditure of distributions received from the County, the annual budget and business plan, and any additional information as may be required pursuant to such agreement.
- e. An agreement entered into pursuant to Subsection 12(d) of this Local Law shall be approved as to form by the County Attorney, approved by the County Legislature, for a period of three years. The County Executive shall, no later than January 1 of each year of the agreement term, execute a renewal of such agreement and shall file such renewal with the Clerk of the Legislature on or before the date of the first meeting of the Legislature for that year.
- f. In the event that Buffalo Niagara Convention & Visitors Bureau, Inc. to cease operations, lose or alter its 501(c)(6) status, or alter its purpose so that its mission and/or significant activities no longer fulfills the legislative intent of this Local Law, distributions pursuant to Subsection 12(c) of this Local Law shall immediately cease. Thereafter, all revenues received by the County pursuant to this Local Law shall be credited to and deposited in the general fund of the County until such time as an agreement is lawfully executed between the County and a qualifying entity to fulfill the legislative intent of this Local Law.
- g. All entities receiving distributions under this Section are subject to oversight by the Comptroller.

Section 13. Refunds.

- a. In the matter provided by this Section, the Comptroller shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Comptroller for such refund shall be made within one year from the payment thereof. Whenever a refund is made by the Comptroller, the reasons therefore shall be stated in writing. Such application may be made by the occupant, operator, or hosting platform who has actually paid the tax.
- b. Such application may be made by an operator who has collected and paid over such tax to the Comptroller provided that the application is made within one year of the payment by the occupant to the operator, but not actual refund of moneys shall be made to such operator until it shall first be established to the satisfaction of the Comptroller, under such regulations as the Comptroller may prescribe, that the occupant has been repaid in the amount for which the application was made. The Comptroller may, in lieu of any refund, allow credit therefore on payments due from the applicant.
- c. An application for a refund or credit made as provided herein shall be deemed an application for a revision of any tax, penalty, or interest complained of and the Comptroller may receive evidence with respect thereto. After making a determination, the Comptroller shall notify the applicant who shall be entitled to review such determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided that such proceeding is instituted within thirty days following final notice of such determination and a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the Comptroller in such amount and with such sureties as a Justice of the Supreme County of Erie County shall approve to the effect that if such proceedings be dismissed or the tax confirmed, the petitioner shall pay all costs and charges which may accrue in the prosecution of such proceeding.
- d. A person or entity shall not be entitled to a revision, refund or credit under this Section of a tax, interest or penalty which has been determined to be due pursuant to the provisions of Section 13 of this Local Law where such person or entity has had a hearing or an opportunity for a hearing, as provided by this Section, or has failed to avail himself or herself of the remedies therein provided.
- e. No refund or credit shall be made of a tax, interest or penalty paid after a determination by the Comptroller made pursuant to Section 11 of this Local Law unless it is found that such determination was erroneous, illegal or unconstitutional, either by the Comptroller after a hearing pursuant to this Section, or by a Court under Article 78 of the Civil Practice Law and Rules, pursuant to the provisions of this Local Law.

Section 14. Reserves.

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

Section 15. Remedies Exclusive.

- a. The remedies provided by Section 11 and Section 13 of this Local Law shall be the exclusive remedies available to any entity for the review of tax liability imposed by this Local Law.
- b. No determination or proposed determination of tax or determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, or any other action not brought under Article 78 of the Civil Practice Law and Rules.

Section 16. Proceedings for Recover Tax.

- a. Whenever any operator, hosting platform or other person or entity required to collect and remit occupancy tax pursuant to this Local Law fails to collect and remit and tax, penalty or interest imposed by this Local Law, the Erie County Attorney shall, upon the request of the Comptroller bring or cause to be brought an action to enforce the payment of the same on behalf of Erie County in the Supreme Court of Erie County within sixty days of such request. Should the County Attorney fail to bring such action within sixty days of the Comptroller's request, the Comptroller may bring or cause to be brought such action on behalf of Erie County.
- b. If the Comptroller believes that any such operator, hosting platform, or any other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, the Comptroller may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.
- c. As an additional or alternate remedy, the Comptroller may issue a warrant, directed to the Sheriff commanding the Sheriff or the Sheriff's duly authorized designee, to levy upon and sell the real and personal property of the operator, hosting platform, or any person liable for the tax as described by this Local Law which may be found within Erie County for payment of the amount thereof with any penalties, interest, and the cost of executing the warrant.
- d. The Sheriff shall, within five business days following the receipt of the warrant, file a copy of such warrant with the Clerk. In the discretion of the Comptroller, a warrant of like terms, force and effect may be issued and directed to any officer or employee who shall have all the powers conferred by law upon the Sheriff under this Local Law, provided that such designee shall not be entitled to any fee or compensation in excess of the actual expenses paid in the performance of such duty.
- e. The Clerk shall, within five business days after a warrant has been filed by the Sheriff or the Comptroller's designee, enter in the judgment docket the name of the person or entity named in the warrant and the amount of the tax penalties, penalties, and interest for which the warrant is issued and the date when such copy is filed. If the Clerk fails to

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

- f. The Sheriff or the Comptroller's designee shall proceed upon the warrant, in the same manner and with like effect, as provided by law in respect to executions issued against property upon judgments of a court of record.
- g. If a warrant is returned not satisfied in full, the Comptroller may, from time to time, issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County had recovered judgment therefore and execution thereon had been returned unsatisfied.

Section 17. Notice Upon Sale.

- a. Whenever an operator shall make a sale, transfer or assignment in bulk or in part or the whole of a short-term rental operation or a lease, license or other agreement or right to possess or operate such short-term rental operation, the seller, transferor or assignor shall notify the Comptroller by registered mail of the proposed sale and of the price, terms and conditions thereof. Failure to do so shall result in a fine not to exceed ten thousand dollars imposed against the seller, transferor, assignor, and, in the case of a corporate entity, the officers, partners, members, or owners of such entity.
- b. Whenever an operator shall make a sale, transfer or assignment in bulk or in part or the whole of such operator's operation, lease, license or other agreement or right to possess or operate such short-term rental operation, otherwise than in the ordinary and regular course of business, the purchaser, transferee or assignee, shall at least ten days before taking possession of the subject of said sale, transfer or assignment or paying therefor, notify the Comptroller by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferor or assignee that it owes any tax pursuant to this Local Law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.
- c. Whenever the purchaser, transferee or assignee shall fail to give notice to the Comptroller as required by the Subsection 17(a), or whenever the Comptroller shall inform the purchaser, transferee or assignee that a possible claim for such tax exists, any sums of money, property, causes of action, or other consideration which the purchaser, transferee or assignee is required to remit to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor or assignor to the County.

- d. The purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property, causes of action, or other consideration to the extent of the amount of the County's claim.
- e. Where a purchaser, transferee or assignee fails to comply with the provisions of this Section, the purchaser, transferee or assignee shall be liable for the payment to the County of all taxes, penalties, and interest theretofore or thereafter determined to be due to the County from the seller, transferor, or assignor.
- f. All such liability imposed by this Section may be assessed and enforced in the same manner as the liability for the tax under this Local Law.

Section 18. General Powers of the Comptroller.

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

- a. To make, adopt and amend rules and regulations appropriate to the carrying out of this local law and the purposes thereof;
- b. To extend for cause shown, the time of filing any return for a period not exceeding thirty days; and for cause shown, to remit penalties but not interest computed at the rate of six percent per annum; and to compromise disputed claims in connection with the taxes hereby imposed;
- c. To request information from the New York State Department of Taxation and Finance or the Treasury Department of the United States relative to any person; and to afford information to such tax commission or such treasury department relative to any person, notwithstanding any other provision of this Local Law to the contrary;
- d. To delegate any functions hereunder to the Deputy Comptroller or any officer or employee of the Office of Comptroller;
- e. To prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;
- f. To require any operator within the County to keep detailed records of the nature and type of hotel maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax imposed by this Local Law, and to furnish such information upon request to the Comptroller;
- g. To require any operator within the County to maintain any and all records required by this Local Law for a concrete length of time in excess of the five-year period required under Section 8 of this Local Law not to exceed five additional years;

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

Section 19. Administration of Oaths.

- a. The Comptroller or the Comptroller's duly authorized employees or agents shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Local Law. The Comptroller shall have power to subpoena and require the attendance of witnesses and the production of books, papers and documents to secure information pertinent to the performance of this duties hereunder and of the enforcement of this Local Law and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of state or unable to attend in person or excused from attendance.
- b. A Justice of the Supreme Court of Erie County either in court or at chambers shall have power to summarily enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Comptroller under this Local Law.
- c. Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Comptroller under this Local Law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than five thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment.
- d. The officers who serve the summons or subpoena of the Comptroller and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the Sheriff of Erie County, the Sheriff's duly appointed deputies or any officers or employees of the Comptroller who have been designated by the Comptroller to serve such process.

Section 20. Reference to Tax.

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

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

Section 21. Penalties and Interest.

- a. Any person failing to file a return or to pay over any tax to the Comptroller within the time required by this Local Law shall be subject to a penalty of five percent of the amount of tax due, plus interest at the rate of one percent of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due.
- b. The Comptroller may, if satisfied that the delay was excusable, waive all or any part of a penalty imposed by this Section. The Comptroller may not waive interest accrued at the rate of six percent annually. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this Local Law. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Local Law.
- c. Any operator, occupant, or hosting platform failing to file a return required by this Local Law, or filing or causing to be filed any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Local Law, which is willfully false shall be subject to a fine not to exceed ten thousand dollars. The individual who engages in such conduct while acting as the agent of such operator, occupant or hosting platform shall be guilty of a misdemeanor. The Comptroller may, in his discretion, refer such violations to the Erie County District Attorney.
- d. Any occupant, operator, or hosting platform who violates the provisions of this local law, in addition to any other penalties so specified by this Local Law, shall be subject to a fine not to exceed ten thousand dollars. Such violations include, but are not limited to:
 - 1. Failing to file a bond required to be filed pursuant to Section 11 of this Local Law;
 - 2. Failing to file a registration certificate and such data in connection therewith as the Comptroller may by regulation or otherwise require;
 - 3. Failure to display or surrender the Certificate of Authority as required by this Local Law or assigning or transferring such Certificate of Authority;
 - 4. Failing to charge the tax imposed by this Local Law altogether or separately from the rent;
 - 5. Failing to keep the records required by Section 8 of this Local Law or otherwise required by the Comptroller by regulation.
- e. In addition to the penalties imposed by this Section and otherwise imposed elsewhere by this Local Law, entities in violation thereof shall be subject to daily fines not to exceed

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

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

Section 22. Returns to be Secret.

- a. Within 120 days of the effective date of this Local Law, the County shall establish a confidential mechanism permitting owners and operators to submit returns, pay amounts owed, and transmit all other information required by this Local Law in electronic form.
- b. Except as provided by a proper judicial order, or as otherwise provided by law, it shall be unlawful for the Comptroller or any officer or employee of the Office of Comptroller to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required under the Local Law. The officers charged with the custody of such returns shall not be required to produce any return required by this Local Law or evidence of any information contained in them in any action or proceeding in any court or administrative proceeding except on behalf of the Comptroller in an action or proceeding brought under the provisions of this Local Law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit into evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more.
- c. Nothing herein shall be construed to prohibit the following:
 - (1) delivery to a taxpayer or a taxpayer's duly authorized representative of a certified copy of any return filed in connection with such taxpayer's obligation under this Local Law; or
 - (2) the publication of statistics so classified as to prevent the identification of particular returns and the items thereof;
 - (3) the inspection of the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty; or
 - (4) confirming for any person or entity that a named operator does not have any undue outstanding tax liabilities, interest and/or penalties pursuant to this Local Law.

- d. Returns shall be preserved for five years and thereafter until the Comptroller permits them to be destroyed.
- e. Any violation of subdivision (a) of this Section shall be punishable by a fine not exceeding \$1,000. Any willful violation of subdivision (a) of this Section by an officer or employee of the County shall result in that officer or employee's immediate dismissal from office and prohibition from holding any public office for a period of five years thereafter.
- f. In the event that any person or operator fails to timely and accurately file a return and/or collect and remit the tax due and owing to the County, and/or fails to adhere to the terms and conditions of any agreement said party enters into with the County for the payment of taxes due hereunder, the restriction contained in subdivision (a) of this Section shall be lifted. Only authorized officers and employees of the Office of Comptroller, Division of Budget and Management, and Department of Law are permitted to release limited identifying information regarding the delinquency, including, but not limited to, an operator, person or taxpayer's name, names of the principals of said owner and/or operator, and the amount of the delinquency.

Section 23. Notices and Limitations of Time.

- a. Any notice authorized or required under the provisions of this local law may be given by sending the same by certified mail:
 - 1. In the case of an operator or hosting platform, to the address provided on the last return filed pursuant to the provisions of this Local Law; or
 - 2. In the case of an occupant, to the address provided by such occupant on the most recent application made to the Comptroller pursuant to Section 11 or Section 13 of this Local Law.
- b. The mailing of such notice shall be presumptive evidence of receipt by the entity to which the notice is addressed. Any time period which is determined according to the notice provisions of this Local Law shall commence to run from the date of mailing of such notice.
- c. The provisions of the Civil Practice Law and Rules or any other law conflicting with Chapter 614 of the Laws of 1974 relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine or enforce the collection of any tax, interest, or penalty provided by this Local Law.
- d. Where an operator or hosting platform files a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return.

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

Section 24. Effective Date.

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

Section 25. Completion of Unfinished Business.

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

Section 26. Severability.

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

Sponsor:

HOWARD J. JOHNSON, JR.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

LL INTRO. 3-2
(2023)

JOHNSON

The Occupancy Tax Modernization Act

Attachments

LL INTRO. 3-2 (2023)

COUNTY OF ERIE

EC LEG JUL 10 '23 AM 11:44

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 its 501(c)(6) status, or alter its purpose so that its mission and/or significant activities no longer fulfill 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: 11/02/2023

SUBJECT

LL INTRO. 7-1
(2023)

GILMOUR & MILLS

A Local Law Providing for the Extended
Lease of Real Property Generally Known as
the Wendt Mansion

Attachments

LL INTRO. 7-1 (2023)

COUNTY OF ERIE

LOCAL LAW INTRO – NO. 7-1 - 2023

LOCAL LAW – NO. _____ - 2023

A local law providing for the extended lease of real property generally known as the Wendt Mansion located at 7676 Old Lakeshore Road, Evans, New York, 14047. This Local Law supersedes New York State County Law Section 215, subdivisions (4) and (6).

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 as well as the competitive bidding and public advertisement requirements provided for in New York State County Law Section 215 subdivisions (4) and (6) by authorizing Erie County to lease county owned real property located at 7676 Old Lakeshore Road, in the Town of Evans for a term not-to-exceed thirty years to one or more entities who will provide recreational, dining, lodging, and other related services and activities to members of the community.

Section 2 – Public Use Determination and Authorization of Extended Lease Length

The Erie County Legislature hereby determines that the real property located at 7676 Old Lakeshore Road, Evans, New York, 14047 (“subject property”) is not required for public use. Furthermore, notwithstanding the provisions of section 215 of New York State County Law or any special act or local law to the contrary, the County is hereby authorized to lease the subject property to one or more entities who will use the leased real property to provide recreational, dining, lodging, and other related services and activities to members of the community for a term not-to exceed 30 years.

Section 3 – Competitive Bidding and Public Advertisement

Notwithstanding the provisions of section 215 of New York State County Law or any special act or local law to the contrary, the County is hereby authorized to lease the subject property without public advertisement and is not bound to follow a competitive bidding scheme or to lease only to the highest responsible bidder.

Section 4 - 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 5 – Effective Date

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

Sponsors:

John Gilmour

John Mills

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

LL INTRO. 8-1
(2023)

JOHNSON

A Local Law Providing for the Extended
Lease of Real Property Generally Known as
the Jesse Nash Health Clinic

Attachments

LL INTRO. 8-1 (2023)

COUNTY OF ERIE

LOCAL LAW INTRO – NO. 8-1 - 2023

LOCAL LAW – NO. _____ - 2023

A local law providing for the extended lease of real property generally known as the Jesse Nash Health Clinic located at 608 William Street, Buffalo, New York, 14206. This Local Law supersedes New York State County Law Section 215, subdivisions (4) and (6).

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 as well as the competitive bidding and public advertisement requirements provided for in New York State County Law Section 215 subdivisions (4) and (6) by authorizing Erie County to lease county owned real property located at 608 William Street in the City of Buffalo for a term not-to-exceed fifteen years to one or more entities who will use the leased real property to provide health care and related services to members of the community.

Section 2 – Public Use Determination and Authorization of Extended Lease Length

The Erie County Legislature hereby determines that the real property located at 608 William Street, Buffalo, New York 14206 (“subject property”) is not required for public use. Furthermore, notwithstanding the provisions of section 215 of New York State County Law or any special act or local law to the contrary, the County is hereby authorized to lease the subject property to one or more entities who will use the leased real property to provide health care and related services to members of the community for a term not-to-exceed 15 years.

Section 3 – Competitive Bidding and Public Advertisement

Notwithstanding the provisions of section 215 of New York State County Law or any special act or local law to the contrary, the County is hereby authorized to lease the subject property without public advertisement and is not bound to follow a competitive bidding scheme or to lease only to the highest responsible bidder.

Section 4 – Reporting Requirements

The Erie County Legislature requires any entity who leases real property at the Jesse Nash Health Clinic from the County to submit an annual report. The annual report shall include a review of their operations from the previous year, with a focus on the entity’s impact on the immediate neighborhood where Jesse Nash Health Clinic is located, including the 14206, 14210, 14204, and 14211 zip codes. The report shall also include the entity’s plan for the year ahead to improve and expand access to its services and programs.

Section 5 - 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 6 – Effective Date

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

Sponsor:

Howard Johnson

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

Report No. 12 ENERGY & ENVIRONMENT COMMITTEE

Attachments

REPORT NO. 12

October 26, 2023

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 12

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS

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

a. COMM. 18E-6 (2023)
COUNTY EXECUTIVE: “ECSD No. 4 – Engineering Term Contract Agreement”
(Chair’s Ruling)

b. COMM. 19M-1 (2023)
NYS DEC: “DEC Invites Public Comment About Brownfield Major Amendment Application and Draft Work Plan for Site on Niagara St., Buffalo”
(Chair’s Ruling)

2. COMM. 19E-8 (2023) **AS AMENDED**
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 7E-23 (2023), Contract No. 74P-R was awarded to O’Connell Electric Company, Inc. to provide equipment and services for the Electrical Substation and Plant-Wide Generator Equipment Procurement for Southtowns Advanced Wastewater Treatment Facility in Erie County Sewer District No. 3; and

WHEREAS, the Division of Sewerage Management has advised that additional time is needed for receipt of essential equipment and completion of the Contract; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of no-cost Change Order No. 1 for Contract No. 74P-R to increase the number of days for various interim milestones and obtain a final completion date of September 12, 2025.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes an increase to the total Contract Time for Contract No. 74P-R between the County of Erie and O’Connell Electric Company, Inc. (20 Lancaster Parkway, Lancaster, NY 14086) by 154 days to a completion date of September 12, 2025; and be it further

RESOLVED, that authorization is hereby given to the Deputy Commissioner in the Division of Sewerage Management to execute Change Order No. 1 for Contract No. 74P-R; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

(4-0)

3. COMM. 19E-9 (2023)
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 25E-3 (2021), Contract No. 21-D was awarded to Frey Electric Construction Co., Inc. for Electrical Construction of 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-D, in the final contract amount of \$236,699.71 which includes Change Order No. 2 (Final), a decrease of \$2,105.38, and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes acceptance of Contract No. 21-D between the County of Erie and Frey Electric Construction Co., Inc., (100 Pearce Avenue, Buffalo, NY 14150) as final, in the amount of \$236,699.71, which includes Change Order No. 2 (final), a decrease of \$2,105.38; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 21-D, to Frey Electric Construction Co., Inc. for a total contract amount of \$236,699.71; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and the Division of Sewerage Management.

(4-0)

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

WHEREAS, pursuant to Legislative Comm. 10E-21 (2022), Contract No. 64-A was awarded to H&K Services Inc. and Contract No. 64-D was awarded to Frey Electric Construction Co., Inc. to construct the Lackawanna Water Resource Recovery Facility Digestion and Solids Management Upgrades project in Erie County Sewer District No. 6; and

WHEREAS, the Division of Sewerage Management has determined that additional time is needed for receipt of essential equipment and completion of the work; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of no-cost Change Order No. 2 for Contract No. 64-A and Change Order No. 1 for Contract No. 64-D, an increase of time of 130 days to a total Contract time of 580 days.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes increasing the total Contract Time for Contract No. 64-A between the County of Erie and H&K Services, Inc. (12025 Leon-New Albion Road, Leon, NY 14751) and for Contract No. 64-D between the County of Erie and Frey Electric Construction Co., Inc. (100 Pearce Avenue, Tonawanda, NY 14150) by 130 days to a total of 580 days; and be it further

RESOLVED, that authorization is hereby given to the Deputy Commissioner of the Division of Sewerage Management be authorized to execute Change Order No. 2 for Contract No. 64-A and Change Order No. 1 for Contract No. 64-D; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and the Division of Sewerage Management.
(4-0)

5. **COMM. 19E-11 (2023)**
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 25E-3 (2021), Contract No. 21-B was awarded to Greater Niagara Mechanical, Inc. for HVAC Construction of 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-B, in the final contract amount of \$278,120.00 which includes Change Order No. 2 (Final), a decrease of \$8,480.00, and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes acceptance of Contract 21-B between the County of Erie and Greater Niagara Mechanical, Inc., (7311 Ward Road, North Tonawanda,

NY 14120) as final, in the amount of \$278,120.00, which includes Change Order No. 2 (final), a decrease of \$8,480.00; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 21-B, to Greater Niagara Mechanical, Inc. for a total contract amount of \$278,120.00; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and the Division of Sewerage Management.
(4-0)

TIMOTHY J. MEYERS
CHAIR

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

Report No. 15 ECONOMIC DEVELOPMENT COMMITTEE

Attachments

REPORT NO. 15

October 26, 2023

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 15

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.

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

October 4, 2023

Buffalo Bills
Attn: Kathryn D'Angelo
1 Bills Drive
Orchard Park, NY 14127

Re: Appointment to the Community Benefits Agreement Oversight Committee

Dear Ms. D'Angelo:

Pursuant to the Community Benefits Agreement executed by the County of Erie, Erie County Stadium Corporation, Buffalo Bills, LLC, and Bills Stadium and Events Company, LLC, I hereby submit the following individual for appointment to serve on the Community Benefits Agreement Oversight Committee

Ms. Maria Whyte
725 Exchange Street, Suite 525
Buffalo, NY 14210

Reverend Mark Blue
163 Broadway Avenue
Buffalo, NY 14204

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

Sincerely,
Mark C. Poloncarz, Esq.
Erie County Executive

(Chair's Ruling)

2. RESOLVED, the following item is hereby received & filed:

a. COMM. 19M-2 (2023)
NFTA-METRO EXECUTIVE DIRECTOR: "NFTA Cash Flow Statements"
(Chair's Ruling)

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

WHEREAS, Watts Architecture and Engineering was previously approved to provide Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring services; and

WHEREAS, the Department of Public Works (DPW) desires to increase the funding for the Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring of Environmental Service Consultants Watts Architecture and Engineering in order to comply with the New York State Department of Labor Code Rule 56 and to implement Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring; and

WHEREAS, DPW advertised for Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring on May 31, 2022 through the County's standard Request for Qualification process; and

WHEREAS, a contract with Watts Architecture and Engineering was entered into on August 22, 2022 per COMM.13E-10 (2022); and

WHEREAS, the previous funds allocated for the Hazardous Material services have been previously utilized on construction projects; and

WHEREAS, DPW is requesting additional funding be approved for Watts Architects and Engineers to accommodate the use of the term for future projects as the current funds per the existing contract have been utilized; and

WHEREAS, Watts Architecture and Engineering has proven they have the necessary expertise, experience, and manpower to continue to provide the required services; and

WHEREAS, each assignment will be billed on an hourly basis according to an approved rate schedule unless an agreed upon work scope and fee is negotiated with the assigned consultant prior to beginning any services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to amend the existing contract with Watts Architects and Engineers for Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring in the amount of \$75,000; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for services from Capital Project A.23005 DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities, Funds Center 122, Fund 410 for a total amount not to exceed \$75,000; and be it further

RESOLVED, that two (2) certified copies each of this resolution be sent to the Department of Public Works, Commissioner's Office and one (1) copy to the County Executive's Office, Comptroller's Office, and the Division of Budget and Management.
(4-0)

4. COMM. 19E-5 (2023)
COUNTY EXECUTIVE

WHEREAS, a design project for replacement of both the Hunters Creek Road Bridge over Hunters Creek (BIN 3328140/BR 382-01) and the Sanders Hills Road Bridge over Hunters Creek (BIN 3328180/BR 393-01) in the Town of Holland, (the "Project") was previously authorized by your honorable body via COMM. 12E-19 (2022); and

WHEREAS, to facilitate the replacement of these bridges, it is necessary for the County to acquire by fee and/or easement portions of real property noted below referred to as "Subject Property" in the vicinity of the bridges:

<u>PROPERTY TAX MAP SBL NUMBERS</u>	<u>TOWNSHIP</u>
SBL 217.00-3-31	Holland
SBL 217.00-4-9.1	Holland
SBL 217.00-3-36.12	Holland

and

WHEREAS, to acquire the easement parcels for the Project, it is necessary for the County to establish an amount which it believes to represent just compensation for the real property interest to be acquired and to thereafter make a written offer to purchase the real property interest for the respective just compensation amount; and

WHEREAS, the acquisition of the portions of the Subject Properties is de minimis in nature so that the public interest will not be prejudiced by the construction of the new bridges; and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Properties by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the acquisition of necessary Right-of-Way for the reconstruction of Hunters Creek Road Bridge over Hunters Creek (BIN 3328140/BR 382-01) and the Sanders Hills Road Bridge over Hunters Creek (BIN 3328180/BR 393-01) in the Town of Holland; and be it further

RESOLVED, that authorization is hereby given for a sum not to exceed \$10,000 be made available to cover the cost of all Right-of-Way acquisitions; and be it further

RESOLVED, that sufficient funding for this Right-of-Way acquisition exists within Capital Project B.17006 – Capital Right of Way; and be it further

RESOLVED, that the County of Erie is authorized to acquire the necessary real property interests from the aforementioned Subject Property for the purpose of constructing the Project; and be it further

RESOLVED, that the County of Erie is authorized to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, Commissioner of Public Works, or his authorized representatives, including DiDonato Engineering & Architectural Professionals, are hereby authorized to establish the amounts representing just compensation for the real property to be acquired; and be it further

RESOLVED, the Commissioner of Public Works, or his authorized representatives, including DiDonato Engineering & Architectural Professionals, are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring interests in portions of their respective parcels of real property by fee and/or easement, which acquisitions are necessary for the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including DiDonato Engineering & Architectural Professionals, are authorized to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the owners of the Subject Property; and be it further

RESOLVED, that based upon the factors previously set forth herein, it is the determination of this County Legislature that such acquisitions of portions of the aforementioned Subject Properties are de minimis in nature; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring fee and/or easement interests in the Subject Properties; and be it further

RESOLVED, that should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, authorization is hereby given to the County to commence eminent domain procedures; 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, Comptroller's Office, Department of Law and the Division of Budget and Management.
(4-0)

5. COMM. 19E-12 (2023)
COUNTY EXECUTIVE

WHEREAS, Juniper Apartments Project consists of the creation of two buildings containing a total of 65 units of affordable housing located at 5355 Rogers Road in the Town of Hamburg; and

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

WHEREAS, in order to make the Project economically feasible for Juniper Apartments LLC and Rogers Neighborhood Housing Development Fund Corporation to operate the housing project it is necessary to extend tax relief from the County of Erie and the Town of Hamburg.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to the County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Juniper Apartments LLC, Rogers Neighborhood Housing Development Fund Corporation, and the Town of Hamburg and any other organizations necessary to conclude this PILOT Agreement; and be it further

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

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

SCHEDULE A
PILOT Payments

<i>Share</i>		75%	25%
Year	Proposed PILOT Payments	Town	County
1	\$ 16,825	\$ 12,619	\$ 4,206
2	\$ 17,330	\$ 12,997	\$ 4,332
3	\$ 17,850	\$ 13,387	\$ 4,462
4	\$ 18,385	\$ 13,789	\$ 4,596
5	\$ 18,937	\$ 14,202	\$ 4,734
6	\$ 19,505	\$ 14,629	\$ 4,876
7	\$ 20,090	\$ 15,067	\$ 5,022
8	\$ 20,693	\$ 15,519	\$ 5,173
9	\$ 21,313	\$ 15,985	\$ 5,328
10	\$ 21,953	\$ 16,465	\$ 5,488
11	\$ 22,611	\$ 16,958	\$ 5,653
12	\$ 23,290	\$ 17,467	\$ 5,822
13	\$ 23,988	\$ 17,991	\$ 5,997
14	\$ 24,708	\$ 18,531	\$ 6,177
15	\$ 25,449	\$ 19,087	\$ 6,362

(4-0)

6. COMM. 19E-13 (2023)
COUNTY EXECUTIVE

WHEREAS, Riley Brook Apartments Project consists of the acquisition and development of vacant land into a seven-building apartment complex containing seventy (70) affordable apartment units located on Riley Boulevard; and

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

WHEREAS, in order to make the Project economically feasible for Riley Brook Apartments LLC and Riley Brook Housing Development Fund Company, Inc. to operate the housing project it is necessary to extend tax relief from the County of Erie and the Town of Hamburg.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Riley Brook Apartments LLC, Riley Brook Housing Development Fund Company, Inc., and the Town of Hamburg and any other organizations necessary to conclude this PILOT Agreement; and be it further

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

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

HOWARD J. JOHNSON, JR.
CHAIR

SCHEDULE A
PILOT Payments

<i>Share</i>		<i>75%</i>	<i>25%</i>
Year	Proposed PILOT Payments	Town	County
1	\$ 39,428	\$ 29,571	\$ 9,857
2	\$ 40,610	\$ 30,458	\$ 10,153
3	\$ 41,829	\$ 31,372	\$ 10,457
4	\$ 43,084	\$ 32,313	\$ 10,771
5	\$ 44,376	\$ 33,282	\$ 11,094
6	\$ 45,707	\$ 34,281	\$ 11,427
7	\$ 47,079	\$ 35,309	\$ 11,770
8	\$ 48,491	\$ 36,368	\$ 12,123
9	\$ 49,946	\$ 37,459	\$ 12,486
10	\$ 51,444	\$ 38,583	\$ 12,861
11	\$ 52,987	\$ 39,741	\$ 13,247
12	\$ 54,577	\$ 40,933	\$ 13,644
13	\$ 56,214	\$ 42,161	\$ 14,054
14	\$ 57,901	\$ 43,426	\$ 14,475
15	\$ 59,638	\$ 44,728	\$ 14,909

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

Report No. 11 HEALTH & HUMAN SERVICES COMMITTEE

Attachments

REPORT NO. 11

October 12, 2023

HEALTH & HUMAN SERVICES
COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received, filed & printed:

October 4, 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 Article 14, Section 1403 of the Erie County Charter, I hereby appoint the following individuals to the Erie County Emergency Medical Services Advisory Board. Their term will expire December 31, 2025.

Appointees:

Daniel P. McCartan, RN
70 Queens Drive
West Seneca, NY 14224

Rev. John R. Gaglione
1305 Learmont Drive
Derby, NY 14047

Edward L. Mager
235 Washington Street
Albion, NY 14411

Should 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

(Chair's Ruling)

October 4, 2023

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

RE: Appointment 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 person to the Erie County Mental Hygiene Community Services Board for a term ending December 31, 2024.

Pastor George Nicholas
34 Roman Lane
Amherst, NY 14226

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

Sincerely,
Mark C. Poloncarz
County Executive

(Chair's Ruling)

2. COMM. 19E-6 (2023)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Social Services is requesting authorization to extend a lease at 460 Main Street with 4858 Group, LP for the purpose of housing Social Services programs at this site; and

WHEREAS, the lease extension for the period November 1, 2023, through October 31, 2028, is for space totaling 20,520 square feet at an annual base rental amount of \$15.70 per square foot for an annual base rental amount of \$322,164 for Years 1 through 5; and

WHEREAS, the current lease period ends on October 31, 2023, and this lease is needed to maintain Department of Social Services administered programs at this location; and

WHEREAS, the Department of Social Services has leased space at 460 Main Street since 2018, and the facility currently houses its HEAP Division; and

WHEREAS, the County included funds for this lease in the 2024 Proposed Budget; therefore, there will be no fiscal impact to the County in 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to extend the existing lease at 460 Main Street with 4858 Group, LP at the rental amount of \$26,847 per month, \$322,164 annually, for Years 1 through 5 under the rental terms herein presented for the purpose of housing Social Services programs at this site; and be it further

RESOLVED, that authorization is hereby given to waive Section 26.08 as being impractical as the cost of moving is prohibitive due to the extensive cabling and systems installations in place at the current location; and be it further

RESOLVED, that sufficient funds to cover the cost of this lease extension already exist within the Department of Social Services (Fund 110, Fund Center 1202020) 2024 General Fund Budget in account 545000 – Rental Charges; 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 Social Services, and Division of Budget and Management.
(5-0)

3. COMM. 19E-7 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has been awarded an amount of \$283,622 in 100% federal share Temporary Assistance to Needy Families (TANF) funds to enhance non-residential services to victims of domestic violence; and

WHEREAS, the additional Federal TANF funding is awarded to provide enhanced or expanded core non-residential DV services provided by OCFS approved non-residential DV programs; and

WHEREAS, the provisions of the award specifically prohibit the sup-plantation of existing funding agreements and also prohibit the use of funds for County government operations; and

WHEREAS, only new contractual services or expansion of existing contractual services are eligible for this funding, and the vendors used must be among those named in the Department’s Consolidated Services Plan (CSP) approved by the State.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$283,622 in additional Federal Aid Funding for TANF into the Department of Social Services 2023

Operating Budget and amend an interdepartmental agreement between the District Attorney’s Office and Department of Social Services for non-residential services to victims of domestic violence as follows:

Department of Social Services
Fund 110, Funds Center 1209010

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
414000	Federal Aid Revenue	<u>\$283,622</u>
	TOTAL	<u>\$283,622</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516410	TANF Title XX	\$238,622
911400	ID District Attorney Services	<u>\$ 45,000</u>
	TOTAL	<u>\$283,622</u>

District Attorney’s Office
Fund 110, Funds Center 114

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
911400	ID District Attorney Services	<u>(\$45,000)</u>
	TOTAL	<u>(\$45,000)</u>

and be it further

RESOLVED, that authorization is hereby given for the County Executive to enter into or amend contracts with the following State-approved OCFS providers, waiving Section 26.08, in an amount not to exceed \$238,622:

516410	Suicide Prevention and Crisis Services	\$121,162.31
516410	Child and Family Services	68,959.69
516410	Family Justice Center	40,000.00
516410	Hispanics United of Buffalo	<u>8,500.00</u>
	Total	\$238,622.00

and be it further

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

RESOLVED, that certified copies of this resolution be furnished to the Erie County Executive's Office, Comptroller's Office, District Attorney's Office, Department of Social Services, and Division of Budget and Management.
(5-0)

JOHN J. GILMOUR
CHAIR

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

INTRO. 20-1	JOHNSON	Re-Appropriation of Community/Neighborhood Development Funds
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Attachments

23INTRO. 20-1

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

Re: Re-Appropriation of Community/Neighborhood Development Funds

WHEREAS, Black Achievers, Inc. was awarded \$50,000 in 2021 Budget Balancing Designation Funds by the Erie County Legislature in Comm. 8E-1 (2022); and

WHEREAS, Beau Fleuve Music & Arts was awarded \$5,000 in 2022 public benefit funding by the Erie County Legislature in Intro.18-2 (2023); and

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

WHEREAS, as in similar 2020, 2021 and 2022 situations, it is the intention of this Honorable Body to transfer such funding to community organizations serving the public.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to transfer \$10,000 of 2021 Budget Balancing Designation Funds to Resource Council of WNY Inc; and be it further

RESOLVED, that authorization is provided to transfer \$10,000 of 2021 Budget Balancing Designation Funds to Buffalo Prenatal-Perinatal Network; and be it further

RESOLVED, that authorization is provided to transfer \$10,000 of 2021 Budget Balancing Designation Funds to Calvary Baptist Church; and be it further

RESOLVED, that authorization is provided to transfer \$10,000 of 2021 Budget Balancing Designation Funds to AIDS Network of WNY Inc; and be it further

RESOLVED, that authorization is provided to transfer \$10,000 of 2021 Budget Balancing Designation Funds to Helping Ensure Africa Looms International Inc; and be it further

RESOLVED, that authorization is provided to transfer \$5,000 of 2022 public benefit funding to Arts Services Initiative of Western New York, Inc.; and be it further

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

RESOLVED, that the Director of the Division of Budget and Management is authorized to make any adjustments necessary to effectuate the intent of this resolution or any other changes identified by the Office of the Erie County Comptroller; and be it further

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

INTRO. 20-2	MINORITY CAUCUS	Electing a Cents Per Gallon Rate of Sales and Compensating Use Taxes on Motor Fuel & Diesel Motor Fuel
-------------	-----------------	--

Attachments

23INTRO. 20-2

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MILLS, GREENE, TODARO and MALCZEWSKI

Re: Electing a Cents Per Gallon Rate of Sales and Compensating Use Taxes on Motor Fuel and Diesel Motor Fuel

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 16E-20	From the Energy & Environment Committee	From the County Executive - ECSD No. 3 - Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion
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Attachments

23COMM. 16E-20



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG SEP 1 '23 PM 3:44

September 1, 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 Phase 1 Expansion
Bid Opening – Contract No. 74C**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 3 Contract No. 74C Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion Project.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mp

cc: J. Fiegl – Division of Sewerage Management

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

*****Amendment to
COMM. 16E-20

Attachments

Amendment to COMM. 16E-20

October 23, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, NY 14202

**RE: Amendment: Legislative Comm. 16E-20 (2023)
Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion
Bid Opening - Contract No. 74C**

Dear Honorable Members:

Plans and specifications, known as the Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion Project, Contract No. 74C, were prepared and construction bids were received on Thursday, October 12, 2023 by the Erie County Division of Sewerage Management. The lowest responsible bidder and bid amount for this Contract is as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 74C	Kandey Company, Inc. 19 Ransier Drive West Seneca, NY 14224	\$ 54,961,454.00

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mp
Enclosure

Cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Amendment: Legislative Comm. 16E-20 (2023)
Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion
Bid Opening - Contract No. 74C
Date: October 23, 2023

SUMMARY

Award of Contract No. 74C for the Southtowns Advanced Wastewater Treatment Facility (AWTF) Phase 1 Expansion Project is requested as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 74C	Kandey Company, Inc. 19 Ransier Drive West Seneca, NY 14224	\$ 54,961,454.00

The necessary bid tabulations, Engineer's estimate, and Engineer's recommendation are enclosed.

Additionally, authorization for Arcadis of New York, Inc. (Arcadis) to provide additional engineering services related to this project is requested.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's General Fund. The funds will be from Capital Account No. C.21150 (American Rescue Plan funds), a residual equity transfer processed from Erie County Sewer District (ECSD) No. 3 Capital Reserve Account No. C.00007, and ECSD No. 3 Capital Bond Account No. 23301.

Included in this bid is the assignment of ECSD No. 3 Contract No. 74P-R, the Southtowns Advanced Wastewater Treatment Facility Electrical Substation and Plant-Wide Generator Equipment Procurement for Phase 1 Expansion with O'Connell Electric. This assignment to Contract No. 74C includes \$6,027,231.00 of funding previously encumbered to Contract No. 74P-R pursuant to Legislative Comm. 7E-23 (2023).

REASONS FOR RECOMMENDATION

The intent of the proposed project is to complete the first phase of plant expansion activities required to satisfy regulatory requirements by the New York State Department of Environmental Conservation (NYSDEC), replace aging infrastructure, and increase capacity to service ECSD No. 3 for future decades. This phase is primarily related to the portions of the facility downstream of the secondary/tertiary treatment processes, along with upgrades to the electrical

service and emergency power generation infrastructure. The Phase 1 facilities must be constructed to process additional flow when secondary treatment process capacities are increased in future phases. The new equipment involved in this phase and future phases will require more electrical and emergency generation capacity, that will also be installed in this phase.

BACKGROUND INFORMATION

ECSD No. 3 owns and operates the Southtowns AWTF. The existing facility went online in 1980 to service the Villages of Blasdell, Hamburg, and Orchard Park, as well as portions of the Towns of Boston, Eden, Hamburg, and Orchard Park. Planning documents from the 1970s for the Southtowns AWTF had always contemplated expansion of the facility to protect public health, protect water quality, and support the needs of the community in future decades. Additionally, NYSDEC regulatory requirements necessitate modification of the treatment process and plant hydraulics, and facilities that are now 43 years old require replacement.

This first phase of construction ensures that the electrical equipment and final effluent facilities (including disinfection) will be available to handle the increased treatment capacity when the other processes at the Southtowns AWTF are upgraded in future phases. Specifically, this phase includes the installation of the electrical equipment purchased under ECSD No. 3 Contract 74P-R to allow for construction of an electrical substation, changeout of the facility's electrical service, and improvements to the backup generation system. Regarding the effluent facilities, Phase 1 construction includes repair of outfall diffusers in Lake Erie, installation of a new effluent submersible pumping station (ESPS) and chlorine contact tank, upgrades to the site piping to manage future peak flows under all conditions, and various chemical feed system improvements.

As referenced previously, Phase 1 of the Southtowns AWTF Expansion Project includes assignment of Contract No. 74P-R awarded to O'Connell Electric (20 Lancaster Parkway, Lancaster, NY 14086) under Legislative Communication 7E-23 (2023). This assignment involves the transfer of work, cost, and all provisions for Contract No. 74P-R to Contract No. 74C. The funding for Contract No. 74P-R was through Account No. C.21150 (American Rescue Plan (ARP), \$5,718,996.00) and a residual equity transfer processed from ECSD No. 3 Capital Reserve Account No. C.00007 (\$308,235.00).

Due to the size and complexity of this project, a project labor agreement (PLA) was negotiated to allow a single prime contractor to manage and complete all work. Plans and specifications with the PLA were prepared by Arcadis for the purpose of receiving bids to complete the Southtowns AWTF Phase 1 Expansion Project, Contract No. 74C. Two (2) bids were received on Thursday, October 12, 2023. The lowest responsible bidder for Contract 74C was Kandey Company, Inc. with a bid of \$54,961,454.00 for the Base plus Alternate 2 bid items. Arcadis has reviewed each of the bids and has recommended approval.

Kandey Company, Inc. has successfully completed projects for the Division of Sewerage Management (DSM) in the past. The contractor has submitted a responsive bid that is below the Engineer's estimate of \$57,826,260.00. Therefore, it is recommended the County Legislature proceed with award.

Finally, with Phase 1 construction now proceeding, additional funding is required for Arcadis to provide engineering services associated with the project. The major component of this work is general administration during construction related to the electrical substation and plant-wide generator, including review of submittals, a protective device coordination study, an updated arc flash study, witness testing, coordination with the National Grid, and more. Additionally, there were engineering tasks that Arcadis completed in good faith during the design phase in the interest of expediency and efficiency that the DSM has determined were outside of the original scope of services. Finally, there is a credit for engineering services that will no longer be required due to the implementation of a PLA. All told, an additional \$483,000.00 is estimated for these efforts. As was noted in Legislative Comm. 15E-8 (2021), should the DSM pursue additional scope as was contemplated in the request for proposals for the engineering services related to the Southtowns AWTF Expansion Project, a request would be made to your Honorable Body.

CONSEQUENCES OF NEGATIVE ACTION

ECSD No. 3 must proceed with the Southtowns AWTF Expansion Project. Maintaining the status quo could result in repercussions from the NYSDEC that could include legal action. Without replacement of aging equipment and facilities, there would be an increased risk for failures that could adversely impact the ability of the Southtowns AWTF to protect public health, protect water quality, and support the needs of the community.


STEPS TO FOLLOW APPROVAL

The lowest responsible bidder will be issued a Notice of Award and the Department will initiate the process of executing the contract documents. A Notice to Proceed will be provided to the Contractor upon receipt of all necessary documents and execution of the contract.

The Department will also process needed paperwork to fund the additional engineering services to be completed by Arcadis through Amendment No. 2.

COMPTROLLER'S OFFICE REVIEW

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

Signed  Date 10/23/23
Title Timothy C. Callan, PhD
Deputy Comptroller

**Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion Project
Bid Opening – Contract No. 74C
Capital Account No. C.21150 (partially previously encumbered), Capital Reserve Account
C.00007 (partially previously encumbered), and Capital Bond Account C.23301.**

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Amendment: Legislative Comm. 16E-20 (2023)
Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion
Bid Opening - Contract No. 74C

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 74C, Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion Project, at 2:00 p.m. on October 12, 2023:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 74C	Kandey Company, Inc. 19 Ransier Drive West Seneca, NY 14224	\$ 54,961,454.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed projects for the Division of Sewerage Management in the past; and

WHEREAS, additional funding is required for engineering services associated with this project; and

WHEREAS, the Division of Sewerage Management has determined the Southtowns Advanced Wastewater Treatment Facility Expansion Project is a Type 1 action in accordance with 6NYCRR Section 617.5(c) and this Honorable Body has issued a negative declaration for State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT,

RESOLVED, that the Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion Project, Erie County Sewer District No. 3, Contract No. 74C be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 74C	Kandey Company, Inc. 19 Ransier Drive West Seneca, NY 14224	\$ 54,961,454.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute Contracts with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Erie County Division of Sewerage Management is authorized to execute Amendment No. 2 with Arcadis of New York, Inc. (50 Fountain Plaza – Suite 600, Buffalo, New York, 14202) in an amount not to exceed \$483,000.00 for professional services related to additional engineering associated with this project; and be it further

RESOLVED, that \$6,027,231.00 previously encumbered in Erie County Sewer District No. 3 Capital Bond Account C.23350 to fund Contract No. 74P-R pursuant to Legislative Comm. 7E-23 (2023) will now be paid through Contract No. 74C; and be it further

RESOLVED, that authorization previously provided for ECSD No. 3, Contract No. 74P-R pursuant to Legislative Comm. 7E-23 (2023), including \$5,718,996.00 from Capital Account No. C.21150 (American Rescue Plan funds) and a residual equity transfer of up to \$308,235.00 from ECSD No. 3 Capital Reserve Account C.00007, to Erie County Sewer District No. 3 Capital Bond Account C.23350, Fund 430, Funds Center 183, is hereby cancelled; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to allocate up to \$12,000,000.00 in Capital Account No. C.21150 (American Rescue Plan funds) Fund 430, Funds Center 180 to partially fund Contract No. 74C; and be it further

RESOLVED, that authorization is hereby provided for the partial closing of up to \$791,235.00 in ECSD No. 3 Capital Reserve Account C.00007, Fund 430, Funds Center 183; and be it further

RESOLVED, that authorization is hereby provided to transfer \$308,235.00 from Capital Reserve Account C.00007, Fund 430, Funds Center 183 to Erie County Sewer District No. 3 Capital Bond Account C.23301, Fund 430, Funds Center 183 to partially fund Contract No. 74C; and be it further

RESOLVED, that authorization is hereby provided to transfer \$483,000.00 from Capital Reserve Account C.00007, Fund 430, Funds Center 183 to Erie County Sewer District No. 3 Capital Bond Account C.17301, Fund 430, Funds Center 183 to fund additional engineering services for Arcadis of New York, Inc.; and be it further

RESOLVED, that \$42,961,454.00 be allocated in Erie County Sewer District No. 3 Capital Bond Account C.23301 to fund Contract No. 74C; and be it further

RESOLVED, that \$483,000.00 be allocated in Erie County Sewer District No. 3 Capital Bond Account C.17301 to fund additional engineering services for Arcadis of New York, Inc.; and be it further

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

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

TO: COMPTRROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

<u>REQUESTING DEPARTMENT</u>	<u>COMPLETE ITEMS 1 THROUGH 5</u>
1. CONTRACTOR'S NAME	<u>Kandey Company Inc./ Arcadis of New York, Inc.</u>
2. AMOUNT OF CONTRACT	<u>\$54,961,454.00 Contract Amount – Kandey Company \$486,000.00 Engineering Services – Arcadis of New York \$55,447,454.00 Total Amount</u>
3. PROJECT NUMBER	<u>Capital Acct. C.21150, Capital Res. Acct C.00007 Capital Bond Acct. C.23301, Capital Acct. C.17301</u>
4. PROJECT TITLE	<u>ST Phase 1 Expansion Project 74C</u>
5. DEPARTMENT CONTACT	<u>Beth Pfalzer x6144</u>
<u>COMPTRROLLER'S OFFICE</u>	<u>COMPLETE ITEMS 6 AND 7</u>
6. AVAILABILITY OF FUNDS	<u>\$134,191,583.07</u>
7. PERFORMED BY	<u><i>Nury Kiran</i></u>
Date Sent to Comptroller's Office:	<u>October 20, 2023</u>

[55 compt_10]

TABULATION OF BIDS

OWNER: Erie County Department of Environment and Planning
Erie County, New York

Date Advertised: August 17, 2023
Date Opened: October 12, 2023
Date Tabulated: October 13, 2023
Arcadis Project No.: 30114371

Prepared By: JJW
Checked By:
Arcadis of New York, Inc.
50 Fountain Plaza, Suite 360
Buffalo, New York 14202

PROJECT: Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion
Contract 74C

SharePoint/Project 30086675/Project Documents/07-Bidding/04-Bid Evaluation and Recommendation/74C

General Contract

Bidders' Name & Contact Info.

				ENGINEER'S OPINION OF PROBABLE COST		Kanday Company, Inc. 19 Ransler Drive West Seneca, NY 14224 Phone: 716 675 7245		Mark Cerrone, Inc. 2368 Maryland Avenue Niagara Falls, NY 14305 Phone: 716 282 5244	
ITEM NUMBER	ITEM DESCRIPTION	ITEM QUANTITY	UNIT	UNIT PRICE	AMOUNT BID	UNIT PRICE	AMOUNT BID	UNIT PRICE	AMOUNT BID
74C.1	BASE BID ITEM General Work Bid Price	1	LS	\$48,305,102.00	\$48,305,102.00	\$45,776,433.00	\$45,776,433.00	\$49,958,550.00	\$49,958,550.00
74C.2	BASE BID ITEM Assigned Procurement Contract Price	1	LS	\$6,027,231.00	\$6,027,231.00	\$6,027,231.00	\$6,027,231.00	\$6,027,231.00	\$6,027,231.00
74C.3	BASE BID ITEM General Contingency Allowance	1	LS	\$750,000.00	\$750,000.00	\$750,000.00	\$750,000.00	\$750,000.00	\$750,000.00
74C.4	BASE BID ITEM Hazardous Materials Contingency Allowance	1	LS	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00
74C.5	BASE BID ITEM Utility, Fire Alarm, and Security Impr. Contingency Allowance	1	LS	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00
74C.6a	BASE BID ITEM Rock Removal	1,210	CY	\$266.00	\$321,860.00	\$175.00	\$211,750.00	\$37.00	\$44,770.00
74C.6b	Open-Cut Earth Excavation	4,040	CY	\$85.00	\$343,400.00	\$41.00	\$166,640.00	\$25.00	\$101,000.00
74C.6c	Outfall Diffuser A Repair	29	EA	\$30,000.00	\$870,000.00	\$26,500.00	\$768,500.00	\$27,000.00	\$783,000.00
74C.6d	Outfall Diffuser B Repair	6	LS	\$45,000.00	\$270,000.00	\$76,320.00	\$457,920.00	\$77,500.00	\$465,000.00
74C.6e	In-Situ Outfall Cleaning	308	CY	\$1,169.00	\$360,052.00	\$760.00	\$234,080.00	\$770.00	\$237,160.00
A74C.1	ALTERNATIVE BID ITEM Effluent Submersible Pump Discharge Ductile Iron Piping	1	LS	\$640,370.00	\$640,370.00	\$600,000.00	\$600,000.00	\$625,000.00	\$625,000.00
A74C.2a	ALTERNATIVE BID ITEM Additional Standard-Duty Bituminous Paving	225	SY	\$85.00	\$19,125.00	\$100.00	\$22,500.00	\$45.00	\$10,125.00
A74C.2b	Additional Heavy-Duty Bituminous Paving	225	SY	\$107.00	\$24,075.00	\$120.00	\$27,000.00	\$100.00	\$22,500.00
A74C.2c	Additional Cold Milling and New Surface Course Paving	100	SY	\$30.00	\$3,000.00	\$32.00	\$3,200.00	\$90.00	\$9,000.00
A74C.2d	Additional Concrete Curb	100	LF	\$45.00	\$4,500.00	\$100.00	\$10,000.00	\$98.00	\$9,800.00
A74C.2e	Additional Concrete Sidewalks	30	SY	\$150.00	\$4,500.00	\$190.00	\$5,700.00	\$300.00	\$9,000.00
A74C.2f	Additional Select Backfill	500	CY	\$110.00	\$55,000.00	\$47.00	\$23,500.00	\$55.00	\$27,500.00
A74C.2g	Additional Backfill with Native Soil	500	CY	\$31.00	\$15,500.00	\$17.00	\$8,500.00	\$25.00	\$12,500.00
A74C.2h	Additional 12" Dia. Storm Drain Piping	100	LF	\$146.00	\$14,600.00	\$188.00	\$18,800.00	\$133.00	\$13,300.00
A74C.2i	Additional Flowable Fill	50	CY	\$127.00	\$6,350.00	\$280.00	\$14,000.00	\$281.00	\$14,050.00
A74C.2j	Test Pits	10	EA	\$2,531.00	\$25,310.00	\$1,200.00	\$12,000.00	\$1,425.00	\$14,250.00
A74C.2k	Additional Concrete Repairs	100	SF	\$66.55	\$6,655.00	\$250.00	\$25,000.00	\$253.00	\$25,300.00
TOTAL OF BASE BID ITEMS					\$57,647,645.00		\$54,791,554.00		\$58,766,711.00
TOTAL OF BASE BID ITEMS PLUS ALTERNATIVE ITEM A74C.1					\$58,288,015.00		\$55,391,554.00		\$59,391,711.00
TOTAL OF BASE BID ITEMS PLUS ALTERNATIVE ITEM A74C.2					\$57,826,260.00		\$54,961,454.00		\$58,934,036.00
TOTAL OF BASE BID ITEMS PLUS ALTERNATIVE ITEMS A74C.1 & A74C.2					\$58,466,630.00		\$55,561,454.00		\$59,559,036.00
BID BOND AMOUNT						Five Percent of Total Amount Bid		Five Percent of the Amount of Attached Bid	
SURETY COMPANY						Western Surety Company		Hanover Insurance Company	

October 13, 2023

David Millar, PE
Assistant Deputy Commissioner
Erie County Department of Environment and Planning
Division of Sewerage Management
95 Franklin Street, Room 1034
Buffalo, New York 14202

Arcadis of New York, Inc.
50 Fountain Plaza
Suite 360
Buffalo
New York 14202
Phone: 716 667 0900
www.arcadis.com

Subject: Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion
Erie County Sewer District No. 3 General Contract 74C
Recommendation Regarding Award of General Contract

Dear Mr. Millar:

Bids for the above-referenced Project were received by the Erie County Department of Environment and Planning (ECDEP) Division of Sewerage Management (DSM) and opened on October 12, 2023 at 2:00 p.m. ET at the offices of ECDEP DSM. This letter presents our recommendations relative to award of the Project's General Contract. Overall, it appears that the Bids received are similar to the Engineer's opinion of probable cost and thus are consistent with ECDEP's budgeting expectations.

Bids were received from the following:

- Kandey Company, Inc.
- Mark Cerrone, Inc.

Enclosed are a tabulation of the Bids received and a one-page tabulation titled "Bid Evaluation Checklist for Bids Received on October 12, 2023"; the latter summarizes irregularities in the Bids received. The Bids are valid for a period of 45 days from date of the Bid opening (i.e., through November 26, 2023).

Publicity of Project

In addition to ECDEP's Invitation to Bid published in the *Buffalo News* and posted on the ECDEP DSM website (<https://www3.erie.gov/dsm/projects-for-bid>) on August 17, 2023, Arcadis of New York, Inc. (Arcadis) made significant efforts to engage prospective Bidders regarding this Project. On May 8, 2023 and May 10, 2023, Arcadis e-mailed numerous contractors that have previously bid and/or participated on previous ECDEP and Arcadis projects for similar work to invite them to an "open house" held at the AWTF on May 31, 2023 to help "get the word out" about the Project. On August 4, 2023, Arcadis e-mailed numerous contractors to provide information regarding the advertisement, pre-bid conference, and bid opening dates. In addition, Arcadis provided copies of the Bidding Documents and other information to the Builders Exchange of the Southern Tier (with an online "plan room" accessible to all contractors in all of upstate New York), Construction Exchange of Buffalo & Western New York, and to construction data subscription services, including ConstructConnect (a merger between Bid Clerk, CMD Group, and "iSqFt") and Dodge Data & Analytics (the former McGraw-Hill's F.W. Dodge Reports.) This correspondence was included as an attachment to our e-mail to you on October 12, 2023.

Comparison with Budget

The Project was bid with two alternative bid items that could be awarded at ECDEP's discretion if funds are available:

- Alternative Bid Item A74C.1 for providing ductile iron piping in lieu of carbon steel piping for the effluent submersible pump discharge piping
- Alternative Bid Item A74C.2 for various additional Work unit price items (i.e., sub-bid items A74C.2a through A74C.2k) for additional paving, curbing, sidewalks, backfilling, storm drain piping, flowable fill, test pits, and concrete repairs.

The Engineer's opinion of probable cost, including the alternative bid items, was \$58,466,630. The price bid by the apparent low responsive and responsible Bidder, including the alternative bid items, is \$55,561,454.

Following discussions between ECDEP staff, it was decided not to award alternative bid item A74C.1 and to award alternative bid item A74C.2. Since the total price bid by the apparent low Bidder is less than the Engineer's opinion of probable cost and because sufficient funds appear to be available, we recommend that ECDEP award the General Contract based on the base bid plus alternative bid item A74C.2 for a total of \$54,961,454.00.

General Contract 74C

Bid Items: The General Contract includes a base bid, plus two alternative bid items, as described above. Alternative bid items are a commonly-used approach in the industry for an Owner to obtain pricing for certain elements of the work that the Owner will determine whether to award after pricing is received. For reasons discussed above, we recommend that only alternative bid item A74C.2 be awarded.

Bid Evaluation and Responsiveness: Based on evaluation of the bids, the apparent low Bid was submitted by Kandey Company, Inc. (Kandey) of West Seneca, New York. We have evaluated Kandey's Bid and determined it to be mathematically correct. With the exception of a minor irregularity as indicated in the enclosed Bid Evaluation Checklist, Kandey's Bid appears to comply with the requirements of the Bidding Documents.

Bidder Responsibility: Kandey is a reputable general contractor who has been performing construction in the western New York area for approximately 40 years. ECDEP is experienced with Kandey through several prior projects. Following the bid opening, Arcadis contacted Kandey, who indicated that they are comfortable with their Bid Price and are anxious to proceed.

Recommendations

We recommend the following:

1. As presented above, we recommend that the General Contract be awarded for the base bid plus alternative bid item A74C.2.
2. Because Kandey submitted the lowest-priced, responsive, and responsible Bid for the General Contract, subject to review by ECDEP, we recommend awarding the General Contract to Kandey Company, Inc., 19 Ransier Drive, West Seneca, New York 14224, as the Successful Bidder, in the total amount of \$54,961,454.00.
3. The Contract award should be contingent upon the Successful Bidder furnishing acceptably-executed Contract Documents, acceptable performance and payment bonds, evidence of insurance, "Erie County Minority/Women

Mr. David Millar, PE
Erie County Department of Environment and Planning
October 13, 2023

Business Enterprise & Service-Disabled Veteran-Owned Business Utilization Report-Part A" form, and related "Waiver" form (if necessary).

4. Enclosed is a completed Notice of Award form for the General Contract for your use; if approved by ECDEP, the Notice of Award should be signed by an authorized ECDEP official and transmitted to the Successful Bidder (with an electronic copy to Arcadis), together with four copies of the proposed Contract Documents for signature by the Successful Bidder. The number of originals is intended for distribution of one fully-executed original to each of the following: Owner/Buyer (ECDEP), successful Bidder (Kandey), Seller (O'Connell Electric Company, Inc.), and Engineer (Arcadis).
5. Upon ECDEP's receipt of acceptable performance bond, payment bond, evidence of insurance, and signed originals of the Contract Documents from the Successful Bidder, ECDEP should execute the Contract Documents and Notice to Proceed. After subsequently executing the Contract Documents and Notice to Proceed, ECDEP should distribute the executed original Contract Documents and Notice to Proceed to each of the following: Owner/Buyer (ECDEP), Contractor (Kandey), Seller (O'Connell), and Engineer (Arcadis).

Should you have questions or comments, please contact me at 716 667 6603.

Sincerely,
Arcadis of New York, Inc.



Jason J. Williams, PE
Deputy Project Manager
Professional Engineer licensed in NY, PA, & OH

Email: Jason.Williams@arcadis.com
Direct Line: 716 667 6603

CC. Joe Fiegl, PE – ECDEP
Matt Salah, PE – ECDEP
Garry Pecak, PE – ECDEP
Mary Plesh, PE – ECDEP
John Amend, PE – Arcadis
Jerry Kleyman, PE – Arcadis
Patricia O'Loughlin, PE – Arcadis
Josh Tingué, PE – Arcadis

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-1	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Buffalo Inner City Ballet
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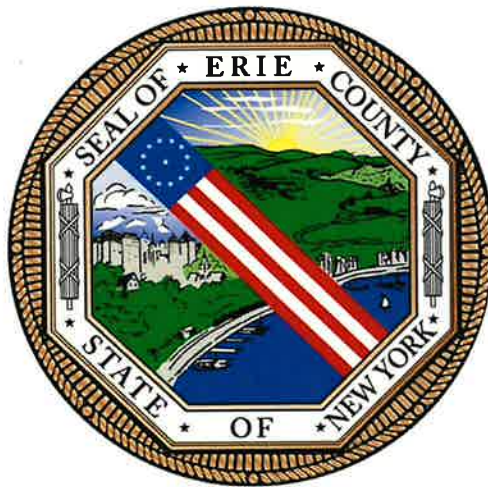
Attachments

23COMM. 20E-1

October 2023

EC LEG OCT 18 '23 PM 12:41

**Erie County Cultural Funding Grant
Monitoring Program
Buffalo Inner City Ballet
January 1, 2020 through December 31, 2022**



**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER**

**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**



October 18, 2023

Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Dear Honorable Members:

In 2023, the Erie County Comptroller's Office, Division of Audit & Control initiated a regular Monitoring Program of Erie County Cultural Funding Grants. The Erie County Cultural Funding program provides annual grants to non-profit arts and cultural organizations operating within the County. County funds are intended to be limited in their use to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies, and equipment. Grant funds may not be used for or applied towards capital projects or physical improvements of buildings or facilities, nor as a revenue offset against accounts receivable. No funds received shall be used for any services provided or activities performed outside Erie County. The County's Department of Environment and Planning executes contracts with organizations and is the primary agency charged with monitoring.

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The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

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Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of \$5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving \$5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2023.

2023 Program

During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

Monitoring Program – Phase I

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51725	Enlightenment Literary Arts Center & Dog Ears Bookstore	152183	\$ 28,600.00	\$ 36,600.00	\$ 35,000.00	\$ 35,000.00
518004	African American Cultural Center	112604	\$ 215,490.00	\$ 311,950.00	\$ 200,000.00	\$ 200,000.00
518012	Alleway Theatre	109340	\$ 8,500.00	\$ 8,500.00	\$ 11,000.00	\$ 11,000.00
518016	American Legion Band of	100379	\$ 7,500.00	\$ 7,500.00	\$ 45,000.00	\$ 45,000.00
518017	Amherst Symphony Orchestra	100475	\$ 32,500.00	\$ 24,750.00	\$ 28,750.00	\$ 28,750.00
518019	Arts Services Initiative of WNY Int	147159	\$ 20,000.00	\$ 26,000.00	\$ 30,000.00	\$ 30,000.00
518028	Ballet Artists Of WNY (Neglia)	100794	\$ 24,000.00	\$ 24,000.00	\$ 30,000.00	\$ 30,000.00
	Buffalo Arts Studio (Arts Studio of Western New York, Inc)	101244	\$ 38,000.00	\$ 45,500.00	\$ 53,000.00	\$ 53,000.00
518040	Buffalo Inner City Ballet Co. Inc	108997	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00
518050	Buffalo Music Hall of Fame	113142	\$ 4,500.00	\$ -	\$ 5,500.00	\$ 5,500.00
518051	Buffalo Heritage Carousel	157829	\$ 30,000.00	\$ 30,000.00	\$ 35,000.00	\$ 35,000.00
518074	Colored Musicans Club	130377	\$ 5,000.00	\$ -	\$ 12,500.00	\$ 12,500.00
518084	El Museo Gallery	109834	\$ 12,585.00	\$ 8,585.00	\$ 11,000.00	\$ 11,000.00
518104	Graycliff Conservancy	103197	\$ 59,200.00	\$ 59,200.00	\$ 60,000.00	\$ 60,000.00
518113	Hull House Foundation	134473	\$ 15,875.00	\$ 5,375.00	\$ 7,500.00	\$ 7,500.00
	Jewish Community Center Cultural (Jewish Ctr of Greater Buff)	111239	\$ 13,500.00	\$ 8,750.00	\$ 13,500.00	\$ 13,500.00
518120	Just Buffalo Literary Center	108577	\$ 78,100.00	\$ 78,100.00	\$ 83,500.00	\$ 83,500.00
518132	Louise St Neighborhood Art Classes	109985	\$ 29,250.00	\$ 25,250.00	\$ 28,500.00	\$ 28,500.00
518136	Marcus House Restoration	104863	\$ 175,500.00	\$ 175,500.00	\$ 190,000.00	\$ 190,000.00
518139	Music is Art	139615	\$ 48,000.00	\$ 48,000.00	\$ 39,000.00	\$ 39,000.00
518140	Polish Arts Club Of Buffalo Inc	106132	\$ 7,000.00	\$ 7,000.00	\$ 3,500.00	\$ 3,500.00
518147	Preservation Buffalo Niagara	147599	\$ 4,615.00	\$ 4,615.00	\$ 6,000.00	\$ 6,000.00
518160	Spragueville Center For The Arts	113324	\$ 30,505.00	\$ 20,505.00	\$ 36,000.00	\$ 36,000.00
518164	Sequelax Wheel	101268	\$ 20,920.00	\$ 20,920.00	\$ 27,000.00	\$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	106552	\$ 32,320.00	\$ 32,320.00	\$ 37,000.00	\$ 37,000.00
518176	Ujima Company	101047	\$ 83,000.00	\$ 83,000.00	\$ 57,714.00	\$ 57,714.00
518180	Western New York Artists Group	108179	\$ 8,275.00	\$ 8,275.00	\$ 7,500.00	\$ 7,500.00
518211	WNY Book Arts Collaborative, Inc	133599	\$ 4,640.00	\$ 4,640.00	\$ 6,000.00	\$ 6,000.00
518184	Young Audiences Of WNY	109818	\$ 10,500.00	\$ 10,500.00	\$ 14,000.00	\$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	\$ 18,500.00	\$ 18,500.00	\$ 24,500.00	\$ 24,500.00
518200	Michigan Str African Amer Heritage	152578	\$ 15,000.00	\$ 15,000.00	\$ 32,500.00	\$ 32,500.00
518201	General Pulaski Association	103060	\$ 10,000.00	\$ 11,000.00	\$ 12,500.00	\$ 12,500.00
518204	Brignton Place, Inc	150194	\$ 10,000.00	\$ 16,000.00	\$ 20,000.00	\$ 20,000.00
518212	Hispanic Heritage Council of WNY (Black Rock Historical Society (Black Rock-Riverside Alliance)	159305	\$ 12,000.00	\$ 20,000.00	\$ 24,500.00	\$ 24,500.00
518216	Rock-Riverside Alliance	170169	\$ 22,500.00	\$ 7,500.00	\$ 10,000.00	\$ 10,000.00
518233	Centro Culturale Italiano di Buffalo	167500	\$ 25,000.00	\$ 20,000.00	\$ 15,000.00	\$ 15,000.00
518549	South Buffalo Irish Fest/Can You Dig	113041	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
518596	Net Positive D&A The Foundry	188005	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00

Monitoring Program – Phase II

ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2021	TAX YEAR 2022	TAX YEAR 2023	TAX YEAR 2024
517531	Buffalo Olmsted Parks Conservancy	140337	\$ 25,910.00	\$ 25,910.00	\$ 35,000.00	\$ 35,000.00
518008	Albion Knos Art Gallery	147228	\$ 575,000.00	\$ 575,000.00	\$ 875,000.00	\$ 875,000.00
518009	Albion Knos Public Art Curator	147228	\$ 68,250.00	\$ 68,250.00	\$ 84,250.00	\$ 84,250.00
518025	Aspenbury House 320, Inc	167745	\$ 1,000.00	\$ 1,000.00	\$ 6,500.00	\$ 6,500.00
518034	Buffalo & Erie County Botanical Garden	102413	\$ 102,000.00	\$ 125,000.00	\$ 150,000.00	\$ 150,000.00
518036	Buffalo & Erie Co Historical Society (Buffalo & Erie County Naval & Seivcemans	108772	\$ 417,000.00	\$ 667,000.00	\$ 417,000.00	\$ 417,000.00
518052	Fun	109315	\$ 35,000.00	\$ 35,000.00	\$ 30,000.00	\$ 30,000.00
518060	Buffalo Philharmonic Chorus Society	102632	\$ 976,000.00	\$ 826,000.00	\$ 740,000.00	\$ 740,000.00
518061	Buffalo Philharmonic Chorus	109794	\$ 34,500.00	\$ 34,500.00	\$ 35,000.00	\$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	\$ 958,000.00	\$ 955,000.00	\$ 955,000.00	\$ 955,000.00
518066	Buffalo String Works, Inc	167853	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00
518068	Bufffield Primary Art Center	101004	\$ 155,000.00	\$ 155,000.00	\$ 180,000.00	\$ 180,000.00
518072	Center for Experiences and Percepts	109934	\$ 15,000.00	\$ 15,000.00	\$ 18,000.00	\$ 18,000.00
518082	Danceability	156639	\$ 2,500.00	\$ 5,500.00	\$ 3,000.00	\$ 3,000.00
518096	Explore & More Children's Museum	102758	\$ 42,000.00	\$ 42,000.00	\$ 78,000.00	\$ 78,000.00
518106	Healthways Contemporary Arts Center	108998	\$ 37,000.00	\$ 37,000.00	\$ 60,000.00	\$ 60,000.00
518117	Imaging Visual Society/Press One	102181	\$ 88,114.00	\$ 88,114.00	\$ 95,314.00	\$ 95,314.00
518116	Irish Classical Theatre Company	103327	\$ 83,500.00	\$ 83,500.00	\$ 93,500.00	\$ 93,500.00
518124	O'Connell College Kavinsky Theater	09941	\$ 11,710.00	\$ -	\$ 5,000.00	\$ 5,000.00
518128	Lanaster Opera House	111681	\$ 45,300.00	\$ 30,300.00	\$ 35,000.00	\$ 35,000.00
518140	Musicalfire Theatre	105369	\$ 41,531.00	\$ 41,531.00	\$ 66,000.00	\$ 66,000.00
518141	New Phoenix Theatre	109342	\$ 7,500.00	\$ 7,500.00	\$ -	\$ -
518146	Rock Less Travelled Productions	121043	\$ 63,500.00	\$ 65,500.00	\$ 67,000.00	\$ 67,000.00
518152	Raycraft Campus Corporation	118213	\$ 50,000.00	\$ 40,000.00	\$ 30,000.00	\$ 30,000.00
518156	Shakespeare In The Park	109675	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
518168	Theatre Of Youth	109180	\$ 69,400.00	\$ 69,400.00	\$ 74,000.00	\$ 74,000.00
518175	Toin Space Theatre	154673	\$ 20,400.00	\$ 15,400.00	\$ 20,500.00	\$ 20,500.00
518188	Orchestra Society Of Buffalo	108613	\$ 1,500,000.00	\$ 1,300,000.00	\$ 1,700,000.00	\$ 1,700,000.00
518195	Orchard Park Symphony Orchestra	147747	\$ 4,615.00	\$ 4,615.00	\$ 8,000.00	\$ 8,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	\$ 2,300.00	\$ 2,300.00	\$ 18,000.00	\$ 18,000.00
518209	Buffalo-Toronto Public Media WNYO/WFTD	127091	\$ 1,750.00	\$ -	\$ 3,000.00	\$ 3,000.00
518209	Cheektowaga Comm Symphony Orchestra	109177	\$ -	\$ 7,500.00	\$ -	\$ -
518209	Westwood Historical Society	105518	\$ 5,500.00	\$ 5,500.00	\$ 5,000.00	\$ 5,000.00
518213	O'Connell & Company Productions (Amherst Main Gree Club dda Rep Bkater	159162	\$ 23,100.00	\$ 23,100.00	\$ 31,500.00	\$ 31,500.00
518218	Men's Chorus	152045	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00	\$ 6,000.00
518221	Buffalo Center for Arts and Technology	152207	\$ 3,000.00	\$ 3,000.00	\$ 7,000.00	\$ 7,000.00
518224	Cheektowaga Historical Association	163211	\$ 3,250.00	\$ 6,250.00	\$ 4,000.00	\$ 4,000.00
518229	Second Generation Theatre Company	165095	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00	\$ 5,000.00
518230	Great Plains Museum of Western New York	157742	\$ 2,020.00	\$ 2,020.00	\$ 4,000.00	\$ 4,000.00
518205	Alden Christian Theater Society	114358	\$ 10,000.00	\$ -	\$ 3,000.00	\$ 3,000.00
518514	Clarence Concert Association	103111	\$ 3,500.00	\$ -	\$ 5,000.00	\$ 5,000.00
518515	Clarence Museum Historical Soc. of the (Clarence Museum Historical Soc. of the	113067	\$ 5,500.00	\$ -	\$ 6,000.00	\$ 6,000.00

BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

Alcohol

Several organizations used or appeared to use CGF funds to obtain alcohol. While the Division of Audit does not recommend that CGF awards be made contingent on the absence of alcohol from events hosted by the organization, alcohol should not be purchased with CGF funds. The Division of Audit found dozens of alcohol purchases that appeared to be personal in nature and several more which likely violated NYS Alcoholic Beverage Control Laws. Furthermore, the NYS Comptroller has long held that alcohol is not a "lawful county charge", meaning that government officials and employees may not use taxpayer funds to purchase alcohol. The Division of Audit sees no reason that organizations receiving taxpayer funds should be treated differently.

Debit Cards

The Division of Audit found a large quantity of small-dollar expenses made with debit cards which appeared personal in nature. If a debit card is used, the money is gone by the time statements are typically reviewed, while a credit card bill often needs to be approved and paid by the organization's board of directors. Thus, the use of credit cards, particularly with smaller organizations, can provide a critical layer of expense control.

Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications. Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

In addition, if an organization receives a capital improvement grant and operating fund grant those funds should be maintained in segregated accounts and accounted for separately as operating fund grants **cannot** be used for capital improvements.

BACKGROUND

Buffalo Inner City Ballet (BICB) was established in 1972. BICB is a pre-professional dance company whose mission is to provide professional-level dance instruction to community children, predominantly minority children residing in Buffalo's low-income neighborhoods. The organization teaches classical ballet and contemporary dance. BICB's Executive Director has led the organization for approximately 27 years.

Buffalo Inner City Ballet received \$27,000 in County Cultural Grant funding for each year being audited.

FINDINGS & RECOMMENDATIONS

The BICB used to operate within the Tri-Main building. Prior to the onset of the COVID-19 pandemic in early 2020, BICB moved to a new location – an old elementary school, located at 307 LeRoy Avenue.

BICB currently occupies two of three floors at its current location. The third floor is occupied by a different tenant. The school of dance is on the first floor, as well as a snack bar, game room and mini bar. The second floor has a series of different spaces, including a small café, exercise room, storage space, and small theater room. Parts of the second floor are still being renovated. The organization did not indicate that it had applied for an Erie County Capital Improvement Grant in order to facilitate the second floor renovations. The Auditor concluded that operating funds are used to perform those renovations. The organization applied for an Erie County Capital Improvement Grant in order to renovate a bathroom and plans to apply for future assistance in order to buy signage.

The Executive Director is currently the only employee and dance instructor. BICB is otherwise staffed by volunteers, primarily from the ranks of former students, or subcontractors retained to complete small projects. The Executive Director expressed an intent to hire a full-time dance instructor in order to allow more time for administrative tasks but says that he has been unable to find a qualified candidate.

BICB cancelled classes during the pandemic period. The Executive Director indicated that the organization did not hold remote classes because ballet is not an art form that can be effectively taught remotely. Moreover, BICB did not possess the necessary technology to hold such classes. The Executive Director indicated to the Auditor that the pandemic period was spent doing renovation work on the building.

The organization appears to receive most of its funding from public sources such as grants and awards. The Executive Director indicated that BICB holds fundraising events from time to time. These events are small-scale, and do not comprise a major portion of revenue for the organization. Based on a review of the organization's tax returns for the three previous years, non-public funding ranged from 8.4% to 13.6% of their total revenue. The Executive Director indicated that while BICB was at the Tri-Main building, fundraising efforts required greater expense, and generated less revenue.

Based on a review of BICB's financial documentation, the Auditor found that the Executive Director pays himself in the form of draws from the organization's bank account, at irregular intervals. The Auditor inquired as to the reason for this, and he indicated that it has been done this way since approximately 2001 as it saves the organization money on payroll taxes. The organization's Executive Director alleged that he inquired with his CPA and a County representative and was told that this is an allowable practice. Concerned about the

propriety of the practice, the Auditor advised the Executive Director to obtain further professional tax clarification on this.

AUDITOR'S COMMENTS

During the field visit, the Auditor was provided with copies of canceled checks as substantiation for expenses for the years 2020, 2021 and 2022. Most of the checks written from the organization's account were made out to the Executive Director or to "cash" as reimbursements for various purchases. The Auditor requested copies of invoices in order to verify the expenses being paid or reimbursed. As of the date of this report, the Auditor has not received copies of some of the invoices and is unable to verify that these payments made to cash are used to cover the operating expenses.

The Auditor identified payments for expenses which appeared to be personal in nature. Examples include payments for the director's personal credit cards, NYS toll payments and personal cell phone payments.

Despite retaining a CPA and having a board of directors, BICB does not appear to have any internal control procedures in place. Most critically, BICB lacks any oversight or process for approving expenses.

In order to raise funds, BICB engages in other activities, such as space rental for small receptions and parties. The Executive Director indicated that County funding is not used to conduct these activities. Because BICB does not segregate County grant awards from its other funds, the Auditor was unable to verify that the Executive Director's statements were accurate. The additional activities undertaken by BICB do not appear to be part of the organization's mission of providing classical ballet instruction.

cc: Daniel Castle, Commissioner of Environment and Planning
Robert Keating, Director of Budget and Management

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-2

COMPTROLLER

EC Cultural Funding Grant Monitoring
Program - Hull House Foundation

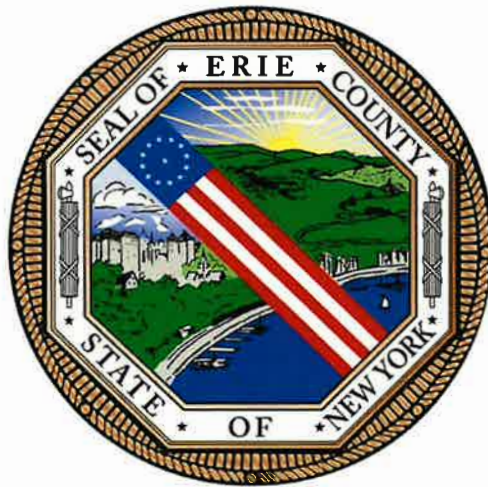
Attachments

23COMM. 20E-2

October 2023

EC LEG OCT 19 '23 PM 12:42

**Erie County Cultural Funding Grant
Monitoring Program
Hull House Foundation
January 1, 2020 through December 31, 2022**



**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER**

**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**



October 18, 2023

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518133	(Jewish Ctr of Greater Buff)	111239	\$ 13,500.00	\$ 8,750.00	\$ 13,500.00
518120	Just Buffalo Literary Center	106577	\$ 78,100.00	\$ 78,100.00	\$ 83,500.00
518132	Locus St. Neighborhood Art Classes	100985	\$ 29,250.00	\$ 25,250.00	\$ 28,500.00
518135	Martin House Restoration	104361	\$ 175,500.00	\$ 175,500.00	\$ 190,000.00
518139	Music is Art	139615	\$ 48,000.00	\$ 48,000.00	\$ 49,000.00
518144	Polish Arts Club Of Buffalo Inc	106132	\$ 7,000.00	\$ 7,000.00	\$ 3,800.00
518147	Preservation Buffalo Niagara	147509	\$ 4,615.00	\$ 4,615.00	\$ 6,000.00
518160	Springville Center For The Arts	111364	\$ 30,505.00	\$ 20,505.00	\$ 36,000.00
518164	Squeaky Wheel!	101268	\$ 20,300.00	\$ 20,300.00	\$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	106552	\$ 32,320.00	\$ 32,320.00	\$ 37,000.00
518176	Ujima Company	101047	\$ 83,000.00	\$ 83,000.00	\$ 57,714.00
518180	Western New York Artists Group	108255	\$ 6,275.00	\$ 6,275.00	\$ 7,500.00
518181	WNY Book Arts Collaborative, Inc.	135959	\$ 4,640.00	\$ 4,640.00	\$ 6,000.00
518184	Young Audiences Of WNY	105813	\$ 10,500.00	\$ 10,500.00	\$ 14,000.00
518194	Buffalo Niagara Heritage Village	151984	\$ 18,500.00	\$ 18,500.00	\$ 24,000.00
518200	Museum For African Amer Heritage	152571	\$ 15,000.00	\$ 15,000.00	\$ 32,500.00
518201	Generali Poleski Association	103060	\$ 10,000.00	\$ 11,000.00	\$ 12,500.00
518204	Bughouse Place, Inc	156194	\$ 10,000.00	\$ 16,000.00	\$ 20,000.00
518211	Hispanic Heritage Council of WNY	159305	\$ 12,000.00	\$ 20,000.00	\$ 24,500.00
	Black Rock Historical Society (Black				
518216	Rock-Riverside Alliance)	170369	\$ 22,500.00	\$ 7,500.00	\$ 10,000.00
518223	Centro Culturale Italiano di Buffalo	187500	\$ 25,000.00	\$ 20,000.00	\$ 15,000.00
518249	South Buffalo Irish Fest/Can You Dig	113041	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00
518266	Near Positive DBA The Foundry	168005	\$ 5,000.00	\$ -	\$ 3,000.00

Monitoring Program – Phase II

ACT#	APPROPRIATION	VENUE NUMBER	TAX YEAR 2020	TAX YEAR 2021	TAX YEAR 2022
517513	Buffalo Olmsted Parks Conservancy	140237	\$ 25,910.00	\$ 35,910.00	\$ 35,000.00
518008	Albright-Knox Art Gallery	108707	\$ 575,000.00	\$ 575,000.00	\$ 575,000.00
518009	Albright-Knox Public Art Curator	147228	\$ 68,250.00	\$ -	\$ 68,250.00
518025	Assembly House 150, Inc	167747	\$ 1,000.00	\$ 1,000.00	\$ 6,500.00
518024	Buffalo & Erie County Botanical Garden	108743	\$ 101,000.00	\$ 115,000.00	\$ 130,000.00
518026	Buffalo & Erie Co Historical Society	108772	\$ 417,000.00	\$ 667,000.00	\$ 417,000.00
	Buffalo & Erie County Naval & Servicemans				
518051	Park	109339	\$ 15,000.00	\$ 35,000.00	\$ 50,000.00
518060	Buffalo Philharmonic Orh Society	101014	\$ 926,000.00	\$ 926,000.00	\$ 940,000.00
518061	Buffalo Philharmonic Orhup	101796	\$ 34,500.00	\$ 34,500.00	\$ 35,000.00
518064	Buffalo Society Natural Sciences	100973	\$ 955,000.00	\$ 955,000.00	\$ 955,000.00
518065	Buffalo String Works, Inc	167851	\$ 3,500.00	\$ 3,500.00	\$ 3,555.00
518068	Blufffield Penny Art Center	101004	\$ 155,000.00	\$ 155,000.00	\$ 160,000.00
518072	Center for Exploratory and Perceptu	109934	\$ 35,000.00	\$ 35,000.00	\$ 43,000.00
518082	Danceability	156639	\$ 2,500.00	\$ 5,500.00	\$ 3,000.00
518096	Explore & More Children's Museum	102758	\$ 42,000.00	\$ 42,000.00	\$ 40,000.00
518108	Hellwells Contemporary Arts Center	108598	\$ 57,000.00	\$ 57,000.00	\$ 60,000.00
518112	Hamburg Nat Hist Society/Penn Drive	103232	\$ 98,314.00	\$ 98,314.00	\$ 98,314.00
518116	Hughes Theatre Company	103927	\$ 83,500.00	\$ 83,500.00	\$ 83,500.00
518124	O'Connell College Gaietycky Theater	109341	\$ 11,750.00	\$ -	\$ 9,500.00
518128	Lancaster Opera House	111681	\$ 45,300.00	\$ 30,300.00	\$ 35,000.00
518140	Musicalfare Theatre	103368	\$ 61,525.00	\$ 61,525.00	\$ 66,000.00
518141	New Phoenix Theatre	109342	\$ 7,500.00	\$ 7,500.00	\$ -
518142	Road Less Travelled Productions	121043	\$ 61,500.00	\$ 61,500.00	\$ 67,000.00
518152	Roycroft Campus Cooperation	118213	\$ 50,000.00	\$ 40,000.00	\$ 50,000.00
518156	Shakespeare In The Park	109675	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
518166	Theatre Of Youth	109886	\$ 69,400.00	\$ 69,400.00	\$ 76,000.00
518173	Tom Space Theatre	113671	\$ 20,400.00	\$ 15,400.00	\$ 29,500.00
518188	Zoological Society Of Buffalo	108623	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,700,000.00
518195	Olmsted Park Symphony Orchestra	147747	\$ 4,615.00	\$ -4,615.00	\$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	\$ 2,300.00	\$ 2,300.00	\$ 30,000.00
518203	Buffalo-Toronto Public Media WNEQ/WFOJ	172907	\$ 3,750.00	\$ -	\$ 5,000.00
518205	Chesterwaga Series Symphony Orchestra	109317	\$ -	\$ 7,500.00	\$ -
518209	Newstead Historical Society	105518	\$ 5,500.00	\$ 3,500.00	\$ 5,000.00
518213	O'Connell & Company Productions	159162	\$ 23,100.00	\$ 23,100.00	\$ 31,500.00
	Amherst Male Glee Club dba Red Blazer				
518216	Men's Chorus	162045	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00
518241	Buffalo Center for Arts and Technology	151207	\$ 5,000.00	\$ 3,000.00	\$ 7,500.00
518246	Chesterwaga Historical Association	161121	\$ 3,200.00	\$ 6,200.00	\$ 6,100.00
518279	Second Generation Theatre Company	164957	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00
518280	Steel Plant Museum of Western New York	107740	\$ 2,020.00	\$ 2,020.00	\$ 5,000.00
518283	Alden Christian Theatre Society	114358	\$ 10,000.00	\$ -	\$ 3,000.00
518314	Clarence Concert Association	101711	\$ 3,500.00	\$ -	\$ 5,000.00
518315	Clarence Museum (Historical Soc. of the	113067	\$ 5,500.00	\$ -	\$ 6,000.00

BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

Alcohol

Several organizations used or appeared to use CGF funds to obtain alcohol. While the Division of Audit does not recommend that CGF awards be made contingent on the absence of alcohol from events hosted by the organization, alcohol should not be purchased with CGF funds. The Division of Audit found dozens of alcohol purchases that appeared to be personal in nature and several more which likely violated NYS Alcoholic Beverage Control Laws. Furthermore, the NYS Comptroller has long held that alcohol is not a "lawful county charge", meaning that government officials and employees may not use taxpayer funds to purchase alcohol. The Division of Audit sees no reason that organizations receiving taxpayer funds should be treated differently.

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Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications. Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

In addition, if an organization receives a capital improvement grant and operating fund grant those funds should be maintained in segregated accounts and accounted for separately as operating fund grants **cannot** be used for capital improvements.

BACKGROUND

The Hull House Foundation (HHF) is a non-profit organization established in 2005 for the preservation and restoration of the 1810 Hull Family Home and Farmstead. The organization is registered as a 501(c)3 non-profit entity.

The Hull House is the oldest fully restored stone dwelling in Erie County, New York. Built c.1810 by Warren Hull for his wife, Polly, and their children. Warren and his father both served in the Revolutionary War. Soon after, Warren settled in Western New York. Hull played a role in the War of 1812 and the final development of the Erie Canal, drastically changing the economy across New York State.

The abolitionist movement and the Civil War engaged Hull family members in the middle of the 19th century. While Hull family members were part of these dramatic historic events, they also contributed to their communities in more ordinary ways as farmers, teachers, attorneys, printers, artists, business owners and church and government leaders. All these events and contributions are part of the Hull Family legacy, which are taught to visitors in a variety of events and programs at the site.

In 2020, HHF received \$15,375 in County Cultural Grant funding. In 2021, HHF received \$5,375 in CGF funding. In 2022, HHF received \$7,500 in CGF funding.

FINDINGS & RECOMMENDATIONS

HHF did not operate during the pandemic, although the organization continued to incur operating expenses. No virtual tours were provided. HHF continued to have board meetings, either remote or in smaller, socially distant capacity during that period. HHF's primary activities during that time primarily consisted of restoration projects.

HHF is registered with the New York State Department of Education as an educational organization. Its mission shifted from restoration to education. HHF conducts school tours in order to illustrate to students the farmstead living in the 1800s. The organization also hosts a multi-day history camp. HHF currently collaborates with the University at Buffalo's Archeological group.

Most of HHF's fundraising events cater to an adult audience. The organization's biggest fundraising event is a Summer Soire, which takes place outdoors in the form of a summer barbeque. HHF hosts an annual tea party and a formal heritage dinner, which takes places at the historic house. HHF tried to host bridal parties and showers, but the rustic nature of the facilities and the lack of parking posed challenges. Many of the region's Chambers of Commerce use HHF facilities to host networking events. The organization does not charge a fee to any of the Chambers of Commerce that use their facilities. HHF hosts these organizations in the hopes of gaining exposure and possible future funding.

AUDITOR'S COMMENTS

The HHF does not have employees. Everyone involved with the organization is a volunteer. Based on the information provided by the organization, the County Cultural Grant funding is used to cover general operating expenses. A review of the organization's bank statements along with other financial records provided substantiation for expenses related to the day-to-day operation of the organization.

The organization is currently working on the Threshing Barn Project, for which it received a separate capital grant. A review of the expense records and bank statements indicated that all expenses for these projects are commingled with operating expenses. HHF's treasurer was informed that the capital expenses for the Threshing Barn Project should be separate from the operating expenses, as each funding source has a different purpose.

HHF hosts an annual Broad meeting, typically in January or February. A review of HHF's records indicated that this event is normally hosted at a higher-end venue, such as the Buffalo Country Club, and the expense is not a fundraising event.

In 2022, HHF rented its facilities to a third party for the purpose of hosting a series of paranormal activity events. The Auditor inquired about the purpose of those events, as it does not appear to meet their stated missions of restoration or education. HHF's treasurer indicated that the purpose was to generate revenue, and that HHF did not participate in the events. However, the Auditor identified some HHF expenses related to these paranormal functions such as shirts and snacks. In addition, news coverage for the event indicated that information and ticket sale information was available on HHF's website. The Auditor advised the organization of the rules regarding earned income from unrelated activities for a non-profit organization. The organization's treasurer indicated that HHF is no longer involved in the paranormal related functions.

cc: Daniel Castle, Commissioner of Environment and Planning
Robert Keating, Director of Budget and Management

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-3

COMPTROLLER

EC Cultural Funding Grant Monitoring
Program - WNY Artist Group

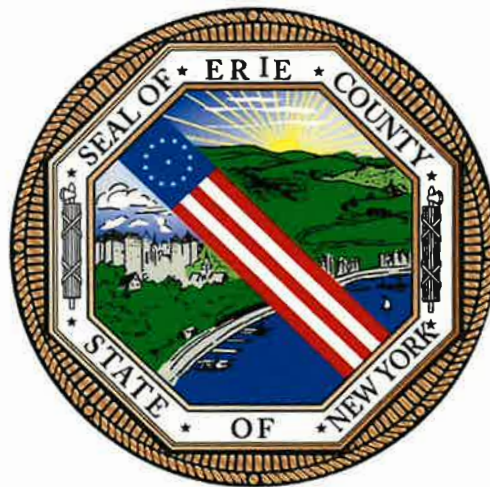
Attachments

23COMM. 20E-3

October 2023

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**Erie County Cultural Funding Grant
Monitoring Program
Western New York Artist Group
January 1, 2020 through December 31, 2022**



**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER**

**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**



October 18, 2023

Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Dear Honorable Members:

In 2023, the Erie County Comptroller's Office, Division of Audit & Control initiated a regular Monitoring Program of Erie County Cultural Funding Grants. The Erie County Cultural Funding program provides annual grants to non-profit arts and cultural organizations operating within the County. County funds are intended to be limited in their use to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies, and equipment. Grant funds may not be used for or applied towards capital projects or physical improvements of buildings or facilities, nor as a revenue offset against accounts receivable. No funds received shall be used for any services provided or activities performed outside Erie County. The County's Department of Environment and Planning executes contracts with organizations and is the primary agency charged with monitoring.

Objective

The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

Scope and Methodology

Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of \$5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving \$5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2023.

2023 Program

During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

Monitoring Program – Phase I

ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2000	TAX YEAR 2001	TAX YEAR 2002
517125	Enlightenment Literary Arts Center & Dog Ears Bookstore	152183	\$ 28,800.00	\$ 36,600.00	\$ 55,000.00
518004	African American Cultural Center	112604	\$ 275,650.00	\$ 311,950.00	\$ 200,000.00
518012	Atlewood Theatre	129340	\$ 8,500.00	\$ 8,500.00	\$ 11,000.00
518016	American Legion Band of	106979	\$ 7,500.00	\$ 7,500.00	\$ 49,000.00
518027	Amherst Symphony Orchestra	106475	\$ 32,500.00	\$ 26,750.00	\$ 22,740.00
518029	Arts Services Initiative of WNY Inc.	147379	\$ 34,050.00	\$ 26,050.00	\$ 30,000.00
518028	Ballet Artists Of WNY (Neglia)	100794	\$ 24,000.00	\$ 24,000.00	\$ 30,000.00
	Buffalo Arts Studio (Arts Studio of				
518040	Western New York, Inc)	101244	\$ 18,000.00	\$ 45,500.00	\$ 53,000.00
518044	Buffalo Inner City Ballet Co. Inc.	108387	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00
518050	Buffalo Music Hall of Fame	111442	\$ 4,500.00	\$ -	\$ 5,500.00
518051	Buffalo Heritage Carousel	167929	\$ 30,000.00	\$ 30,000.00	\$ 35,000.00
518076	Colored Musicians Club	130377	\$ 5,000.00	\$ -	\$ 12,500.00
518064	El Museo Gallery	109816	\$ 12,585.00	\$ 8,585.00	\$ 11,000.00
518104	Graycliff Conservancy	103197	\$ 59,200.00	\$ 59,200.00	\$ 60,000.00
518113	Hull House Foundation	143473	\$ 15,375.00	\$ 5,375.00	\$ 7,500.00
	Jewish Community Center Cultural				
518119	Levinsky Ch of Greater Buff	111239	\$ 13,500.00	\$ 8,750.00	\$ 13,500.00
518120	Just Buffalo Literary Center	106877	\$ 78,100.00	\$ 78,100.00	\$ 83,500.00
518132	Locust St Neighborhood Art Classes	109985	\$ 29,250.00	\$ 25,250.00	\$ 28,500.00
518136	Martin House Restoration	104863	\$ 175,500.00	\$ 175,500.00	\$ 190,000.00
518139	Music is Art	139515	\$ 48,000.00	\$ 48,000.00	\$ 39,000.00
518146	Polish Arts Club Of Buffalo Inc	106122	\$ 7,000.00	\$ 7,000.00	\$ 3,800.00
518247	Preservation Buffalo Niagara	147909	\$ 4,615.00	\$ 4,615.00	\$ 6,000.00
518160	Springville Center for The Arts	113308	\$ 30,505.00	\$ 30,505.00	\$ 16,000.00
518164	Squeaky Wheel	101268	\$ 20,920.00	\$ 20,920.00	\$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	106552	\$ 32,320.00	\$ 32,320.00	\$ 37,000.00
518176	Ujima Company	101047	\$ 83,000.00	\$ 83,000.00	\$ 97,714.00
518180	Western New York Artists Group	108295	\$ 6,275.00	\$ 6,275.00	\$ 7,100.00
518181	WNY Book Arts Collaborative, Inc	133599	\$ 4,640.00	\$ 4,640.00	\$ 6,000.00
518185	Young Audiences Of WNY	109412	\$ 10,500.00	\$ 10,500.00	\$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	\$ 38,500.00	\$ 18,500.00	\$ 24,500.00
518200	Michigan St African Amer Heritage	152578	\$ 15,000.00	\$ 15,000.00	\$ 32,500.00
518201	General Str Pufski Association	103050	\$ 10,000.00	\$ 11,000.00	\$ 12,500.00
518204	Brighton Place, Inc	156194	\$ 10,000.00	\$ 16,000.00	\$ 20,000.00
518211	Hispanic Heritage Council of WNY	159395	\$ 12,000.00	\$ 20,000.00	\$ 24,500.00
	Black Rock Historical Society (Black				
518216	Rock-Riverside Alliance)	170365	\$ 22,500.00	\$ 7,500.00	\$ 10,000.00
518223	Centro Culturale Italiana di Buffalo	167500	\$ 25,000.00	\$ 20,000.00	\$ 15,000.00
518245	South Buffalo Irish Feis/Can You Dig	113041	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00
518296	Net Positive DBA The Foundry	168005	\$ 5,000.00	\$ -	\$ 5,000.00

Monitoring Program – Phase II

ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2000	TAX YEAR 2001	TAX YEAR 2002
517533	Buffalo Olmsted Park Conservancy	140237	\$ 25,910.00	\$ 25,910.00	\$ 35,000.00
518008	Atlewood-Knox Art Gallery	108707	\$ 575,000.00	\$ 575,000.00	\$ 875,000.00
518009	Atlewood-Knox Public Art Curator	147228	\$ 64,250.00	\$ 64,250.00	\$ -
518025	Assembly House 150, Inc.	107475	\$ 1,000.00	\$ 1,000.00	\$ 6,500.00
518024	Putnam & Erie County Botanical Garden	108745	\$ 102,000.00	\$ 121,000.00	\$ 150,000.00
518036	Buffalo & Erie Co Historical Society	108772	\$ 437,000.00	\$ 467,000.00	\$ 417,000.00
	Buffalo & Erie County Naval & Servicemans				
518051	Fair	105339	\$ 35,000.00	\$ 35,000.00	\$ 50,000.00
518060	Buffalo Philharmonic Orch Society	101032	\$ 924,000.00	\$ 924,000.00	\$ 940,000.00
518041	Buffalo Philharmonic Chorus	109795	\$ 34,500.00	\$ 34,500.00	\$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	\$ 955,000.00	\$ 955,000.00	\$ 955,000.00
518045	Buffalo String Works, Inc	107551	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00
518064	Buffalo Field Players Art Center	101004	\$ 155,000.00	\$ 155,000.00	\$ 160,000.00
518073	Center for Exploratory and Percepta	109954	\$ 35,000.00	\$ 35,000.00	\$ 63,000.00
518082	Danceability	156639	\$ 2,500.00	\$ 5,500.00	\$ 3,000.00
518096	Explore & More Children's Museum	102758	\$ 42,000.00	\$ 42,000.00	\$ 78,000.00
518108	Hellwells Contemporary Arts Center	108198	\$ 57,000.00	\$ 57,000.00	\$ 60,000.00
518112	Hamburg Hist Mus Soc/John Davis	101282	\$ 88,314.00	\$ 88,314.00	\$ 96,314.00
518116	Irish Classical Theatre Company	103727	\$ 83,500.00	\$ 83,500.00	\$ 93,500.00
518124	O'Youville College Kavinsky Theater	109341	\$ 11,730.00	\$ -	\$ 5,500.00
518128	Lincaستر Opera House	111681	\$ 48,300.00	\$ 36,300.00	\$ 25,000.00
518140	MusicalFare Theatre	108398	\$ 42,520.00	\$ 41,520.00	\$ 48,000.00
518141	New Phoenix Theatre	109342	\$ 7,500.00	\$ 7,500.00	\$ -
518148	Rock Less Travelled Productions	121043	\$ 63,500.00	\$ 63,500.00	\$ 67,000.00
518152	Playoff Campus Cooperation	118223	\$ 50,000.00	\$ 40,000.00	\$ 50,000.00
518156	Shakespeare In The Park	109675	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
518166	Theatre Of Youth	109484	\$ 69,400.00	\$ 69,400.00	\$ 74,000.00
518173	Tain Space Theatre	143671	\$ 22,440.00	\$ 11,400.00	\$ 29,500.00
518188	Zoological Society Of Buffalo	108623	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,700,000.00
518190	Oldham Park Symphony Orchestra	147247	\$ 4,611.00	\$ 4,611.00	\$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	\$ 2,300.00	\$ 1,700.00	\$ 10,000.00
518209	Buffalo-Tonawanda Public Media WNEB/WBFO	172909	\$ 3,750.00	\$ -	\$ 5,000.00
518205	Cheesebrough Comm Symphony Orchestra	109177	\$ -	\$ 7,500.00	\$ -
518210	Rewstead Historical Society	105518	\$ 3,500.00	\$ 3,500.00	\$ 5,000.00
518213	O'Connell & Company Productions	159662	\$ 23,100.00	\$ 23,100.00	\$ 31,500.00
	Amherst Mary Gire Club aka Red Blazer				
518219	Men's Chorus	142045	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00
518221	Buffalo Center for Arts and Technology	153207	\$ 3,000.00	\$ 3,000.00	\$ 7,500.00
518226	Cheesebrough Historical Association	163111	\$ 1,350.00	\$ 6,250.00	\$ 8,100.00
518229	Second Generation Theatre Company	164957	\$ 2,020.00	\$ 2,020.00	\$ 5,000.00
518230	Steel Plant Museum of Western New York	147741	\$ 1,620.00	\$ 1,620.00	\$ 5,000.00
518235	Alden Christan Theater Society	114358	\$ 10,000.00	\$ -	\$ 3,000.00
518234	Charence Concert Association	101711	\$ 3,500.00	\$ -	\$ 5,000.00
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518235	Town of Clarence)	113047	\$ 3,500.00	\$ -	\$ 6,000.00

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In addition, if an organization receives a capital improvement grant and operating fund grant those funds should be maintained in segregated accounts and accounted for separately as operating fund grants **cannot** be used for capital improvements.

BACKGROUND

Western New York Artist Group (WNYAG) is a 501(c)3 nonprofit organization whose mission is to promote artists from Western New York through exhibition opportunities. The organization seeks to promote emerging artists as well as established fine artists in the Buffalo-Niagara Region. The primary service is to offer exhibition opportunities.

In 2020, WNYAG received \$6,275 in Cultural Grant County funding. In 2021, WNYAG received \$6,275 in CGF funding. In 2022, WNYAG received \$7,500 in CGF funding.

FINDINGS & RECOMMENDATIONS

WNYAG is a small art gallery located in the Allentown District. Although WNYAG focuses on visual arts, they seek to educate and expose people to other forms of art such as poetry, music, dance, etc.

The organization offers classes and other creative services to artists as well as the general public. During exhibitions, the organization sells artwork on consignment, from which WNYAG takes 30% as a fee. The remainder goes to the artist(s). The organization handles sales tax responsibilities for the artists.

The organization held exhibits during the pandemic once in-person gatherings were permitted. WNYAG informed the Auditor that it noticed an increase in visits to the gallery as people sought activities after months of pandemic isolation. The organization still paid bills and incurred operating expenses during the pandemic period.

WNYAG hosts a dinner and auction event in the fall, which is its major fundraiser. WNYAG also hosts an annual exhibit for first responders. Any first responder can enter a piece of artwork. The purpose of this exhibit is to honor first responders and provide exposure.

The organization sells memberships, has a gift shop, solicits donations, and rents gallery space to other organizations and associations in order to increase revenue. The members of WNYAG's Board of Directors must make an annual means-tested gift to the organization. WNYAG membership is open to the public and annual dues are \$40.

The organization shares part of its space with a picture framing business owned by the Executive Director. The organization maintains separate records, and the Auditor found no indication that funds and resources of WNYAG were comingled with those of the Executive Director's private business.

AUDITOR'S COMMENTS

WNYAG maintains organized and accurate records. The organization keeps most records in hard copy but is currently transitioning to electronic format. Every time a new Treasurer is selected by the Board, the Treasurer's first task is to review the books. The Board meets about 10 times a year – once a month excluding July and August.

The WNYAG and its facility are, for the most part, an alcohol-free establishment. If any activities involve

alcohol consumption, such as a wine tasting event, WNYAG partners with a winery or caterer that carries its own liquor license.

The organization uses the Erie County Cultural Grant Funding to assist with general operating expenses, particularly rent. The organization's yearly rent expense is higher than the amount of funding received from the County for each of the last three years. A review of the organization's bank account records and other financial documentation did not generate any questionable expenses. A review of the organization's tax returns along with other financial documentation indicated there were minor changes to the organization's operating budget and thus expenses remained consistent.

cc: Daniel Castle, Commissioner of Environment and Planning
Robert Keating, Director of Budget and Management

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-4

COMPTROLLER

EC Cultural Funding Grant Monitoring
Program - Centro Culturale Italiano di Buffalo

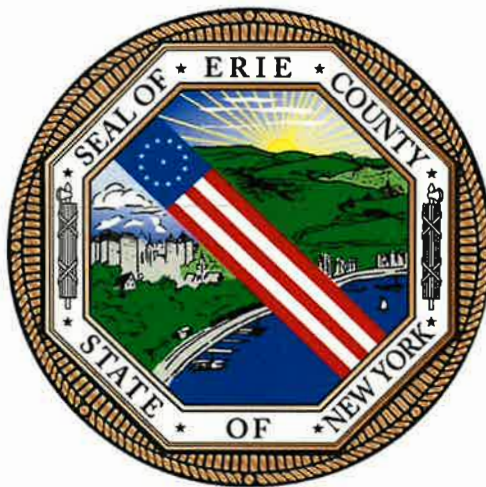
Attachments

23COMM. 20E-4

October 2023

EC LEG OCT 18 '23 PM 12:42

**Erie County Cultural Funding Grant
Monitoring Program
Centro Culturale Italiano di Buffalo
January 1, 2020 through December 31, 2022**



**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER**

**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**



October 18, 2023

Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Dear Honorable Members:

In 2023, the Erie County Comptroller's Office, Division of Audit & Control initiated a regular Monitoring Program of Erie County Cultural Funding Grants. The Erie County Cultural Funding program provides annual grants to non-profit arts and cultural organizations operating within the County. County funds are intended to be limited in their use to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies, and equipment. Grant funds may not be used for or applied towards capital projects or physical improvements of buildings or facilities, nor as a revenue offset against accounts receivable. No funds received shall be used for any services provided or activities performed outside Erie County. The County's Department of Environment and Planning executes contracts with organizations and is the primary agency charged with monitoring.

Objective

The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

Scope and Methodology

Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of \$5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving \$5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2023.

2023 Program

During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

Monitoring Program – Phase I

ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 2021	TAX YEAR 2022
517125	Enlightenment Literary Arts Center & Dog Ears Bookstore	152181	\$ 28,400.00	\$ 36,400.00	\$ 53,000.00
518004	African American Cultural Center	112604	\$ 275,450.00	\$ 311,950.00	\$ 300,000.00
518012	Alleway Theatre	109340	\$ 8,500.00	\$ 8,500.00	\$ 11,000.00
518016	American Legion Band of	100379	\$ 7,500.00	\$ 7,500.00	\$ 45,000.00
518017	Amherst Symphony Orchestra	109475	\$ 32,500.00	\$ 26,750.00	\$ 28,740.00
518019	Arts Services Initiative of WNY Inc	147159	\$ 26,000.00	\$ 20,650.00	\$ 30,000.00
518028	Ballet Artists Of WNY (Meglia)	100794	\$ 24,000.00	\$ 34,000.00	\$ 30,000.00
518040	Buffalo Arts Studio (Arts Studio of Western New York, Inc)	101244	\$ 38,000.00	\$ 45,500.00	\$ 53,000.00
518044	Buffalo Inner City Ballet Co, Inc	108597	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00
518050	Buffalo Music Hall of Fame	117142	\$ 4,500.00	\$ -	\$ 3,500.00
518051	Buffalo Heritage Carousel	187629	\$ 30,000.00	\$ 30,000.00	\$ 35,000.00
518076	Colored Musicians Club	130177	\$ 3,000.00	\$ -	\$ 12,500.00
518084	El Museo Gallery	109816	\$ 12,585.00	\$ 8,585.00	\$ 11,000.00
518104	Groeyliff Conservancy	103197	\$ 59,200.00	\$ 59,200.00	\$ 60,000.00
518113	Hull House Foundation	143473	\$ 15,375.00	\$ 5,375.00	\$ 7,500.00
518119	Jewish Community Center Cultural (Jewish Ctr of Greater Buff)	111299	\$ 11,500.00	\$ 8,750.00	\$ 11,500.00
518120	Just Buffalo Livexart Center	106377	\$ 78,100.00	\$ 78,100.00	\$ 83,500.00
518132	Louost St Neighborhood Art Classes	109985	\$ 29,250.00	\$ 25,250.00	\$ 28,500.00
518136	Martin House Restoration	104863	\$ 175,500.00	\$ 175,500.00	\$ 190,000.00
518139	Music is Art	139615	\$ 48,000.00	\$ 48,000.00	\$ 39,000.00
518145	Polish Arts Club Of Buffalo Inc	106132	\$ 7,000.00	\$ 7,000.00	\$ 3,000.00
518147	Preservation Buffalo Niagara	147509	\$ 4,815.00	\$ 4,815.00	\$ 6,000.00
518160	Springville Center For The Arts	113308	\$ 30,500.00	\$ 20,505.00	\$ 36,000.00
518164	Suzelzhly Wheel	101268	\$ 20,800.00	\$ 20,820.00	\$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	106552	\$ 32,320.00	\$ 32,320.00	\$ 37,000.00
518176	Ujima Company	101047	\$ 83,000.00	\$ 83,000.00	\$ 57,714.00
518180	Western New York Artists Group	108291	\$ 6,275.00	\$ 6,275.00	\$ 7,500.00
518181	WNY Book Arts Collaborative, Inc	139599	\$ 4,640.00	\$ 4,640.00	\$ 6,000.00
518184	Young Audiences Of WNY	109819	\$ 10,500.00	\$ 10,500.00	\$ 14,000.00
518196	Buffalo Niagara Heritage Village	151966	\$ 18,500.00	\$ 18,500.00	\$ 24,500.00
518200	Michigan Sr African Amer Heritage	152578	\$ 11,000.00	\$ 15,000.00	\$ 32,500.00
518201	General Putek's Association	107060	\$ 10,000.00	\$ 11,000.00	\$ 12,500.00
518204	Brighton Place, Inc	156194	\$ 10,000.00	\$ 16,000.00	\$ 20,000.00
518211	Hispanic Heritage Council of WNY	159305	\$ 32,000.00	\$ 20,000.00	\$ 24,500.00
518216	Black Rock Historical Society (Black Rock-Riveride Alliance)	170569	\$ 22,500.00	\$ 7,500.00	\$ 10,000.00
518233	Centro Culturale Italiano di Buffalo	187500	\$ 25,000.00	\$ 20,000.00	\$ 15,000.00
518249	South Buffalo Irish Feis/Can You Dig	113041	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00
518266	Net Positive DBA The Foundry	166005	\$ 5,000.00	\$ -	\$ 5,000.00

Monitoring Program – Phase II

ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 2021	TAX YEAR 2022
517531	Buffalo Olmsted Parks Conservancy	140237	\$ 28,910.00	\$ 28,910.00	\$ 35,000.00
518008	Albright-Knox Art Gallery	108707	\$ 575,000.00	\$ 575,000.00	\$ 675,000.00
518009	Albright-Knox Public Art Curator	147224	\$ 68,250.00	\$ 68,250.00	\$ -
518035	Assembly House 150, Inc	167743	\$ 1,000.00	\$ 1,000.00	\$ 6,500.00
518034	Buffalo & Erie County Botanical Garden	106743	\$ 102,000.00	\$ 125,000.00	\$ 150,000.00
518036	Buffalo & Erie Co Historical Society	108772	\$ 417,000.00	\$ 467,000.00	\$ 417,000.00
518052	Park	179593	\$ 35,000.00	\$ 35,000.00	\$ 50,000.00
518060	Buffalo Philharmonic Orch Society	101892	\$ 926,000.00	\$ 926,000.00	\$ 940,000.00
518061	Buffalo Philharmonic Chorus	109797	\$ 34,500.00	\$ 34,500.00	\$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	\$ 956,000.00	\$ 956,000.00	\$ 955,000.00
518065	Buffalo String Works, Inc	167853	\$ 3,500.00	\$ 3,500.00	\$ 3,353.00
518068	Burdfield Penney Art Center	101004	\$ 155,000.00	\$ 155,000.00	\$ 160,000.00
518070	Center for Exploratory and Perceptu	109934	\$ 15,000.00	\$ 15,000.00	\$ 63,000.00
518081	Danceability	156693	\$ 2,500.00	\$ 5,500.00	\$ 3,000.00
518096	Explore & More Children's Museum	102758	\$ 42,000.00	\$ 42,000.00	\$ 78,000.00
518100	Helwells Contemporary Arts Center	108580	\$ 57,000.00	\$ 57,000.00	\$ 60,000.00
518112	Hamburg Nat Hist Society/Penn Drive	121282	\$ 88,914.00	\$ 88,914.00	\$ 98,914.00
518116	Irish Classical Theatre Company	103727	\$ 83,500.00	\$ 83,500.00	\$ 83,500.00
518124	O'Youville College Savinny Theater	109341	\$ 11,750.00	\$ -	\$ 8,500.00
518128	Lancaster Opera House	111681	\$ 48,300.00	\$ 30,300.00	\$ 35,000.00
518140	MusicalFire Theatre	105308	\$ 41,515.00	\$ 61,515.00	\$ 68,000.00
518145	New Theater Theatre	109342	\$ 7,500.00	\$ 7,500.00	\$ -
518148	Road Less Traveled Productions	112045	\$ 63,500.00	\$ 63,500.00	\$ 87,000.00
518152	Roycroft Campus Cooperation	118233	\$ 50,000.00	\$ 60,000.00	\$ 50,000.00
518156	Shakespeare in the Park	179675	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
518168	Theatre Of Youth	109498	\$ 68,400.00	\$ 69,600.00	\$ 74,800.00
518173	Town Square Theatre	153674	\$ 20,440.00	\$ 15,440.00	\$ 28,500.00
518188	Zoological Society Of Buffalo	106823	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,700,000.00
518189	Richard Park Symphony Orchestra	147724	\$ 4,815.00	\$ 4,815.00	\$ 8,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	\$ 2,300.00	\$ 2,300.00	\$ 10,000.00
518203	Buffalo-Toronto Public Media WNEB/WBFO	172095	\$ 3,750.00	\$ -	\$ 3,000.00
518205	Cheektowaga Comm Symphony Orchestra	109177	\$ -	\$ 7,500.00	\$ -
518209	Newstead Historical Society	105518	\$ 5,500.00	\$ 1,500.00	\$ 5,000.00
518213	O'Connell & Company Productions	159662	\$ 23,100.00	\$ 23,100.00	\$ 31,500.00
518218	Amers Chorus	182045	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00
518221	Buffalo Center for Arts and Technology	153207	\$ 3,000.00	\$ 3,000.00	\$ 7,500.00
518226	Cheektowaga Historical Association	181121	\$ 2,250.00	\$ 6,250.00	\$ 8,100.00
518229	Sekond Generation Theatre Company	166927	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00
518230	Steel Pier Museum of Western New York	147742	\$ 1,020.00	\$ 1,020.00	\$ 3,000.00
518203	Alden Christian Theater Society	114358	\$ 10,000.00	\$ -	\$ 3,000.00
518214	Clarence Concert Association	101711	\$ 5,500.00	\$ -	\$ 5,000.00
518215	Clarence Museum (Historical Soc. of the Town of Clarence)	113047	\$ 5,500.00	\$ -	\$ 6,000.00

BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

Alcohol

Several organizations used or appeared to use CGF funds to obtain alcohol. While the Division of Audit does not recommend that CGF awards be made contingent on the absence of alcohol from events hosted by the organization, alcohol should not be purchased with CGF funds. The Division of Audit found dozens of alcohol purchases that appeared to be personal in nature and several more which likely violated NYS Alcoholic Beverage Control Laws. Furthermore, the NYS Comptroller has long held that alcohol is not a "lawful county charge", meaning that government officials and employees may not use taxpayer funds to purchase alcohol. The Division of Audit sees no reason that organizations receiving taxpayer funds should be treated differently.

Debit Cards

Credit cards, particularly with smaller organizations, can provide a critical layer of expense control. The Division of Audit found a large quantity of small-dollar expenses appearing personal in nature. If a debit card is used, the money is gone by the time statements are typically reviewed, while a credit card bill often needs to be paid and approved by the organization's board of directors.

Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications. Furthermore, funds received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

In addition, if an organization receives a capital improvement grant and operating fund grant those funds should be maintained in segregated accounts and accounted for separately as operating fund grants **cannot** be used for capital improvements.

BACKGROUND

The Centro Culturale Italiano di Buffalo (CCI) was established in 2010 by Dr. Francesco Giacobbe. The stated purpose of the organization is to promote Italian heritage and culture to members as well as the broader community.

CCI provides cultural, educational and heritage background to members of the organization and the Buffalo community. Their stated goal is to celebrate and promote Italian culture. The organization currently hosts Italian cooking classes, Italian language classes, Sicilian language classes, and other cultural immersion activities. The organization collaborates with the Italian Festival in further efforts to advance its objectives.

In 2020, CCI received \$25,000 in County Cultural Grant funding, \$20,000 in 2021 and \$15,000 in 2022. While outside of the scope period of this review, CCI received \$22,500 in 2023, along with a separate \$60,000 grant for a capital project.

FINDINGS & RECOMMENDATIONS

The organization ceased operations during the pandemic period, which covered portions of the 2020 and 2021 tax years. Nevertheless, the organization continued to incur operational expenses related to facilities such as insurance payments, rent, utilities, payroll and contract labor. During this time, renovation of the new building took place, which would become the organization's home at the corner of Delaware Avenue and Hertel Avenue. The organization is a recipient of a 2022 Erie County Capital Improvement Grant for art and cultural organizations which was used to cover expenses related to the new cultural center.

The organization's then Executive Director received compensation of \$4,000 per month, which he did not pay to himself, but rather paid to his business. As of April 2023, the organization is under the leadership of a new Executive Director. The organization's current Executive Director was advised by the Auditor that unless services provided by the former Executive Director were made on behalf of his business, payments for compensation should be categorized as wages and not as subcontractor payments. The current Executive Director informed the Auditor that there are currently no members of the organization's leadership receiving payments as subcontractors.

On October 11, 2021, the inauguration of the new Centro Culturale Italiano di Buffalo took place. The goal of the CCI was to open the new cultural center to provide greater access and more programming to the Erie County community. Substantiation for operating expenses was provided by the current Executive Director, which demonstrates appropriate use of county funds. The organization uses County Cultural Grant funding to support general operating expenses such as payroll, utilities, insurance, taxes, and activities.

AUDITOR'S COMMENTS

The current Executive Director was able to provide records along with substantiation for expenses for all the years under review. Expenses for payroll, insurance, utilities, and other operating expenses remained consistent over the three years reviewed. The Executive Director also provided detailed records substantiating the capital expenditures related to the opening of their new cultural center.

The organization is currently looking into the process of obtaining a beer & wine liquor license in order to incorporate wine testing and other similar events into their fundraising and related activities.

cc: Daniel Castle, Commissioner of Environment and Planning
Robert Keating, Director of Budget and Management

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-5

COMPTROLLER

EC Cultural Funding Grant Monitoring
Program - General Pulaski Association

Attachments

23COMM. 20E-5

October 2023

**Erie County Cultural Funding Grant
Monitoring Program
General Pulaski Association
January 1, 2020 through December 31, 2022**



**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER**

**HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**



October 18, 2023

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92 Franklin Street, Fourth Floor
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The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

Scope and Methodology

Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of \$5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving \$5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2023.

2023 Program

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511804	African American Cultural Center	112604	\$ 275,450.00	\$ 313,950.00	\$ 200,000.00
511812	Alleyway Theatre	109340	\$ 3,500.00	\$ 8,500.00	\$ 11,000.00
511816	American Legion Branch of	100770	\$ 7,500.00	\$ 7,500.00	\$ 45,000.00
511817	Amherst Symphony Orchestra	100475	\$ 32,500.00	\$ 35,750.00	\$ 25,740.00
511819	Arts Services Initiative of WNY Inc	147159	\$ 26,050.00	\$ 26,050.00	\$ 30,000.00
511823	Ballet Artists of WNY (Ingle)	100784	\$ 24,000.00	\$ 24,000.00	\$ 30,000.00
511840	Buffalo Arts Studio (Arts Studio of)	101244	\$ 36,000.00	\$ 45,500.00	\$ 53,000.00
511842	Buffalo Inner City Ballet Co. Inc	103593	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00
511850	Buffalo Music Hall of Fame	113142	\$ 4,500.00	\$ -	\$ 5,500.00
511853	Buffalo Heritage Carousel	167829	\$ 30,000.00	\$ 30,000.00	\$ 35,000.00
511874	Colored Musicians Club	130377	\$ 5,000.00	\$ -	\$ 12,500.00
511884	El Museo Gallery	109516	\$ 12,953.00	\$ 8,583.00	\$ 31,000.00
511894	Graysville Conservancy	103137	\$ 59,200.00	\$ 59,200.00	\$ 60,000.00
511813	Hull House Foundation	143473	\$ 13,375.00	\$ 3,315.00	\$ 7,500.00
511819	Jewish Community Center Cultural (Jewish Ctr of Greater Buf)	111239	\$ 15,500.00	\$ 8,750.00	\$ 15,500.00
511820	Just Buffalo Literary Center	103575	\$ 78,100.00	\$ 78,100.00	\$ 83,500.00
511814	Lacoste St Neighborhood Art Classes	109965	\$ 29,250.00	\$ 29,250.00	\$ 28,500.00
511816	Madison House Restoration	104643	\$ 175,500.00	\$ 175,500.00	\$ 190,000.00
511819	Music is Art	159815	\$ 48,000.00	\$ 48,000.00	\$ 39,000.00
511816	Polish Arts Club of Buffalo Inc	105132	\$ 7,000.00	\$ 7,000.00	\$ 8,000.00
511847	Precedent Buffalo Niagara	147599	\$ 4,615.00	\$ 4,615.00	\$ 4,000.00
511860	Springville Center For The Arts	112564	\$ 30,503.00	\$ 20,565.00	\$ 88,000.00
511864	Squeaky Wheel	101266	\$ 20,920.00	\$ 20,920.00	\$ 27,000.00
511817	Theodore Roosevelt Inaugural Site	106512	\$ 32,320.00	\$ 23,820.00	\$ 27,000.00
511816	Ultima Company	100404	\$ 43,000.00	\$ 43,000.00	\$ 57,140.00
511816	Western New York Artists Group	104261	\$ 6,275.00	\$ 6,275.00	\$ 7,500.00
511811	WNY Book Arts Collaborative, Inc	139699	\$ 4,640.00	\$ 4,640.00	\$ 6,000.00
511816	Young Audiences of WNY	109816	\$ 10,500.00	\$ 10,500.00	\$ 14,000.00
511816	Buffalo Niagara Heritage Village	101996	\$ 16,500.00	\$ 16,500.00	\$ 25,500.00
511820	Michigan Sir African Amer Heritage	102574	\$ 15,000.00	\$ 15,000.00	\$ 32,500.00
511830	General Hospital Association	103060	\$ 10,000.00	\$ 11,000.00	\$ 12,500.00
511824	Algonquin Flats, Inc	101934	\$ 10,000.00	\$ 16,000.00	\$ 20,000.00
511821	Hispanic Heritage Council of WNY	105305	\$ 12,000.00	\$ 10,000.00	\$ 24,500.00
511821	Black Rock Historical Society (Black	170369	\$ 22,500.00	\$ 7,500.00	\$ 10,000.00
511823	Centro Culturale Italiano di Buffalo	107500	\$ 25,000.00	\$ 20,000.00	\$ 15,000.00
511859	South Buffalo Irish Fest/Can You Dig	113041	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00
511866	Net Positive DBA The Foundry	160005	\$ 5,000.00	\$ -	\$ 5,000.00

Monitoring Program – Phase II

ACT #	APPROPRIATION	VENDOR NUMBER	FISCAL YEAR 2007	FISCAL YEAR 2008	FISCAL YEAR 2009
511833	Buffalo Onondaga Parks Conservancy	150337	\$ 25,810.00	\$ 25,810.00	\$ 35,000.00
511808	Buffalo Onondaga Art Gallery	108707	\$ 77,000.00	\$ 371,000.00	\$ 671,000.00
511800	Buffalo Onondaga Public Art Gallery	141218	\$ 62,250.00	\$ 47,250.00	\$ -
511802	Assembly House Inc Inc	147747	\$ 1,000.00	\$ 1,000.00	\$ 4,500.00
511834	Buffalo & Erie County Botanical Garden	138741	\$ 111,000.00	\$ 125,000.00	\$ 130,000.00
511804	Buffalo & Erie Co Historical Society	168772	\$ 417,000.00	\$ 667,000.00	\$ 417,000.00
511854	Buffalo & Erie County Naval & Servicemen	109339	\$ 35,000.00	\$ 35,000.00	\$ 50,000.00
511800	Buffalo Philharmonic Orchestra	101052	\$ 926,000.00	\$ 926,000.00	\$ 900,000.00
511841	Buffalo Philharmonic Chorus	109756	\$ 34,100.00	\$ 34,100.00	\$ 35,000.00
511806	Buffalo Society Natural Sciences	109767	\$ 953,000.00	\$ 953,000.00	\$ 910,000.00
511805	Buffalo Spring Works, Inc	167833	\$ 3,500.00	\$ 3,500.00	\$ 3,310.00
511848	Burnfield Penny Art Center	101004	\$ 155,000.00	\$ 155,000.00	\$ 300,000.00
511872	Center For Exploration and Research	109948	\$ 13,000.00	\$ 14,500.00	\$ 14,000.00
511862	Choreobility	154849	\$ 3,500.00	\$ 4,500.00	\$ 4,000.00
511809	Explore & More Children's Museum	101718	\$ 42,000.00	\$ 42,000.00	\$ 78,000.00
511808	Hallwalls Contemporary Arts Center	108946	\$ 37,000.00	\$ 37,000.00	\$ 60,000.00
511812	Hamburg High School French Dept	107026	\$ 83,310.00	\$ 83,310.00	\$ 88,110.00
511816	High Classical Theatre Grouping	109127	\$ 81,500.00	\$ 81,500.00	\$ 93,500.00
511824	Huyusie College Kanawdy Therapy	108441	\$ 11,750.00	\$ -	\$ 3,500.00
511818	Lancaster Opera House	111846	\$ 43,300.00	\$ 30,300.00	\$ 91,000.00
511813	Madison House Theatre	105135	\$ 9,525.00	\$ 41,525.00	\$ 60,000.00
511842	New Phoenix Theatre	109942	\$ 7,500.00	\$ 7,500.00	\$ -
511816	North West Travelers Productions	110243	\$ 53,500.00	\$ 45,500.00	\$ 67,000.00
511812	Onondaga Campus Cooperation	118211	\$ 90,000.00	\$ 40,000.00	\$ 36,000.00
511816	Shakespeare in the Park	109573	\$ 93,000.00	\$ 93,000.00	\$ 93,000.00
511816	Theatre of Youth	109888	\$ 66,400.00	\$ 66,400.00	\$ 74,000.00
511817	Tom Soace Theatre	115873	\$ 20,840.00	\$ 15,840.00	\$ 29,100.00
511848	Univocal Society of Buffalo	106625	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,700,000.00
511819	Onondaga Park Symphony Orchestra	147127	\$ 4,615.00	\$ 4,615.00	\$ 6,000.00
511824	Buffalo Opera Unlimited Incorporated	155873	\$ 2,300.00	\$ 2,300.00	\$ 10,000.00
511820	Buffalo Forestry Public Works WNY/USFO	117509	\$ 3,740.00	\$ -	\$ 1,000.00
511802	Onondaga County Symphony Orchestra	108175	\$ -	\$ 2,500.00	\$ -
511816	Advanced Media Art Society	105134	\$ 3,500.00	\$ 3,500.00	\$ 3,000.00
511813	CGMwell & Company Productions	109162	\$ 21,300.00	\$ 21,300.00	\$ 11,500.00
511819	Andrea Mata Green Cup de la Pie Brace	112043	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00
511821	Buffalo Center for Arts and Technology	112007	\$ 3,000.00	\$ 3,000.00	\$ 7,000.00
511820	Onondaga Historical Association	113211	\$ 3,210.00	\$ 6,210.00	\$ 6,700.00
511820	Second Generation Theatre Company	144927	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00
511820	Steel Plant Museum of Western New York	147749	\$ 2,000.00	\$ 2,000.00	\$ 3,000.00
511800	Alden Christian Theatre Society	114358	\$ 10,000.00	\$ -	\$ 1,000.00
511814	Clarence Concert Association	101711	\$ 3,500.00	\$ -	\$ 3,000.00
511800	Clarence Museum Historical Soc of the	113067	\$ 5,500.00	\$ -	\$ 6,000.00
511818	Team of Cheevers				

BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

Alcohol

Several organizations used or appeared to use CGF funds to obtain alcohol. While the Division of Audit does not recommend that CGF awards be made contingent on the absence of alcohol from events hosted by the organization, alcohol should not be purchased with CGF funds. The Division of Audit found dozens of alcohol purchases that appeared to be personal in nature and several more which likely violated NYS Alcoholic Beverage Control Laws. Furthermore, the NYS Comptroller has long held that alcohol is not a "lawful county charge", meaning that government officials and employees may not use taxpayer funds to purchase alcohol. The Division of Audit sees no reason that organizations receiving taxpayer funds should be treated differently.

Debit Cards

The Division of Audit found a large quantity of small-dollar expenses made with debit cards which appeared personal in nature. If a debit card is used, the money is gone by the time statements are typically reviewed, while a credit card bill often needs to be approved and paid by the organization's board of directors. Thus, the use of credit cards, particularly with smaller organizations, can provide a critical layer of expense control.

Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications. Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

In addition, if an organization receives a capital improvement grant and operating fund grant those funds should be maintained in segregated accounts and accounted for separately as operating fund grants **cannot** be used for capital improvements.

BACKGROUND

The General Pulaski Association, Inc. (GPA) was established in the 1930s. It is a 501(c)(3) non-profit organization whose mission is to promote and preserve the legacy of Revolutionary War General Casimir Pulaski. Moreover, GPA also states it aspires to provide historical, patriotic, educational, social and cultural programming about Americans of Polish Ancestry.

Each year, GPA hosts the Pulaski Parade, which is the organization's largest annual event. In addition, in 2022, GPA initiated an annual Buffalo's Pulaski Festival, which is scheduled concurrently with the Pulaski Parade. The GPA also hosts a series of other events each year such as Pulaski Day Dinner and Happy Hour events. During 2020 and 2021, the organization conducted a motorcade in lieu of its full celebration due to the pandemic and the limitations imposed for in-person gatherings.

In 2020, GPA received \$10,000 in County Cultural Grant funding. In 2021, GPA received \$11,000 in CGF funding. In 2022, GPA received \$12,500 in CGF funding, which included \$1,500 above the Executive recommendation. While outside of the scope period of this review, GPA received \$37,500 in 2023, which included \$25,000 above the Executive recommendation.

FINDINGS & RECOMMENDATIONS:

According to the organization's second vice president, the Erie County Cultural Grant funding is used to cover expenses related to the Pulaski Parade and the Pulaski Festival. Additionally, as of 2022 funding was also used to cover expenses for the Pulaski Festival, which takes place the same day as the Pulaski Parade.

Following a thorough review of the organization's bank records alongside other financial documentation, the Auditor was able to verify expenses related to the Pulaski Parade and the Buffalo's Pulaski Festival along with some operating expenses. Some of the expenses identified by the GPA as Festival and/or Parade expenditures could not be verified by the Auditor as substantiation could not be provided by the organization. In addition, a series of expenses were identified by the Auditor as unlikely to have a connection to GPA's stated mission. Such expenses include purchases made at retail, department and clothing stores, liquor stores, Highmark Stadium, restaurants, and gas stations. The GPA official who was interviewed informed the Auditor that he was not sure what those expenses were for.

As part of the review process, the Auditor requested substantiation for a large amount of alcohol purchases identified during a review of the GPA's bank statements and other financial records. For 2021, approximately 38% of the expenses claimed as parade-related expenditures were for alcohol purchases. The organization was not able to provide the Auditor with substantiation for approximately 32% of the alcohol purchases claimed as parade expenditures. In addition, approximately 40% of the alcohol purchased was not obtained in accordance with the New York State Liquor Authority (SLA) permitting regulations, which require alcoholic beverages to only be purchased from a licensed brewer, wholesaler or winery – not from a retail licensee.

During 2022, approximately 15% of the expenses claimed by the GPA as parade-related expenditures were for alcohol purchases. The organization was unable to provide substantiation for approximately 55% of the alcohol purchases claimed as parade related expenses. Additionally, the entire 55% of unsubstantiated alcohol purchases were obtained in violation of SLA permitting regulations.

AUDITOR COMMENTS:

GPA does not have a physical location or employees, thus eliminating expenses for payroll, property and employment taxes, rent and utilities. The bulk of the expenses incurred by the organization are related to the Pulaski Parade, the Pulaski Festival, Board of Directors meetings, and banquets. According to GPA officials, GPA meetings are hosted at various places throughout Western New York, mostly restaurants and social clubs. Other expenses that were incurred by the organization do not appear to be aligned with the mission and vision of the organization.

In 2020 and 2021, the GPA received a large portion of its revenue from public funding. The Auditor was unable to determine if County Funds were used for unrelated activities as all funds are currently commingled into one account.

GPA had received a filing extension from the IRS to file its Form 990 for FY 2022. As of the date of this report, that duration of GPA's extension had not elapsed, and the organization had not yet filed. Therefore, a return analysis for 2022 could not be performed. Based on a review of the GPA's bank account records along with other financial documentation, it appears that the amount of expenses incurred by the organization has increased substantially over the last two years. The expenditure increase has been attributed to the newly established Pulaski Parade as well as a series of unsubstantiated and/or questionable expenses. The expenditure increase appears to be directly related to an increase in the organization's operating budget.

If County funds are used to support the organization's operation and/or mission, adequate supporting documentation corroborating GPA's expense reports should be provided to verify appropriate use of funds.

cc: Daniel Castle, Commissioner of Environment and Planning
Robert Keating, Director of Budget and Management

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-6

EC CLERK

Proposed Resolution to Expedite Filing of
Accountant Positions

Attachments

23COMM. 20E-6



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

BC LEG OCT 19 123 AM 1:40

IMMEDIATE CONSIDERATION REQUESTED

October 19, 2023

The Honorable Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

Re: Proposed Resolution to Expedite Filling Of Accountant Positions

Dear Honorable Members:

The attached proposed Resolution seeks authorization to expedite the filling of two (2) accountant positions at the Erie County Clerk's Office, and the releasing of funds for their salaries.

The Erie County Clerk's Office processes hundreds of millions of dollars in transactions each year. Accordingly, the Erie County Clerk's Office requested the creation of two (2) accountant positions. This request was supported by the Erie County Comptroller and included by the Erie County Executive in the 2024 Proposed Budget, filed on September 29, 2023.

The continued review of financial records at the Erie County Clerk's Office has placed an even greater urgency on filling the accountant positions, even before the 2024 year begins. While the current staff has been able to maintain daily operations, it is clear that trained accountants are necessary. As such, it is respectfully requested that funding for these two positions be released immediately so that they may be filled as soon as possible.

Should your Honorable Body require further information, I am readily available to discuss. Thank you for your immediate consideration of this matter.

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: Expedited Filling of Accountant Positions
Date: October 19, 2023

SUMMARY

The Erie County Clerk's Office is requesting authorization for the expedited filling of two (2) new accountant positions, which are being proposed in the 2024 Proposed Erie County Budget.

FISCAL IMPLICATIONS

Positive. The salaries for the two (2) new accountant positions have already been recommended in the 2024 Proposed Erie County Budget- \$60,868.00 for a Senior Accountant and \$57,309.00 for an Accountant. The Erie County Clerk's Office was able to reduce expenses in the amount of approximately \$500,000 in submitting its 2024 Budget request, which included these two (2) new positions. It was confirmed after speaking with the Budget Director that there are unencumbered funds available in the 2023 Budget for these positions until the 2024 Budget is approved due to vacancy savings.

REASONS FOR RECOMMENDATION

The Erie County Clerk's Office processes hundreds of millions of dollars in transactions each year. Accordingly, the Erie County Clerk's Office requested the creation of two (2) accountant positions. This request was supported by the Erie County Comptroller and included by the Erie County Executive in the 2024 Proposed Budget, filed on September 29, 2023.

The continued review of financial records at the Erie County Clerk's Office has placed an even greater urgency on filling the accountant positions, even before the 2024 year begins. While the current staff has been able to maintain daily operations, it is clear that trained accountants are necessary. As such, it is respectfully requested that funding for these two positions be released immediately so that they may be filled as soon as possible.

CONSEQUENCES OF NEGATIVE ACTION

The Erie County Clerk's Office will not be able to strengthen financial oversight until the Senior Accountant and Accountant positions are filled. The financial stability of the Erie County Clerk's Office is, respectfully, essential for the financial stability of Erie County itself.

STEPS FOLLOWING APPROVAL

The Erie County Clerk will work to immediately fill the roles of Senior Accountant and Accountant.

*** REQUEST FOR IMMEDIATE PASSAGE**

**STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NEW YORK**

**A Resolution Submitted by the Erie County Clerk
Re: The Expedited Filling Of Accountant Positions**

WHEREAS, the Erie County Clerk requested the creation of two (2) accounting positions to address the need for greater financial oversight; and

WHEREAS, the request of the Erie County Clerk for two (2) accounting positions was supported by the Erie County Comptroller; and

WHEREAS, the Erie County Executive filed the 2024 Proposed Erie County Budget on September 29, 2023; and

WHEREAS, Book "A" of the 2024 Proposed Erie County Budget containing Appropriations and Revenues for Operating Funds allocates two new positions in the Erie County Clerk's Office: Senior Accountant and Accountant; and

WHEREAS, continued review of the financial records at the Erie County Clerk's Office has placed an even greater urgency on filling the two (2) accounting positions as soon as possible; and

WHEREAS, the Budget Director confirmed that there are unencumbered funds available in the 2023 Budget for these positions until the 2024 Budget is approved; and

WHEREAS, the sooner the two (2) accounting positions can be filled, the sooner the Erie County Clerk's Office can strengthen financial oversight; and

WHEREAS, the financial stability of the Erie County Clerk's Office, which in 2022 processed more than \$156 million in transactions, is essential for the financial stability of Erie County itself.

NOW, THEREFORE, BE IT

RESOLVED, that the positions of Senior Accountant and Accountant may be filled by the Erie County Clerk's Office effective immediately; and be it further

RESOLVED, that the partial funds for the salaries of the Senior Accountant (\$60,868.00) and Accountant (\$57,309.00) be made available immediately for the filling of these positions due to vacancy savings in the 2023 Budget; 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: 11/02/2023

SUBJECT

COMM. 20E-7	COMPTROLLER	2024 Tentative Budget Revenue and Major Expenditure Estimates
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Attachments

23COMM. 20E-7



10/19/23 10:05

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

October 19, 2023

Honorable Members
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: 2024 Tentative Budget Revenue and Major Expenditure Estimates

Dear Honorable Members:

As you know, annually by October 1st, the County Administration is required, under Section 2506 of the Erie County Charter ("Charter"), to submit the revenue estimates and major expenditure estimates for the forthcoming budget to the Comptroller's Office for review. Under Section 1802(o) of the Charter, the Comptroller's Office is also required to review all revenue projections submitted by the Administration, and to submit a report to the Legislature by October 15th opining on these numbers.

The Charter states:

Section 1802. Powers and duties. The Comptroller shall:

o. On or before the 15th of October, review all revenue projections to be used in the proposed tentative budget prepared by the County Executive and submit to the Legislature in writing a report indicating whether or not the projections are suitable estimates for the ensuing year. Should the Comptroller determine that the revenue projections are not suitable for the ensuing fiscal year, the Legislature, upon notice from the Comptroller may revise such projections downward upon a two-thirds majority vote. The Legislature shall not revise such revenue projections upward.

Section 2506. Revenue and certain expense projections reviewed.

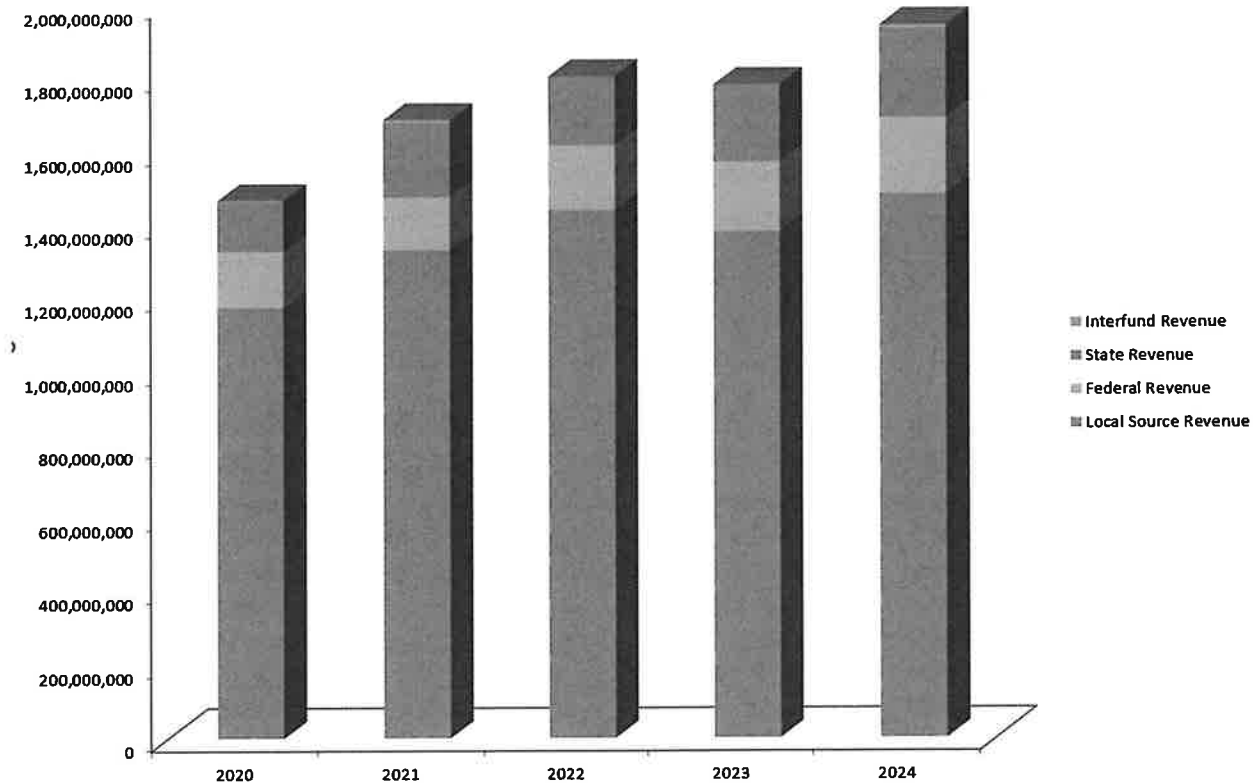
On or before the 1st day of October the County Executive shall submit to the Comptroller all revenue estimates and expenditure estimates for Medicaid, public assistance, and pension contributions and health care insurance costs for County employees to be used in the proposed budget. If not otherwise available, property tax revenue estimates shall include a maximum and minimum levy amount, which shall be used in preparing the budget. The Comptroller shall review all revenue estimates and expenditure estimates for Medicaid, public assistance and pension contributions and health care insurance costs for County employees to be used in the proposed tentative budget prepared by the County Executive and submit to the Legislature in writing by the 15th of October a report indicating whether or not such estimates are suitable estimates for the upcoming fiscal year. Should the Comptroller determine that any such revenue or expenditure estimate is not suitable for the upcoming fiscal year, the Legislature, upon notice from the Comptroller may revise any such revenue estimate downward upon a two-thirds majority vote and may

revise any such expenditure estimate upward by a majority vote. The Legislature shall not revise any such revenue estimate upward.

On September 29, 2023, rather than issuing 2024 Budget estimates, the County Executive issued his proposed 2024 Budget and Four-Year Financial Plan for 2024-2027. Pursuant to the Charter requirements, I provide the following data and comments concerning the tentative 2024 Budget revenue and major expenditure estimates.

Revenues

Revenue Type with 2 Year Budgeted Forecast



Property Tax and Property Tax-Related

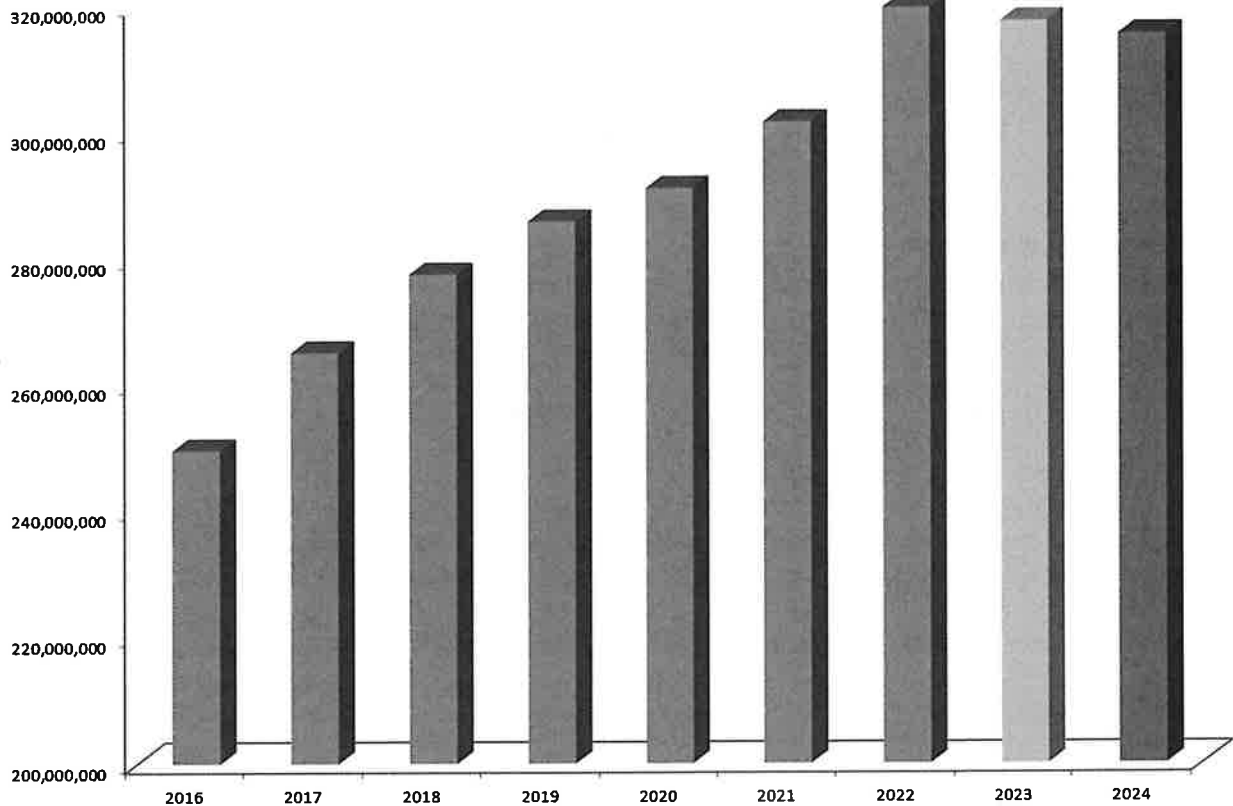
The proposed revenue (County share, not including the Buffalo and Erie County Public Library’s property tax levy) from the property tax levy for 2024 is \$299,034,343, down from \$301,424,356 in the Adopted 2023 Budget. The County share property tax levy has been reduced given an agreement between the County Executive and the County Legislature regarding property taxes for 2024. Given assessment growth and the real estate market in Erie County, this revenue estimate is realistic. The proposed estimate stays within the state’s property tax cap for 2024.

The property tax levy for the Buffalo and Erie County Public Library increases from \$28,285,362 to \$29,675,375 for 2024 and the administration has stated it affirmatively provided more revenue from this levy for the library system.

The changes in the six (6) other property tax-related accounts for 2024 are modest and immaterial.

The below chart depicts County share property tax revenue (not including the Buffalo and Erie County property tax levy) and property tax-related revenues since 2016.

Revenue from Real Property Tax with 2 Year Budgeted Forecast



Sales Tax

Proposed revenue from County share sales tax revenue increases by \$55,806,729 in the proposed 2024 Budget compared to the Adopted 2023 Budget which is an 8.72% increase. On an accrual basis, the County's sales tax revenue (year to date in 2023) is 4.09% higher compared to the same period in 2022.

Given 2022 and 2023 actual revenue trends in sales tax, this estimate is reasonable right now, although close attention will be needed in 2024 due to continued inflation and a possible recession.

	2024 Proposed	2023 Adopted	Change	% Change
Sales Tax EC	241,067,475	220,020,488	21,046,987	8.73%
Purp				
1% Sales Tax-EC	227,615,560	207,730,136	19,885,424	8.73%
Purp				
.25% Sales Tax	56,883,796	51,925,690	4,958,106	8.71%
.5% Sales Tax	113,767,592	103,851,380	9,916,521	8.71%
	<u>639,334,423</u>	<u>583,527,694</u>	<u>55,806,729</u>	<u>8.72%</u>

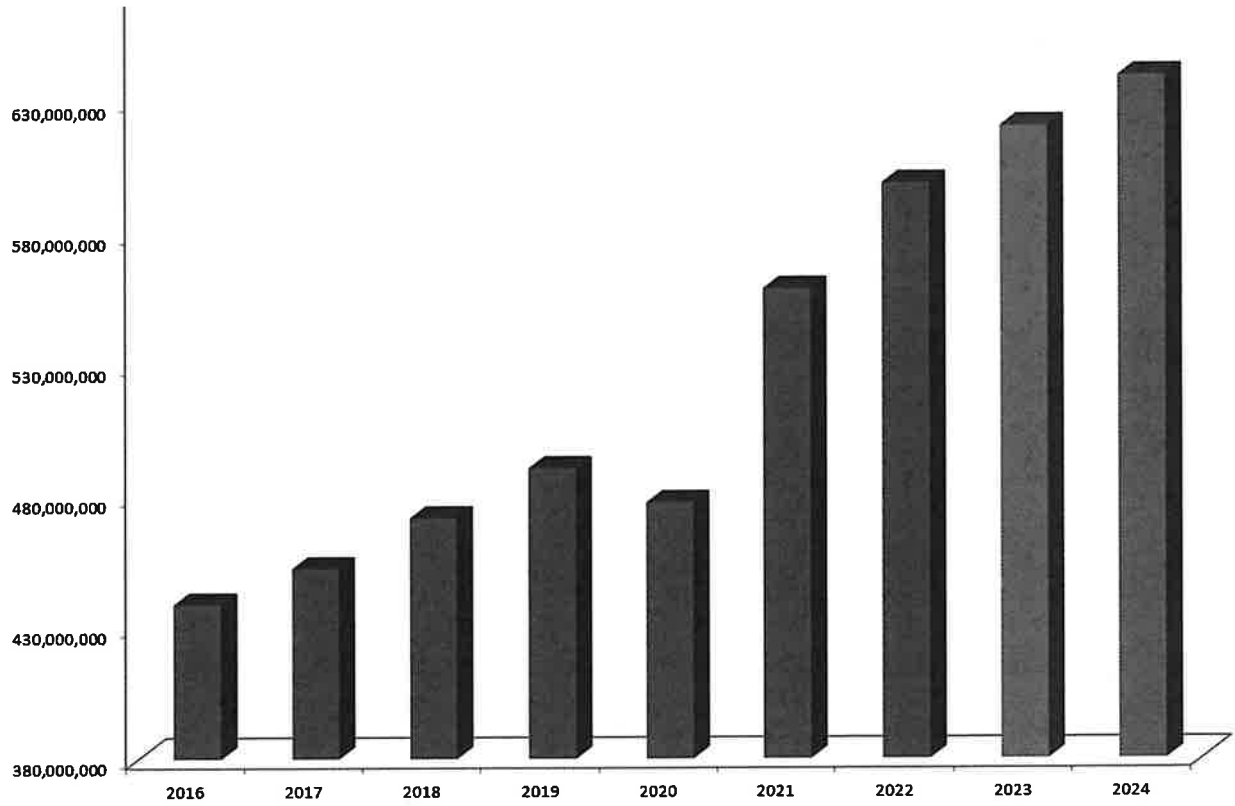
Like in 2022, inflation is helping to drive sales tax revenue growth in 2023; however, if consumers reduce their overall spending, this revenue will decrease and not meet budget, as occurred in 2008-2009 during the last recession and financial crisis. Right now, the sales tax estimate for 2024 is reasonable, but this revenue source is highly volatile.

For instance, in a reflection of the volatility, on a cash basis, Erie County's first October 2023 payment was 5.5% lower than the same cash in October 2022. That being said, the County is still currently meeting the budget estimate for 2023 for the period.

We continue to experience negative prior period adjustments and reconciliations imposed by the New York State Department of Taxation and Finance. The New York State Association of Counties reported on October 15, 2023 that "Counties continue to experience higher than normal volatility in sales tax payments in the COVID era. The state uses a distribution model that relies on historical data for sales tax payments in the months between quarterly sales tax report filings from sales tax vendors. These quarterly adjustments have been more volatile during the COVID period, as historical data becomes less reliable. While the state has improved its distribution model, they cannot eliminate all of the extra volatility."

The below chart depicts sales tax revenue growth year-over-year since 2016, with projected final 2023 numbers and the 2024 proposed budget estimate. The County is highly dependent on sales tax as our largest revenue source, far surpassing property tax revenue.

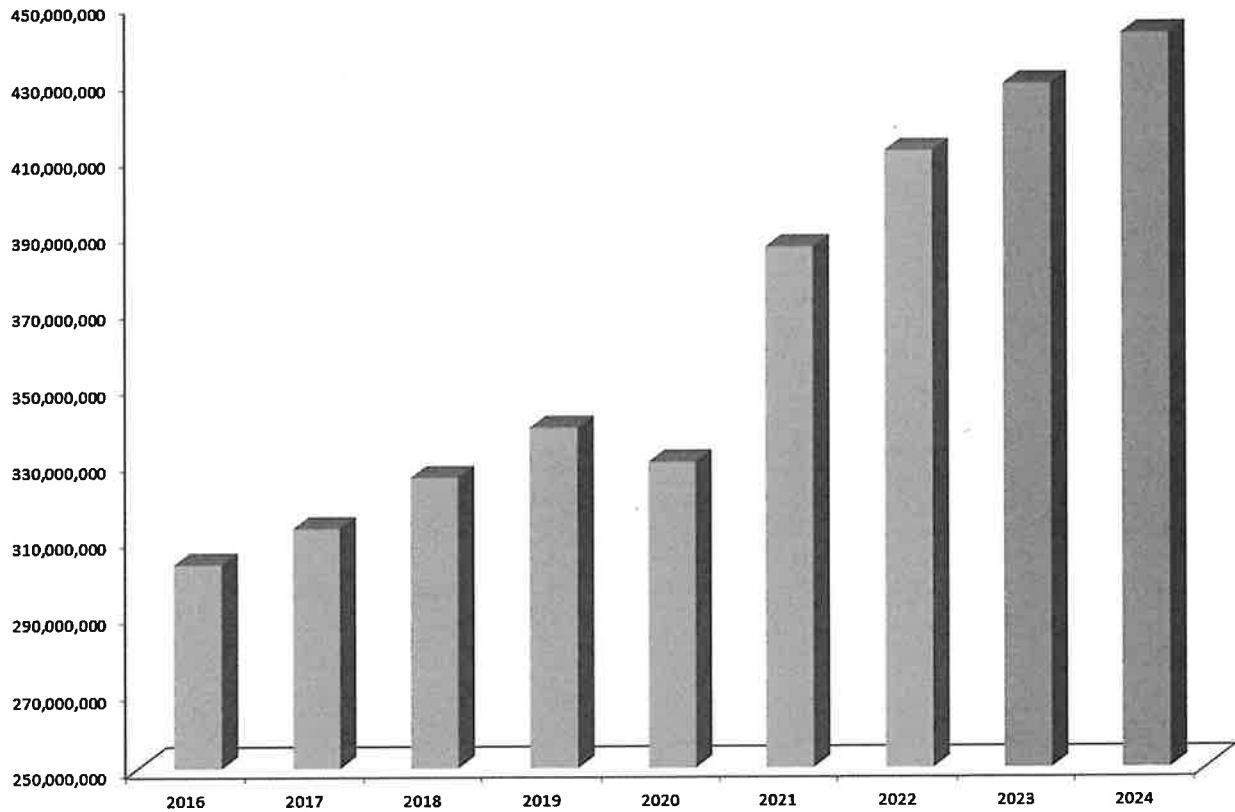
Sales Tax Revenue with 2023 Actuals + 5 Mth Projected and 2023 Budget



As a corollary, in 2023 the County also expects to collect \$38.6 million more in shared sales tax revenue compared to 2022 which will be distributed to the cities, towns, villages and school districts in Erie County.

The below chart depicts this revenue stream to local governments.

Sales Tax to Municipalities with 2023 Actuals + 5 Mth Projected and 2024 Budget



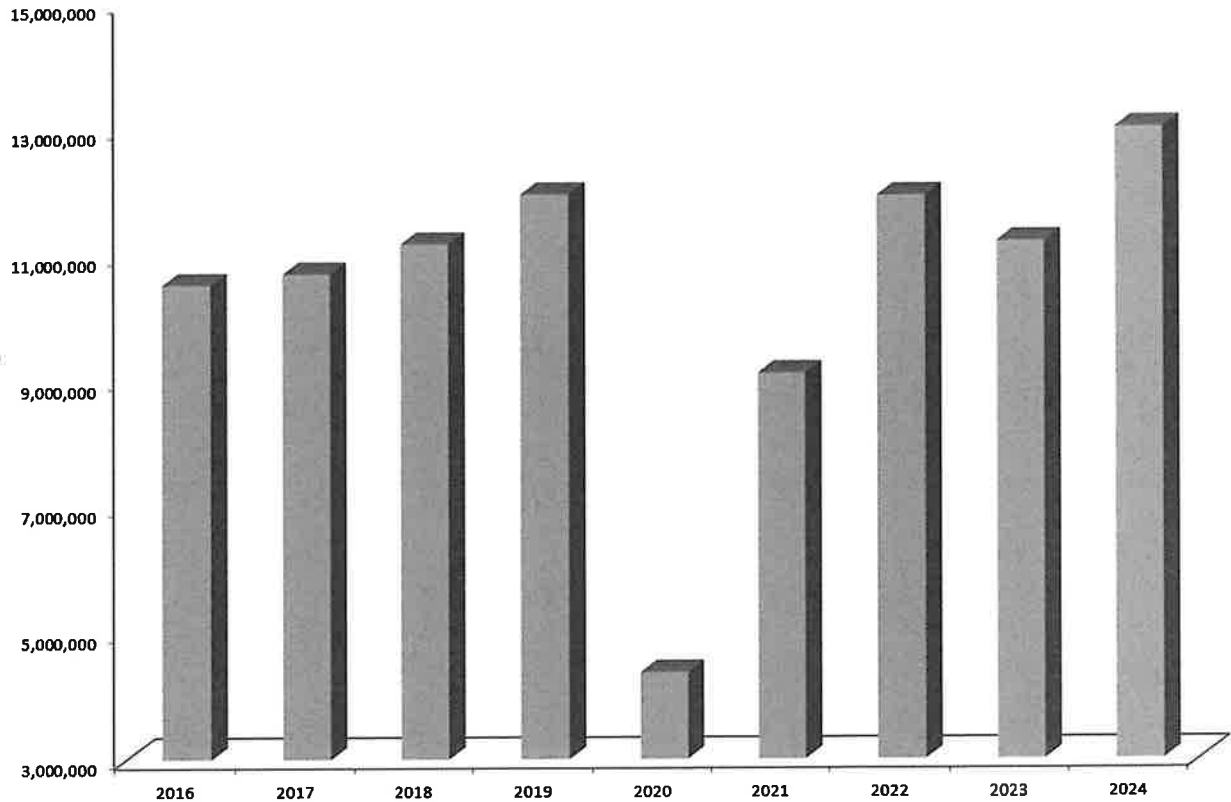
Appropriated Fund Balance

As in 2022 and 2023, the Administration estimates no use of appropriated fund balance for 2024.

Hotel Occupancy Tax

The Administration's 2024 estimate for this revenue source is \$13 million, up from an estimate of \$11.2 million in 2023. This estimate is reasonable, including particularly, if a pending local law is adopted by your Honorable Body authorizing the imposition of the tax on vacation rental properties. Actual revenue for the first seven months in 2023 is \$7.4 million.

Hotel Occupancy Tax with 2 Year Budgeted Forecast



Other Revenues – Fees, etc.

The Administration has discontinued a years-long practice of absorbing \$4.4 million of community college chargeback expense (instead of passing it along to the localities).

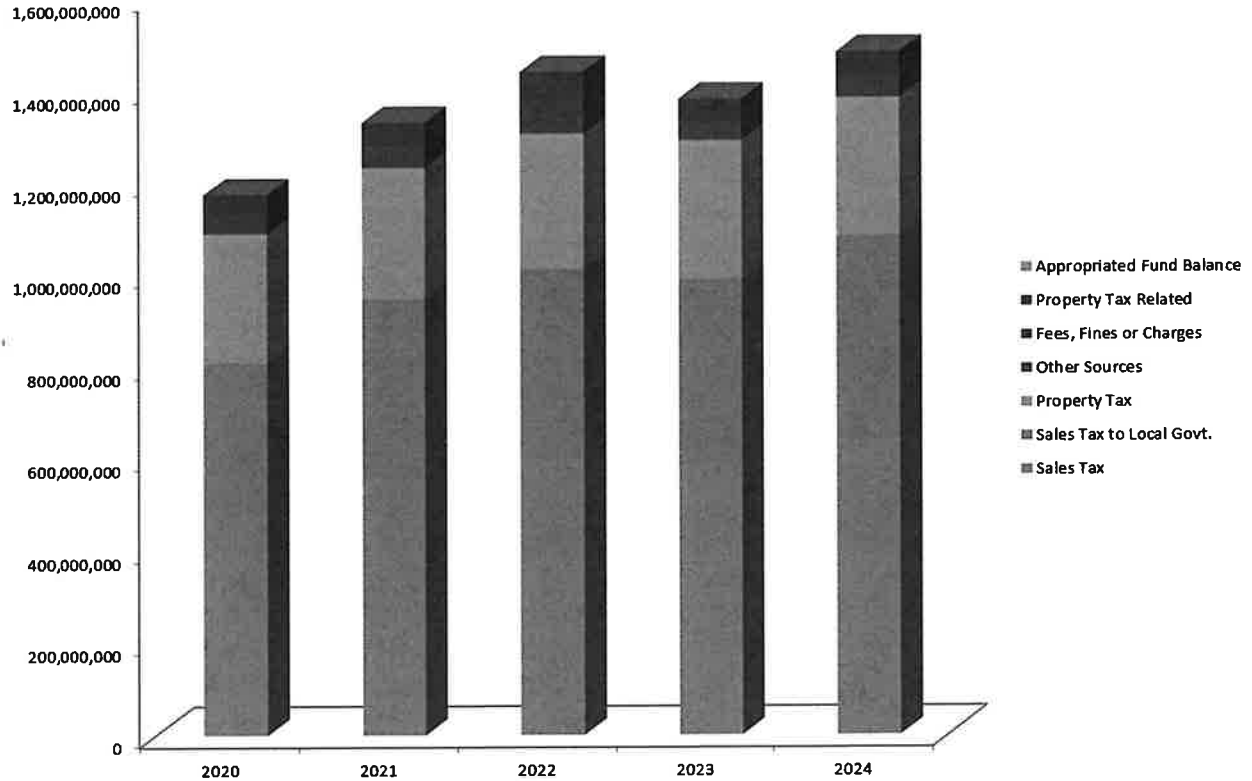
The proposed 2024 Budget includes an increase in general investment interest earnings and third-party earnings in the Comptroller’s Office from \$1.2 million in 2023 to \$3.6 million in 2024. These estimates are very reasonable.

Below is a chart depicting the local source revenue by category for the past three years actuals, the current year, and the budget estimates for 2024.

All other local source revenues increase from \$90,981,622 in the Adopted 2023 Budget to \$108,921,174 for the proposed 2024 Budget. This is driven by increases in the Interfund Revenue (\$9.1 million higher in 2024 stated to be due to the closing of the November 2022 and December 2022 storm funds) and a \$5.7 million increase in a variety of other revenue accounts.

In a notable outlier, revenue from recording fees in the County Clerk’s Office decreases by \$2.8 million from the adopted 2023 Budget, with the Clerk warning that property transfers have declined in 2023. \$1.4 million of this is offset by higher 2024 auto fees revenue in the Auto Bureau division.

Local Source Revenue with 2 Year Budgeted Forecast



State Aid

State aid in the 2024 Budget is proposed at \$242,927,295, up from \$209,646,251 in the Adopted 2023 Budget. This is driven by \$18.4 million increased revenue in Social Services, \$4.4 million in the Persons with Special Needs Division of the Health Department and \$7 million in Mental Health which are offset by expenses, and \$1.4 million in the Department of Law (which is also offset by new costs for the increased State mandate on assigned counsel for indigent persons).

We have no basis under which to dispute these estimates at this time.

Federal Aid

Federal aid is projected to increase from \$190.4 million in 2023 to \$209.4 million in 2024. Federal aid in the Department of Social Services overall increases by \$18 million and \$1.1 million for the Persons with Special Needs Division of the Health Department. There are various federal aid revenue accounts in Social Services with cuts in 2024, with a sizable increase in the Daycare Block Grant account from \$19.3 million in 2023 to \$44.9 million in 2024. New proposed revenue from the new County ambulance service is included at \$250,000.

We have no basis under which to dispute these estimates at this time.

Expenditures

Under the Charter, the Administration is required only to provide expenditure estimates for Medicaid, public assistance and pension contributions and health care insurance costs for County employees.

Health/Dental Costs

The Administration is forecasting health/dental insurance costs for County employees totaling \$49,269,817 for 2024. This differs significantly from their submitted expenditure estimates for 2023 (\$90,255,322) and 2022 (\$81,491,301). After consultation with the Division of Budget and Management, we verified that the 2024 estimate document erroneously omitted \$40,462,576 for retiree health insurance costs. The combined estimate of \$89,732,393 is reasonable.

In recent years, positive variances in fringe benefit accounts have been utilized to provide funds during mid-year for other funding needs. We will be opining on the proposed 2024 Budget under separate cover and commenting on this estimate and other revenue and expenditure accounts.

Pension Obligation

In order to avoid sudden shocks and increases in pension obligations based on the stock market's performance, the State Comptroller uses a five-year average in order to calculate a local government's annual pension payment. Due to various factors, since 2022, the State Comptroller's Office has been forecasting and advising local governments of increases in their annual pension payments for 2023 and 2024.

The County's 2022 overall gross pension bill paid to New York State in December 2022 was \$35,790,881.

The County's December 2023 pension bill has not been finalized by the Office of the State Comptroller. However, the current State Comptroller projection for the County's gross payment for all funds is \$45,427,479.

The 2024 budget estimate document for the December 2024 pension payment shows a net General Fund cost of \$41,400,666. The very preliminary projected gross cost for the County for the December 2024 payment is \$56,183,646.

Medicaid/Intergovernmental Transfer Obligations

The Administration is forecasting \$214.6 million in Medicaid-MMIS costs in 2024 against a proposed 2023 Budget number of \$190.4 million. The 2022 actual costs for MMIS was \$176.2 million. The budget estimates intergovernmental transfer disproportionate share or indigent care adjustment costs associated with Erie County Medical Center Corporation (ECMCC) totaling \$56.8 million for DSH in 2024 (up from the budgeted \$51.9 million in 2023) and an indigent care adjustment expense of \$6.9 million for 2024 (up from \$6.7 million budgeted for 2023). Upper Payments Limits expense associated with the Terrace View nursing facility at ECMCC is forecast at \$7.9 million for 2024, up from the budgeted \$4.2 million for 2023.

Based on unilateral State actions in 2023 imposing new costs and obligations on the County for weekly Medicaid-MMIS share payments and intergovernmental transfer disproportionate share or indigent care

adjustment costs associated with Erie County Medical Center Corporation (ECMCC), my office can confirm that the County will be facing significantly higher costs in 2024 than in 2023.

Major Social Services Accounts

The Administration's forecast for MA-Gross Local Payments, Family Assistance, Safety Net Assistance, and Emergency Assistance to Adults appear reasonable. Other accounts, such as the Child Care-CCBG account, which is increasing from \$21.7 million in 2023 to \$46 million for 2024 bear monitoring and we will comment on that account and others in the separate 2024 budget report.

Sincerely,



Kevin R. Hardwick, Ph.D.
Erie County Comptroller

cc: Robert W. Keating, Director of Budget and Management
Erie County Fiscal Stability Authority

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-8

SHERIFF

Community Reintegration Coordinator -
Variable Minimum

Attachments

23COMM. 20E-8

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



ADMINISTRATIVE OFFICES
10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716)858-7882
WEBSITE: <http://www.erie.gov/sheriff>

SHERIFF OF ERIE COUNTY

October 25, 2023

EC LEG OCT 27 '23 AM 11:19

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

**Re: Community Reintegration Coordinator – Variable Minimum
IMMEDIATE CONSIDERATION REQUEST**

Dear Honorable Members:

Attached please find a proposed resolution and accompanying memorandum requesting authorization for the Erie County Sheriff's Office to hire, at a variable minimum, for the position of Community Reintegration Coordinator.

Should your Honorable Body require further information, please contact my office. Thank you for your consideration on this matter.

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Community Reintegration Coordinator – Variable Minimum
Date: October 25, 2023

Summary of Recommended Action

This resolution requests authorization to establish a variable minimum hiring level for the position of Community Reintegration Coordinator in the Erie County Sheriff's Office.

Fiscal Implications of the Proposal

Annualized Salary:	\$66,246
Salary for Balance of Year:	\$ 7,643
Funding Source	General Fund

Positive. Position has been vacant and therefore vacancy savings cover the cost.

Reasons for Recommendation

The Erie County Sheriff's Office, in conjunction with the Erie County Legislature, has endeavored to create a robust "Detainee to Employee" program. The full implementation of the project requires the hiring of the appropriate staff. The ECSO has determined that to hire the best individual to function as the Community Reintegration Coordinator a variable minimum will be required.

Consequences of Negative Action

Without proper authorization, The Erie County Sheriff's Office would be unable to hire the best candidate to serve as the Community Reintegration Coordinator.

Steps Following Approval of Measure

Certified copies shall be forwarded to the County Executive's Office, The Erie County Budget Department, the Erie County Personnel Department and the Office of the Sheriff for implementation.

**A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE**

Re: Community Reintegration Coordinator – Variable Minimum

WHEREAS, Sheriff Garcia created the Community Reintegration Division in January of 2023 to enhance and expand program opportunities for incarcerated individuals within the Jail Management Division; and

WHEREAS, since that time, the number of program participants, offerings and partnerships with Community Based Organizations has grown exponentially; and

WHEREAS, in partnership with this honorable body through Chair Baskin's "Former Detainee to Employee Initiative," Sheriff Garcia seeks to offer additional programming for incarcerated individuals aimed at preparing them for employment upon release; and

WHEREAS, the Community Reintegration Division seeks to bolster the linkage between pre and post release services, the Sheriff's Office in conjunction with the County created the position of "Community Reintegration Coordinator" to assist the division Chief with coordinating programming schedules within the Jail Management Division as well as assist in developing individualized case plans for program participants and establishing services as they prepare for release; and

WHEREAS, in an effort to attract the best possible candidate with the requisite skills and experience to drive the success of this new and innovative collaborative program, the Erie County Sheriff's Office has determined that a variable minimum is required,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the establishment of a variable minimum, Job Group 10, Step 3 annual salary \$66,246 hiring level for the position of Community Reintegration Coordinator in the Erie County Sheriff's Office; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2023 Budget of the Erie County Sheriff's Office as necessary; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Division of Budget and Management, the Erie County Personnel Department and the Erie County Sheriff.

FISCAL IMPACT: Funds exist in 2023 ECSO budget.

SUMMARY

Highly motivated solution focused professional with extensive experience and growth within all levels of case management, executive oversight, planning and leadership. Focus driven individual with the passion and determination to assist individuals striving to enrich their lives for the better cause.

WORK EXPERIENCE

Saving Grace Ministries, Inc.

Program Manager (November, 2019-Present)

- Oversee agency-wide contract compliance for state and local contracts
- Produce monthly, quarterly and annual audits and reports on program outcomes
- Oversee agency's formal compliance and continued improvement and implementation of policies and procedures
- Liaison with New York State Department of Corrections and Community Supervision, Erie County Office of Temporary Disability Assistance, Erie County Re-entry Task Force, and Erie County Department of Health.

Executive Director (December, 2017 – November, 2019)

- Responsible for day-to-day oversight of agency activities, including management of agency staff and program operations for 92 program and aftercare beds in 10 residential facilities
- Assist in development of policy on program operation, strategic planning, and new program development
- Complete monthly, quarterly, and annual reports on program outcomes, fiscal reporting and monthly billing
- Assess agency staffing and program needs as well as program staff caseload and responsibilities, reassigning responsibilities and tasks as needed
- Oversee case management for program clients, assuring compliance with agency policies regarding documentation, client interaction, and program supervision

Associate Executive Director (February, 2015 – December, 2017)

- Oversight of agency case management staff, including residential staff
- Establish program operating procedures and staff development
- Oversee agency compliance with Erie County Department of Social Services.
- Interview and screen potential agency employees
- Represent Executive Director when required within the community

Case Manager Supervisor March, 2011-February, 2015

- Oversee activities of all Case Management staff, including client files
 - Collaborate with case managers to provide programming implementation to program clients
 - Liaison with New York State Department of corrections and community partners
 - Oversee resident disciplinary action as necessary
- Facilitate with case conferences to review resident case status

Discharge Planning Coordinator (October, 2009 –March, 2011)

- Coordinate Transition of program clients into independent community housing
- Track client goals toward achievement of goals outlined in transitional plan
- Liaison with New York State Department of Corrections Community Supervision
- Facilitate meetings discussing client progress while in program
- Review Discharge/Transitional plans and make modifications if necessary

EDUCATION

Bachelor of Arts, Communications

SUNY Buffalo State College

Graduated 2006

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-9

SHERIFF

Air-One Post Maintenance Test Pilot Services

Attachments

23COMM. 20E-9

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



ADMINISTRATIVE OFFICES
10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716)858-7882
WEBSITE: <http://www.erie.gov/sheriff>

SHERIFF OF ERIE COUNTY

October 25, 2023

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

EC LEG OCT 27 '23 0:11:19

Re: Air-One Post Maintenance Test Pilot Services

Dear Honorable Members:

Attached please find a proposed resolution and accompanying memorandum requesting authorization for the Erie County Sheriff's Office to engage Pinnacle Aviation, LLC for post maintenance test pilot services for Air-One.

Should your Honorable Body require further information, please contact my office. Thank you for your consideration on this matter.

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Air-One Post Maintenance Test Pilot Services
Date: October 25, 2023

Summary of Recommended Action

This resolution requests authorization to engage Pinnacle Aviation, LLC to provide post maintenance test pilot services. Proper maintenance of a helicopter requires highly specialized testing procedures that must be conducted by a certified test pilot. Pinnacle Aviation specializes in providing certified test pilots for this purpose. In anticipation for the need for this service, the ECSO 2023 Budget has the necessary finds in Fund 110; Cost Center 11510; Account 516020 – Professional Services

Reasons for Recommendation

As a result of the recent maintenance performed on our aircraft, including the installation of a new fuel control unit, a series of flight tests must be performed to ensure proper performance and safety. These tests include complex and comprehensive flight maneuvers and configurations prescribed by the manufacturer. Some components of the flight testing require a higher-level skill set and carry a higher degree of risk. The potential exists for hazardous flight profiles and exceeding of aircraft limitations. For example, certain tests require that the aircraft be operated at a higher altitude (5,000' to 9,000') to perform power checks in order to ensure that the main rotor does not droop and to document the performance of the engine. If rotor drooping is experienced during these checks, proper and immediate corrective action must be taken to prevent a catastrophic result. Another flight test requires the application of maximum engine power at altitude to ensure that the engine reaches its maximum temperature limitation before reaching its maximum torque limitation.

It is advantageous to utilize a pilot that has been trained on test flight sheets, procedures, and maneuvers. During the battery of tests, calculations and readings need to be documented, and the prescribed test flight sheets associated with the testing need to be completed before the aircraft may be returned to service.

Current Erie County Sheriff's Office pilots do not have experience with performing this type of flight testing and have not received certified training in Maintenance Flight Procedures (MFP).

The test pilot we are seeking to utilize completed the Maintenance Flight Procedures course through Airbus Helicopters, Inc. and has extensive experience performing, and safely completing, this type of flight testing. Pinnacle Aviation LLC, has been utilized by the Erie County Sheriff's Office to perform similar post-maintenance flight testing on multiple occasions in the past.

Consequences of Negative Action

Proper safety testing will not be able to be performed. As a result, Air-One would be grounded.

Steps Following Approval of Measure

Certified copies shall be forwarded to the County Executive's Office, The Erie County Budget Department, the Erie County Purchasing Department and the Office of the Sheriff for implementation.

**A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE**

Re: Air-One Post Maintenance Test Pilot Services

WHEREAS, post maintenance test piloting is a specialized service that must be provided by qualified and certified test pilots, and

WHEREAS, the Erie County Sheriff's Office is in need of post maintenance test pilot service for mandatory maintenance work that will be conducted on Air-One, and

WHEREAS, test piloting of the aircraft must occur prior to it being placed back into service, and

WHEREAS, the Erie County Sheriff's Office has determined that Pinnacle Aviation, LLC is the appropriate company to provide test pilot services, and

WHEREAS, funds necessary for this item are available in the Erie County Sheriff's Office budget Fund 110; Cost Center 11510; Account 516020 – Professional Services,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office to engage Pinnacle Aviation, LLC for test pilot services in an amount not to exceed \$6,500, and be it further

RESOLVED, that the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County administrative code for the purposes of post maintenance test pilot services for Air-One, and be it

RESOLVED, that the Erie County Legislature does hereby authorize the Division of Purchase to process all necessary documents to engage Pinnacle Aviation, LLC, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Division of Budget and Management, the Erie County Personnel Department and the Erie County Sheriff.

FISCAL IMPACT: Funds exist in 2023 ECSO budget.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-10

SHERIFF

Incarcerated Individual Eye Care

Attachments

23COMM. 20E-10

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



ADMINISTRATIVE OFFICES
10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716)858-7882
WEBSITE: <http://www.erie.gov/sheriff>

SHERIFF OF ERIE COUNTY

October 25, 2023

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

EC LEG OCT 27 '23 AM 11:19

Re: Incarcerated Individual Eye Care

Dear Honorable Members:

Attached please find a proposed resolution and accompanying memorandum requesting authorization for the Erie County Sheriff's Office to engage Eye Care & Vision Associates of Niagara Falls for Ophthalmology services.

Should your Honorable Body require further information, please contact my office. Thank you for your consideration on this matter.

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Incarcerated Individual Eye Care
Date: October 25, 2023

Summary of Recommended Action

This resolution requests authorization to engage Eye Care & Vision Associates of Niagara Falls to provide ophthalmology care for Erie County's incarcerated individuals.

Reasons for Recommendation

In May 2023, RFP#2023-034F was published requesting optometry and ophthalmology services for the Erie County Sheriff's Department. Only one proposal was received. This proposal only addressed optometry services, and not ophthalmology services. Since then, numerous community providers were contacted in regards to providing incarcerated individuals a higher level of eye care. Correctional Health and Eye Care & Vision Associates of Niagara Falls were able to discuss a possibility for Eye Care & Vision Associates of Niagara Falls to provide ophthalmology care for Erie County's Incarcerated Individuals. Eye Care & Vision Associates of Niagara Falls currently provides services for a variety of Correctional Facilities in the area, including the NYS Department of Corrections. They will bill Erie County at the New York State Medicaid rate.

Consequences of Negative Action

The Erie County Sheriff's Office would be unable to provide ophthalmology services to incarcerated individuals.

Steps Following Approval of Measure

Certified copies shall be forwarded to the County Executive's Office, The Erie County Budget Department, the Erie County Purchasing Department and the Office of the Sheriff for implementation.

**A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE**

Re: Incarcerated Individual Eye Care

WHEREAS, The Erie County Sheriff's Office is committed to providing access to medical treatment for the incarcerated population, and

WHEREAS, Eye Care & Vision Associates of Niagara Falls will provide ophthalmology services to the incarcerated population, and

WHEREAS, Eye Care & Vision Associates of Niagara Falls has agreed to provide services at the New York State Medicaid rate,

WHEREAS, Eye Care & Vision Associates of Niagara Falls is the only eye care provider willing to treat incarcerated individuals,

WHEREAS, funds necessary for this item are available in the Erie County Sheriff's Office budget Fund 110; Cost Center 11650; Account 516020 – Professional Services,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office to engage Eye Care & Vision Associates of Niagara Falls for ophthalmology services, and be it further

RESOLVED, that said authorization for payment to Eye Care & Vision Associates of Niagara Falls shall be at the New York State Medicaid rate; and be it further

RESOLVED, that the Erie County Legislature Comptroller's Office is hereby authorized to release the designated funds and make any payments for the approved agreement; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Division of Budget and Management, the Erie County Comptroller and the Erie County Sheriff.

FISCAL IMPACT: Funds exist in 2023 ECSO budget.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-11	COUNTY EXECUTIVE	Purchase of 2023 & Any Unsold Tax Lien Certificates
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Attachments

23COMM. 20E-11



COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG OCT 27 '23 PM 2:53

October 27, 2023

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

RE: Purchase of 2023 and any unsold Tax Lien Certificates

Dear Honorable Members:

Please find enclosed a Resolution and Accompanying Memorandum to allow the Director of Real Property Tax Services on behalf of the County of Erie to purchase 2023 and any other Tax Lien Certificates.

Should your Honorable Body require further information, I encourage you to contact Scott Bylewski, Director 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 of Real Property Tax Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Real Property Tax Services
Re: Purchase of 2022 and any other unsold Tax Lien Certificates
Date: October 27, 2023

SUMMARY

Seeking Erie County Legislative approval that will allow the Director of Real Property Tax Services, on behalf of the County of Erie, to purchase 2023 and any other unsold Tax Lien Certificates.

FISCAL IMPLICATIONS

Positive for Erie County. The purchase of the unpaid taxes and the creation of a Tax Lien Certificate places the County of Erie in first position in redemption of such Tax Lien Certificates with interest.

REASONS FOR RECOMMENDATION

Erie County will be able to collect previous taxes owed on unpaid tax liens. Additionally, once due and unpaid for a period of at least two years, the County will be able to commence foreclosure proceedings upon the subject Tax Lien Certificates.

BACKGROUND INFORMATION

Pursuant to Section 7-6.0 of the Erie County Tax Act, for the past sixty (60) years, each November the County of Erie bids for and purchases every available Tax Lien Certificate upon real estate for which current year real property taxes then remain unpaid.

There is no pending legislation or executive or administrative order that prevents the County from purchasing the 2023 and any other unsold Tax Lien Certificates.

CONSEQUENCES OF NEGATIVE ACTION

The County of Erie will not be allowed to purchase the unpaid taxes or commence a future foreclosure action upon the 2023 and any other unsold tax lien(s).

STEPS FOLLOWING APPROVAL

The Director of Real Property Tax Services will conduct a Tax Lien Certificate sale pursuant to Article 7 of the Erie County Tax Act, such sale be held and completed on Monday, November 27, 2023.

A RESOLUTION SUBMITTED BY:
REAL PROPERTY TAX SERVICES

RE: Purchase of 2023 and any other unsold Tax Lien Certificates

WHEREAS, pursuant to Section 7-6.0 of the Erie County Tax Act, as well as specific direction of resolutions adopted by the Erie County Legislature in each of the sixty (60) years, each November the County of Erie, bids for and purchases every available Tax Lien Certificate upon real estate for which current year real property taxes then remain unpaid; and

WHEREAS, the collection of delinquent real property taxes under this procedure has been satisfactory, potentially leading, absent redemption, to the commencement of an *in rem* tax foreclosure action against the affected properties by the County; and

WHEREAS, it is recommended that your Honorable Body direct the Director of Real Property Tax Services to bid and purchase for the County of Erie, its bid being preferred over all other offers, every 2023 Tax Certificate upon real estate for which current year real property taxes remain unpaid, along with any other unsold Tax Certificates the scheduled tax sale date for 2023 Tax Lien Certificates.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article VII of the Erie County Tax Act, the Director of Real Property Tax Services be, and hereby is, authorized to bid for and purchase, on behalf of the County of Erie, all Tax Lien Certificates upon real estate in Erie County for which 2023 real property taxes have not been paid, along with any other unsold Tax Lien Certificates upon real estate in Erie County for which real property taxes have been paid; and be it further

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

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-12	COUNTY EXECUTIVE	Transfer of Funds - Operating Budget for Medical Examiner's Office
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Attachments

23COMM. 20E-12



COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG OCT 27 '23 PM2:53

October 27, 2023

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

RE: Transfer of Funds – Operating Budget for Medical Examiner’s Office

Dear Honorable Members:

The Erie County Department of Health (ECDOH) is seeking authorization to transfer funds within the Medical Examiner’s budget due to the rising cost of medical supplies and increasing caseload.

Should your Honorable Body require further information, please contact Commissioner of Health Gale Burstein. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jah
Enclosure

cc: Dr. Gale Burstein, Commissioner of Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Health
Re: Transfer of Funds – Operating Budget for Medical Examiner’s Office
Date: October 27, 2023

SUMMARY

ECDOH’s Medical Examiner’s Office is seeking authorization to transfer \$50,000 from account 516020 Prof Svcs Contracts & Fees to 505800 Medical and Health Supplies. This transfer is necessary due to the rising cost of medical supplies and the increase caseload for the ME’s Office due to various factors including the opioid crisis.

FISCAL IMPLICATIONS

None. The ME’s Office operating budget was set with the passing of 2023 budget and does not need an increase in funds but a transfer from one account to another.

REASONS FOR RECOMMENDATION

The ME’s Office caseload continues to rise for various reasons but largely in part due to the opioid crisis. Medical and health supplies also continue to rise in price.

CONSEQUENCES OF NEGATIVE ACTION

The ME’s Office will not have the necessary supplies to continue its operations and resolve active cases.

STEPS FOLLOWING APPROVAL

ECDOH will work with Budget and Management to make the adjustments necessary to continue the operations of the ME’s Office.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF HEALTH

Re: Transfer of Funds – Operating Budget for Medical Examiner’s Office

WHEREAS, the Department of Health – Medical Examiner’s Division continues to see a rise in the cost of medical supplies needed as well as the number of cases; and

WHEREAS, in order to continue the ability to provide services it is necessary to transfer funds to the appropriate budget line; and

WHEREAS, funding for the needed transfer is available in Fund 110, Funds Center 12740, Account 516020 – Professional Services, Contracts and Fees, 2023 Operating Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Health’s Division of the Medical Examiner to amend its 2023 Operating Budget (Fund 110, Funds Center 12740) as follows:

Department of Health
Division of the Medical Examiner
Fund 110, Funds Center 12740

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
505800	Medical & Health Supplies	\$ 50,000
516020	Prof Svcs Contracts & Fees	(\$50,000)
	TOTAL	<u>\$ 0</u>

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

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive’s Office, Department of Health, and Division of Budget and Management.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-13	COUNTY EXECUTIVE	Authorization to Accept Performance Incentive Initiative State Aid - Art. VI
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Attachments

23COMM. 20E-13



EC LEG OCT 27 '23 PM2:53

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 27, 2023

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

RE: Authorization to Accept Performance Incentive Initiative State Aid – Art VI

Dear Honorable Members:

The Erie County Department of Health (ECDOH) is seeking authorization accept an award from New York State for \$28,208 for its response to the COVID-19 pandemic as part of the NYS Performance Incentive Initiative.

Should your Honorable Body require further information, please contact Commissioner of Health Gale Burstein. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jah
Enclosure

cc: Dr. Gale Burstein, Commissioner of Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Health
Re: Authorization to Accept Performance Incentive Initiative State Aid – Art VI
Date: October 27, 2023

SUMMARY

ECDOH was one of 57 local health departments (LHDs) across New York State to be awarded a Performance Incentive Initiative due to its response to the COVID-19 pandemic for \$28,208. This funding will go mainly towards lab and technical equipment needs within the department.

FISCAL IMPLICATIONS

Positive. This money was awarded based on the performance of the department by NYS and will save Erie County money on lab and technical equipment needs.

REASONS FOR RECOMMENDATION

The award will mainly go towards the department's lab and technical equipment needs saving Erie County funds and reflects the department's hard work responding to the COVID-19 pandemic and protecting the health of Erie County residents.

CONSEQUENCES OF NEGATIVE ACTION

Erie County would leave funding unclaimed and have to use its own funds to address department needs.

STEPS FOLLOWING APPROVAL

ECDOH will work with Budget and Management to add the award to their 2023 operating budget.

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF HEALTH**

Re: Authorization to Accept Performance Incentive Initiative State Aid – Art VI

WHEREAS, the Erie County Department of Health participated in the NYS Department of Health’s ongoing Local Health Department (LHD) Performance Incentive Program; and

WHEREAS, for the year 2022, 57 LHD’s were awarded; and

WHEREAS, Erie County has been awarded \$28,208 to be used to support costs associated with Article 6 eligible services, focusing on disease prevention efforts and promotion of COVID-19 vaccination.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$28,208 in additional State Aid – Art VI funds from their participation in NYS Health Department’s LHD Performance Incentive Program to the Department of Health’s Health Division’s 2023 Operating Budget (Fund 110, Funds Center 12700) as follows:

Department of Health
Health Division
Fund 110, Funds Center 12700

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
405540	State Aid – Art VI/Public Hlth Work	<u>\$28,208</u>
	TOTAL	<u>\$28,208</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516020	Professional Services, Fees & Contracts	\$ 3,568
561410	Lab & Technical Equipment	<u>\$24,650</u>
	TOTAL	<u>\$28,208</u>

and be it further

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

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive’s Office, Department of Health, and Division of Budget and Management.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-14	COUNTY EXECUTIVE	Creation of a Consumer Protection Restitution Account
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Attachments

23COMM. 20E-14



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG OCT 27 '23 PM 2:53

October 27, 2023

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

RE: Creation of a Consumer Protection Restitution Account

Dear Honorable Members:

The Department of Public Advocacy is requesting authorization to create a Consumer Protection Restitution Account which will allow for the facilitation of any monetary judgements and settlements gained as a result of General Business Law Chapter 20, Article 36-a, §§ 771-775 to victims. This Restitution Account will be maintained as a Trust Account by the Erie County Comptroller's Office and any deposits into or withdrawals from will be made in coordination with Public Advocacy and the Law Department.

Should your Honorable Body require further information, I encourage you to contact Commissioner Karen King, PhD at the Department of Public Advocacy. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mc
Enclosure

cc: Karen L. King, PhD, Commissioner of Public Advocacy
Jeremy Toth, Erie County Attorney

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Advocacy
Re: Creation of a Consumer Protection Restitution Account
Date: October 27, 2023

SUMMARY

The Department of Public Advocacy seeks the creation of a Consumer Protection Restitution Account which will allow for the facilitation of any monetary judgements and settlements gained as a result of General Business Law Chapter 20, Article 36-a, §§ 771-775 to victims.

FISCAL IMPLICATIONS

None. All judgement or settlement funds accepted into the Restitution Account will be dispersed directly to the victims as a result of GBL Article 36-A actions.

REASONS FOR RECOMMENDATION

The Departments of Public Advocacy and Law needs a budgetary mechanism to be able to accept and later disperse funds secured as a result of GBL Article 36-A actions. After meeting with the Comptroller's Office, it was determined that the set-up of a Trust Fund Account would be the most practical solution.

BACKGROUND INFORMATION

The Department of Public Advocacy was recently awarded \$2,000,000 funding from the Buffalo Division of the New York State Attorney General's Office as a result of a the JLP Recovery Solutions LLC Settlement. this Honorable Body established a multi-year grant via COMM. 5E-21 (2022) to utilize the allocated funds to expand consumer protection efforts on behalf of Erie County residents.

In coordination with the Department of Law, Public Advocacy will begin enforcing home improvement contract violations set forth in GBL Article 36-A committed by home improvement contractors in their contractual dealings with County homeowners. And, as part of actions taken against home improvement contractors, monetary judgements may be made or settlements reached as restitution to victims wronged as a result of such contract violations.

CONSEQUENCES OF NEGATIVE ACTION

The Departments of Public Advocacy and Law will not have a way to accept judgement or settlement funds from home improvement contractors or later disperse those recoveries to wronged homeowners as a result of GBL Article 36-A actions.

STEPS FOLLOWING APPROVAL

The Departments of Public Advocacy and Law will coordinate with the Division of Budget and Management and Office of the Comptroller to create the Consumer Protection Restitution Account based on established practices governing Trust Fund Accounts.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC ADVOCACY

RE: Creation of a Consumer Protection Restitution Account

WHEREAS, the Erie County Department of Public Advocacy (“Public Advocacy”) was recently awarded \$2,000,000 funding from the Buffalo Division of the New York State Attorney General’s Office as a result of a the JLP Recovery Solutions LLC Settlement; and

WHEREAS, this Honorable Body established a multi-year grant via COMM. 5E-21 (2022) to utilize the allocated funds to expand consumer protection efforts on behalf of Erie County residents; and

WHEREAS, in coordination with the Department of Law, Public Advocacy will begin enforcing home improvement contract violations set forth in GBL Article 36-A committed by home improvement contractors in their contractual dealings with County homeowners; and

WHEREAS, as part of actions taken against home improvement contractors, monetary judgements may be awarded and/or settlements reached as restitution to victims wronged as a result GBL Article 36-A; and

WHEREAS, the creation of a Consumer Protection Settlement Restitution Account will allow Public Advocacy to facilitate the initial acceptance of and disbursement of any monetary judgements and/or settlements gained during such proceedings to victims; and

WHEREAS, this Restitution Account will be maintained by the Erie County Comptroller’s Office as a Trust Account and any deposits into and/or disbursements from will be made in coordination with Public Advocacy and the Law Department; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of the Consumer Protection Restitution Account as a Trust Fund (Fund 610, Funds Center 10910) Account #227120; and be it further

RESOLVED, that authorization is hereby given to accept restitution funds as a result of judgements, settlements, etc. reached as a result of GBL Article 36-A proceedings by the Departments of Public Advocacy and Law Department and record them in the Consumer Protection Restitution Account as reserved funds to be dispersed in amounts as indicated in the judgement and/or settlement document(s); 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 Public Advocacy, the Department of Law, and the Division of Budget and Management.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-15	COUNTY EXECUTIVE	ECSD Sewage Sludge Disposal - Alternative Location
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Attachments

23COMM. 20E-15



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG OCT 27 '23 PM 2:53

October 27, 2023

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

**RE: Erie County Sewer Districts
Sewage Sludge Disposal – Alternative Location**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management pertaining to an alternate disposal location for sewage sludge generated in the Erie County Sewer Districts.

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,

A handwritten signature in blue ink, appearing to read "Mark C. Poloncarz", is written over a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:jf
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 Districts
Sewage Sludge Disposal – Alternative Location
Date: October 27, 2023

SUMMARY

Your Honorable Body is requested to approve of the Department of Purchasing utilizing published pricing for the Chautauqua County Landfill as an alternative location for sewage sludge disposal.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The funds for these services will be through Erie County Sewer District (ECSD) operating funds.

REASONS FOR RECOMMENDATION

Having an alternate location for the ECSDs to dispose of sewage sludge would provide operational flexibility, offer better resiliency for disposal needs, and may allow for budgetary savings.

BACKGROUND INFORMATION

At various facilities throughout the ECSDs, sewage sludge is generated as part of the wastewater treatment process. This sludge must be hauled offsite for disposal. The Department of Purchasing periodically advertises for sewage sludge disposal services, and private companies have historically submitted bids.

Sewage sludge disposal must be managed carefully to maintain the integrity of the treatment process and hence, having additional disposal locations would be of benefit to the ECSDs. After researching alternatives, the Chautauqua County Landfill was identified as a viable option with a published pricing/fee schedule.

CONSEQUENCES OF NEGATIVE ACTION

If the Department of Purchasing is not authorized to use the published pricing for the Chautauqua County Landfill, this alternate disposal location cannot be used.

STEPS TO FOLLOW APPROVAL

Should the ECSDs dispose of sewage sludge at the Chautauqua County Landfill, purchase orders would be issued to allow for payment in accordance with the publicly available pricing/fee schedule.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer Districts
Sewage Sludge Disposal – Alternative Location

WHEREAS, various facilities throughout the Erie County Sewer Districts (ECSDs), generate sewage sludge as part of the wastewater treatment process; and

WHEREAS, the Department of Purchasing periodically advertises for sewage sludge disposal services, and private companies have historically submitted bids; and

WHEREAS, having an alternate location for the ECSDs to dispose of sewage sludge would provide operational flexibility, offer better resiliency for disposal needs, and may allow for budgetary savings; and

WHEREAS, the Chautauqua County Landfill was identified as an alternative location for the ECSDs to dispose of sewage sludge; and

WHEREAS, the Chautauqua County Landfill has a published pricing/fee schedule for sewage sludge disposal.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby waives the procedures provided in Section 3.07 of the Erie County Administrative Code as impractical for the purposes of utilizing the published pricing/fee schedule for the Chautauqua County Landfill; and be it further

RESOLVED, that authorization is hereby given to the Division of Purchase to process all necessary documents to allow for the ECSDs to utilize the published pricing/fee schedule for the Chautauqua County Landfill for sewage sludge disposal services; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, the Division of Purchase, and the Division of Sewerage Management.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-16	COUNTY EXECUTIVE	ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Systems Improvements Project
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Attachments

23COMM. 20E-16



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

30 LEG OCT 27 '23 PM 2:53

October 27, 2023

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

**RE: Erie County Sewer District No. 6
Lackawanna Water Resource Recovery Facility (WRRF) and Overflow Retention Facility
(ORF) Disinfection Systems Improvements Project
GHD Consulting Services, Inc. - Change Order No. 3**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to Change Order No. 3 to the GHD Consulting Services, Inc. agreement, dated January 22, 2019.

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,

A handwritten signature in blue ink that reads "Mark Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 6
Lackawanna Water Resource Recovery Facility (WRRF) and Overflow Retention Facility (ORF) Disinfection Systems Improvements Project
GHD Consulting Services, Inc. – Change Order No. 3
Date: October 27, 2023

SUMMARY

It is requested that the Erie County Legislature approve Change Order No. 3 to the GHD Consulting Services, Inc. (GHD) Agreement, dated January 22, 2019. The Change Order is for an additional amount of \$70,145.18, bringing the total to \$393,728.05.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the additional engineering work related to this communication will be paid from Erie County Sewer District No. 6 Capital Bond Account C.00064.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management is requesting approval of Change Order No. 3 for GHD's agreement dated January 22, 2019 to compensate the consultant for additional engineering costs during the construction phase of the Lackawanna WRRF and ORF Disinfection Systems Improvements Project. This change will ensure that GHD's team will provide engineering services to cover the full estimated construction period proposed by the contractors, as the construction duration is greater than anticipated at the time of GHD's initial proposal. In addition, construction will start a few years after the anticipated start date and this change order updates the billing rates for GHD's M/WBE subconsultant inspector.

BACKGROUND INFORMATION

On December 6, 2018, the Erie County Legislature passed a resolution [Comm. 21E-13 (2018)] authorizing an agreement with GHD for the Lackawanna WRRF and ORF Disinfection Systems Improvements Project. The budget for construction services within this agreement was based on the anticipated design scope at that time and a construction bid date in 2020. Since then, the scope of the project increased to incorporate additional items identified during detailed design and based on requests from the New York State Department of Environmental Conservation (NYSDEC). Specifically, additions were made to the design to facilitate improvements associated with the storage/management of disinfection chemicals, for a baffle wall to optimize dechlorination under all conditions in the disinfection process, and needed upgrades for HVAC systems, with engineering costs accounted for in previous change orders totaling \$47,807.93.

The construction project was not awarded until May 2023. After discussions with the contractors regarding length of construction, it appears the hours GHD estimated in their original proposal are not sufficient to cover the full construction period, which includes the additional design items and reflects global market conditions that have increased construction durations over the last 2 to 3 years.

With the bid of the project being delayed, the billing rates for construction inspection services have increased. The main factors impacting the schedule were items related to the COVID-19 pandemic, extended periods associated with NYSDEC issues/reviews, and unanticipated investigations during design. However, there were some limited circumstances in which GHD contributed to the delays. To acknowledge any part that GHD played in the project delays, this additional funding does not include GHD's profit markup.

CONSEQUENCES OF NEGATIVE ACTION

If this request is not approved, there will not be sufficient budget to provide construction inspection and administration for the entire construction period. Lack of inspection and administration oversight may lead to deficiencies in construction and problems with the resulting facilities.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the change order and allocate \$70,145.18 from Bond Account No. C.00064 for this project.

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 capital appropriations for the action proposed.

Signed Timothy C. Callan Date 10/11/23
Title Timothy C. Callan, Ph.D.
Deputy Comptroller

**Erie County Sewer District No. 6
Lackawanna Water Resource Recovery Facility and Overflow Retention Facility
Disinfection Systems Improvements Project
Engineering Agreement – Change Order No. 3
Bond Account C.00064**

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 6
Lackawanna Water Resource Recovery Facility (WRRF) and Overflow Retention
Facility (ORF) Disinfection Systems Improvements Project
GHD Consulting Services, Inc. - Change Order No. 3

WHEREAS, pursuant to Legislative Comm. 21E-13 (2018), GHD Consulting Services, Inc. (285 Delaware Ave, Suite 500, Buffalo, NY 14202) was retained to provide engineering design, bid, and construction services for the Lackawanna WRRF and ORF Disinfection Systems Improvements Project in Erie County Sewer District No. 6; and

WHEREAS, the Division of Sewerage Management has determined that additional costs above those included in the original engineering proposal period will be incurred for services during construction; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Change Order No. 3, an increase of \$70,145.18 for a total cost under GHD Consulting Services, Inc.'s agreement of \$393,728.05.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature hereby authorizes the increase of the total amount for the engineering agreement between the County of Erie and GHD Consulting Services, Inc. (285 Delaware Ave, Suite 500, Buffalo, NY 14202) for the construction of the Lackawanna WRRF and ORF Disinfection Systems Improvements Project in Erie County Sewer District No. 6 by \$70,145.18 to a total of \$393,728.05; and be it further

RESOLVED, that authorization is hereby given to the the Deputy Commissioner of the Division of Sewerage Management be authorized to execute Change Order No. 3 for this agreement; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and the Division of Sewerage Management.

TO: COMPTRROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS


REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|-----------------------|---|
| 1. CONTRACTOR'S NAME | <u>GHD Consulting Services</u> |
| 2. AMOUNT OF CONTRACT | <u>\$70,145.18</u> |
| 3. PROJECT NUMBER | <u>C.00064</u> |
| 4. PROJECT TITLE | <u>Engineering Agreement
Change Order No. 3</u> |
| 5. DEPARTMENT CONTACT | <u>Beth Pfalzer x6144</u> |

COMPTRROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|--|
| 6. AVAILABILITY OF FUNDS | <u>\$159,753.40</u> |
| 7. PERFORMED BY | <u></u> |
| Date Sent to Comptroller's Office: | <u>October 11, 2023</u> |

[55 compt_10]

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-17	COUNTY EXECUTIVE	COMM. 19E-8 (2023) Time Extension Change Order - ECSD No. 3
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Attachments

23COMM. 20E-17



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG OCT 27 '23 PM 2:53

October 27, 2023

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

**RE: Legislative Comm. 19E-8 (2023) Time Extension Change Order
Erie County Sewer District No. 3
Electrical Substation and Plant-Wide Generator Equipment Procurement for
Southtowns Advanced Wastewater Treatment Facility – Contract No. 74P-R**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management pertaining to no-cost time extension Change Order for the Electrical Substation and Plant-Wide Generator Equipment Procurement for Southtowns Advanced Wastewater Treatment Facility, Erie County Sewer District No. 3, Contract No. 74P-R.

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,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.

Erie County Executive

MCP:mp
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Legislative Comm. 19E-8 (2023) Time Extension Change Order
Erie County Sewer District No. 3
Electrical Substation and Plant-Wide Generator Equipment Procurement for
Southtowns Advanced Wastewater Treatment Facility – Contract No. 74P-R
Date: October 27, 2023

SUMMARY

Your Honorable Body is requested to approve Change Order No. 1 to Contract No. 74P-R for the Electrical Substation and Plant-Wide Generator Equipment Procurement for Southtowns Advanced Wastewater Treatment Facility.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. There is no cost associated with this Change Order.

REASONS FOR RECOMMENDATION

Delays in delivery of essential components under Contract No. 74P-R will not allow the project to progress on the anticipated schedule. The Change Order would account for delays beyond the Contractor's control.

BACKGROUND INFORMATION

The Electrical Substation and Plant-Wide Generator Equipment Procurement for Southtowns Advanced Wastewater Treatment Facility was awarded under Legislative Comm. 7E-23 (2023) and primarily involves purchasing and servicing larger, long lead-time electrical equipment to be installed during the Southtowns Advanced Wastewater Treatment Facility Phase 1 Expansion Project. This Contract is scheduled to be assigned to the Phase 1 project upon execution of that Contract.

O'Connell Electric Company, Inc. has experienced delays, beyond what was scheduled at the time of award. Specifically, the plant-wide emergency generator, medium voltage switchgear, and Effluent Submersible Pump Station (ESPS) switchboard are all expected to be delivered beyond anticipated milestone delivery dates. Multiple suppliers and manufacturers for these essential equipment components have verified that the milestone dates cannot be achieved.

O'Connell Electric Company, Inc. submitted a request to add 82 days to the milestone date for the generator, 163 days to the milestone date for the medium voltage switchgear, and 203 days to the milestone date for the ESPS switchboard. Adding this time to the milestone dates will result in an additional 154 days of overall contract time, making the duration of Contract No. 74P-R a

total of 813 days with a completion date of September 12, 2025. The Division of Sewerage Management reviewed the request and based on the recommendation of the Engineer, Arcadis, believes proposed Change Order No. 1 for Contract No. 74P-R is appropriate to complete the work. No additional costs would be incurred.

CONSEQUENCES OF NEGATIVE ACTION

The Contractor has acted in good faith to provide the materials and equipment under the terms of the Contract. Not granting a time request could be considered a breach of the Contract.

STEPS TO FOLLOW APPROVAL

The County will issue Change Order No. 1 to Contract No. 74P-R, allowing for the extension of time until September 12, 2025 and associated adjustments of intermediate milestone dates.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Legislative Comm. 19E-8 (2023) Time Extension Change Order
Erie County Sewer District No. 3
Electrical Substation and Plant-Wide Generator Equipment Procurement for Southtowns
Advanced Wastewater Treatment Facility – Contract No. 74P-R

WHEREAS, pursuant to Legislative Comm. 7E-23 (2023), Contract No. 74P-R was awarded to O’Connell Electric Company, Inc. to provide equipment and services for the Electrical Substation and Plant-Wide Generator Equipment Procurement for Southtowns Advanced Wastewater Treatment Facility in Erie County Sewer District No. 3; and

WHEREAS, the Division of Sewerage Management has advised that additional time is needed for receipt of essential equipment and completion of the Contract; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of no-cost Change Order No. 1 for Contract No. 74P-R to increase the number of days for various interim milestones and obtain a final completion date of September 12, 2025.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes an increase to the total Contract Time for Contract No. 74P-R between the County of Erie and O’Connell Electric Company, Inc. (20 Lancaster Parkway, Lancaster, NY 14086) by 154 days to a completion date of September 12, 2025; and be it further

RESOLVED, that authorization is hereby given to the Deputy Commissioner in the Division of Sewerage Management to execute Change Order No. 1 for Contract No. 74P-R; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-18	COUNTY EXECUTIVE	ECSD Nos. 3 & 8 - Partial Closure of Capital Reserve Funds
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Attachments

23COMM. 20E-18



2023 OCT 27 '23 PM 2:53

COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

October 27, 2023

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, NY 14202

**Re: Erie County Sewer District Nos. 3 and 8
Partial Closure of Capital Reserve Funds**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning requesting the partial closure of the Erie County Sewer District Nos. 3 and 8 Capital Reserve accounts.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: jf

Enclosure

cc: J. Fiegl, Deputy Commissioner – DEP/DSM

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District Nos. 3 and 8
Partial Closure of Capital Reserve Funds
Date: October 27, 2023

SUMMARY

The Department of Environment and Planning is requesting authorization for the partial closure of up to \$295,750 from Erie County Sewer District (ECSD) No. 3 capital reserve account C.00007 and up to \$29,250 from ECSD No. 8 capital reserve project C.11801 to fund improvements in the operating budgets of the respective sewer districts.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's general fund. Residual equity transfers will be processed to move the funds from the ECSD capital reserve accounts to the respective sewer district operating budgets.

REASONS FOR RECOMMENDATION

The residual equity transfers of capital reserve funds into the ECSD Nos. 3 and 8 operating budgets will allow for the funding of improvements to the Southtowns Advanced Wastewater Treatment Facility (AWTF) and East Aurora Water Resource Recovery Facility (WRRF) without incurring bond debt costs.

BACKGROUND INFORMATION

During the course of recent budget reviews, the following equipment purchases requested by sewer district staff were ultimately removed from further consideration in the interest of mitigating the impact to ECSD Nos. 3 and 8 ratepayers:

- East Aurora WRRF diffuser racks
- Southtowns AWTF fluidizer blower
- Southtowns AWTF VPSA motor
- Southtowns AWTF filter press feed pump

Although cut from budget proposals, the need for these equipment remains. Considering available budgets and the estimated costs for the aforementioned improvements, the Division of Sewerage Management has identified residual equity transfers from the ECSD Nos. 3 and 8 capital reserve accounts as an appropriate funding source to advance these purchases.

CONSEQUENCES OF NEGATIVE ACTION

The ECSDs would need to fund this work using bond accounts and/or long-term financing.

STEPS TO FOLLOW APPROVAL

The residual equity transfer of funds from the capital reserve accounts to the sewer district operating budgets will be completed.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to Capital Reserve accounts for which there are sufficient funds available for the action proposed.

Signed Timothy C. Callan Date 10/16/23
Timothy Callan, Ph.D.
Deputy Comptroller

**Erie County Sewer District (ECSD) Nos. 3 and 8
Partial Closures of Capital Reserve Funds
ECSD No. 3 Capital Reserve Account C.00007
ECSD No. 8 Capital Reserve Account C.11801**

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District Nos. 3 and 8
Partial Closure of Capital Reserve Funds

WHEREAS, Erie County Sewer District (ECSD) Nos. 3 and 8 will be working on improvements to the Southtowns Advanced Wastewater Treatment Facility and the East Aurora Water Resource Recovery Facility; and

WHEREAS, the partial closing of ECSD Nos. 3 and 8 capital reserve accounts C.00007 and C.11801, respectively, will allow for implementation of these improvements without incurring long-term financing costs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the partial closings of up to \$295,750 in ECSD No. 3 capital reserve account C.00007 and up to \$29,250 in ECSD No. 8 capital reserve account C.11801 to assist with the necessary improvements in each respective district; and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to process residual equity transfers of up to \$295,750 from the ECSD No. 3 capital reserve account, WBS element C.00007.98, funds center 183, fund 430, GL 570000 – Interfund Transfer-Subsidy and residual equity transfers of up to \$29,250 from the ECSD No. 8 capital reserve account, WBS element C.11801.98, funds center 183, fund 430, GL 570000 – Interfund Transfer-Subsidy and increase the revenues and appropriations in the respective ECSD operating budgets as follows:

ECSD No. 3, Fund Center 183, Fund 220

REVENUE	INCREASE
486010 – Residual Equity Transfer-In	\$295,750
TOTAL REVENUE	\$295,750
APPROPRIATIONS	INCREASE
561410 – Lab and Technical Equipment	\$295,750
TOTAL APPROPRIATIONS	\$295,750

ECSD No. 8, Fund Center 183, Fund 220

REVENUE	INCREASE
486010 – Residual Equity Transfer-In	\$29,250
TOTAL REVENUE	\$29,250
APPROPRIATIONS	INCREASE
561410 – Lab and Technical Equipment	\$29,250
TOTAL APPROPRIATIONS	\$29,250

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 necessary to facilitate these transfers; and be it further

RESOLVED, that any unused funds be returned to the respective capital reserve accounts and the operating budgets be adjusted accordingly based on guidance from the Division of Sewerage Management; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of this Resolution to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, and the Division of Sewerage Management.

TO: COMPTRROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

<u>REQUESTING DEPARTMENT</u>	<u>COMPLETE ITEMS 1 THROUGH 5</u>
1. CONTRACTOR'S NAME	<u>Residual Equity Transfer</u>
2. AMOUNT OF CONTRACT	<u>\$295,750</u> <u>\$29,250</u> <u>\$325,000</u>
3. PROJECT NUMBER	<u>C.00007</u> <u>C.11801</u>
4. PROJECT TITLE	<u>C.00007 – ECSD No. 3 Capital Reserve</u> <u>C.11801 – ECSD No. 8 Capital Reserve</u>
5. DEPARTMENT CONTACT	<u>Beth Pfalzer x6144</u>
<u>COMPTRROLLER'S OFFICE</u>	<u>COMPLETE ITEMS 6 AND 7</u>
6. AVAILABILITY OF FUNDS	<u>\$19,184,616.68</u>
7. PERFORMED BY	<u><i>[Signature]</i></u>
Date Sent to Comptroller's Office:	<u>10-13-23</u>

[55 compt_10]

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-19 COUNTY EXECUTIVE Appointment to the ECCSAB

Attachments

23COMM. 20E-19



EC LEG OCT 30 '23 PM 3:50

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 27, 2023

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

Re: Appointment to the Erie County Corrections Specialist Advisory Board

Dear Honorable Members:

Pursuant to Local Law 3-2019, Section 2, I do hereby appoint and submit for your confirmation the appointment of the following individual to the Erie County Corrections Specialist Advisory Board for a term expiring **December 31, 2026**.

Appointee

Julianna Everdyke
228 Parkdale Avenue
Buffalo, NY 14213

Should you have any questions regarding this reappointment, please feel free to contact my office at (716) 858-8500. Thank you in advance for your courtesies.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn

Julianna Everdyke, LMSW

✉ julianna.everdyke@daemen.edu

☎ 315-879-0135

📍 Buffalo, NY

Education

Daemen College

Graduated May 2020

Masters Degree in Social Work

Daemen College Phi Alpha Honor Society Zeta Zeta

Outstanding Student in Field Education Award

University at Buffalo

Graduated December 2013

Bachelors Degree in Psychology

Magna Cum Laude with High Distinction

University at Buffalo National Society of Leadership and Success (Sigma Alpha Pi)

University at Buffalo Dean's List

Licensure

Licensed Master of Social Work (111953)

Graduate School Internships

Service Link Stop Erie County Department of Forensic Mental Health 2019-2020

Erie County Probation Department 2018-2019

Presentations

Creation of the Service Link Stop: Social Work advocacy using a system perspective, collaborative approaches, and focus upon community equity and opportunity with re-entry services

National Organization of Forensic Social Work Conference – June 2021

» Presented with Ronald M. Schoelerman, LCSW, CCTP

Work Experience

Director of Dual Recovery and Community Integration

Erie County Department of Mental Health/CCSI

December 2021 to present

- Dual Recovery Coordinator (OMH/OASAS/OPWDD) for Erie County, part of the statewide initiative with other DRC's
- Project Director for two federal grants through the Department of Mental Health (Implementation of a trauma assessment in the 8th Judicial District Adult Drug Courts and Enhancement of the Behavioral Health Team a co-response model, law enforcement and clinicians, to behavioral health crises)
- Identify gaps and barriers specific to the mental health, substance use, developmental disabilities, and criminal justice/reentry systems
- Oversee the Service Link Stop, ensure collaborative partnerships and effective linkages for community members
- Supervise Service Link Stop Director and multiple interns
- Support the Buffalo community in mental health, wellness, and healing avenues after the mass shooting in May 2022

Julianna Everdyke, LMSW

✉ julianna.everdyke@daemen.edu

☎ 315-879-0135

📍 Buffalo, NY

Program Coordinator – Service Link Stop

Spectrum Health and Human Services

March 2021 - December 2021

- Ensure high quality services at the Service Link Stop between individuals returning to the community from incarceration, community members, and partnered agencies
- Work collaboratively with the Racial Equity Roundtable, Community Foundation for Greater Buffalo, Court systems, and various involved agencies
- Responsible for the daily operations of the SLS and collaboration between agencies for smooth coordination of linkage to needed services
- Collaborate with community entities to create effective linkage to integrated services pertaining to co-occurring needs of those with mental illness/substance use disorders
- Provide presentations for a variety of meetings, committees, and community events
- Engage in interagency education and community engagement

Quality Improvement Coordinator/Investigator

People Inc.

May 2016 - December 2021

- Investigate allegations of abuse, neglect, mistreatment, theft, and a variety of other categories through interviewing victims, witnesses, and targets to develop a thorough investigative report
- Review agency policies, documents, and trainings to ensure compliance and consistency within the agency
- Provide recommendations to prevent similar events from occurring in the future

Developmental/Behavioral Specialist

People Inc.

December 2013 - May 2016

- Work with persons with disabilities, some with co-occurring mental health diagnoses, specifically supporting those who have criminal backgrounds
- Complete quarterly reports and summaries of goal and treatment plan progress, and implement behavior support plans, risk assessments, functional behavior analyses and treatment plans, attend and contribute to clinical team meetings
- Participate as an active member of the support team and held a leadership position within the site
- Complete trainings for staff on all plans and best practices to interact/work effectively

Certifications/Trainings

Forensic Social Work Certification, Mental Health First Aid, Writing Winning Grant Proposals Workshop (University at Buffalo), Solution Focused Trauma Informed Care, Barriers to Recovery, Strategies for Preventing and De-escalating Hostile Situations, Substance Use in Military and Veteran Populations, Women and Substance Use, Crisis Management Lethality Assessment and Prevention

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20E-20	COUNTY EXECUTIVE	Teamsters Local Union No. 264 Captain & Lieutenants Unit & Sworn Unit, CSEA Local 1000 Correctional Unit Agreement
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Attachments

23COMM. 20E-20



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

10/30/2023 3:50

October 30, 2023

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

RE: Teamsters Local Union No. 264 Captain and Lieutenants Unit, Teamsters Local Union No. 264 Sworn Unit, CSEA Local 1000 Correctional Unit, 25-Year Retirement (89-p/603(l) Retirement and Social Security Law)

Dear Honorable Members:

Please find enclosed for your consideration a memorandum and proposed resolution for approval expressing legislative assent and directing implementation of an agreement between Erie County and three separate organized labor units – Teamsters Local Union No. 264 Captain and Lieutenants Unit, Teamsters Local Union No. 264 Sworn Unit, CSEA Local 1000 Correctional Unit (“Units”). This agreement would place all eligible members of these units into a 25-year retirement plan under the Retirement and Social Security Law of New York State.

Should your Honorable Body require further information, I encourage you to contact Commissioner Josh Pennel at the Department of Labor Relations. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/sab
Enclosure

cc: Commissioner Josh Pennel, Department of Labor Relations
Erie County Fiscal Stability Authority

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Departments of Personnel and Labor Relations
Re: Teamsters Local Union No. 264 Captain and Lieutenants Unit, Teamsters Local Union No. 264 Sworn Unit, CSEA Local 1000 Correctional Unit, 25-Year Retirement (89-p/603(l) Retirement and Social Security Law)
Date: October 30, 2023

SUMMARY

The Departments of Personnel and Labor Relations request Legislative approval of an agreement between Erie County and Teamsters Local Union No. 264 Captain and Lieutenants Unit, Teamsters Local Union No. 264 Sworn Unit, CSEA Local 1000 Correctional Unit. The agreement will allow eligible members of the units to enroll in an 89-p/603(l) retirement plan under the Retirement and Social Security Law of New York State.

FISCAL IMPLICATIONS

Under the contract, all eligible employees will be allowed to enroll in the 89-p/603(l) retirement plan. The cost of this enrollment has been calculated by the New York State and Local Retirement System (NYSLRS). The letter containing the estimate is attached for your review.

Savings to Erie County include concessions by the units in the form of a decrease in the number of sick days allocated annually, the elimination of an agreement that currently pays “double-time” for all overtime worked by unit members, as well as other amendments to the working conditions of unit members that will curtail the use of sick time. This agreement also implements a swipe system within the Sheriff’s Office to better account for the time worked by employees.

The specifics of the provisions contained in the agreement are delineated in two separate agreements, both of which have been attached for your review.

The New York State Comptroller’s Office has estimated the retroactive cost of joining the 25-year retirement system at \$12.7 million and an additional \$1.9 million cost annually in years to follow. The final retroactive and reoccurring costs will be determined once a final roster of eligible members is provided by the County to NYSLRS. Fund balance in an amount not to exceed \$12,800,000 will be appropriated to cover this one-time retroactive cost. The estimated cost for 2024 will be covered by either potential fringe benefits savings due to vacancies during the year or via a supplemental appropriation as part of the 2023 Year-End Budget Balancing process. Future years will be accounted for within the annual budget adoption process.

REASONS FOR RECOMMENDATION

This agreement was negotiated in good faith by all parties. There have been several attempts prior to agreement to make eligible the 89p/603(l) plan to the units’ membership. All previous attempts failed to reach an agreement and the units’ members continued to be placed in the existing 30-year retirement plan.

The tasks delegated to the employees covered by this agreement are physically demanding in nature. Prior to the implementation of the Tier V retirement plan, employees had the option of retiring at the age of 55. Now, many current members will not be eligible for retirement until they reach the age of 62. This age increase creates risks for employees who may find it to be increasingly difficult to meet the physical demands of their jobs. Further, a majority of all state and county employees engaged in corrections management employment may be unwilling to transfer to Erie County as they would cease to accrue time for a 25-year retirement plan while employed by the Erie County Sheriff. The concessions made by the units will assist in covering the cost of the increase in premiums as well as the retroactive payment, which is required of the County. It is strongly believed that this agreement will enhance both recruitment and transfer opportunities as well as create savings in various ways.

All Labor Units associated with this agreement have approved the agreement via membership vote.

CONSEQUENCES OF NEGATIVE ACTION

The proposed agreement would be deemed null and void.

STEPS FOLLOWING APPROVAL

The County will work with the NYSLRS to enroll all eligible employees into the 89-p/603(1) retirement plan. This begins by sending NYSLRS a certified resolution and affidavit acknowledging entrance into the retirement plan. Once acceptable documents are received and processed (expected in 4-6 weeks), a roster of eligible employees will be configured within the system and an exact retroactive cost invoice will be sent to the County for payment. Unit members will then work under the new conditions contained within the agreement.

A RESOLUTION SUBMITTED BY:
DEPARTMENTS OF PERSONNEL AND LABOR RELATIONS

RE: Teamsters Local Union No. 264 Captain and Lieutenants Unit, Teamsters Local Union No. 264 Sworn Unit, CSEA Local 1000 Correctional Unit, 25-Year Retirement (89-p/603(I) Retirement and Social Security Law)

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 Union No. 264 Captain and Lieutenants Unit, Teamsters Local Union No. 264 Sworn Unit, and CSEA Local 1000 Correctional Unit are each employee union organization which represents sworn staff employed by the Sheriff's Office; and

WHEREAS, the units' membership are currently enrolled in a 30-year retirement plan; and

WHEREAS, the employees' enrollment in a 30-year retirement plan make them outliers within the state for correctional employees and places the County at a disadvantage for recruitment; and

WHEREAS, the implementation of a modern timekeeping system is anticipated to yield significant savings for taxpayers by enhancing efficiency, streamlining administrative processes, and promoting fiscal responsibility; and,

WHEREAS, Unit membership recently ratified the agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the agreement concerning the 25-year retirement plan between Erie County the Teamsters Local Union No. 264 Captain and Lieutenants Unit, Teamsters Local Union No. 264 Sworn Unit, and CSEA Local 1000 Correctional Unit; and be it further

RESOLVED, all terms and conditions of the agreement shall be implemented in full; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to appropriate up to \$12,800,000 in Unassigned Fund Balance for past service costs as a result of entering the 25-year pension plan; and be it further

RESOLVED, that sole and exclusive authority is given to the Personnel Commissioner to require and administer an electronic timekeeping system for employees within the Erie County Sheriff's Office; and be it further

RESOLVED, that the Personnel Commissioner shall possess the exclusive right to develop, implement, and enforce procedures related to the aforementioned electronic timekeeping system, and all designated employees within the Erie County Sheriff's Office are mandated to comply with such procedures as established by the Personnel Commissioner; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, Comptroller's Office, Sheriff's Office, Division of Budget and Management, Department of Labor Relations, Department of Personnel and the Erie County Fiscal Stability Authority.

Tentative Agreement between
CSEA Erie Correctional Unit 815-6734
And
The County of Erie and Erie County Sheriff's Office
October 24, 2023

The purpose of this agreement is to implement a 25-year retirement plan for all correction officers, Sergeants, Lieutenants, and Captains within the bargaining unit. The County will work with the NYS Office of Comptroller and the NYS Retiree System to execute the agreement.

1. All eligible members of the CSEA CF bargaining unit will be placed in the 25-year retirement plan (89p and 603(1)). The County will make whole the retirement system for all past proceeds that must be paid in order for this to occur. The totals, laid out in the letter from the comptroller dated December 19, 2022, are the amount the County shall pay. The amounts in the letter from the Comptroller serve as the basis of this agreement and both parties believe that they are a fair and accurate reflection of the costs associated with this retirement plan.
2. The costs the County agrees to pay includes both the "retroactive" County Share as well as the increase to the County Share moving forward.
3. CSEA CF covered by this agreement (all Correction Officers, Sergeants, Lieutenants, and Captains.) will decrease their allocation of sick days from 4.62 hours/pay period to 4 hours/pay period. This will result in an annual decrease of two sick days per year. This decrease will permanent. The effective date of this provision will be 1/1/2024 or the date of the 25-year retirement plan, whichever is later.
4. The Sheriff's Office will implement a swipe system for time-tracking purposes. The Sheriff's Office agrees to assist with the implementation of the swipe system and will commit to the timeframes established by the County. CSEA CF accepts the implementation and retains the right to negotiate the impact of this implementation.
5. The MOA that allows for double-pay overtime and the requirement for preselected mandatory overtime, executed March 2023, will end on December 1, 2023. This will return the OT to the contractually defined 1.5 times an employee's hourly rate.
6. In addition to the CSEA CF, an agreement with the Teamsters Sworn and the Teamsters Capt. and Lt. unions must be completed in order for this to take effect. Should any union fail to negotiate an agreement that results in the 25-year retirement being approved, no union shall be entered into the 25-year retirement at the current

time. However, should either the Teamsters units or CSEA CF approve this agreement, the County will move forward and attempt to establish a 25-year retirement plan for either Teamsters or CSEA using the parameters of this agreement. Should all unions not approve this agreement, the County agrees to attempt to place those unions that do approve of the agreement, into a 25-year retirement plan through NYS Legislative action. It is understood that this action is uncertain and, should the NYS Legislative action prove fruitless, no part of this agreement shall be enacted. If, however, a 25-year retirement is enacted, the elements of this agreement must be enacted in order for the County to agree to full implementation.

7. The County will extend the HRA in section 25.6 to all sworn members covered by this agreement at a rate of 50% (instead of 60%). The requirements of the existing HRA are applicable. The implementation date for all employees not previously covered will be January 1, 2025. A minimum of 100 hours must be held at the time of retirement. No HRA will be created for employees who leave county service other than through retirement. Individual retirees who have multiple disciplines within three (3) years in their file at the time of retirement for reporting to work while knowingly or clearly experiencing a severer contagious illness, may be ineligible for this benefit at the County's discretion.
8. Any agreement must result in unit ratification and approval by the Erie County Legislature.
9. This agreement will be enforceable through the grievance procedure in the CBA.

 10/24/23
For CSEA Date

 10/24/23
For CSEA Date

 10/24/23
For Erie County Date

 10-24-23
For Erie County Date

Twenty-Five Year Retirement

Teamsters

10/23/2023

This document contains the outline of an offer the County of Erie is presenting to the Teamsters units of the Erie County Sheriff's Office. The parties will discuss the details of a proposed agreement and negotiate an acceptable agreement. The purpose of an agreement would be to implement a 25-year retirement plan for all deputy sheriffs, Sergeants, Lieutenants, and Captains within the bargaining unit. This document is for discussion purposes only and is not a formal offer. If, however, the parties reach an agreement concerning the issues below, a resulting formal offer will necessarily be prepared by the County and the discussed issues will be incorporated into that document. The union will then formalize the offer through its process and the County will do the same. Should the offer result in a completed deal, the County will work with the NYS Office of Comptroller and the NYS Retiree System to execute the agreement.

1. All eligible members of the Teamsters Sworn and Teamsters Capt. and Lt. (hereinafter collectively "Teamsters") bargaining unit will be placed in the 25-year retirement plan (89p and 603(1)). The County will make whole the retirement system for all past proceeds that must be paid in order for this to occur. The totals, laid out in the letter from the comptroller dated December 19, 2022, are the amount the County shall pay. The amounts in the letter from the Comptroller serve as the basis of this agreement and both parties believe that they are a fair and accurate reflection of the costs associated with this retirement plan.
2. The costs the County agrees to pay includes both the "retroactive" County Share as well as the increase to the County Share moving forward.
3. Teamsters covered by this agreement (all sworn, sgt., It., and capt.) will decrease their allocation of sick days from 4.62 hours/pay period to 4 hours/pay period. This will result in an annual decrease of two sick days per year. This decrease will be permanent. The effective date of this provision will be 1/1/2024 or the date of the 25-year retirement plan, whichever is later.
4. The Sheriff's Office will implement a swipe system for time-tracking purposes. The Sheriff's Office agrees to assist with the implementation of the swipe system and will commit to the timeframes established by the County. Teamsters agree with implementation and reserve our rights to bargain the effects.
5. The MOA that allows for double-pay overtime during selected shifts, executed March 2023, will end on December 1, 2023. This will return the OT to the contractually defined 1.5 times an employee's hourly rate.
6. In addition to the Teamsters, an agreement with the CSEA Corrections union must be completed in order for this to take effect. Should any union fail to negotiate an agreement that results in the 25-

year retirement being approved, no union shall be entered into the 25-year retirement. Should all unions not approve this agreement, the County agrees to attempt to place those unions that do approve of the agreement, into a 25-year retirement plan through NYS Legislative action. It is understood that this action is uncertain and, should the NYS Legislative action prove fruitless, no part of this agreement shall be enacted. If, however, a 25-year retirement is enacted, the elements of this agreement must be enacted in order for the County to agree to full implementation.

7. The County will create a Retirement HRA identical in nature to the HRA provided to CSEA Corrections under the terms of the CSEA Corrections CBA. This HRA will commence for those employees covered by the agreement beginning January 1, 2025. This HRA will pay 50% of the sick time a retiring employee has at the time of their retirement. A minimum of 100 hours must be held at the time of retirement. No HRA will be created for employees who leave county service other than through retirement. Individual retirees who have multiple active disciplines in their file at the time of retirement for reporting to work while knowingly or clearly experiencing a severe contagious illness, may be ineligible for this benefit at the County's discretion.
8. Any agreement must result in unit ratification and approval by the Erie County Legislature.
9. This agreement will be enforceable through the grievance procedure in the CBA.



For Teamsters Local #264
Brian Dickman, President/PEO

10-24-2023


Date



For Sheriff's Office
John Greenan, Chief

10-21-2023

Date



For Erie County
Josh Pennel, Commissioner of Labor Relations

10-24-23

Date

Office of the New York State Comptroller
Thomas P. DiNapoli



New York State and Local Retirement System
110 State Street, Albany, New York 12244-0001

Kimberly Zeto, Director, Member & Employer Services Bureau

Phone: 518-474-0167
Fax: 518-474-8357
E-mail: RTEmpSer@osc.state.ny.us
Web: www.osc.state.ny.us/retire

December 19, 2022
Location Code: 10014

Deputy Thomas Klein
Chief Union Steward
Teamsters Local 264
35 Tyrol Drive
Cheektowaga, NY 14277

Re: Section 89-p and 603(l) Plan Cost Request

Deputy Klein;

This is in reply to your request for information about the optional 25-year retirement plan, for eligible employees of Erie County provided by Sections 89-p and 603(l). Sections 89-p and 603(l) of the Retirement and Social Security Law (RSSL) provide an optional 25-year retirement plan for sheriffs, under-sheriffs, deputy sheriffs (directly engaged in criminal law enforcement) and correction officers.

Section 89-p permits persons serving in eligible titles and who are Tier 1 or Tier 2 members to retire upon the completion of 25 years of creditable service. Similarly, Section 603(1) applies to eligible Tier 3 members who elect to forfeit any benefits under Article 14 and all eligible Tier 4, 5, & 6 members. The benefit upon retirement will be an allowance of one-half of final average salary. There will be no reduction due to early service retirement for members with 25 years of credit.

Eligible members enrolled in Tier 3 who wish to be covered under the special plan would need to file the appropriate election form within one year of the date of the employers' election to provide the plan. As a result of their election, Tier 3 members would no longer be covered by any of the provisions of Article 14 of the Retirement and Social Security Law. The members would be assigned Tier 4 status and their membership governed by the provisions of Article 15 of the RSSL.

Once an employer elects the benefits of 89-p and 603(l), eligible members who are currently assigned Tier 1, Tier 2, Tier 4, Tier 5, or Tier 6 status would automatically be covered under the special plan.

Sections 89-p and 603(l) are an alternative to any other plan for which the member is covered. Therefore, at the time the member files for retirement, we will calculate the benefit under the special plan and the member's regular plan. We would then pay the benefit under the plan which provides the greatest retirement allowance.

Service creditable under this plan includes all service as a sheriff, under-sheriff, or correction officer, and all criminal law enforcement services performed as a deputy sheriff. Service as a deputy sheriff is creditable only if criminal law enforcement aggregates 50% or more of his/her service as deputy sheriff.

If the County elects ; the sheriff or the chief executive officer (for those correction officers not employed in the sheriff's department) must periodically certify the members eligible for this benefit, as required by the New York State & Local Retirement System.

If the roster of eligible members employed by Erie County does not vary between your letter and the roster eventually certified by the sheriff, the *estimated annual* cost of providing these benefits of Sections 89-p and 603(l) is **\$1.9 million**.

In addition, there will be a *past service cost* in the amount of **\$12.7 million**.

The past service cost may be paid in a lump sum or amortized over 5 or 10 years. The estimated 5- and 10-year amortization payments, including interest, would be \$ 2.84 million or \$1.62 million respectively. The amounts quoted in this letter are valid until **March 31, 2024** .

If the County is interested in providing these benefits to eligible employees, the enclosed resolution and affidavit must be completed and submitted. Language in these documents may not be altered or amended in any fashion. Benefit adoptions cannot become effective until certified copies of the resolutions and affidavit are filed with the Retirement System to the attention of: **Member & Employer Services Bureau, Mailstop 5-3.** Once elected, the benefits can never be rescinded.

If elected, an invoice will be sent prior to the end of the County's fiscal year in which the plan becomes effective. The County should not submit payment until the invoice is received.

The most current information regarding plans available, or any retirement related information, may be found on our website at **www.osc.state.ny.us/retire**.

Member & Employer Services Bureau
New York State and Local Retirement System

cc: Marc Poloncarz, County Executive

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20D-1	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 7-1 2023
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Attachments

23COMM. 20D-1



EC LEG OCT 25 '23 AM 8:30

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

October 24, 2023

Via Email Only

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

Re: Opinion as to Form Local Law Intro No 7-1 2023

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 7-1 2023 (7-1).

Preemption

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

Here, New York State County Law (County Law) provides specific authority at Section 2 (b) which authorizes the governing board of a charter county to adopt local laws which conflict with the provisions of County Law. Since the State Legislature has granted county governing boards this specific authority, 7-1 does not present a preemption issue of concern where it purports to supersede the provisions of section 215 of County Law.

Grammar

The stated purpose of 7-1 is to supersede the real property lease term restrictions as well as the competitive bidding and public advertisement requirements provided for in County Law

Section 215 subsections (4) and (6). We find the grammar and usage of 7-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

Although every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 7-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.


Conclusion

We find that Local Law Intro. 7-1 2023 is sufficient as to form.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

By:


Gregory P. Kammer
Assistant County Attorney

GPK/lda

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20D-2	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 8-1 2023
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Attachments

23COMM. 20D-2



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEYKRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

October 24, 2023

Via Email Only

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

Re: Opinion as to Form Local Law Intro No 8-1 2023

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 8-1 2023 (8-1).

Preemption

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

Here, New York State County Law (County Law) provides specific authority at Section 2 (b) which authorizes the governing board of a charter county to adopt local laws which conflict with the provisions of County Law. Since the State Legislature has granted county governing boards this specific authority, 8-1 does not present a preemption issue of concern where it purports to supersede the provisions of section 215 of County Law.

Grammar

The stated purpose of 8-1 is to supersede the real property lease term restrictions as well as the competitive bidding and public advertisement requirements provided for in County Law Section 215 subsections (4) and (6). We find the grammar and usage of 8-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

Although every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 8-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

We find that Local Law Intro. 8-1 2023 is sufficient as to form.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

By: 

Gregory P. Kammer
Assistant County Attorney

GPK/lda

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20D-3	COMMISSIONER OF EC DEPARTMENT OF ENVIRONMENT & PLANNING	County Cultural Funding Grant Monitoring Program
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Attachments

23COMM. 20D-3



COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT AND PLANNING

DANIEL R. CASTLE, AICP
COMMISSIONER

THOMAS E. BAINES, ESQ
DEPUTY COMMISSIONER

October 26, 2023

Hon. Kevin R. Hardwick, PhD
Erie County Comptroller
95 Franklin St, Floor 11
Buffalo, NY 14202

RE: County Cultural Funding Grant Monitoring Program

Dear Comptroller Hardwick:

Thank you and your Audit Division for the tremendous amount of work that has gone into the Erie County Cultural Funding Grant Monitoring Program thus far. As this program moves forward and reports are completed, we look forward to continuous and productive conversations with your staff on ways we can improve the Cultural Funding process to ensure the mission of providing operational support to not-for-profit agencies that contribute to the vibrant artistic and cultural scene that enriches the lives of Erie County residents.

As you know, the Erie Arts and Cultural Advisory Board (EACAB) was re-established in 2012 to administer a new, reinvigorated and objective process for cultural institutions to compete for County funding for operational support, based on merit and need, as part of the annual budget adoption process. The thirteen (13) member volunteer board engages in a more than six-month process to solicit, review and scrutinize applications; and then make recommendations for awards to ensure residents and taxpayers get the highest return on investment.

Specifically, EACAB starts each round of funding by reviewing the application questions based on trends in the sector, in the U.S. at large, and to ensure they are effective at collecting information on the operations of the organization. Perennial questions ask about the organization's programs, impact, equity and inclusion, management and planning, and review of core documents for compliance with NYS Non-Profit Corporation Law (including By-Laws, Conflict of Interest Policy, and Whistleblower Policy). They also review the organizations' budget summary for the prior year, current year budget and actual, and grant (next/future) year; financial statements; and their tax filings, including compliance with the NYS Charities Bureau reporting requirements. Some temporary questions in the past have included succession planning and dissolution planning.

Once recommendations have been made, the Department of Environment and Planning (DEP) coordinates with the Division of Budget and Management to ensure recommended funding levels are included in the annual Proposed Budget document as the "Executive Recommendation." These recommendations are then considered and, often, modified by the Legislature before the Adopted Budget is approved in late

December. After adoption, DEP executes contracts with awardees and is the primary agency charged with monitoring. These contracts, among other stipulations, give the conditions on the use of County funds which includes a requirement that:

“the use of County funds shall be limited to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies and equipment. No County funds shall be used for or applied toward any capital project or improvement, nor as a set-off against accounts receivable. No funds received under this Contract shall be used for any service provided or activity performed outside Erie County.”

Over the years, the number of applicants and awardees has grown by more than 30%, which has made compliance monitoring of these grants by DEP a growing challenge. In a meeting with your office in January 2023, we expressed as much, and we remain thankful that you, graciously, agreed to lend your Office’s expertise in the creation of a Cultural Funding Grant Monitoring Program. Over the past year, we have worked closely together with your Audit Division on developing this program and we believe that the resultant reports as a whole (which are now being completed) will provide a worthwhile perspective and ultimately result in the identification and implementation of new “best practice” policies that will enhance the efficacy of an already rigorous process.

Already, with the release of the first few monitoring reports, we’ve identified a few enhancements to existing policies that we plan to make standard practice going forward such as the insistence that County operating support be entirely segregated within an organizations operating budget rather than be allowed to comingle with other funds which may give the appearance that County funds could have been improperly utilized.

Although I know that we will remain in constant communication with your Office throughout this process, we would request that upon the completion of the “Phase One” Program, we have a high-level debriefing on the major process takeaways and any initial recommendations you may have that we can begin to implement going forward.

Again, thank you to you and your Audit Division for working with DEP on this undertaking. We are fortunate to have a solid working relationship with your Office and we look forward to the Erie County Cultural Grant Monitoring Program having a meaningful impact on the Cultural Funding Process.

Sincerely,



Daniel R. Castle, AICP
Commissioner
Erie County Department of Environment & Planning

DC/nb

cc: Erie County Legislature
Robert Keating, Director of Budget and Management

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20D-4	DIRECTOR OF BUDGET & MANAGEMENT	Budget Monitoring Report for Period Ending August 2023
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Attachments

23COMM. 20D-4



EC LEG OCT 26 '23 AM 9:57

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 26, 2023

Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Budget Monitoring Report for Period Ending August 2023

Dear Honorable Legislators:

Please find attached the Budget Monitoring Report (“BMR”) for the period ending August 31, 2023, as well as a vacancy report from the County’s SAP system also as of August 31, 2023.

The BMR shows that for the first eight months of 2023 the County has a \$28,694,342 positive variance. This variance is largely related to the impact from three positive factors and one negative factor.

First, for the positive factors, is continued growth in interest earnings revenue which is now \$16.0 million ahead of budget. Second, is sales tax, which now has a net \$9.9 million positive variance and has growth of 3.14% for 2023-related payments received to-date as compared to 2022. Third, the County has seen significant “vacancy” savings, which is now favorable by \$8.4 million.

The major negative factor relates to overtime costs, which is now grown to \$8.2 million over budget. All other items through August have generated a net \$2,582,604 positive variance.

The BMR also includes an initial projection for year-end 2023. It shows a projected year-end 2023 positive budgetary variance of \$16,385,798. This is a projection, subject to change due to sales tax receipts, New York State or Federal actions, the timing of IGT payments or the impact to other key accounts.

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,

A handwritten signature in blue ink, appearing to read 'R. W. Keating', written in a cursive style.

Robert W. Keating
Director of Budget and Management

Attachment

cc: Erie County Executive Mark C. Poloncarz
Erie County Fiscal Stability Authority

January-August 2023 Budget Monitoring Report (BMR) Summary by Account Type

Account Type	Annual Budget		Actuals		Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed
	January-August	January-August	January-August	January-August				
Revenue								
** Property Tax	(301,424,356)	(301,424,356)	(301,424,356)	(301,424,356)	(0)	100%	(0)	100%
** Property Tax Related	(15,978,966)	(6,453,441)	(6,225,767)	(6,225,767)	(227,674)	96%	(9,753,198)	39%
** Sales Tax	(583,527,694)	(404,679,660)	(415,035,865)	(415,035,865)	10,356,205	103%	(168,491,829)	71%
** Sales Tax to Local Govt.	(403,187,071)	(279,189,781)	(286,765,236)	(286,765,236)	7,575,457	103%	(116,421,833)	71%
** Other Sources	(40,993,793)	(29,965,122)	(51,988,865)	(51,988,865)	22,023,743	173%	10,995,072	127%
** Fees, Fines or Charges	(35,403,927)	(26,412,844)	(24,752,801)	(24,752,801)	(1,660,043)	94%	(10,651,126)	70%
*** Local Source Revenue	(1,380,515,807)	(1,048,125,204)	(1,086,192,892)	(1,086,192,892)	38,067,688	104%	(294,322,914)	79%
*** Federal Revenue	(190,733,341)	(138,516,626)	(136,088,078)	(136,088,078)	(2,428,547)	98%	(54,645,263)	71%
*** State Revenue	(221,080,141)	(144,263,208)	(131,458,847)	(131,458,847)	(12,804,362)	91%	(89,621,294)	59%
*** Interfund Revenue	(729,966)	(729,966)	(959,766)	(959,766)	229,800	131%	229,800	131%
**** County Revenue	(1,793,059,255)	(1,331,635,004)	(1,354,699,584)	(1,354,699,584)	23,064,580	102%	(438,359,671)	76%
Expense								
** Salaries	272,374,395	177,146,987	165,581,624	165,581,624	11,565,363	93%	106,792,771	61%
** Non-Salaries	30,126,185	18,959,419	27,516,568	27,516,568	(8,557,150)	145%	2,609,617	91%
** Countywide Adjustments	114,874	(337,606)	0	0	(337,606)	0%	114,874	0%
*** Personnel Related Expense	302,615,454	195,768,800	193,098,192	193,098,192	2,670,608	99%	109,517,262	64%
*** Fringe Benefit Total	145,771,759	95,859,177	90,336,384	90,336,384	5,522,793	94%	55,435,375	62%
** Supplies and Repairs	12,801,675	7,501,084	6,042,230	6,042,230	1,458,854	81%	6,759,444	47%
** Other	39,698,819	23,071,618	20,511,516	20,511,516	2,560,102	89%	19,187,303	52%
** Contractual	687,631,636	445,244,113	448,253,672	448,253,672	(3,009,560)	101%	239,377,964	65%
** Equipment	11,912,507	3,245,195	3,010,334	3,010,334	234,861	93%	8,902,172	25%
** Allocations	215,693,218	99,137,591	99,153,885	99,153,885	(16,294)	100%	116,539,333	46%
** Program Specific	575,008,133	344,643,090	348,434,692	348,434,692	(3,791,601)	101%	226,573,441	61%
** Debt Services	62,414,953	34,497,912	34,497,912	34,497,912	0	100%	27,917,041	55%
*** All Other Operating Expense	1,605,160,941	957,340,603	959,904,242	959,904,242	(2,563,639)	100%	645,256,700	60%
**** County Expense	2,053,548,154	1,248,968,580	1,243,338,818	1,243,338,818	5,629,762	100%	810,209,336	61%
***** Net	260,488,900	(82,666,424)	(111,360,766)	(111,360,766)	28,694,342		371,849,666	

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-August 2023 Budget Monitoring Report (BMR) Detail by Account

Account Type	Annual Budget		Period Budget	Actuals		Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
	January-August	January-August	January-August	January-August	January-August	Budget		Budget		
Revenue										
400000 Real Property Taxes	(301,424,356)	(301,424,356)	(301,424,356)	(301,424,356)	(301,424,356)	(0)	100%	(0)	100%	
** Property Tax	(301,424,356)	(301,424,356)	(301,424,356)	(301,424,356)	(301,424,356)	(0)	100%	(0)	100%	
400010 Exemption Removal	(935,212)	(926,519)	0	(980,630)	(980,630)	54,111	106%	45,419	105%	
400030 Gr/Sale-Tax Acq Prop	(5,000)	0	0	0	0	0	0%	(5,000)	0%	
400040 Other Pay/Lieu-Tax	(5,100,000)	(5,010,000)	0	(4,730,067)	(4,730,067)	(279,933)	94%	(369,933)	93%	
400050 InltPen on R P Taxes	(13,485,555)	(698,668)	0	(698,668)	(698,668)	0	100%	(12,786,887)	5%	
400060 Omitted Taxes	(6,000)	(6,000)	0	(4,146)	(4,146)	(1,852)	69%	(1,852)	69%	
460060 Prop Tax Rev Adjust	3,552,801	187,746	0	187,746	187,746	0	100%	3,365,055	5%	
** Property Tax Related	(15,978,966)	(6,453,441)	0	(6,225,767)	(6,225,767)	(227,674)	96%	(9,753,198)	39%	
402000 Sales Tax EC Pulp	(220,020,488)	(152,588,708)	0	(156,495,667)	(156,495,667)	3,907,160	103%	(63,524,621)	71%	Sales Tax
402100 1% Sales Tax-EC Pulp	(207,730,136)	(144,059,710)	0	(147,745,626)	(147,745,626)	3,686,116	103%	(59,984,310)	71%	The gross County Share of Sales Tax is showing a positive variance of \$10.4
402120 .25% Sales Tax	(51,925,699)	(36,010,414)	0	(36,931,057)	(36,931,057)	920,643	103%	(14,994,633)	71%	Million after 66% of the year. The 2023
402130 .5% Sales Tax	(103,851,380)	(72,020,828)	0	(73,863,114)	(73,863,114)	1,842,286	103%	(29,988,266)	71%	
** Sales Tax	(583,527,694)	(404,679,660)	0	(415,035,865)	(415,035,865)	10,356,205	103%	(168,491,829)	71%	
402140 Sales Tax to Loc Govt	(403,187,071)	(279,189,781)	0	(286,765,239)	(286,765,239)	7,575,457	103%	(116,421,833)	71%	
** Sales Tax to Local Govt	(403,187,071)	(279,189,781)	0	(286,765,239)	(286,765,239)	7,575,457	103%	(116,421,833)	71%	
402300 Hotel Occupancy Tax	(11,200,000)	(8,394,218)	0	(8,797,323)	(8,797,323)	463,105	106%	(2,402,677)	75%	
402500 OTB Betting & Gaming	(2,140,000)	(1,739,526)	0	(1,510,610)	(1,510,610)	(128,916)	93%	(529,390)	100%	
402510 Video Lottery Aid	(288,560)	(288,560)	0	(288,560)	(288,560)	0	100%	0	100%	
402520 Gaming Facilities Aid	(786,001)	(786,001)	0	(786,001)	(786,001)	890,986	213%	890,986	213%	Gaming Facilities revenue received in
402610 Medical Mart Exc Tax	(280,000)	(186,667)	0	(112,639)	(112,639)	(74,028)	60%	(167,361)	40%	May for \$786,002. An additional
415010 Post Modern Toxicol	(72,932)	(48,621)	0	(74,302)	(74,302)	25,661	153%	1,370	102%	payment of \$690,985 was received on
415100 Real Property Trans	(228,045)	(152,030)	0	(104,688)	(104,688)	(47,342)	69%	(123,357)	46%	July 31st.
415160 Mortgage Tax	(589,268)	(392,845)	0	(344,534)	(344,534)	(48,311)	89%	(244,734)	58%	
415360 Legal Settlements	0	0	0	(27,748)	(27,748)	27,748	0%	27,748	0%	
415500 Prisoner Transport	(21,000)	(14,000)	0	(19,215)	(19,215)	5,215	137%	(1,785)	91%	
415620 Commissary Receipt	(172,933)	(115,289)	0	(115,289)	(115,289)	0	100%	(57,644)	67%	
415622 Jail Phone Revenue	(361,389)	(309,139)	0	(361,389)	(361,389)	52,250	117%	0	100%	
416540 Insurance	0	0	0	0	0	0	0%	0	0%	
416570 Post Exposure Rabies	(133,048)	(88,689)	0	(91,677)	(91,677)	2,979	103%	(41,371)	69%	
416920 Medical-Early Interv	(180,000)	(120,000)	0	(160,371)	(160,371)	40,371	134%	(19,629)	89%	
417200 Day Care Repay Recov	(55,234)	(36,823)	0	(68,205)	(68,205)	31,382	185%	12,971	123%	
417500 Repay Em Asst/Adults	(175,668)	(117,112)	0	(119,685)	(119,685)	62,573	153%	4,017	102%	
417510 Repay Medical Asst	(2,715,828)	(1,810,552)	0	(218,012)	(218,012)	(738,040)	59%	(1,643,316)	39%	
417520 Repay-Family Assist	(244,932)	(163,288)	0	(107,512)	(107,512)	54,724	134%	(26,920)	89%	
417530 Repay-Foster Care/Ad	(1,099,910)	(733,273)	0	(835,380)	(835,380)	102,106	114%	(264,530)	76%	
417550 Repay-SafetyNetAsst	(3,241,416)	(2,160,944)	0	(2,689,537)	(2,689,537)	528,593	124%	(551,879)	83%	
417560 Repay-Serv For Recip	(3,173)	(2,115)	0	(21,931)	(21,931)	19,815	1037%	18,758	691%	
417570 SNAP Fraud Incentives	(57,233)	(38,155)	0	(33,705)	(33,705)	(4,451)	86%	(23,528)	59%	
417580 Repay-Handl Child	(336,885)	(224,590)	0	(76,897)	(76,897)	(147,693)	34%	(259,988)	23%	
418025 Repay-SafetyNet Bur	0	0	0	(44,178)	(44,178)	44,178	0%	0	0%	
418030 Repayments-IV D Adm	(4,423,828)	(2,949,219)	0	(2,650,039)	(2,650,039)	(299,180)	90%	(1,773,789)	60%	
418110 Comm Coll Respndts	(8,017,437)	(8,017,437)	0	(8,017,437)	(8,017,437)	(4,400,000)	45%	(4,400,000)	45%	
418112 Comm Coll Resp. Adj.	4,400,000	4,400,000	0	4,400,000	4,400,000	4,400,000	0%	4,400,000	0%	
418130 Comm Coll Reimb	(68,750)	(44,500)	0	(28,940)	(28,940)	(15,560)	65%	(37,810)	43%	
418410 OCSE Medical Payments	(1,253,652)	(835,768)	0	(764,272)	(764,272)	(1,496)	91%	(489,380)	61%	
418430 Donated Funds	(628,275)	(418,850)	0	(36,667)	(36,667)	(382,183)	9%	(591,608)	6%	
420020 ECC Cap Cons-Ofr Gvt	(95,000)	(95,000)	0	(95,000)	(95,000)	0	100%	0	100%	
420049 OlnLocal Source Rev	(94,494)	(62,996)	0	(47,247)	(47,247)	(15,749)	75%	(47,247)	50%	
420500 Rent-RI Prop-Concess	(2,500)	(1,667)	0	(1,667)	(1,667)	1,006	160%	172	107%	
420520 Rent-RI Prop-Rw-Eas	(14,292)	(9,528)	0	(9,528)	(9,528)	0	100%	(4,764)	67%	
420560 Rent-663 Kennington	(258,936)	(172,624)	0	(172,500)	(172,500)	(124)	100%	(86,436)	67%	
420580 Rent-1500 Broadway	(105,453)	(13,333)	0	(177,531)	(177,531)	164,197	1331%	72,078	168%	
421560 Shared Revenue (ICE)	(520,000)	0	0	0	0	0	0%	(520,000)	0%	
422000 Copies	(4,500)	(3,000)	0	(5,247)	(5,247)	2,247	175%	747	117%	
422040 Gas Well Drill Rents	(1,500)	(1,000)	0	(500)	(500)	(500)	50%	(1,000)	33%	

January-August 2023 Budget Monitoring Report (BMR) Detail by Account

Account Type	Annual Budget	Period Budget		Actuals	Period		% of Period Budget Consumed	Annual		% of Annual Budget Consumed	Comments/Key Items
		January-August	January-August		Available	Consumed		Available	Consumed		
422050 E-Payable Rebates	(150,000)	(100,000)	(100,000)	31,768	(131,768)	(93,275)	-32%	(181,768)	(93,608)	-21%	
423000 Refunds P/Y Expend	(1,000)	(667)	(667)	92,608	(93,275)	(93,275)	-13891%	(93,608)	(93,608)	-9261%	
445000 Recovery Int - SID	(302,126)	(201,417)	(201,417)	(164,246)	(37,171)	(37,171)	82%	(137,880)	(137,880)	54%	
445030 Int & Earn - Gen Inv	(1,200,400)	(800,267)	(800,267)	(14,882,694)	13,882,427	13,882,427	1835%	13,482,294	12,239	1223%	
445040 Int & Earn-3rd Party	(175,000)	(116,667)	(116,667)	(2,288,485)	2,171,818	2,171,818	1962%	2,113,485	(350,269)	1308%	
466000 Misc Receipts	(388,240)	(178,827)	(178,827)	(37,971)	(140,856)	(140,856)	21%	(350,269)	(12,325)	10%	
466020 Minor Sale - Other	(26,500)	(17,667)	(17,667)	(14,175)	(3,492)	(3,492)	80%	(12,325)	(12,325)	53%	
466070 Refunds P/Y Expenses	(980,000)	(653,333)	(653,333)	(6,288,761)	5,615,428	5,615,428	960%	5,288,761	(956)	640%	
466090 Misc Trust Fd Rev	(865,329)	(2,267)	(2,267)	(865,329)	0	0	100%	0	0	100%	
466120 Other Misc DISS Rev	(3,400)	(2,267)	(2,267)	(2,444)	178	178	108%	(956)	15,622	72%	
466130 Oth Unclass Rev	0	0	0	(15,622)	15,622	15,622	0%	15,622	15,622	0%	
466150 Chianyida Study Forms	(8,000)	(5,333)	(5,333)	(3,035)	(2,298)	(2,298)	57%	(4,965)	(4,965)	38%	
466180 Unanticp P/Y Rev	0	0	0	(228,129)	228,129	228,129	0%	228,129	27,022	0%	
466280 Intercept-LocalShare	(78,378)	(52,252)	(52,252)	(105,400)	53,148	53,148	202%	27,022	(3,056)	134%	
466280 Local Strce - ECOMCC	(20,000)	(13,333)	(13,333)	(16,944)	3,611	3,611	127%	(3,056)	(3,056)	85%	
466360 Stadium Reimbursement	(790,000)	(526,667)	(526,667)	(210,098)	(316,569)	(316,569)	40%	(579,902)	(579,902)	27%	
466370 Key Bnk Ctr Reimb	0	0	0	(120,000)	120,000	120,000	0%	120,000	0%	0%	
467000 Misc Depart Income	(8,503)	(5,669)	(5,669)	(1,791)	(3,878)	(3,878)	32%	(6,712)	21%	21%	
479100 Other Contributions	(61,510)	(27,837)	(27,837)	(64,637)	36,800	36,800	232%	3,127	3,127	105%	Through 66% of the year, the County has achieved 127% of the annual Other Sources revenue budget.
480020 Sale-Excess Material	(387,000)	(258,000)	(258,000)	(315,265)	57,265	57,265	122%	(71,735)	(71,735)	81%	
480030 Recycling Revenue	(34,050)	(22,700)	(22,700)	(34,640)	11,940	11,940	153%	590	590	102%	
Other Sources	(40,993,793)	(29,965,122)	(29,965,122)	(51,988,865)	22,023,743	22,023,743	173%	10,995,072	10,995,072	127%	
402400 E911 Surcharge	0	0	0	0	0	0	0%	0	0	0%	
402700 Wireless Surcharge	0	0	0	0	0	0	0%	0	0	0%	
406610 STD Clinic Fees	(222,470)	(148,313)	(148,313)	(191,016)	42,703	42,703	129%	(31,454)	(31,454)	86%	
415000 Medical Exam Fees	(779,750)	(519,833)	(519,833)	(553,033)	33,200	33,200	106%	(226,717)	(226,717)	71%	
415050 Treasurer Fees	(125,000)	(83,333)	(83,333)	(197,214)	113,880	113,880	237%	72,214	158%	158%	
415105 Passport Fees	(27,625)	(18,417)	(18,417)	(35,000)	16,583	16,583	190%	7,375	127%	127%	
415110 Court Fees	(368,755)	(245,837)	(245,837)	(201,400)	(44,437)	(44,437)	82%	(167,355)	55%	55%	
415120 Small Claims AR Fees	(600)	(400)	(400)	(220)	(180)	(180)	55%	(380)	37%	37%	
415130 Auto Fees	(4,005,783)	(2,670,522)	(2,670,522)	(2,870,250)	202,728	202,728	108%	(1,132,533)	72%	72%	
415140 Comm of Educ Fees	(129,463)	(86,309)	(86,309)	(55,077)	(31,232)	(31,232)	64%	(74,386)	43%	43%	
415150 Recording Fees	(7,365,400)	(4,910,267)	(4,910,267)	(2,971,575)	(1,938,691)	(1,938,691)	61%	(4,393,825)	40%	40%	
415170 Summary Page Fees	0	0	0	0	0	0	0%	0	0	0%	
415180 Vehicle Use Tax	(5,995,431)	(3,996,954)	(3,996,954)	(4,163,479)	186,525	186,525	104%	(1,831,952)	69%	69%	
415185 E-Z Pass Tag Sales	(8,750)	(5,833)	(5,833)	(4,125)	(1,708)	(1,708)	71%	(4,625)	47%	47%	
415200 Civil Serv Exam Fees	(55,000)	(5,000)	(5,000)	0	0	0	0%	(55,000)	0%	0%	
415210 3rd Party Deduct Fee	(17,000)	(9,500)	(9,500)	(2,500)	(6,000)	(6,000)	29%	(14,500)	15%	15%	
415510 Civil Proc Fees-Sher	(1,020,000)	(680,000)	(680,000)	(764,559)	84,559	84,559	112%	(255,441)	75%	75%	
415520 Sheriff Fees	(45,000)	(30,000)	(30,000)	(24,800)	(5,200)	(5,200)	83%	(20,200)	55%	55%	
415600 Innate Discip Surch	(15,000)	(10,000)	(10,000)	(13,506)	3,506	3,506	135%	(1,494)	90%	90%	
415605 Drug Testing Charge	(35,000)	(23,333)	(23,333)	(16,682)	(6,651)	(6,651)	71%	(18,318)	48%	48%	
415610 Restitution Surcharge	(20,000)	(13,333)	(13,333)	(8,116)	(5,217)	(5,217)	61%	(11,884)	41%	41%	
415630 Ball Fee-All / Incar	(3,000)	(2,000)	(2,000)	0	(2,000)	(2,000)	0%	(3,000)	0%	0%	
415640 Probation Fees	(475,000)	(316,667)	(316,667)	(225,924)	(90,743)	(90,743)	71%	(249,076)	48%	48%	
415650 DWI Program	(624,742)	(404,124)	(404,124)	0	(104,124)	(104,124)	0%	(624,742)	0%	0%	
415670 Elec Monitoring Ch	(6,000)	(4,000)	(4,000)	(6,835)	2,835	2,835	171%	835	114%	114%	
415680 Pmt-Home Care Review	(10,000)	(6,667)	(6,667)	(182)	(6,485)	(6,485)	3%	(9,818)	2%	2%	
416020 Comm Sanitat & Food	(1,175,000)	(783,333)	(783,333)	(774,827)	(8,507)	(8,507)	99%	(400,174)	66%	66%	
416030 Realty Subdivisions	(12,000)	(8,000)	(8,000)	(2,839)	(5,161)	(5,161)	35%	(9,161)	24%	24%	
416040 Indvid Sawr Sys Opt	(425,000)	(283,333)	(283,333)	(277,868)	0	0	98%	(147,132)	65%	65%	
416050 Lead Sat RRP Train	0	0	0	0	0	0	0%	0	0%	0%	
416090 Pen & Fines-Health	(20,000)	(13,333)	(13,333)	(6,790)	(6,613)	(6,613)	50%	(13,280)	34%	34%	
416150 PPD Tests	(8,580)	(5,720)	(5,720)	(50)	(5,670)	(5,670)	1%	(8,530)	1%	1%	
416160 TB Outreach	(47,380)	(31,587)	(31,587)	(22,707)	(8,880)	(8,880)	72%	(24,673)	48%	48%	
416190 ImmunizationsService	(8,283)	(5,522)	(5,522)	20	(5,542)	(5,542)	0%	(8,303)	0%	0%	
416580 Training Course Fees	(63,910)	(42,607)	(42,607)	(42,430)	(177)	(177)	100%	(21,480)	66%	66%	
416610 Pub Health Lab Fees	(200,000)	(133,333)	(133,333)	(185,981)	52,648	52,648	139%	(14,019)	93%	93%	

January-August 2023 Budget Monitoring Report (BMR) Detail by Account

Account Type	Annual Budget	Period Budget January-August	Actuals January-August	Period		% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
				Available Budget	Consumed				
418040 Inspec Fee Wght/Weas	(167,642)	(111,761)	(127,640)	15,879	(576)	114%	(40,002)	76%	
418050 Item Price Waivr Fee	(256,364)	(170,909)	(170,334)	830	(6,030)	100%	(66,030)	66%	
418400 Subpoena Fees	(4,572)	(3,048)	(3,878)	830	(694)	127%	(694)	85%	
418500 Park & Rec Chgs-Camp	(290,000)	(198,667)	(173,856)	(12,811)	(106,144)	93%	(37,900)	92%	
418510 Park & Rec Chgs-Shel	(495,000)	(476,146)	(457,101)	(19,045)	(5,400)	96%	(5,400)	67%	
418520 Chgs-Park Emp Subsis	(16,200)	(10,800)	(10,800)	0	(44,488)	103%	(44,488)	87%	
418530 Golf Chg-Other Fees	(335,000)	(281,726)	(290,512)	8,786	(54,355)	109%	(54,355)	93%	
418540 Golf Chg-Greens Fees	(795,000)	(681,421)	(740,645)	59,224	191	153%	191	102%	
418550 Sale of Forest Prod	(9,000)	(6,000)	(9,191)	3,191	(5,050)	56%	(5,050)	38%	
418580 Spec Events Receipts	(8,100)	(6,000)	(3,050)	(2,350)	777	100%	777	100%	
420000 TX&Assm Sys-Oth Govt	(169,000)	(169,000)	(169,777)	777	0	100%	0	100%	
420010 Elec Exp Other Govt	(8,369,412)	(8,369,412)	(8,369,412)	720	(101,797)	100%	(101,797)	67%	
420030 Police Svcs-Oth Govt	(205,033)	(205,033)	(205,753)	50,000	50,000	0%	50,000	0%	
420040 Jail Facil-Oth Govt	0	0	(50,000)	0	(320)	100%	(320)	67%	
420190 Gen Svc-Oth Govt	(960)	(640)	(640)	0	(60,000)	0%	(60,000)	0%	
420271 CESSQG Charges	(60,000)	(150,430)	(135,379)	0	(15,051)	0%	(15,051)	0%	
421000 Pistol Permits	(225,645)	(6,667)	(2,244)	(4,422)	(7,756)	90%	(90,266)	60%	
421500 Fines&Forfeited Bail	(10,000)	(3,067)	(4,50)	(2,617)	(4,150)	15%	(4,150)	10%	
421510 Fines and Penalties	(4,600)	(1,947)	(3,213)	2,266	293	165%	293	110%	
466010 NSF Check Fees	(2,920)	(371,360)	(198,730)	(172,630)	(358,310)	54%	(358,310)	36%	After 66% of the year, the County has achieved 70% of the annual Fees, Fines, or Charges revenue budget.
466190 Item Pricing Penalty	(557,040)	(15,000)	(8,300)	(1,700)	(6,700)	83%	(6,700)	55%	
466340 STOPDWN VIP Prs Fees	(15,000)	(10,000)	(24,752,801)	(1,660,043)	(10,651,126)	94%	(10,651,126)	70%	
** Fees, Fines or Charges	(35,403,927)	(26,412,844)	(1,086,752,892)	38,067,698	(294,322,914)	104%	(294,322,914)	79%	
** Local Source Revenue	(1,380,515,807)	(1,046,125,204)	(2,533,120)	(3,383,298)	850,178	134%	183,618	106%	
405570 ME 50% Fed Presch	(3,199,680)	(690,457)	(571,394)	(119,063)	(1,146,068)	55%	(464,292)	55%	
410070 FA-IV-B Preventive	(1,035,686)	1,223,753	1,223,753	(0)	611,876	100%	611,876	67%	
410080 FA-Admin Chargeback	(835,629)	(229,665)	(207,001)	(22,664)	(137,466)	90%	(137,466)	82%	
410120 FA-SNAP ET 100%	(344,497)	(11,733)	(14,515)	2,782	(3,085)	124%	(3,085)	82%	
410150 SSA-SSI Pr Inc Prg	(17,600)	(4,297,442)	(3,734,348)	(563,094)	(2,742,929)	87%	(2,742,929)	58%	
410240 HUD Rev D14.267 CoC	(6,477,277)	(228,417)	(228,417)	(101)	(14,360)	100%	(14,360)	67%	
410500 FA-Civil Defense	(342,777)	(25,829)	(12,986)	(12,983)	(25,848)	50%	(25,848)	33%	
410510 Fed Drug Enforcement	(38,744)	(19,500)	(14,502)	(4,998)	(14,748)	74%	(14,748)	50%	
410520 Fr Ci Bilo Pol Dept	(29,250)	(639,195)	(696,309)	57,114	(278,573)	102%	(278,573)	71%	
411000 MH Fed Medl Sal Sh	(974,882)	(37,148,765)	(37,148,765)	624,427	(1,471,257)	96%	(1,471,257)	71%	
411490 Fed Aid - TANF FFFS	(39,223,148)	(1,737,069)	(1,782,472)	491,029	45,404	154%	45,404	103%	
411495 FA - SVEP	1,965,117	1,310,078	819,049	(6,275,048)	1,146,068	42%	1,146,068	42%	
411500 Fed Aid - MA In House	(37,682,769)	(19,830,974)	(18,846,798)	(8,032,200)	(18,835,971)	75%	(18,835,971)	50%	Formula-driven Federal Aid appears under budget, mainly in Health and Human Service Departments, is offset by savings in associated expenditures.
411520 FA-Family Assistance	(29,746,461)	(850,393)	(446,826)	(1,024,489)	(6,089,244)	60%	(6,089,244)	60%	
411540 FA-Social Serv Admin	(1,275,590)	(2,760,701)	(1,893,195)	1,629,885	109,282	154%	109,282	102%	
411550 Fed Aid - SNAP Admin	(15,194,264)	(4,561,210)	(4,670,492)	(1,102,486)	(2,724,489)	66%	(2,724,489)	44%	
411570 Fed Aid - SNAP Admin	(4,866,010)	(3,040,807)	(2,141,521)	(1,024,486)	10,691,935	155%	10,691,935	155%	
411580 Fed Aid - SNAP ET 50%	(4,141,052)	(2,760,701)	(1,893,195)	(867,506)	(2,247,857)	46%	(2,247,857)	46%	
411590 FA-HEAP	(4,561,210)	(3,040,807)	(4,670,492)	1,629,885	109,282	154%	109,282	102%	
411610 FA-Serv/Recipients	(4,866,010)	(3,244,007)	(2,141,521)	(1,024,486)	(2,724,489)	66%	(2,724,489)	44%	
411640 FA-Daycare Block Gt	(19,339,794)	(12,893,196)	(30,031,729)	17,138,533	10,691,935	233%	10,691,935	155%	
411670 FA-Retiree&Etrants	(126,706)	(84,471)	(103,782)	19,311	(22,924)	123%	(22,924)	82%	
411680 FA-Foster Care/Adopt	(341,203)	(227,469)	(263,816)	36,347	(77,387)	116%	(77,387)	77%	
411700 FA-TANF Safety Net	(360,963)	(240,642)	(190,565)	(50,077)	(170,398)	79%	(170,398)	53%	
411780 Fed Aid-Medicaid Adm	(116,171)	(77,447)	(101,285)	23,838	(14,886)	131%	(14,886)	87%	
414000 Federal Aid	(157,000)	(97,200)	(310,932)	213,732	153,932	320%	153,932	198%	
414010 Federal Aid - Other	0	0	(30,173)	30,173	0	0%	0	0%	
414020 Misc Federal Aid	(77,488)	(51,859)	(79,137)	27,478	1,649	153%	1,649	102%	After 66% of the year, the County has achieved 71% of the budgeted Federal revenue.
414030 FMAP Revenue	0	0	(625,186)	625,186	0	0%	625,186	0%	
414035 FED LATIC Revenue	0	0	(100,000)	100,000	0	0%	100,000	0%	
** Federal Revenue	(190,733,341)	(136,516,626)	(136,088,078)	(2,428,547)	(54,645,263)	98%	(54,645,263)	71%	

January-August 2023 Budget Monitoring Report (BMR) Detail by Account

Account Type	Annual Budget	Period Budget		Actuals	Period Available Budget		% of Period Budget Consumed		Annual Available Budget	% of Annual Budget Consumed		Comments/Key Items
		January-August	August		January-August	August	January-August	August		January-August	August	
405000 State Aid Fr Da Sal	(77,682)	0	(20,000)	0	0	0	0%	(77,682)	0%			
405010 St Re Indigent Care	(30,000)	(2,000)	(1,444,667)	(1,634,156)	189,489	(10,000)	100%	(10,000)	67%			
405170 SA-Crt Fac Incent Aid	(2,167,000)	(17,257)	(1,444,667)	(1,444,667)	(17,136)	(532,844)	133%	(532,844)	75%			
405190 SA-Ad-Octane Testing	(17,257)	(17,257)	(17,257)	(17,257)	(17,257)	(8,749)	99%	(8,749)	66%			
405500 SA-Spec Need Presch	(37,057,308)	(24,554,872)	(24,554,872)	(24,171,791)	(383,081)	(12,885,517)	98%	(12,885,517)	65%		State Aid	
405520 SA-Spec DOH El Serv	(4,258,038)	(2,839,359)	(2,839,359)	(2,727,663)	(111,696)	(1,531,375)	96%	(1,531,375)	64%			
405530 SA-Admin Preschool	(379,134)	(252,756)	(252,756)	(411,150)	158,394	32,016	103%	32,016	108%			
405540 SA-Adm VLP H Work	(3,712,202)	(2,474,801)	(2,474,801)	(2,236,284)	(238,517)	(1,475,918)	90%	(1,475,918)	60%		Formula-driven State Aid	
405560 SA-Spec DOH El Adm	(546,948)	(364,632)	(364,632)	(364,632)	0	(182,316)	100%	(182,316)	67%		appears under budget, mainly in	
405590 SA-Medical El Adm	(116,171)	(77,447)	(77,447)	(101,286)	23,839	(14,885)	131%	(14,885)	87%		Health and Human Service	
405595 SA-Med Antl Fraud	(471,089)	(314,057)	(314,057)	(200,253)	(113,804)	(270,832)	64%	(270,832)	43%		Departments, is offset by savings in	
406000 SA-Fr Prob Serv	(1,429,470)	(952,980)	(952,980)	(952,980)	0	(476,490)	100%	(476,490)	67%			
406010 SA-Fr Nav Law Enforc	(80,500)	(53,667)	(53,667)	0	(53,667)	(80,500)	0%	(80,500)	0%			
406020 SA-Snomob Lw Enforc	(20,000)	(13,333)	(13,333)	(6,991)	(6,342)	(13,009)	52%	(13,009)	35%			
406500 Refugee Hlm Assment	(91,041)	(60,694)	(60,694)	(91,185)	30,491	144	150%	144	100%			
406550 Emerg Med Training	(435,395)	(290,263)	(290,263)	(151,810)	(138,453)	(283,585)	52%	(283,585)	35%			
406560 SA-Spec Vt-PubHlthLab	(4,405,561)	(2,937,041)	(2,937,041)	(2,877,035)	(60,006)	(1,528,526)	98%	(1,528,526)	65%			
406810 SA-Fort Mill Hea Sr	(2,901,411)	(1,934,274)	(1,934,274)	(1,887,979)	(246,295)	(1,213,432)	87%	(1,213,432)	58%			
406830 SA-Mental Health II	(36,884,822)	(23,837,820)	(23,837,820)	(24,130,947)	293,127	(12,753,875)	101%	(12,753,875)	65%			
406860 State Aid - OASAS	(17,007,856)	(11,184,292)	(11,184,292)	(11,036,762)	(147,530)	(5,971,094)	99%	(5,971,094)	65%			
406880 State Aid - OPWDD	(572,490)	(368,454)	(368,454)	(359,690)	(8,764)	(212,800)	98%	(212,800)	63%			
406890 Handpd Park Strch	(14,000)	(9,333)	(9,333)	(4,881)	(4,452)	(9,119)	52%	(9,119)	35%			
407500 SA-MA In House	1,965,117	310,078	310,078	231,350	78,728	1,733,767	75%	1,733,767	12%			
407510 SA-Spec Need Adult	(2,310)	(1,540)	(1,540)	0	(1,540)	(2,310)	0%	(2,310)	0%			
407520 SA-Family Assistance	0	0	0	(27,154)	27,154	0	0%	27,154	0%			
407540 SA-Soc Serv Adm	(30,554,134)	(22,369,423)	(22,369,423)	(22,668,238)	298,815	(7,885,896)	101%	(7,885,896)	74%			
407600 SA-Soc Serv Adm	(802,307)	(534,871)	(534,871)	(314,873)	(219,999)	(487,434)	59%	(487,434)	39%			
407610 SA-Sec Del Loc Yth	(2,258,810)	(1,833,873)	(1,833,873)	(2,204,419)	366,546	(58,391)	97%	(58,391)	97%			
407625 SA-Raise the Age	(6,650,476)	(6,016,984)	(6,016,984)	(4,489,941)	(1,527,043)	(4,160,535)	75%	(4,160,535)	52%			
407630 SA-Safety Net Assist	(10,411,479)	(6,940,986)	(6,940,986)	(6,250,897)	(690,089)	(4,160,582)	90%	(4,160,582)	60%			
407640 SA-Emrg Assist/Adult	(429,184)	(286,123)	(286,123)	(212,737)	(73,386)	(216,447)	74%	(216,447)	50%			
407670 SA-EAF Prev POS	(28,331,826)	(18,887,894)	(18,887,894)	(13,201,998)	(5,685,886)	(15,129,828)	70%	(15,129,828)	47%			
407680 SA-Serv Fr Recipis	(6,725,218)	(4,483,479)	(4,483,479)	(1,343,151)	(3,140,328)	(5,382,067)	30%	(5,382,067)	20%			
407710 SA-Legal Serv/Disab	(162,242)	(108,161)	(108,161)	(8,298,939)	4,300,858	2,152,367	208%	2,152,367	135%			
407730 State Aid - Burials	(1,034)	(889)	(889)	(70)	(619)	(162,242)	0%	(162,242)	0%			
407740 SA-Veterns Srv Agenc	(70,000)	0	0	0	0	(70,000)	0%	(70,000)	7%			
407780 SA-Daycare Block Gt	(3,899,715)	(2,599,810)	(2,599,810)	(523,403)	(2,076,407)	(3,376,312)	20%	(3,376,312)	13%			
407785 SA-WD Enrollment	0	0	0	(204,750)	204,750	0	0%	204,750	0%			
407795 State Aid - Code Blue	(427,812)	(315,208)	(315,208)	(342,211)	27,003	(85,801)	109%	(85,801)	80%			
408000 SA-Youth Progs	(25,181)	(16,787)	(16,787)	(16,619)	(168)	(8,562)	99%	(8,562)	66%			
408020 Youth-Relmb Programs	(966,576)	(664,384)	(664,384)	(605,961)	(58,423)	(390,615)	91%	(390,615)	61%			
408030 Homeless/Run Nkr RH/Y1	(177,000)	(78,000)	(78,000)	(87,000)	9,000	(30,000)	112%	(30,000)	74%			
408040 Homeless/Run Re RH/Y2	(84,000)	(56,000)	(56,000)	(8,520)	(47,480)	(75,480)	15%	(75,480)	10%			
408050 Youth - Homeless Adv	0	0	0	0	0	0	0%	0	0%			
408055 Youth Sports/Edu Opp	(100,000)	(66,867)	(66,867)	(66,000)	(667)	(34,000)	99%	(34,000)	66%			
408061 STSJP - RTA	(450,000)	(300,000)	(300,000)	(229,049)	(70,951)	(220,951)	76%	(220,951)	51%			
408065 Yth-Supervision	(310,000)	(206,667)	(206,667)	(204,601)	(2,066)	(105,399)	99%	(105,399)	66%			
408530 SA-Crim Justice Prog	(711,517)	(434,304)	(434,304)	(511,019)	76,715	(200,498)	72%	(200,498)	72%			
409000 State Aid Revenues	(4,154,898)	(12,587)	(12,587)	(66,462)	53,875	(4,088,436)	2%	(4,088,436)	2%			
409010 State Aid - Other	(4,217,610)	(177,872)	(177,872)	3,508,881	(3,686,753)	(7,726,491)	-83%	(7,726,491)	-83%			
409020 SA-Misc	(63,386)	(42,257)	(42,257)	(35,284)	(6,974)	(28,102)	56%	(28,102)	56%			
409030 SA-Main-Lieu of Rent	(157,578)	(105,052)	(105,052)	(105,172)	120	(52,406)	100%	(52,406)	67%			
409080 SA-Prob Prefral Ser	(98,394)	(33,597)	(33,597)	0	(33,597)	(98,394)	0%	(98,394)	0%			
*** State Revenue	(221,080,141)	(144,263,208)	(144,263,208)	(959,766)	(12,804,362)	(89,621,294)	91%	(89,621,294)	59%			
486010 Resid Equity Tran-In	(729,966)	(729,966)	(729,966)	(729,966)	229,800	229,800	131%	229,800	131%			
*** Interfund Revenue	(729,966)	(729,966)	(729,966)	(939,766)	229,800	229,800	131%	229,800	131%			
**** County Revenue	(1,793,059,255)	(1,331,535,004)	(1,331,535,004)	(1,354,699,584)	23,064,580	(438,359,671)	102%	(438,359,671)	76%			

January-August 2023 Budget Monitoring Report (BMR) Detail by Account

Account Type	Annual Budget	Period Budget	Actuals	Period	% of Period Budget Consumed	Annual	% of Annual Budget Consumed	Comments/Key Items
		January-August		Available Budget		Available Budget		
Expenses								
500000 Full Time - Salaries	265,143,008	172,723,795	162,355,170	10,368,625	94%	102,787,838	61%	Through 66% of the year, overtime of the County has spent 61% of budgeted salaries.
500010 Part Time - Wages	4,398,923	1,699,231	1,699,231	828,384	67%	2,699,692	39%	
500020 Regular PT - Wages	1,825,798	1,190,761	927,344	263,418	76%	898,454	51%	
500030 Seasonal - Wages	1,006,666	704,816	599,879	104,937	85%	406,787	60%	
** Salaries	272,374,395	177,146,987	165,581,624	11,565,363	93%	106,792,771	61%	
500300 Shift Differential	2,220,501	1,472,027	1,399,927	73,100	95%	821,574	53%	
500320 Uniform Allowance	1,131,050	244,500	244,500	0	100%	886,550	22%	
500330 Holiday Worked	2,482,406	1,597,730	1,641,496	(43,766)	103%	840,910	66%	
500340 Line-up Pay	2,946,478	1,949,095	1,706,603	242,493	88%	1,239,875	58%	
500350 Other Employee Pymts	2,532,210	1,339,994	1,218,082	121,932	91%	1,314,148	48%	
501000 Overtime	18,813,540	12,356,072	21,306,980	(8,950,908)	172%	(2,493,440)	113%	After 66% of the year, overtime is showing a gross unfavorable variance of \$9.0 Million
** Non-Salaries	30,126,185	18,959,419	27,516,568	(8,557,150)	145%	2,609,617	91%	
504990 Reductions Per Srv	(2,700,000)	(1,786,050)	0	(1,786,050)	0%	(2,700,000)	0%	
504992 Salary Reserves	1,914,874	1,102,291	0	1,102,291	0%	1,914,874	0%	
504998 Net Impact Teamsters	900,000	346,153	0	346,153	0%	900,000	0%	
** Countywide Adjustments	114,874	(337,606)	0	(337,606)	0%	114,874	0%	
** Personnel Related Expense	302,615,454	195,768,800	193,098,192	2,670,608	99%	109,517,262	64%	
502000 Fringe Benefits	143,143,388	94,283,301	116,348,861	94,283,301	0%	143,143,388	0%	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 ECWC legacy-related expense.
502010 Employer FICA	0	0	2,711,084	(2,711,084)	0%	(2,711,084)	0%	
502020 Employer FICA-Medicare	0	0	29,198,192	(29,198,192)	0%	(29,198,192)	0%	
502030 Employee Health Ins	0	0	1,027,656	(1,027,656)	0%	(1,027,656)	0%	
502040 Dental Plan	0	0	7,610,126	(177,006)	102%	3,886,653	66%	
502050 Workers Compensation	11,496,779	7,433,119	151,627	(151,627)	0%	(151,627)	0%	
502060 Unemployment Ins	0	0	21,823,399	(20,435,271)	1820%	(19,841,207)	1213%	
502070 Hosp & Med-Retirees	1,782,192	1,188,128	1,813,490	(1,813,490)	0%	(1,813,490)	0%	
502090 Hills Ins Waiver	0	0	19,593,407	(19,593,407)	0%	(19,593,407)	0%	
502100 Retirement	0	0	(3,781,711)	(2,441,716)	61%	(5,626,342)	40%	
502130 WksCamp OtherFd Reim	(9,408,053)	(6,223,427)	(821,945)	423,802	152%	3,199	100%	
502140 3rd Party Recoveries	(1,242,547)	(821,945)	(1,242,547)	423,802	100%	3,199	100%	
** Fringe Benefit Total	145,771,759	95,859,177	90,336,384	5,522,793	94%	55,435,375	62%	
505000 Office Supplies	1,163,665	718,254	440,523	277,731	61%	723,142	38%	
505200 Clothing Supplies	831,728	421,733	248,038	173,695	59%	583,690	30%	
505400 Food & Kitchen Supp	1,935,359	1,279,177	1,330,749	(51,572)	104%	604,610	69%	
505600 Auto Tr & Hwy Eq Supp	3,126,974	2,007,449	1,411,416	596,033	70%	1,715,568	45%	
505800 Medical & Hlth Supp	2,220,143	1,061,191	1,154,861	(93,670)	109%	1,065,283	52%	
506200 Maintenance & Repair	3,509,106	2,003,480	1,456,643	546,837	73%	2,052,463	42%	
507000 E-Z-Pass Supplies	14,700	9,800	0	9,800	0%	14,700	0%	
** Supplies and Repairs	12,801,675	7,501,084	6,042,230	(6,974)	81%	6,759,444	47%	
555000 General Liability	8,520,262	4,169,333	1,935,400	4,176,307	0%	(1,935,400)	0%	
555010 Settlements/Judgments-Lit	0	0	526	(526)	0%	(526)	0%	
555020 Travel & Mileage-Lit	0	0	124,454	(124,454)	0%	(124,454)	0%	
555030 Litig & Rel Disburs.	0	0	1,092,744	(1,092,744)	0%	(1,092,744)	0%	
555040 Expend/Cons Fees-Lit	0	0	1,022,630	(1,022,630)	0%	(1,022,630)	0%	
555050 Insurance Premiums	0	0	553	553	100%	4,351,482	49%	
* Risk Retention	8,520,262	4,169,333	1,935,400	4,176,307	0%	8,527,236	0%	
510000 Local Mileage Reimb	1,808,616	1,181,242	919,475	261,767	78%	889,141	51%	
510100 Out Of Area Travel	673,094	396,640	216,056	180,584	54%	457,038	32%	
510200 Training And Educat	756,741	462,281	314,632	147,649	68%	442,108	42%	
511000 Control Board Expense	490,000	490,000	647,640	(157,640)	132%	(157,640)	132%	
515000 Utility Charges	3,718,150	2,272,719	2,064,403	208,316	91%	1,653,747	56%	
516040 DSS Trng & Edu Pro	1,329,863	1,759,781	845,829	484,034	64%	913,952	48%	
530000 Other Expenses	4,280,715	1,463,938	1,078,874	385,064	74%	3,201,840	25%	
530010 Chargebacks	1,638,212	1,090,808	911,886	178,922	84%	724,326	56%	
530030 Pivot Wage Subsidies	2,582,049	1,750,662	1,662,774	87,887	95%	919,275	64%	
545000 Rental Charges	13,473,199	8,464,132	7,661,167	782,965	91%	5,792,033	57%	
** Other	39,698,819	23,071,618	20,511,516	2,560,102	89%	19,187,303	52%	

January-August 2023 Budget Monitoring Report (BMR) Detail by Account

Account Type	Annual Budget		Period Budget	Actuals	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
	January-August	January-August	January-August	January-August	January-August	January-August	January-August		
* Non Profit Agency Subsidy	26,289,314	15,832,403	15,832,403	15,832,403	0	100%	10,456,911	60%	
* Non Profit Purchase of Service	155,379,113	83,150,048	83,150,048	80,836,318	2,313,730	97%	74,542,794	52%	
516020 Pro Ser Cnt and Fees	27,557,741	11,160,423	11,160,423	8,614,795	2,545,627	77%	18,942,946	31%	
516021 Indep Proceed Review	50,000	33,333	33,333	33,333	0	100%	16,667	67%	
516030 Maintenance Contracts	9,009,059	6,806,042	6,806,042	6,820,076	(14,034)	100%	2,188,984	76%	
516042 Foreclosure Action	2,120,385	2,120,385	2,120,385	2,120,385	0	100%	6,431	100%	
516080 Life Safety Contract	1,617,468	756,023	756,023	849,200	(93,177)	112%	768,268	53%	
516045 Prog Start-Up Costs	0	0	0	0	0	0%	0	0%	
520000 Municipal Assoc Fees	118,427	118,427	118,427	118,426	1	100%	1	100%	
516047 Warehouse Build-Out	950,000	0	0	0	0	0%	950,000	0%	
520010 Txs&Assess-Co Ownd Pr	600	400	400	229	171	57%	371	38%	
520020 Co Res Emr Comm Col	8,305,275	4,237,350	4,237,350	4,241,817	(4,467)	100%	4,063,458	51%	
520040 Curr Pyms Mass Tran	3,657,200	2,742,900	2,742,900	2,742,900	0	100%	914,300	75%	
520050 Garbage Disposal	115,000	76,667	76,667	71,402	5,264	93%	43,598	62%	
520070 Buffalo Bills Maint	3,048,714	1,997,944	1,997,944	1,994,279	3,665	100%	1,054,435	65%	
520072 Working Capital Asset	1,933,237	1,933,237	1,933,237	1,952,899	(19,662)	101%	(19,662)	101%	
* Professional Svcs Contracts a	58,483,107	31,976,699	31,976,699	29,553,310	2,423,389	92%	28,929,796	51%	
516050 Dept Payments-ECMCC	5,429,271	4,322,050	4,322,050	4,031,943	290,107	93%	1,397,328	74%	
516051 ECMCC Drug & Alcohol	397,493	264,995	264,995	264,995	0	100%	132,498	67%	
* ECMCC Payments	4,587,045	4,296,938	4,296,938	4,296,938	0	94%	1,529,826	74%	
516060 Sales Tax Loc Gov 3%	5,826,764	4,031,871	4,031,871	286,765,238	(7,575,457)	103%	116,421,833	71%	
516070 Flat Dist from 1%	403,187,074	279,189,781	279,189,781	279,189,781	0	100%	116,421,833	71%	
520030 NFTA-Share Sales Tax	12,500,000	12,500,000	12,500,000	12,500,000	0	100%	7,496,803	71%	
* Sales Tax to Local Government	25,966,267	18,008,136	18,008,136	18,469,464	(461,328)	103%	0	100%	
** Contractual	441,653,338	309,697,917	309,697,917	317,734,702	(8,036,785)	103%	123,918,636	72%	
561410 Lab & Tech Eq	687,631,636	445,244,113	445,244,113	448,253,672	(3,009,560)	101%	239,377,864	65%	
561420 Office Furn & Fixt	8,690,800	2,285,788	2,285,788	2,285,788	0	96%	6,405,746	26%	
561430 Bldg Grs & Hwy Eq	806,048	331,707	331,707	173,075	158,632	52%	632,973	21%	
561440 Motor Vehicles	858,088	43,392	43,392	80,413	(37,021)	185%	777,675	9%	
** Equipment	1,557,571	484,308	484,308	471,794	12,514	97%	1,085,778	30%	
559000 County Share - Grants	11,912,507	3,245,195	3,245,195	3,010,334	234,861	93%	8,902,172	25%	
570000 InterFund Trans-Subs	15,328,919	2,801,626	2,801,626	125,000	0	100%	12,527,293	18%	
570020 Interfund - Road	125,000	125,000	125,000	9,958,877	0	100%	0	100%	
570025 InterFd Co Share 911	17,237,687	9,958,877	9,958,877	3,712,082	0	100%	7,278,810	58%	
570028 InterFd Co Share Lib	5,505,969	3,712,082	3,712,082	769,976	0	100%	1,793,887	67%	
570030 Interfund-ECC Sub	769,976	769,976	769,976	19,804,317	0	100%	0	100%	
570050 InterFund Trans-Cap	19,804,317	19,804,317	19,804,317	62,485,000	0	100%	90,092,523	41%	
575000 Interfund Exp Non-Sub	152,577,523	62,485,000	62,485,000	2,235,407	0	100%	4,011,614	8%	
575040 I/F Expense-Utility	4,354,310	342,695	342,695	800,905	0	74%	3,489,061	39%	
* Interfund Expense	5,724,468	3,036,312	3,036,312	102,234,981	800,905	99%	119,193,187	46%	
910200 ID Budget Services	221,428,168	103,036,886	103,036,886	0	0	0%	0	0%	
910600 ID Purchasing Srv	0	0	0	(174,658)	(16,215)	92%	(111,651)	61%	
910700 ID Fleet Services	(286,309)	(190,873)	(190,873)	(1,206,464)	(864,136)	58%	(1,880,717)	39%	
911200 ID Comptroller's Srv	(3,087,181)	(2,070,600)	(2,070,600)	0	0	0%	0	0%	
911400 ID District Atty Srv	0	0	0	0	0	0%	0	0%	
911500 ID Sheriff Div. Srvs	0	0	0	0	0	0%	0	0%	
911600 ID Jail Mgt. Service	(194,907)	(129,939)	(129,939)	(153,993)	24,055	119%	(40,914)	79%	
911830 ID Correctional Fac	0	0	0	0	0	0%	0	0%	
912000 ID DSS Service	(45,000)	(30,000)	(30,000)	0	(30,000)	0%	(45,000)	0%	
912100 ID Utility Fund Srv	(167,814)	(111,876)	(111,876)	0	(111,876)	0%	(167,814)	0%	
912215 ID DPV Mail Srvs	4,966	3,311	3,311	(5,949)	(3,092)	65%	4,966	44%	
912220 ID Build&Grounds Srv	(13,561)	(9,041)	(9,041)	0	0	0%	(7,612)	0%	
912300 ID Highways Services	0	0	0	5,020	16,314	24%	26,980	16%	
912400 ID Mental Health Srv	0	0	0	0	0	0%	0	0%	
912520 ID Youth Delen Srvs	0	0	0	0	0	0%	0	0%	
912530 ID Youth Bureau Srvs	0	0	0	0	0	0%	0	0%	
912600 ID Probation Services	0	0	0	0	0	0%	0	0%	
912700 ID Health Services	0	0	0	0	0	0%	0	0%	
	(3,427)	(2,285)	(2,285)	(164,833)	162,549	7215%	161,406	4810%	

January-August 2023 Budget Monitoring Report (BMR) Detail by Account

Account Type	Annual Budget	Period Budget		Actuals	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
		January-August	January-August						
912730 ID Health Lab Srv	7,187	4,791	1,294	3,498	27%	5,893	18%		
912740 ID Med Ex Services	0	0	0	0	0%	0	0%		
913000 ID Veterans Services	0	(7,800)	0	0	0%	0	0%		
914000 ID CW Accts Budget	84,610	(7,800)	(7,800)	0	100%	92,410	0%		
916000 ID County Atty Srv	(153,032)	(101,315)	(10,935)	(90,381)	11%	(142,097)	7%		
916200 ID Env & Plan Srv	57,182	38,121	25,100	13,022	66%	32,082	44%		
916300 ID Senior Services	0	0	0	0	0%	0	0%		
916390 ID Senior Svcs Grant	24,906	16,604	10,466	6,138	63%	14,440	42%		
916400 ID Parks Services	(70,986)	(47,324)	(15,697)	(30,627)	35%	(54,289)	24%		
916500 ID CPS Services	0	0	0	0	0%	0	0%		
916700 ID Emergency Services	0	(0)	0	(0)	0%	0	0%		
916790 ID Emerg Svcs Grant	115,445	76,963	45,493	31,470	59%	69,952	39%		
942000 ID Library Services	153,143	102,095	71,767	30,328	70%	81,376	47%		
980000 ID DISS Services	(2,192,172)	(1,499,462)	(1,499,907)	38,444	103%	(693,265)	68%		
* Interdepartmental Billings	(5,734,950)	(3,898,295)	(3,081,096)	(817,199)	79%	(2,653,854)	54%		
** Allocations	215,693,218	99,137,591	99,153,985	(16,294)	100%	116,539,333	46%		
525000 MMS-Medicaid Loc Sh	196,356,874	120,224,408	120,224,408	0	100%	66,161,466	65%	On September 14, 2023 Medicaid payment increases were announced by NYS for a total 2023 increase of \$3.9M which started in October 2023.	
525020 UPL Expense	6,786,138	0	0	0	0%	6,786,138	0%		
525030 MA - Gross Loc Pynts	39,247	26,646.67	7,397.6	18,767.07	28%	31,849	19%		
525040 Family Assistance-FA	38,780,099	22,853,399	19,195,498	3,657,902	84%	19,584,601	49%		
525050 CWS - Foster Care	99,177,933	47,618,622	42,771,865	4,846,957	90%	56,406,268	43%		
525060 Safety Net Assist	39,665,565	28,443,710	23,839,275	4,604,435	84%	15,826,290	60%		
525070 Emer Assist To Adlts	1,034,035	689,357	600,786	88,571	87%	433,249	58%		
525080 Ed Handicapped Child	592,608	395,072	113,799	281,273	29%	478,809	19%	The payment for the 2022 UPL was made in October for \$ 5.9 million. The payment for 2023 UPL is expected in late 2023.	
525092 Child Care - CCBG	1,580,796	1,053,864	1,454,257	(400,393)	138%	1,26,539	92%		
525100 Housekeeping - DSS	21,720,580	14,680,393	30,363,202	(15,682,809)	207%	(8,642,612)	140%		
525110 Meals On Wheels WNY	36,486	24,324	0	24,324	0%	36,486	0%		
525120 Adult Special Needs	70,000	46,667	46,667	0	100%	23,333	67%		
525130 OCFs Yth Fac Charges	2,310	1,540	0	1,540	0%	2,310	0%		
525140 HEAP Program Costs	7,979,770	5,319,847	5,333,704	(13,857)	100%	2,646,066	67%		
525150 DSH Expense	570,000	380,000	680,475	(300,475)	179%	(110,475)	119%		
525160 Indigent Care DSH	90,977,571	50,573,845	50,573,845	0	100%	40,403,726	56%	Up to six potential payments may occur in late 2023.	
528000 Svcs Spec Need Child	6,456,791	4,844,093	4,583,789	260,324	95%	1,875,022	71%		
528010 Svcs Early Liv Prog	64,569,406	41,846,937	43,079,286	(1,232,349)	103%	21,490,120	67%		
530020 Independent Living	8,570,914	5,614,181	5,566,558	47,523	99%	3,004,256	65%		
** Program Specific	10,000	6,667	0	6,667	0%	10,000	0%		
570040 LIF Subsidy Debt Srv	575,008,133	344,643,090	348,434,692	(3,791,601)	101%	228,573,441	61%		
** Debt Services	62,414,953	34,497,912	34,497,912	0	100%	27,917,041	55%		
*** All Other Operating Expense	1,605,160,941	957,340,603	959,904,242	(2,563,639)	100%	645,256,700	60%		
**** County Expense	2,053,548,154	1,248,968,580	1,243,338,818	5,629,762	100%	810,209,336	61%		
***** Net	260,488,900	(82,665,424)	(111,360,766)	28,694,342		371,949,666			

August 2023 Budget Monitoring Report (BMR) With Year End Projections

Account Type	Annual Budget			Period		% of Period Budget Consumed	Year End 2022 Projections	Projected Year End Variance Save/(Cost)	Projected % of Annual Budget Consumed
	January-August	January-August	January-August	Available Budget	Consumed				
Revenue									
** Property Tax	(301,424,356)	(301,424,356)	(301,424,356)	(0)	100%	(301,424,356)	(0)	100%	
** Property Tax Related	(15,978,966)	(6,453,441)	(6,225,767)	(227,674)	96%	(16,001,396)	22,430	100%	
** Sales Tax	(583,527,694)	(404,679,660)	(415,035,865)	10,356,205	103%	(617,302,577)	33,774,883	106%	
** Sales Tax to Local Govt.	(403,187,071)	(279,189,781)	(286,765,238)	7,575,457	103%	(426,514,433)	23,327,362	106%	
** Other Sources	(40,993,793)	(29,965,122)	(51,988,865)	22,023,743	173%	(64,189,568)	23,195,775	157%	
** Fees, Fines or Charges	(35,403,927)	(26,412,844)	(24,752,801)	(1,660,043)	94%	(34,941,656)	(462,271)	99%	
** Appropriated Fund Balance	0	0	0	0	0%	0	0	0%	
*** Local Source Revenue	(1,380,515,807)	(1,048,125,204)	(1,086,192,892)	38,067,688	104%	(1,460,373,985)	79,858,179	106%	
*** Federal Revenue	(190,733,341)	(138,516,626)	(136,088,078)	(2,428,547)	98%	(197,591,575)	6,858,234	104%	
*** State Revenue	(221,080,141)	(144,263,208)	(131,458,847)	(12,804,362)	91%	(210,831,591)	(10,248,550)	95%	
*** Interfund Revenue	(729,966)	(729,966)	(959,766)	229,800	131%	(959,766)	229,800	131%	
**** County Revenue	(1,793,059,255)	(1,331,635,004)	(1,354,699,584)	23,064,580	102%	(1,869,756,918)	76,697,663	104%	
Expense									
** Salaries	272,374,395	177,146,987	166,581,624	11,565,363	93%	257,036,225	15,338,170	94%	
** Non-Salaries	30,126,185	18,959,419	27,516,568	(8,557,150)	145%	44,424,452	(14,298,267)	147%	
** Countywide Adjustments	114,874	(337,606)	0	(337,606)	0%	0	114,874	0%	
*** Personnel Related Expense	302,615,454	195,768,800	193,098,192	2,670,608	99%	301,470,678	1,144,776	100%	
*** Fringe Benefit Total	145,771,759	95,859,177	90,336,384	5,522,793	94%	153,853,158	(8,081,399)	106%	
** Supplies and Repairs	12,801,675	7,501,084	6,042,230	1,458,854	81%	11,374,140	1,427,535	89%	
** Other	39,698,819	23,071,618	20,511,516	2,560,102	89%	36,622,002	3,076,818	92%	
** Contractual	687,631,636	445,244,113	448,253,672	(3,009,560)	101%	710,286,031	(22,654,395)	103%	
** Equipment	11,912,507	3,245,195	3,010,334	234,861	93%	11,511,928	400,579	97%	
** Allocations	215,693,218	99,137,591	99,153,885	(16,294)	100%	212,859,170	2,834,048	99%	
** Program Specific	575,008,133	344,643,090	348,434,692	(3,791,601)	101%	613,477,959	(38,469,826)	107%	
** Debt Services	62,414,953	34,497,912	34,497,912	0	100%	62,414,953	0	100%	
*** All Other Operating Expense	1,605,160,941	957,340,603	959,904,242	(2,563,639)	100%	1,658,546,184	(53,385,242)	103%	
**** County Expense	2,053,548,154	1,248,968,580	1,243,338,818	5,629,762	100%	2,113,860,020	(60,311,866)	103%	
***** Net	260,488,900	(82,666,424)	(111,360,766)	28,694,342		244,103,102	16,385,798		

2023 Status

Total Revenue 1,869,756,918
 Total Expense (2,113,860,020)
 Net (244,103,102)

Adjustments
 Add Appropriation from 2022

260,488,900

Net Projected YE 2023 Balan 16,385,798

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
INTERN SEASO	51017939	GRP 01	SeasonP		08/11/2023	ERIE COUNTY EXECUTIVE'S OFFICE	110		14,100.00		07	100.000
	51017940	GRP 01	SeasonP		06/01/2023	ERIE COUNTY EXECUTIVE'S OFFICE	110		14,100.00		07	100.000

28,200.00	Perm Budget Amt	2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2
28,200.00	Perm Budget Amt	2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2

Totals for County Executive Department

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

Totals for Budget & Management

26,227.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 103 Labor Relations

Erie County
 POSITION CONTROL
 PART TIME VACANCY BY DEPARTMENT, JOB

Page: 3
 Date: 10/25/2023
 Time: 12:49:36
 As of: 08/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
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

Totals for Labor Relations

14,100.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac

Erie County
 POSITION CONTROL
 PART TIME VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 111 Real Property Tax Services

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
TAX ACCT PT	51015554	GRP 10	PT	P	01/01/2022	DEPARTMENT OF REAL PROPERTY TAX	110		27,856.00		01	100.000
						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
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
JR MT V CS P	51002289	GRP 05	PT	T	09/25/2021	AUTO BUREAU BRANCH OFFICES	110		20,712.00		02	100.000
	51002294	GRP 05	PT	T	06/04/2023	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
	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
	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
62,136.00 Perm Budget Amt							3	Perm Vac	124,272.00	Temp Budget Amt	6	Temp Vac
62,136.00 Perm Budget Amt							3	Perm Vac	124,272.00	Temp Budget Amt	6	Temp Vac

Totals for County Clerk

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
DS SE RE S S	51011332	GRP 51	SeasonP		07/15/2023	STADIUM DETAIL	110		3,511.00	07	0.000	
	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	
14,044.00		Perm Budget Amt			4	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	4
DS SEC RES S	51011383	GRP 50	SeasonP		07/15/2023	STADIUM DETAIL	110		2,200.00	07	0.000	
	51011433	GRP 50	SeasonP		07/16/2023	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	
	51011599	GRP 50	SeasonP		09/19/2022	STADIUM DETAIL	110		2,200.00	07	0.000	
	51017485	GRP 50	SeasonP		07/16/2023	STADIUM DETAIL	110		1,100.00	07	0.000	
	51017493	GRP 50	SeasonP		06/17/2023	STADIUM DETAIL	110		1,100.00	07	0.000	
	51017500	GRP 50	SeasonP		07/16/2023	STADIUM DETAIL	110		1,100.00	07	0.000	
	51017506	GRP 50	SeasonP		07/16/2023	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	
	51017542	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	
	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	
22,000.00		Perm Budget Amt			16	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	16
DEP SH RES P	00002369	GRP 08	PT	P	07/15/2023	POLICE SUPPORT SERVICES	110		23,258.00	02	100.000	
	51007280	GRP 08	PT	P	07/16/2023	POLICE SUPPORT SERVICES	110		17,444.00	02	100.000	
40,702.00		Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2

Totals for Office of the Sheriff

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	Temp Budget Amt	0	Temp Vac	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DIR OF HSW P	51017962	GRP 13	PT	P	07/19/2023	JAIL MANAGEMENT ADMINISTRATION	0.00	0.00	Temp Vac	110	34,924.00	1	07	100.000
34,924.00	Perm Budget Amt				1	Perm Vac								
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
	51017847	GRP 08	PT	P	08/12/2023	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	0.00	Temp Budget Amt			11		

Totals for Jail Management

245,563.00 Perm Budget Amt

12 Perm Vac

0 Temp Budget Amt

0 Temp Vac

12

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
EN CR 1 SEA	51012143	GRP 02	SeasonP		01/28/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		13,418.00	02	02	0.000
	13,418.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1	
CASEMWR PT	51011888	GRP 09	PT	P	05/06/2023	CHILD PROTECTIVE SERVICES	110		26,227.00	02	02	49.020
	51011889	GRP 09	PT	P	04/24/2023	CHILD PROTECTIVE SERVICES	110		26,227.00	02	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	51002081	GRP 02	PT	P	07/01/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		18,606.00	02	02	0.000
	51002087	GRP 02	PT	P	08/29/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		18,606.00	02	02	0.000
	37,212.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2	
EN CR 2 PT	00003365	GRP 05	PT	T	08/12/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		20,712.00	02	02	0.000
	00003367	GRP 05	PT	P	08/19/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		20,712.00	02	02	0.000
	51017076	GRP 05	PT	P	05/20/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		20,712.00	02	02	0.000
	41,424.00	Perm Budget Amt		2	Perm Vac	20,712.00	Temp Budget Amt		1	Temp Vac	3	

Totals for Department of Social Services

144,508.00 Perm Budget Amt 7 Perm Vac 20,712.00 Temp Budget Amt 1 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
CHAPLAIN PT	00001023	GRP 11	PT	P	07/01/2023	SECURE CHILD CARE	110		3,196.00	1	04	51.000
3,196.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac												
DET HM IN PT	00002980	GRP 09	PT	P	03/11/2022	INTAKE	110		21,237.00	2	02	51.000
42,474.00 Perm Budget Amt 2 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac												
DET SEC GD P	00002970	GRP 05	PT	P	07/09/2021	BUILDING SERVICES	110		12,562.00	1	01	51.000
12,562.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac												
YTH DET WK P	51006936	GRP 07	PT	T	02/25/2023	SECURE PART TIME YDW CHILD CARE	110		14,353.00	2	02	51.000
14,353.00 Perm Budget Amt 2 Perm Vac 28,706.00 Temp Budget Amt 2 Temp Vac												
YTH DET WK P	51016801	GRP 07	PT	T	02/10/2023	SECURE PART TIME YDW CHILD CARE	110		14,353.00	2	02	51.000
YTH DET WK P	51016802	GRP 07	PT	P	05/21/2023	SECURE PART TIME YDW CHILD CARE	110		14,353.00	2	02	51.000
14,353.00 Perm Budget Amt 1 Perm Vac 28,706.00 Temp Budget Amt 2 Temp Vac												

Totals for Youth Services Division

72,585.00	Perm Budget Amt	5	Perm Vac	28,706.00	Temp Budget Amt	2	Temp Vac	7
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
C IN C EMS P	51005153	GRP 15	PT	P	05/20/2023	EMS TRAINING	110		7,206.00	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	
52,076.00 Perm Budget Amt										10		
0.00 Temp Budget Amt										0		
0.00 Temp Vac										0		
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	
	51005236	GRP 08	PT	P	07/29/2023	EMS TRAINING	110		2,648.00	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	
	51011948	GRP 08	PT	P	07/29/2023	EMS TRAINING	110		750.00	07	100.000	
30,855.00 Perm Budget Amt										13		
0.00 Temp Budget Amt										0		
0.00 Temp Vac										0		
EM MED TEC P	51018046	GRP 07	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		23,264.00	01	91.000	
	51018047	GRP 07	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		23,264.00	01	91.000	
	51018048	GRP 07	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		23,264.00	01	91.000	
	51018049	GRP 07	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		23,264.00	01	91.000	
93,056.00 Perm Budget Amt										4		
0.00 Temp Budget Amt										0		
0.00 Temp Vac										0		
TEC EC P	51017937	GRP 09	PT	P	07/31/2023	ENVIRONMENTAL HEALTH LAB	110		26,227.00	01	0.000	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	Temp Budget Amt	0.00	Temp Budget Amt	FUND	GRANT	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PARAMED I PT	51018032	GRP 09	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		110					26,227.00	01	91.0000	
	51018033	GRP 09	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		110					26,227.00	01	91.0000	
	51018034	GRP 09	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		110					26,227.00	01	91.0000	
	51018035	GRP 09	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		110					26,227.00	01	91.0000	
	51018036	GRP 09	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		110					26,227.00	01	91.0000	
	51018037	GRP 09	PT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		110					26,227.00	01	91.0000	

157,362.00		Perm Budget Amt		6	Perm Vac		0.00	Temp Budget Amt	6			0	Temp Vac				
PR WK IN PT	51005278	GRP 01	PT	P	05/22/2021	EMS TRAINING	110		110					1,855.00	07	100.0000	
	51005279	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					1,132.00	07	100.0000	
	51005280	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					1,132.00	07	100.0000	
	51005284	GRP 01	PT	P	08/01/2020	EMS TRAINING	110		110					1,132.00	07	100.0000	
	51005286	GRP 01	PT	P	04/28/2023	EMS TRAINING	110		110					1,132.00	07	100.0000	
	51005287	GRP 01	PT	P	09/25/2021	EMS TRAINING	110		110					1,132.00	07	100.0000	
	51005289	GRP 01	PT	P	05/26/2021	EMS TRAINING	110		110					779.00	07	100.0000	
	51005291	GRP 01	PT	P	05/20/2023	EMS TRAINING	110		110					779.00	07	100.0000	
	51005293	GRP 01	PT	P	01/15/2022	EMS TRAINING	110		110					1,132.00	07	100.0000	
	51005297	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					1,317.00	07	100.0000	
	51006149	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					2,783.00	07	100.0000	
	51006177	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					557.00	07	100.0000	
	51006178	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					557.00	07	100.0000	
	51006183	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					557.00	07	100.0000	
	51011943	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					278.00	07	100.0000	
	51011945	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					278.00	07	100.0000	
	51011946	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		110					186.00	07	100.0000	

16,718.00		Perm Budget Amt		17	Perm Vac		0.00	Temp Budget Amt	17			0	Temp Vac				
REG NRS PT	51012177	GRP 08	PT	P	08/05/2022	YOUTH DETENTION HEALTH SERVICES	110		110					27,818.00	02	50.0000	

27,818.00		Perm Budget Amt		1	Perm Vac		0.00	Temp Budget Amt	1			0	Temp Vac				

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 127 Health

Erie County
 POSITION CONTROL
 PART TIME VACANCY BY DEPARTMENT, JOB

Page: 12
 Date: 10/25/2023
 Time: 12:49:36
 As of: 08/31/2023

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
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Totals for Health

404,112.00	Perm Budget Amt	52	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	52			
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Erie County
 POSITION CONTROL
 PART TIME VACANCY BY DEPARTMENT, JOB
 Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 150 Board of Elections

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CH EL CL C P	51003576	GRP 09	PT	P	01/08/2016	ADMINISTRATION-BOE - DEM.	110		26,227.00	1	05	100.000
	26,227.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
DABAPRCOPBOE	51014951	GRP 13	PT	P	06/20/2020	ADMINISTRATION-BOE - REP.	110		9,897.00	1	05	100.000
	9,897.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
ELC FIN CL P	51007156	GRP 06	PT	P	01/01/2020	ADMINISTRATION-BOE - REP.	110		21,949.00	1	05	100.000
	21,949.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
ELC IN S S P	51007157	GRP 11	PT	P	03/19/2020	ADMINISTRATION-BOE - REP.	110		30,366.00	1	05	100.000
	30,366.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
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	
	51007638	GRP 01	PT	P	07/15/2023	ADMINISTRATION-BOE - DEM.	110		18,330.00	05	100.000	
	51007639	GRP 01	PT	P	07/25/2023	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	08/17/2023	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		
EL CL PT	51004176	GRP 04	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110		19,802.00	05	100.000	
	51005585	GRP 04	PT	P	08/27/2011	ADMINISTRATION-BOE - REP.	110		19,802.00	05	100.000	
	51008264	GRP 04	PT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		19,802.00	05	100.000	
	51012979	GRP 04	PT	P	01/01/2016	ADMINISTRATION-BOE - REP.	110		19,802.00	05	100.000	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	Temp Budget Amt	0.00	Temp Budget Amt	FUND GRANT	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
79,208.00	Perm Budget Amt				4	Perm Vac								4		
MATEBOE PT	51007110	GRP 07	PT	P	12/17/2022	ADMINISTRATION-BOE - DEM.			110				23,264.00		05	100.000
	51008695	GRP 07	PT	P	09/15/2020	ADMINISTRATION-BOE - DEM.			110				23,264.00		05	100.000
46,528.00	Perm Budget Amt				2	Perm Vac								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								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								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								2		

Totals for Board of Elections

552,800.00 Perm Budget Amt 33 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 33

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
INTERN SEAS	51016418	GRP 01	SeasonP		08/05/2022	ENVIRONMENTAL COMPLIANCE	110		14,100.00		07	100.000
	51016419	GRP 01	SeasonP		01/01/2020	PLANNING	110		14,100.00		07	100.000
	51016836	GRP 01	SeasonP		07/08/2021	PLANNING	110		14,100.00		07	100.000
	51017362	GRP 01	SeasonP		08/14/2023	ENVIRONMENTAL COMPLIANCE	110		8,905.00		07	32.400
	51,205.00	Perm Budget Amt			4	Perm Vac			0.00	Temp Budget Amt	0	Temp Vac
												4

Totals for Environment & Planning Divis'n

51,205.00 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
BEAC SUPV SE	51006350	GRP 49	SeasonP		08/24/2023	WENDT/BENNETT BEACH PARK	110		8,800.00	07	07	100.000
	8,800.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
LIFEGD CP S	51003312	GRP 47	SeasonP		08/20/2023	WENDT/BENNETT BEACH PARK	110		8,400.00	02	02	100.000
	51005651	GRP 47	SeasonP		08/15/2023	WENDT/BENNETT BEACH PARK	110		8,400.00	02	02	100.000
	16,800.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
LIFEGD SEAS	51005656	GRP 45	SeasonP		08/24/2023	WENDT/BENNETT BEACH PARK	110		4,000.00	02	02	100.000
	51005657	GRP 45	SeasonP		08/26/2023	WENDT/BENNETT BEACH PARK	110		8,000.00	02	02	100.000
	51013372	GRP 45	SeasonP		08/20/2023	WENDT/BENNETT BEACH PARK	110		4,000.00	02	02	100.000
	51017912	GRP 45	SeasonP		08/15/2023	WENDT/BENNETT BEACH PARK	110		8,000.00	02	02	100.000
	24,000.00	Perm Budget Amt		4	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	4		
PARK ATT SEA	51011823	GRP 33	SeasonP		12/15/2022	COMO LAKE PARK	110		5,376.00	03	03	100.000
	51012680	GRP 33	SeasonP		08/17/2023	ELMA MEADOWS PARK	110		11,520.00	03	03	100.000
	51012681	GRP 33	SeasonP		08/26/2023	GROVER CLEVELAND PARK	110		11,520.00	03	03	100.000
	28,416.00	Perm Budget Amt		3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	3		

Totals for Parks

78,016.00 Perm Budget Amt 10 Perm Vac 0 Temp Vac 10

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
FIRE INST PT	51002955	GRP 11	PT	P	01/31/2022	FIRE SAFETY	110		2,397.00	1	02	100.000
						1 Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
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
						3 Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
						9,222.00 Perm Budget Amt				3		

Totals for Emergency Services

11,619.00 Perm Budget Amt 4 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 4

Erie County
 POSITION CONTROL
 PART TIME VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 167 Emergency Services

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
Totals for FUND 110											
					157	Perm Vac			9	Temp Vac	166
							173,690.00				
						Temp Fund Amt					

Run Totals: Total Perm Vac 157 Total Temp Vac 9 Total Vacancies 166 Total Positions 648 Percent 26%

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

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				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				1		

Totals for Legislative Branch

110,611.00	Perm Budget Amt	2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2
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SHORT DESC	POSITION NUMBER	JOB GROUP	BE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
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	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	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				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
	51002471	GRP 12	FT	T	08/12/2023	INFRASTRUCTURE SERVICES	110		67,914.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac				2	Temp Vac	2

Totals for Information & Support Services

107,622.00	Perm Budget Amt	2	Perm Vac	194,472.00	Temp Budget Amt	3	Temp Vac	5
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2024 delete

SHORT DESC	POSITION NUMBER	JOB GROUP	BE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
MIN WO OB ES	51017025	GRP 08	FT	P	11/01/2022	EQUAL EMP OPPORTUNITY, DIVERSITY & INCLUSION	110		51,967.00		01	100.000
51,967.00 Perm Budget Amt										1		
0.00 Temp Budget Amt										0		
0.00 Temp Budget Amt										0		

Totals for Equal Employment Opportunity

51,967.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	51,967.00		1		
51,967.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac			1		

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 109 Office of Public Advocacy

SHORT DESC	POSITION NUMBER	JOB GROUP	BE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP CO SEAL	51009682	GRP 08	FT	P	08/29/2023	WEIGHTS AND MEASURES	110		51,967.00	01	01	100.0000

51,967.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac

Totals for Office of Public Advocacy

51,967.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 111 Real Property Tax Services

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
TAX MAP TCH	51005223	GRP 06	FT	T	08/23/2023	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

Totals for Real Property Tax Services

0.00	Perm Budget Amt	0	Perm Vac	46,209.00	Temp Budget Amt	1	Temp Vac
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Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 112 Comptroller

SHORT DESC	POSITION NUMBER	JOB GROUP	BE 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	1	01	100.000
	0.00	Perm Budget Amt		0	Perm Vac	55,216.00	Temp Budget Amt			1		
ASC DECO XIV	51014369	GRP 14	FT	P	11/20/2021	ADMINISTRATION	110		81,199.00	1	04	100.000
	81,199.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt			1		
DIR ACT SRV	00003006	GRP 15	FT	P	04/10/2023	AUDIT & CONTROL	110		89,220.00	1	01	100.000
	89,220.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt			1		
STAFF AUD	51012879	GRP 11	FT	P	10/03/2022	AUDIT & CONTROL	110		63,929.00	1	01	100.000
	63,929.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt			1		
Totals for Comptroller												
	234,348.00	Perm Budget Amt		3	Perm Vac	55,216.00	Temp Budget Amt			4		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	130,815.00	Perm Budget Amt			3	Perm Vac	43,605.00	Temp Budget Amt		4		
								Temp Vac		1		
MOT VEH REP	00006595	GRP 05	FT	P	07/29/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
	00006610	GRP 05	FT	T	07/01/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
	51016762	GRP 05	FT	T	06/03/2023	AUTO BUREAU BRANCH OFFICES	110		43,605.00		01	100.000
	43,605.00	Perm Budget Amt			1	Perm Vac	87,210.00	Temp Budget Amt		3		
								Temp Vac		2		
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		1		
								Temp Vac		0		
SR DOC CLK	00008731	GRP 06	FT	P	09/04/2023	RECORDING	110		46,209.00		01	100.000
	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
	46,209.00	Perm Budget Amt			1	Perm Vac	138,627.00	Temp Budget Amt		4		
								Temp Vac		3		
SR MV REP	51005451	GRP 07	FT	P	10/11/2023	AUTO BUREAU BRANCH OFFICES	110		48,978.00		01	100.000
	48,978.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		1		
								Temp Vac		0		
Totals for County Clerk												
	313,212.00	Perm Budget Amt			7	Perm Vac	269,442.00	Temp Budget Amt		6		
								Temp Vac		13		

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 114 District Attorney

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	0	Temp Vac	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST DA III	00000443	GRP 14	FT	P	06/03/2023	LOWER COURTS	110						81,199.00	04	100.000	
	00000453	GRP 14	FT	P	07/18/2023	LOWER COURTS	110						81,199.00	04	100.000	
	00000454	GRP 14	FT	P	04/22/2023	LOWER COURTS	110						81,199.00	04	100.000	
	510005669	GRP 14	FT	P	06/22/2023	LOWER COURTS	110						81,199.00	04	100.000	
	510005670	GRP 14	FT	P	07/01/2023	LOWER COURTS	110						81,199.00	04	100.000	
	51010007	GRP 14	FT	P	07/02/2023	LOWER COURTS	110						81,199.00	04	100.000	
	51017045	GRP 14	FT	P	07/01/2023	LOWER COURTS	110						81,199.00	04	100.000	
	51017791	GRP 14	FT	P	07/13/2023	LOWER COURTS	110						81,199.00	04	100.000	
649,592.00 Perm Budget Amt 8 Perm Vac 0 Temp Vac 8																
ASST DA V	51000346	GRP 16	FT	P	09/08/2023	SUPERIOR COURTS	110						97,852.00	04	100.000	
97,852.00 Perm Budget Amt 1 Perm Vac 0 Temp Vac 1																
ASST DI A VI	51017039	GRP 17	FT	P	08/29/2023	LOWER COURTS	110						106,388.00	07	100.000	
106,388.00 Perm Budget Amt 1 Perm Vac 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	LOWER COURTS	110						41,689.00	01	100.000	
	51016926	GRP 04	FT	T	07/15/2023	LOWER COURTS	110						41,689.00	01	100.000	
	51017376	GRP 04	FT	P	07/15/2023	LOWER COURTS	110						41,689.00	01	100.000	
41,689.00 Perm Budget Amt 1 Perm Vac 3 Temp Vac 4																
EX AST SEC D	00003420	GRP 18	FT	P	07/21/2023	ADMINISTRATION	110						115,307.00	04	100.000	
115,307.00 Perm Budget Amt 1 Perm Vac 0 Temp Vac 1																
LEGAL SEC	00005853	GRP 07	FT	T	08/13/2023	SUPERIOR COURTS	110						48,978.00	01	100.000	
	51007709	GRP 07	FT	P	07/07/2023	GRAND JURY	110						48,978.00	01	100.000	
48,978.00 Perm Budget Amt 1 Perm Vac 1 Temp Vac 2																
PROBATION	51017046	GRP 05	FT	P	06/22/2023	SUPERIOR COURTS	110						43,605.00	01	100.000	

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 114 District Attorney

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	43,605.00				1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1

Totals for District Attorney												
	1,103,411.00				14	Perm Vac	174,045.00	Temp Budget Amt		4	Temp Vac	18

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 115 Office of the Sheriff

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCT CLK SH	51013478	GRP 04	FT	P	05/15/2023	CIVIL PROCESS	110		43,100.00	01	01	100.000
	43,100.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
CAPTAIN	51004646	GRP 11	FT	P	09/18/2023	POLICE/PATROL SERVICES	110		81,162.00	01	01	100.000
	81,162.00	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	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		43,100.00	01	01	100.000
	0.00	Perm Budget Amt			0	Perm Vac	43,100.00	Temp Budget Amt	1	Temp Vac	1	
DEP SH OF	00002522	GRP 08	FT	T	01/07/2023	PROFESSIONAL STANDARDS	110		60,713.00	01	01	100.000
	0.00	Perm Budget Amt			0	Perm Vac	60,713.00	Temp Budget Amt	1	Temp Vac	1	
REC CLK HC	51004832	GRP 06	FT	T	04/08/2023	ADMINISTRATION AND PROFESSIONAL SERVICES	110		47,676.00	01	01	100.000
	0.00	Perm Budget Amt			0	Perm Vac	47,676.00	Temp Budget Amt	1	Temp Vac	1	
RECEPTIONIST	51009202	GRP 03	FT	T	05/20/2023	COMMUNITY PROGRAMS	110		41,721.00	02	02	100.000
	51016662	GRP 03	FT	T	07/29/2023	PROFESSIONAL STANDARDS	110		41,721.00	02	02	100.000
	0.00	Perm Budget Amt			0	Perm Vac	83,442.00	Temp Budget Amt	2	Temp Vac	2	

Totals for Office of the Sheriff

180,401.00 Perm Budget Amt

3 Perm Vac

234,931.00 Temp Budget Amt

5 Temp Vac

8

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 116 Jail Management

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	0	Temp Budget Amt	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST COOK HC	00000329	GRP 04	FT	P	12/05/2021	FOOD SERVICES HC	110		0	Temp Budget Amt	0	43,100.00	1	02	100.000
43,100.00 Perm Budget Amt															
COM REIN CRD	51018018	GRP 10	FT	P	01/01/2023	COMMUNITY RE-INTEGRATION PROGRAM	110		0	Temp Budget Amt	0	60,208.00	1	01	100.000
60,208.00 Perm Budget Amt															
COR FAC MED	51010436	GRP 13	FT	P	08/08/2023	CORRECTIONAL FACILITY MEDICAL SERVICES	110		0	Temp Budget Amt	0	58,804.00	1	02	100.000
58,804.00 Perm Budget Amt															
COR OFF	00002081	GRP 11	FT	P	10/11/2023	SECURITY CF	110		0	Temp Budget Amt	0	57,169.00	1	01	100.000
57,169.00 Perm Budget Amt															
COR OFF CF	51011304	GRP 11	FT	P	08/21/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51011602	GRP 11	FT	T	07/29/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51012172	GRP 11	FT	T	01/14/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51014309	GRP 11	FT	P	08/21/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51017379	GRP 11	FT	P	07/27/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51017667	GRP 11	FT	T	10/22/2022	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51017810	GRP 11	FT	P	07/26/2023	COMMUNITY RE-INTEGRATION PROGRAM	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51017811	GRP 11	FT	P	07/31/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51017823	GRP 11	FT	T	08/08/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51017956	GRP 11	FT	P	05/31/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51017958	GRP 11	FT	P	05/31/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51017959	GRP 11	FT	P	05/31/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
	51018019	GRP 11	FT	P	06/27/2023	SECURITY CF	110		0	Temp Budget Amt	0	56,139.00	1	01	100.000
505,251.00 Perm Budget Amt															
DEP SH OF	00002515	GRP 08	FT	P	08/14/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002567	GRP 08	FT	P	06/26/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002571	GRP 08	FT	T	07/29/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002632	GRP 08	FT	P	07/18/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002645	GRP 08	FT	T	10/22/2022	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002646	GRP 08	FT	P	08/06/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002667	GRP 08	FT	T	07/29/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002675	GRP 08	FT	P	08/31/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002692	GRP 08	FT	T	07/29/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002700	GRP 08	FT	T	07/29/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002735	GRP 08	FT	P	08/02/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002754	GRP 08	FT	T	01/07/2023	SECURITY HC	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002786	GRP 08	FT	P	07/19/2023	TRANSPORTATION	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000
	00002819	GRP 08	FT	P	08/09/2023	TRANSPORTATION	110		4	Temp Budget Amt	4	60,713.00	13	01	100.000

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 116 Jail Management

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	TOT VAC	CS CD	COUNTY SHARE
1,092,834.00	Per Budget Amt				18	Perm Vac	424,991.00	Temp Budget Amt	7	Temp Vac	25
KIT HLP HC	00005425	GRP 03	FT	P	07/14/2022	FOOD SERVICES HC	110				03 100.000
	00005426	GRP 03	FT	P	03/19/2023	FOOD SERVICES HC	110				03 100.000
83,442.00	Per 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				03 100.000
	0.00	Per Budget Amt			0	Perm Vac	43,100.00	Temp Budget Amt	1	Temp Vac	1
MAINT WKR SH	00006334	GRP 05	FT	P	09/27/2023	PROGRAMS HC	110				02 100.000
	45,040.00	Per Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
NURSE ED CHD	51018020	GRP 11	FT	P	01/01/2023	JAIL MEDICAL SERVICES ADMINISTRATION	110				01 100.000
	73,572.00	Per 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				01 100.000
	42,989.00	Per Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
PRINCLK HC	00007797	GRP 06	FT	P	01/09/2023	SECURITY HC	110				01 100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
47,676.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
REG NURS HC	51007848	GRP 08	FT	P	09/10/2022	HOLDING CENTER MEDICAL SERVICES	110	78,836.00		02	100.000
	51010471	GRP 08	FT	T	09/10/2022	HOLDING CENTER MEDICAL SERVICES	110	78,836.00		02	100.000
	51010472	GRP 08	FT	T	05/21/2022	HOLDING CENTER MEDICAL SERVICES	110	78,836.00		02	100.000
	51010473	GRP 08	FT	P	07/27/2022	HOLDING CENTER MEDICAL SERVICES	110	78,836.00		02	100.000
	51010474	GRP 08	FT	P	08/04/2022	HOLDING CENTER MEDICAL SERVICES	110	78,836.00		02	100.000
	51016085	GRP 08	FT	T	10/22/2022	HOLDING CENTER MEDICAL SERVICES	110	78,836.00		02	100.000
	51016087	GRP 08	FT	P	08/08/2023	HOLDING CENTER MEDICAL SERVICES	110	78,836.00		02	100.000
315,344.00	Perm Budget Amt				4	Perm Vac	236,508.00	Temp Budget Amt	3	Temp Vac	7
REG NURSE CH	51013385	GRP 08	FT	P	07/15/2023	CORRECTIONAL FACILITY MEDICAL SERVICES	110	58,564.00		02	100.000
	51013386	GRP 08	FT	P	06/17/2023	CORRECTIONAL FACILITY MEDICAL SERVICES	110	58,564.00		02	100.000
	51013387	GRP 08	FT	P	08/11/2023	CORRECTIONAL FACILITY MEDICAL SERVICES	110	58,564.00		02	100.000
175,692.00	Perm Budget Amt				3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	3
SGT OFFICER	00009604	GRP 11	FT	T	07/29/2023	SECURITY HC	110	70,019.00		01	100.000
	51017844	GRP 11	FT	T	07/29/2023	SECURITY HC	110	70,019.00		01	100.000
0.00	Perm Budget Amt				0	Perm Vac	140,038.00	Temp Budget Amt	2	Temp Vac	2
SR MD SC SH	51007811	GRP 04	FT	P	08/31/2023	HOLDING CENTER MEDICAL SERVICES	110	43,100.00		01	100.000
	51016919	GRP 04	FT	P	04/13/2022	HOLDING CENTER MEDICAL SERVICES	110	43,100.00		01	100.000
86,200.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2
SR NUR PR CH	51017177	GRP 16	FT	P	08/15/2023	HOLDING CENTER MEDICAL SERVICES	110	99,578.00		07	100.000
	51018061	GRP 16	FT	P	06/08/2023	HOLDING CENTER MEDICAL SERVICES	110	99,578.00		07	100.000
	51018062	GRP 16	FT	P	06/08/2023	HOLDING CENTER MEDICAL SERVICES	110	99,578.00		07	100.000
	51018063	GRP 16	FT	P	06/08/2023	HOLDING CENTER MEDICAL SERVICES	110	99,578.00		07	100.000
	51018064	GRP 16	FT	P	06/08/2023	HOLDING CENTER MEDICAL SERVICES	110	99,578.00		07	100.000
497,890.00	Perm Budget Amt				5	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	5

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 116 Jail Management

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOI VAC	CS CD	COUNTY SHARE
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Totals for Jail Management

3,185,211.00 Perm Budget Amt 51 Perm Vac 1,069,193.00 Temp Budget Amt 17 Temp Vac 68

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 120 Department of Social Services

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
ACC CLK	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	07/05/2023	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		166,756.00	Temp Budget Amt	4	Temp Vac	
ACC CLK TYP	00000067	GRP 04	FT	P	07/01/2023	FINANCIAL RECORDS & SERVICES	110		41,689.00	01	47.370	
	41,689.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac	
AST DP CM SS	00000368	GRP 15	FT	T	07/30/2023	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	
AST SP INV	00000530	GRP 07	FT	T	06/04/2023	INVESTIGATIONS AND COLLECTIONS	110		48,978.00	01	37.700	
	0.00	Perm Budget Amt			0	Perm Vac		48,978.00	Temp Budget Amt	1	Temp Vac	
AST SS TECHLI	51017868	GRP 07	FT	P	07/21/2023	TECHNICAL SUPPORT	110		48,978.00	01	47.220	
	48,978.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac	
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	
	51017005	GRP 06	FT	P	08/29/2023	CHILD PROTECTIVE SERVICES	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	
	51018057	GRP 06	FT	P	06/22/2023	ADULT & FAMILY SERVICES	110		46,209.00	01	49.020	
	138,627.00	Perm Budget Amt			3	Perm Vac		92,418.00	Temp Budget Amt	2	Temp Vac	
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	
CHILDWORKER	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	P	08/12/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		55,216.00	01	49.020	
	51009135	GRP 09	FT	P	08/26/2023	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	
	51009580	GRP 09	FT	P	08/17/2023	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	
	51009723	GRP 09	FT	T	08/13/2023	CHILD PROTECTIVE SERVICES	110		55,216.00	01	49.020	
	51009726	GRP 09	FT	T	06/18/2023	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	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	TOT VAC	CS CD	COUNTY SHARE	BUDGETED AMOUNT
386,512.00	Perm Budget Amt				7	Perm Vac	607,376.00	Temp Budget Amt	18	11	Temp Vac	
CH SUP IN SP	51012359	GRP 07	FT	P	07/03/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		01	01	37.770	48,978.00
48,978.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	1	0	Temp Vac	
CH SUP INV	00001388	GRP 07	FT	T	08/13/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		01	01	37.770	48,978.00
58,644.00	Perm Budget Amt				0	Perm Vac	48,978.00	Temp Budget Amt	1	1	Temp Vac	
CHFCASAST SS	51017892	GRP 10	FT	P	01/01/2023	SERVICES DIVISION ADMINISTRATION	110		01	01	49.020	58,644.00
CLERK	00001470	GRP 01	FT	T	05/06/2023	CHILD PROTECTIVE SERVICES	110		01	01	49.020	38,590.00
	51009639	GRP 01	FT	T	05/21/2023	EC WORKS CENTER	110		01	01	38.490	38,590.00
	51009640	GRP 01	FT	T	06/17/2023	EC WORKS CENTER	110		01	01	38.490	38,590.00
	51017002	GRP 01	FT	T	08/12/2023	EMPLOYMENT ASSESSMENT	110		01	01	32.690	38,590.00
0.00	Perm Budget Amt				0	Perm Vac	154,360.00	Temp Budget Amt	4	4	Temp Vac	
CLERK TYPYST	00001584	GRP 01	FT	T	07/29/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		01	01	37.770	38,590.00
	00001589	GRP 01	FT	T	08/22/2023	CHILDREN'S SERVICES	110		01	01	49.020	38,590.00
	00001629	GRP 01	FT	T	12/04/2021	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		01	0.000	0.000	38,590.00
	00001633	GRP 01	FT	T	05/21/2023	FINANCIAL RECORDS & SERVICES	110		01	01	47.220	38,590.00
	51003542	GRP 01	FT	T	08/13/2023	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		01	37.770	37.770	38,590.00
	51004220	GRP 01	FT	T	07/30/2023	CHILD PROTECTIVE SERVICES	110		01	01	49.020	38,590.00
	51009661	GRP 01	FT	T	05/20/2023	ADOPTION	110		01	01	49.020	38,590.00
	51009665	GRP 01	FT	T	04/17/2023	FINANCIAL RECORDS & SERVICES	110		01	01	47.220	38,590.00
	51009667	GRP 01	FT	T	03/25/2023	FINANCIAL RECORDS & SERVICES	110		01	01	47.220	38,590.00
	51009690	GRP 01	FT	T	08/13/2023	INVESTIGATIONS AND COLLECTIONS	110		01	01	37.700	38,590.00
	51009692	GRP 01	FT	T	04/22/2023	FINANCIAL RECORDS & SERVICES	110		01	01	47.220	38,590.00
	51009692	GRP 01	FT	T	07/16/2023	FINANCIAL RECORDS & SERVICES	110		01	01	47.220	38,590.00
	51010582	GRP 01	FT	T	07/16/2023	ADULT & FAMILY SERVICES	110		01	01	49.020	38,590.00
	51017978	GRP 01	FT	T	03/26/2023	INVESTIGATIONS AND COLLECTIONS	110		01	01	37.700	38,590.00

2024 delete
 2024 delete

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	540,260.00	Temp Budget Amt	14	Temp Vac	14		
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	1	Temp Vac	1		
COUN SS	00002140	GRP 14	FT	T	08/13/2023	CHILDREN'S SERVICES	110		81,199.00		01	49.200
	00002142	GRP 14	FT	T	06/18/2023	LEGAL SERVICES - IVD	110		81,199.00		01	37.770
	00002151	GRP 14	FT	T	07/05/2023	CHILDREN'S SERVICES	110		81,199.00		01	49.200
	51002110	GRP 14	FT	T	03/12/2023	CHILDREN'S SERVICES	110		81,199.00		01	49.200
	0.00	Perm Budget Amt		0	Perm Vac	324,796.00	Temp Budget Amt	4	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	1	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	1	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	1	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
	51011555	GRP 09	FT	P	07/24/2023	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

2024 Delta

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
331,296.00	Perm Budget Amt	6	Perm Vac	55,216.00	Temp Budget Amt	1	Temp Vac	7				
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 2	00003341	GRP 05	FT	T	08/26/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		43,605.00	02	0.000	
0.00	Perm Budget Amt	0	Perm Vac	43,605.00	Temp Budget Amt	1	Temp Vac	1				
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				
MGT&ORG CONS	00006354	GRP 14	FT	T	07/29/2023	FISCAL MANAGEMENT	110		81,199.00	01	47.220	
0.00	Perm Budget Amt	0	Perm Vac	81,199.00	Temp Budget Amt	1	Temp Vac	1				
OP COM CRD	51011552	GRP 08	FT	T	07/29/2023	TECHNICAL SUPPORT	110		51,967.00	01	47.220	
0.00	Perm Budget Amt	0	Perm Vac	51,967.00	Temp Budget Amt	1	Temp Vac	1				
PARALEGAL	00006997	GRP 05	FT	P	08/26/2023	CHILDREN'S SERVICES	110		43,605.00	01	49.020	
51009617	GRP 05	FT	T	08/27/2023	CHILDREN'S SERVICES	110			43,605.00	01	49.020	

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND Amt	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	43,605.00	Perm Budget Amt			1	Perm Vac	43,605.00	Temp Budget Amt		1	Temp Vac	2
PERS CLK	51018025	GRP 06	FT	P	06/23/2023	PERSONNEL/PAYROLL	110		46,209.00		01	47.220
	46,209.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
PR SEC TYP	51017760	GRP 07	FT	P	07/29/2023	DSS COMMISS. OFFICE & COMM RELATIONS	110		48,978.00		01	47.220
	48,978.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
PRIN CLERK	00007385	GRP 06	FT	T	08/26/2023	FINANCIAL RECORDS & SERVICES	110		46,209.00		01	47.220
	00007389	GRP 06	FT	T	06/04/2023	EMPLOYMENT ASSESSMENT	110		46,209.00		01	32.690
	51004281	GRP 06	FT	T	07/15/2023	EC WORKS CENTER	110		46,209.00		01	38.490
	0.00	Perm Budget Amt			0	Perm Vac	138,627.00	Temp Budget Amt		3	Temp Vac	3
PROG ANALYST	00007579	GRP 12	FT	T	08/12/2023	TECHNICAL SUPPORT	110		67,914.00		01	47.220
	0.00	Perm Budget Amt			0	Perm Vac	67,914.00	Temp Budget Amt		1	Temp Vac	1
RECEPTIONIST	51016857	GRP 03	FT	T	07/15/2023	ADMIN. SUPPORT SERVICES ADMIN.	110		40,312.00		02	47.220
	0.00	Perm Budget Amt			0	Perm Vac	40,312.00	Temp Budget Amt		1	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
	46,209.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
SOC WEL EX	00009870	GRP 06	FT	T	07/15/2023	INVESTIGATIONS AND COLLECTIONS	110		46,209.00		01	37.700
	00009908	GRP 06	FT	T	07/16/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	00009913	GRP 06	FT	T	07/01/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51003653	GRP 06	FT	T	07/30/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51003944	GRP 06	FT	T	08/13/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009811	GRP 06	FT	T	08/12/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009812	GRP 06	FT	T	08/13/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000
	51009813	GRP 06	FT	T	08/27/2023	SNAP ELIGIBILITY TEAMS	110		46,209.00		01	50.000

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 120 Department of Social Services

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	369,672.00	Temp Budget Amt	8	Temp Vac	8	
SPE AS MA SS	51010454	GRP 05	FT	T	07/02/2022	ADMIN, SUPPORT SERVICES ADMIN.	110		43,605.00	1	01	47.220
	0.00	Perm Budget Amt			0	Perm Vac	43,605.00	Temp Budget Amt	1	Temp Vac	1	
SR ACCT CLK	51015303	GRP 06	FT	T	08/26/2023	FINANCIAL RECORDS & SERVICES	110		46,209.00	01	01	49.020
	51016961	GRP 06	FT	T	08/19/2023	FINANCIAL RECORDS & SERVICES	110		46,209.00	01	01	49.020
	0.00	Perm Budget Amt			0	Perm Vac	92,418.00	Temp Budget Amt	2	Temp Vac	2	
SR CASWRKR	00008194	GRP 10	FT	T	07/02/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,644.00	01	01	49.020
	00008196	GRP 10	FT	T	05/20/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,644.00	01	01	49.020
	00008248	GRP 10	FT	P	09/15/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,644.00	01	01	49.020
	00008258	GRP 10	FT	T	05/20/2023	CHILD PROTECTIVE SERVICES	110		58,644.00	01	01	49.020
	00008272	GRP 10	FT	T	05/20/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,644.00	01	01	49.020
	00008292	GRP 10	FT	T	05/20/2023	CHILD PROTECTIVE SERVICES	110		58,644.00	01	01	49.020
	00008319	GRP 10	FT	P	08/12/2023	CHILD PROTECTIVE SERVICES	110		58,644.00	01	01	49.020
	51004327	GRP 10	FT	P	10/01/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,644.00	01	01	49.020
	51013131	GRP 10	FT	P	09/05/2023	CHILD PROTECTIVE SERVICES	110		58,644.00	01	01	49.020
	51013363	GRP 10	FT	T	07/30/2023	CHILD PROTECTIVE SERVICES	110		58,644.00	01	01	49.020
	51015153	GRP 10	FT	T	07/30/2023	CHILD PROTECTIVE SERVICES	110		58,644.00	01	01	49.020
	234,576.00	Perm Budget Amt			4	Perm Vac	410,508.00	Temp Budget Amt	7	Temp Vac	11	
SR CL TYP	00008578	GRP 04	FT	T	12/04/2022	EC WORKS CENTER	110		41,689.00	01	01	38.490
	00008614	GRP 04	FT	T	05/06/2023	EC WORKS CENTER	110		41,689.00	01	01	38.490
	00008660	GRP 04	FT	T	07/15/2023	LEGAL SERVICES - IVD	110		41,689.00	01	01	37.770
	00008677	GRP 04	FT	T	04/23/2023	EMPLOYMENT ASSESSMENT	110		41,689.00	01	01	32.690
	00008687	GRP 04	FT	T	07/18/2023	INVESTIGATIONS AND COLLECTIONS	110		41,689.00	01	01	37.700
	51003659	GRP 04	FT	T	02/11/2023	EC WORKS CENTER	110		41,689.00	01	01	38.490
	51006961	GRP 04	FT	T	07/01/2023	FINANCIAL RECORDS & SERVICES	110		41,689.00	01	01	47.220
	51009635	GRP 04	FT	P	08/12/2023	SUPPORT COLLECTION UNIT	110		41,689.00	01	01	37.770
	51012480	GRP 04	FT	P	08/12/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		41,689.00	01	01	0.000
	51016154	GRP 04	FT	T	06/04/2023	ADULT & FAMILY SERVICES	110		41,689.00	01	01	49.020
	51017014	GRP 04	FT	T	08/07/2023	EMPLOYMENT ASSESSMENT	110		41,689.00	01	01	32.690

2024

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 120 Department of Social Services

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
83,378.00	Perm Budget Amt				2	Perm Vac	375,201.00	Temp Budget Amt		9	Temp Vac	11
SR CLERK	00009380	GRP 03	FT	P	06/03/2023	CHILD DAY CARE	110		40,312.00		01	49.200
	00009397	GRP 03	FT	P	04/22/2023	FINANCIAL RECORDS & SERVICES	110		40,312.00		01	47.220
80,624.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2
SR CON AID S	51016681	GRP 07	FT	T	07/29/2023	FISCAL MANAGEMENT	110		48,978.00		01	47.220
0.00	Perm Budget Amt				0	Perm Vac	48,978.00	Temp Budget Amt		1	Temp Vac	1
SR EMP COUNS	00008766	GRP 10	FT	T	05/20/2023	EMPLOYMENT ASSESSMENT	110		58,644.00		01	32.690
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 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
	00009407	GRP 07	FT	P	10/11/2023	SNAP ELIGIBILITY TEAMS	110		48,978.00		01	50.000
	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
	00009428	GRP 07	FT	T	08/26/2023	SNAP ELIGIBILITY TEAMS	110		48,978.00		01	50.000
	00009449	GRP 07	FT	P	08/28/2023	SNAP ELIGIBILITY TEAMS	110		48,978.00		01	50.000
	00009459	GRP 07	FT	T	06/18/2023	TEMPORARY ASSISTANCE SERVICE TEAMS	110		48,978.00		01	38.490
	00009503	GRP 07	FT	P	08/12/2023	EC WORKS CENTER	110		48,978.00		01	38.490
	00009513	GRP 07	FT	T	08/13/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		48,978.00		01	0.000
	51002862	GRP 07	FT	P	07/18/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		48,978.00		01	0.000
	51003933	GRP 07	FT	P	08/12/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		48,978.00		01	0.000
	51005466	GRP 07	FT	P	08/25/2023	SNAP ELIGIBILITY TEAMS	110		48,978.00		01	50.000
	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	T	06/18/2023	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		48,978.00		01	0.000
538,758.00	Perm Budget Amt				11	Perm Vac	244,890.00	Temp Budget Amt		5	Temp Vac	16
SSM WKR	00009736	GRP 05	FT	P	06/17/2023	EC WORKS CENTER	110		43,605.00		01	38.490
	00009738	GRP 05	FT	T	06/18/2023	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	P	07/29/2023	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
	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
130,815.00	51012154	GRP 10	FT	P	08/17/2023	FISCAL MANAGEMENT	110	58,644.00	01	47.220	
58,644.00		Perm Budget Amt							3		6
		Temp Budget Amt							0		1

Totals for Department of Social Services

2,995,088.00	Perm Budget Amt	59	Perm Vac	4,558,511.00	Temp Budget Amt	93	Temp Vac	152
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ELE ENG DPW	51017993	GRP 13	FT	P	06/03/2023	OPERATIONS	110		73,524.00	01	01	100.000
	73,524.00	Perm Budget Amt			1	Perm Vac	0	Temp Budget Amt		1		
HEAD LABORER	00004194	GRP 04	FT	P	08/02/2023	UNIFIED COURT SYSTEM	110		37,633.00	02	02	11.000
	51017780	GRP 04	FT	T	07/29/2023	CUSTODIAL SERVICES	110		37,633.00	02	02	100.000
	37,633.00	Perm Budget Amt			1	Perm Vac	1	Temp Budget Amt		2		
JANITOR	51014330	GRP 03	FT	P	09/07/2022	CUSTODIAL SERVICES	110		36,637.00	01	01	100.000
	51014337	GRP 03	FT	P	02/10/2023	UNIFIED COURT SYSTEM	110		36,637.00	01	01	11.000
	73,274.00	Perm Budget Amt			2	Perm Vac	0	Temp Budget Amt		2		
LABORER	51001136	GRP 03	FT	P	08/30/2023	UNIFIED COURT SYSTEM	110		36,637.00	03	03	11.000
	51016604	GRP 03	FT	T	09/10/2022	CUSTODIAL SERVICES	110		36,637.00	03	03	100.000
	36,637.00	Perm Budget Amt			1	Perm Vac	1	Temp Budget Amt		2		
STATION ENG	00010063	GRP 09	FT	P	04/17/2023	CORR FAC/HOLDING CTR MAINT & REPAIRS	110		51,717.00	01	01	100.000
	51,717.00	Perm Budget Amt			1	Perm Vac	0	Temp Budget Amt		1		
LABOR RPT	51001588	GRP 03	RPT	P	07/15/2023	UNIFIED COURT SYSTEM	110		35,721.00	03	03	11.000
	35,721.00	Perm Budget Amt			1	Perm Vac	0	Temp Budget Amt		1		
Totals for Dept of Public Works												
	308,506.00	Perm Budget Amt			7	Perm Vac	2	Temp Budget Amt	74,270.00	2	Temp Vac	9

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
COR AD S P A	51009213	GRP 13	FT	P	08/03/2023	ADULT MENTAL HEALTH SERVICES	110		73,524.00	1	01	0.000
	73,524.00	Perm Budget Amt			1	Perm Vac			0.00	Temp Budget Amt	0	Temp Vac
FOR MH S I A	51016621	GRP 11	FT	T	06/03/2023	ADULT MENTAL HEALTH SERVICES	110		63,929.00	01	01	50.000
	51016623	GRP 11	FT	T	03/21/2023	ADULT MENTAL HEALTH SERVICES	110		63,929.00	01	01	50.000
	51016624	GRP 11	FT	P	06/13/2023	ADULT MENTAL HEALTH SERVICES	110		63,929.00	01	01	50.000
	63,929.00	Perm Budget Amt			1	Perm Vac			127,858.00	Temp Budget Amt	2	Temp Vac
MH EM D R C	51018076	GRP 14	FT	P	07/01/2023	MENTAL HEALTH SERVICES	110		81,199.00	01	01	0.000
	81,199.00	Perm Budget Amt			1	Perm Vac			0.00	Temp Budget Amt	0	Temp Vac
SR CL TYP	51017155	GRP 04	FT	P	06/30/2023	CHILDREN'S MENTAL HEALTH SERVICES	110		41,689.00	01	01	0.000
	41,689.00	Perm Budget Amt			1	Perm Vac			0.00	Temp Budget Amt	0	Temp Vac
Totals for Dept of Mental Health												
	260,341.00	Perm Budget Amt			4	Perm Vac			127,858.00	Temp Budget Amt	2	Temp Vac
												6

Report: ZHR_VACANT_POS_RPT
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 User: SCHLOSSK
 Department: 125 Youth Services Division

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
DET HM IN WK	00002973	GRP 09	FT	T	06/03/2023	INTAKE	110		55,216.00	1	01	51.000
	0.00	Perm Budget Amt			0	Perm Vac			55,216.00	1		Temp Budget Amt
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	08/12/2023	BUILDING SERVICES	110		39,589.00		01	51.000
	00002965	GRP 05	FT	T	06/17/2023	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			79,178.00	2		Temp Budget Amt
JR YDM	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			169,204.00	4		Temp Budget Amt
JUVE JUS CON	51010682	GRP 10	FT	T	05/06/2023	NON-SECURE CHILD CARE	110		58,644.00		01	0.000
	51015088	GRP 10	FT	T	05/06/2023	JUVENILE DELINQUENCY SERVICES TEAM	110		58,644.00		01	51.000
	0.00	Perm Budget Amt			0	Perm Vac			117,288.00	2		Temp Budget Amt
SR YTH DT WK	51016554	GRP 08	FT	P	08/04/2023	YOUTH DETENTION - RAISE THE AGE	110		48,372.00		01	51.000
	48,372.00	Perm Budget Amt			1	Perm Vac			0.00	0		Temp Budget Amt
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	0		Temp Budget Amt
YTH DET WK	00010496	GRP 07	FT	T	12/03/2022	SECURE CHILD CARE	110		45,234.00		01	51.000
	00010509	GRP 07	FT	P	07/17/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	00010510	GRP 07	FT	P	08/24/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	00010515	GRP 07	FT	P	08/21/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	51009918	GRP 07	FT	T	07/15/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	51010482	GRP 07	FT	P	07/18/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	51013102	GRP 07	FT	P	09/05/2023	SECURE CHILD CARE	110		45,234.00		01	42.000
	51015077	GRP 07	FT	P	08/07/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	51015086	GRP 07	FT	T	09/24/2022	SECURE CHILD CARE	110		45,234.00		01	51.000
	51016391	GRP 07	FT	P	08/11/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	51016667	GRP 07	FT	P	07/15/2023	SECURE CHILD CARE	110		45,234.00		01	51.000
	51016803	GRP 07	FT	P	08/11/2023	SECURE CHILD CARE	110		45,234.00		01	51.000

Report: ZHR_VACANT_POS_RPT
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 User: SCHLOSSK
 Department: 125 Youth Services Division

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
	407,106.00	Perm Budget Amt			9	Perm Vac	135,702.00	Temp Budget Amt		3		12
	747,465.00	Perm Budget Amt			17	Perm Vac	387,384.00	Temp Budget Amt		8		25

Totals for Youth Services Division

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 126 Probation

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP DIR PROB	00002343	GRP 15	FT	P	08/12/2023	PROBATION ADMINISTRATION & OPERATIONS	110		89,220.00		02	78.000
	89,220.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
PROB OFFICER	00007493	GRP 11	FT	T	08/26/2023	ALTERNATIVES TO INCARCERATION INIT.	110		63,929.00		01	88.000
	00007502	GRP 11	FT	P	08/26/2023	PROBATION SERVICES - ADULT	110		63,929.00		01	75.230
	00007504	GRP 11	FT	P	08/25/2023	PROBATION SERVICES - ADULT	110		63,929.00		01	88.000
	00007533	GRP 11	FT	P	08/26/2023	PROBATION SERVICES - ADULT	110		63,929.00		01	88.000
	51005215	GRP 11	FT	P	08/12/2023	PROBATION SERVICES - JUVENILE/FAM CRT.	110		63,929.00		01	0.000
	51010433	GRP 11	FT	T	07/15/2023	PROBATION SERVICES - ADULT	110		63,929.00		01	88.000
	51010803	GRP 11	FT	P	08/26/2023	PROBATION SERVICES - ADULT	110		63,929.00		01	88.000
	51012852	GRP 11	FT	P	07/07/2023	PROBATION SERVICES - ADULT	110		63,929.00		01	88.000
	383,574.00	Perm Budget Amt			6	Perm Vac	127,858.00	Temp Budget Amt		2	Temp Vac	
PROB SUP 1	00007560	GRP 12	FT	T	08/12/2023	PROBATION SERVICES - ADULT	110		67,914.00		01	88.000
	51002313	GRP 12	FT	P	10/17/2023	PROBATION SERVICES - ADULT	110		67,914.00		01	88.000
	67,914.00	Perm Budget Amt			1	Perm Vac	67,914.00	Temp Budget Amt		1	Temp Vac	

Totals for Probation

540,708.00 Perm Budget Amt 8 Perm Vac 195,772.00 Temp Budget Amt 3 Temp Vac 11

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 127 Health

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

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	1	01	47.000
	41,689.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
ACCOUNTANT	51016403	GRP 09	FT	P	07/29/2023	ACCOUNTING AND FISCAL MANAGEMENT	110		55,216.00	1	01	64.000
	55,216.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
ADV EM ME TE	51018040	GRP 08	FT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		51,967.00	1	01	91.000
	51018041	GRP 08	FT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		51,967.00	1	01	91.000
	103,934.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
AUTOPSY TECH	51017887	GRP 08	FT	P	06/05/2023	MEDICAL EXAMINER'S OFFICE	110		51,967.00	2	01	100.000
	51,967.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
EMER COM NUR	51018050	GRP 11	FT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		73,572.00	1	01	91.000
	51018051	GRP 11	FT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		73,572.00	1	01	91.000
	147,144.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
HIV AID PR N	51009237	GRP 05	FT	T	07/15/2023	BEHAVIORAL RISK & DISEASE PREVENTION	110		43,605.00	2	01	64.000
	0.00	Perm Budget Amt			0	Perm Vac	43,605.00	Temp Budget Amt		1	Temp Vac	
INV PH SAN	00005220	GRP 08	FT	T	06/03/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		51,967.00	1	01	64.000
	00005231	GRP 08	FT	P	08/04/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		51,967.00	1	01	64.000
	51013157	GRP 08	FT	P	05/15/2023	LEAD POISONING PREVENTION	110		51,967.00	1	01	64.000
	103,934.00	Perm Budget Amt			2	Perm Vac	51,967.00	Temp Budget Amt		1	Temp Vac	
JR EPID	51016615	GRP 09	FT	P	09/11/2021	SURVEILLANCE & EPIDEMIOLOGY	110		55,216.00	3	01	64.000
	55,216.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	
PARAMEDIC I	51018027	GRP 09	FT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		55,216.00	1	01	91.000
	51018031	GRP 09	FT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110		55,216.00	1	01	91.000

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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	0	Temp Budget Amt	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PARAMEDIC II	51018000	GRP 10	FT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110			58,644.00	01	91.000		01	91.000
	51018026	GRP 10	FT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110			58,644.00	01	91.000		01	91.000
PH NURSE	00007626	GRP 09	FT	T	07/02/2023	TB OUTREACH	110			62,756.00	01	64.000		01	64.000
PHEMPREP COR	51016735	GRP 09	FT	T	07/29/2023	EMERGENCY PREPAREDNESS & RESPONSE	110			55,216.00	01	64.000		01	64.000
SCENE INV	51000970	GRP 08	FT	P	07/19/2023	MEDICAL EXAMINER'S OFFICE	110			51,967.00	01	100.000		01	100.000
	51009116	GRP 08	FT	T	08/26/2023	MEDICAL EXAMINER'S OFFICE	110			51,967.00	01	100.000		01	100.000
SR CL TYP	51004371	GRP 04	FT	T	08/16/2023	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110			41,689.00	01	64.000		01	64.000
SUP ACCT	00010107	GRP 11	FT	T	01/29/2022	ACCOUNTING AND FISCAL MANAGEMENT	110			63,929.00	01	64.000		01	64.000
EM MED TEC R	51018042	GRP 07	RPT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110			47,753.00	01	91.000		01	91.000
	51018043	GRP 07	RPT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110			47,753.00	01	91.000		01	91.000
	51018044	GRP 07	RPT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110			47,753.00	01	91.000		01	91.000
	51018045	GRP 07	RPT	P	06/03/2023	EMS AMBULANCE OPERATIONS	110			47,753.00	01	91.000		01	91.000
NURS RPT	51001122	GRP 08	RPT	P	06/07/2023	YOUTH DETENTION HEALTH SERVICES	110			46,852.00	02	50.000		02	50.000
	51015205	GRP 08	RPT	P	06/13/2023	YOUTH DETENTION HEALTH SERVICES	110			46,852.00	02	0.000		02	0.000

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Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 127 Health

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	93,704.00	Perm Budget Amt			2	Perm Vac				0		
		Temp Budget Amt				Temp Vac				7		
		Temp Budget Amt				Temp Budget Amt				28		

Totals for Health

1,123,503.00 Perm Budget Amt 21 Perm Vac 371,129.00 Temp Budget Amt 7 Temp Vac 28

Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB
 Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 150 Board of Elections

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
AS VO MA TE	51010511	GRP 06	FT	P	06/24/2022	ADMINISTRATION-BOE - REP.	110		46,209.00	05	100.000	
	46,209.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
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	
DEP COM EL-D	51012209	GRP 16	FT	P	10/20/2023	ADMINISTRATION-BOE - DEM.	110		97,852.00	05	100.000	
	97,852.00	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	
	51012978	GRP 06	FT	P	09/18/2023	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	
	508,299.00	Perm Budget Amt			11	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	11	
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	

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 150 Board of Elections

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
	208,445.00	Perm Budget Amt			5	Perm Vac	0.00	Temp Budget Amt		0		Temp Vac
MACH 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
	97,956.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0		Temp Vac
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
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
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
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
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
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
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
ALD AS BOE R	51003727	GRP 09	RPT	P	05/17/2014	ADMINISTRATION-BOE - REP.	110		50,597.00		05	100.000

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 150 Board of Elections

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
50,597.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
COUN BOE-RPT	51012853	GRP 14	RPT P	P	02/10/2023	ADMINISTRATION-BOE - DEM.	110		79,169.00		05	100.000
	51012977	GRP 14	RPT P	P	03/19/2016	ADMINISTRATION-BOE - REP.	110		79,169.00		05	100.000
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	P	12/22/2018	ADMINISTRATION-BOE - DEM.	110		23,105.00		05	100.000
	51008525	GRP 06	RPT P	P	06/09/2023	ADMINISTRATION-BOE - REP.	110		45,054.00		05	100.000
	51013452	GRP 06	RPT P	P	01/01/2018	ADMINISTRATION-BOE - REP.	110		45,054.00		05	100.000
	51013453	GRP 06	RPT P	P	01/20/2018	ADMINISTRATION-BOE - REP.	110		45,054.00		05	100.000
158,267.00	Perm Budget Amt				4	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	4
JR EL CL RPT	51007130	GRP 04	RPT P	P	07/14/2023	ADMINISTRATION-BOE - DEM.	110		40,647.00		05	100.000
	51007554	GRP 04	RPT P	P	12/15/2020	ADMINISTRATION-BOE - REP.	110		40,647.00		05	100.000
81,294.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2
SR EL CL RPT	51004642	GRP 07	RPT P	P	05/20/2023	ADMINISTRATION-BOE - REP.	110		24,489.00		05	100.000
	51005446	GRP 07	RPT P	P	07/26/2023	ADMINISTRATION-BOE - DEM.	110		24,489.00		05	100.000
	51006647	GRP 07	RPT P	P	09/04/2018	ADMINISTRATION-BOE - REP.	110		47,753.00		05	100.000
96,731.00	Perm Budget Amt				3	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	3
VO MA TE RPT	51010013	GRP 07	RPT P	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												
2,134,306.00	Perm Budget Amt				44	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	44

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LEGAL SEC	00005846	GRP 07	FT	T	06/04/2023	CIVIL LITIGATION	110		48,978.00		01	100.000
	0.00	Perm Budget Amt		0	Perm Vac		48,978.00	Temp Budget Amt		1	Temp Vac	

Totals for County Attorney - Dept of Law

0.00	Perm Budget Amt	0	Perm Vac	48,978.00	Temp Budget Amt	1	Temp Vac
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Erie County
 POSITION CONTROL
 BENEFIT EARN VACANCY BY DEPARTMENT, JOB

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 162 Environment & Planning Divis'n

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PLANNER	51006310	GRP 10	FT	T	07/01/2023	PLANNING	110		58,644.00		01	100.000
	0.00	Perm Budget Amt		0	Perm Vac		Temp Budget Amt		58,644.00	1	Temp Vac	
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		Temp Budget Amt		0.00	0	Temp Vac	

Totals for Environment & Planning Divis'n

73,524.00	Perm Budget Amt	1	Perm Vac	58,644.00	Temp Budget Amt	1	Temp Vac	2
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Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 164 Parks

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
PK MN WK I	51011826	GRP 03	FT	T	07/01/2023	ELLICOTT CREEK PARK	110		40,776.00		03	100.000
	0.00	Perm Budget Amt			0	Perm Vac			40,776.00	1		
PK MN WK II	51001385	GRP 05	FT	T	08/12/2023	GROVER CLEVELAND PARK	110		43,064.00		03	100.000
	0.00	Perm Budget Amt			0	Perm Vac			43,064.00	1		

Totals for Parks

0.00	Perm Budget Amt				0	Perm Vac			83,840.00	2		
0.00	Perm Budget Amt				0	Perm Vac			83,840.00	2		

Report: ZHR_VACANT_POS_RPT
 System: PRD/100/ZHR_VACANT_RPT
 User: SCHLOSSK
 Department: 167 Emergency Services

Erie County
 POSITION CONTROL

BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	BE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BLDG GD	51016855	GRP 06	FT	T	08/28/2023	BUILDING SECURITY	110		42,301.00	01		100.000
	51016856	GRP 06	FT	T	08/04/2023	BUILDING SECURITY	110		42,301.00	01		100.000
	51018054	GRP 06	FT	T	07/23/2023	BUILDING SECURITY	110		42,301.00	01		100.000
	0.00	Perm Budget Amt		0	Perm Vac	126,903.00	Temp Budget Amt			3		Temp Vac

Totals for Emergency Services

0.00 Perm Budget Amt 0 Perm Vac 126,903.00 Temp Budget Amt 3 Temp Vac

SHORT DESC	POSITION NUMBER	JOB GROUP	BE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
Totals for FUND 110												

13,522,191.00	Perm Fund Amt	245	Perm Vac	8,076,797.00	Temp Fund Amt	159	Temp Vac	404	Percent	10%		
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Run Totals:	Total Perm Vac	245	Total Temp Vac	159	Total Vacancies	404	Total Positions	4,016	Percent	10%		
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Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20M-1	ASSEMBLYMAN GIGLIO	Acknowledgment of Receipt of Certified Resolution
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Attachments

23COMM. 20M-1



JOSEPH M. GIGLIO
Assemblyman 148th District
Allegany, Cattaraugus, and
Steuben Counties

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Committee on Standing Committees
Correction Committee
Ethics and Guidance Committee

COMMITTEES
Racing and Wagering
Rules

EC LEG OCT 19 '23 PM 1:17

October 16, 2023

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

Dear Mr. Graber:

Thank you for the copies of Resolutions No. 18-4(2023), and No. 18-5(2023), passed by the Erie County Legislature at the meeting on October 5, 2023. I appreciate hearing from my constituents regarding the issues which are of concern to them. Please be assured that I will keep the Legislature's position stated in the Resolutions in mind as I continue to represent the 148th Assembly District.

Please let me know if I may be of additional assistance to the Association.

Sincerely,

Joseph M. Giglio
Member of Assembly

JMG/wb

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20M-2	EC AGRICULTURAL & FARMLAND PROTECTION BOARD	EC Agricultural Districts Inclusion of Viable Agricultural Land
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Attachments

23COMM. 20M-2



ERIE COUNTY AGRICULTURAL DISTRICTS INCLUSION OF VIABLE AGRICULTURAL LAND

2023 REPORT

FROM: ERIE COUNTY AGRICULTURAL & FARMLAND
PROTECTION BOARD

TO: ERIE COUNTY LEGISLATURE

PURSUANT TO: SECTION 303-B OF THE AGRICULTURE AND
MARKETS LAW

OVERVIEW

Per section 303-b of New York Agriculture and Markets Law, the Erie County Legislature set the month of September as the annual 30-day period to consider property owner requests for predominately viable agricultural land to be added to an agricultural district. Section 303-b requires the Erie County Agricultural and Farmland Protection Board (AFPB) to report to the Erie County Legislature with its recommendations as to whether the land requested to be included in an agricultural district consists of viable agricultural land as defined in 301(7) of New York Agriculture and Markets Law, and serves the public interest by assisting in maintaining a viable agricultural industry within the district.

PROPERTY OWNER REQUESTS

During the 2023 open enrollment period, the AFPB received applications for the inclusion of thirteen parcels into Erie County's existing Agricultural Districts. Two of these are already enrolled in an existing Agricultural District. The AFPB considered the requests and based their recommendations upon Agricultural District Law, which states that parcels to be included in agricultural districts must be "land highly suitable for agricultural production" and which will continue to be feasible for farming if conditions remain the same. During the open enrollment period, the following applications were received:

#	SBL	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT	INCLUDE (Y/N)
1	13.17-2-1	1.1	4410 East River Road	Grand Island	Bitikofer	North #1	Y
1	12.00-2-10	8.7	4420 East River Road	Grand Island	Bitikofer	North #1	Y
2	37.02-2-12	25.4	951 Whitehaven Road	Grand Island	Act III Broadcasting	North #1	Y
2	37.02-2-13	20.5	0 Whitehaven Road	Grand Island	Act III Broadcasting	North #1	Y
3	37.02-2-5.11	22.1	0 Whitehaven Road	Grand Island	Drexelius	North #1	Y
3	37.02-2-4	8.2	0 Whitehaven Road	Grand Island	Drexelius	North #1	Y
4	45.15-1-5.2	8.4	6155 Salt Road	Clarence	Corigliano	North #1	Y
5*	12.00-2-1.1	111.9	0 East River Road	Grand Island	Harper	North #1	Y
5	12.00-2-3.11	30.7	0 East River Road	Grand Island	Harper	North #1	Y
5	12.15-2-65	2.3	0 East River Road	Grand Island	Harper	North #1	Y
6	50.04-2-31	3.2	2507 Fix Road	Grand Island	Yanicki	North #1	Y
7	213.00-1-19.2	4.4	8145 Burr Road	Colden	Khadiagala	Central #5	Y
8*	97.00-2-26	47.1	3103 Peters Corners Road	Alden	LNL Peters Corners	Southeast #15	Y

*Parcel is already enrolled in an existing Agricultural District. No action required.

Each parcel requested for inclusion was analyzed in detail by the AFPB. Erie County staff identified soil types and suitability for agriculture, type of operation, whether the parcel is owner-operated or rented, gross sales, surrounding land use, eligibility for agricultural assessment, consistency with zoning, local and regional planning documents, proximity to existing agricultural districts, and eligibility for inclusion pursuant to Article 25AA of Agriculture & Markets Law. This data is provided in the matrix included as Attachment 9.

PUBLIC HEARING

A public hearing must be held by the Erie County Legislature to consider the requests of property owners. The public hearing will be held November 1, 2023 at 2:15PM in Legislative Chambers. The required public notice was published on October 19, 2023 in the Buffalo Challenger and the Lancaster Bee.

STATE ENVIRONMENTAL QUALITY REVIEW

Pursuant to the NYS Department of Environmental Conservation (DEC), the modification of an agricultural district is classified as an Unlisted action, requiring a Short Environmental Assessment Form (SEAF) to determine environmental significance. The Department of Environment and Planning has completed Part 1 of the SEAF, which is included as Attachment 12.

LIST OF ATTACHMENTS

- 1) Bitikofer Applications & Maps
- 2) Act III Broadcasting Applications & Maps
- 3) Drexelius Applications & Maps
- 4) Corigliano Applications & Maps
- 5) Harper Applications & Maps
- 6) Yanicki Applications & Maps
- 7) Khadiagala Applications & Maps
- 8) LNL Peters Corners LLC Application & Maps
- 9) Matrix – Parcel Listing and Information
- 10) 30-Day Review Notice
- 11) Public Hearing Notice
- 12) SEAF Part 1

1) Bitikofer Applications & Maps

Agricultural District Open Enrollment Form

www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2946/table

Are you requesting land be included into an existing Erie County Agricultural District? No

Owner Name Kevin and Dimitra Bitikofer

Address 4410 E River Rd
Grand Island, New York. 14072

Phone Number 7165723858

Email Address dime0717@hotmail.com

Renter Name

Renter Address

Phone Number

Email Address

Total Number of Acres Owned 9.7

Total Number of Acres Farmed/Cropped 5

Total Number of Acres Rented 0

Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes? No

Annual gross income from agricultural operation

Capital investment in agricultural operation over past 5 years Greater than \$50,000

- **SBL (Tax Parcel ID):** 13.17-2-1
Street Address: 4410 E River Rd
Town: Grand Island
Acres: 1.14
Agricultural Assessment (Y/N): n
- **SBL (Tax Parcel ID):** 12.00-2-10
Street Address: 4420 E River Rd
Town: Grand Island
Acres: 8.72
Agricultural Assessment (Y/N): n

SBL

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District. Equine and Hay

Identify the operating status of the farm operation on the subject land Existing/Established

Dairy

Cash Crop (Grain) 2

Cash Crop (Vegetable)

Orchard/Vineyard

Livestock (other than dairy) 5

Poultry

Sugarbush/Maple

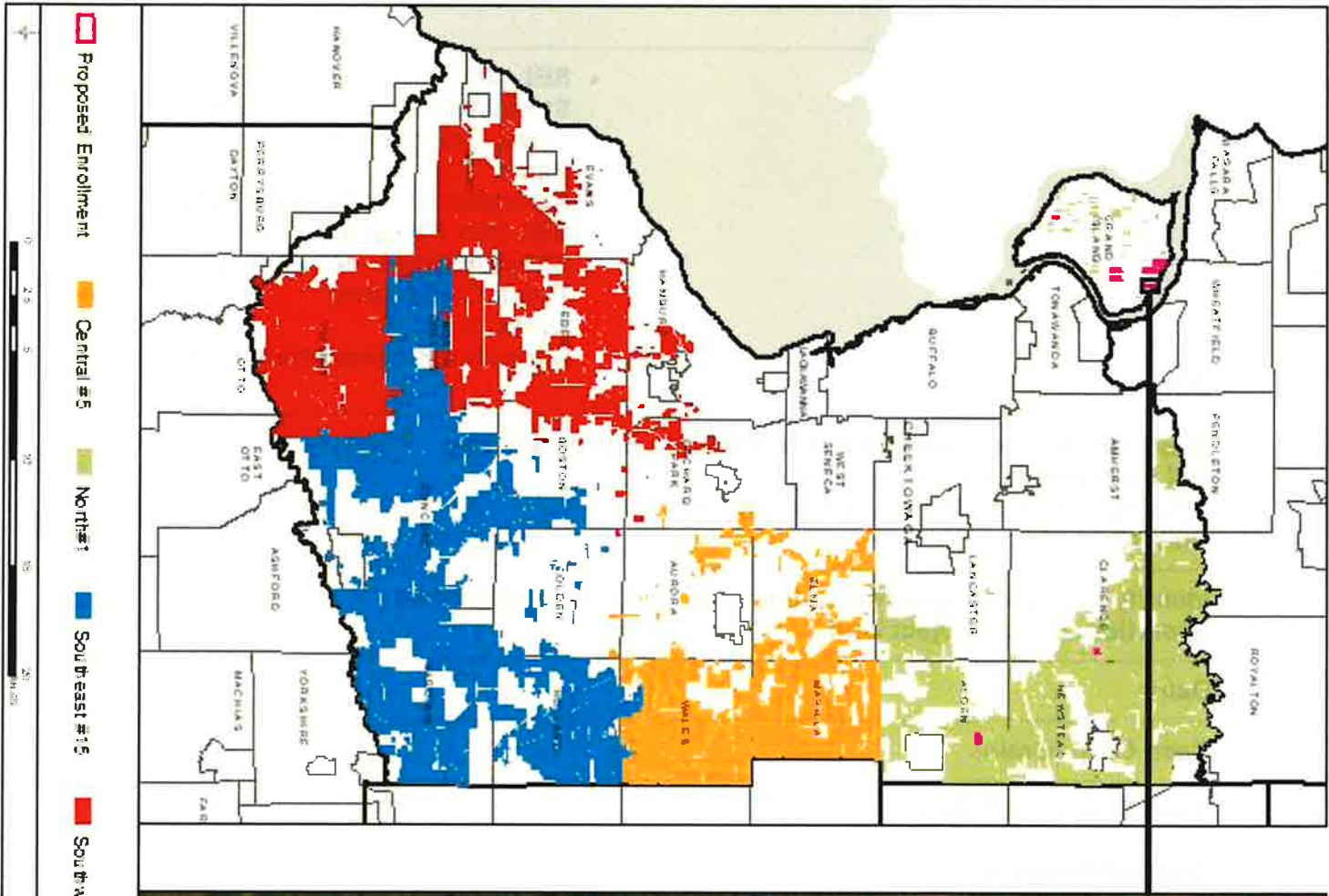
Horticultural Specialties/Christmas Tree

Aquaculture

Other



Property Owner Signature



**Application 1: Bitkofer
Grand Island**

AGRICULTURAL DISTRICTS: 2023-B PROPOSED ENROLLMENTS (2023)

MAP PROVIDED BY THE BOONE COUNTY DEPARTMENT OF DEVELOPMENT & PLANNING. DATE: 04/11/23

APPLICATION 1: KEVIN AND DIMITRA BITIKOFFER (1/2)



APPLICATION 1: KEVIN AND DIMITRA BITIKOFER (2/2)



2) Act III Broadcasting Applications & Maps

AGRICULTURAL DISTRICT OPEN ENROLLMENT FORM

This form is to be completed by agricultural landowners who wish to request inclusion in an existing agricultural district. The information obtained from this form will be used by the County and State to determine the significance and viability of agriculture. (NYS Agriculture and Markets Law 25AA, §303-b)

REQUESTS WILL BE ACCEPTED FROM SEPTEMBER 1 TO SEPTEMBER 30.

**APPLICANTS MUST FILL OUT ALL APPLICABLE SECTIONS.
UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED.**

PART I: LANDOWNER INFORMATION	
OWNER NAME: <u>ACT III BROADCASTING OF BUFFALO</u>	PHONE: ()
ADDRESS: <u>10706 BEAVER DAM RD</u>	ALT. PHONE: ()
CITY, ST, ZIP: <u>HUNT VALLEY MD 21030</u>	EMAIL:
RENTER CONTACT INFORMATION (IF APPLICABLE)	
RENTER NAME: <u>Back Hills Farm Corp</u>	PHONE: <u>(716) 913-9152</u>
MAILING ADDRESS: <u>1879 WHITENAVEN RD</u>	ALT. PHONE: <u>(716) 907-7217</u>
CITY, ST, ZIP: <u>GRAND ISLAND, NY 14072</u>	EMAIL: <u>BackHillsFarm@gmail.com</u>

PART II: PROPERTY DESCRIPTION				
Please describe the property proposed to be added to the Agricultural District and list the SBL (tax identification) numbers and the Town in which they are located for all parcels that you wish to be included in the Agricultural District Program. If you are unsure of your SBL numbers or whether or not a parcel is currently receiving an Agricultural Assessment, please check with your local assessor.				
FARM DESCRIPTION				
Total number of acres owned				
Total number of acres farmed/cropped	<u>35</u>			
Total number of acres rented (from another landowner as part of the subject farm)	<u>45</u>			
Did you file a Schedule F - Form 1040 (Profit or Loss From Farming) with last year's Federal taxes?	<input checked="" type="radio"/> Y / <input type="radio"/> N			
Annual gross income from agricultural operation	<u>+\$10,000</u>			
Capital investment in agricultural operation over past 5 years: (please check one)				
<input type="radio"/> N/A (e.g. a proposed operation/start-up) <input type="radio"/> Below \$10,000 <input type="radio"/> \$10,000 - \$50,000 <input checked="" type="radio"/> Greater than \$50,000				
SBL Number (Tax ID)	Street Address	Town	Size (acres)	Agricultural Assessment (Y/N)
<u>37.02-2-12</u>	<u>931 WHITENAVEN RD</u>	<u>GRAND ISLAND</u>	<u>25.00</u>	
<u>37.02-2-13</u>	<u>WHITENAVEN RD</u>	<u>GRAND ISLAND</u>	<u>20.40</u>	

PART III:

AGRICULTURAL BUSINESS DESCRIPTION

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Back Hills Farm Corp is in the business of Agricultural production, including the raising of livestock such as and not limited to: Sheep, Goats, Chicken, etc., Cash Crops such as and not limited to: Hay, Winter Wheat, Buckwheat, Oats, Triticale, Rye, Corn, Soybean, Sunflower, etc. Vegetables such as and not limited to: Sweet Corn, Pumpkins, Tomatoes, Peppers, Squash, Green Beans. The Farm also produces Firewood for retail sale.

Identify the operating status of the farm operation on the subject land

- Proposed/Start-up (If yes, please attach a "5-year business plan" and a "5-year financial projections plan")
- Existing/Established

CURRENT USE OF SUBJECT PARCEL(S) Check all that apply

AGRICULTURAL USE	ACRES (estimated)
<input type="checkbox"/> Dairy	
<input checked="" type="checkbox"/> Cash Crop (Grain)	UP TO 35 AC
<input checked="" type="checkbox"/> Cash Crop (Vegetable)	UP TO 35 AC
<input type="checkbox"/> Orchard/Vineyard	
<input checked="" type="checkbox"/> Livestock (other than dairy)	UP TO 35 AC
<input checked="" type="checkbox"/> Poultry	UP TO 35 AC
<input type="checkbox"/> Sugarbush/Maple	
<input type="checkbox"/> Horticultural Specialties/Christmas Tree	
<input type="checkbox"/> Aquaculture	
<input checked="" type="checkbox"/> Other FIREWOOD	UP TO 10 AC

PART IV:

SIGNATURE

I attest that I am the legal owner of the above properties and that the above information is correct to the best of my knowledge and hereby officially request that my property, which is predominantly viable agricultural land, be included in the Agricultural District Program. I recognize that such land, once officially included in the Agricultural District Program, may not be removed from this program until the eight-year review period for the Agricultural District in which my land is placed. I understand that this is not an application for an agricultural tax assessment. I also acknowledge that this request is subject to a public hearing; review by the Erie County Agriculture and Farmland Protection Board; action by the Erie County Legislature; and certification by the NYS Department of Agriculture and Markets.

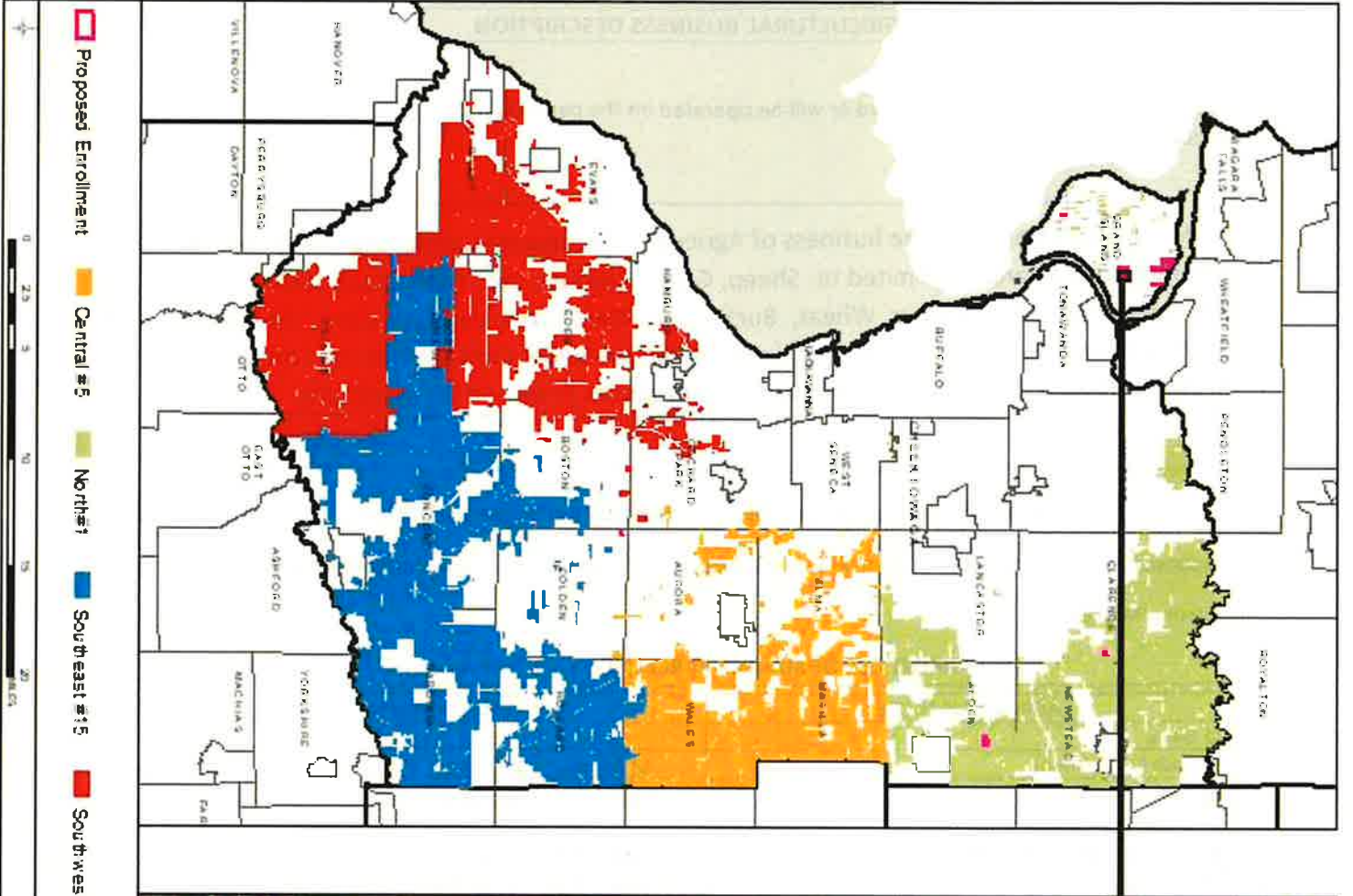
Property Owner DocuSigned by: Daniel Gallagher Date 5/17/2022

FD3FF3D097F0445

PLEASE SEND COMPLETED REQUEST FORM TO:

Sarah Gatti, Senior Planner
 Erie County Department of Environment & Planning
 95 Franklin Street, 10th Floor, Buffalo, NY 14202
 OR
agriculture@erie.gov

Questions? Contact Sarah Gatti at (716)858-6014 or sarah.gatti@erie.gov



Whitehaven Road

**Application 2: Act III Broadcasting
Grand Island**

AGRICULTURAL DISTRICTS: 303-B PROPOSED ENROLLMENTS (2023)

ADOPTED BY THE BOARD OF SUPERVISORS, TONAWANDA COUNTY, ON MAY 15, 2023

APPLICATION 2: ACT III BROADCASTING OF BFLO (1/2)



APPLICATION 2: ACT III BROADCASTING OF BFLO (2/2)



3) Drexelius Applications & Maps

AGRICULTURAL DISTRICT OPEN ENROLLMENT FORM

This form is to be completed by agricultural landowners who wish to request inclusion in an existing agricultural district. The information obtained from this form will be used by the County and State to determine the significance and viability of agriculture. (NYS Agriculture and Markets Law 25AA, §303-b)

REQUESTS WILL BE ACCEPTED FROM SEPTEMBER 1 TO SEPTEMBER 30.

**APPLICANTS MUST FILL OUT ALL APPLICABLE SECTIONS.
UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED.**

PART I: LANDOWNER INFORMATION	
OWNER NAME: DANIEL C. DREXELIUS	PHONE: (716) 773-1642
ADDRESS: 1149 WHITENAVEN RD	ALT. PHONE: (716) 481-5411
CITY, ST, ZIP: GRAND ISLAND NY 14072	EMAIL: Drexelius Double D@Verizon.net
RENTER CONTACT INFORMATION (IF APPLICABLE)	
RENTER NAME: Back Hills Farm Corp	PHONE: (716) 913-9152
MAILING ADDRESS: 1879 WHITENAVEN RD	ALT. PHONE: (716) 907-7217
CITY, ST, ZIP: GRAND ISLAND, NY 14072	EMAIL: Back Hills Farm@gmail.com

PART II: PROPERTY DESCRIPTION				
Please describe the property proposed to be added to the Agricultural District and list the SBL (tax identification) numbers and the Town in which they are located for all parcels that you wish to be included in the Agricultural District Program. If you are unsure of your SBL numbers or whether or not a parcel is currently receiving an Agricultural Assessment, please check with your local assessor.				
FARM DESCRIPTION				
Total number of acres owned				
Total number of acres farmed/cropped	29 ac			
Total number of acres rented (from another landowner as part of the subject farm)	29 ac			
Did you file a Schedule F - Form 1040 (Profit or Loss From Farming) with last year's Federal taxes?	<input checked="" type="radio"/> Y / <input type="radio"/> N			
Annual gross income from agricultural operation	+\$10,000			
Capital investment in agricultural operation over past 5 years: (please check one) <input type="checkbox"/> N/A (e.g. a proposed operation/start-up) <input type="checkbox"/> Below \$10,000 <input type="checkbox"/> \$10,000 - \$50,000 <input checked="" type="checkbox"/> Greater than \$50,000				
SBL Number (Tax ID)	Street Address	Town	Size (acres)	Agricultural Assessment (Y/N)
100.01-1-1.01	1 Sample Street	Anytown	10.2	No
37.02-2-5.11	1149 WHITENAVEN RD	GRAND ISLAND	22.70	Y
37.02-2-4	1149 WHITENAVEN RD	GRAND ISLAND	8.50	Y

PART III:

AGRICULTURAL BUSINESS DESCRIPTION

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Back Hills Farm Corp is in the business of Agricultural production, including the raising of livestock such as and not limited to: Sheep, Goats, Chicken, etc., Cash Crops such as and not limited to: Hay, Winter Wheat, Buckwheat, Oats, Triticale, Rye, Corn, Soybean, Sunflower, etc. Vegetables such as and not limited to: Sweet Corn, Pumpkins, Tomatoes, Peppers, Squash, Green Beans. The Farm also produces Firewood for retail sale.

Identify the operating status of the farm operation on the subject land

Proposed/Start-up (If yes, please attach a "5-year business plan" and a "5-year financial projections plan")

Existing/Established

CURRENT USE OF SUBJECT PARCEL(S) Check all that apply

AGRICULTURAL USE	ACRES (estimated)
<input type="checkbox"/> Dairy	
<input checked="" type="checkbox"/> Cash Crop (Grain)	
<input checked="" type="checkbox"/> Cash Crop (Vegetable)	
<input type="checkbox"/> Orchard/Vineyard	
<input checked="" type="checkbox"/> Livestock (other than dairy)	
<input checked="" type="checkbox"/> Poultry	
<input type="checkbox"/> Sugarbush/Maple	
<input type="checkbox"/> Horticultural Specialties/Christmas Tree	
<input type="checkbox"/> Aquaculture	
<input checked="" type="checkbox"/> Other FIREWOOD	

PART IV:

SIGNATURE

I attest that I am the legal owner of the above properties and that the above information is correct to the best of my knowledge and hereby officially request that my property, which is **predominantly viable agricultural land**, be included in the Agricultural District Program. I recognize that such land, once officially included in the Agricultural District Program, may not be removed from this program until the eight-year review period for the Agricultural District in which my land is placed. I understand that this is not an application for an agricultural tax assessment. I also acknowledge that this request is subject to a public hearing; review by the Erie County Agriculture and Farmland Protection Board; action by the Erie County Legislature; and certification by the NYS Department of Agriculture and Markets.

Property Owner



Date

9/10/2023

PLEASE SEND COMPLETED REQUEST FORM TO:

Sarah Gatti, Senior Planner
Erie County Department of Environment & Planning
95 Franklin Street, 10th Floor, Buffalo, NY 14202

OR

agriculture@erie.gov

Questions? Contact Sarah Gatti at (716)858-6014 or sarah.gatti@erie.gov

APPLICATION 3: DANIEL C. DREXELIUS (1/2)



APPLICATION 3: DANIEL C. DREXELIUS (2/2)



4) Corigliano Applications & Maps

AGRICULTURAL DISTRICT OPEN ENROLLMENT FORM

This form is to be completed by agricultural landowners who wish to request inclusion in an existing agricultural district. The information obtained from this form will be used by the County and State to determine the significance and viability of agriculture. (NYS Agriculture and Markets Law 25AA, §303-b)

REQUESTS WILL BE ACCEPTED FROM SEPTEMBER 1 TO SEPTEMBER 30.

**APPLICANTS MUST FILL OUT ALL APPLICABLE SECTIONS.
UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED.**

PART I: LANDOWNER INFORMATION	
OWNER NAME: Joseph + Nancy Corigliano	PHONE: (76) 830-1490
ADDRESS: 6155 SAH Rd	ALT. PHONE: ()
CITY, ST, ZIP: Clarence NY 14031	EMAIL: JFCNRC@icloud.com
RENTER CONTACT INFORMATION (IF APPLICABLE)	
RENTER NAME:	PHONE: ()
MAILING ADDRESS:	ALT. PHONE: ()
CITY, ST, ZIP:	EMAIL:

PART II: PROPERTY DESCRIPTION				
Please describe the property proposed to be added to the Agricultural District and list the SBL (tax identification) numbers and the Town in which they are located for all parcels that you wish to be included in the Agricultural District Program. If you are unsure of your SBL numbers or whether or not a parcel is currently receiving an Agricultural Assessment, please check with your local assessor.				
FARM DESCRIPTION				
Total number of acres owned	8.5			
Total number of acres farmed/cropped	1			
Total number of acres rented (from another landowner as part of the subject farm)	0			
Did you file a Schedule F - Form 1040 (Profit or Loss From Farming) with last year's Federal taxes?	Y / N			
Annual gross income from agricultural operation	\$15,764			
Capital investment in agricultural operation over past 5 years: (please check one)				
<input type="checkbox"/> N/A (e.g. a proposed operation/start-up) <input type="checkbox"/> Below \$10,000 <input checked="" type="checkbox"/> \$10,000 - \$50,000 <input type="checkbox"/> Greater than \$50,000				
SBL Number (Tax ID)	Street Address	Town	Size (acres)	Agricultural Assessment (Y/N)
45.15-1-5.2	6155 SAH Rd	Clarence	8.5	No

PART III:

AGRICULTURAL BUSINESS DESCRIPTION

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Blooming Shrubs Nursery, owned by Nancy Conziano selling Proven Winners starter shrubs, primarily 20 varieties of hydranges in 2 gallon containers. I would like to expand to 3-4 acres. I have the potential to sell at the new Williamsville Co-Op.

Identify the operating status of the farm operation on the subject land

- Proposed/Start-up (If yes, please attach a "5-year business plan" and a "5-year financial projections plan")
- Existing/Established

CURRENT USE OF SUBJECT PARCEL(S) Check all that apply

AGRICULTURAL USE	ACRES (estimated)
<input type="checkbox"/> Dairy	
<input type="checkbox"/> Cash Crop (Grain)	
<input type="checkbox"/> Cash Crop (Vegetable)	
<input type="checkbox"/> Orchard/Vineyard	
<input type="checkbox"/> Livestock (other than dairy)	
<input type="checkbox"/> Poultry	
<input type="checkbox"/> Sugarbush/Maple	
<input checked="" type="checkbox"/> Horticultural Specialties/Christmas Tree	1 acre
<input type="checkbox"/> Aquaculture	
<input type="checkbox"/> Other	

PART IV:

SIGNATURE

I attest that I am the legal owner of the above properties and that the above information is correct to the best of my knowledge and hereby officially request that my property, which is **predominantly viable agricultural land**, be included in the Agricultural District Program. I recognize that such land, once officially included in the Agricultural District Program, may not be removed from this program until the eight-year review period for the Agricultural District in which my land is placed. I understand that this is not an application for an agricultural tax assessment. I also acknowledge that this request is subject to a public hearing; review by the Erie County Agriculture and Farmland Protection Board; action by the Erie County Legislature; and certification by the NYS Department of Agriculture and Markets.

Property Owner Nancy R Conziano Date 9-18-2023

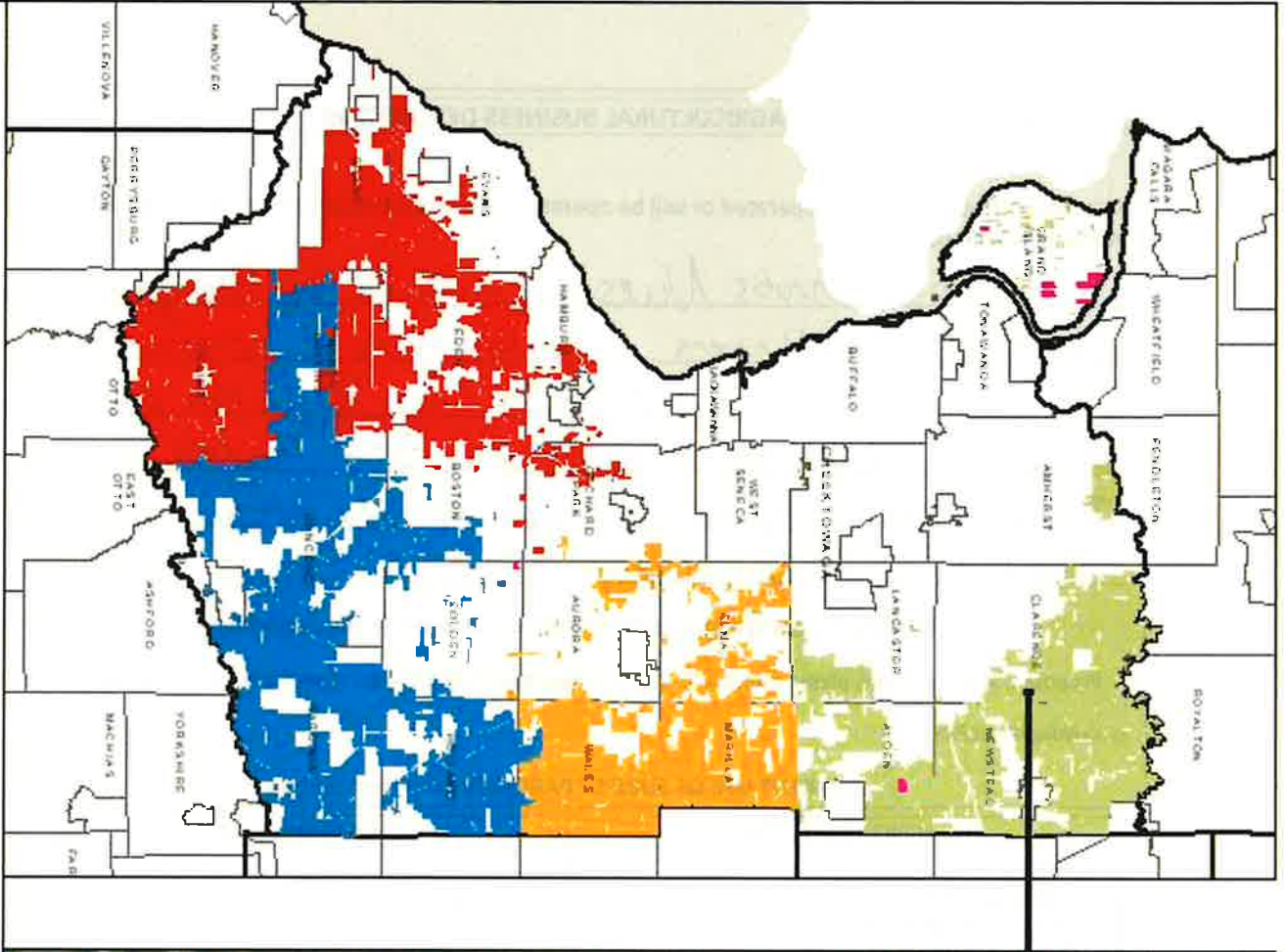
PLEASE SEND COMPLETED REQUEST FORM TO:

Sarah Gatti, Principal Planner
Erie County Department of Environment & Planning
95 Franklin Street, 10th Floor, Buffalo, NY 14202

OR

agriculture@erie.gov

Questions? Contact Sarah Gatti at (716)858-6014 or sarah.gatti@erie.gov



- █ Proposed Enrollment
- █ Central #5
- █ North #1
- █ Southeast #15
- █ Southwest #3

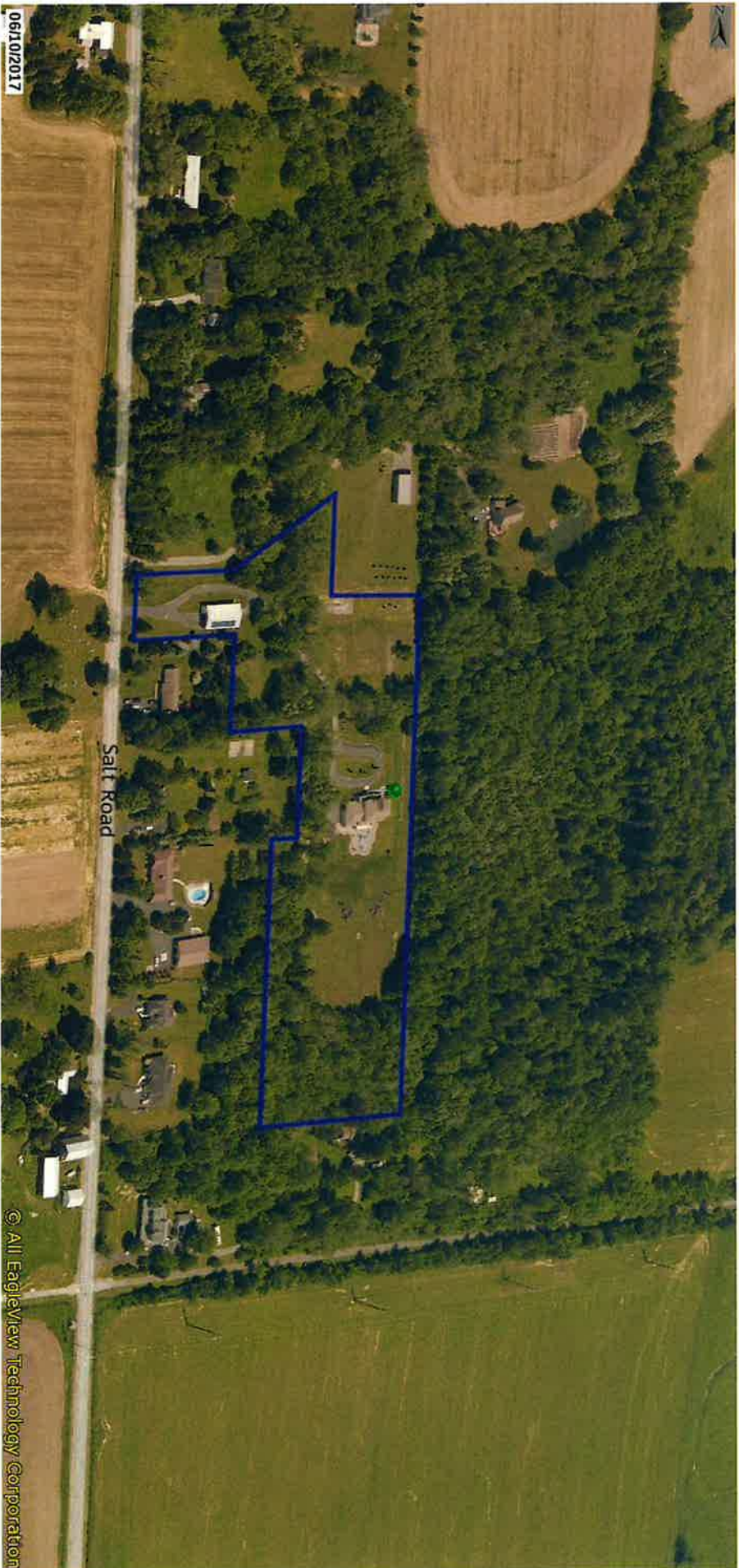


**Application 4: Corigliano
Clarence**

AGRICULTURAL DISTRICTS: 303-B PROPOSED ENROLLMENTS (2023)

Map prepared by the staff of the County Administrator's Office on 12/14/2023

APPLICATION 4: JOSEPH AND NANCY CORIGLIANO



© All EagleView Technology Corporation

5) Harper Applications & Maps

Agricultural District Open Enrollment Form

www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2956/table

Are you requesting land be included into an existing Erie County Agricultural District?

Yes

Owner Name

Christie Harper (Robert and Christie Harper Family Trust)

Address

4943 East River Road
Grand Island, New York. 14072

Phone Number

7169121093

Email Address

christeharper213@gmail.com

Renter Name

Renter Address

Phone Number

Email Address

Total Number of Acres Owned

155

Total Number of Acres Farmed/Cropped

55

Total Number of Acres Rented

none

Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes?

No

Annual gross income from agricultural operation

<\$5,000

Capital investment in agricultural operation over past 5 years Greater than \$50,000

- **SBL (Tax Parcel ID):** 12.00-2-1.1
Street Address: 4943 East River Road
Town: Grand Island
Acres: 40

Agricultural Assessment (Y/N): N

- **SBL (Tax Parcel ID):** 12.00-2-3.11
Street Address: 4943 East River Road
Town: Grand Island
Acres: 112 **ALREADY ENROLLED**

Agricultural Assessment (Y/N): Y

- **SBL (Tax Parcel ID):** 12.15-2-65
Street Address: 4943 East River Road
Town: Grand Island
Acres: 3

Agricultural Assessment (Y/N): N

SBL

SBL 12.00-2-3.11 is a current/existing and functioning farm. SBL 12.00-2-1.1 and SBL 12.15-2-65 are adjacent parcels that we would like to add to the existing farm/add to the farm district.

My husband maintained the farm and grew clover, soybean and hay. My husband passed away a year ago, and myself and my sons have taken over the operation. Our goal is to build a barn, purchase new equipment, and add Christmas trees and apple trees to the items that we farm. Adding these parcels to our farm will allow for us start the Christmas tree/apple tree business as well as unify the farmland so that a barn can be built to house all of the necessary equipment needed to continuing running the operation. The current farm parcel will require a 1200ft driveway to get from the road to the barn, which is cost prohibitive and unrealistic in the winter.

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Specifically, for the 2 new parcels, SBL 12.00-2-1.1 and SBL 12.15-2-65, our goal is to plant a Christmas trees as well as apple trees. Our overall plan for the entire property is to maintain, preserve, and protect our farmland and provide for the community.

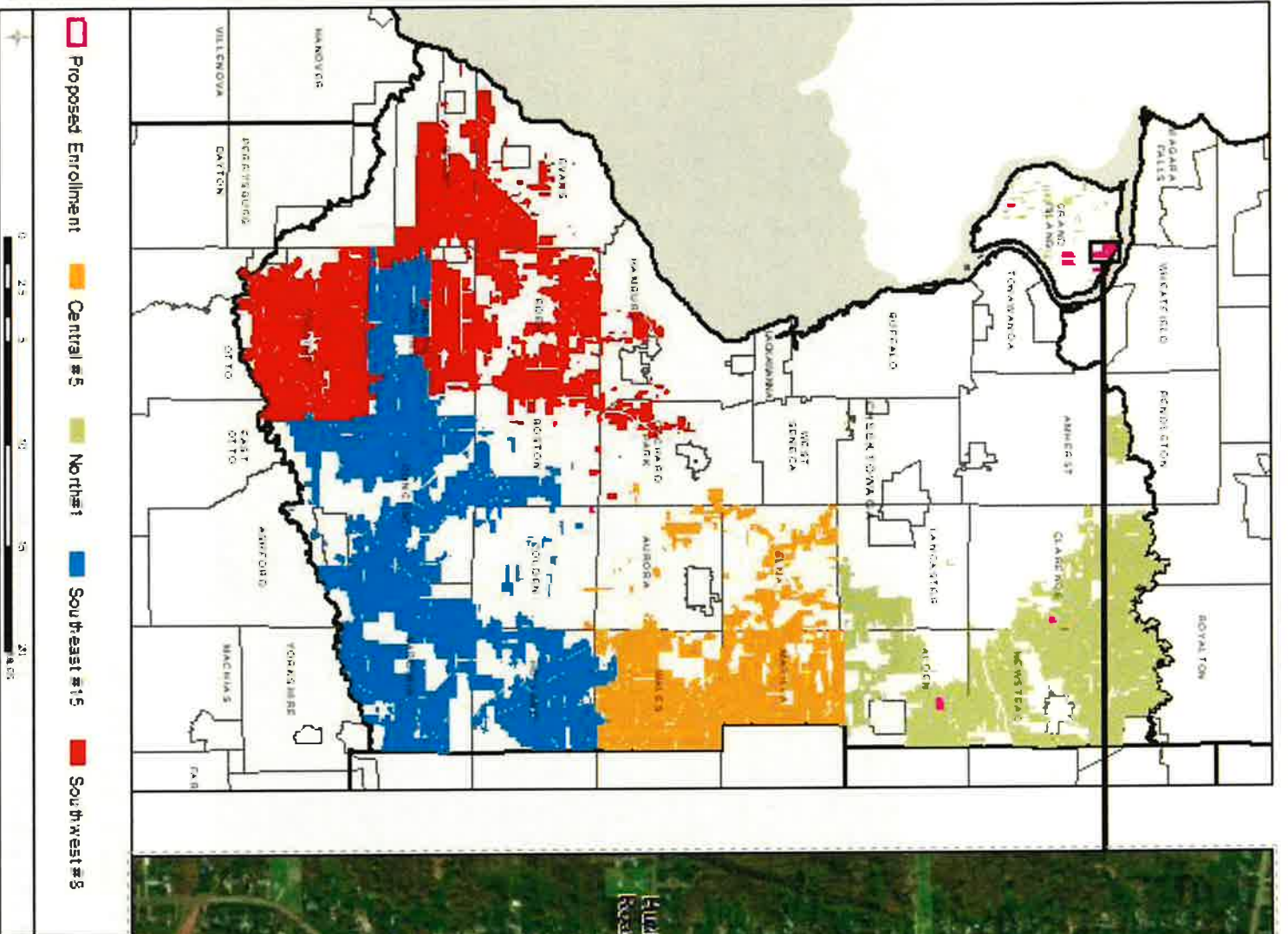
Sincerely,
Christie Harper

Identify the operating status of the farm operation on the subject land Proposed/Start-up

Dairy	
Cash Crop (Grain)	0
Cash Crop (Vegetable)	0
Orchard/Vineyard	0
Livestock (other than dairy)	
Poultry	
Sugarbush/Maple	
Horticultural Specialties/Christmas Tree	20
Aquaculture	
Other	

Christie Hayden

**Property Owner
Signature**



Application 5: Harper

Grand Island

AGRICULTURAL DISTRICTS: 2023-B PROPOSED ENROLLMENTS (2023)

AGRICULTURE DISTRICTS: 2023-B PROPOSED ENROLLMENTS (2023)

APPLICATION 5: CHRISTIE HARPER (1/3)

ALREADY ENROLLED



APPLICATION 5: CHRISTIE HARPER (2/3)



APPLICATION 5: CHRISTIE HARPER (3/3)



6) Yanicki Applications & Maps

Agricultural District Open Enrollment Form

www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2961/table

Are you requesting land be included into an existing Erie County Agricultural District? Yes

Owner Name Walter/Melissa Yanicki

Address 2507 Fix Rd
Grand Island, New York. 14072

Phone Number 7168071531

Email Address wyanicki@tutanota.com

Renter Name

Renter Address

Phone Number

Email Address

Total Number of Acres Owned 3.15

Total Number of Acres Farmed/Cropped 2.5

Total Number of Acres Rented 0

Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes? No

Annual gross income from agricultural operation

Capital investment in agricultural operation over past 5 years \$10,000 - \$50,000

SBL (Tax Parcel ID): 50.04-2-31
Street Address: 2507 Fix Rd
Town: Grand Island
Acres: 3.15
Agricultural Assessment (Y/N): N

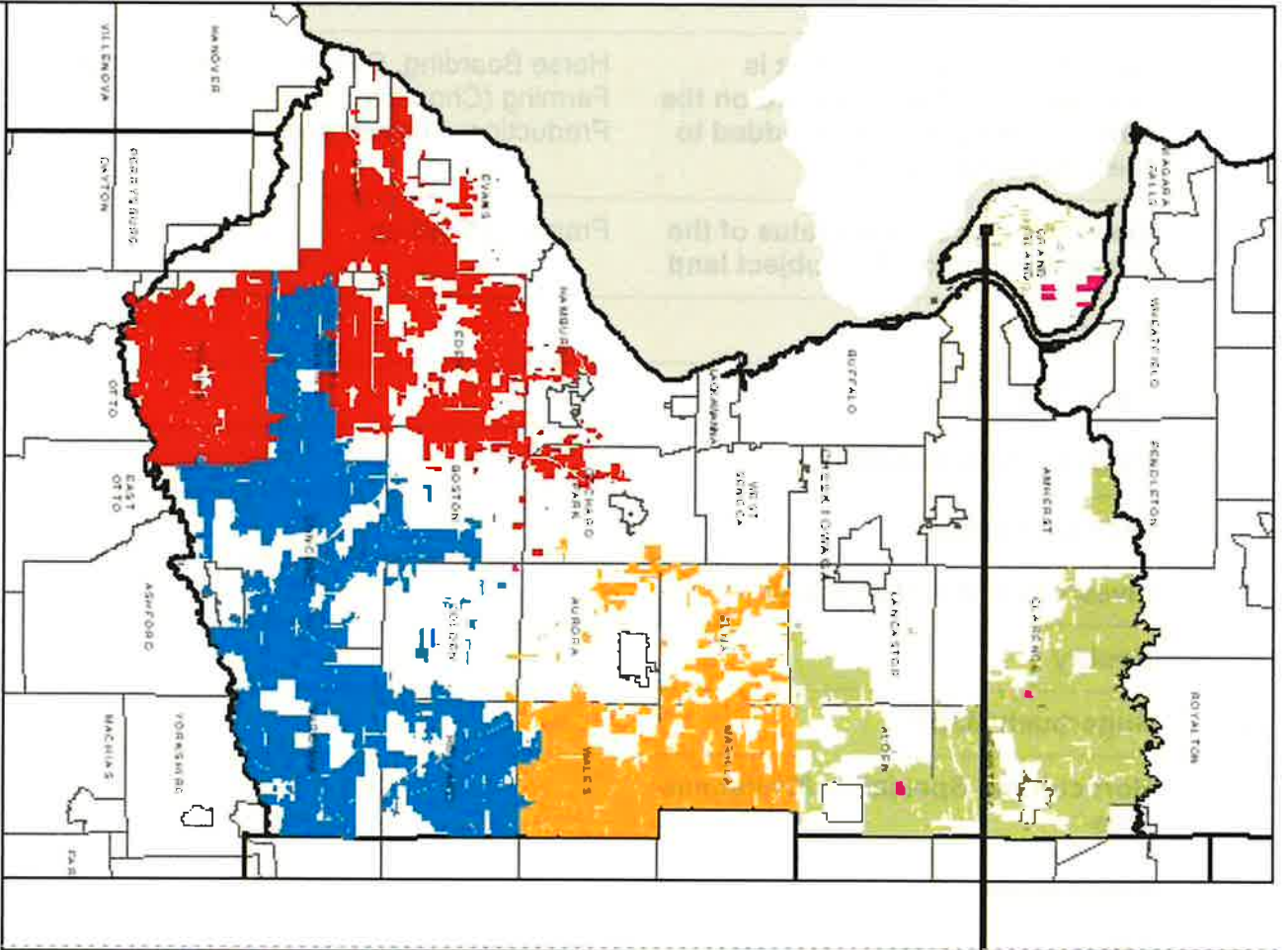
SBL

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.	Horse Boarding, Chicken Farming (Eggs), Tree Farming (Christmas, Nut, Syrup), Produce Production, Chicken and Horse manure sales
Identify the operating status of the farm operation on the subject land	Proposed/Start-up
Dairy	
Cash Crop (Grain)	
Cash Crop (Vegetable)	
Orchard/Vineyard	
Livestock (other than dairy)	
Poultry	
Sugarbush/Maple	
Horticultural Specialties/Christmas Tree	
Aquaculture	
Other	



Melissa Janes

Property Owner Signature



- Proposed Enrollment
- Central #5
- North #1
- South east #5
- South west #3



**Application 6: Yanicki
Grand Island**

AGRICULTURAL DISTRICTS: 303-B PROPOSED ENROLLMENTS (2023)

MAP PREPARED BY THE STAFF COUNTY DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND LAND USE SERVICES, DATE: 09/20/2023

APPLICATION 6: WALTER AND MELISSA YANICKI



7) Khadiagala Applications & Maps

Agricultural District Open Enrollment Form

www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2966/table

Are you requesting land be included into an existing Erie County Agricultural District? Yes

Owner Name Lynn Khadiagala

Address 8145 Burr Road
West Falls, New York. 14170

Phone Number 571-277-2468

Email Address lkhadiagala@gmail.com

Renter Name

Renter Address

Phone Number

Email Address

Total Number of Acres Owned 5.1

Total Number of Acres Farmed/Cropped 2

Total Number of Acres Rented 0

Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes? No

Annual gross income from agricultural operation 0

Capital investment in agricultural operation over past 5 years N/A (proposed operation/start-up)

SBL (Tax Parcel ID): 213.000-1-19.200
Street Address: 8145 Burr Road
Town: West Falls (Colden)
Acres: 5.1
Agricultural Assessment (Y/N): N

SBL

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

I have alpacas, goats, and chickens. I use the alpaca fleece for my own use and share chicken eggs with friends who help with tasks that require machinery. The chickens also help keep the goats and alpacas healthy by eating insects.

Identify the operating status of the farm operation on the subject land

Existing/Established

Dairy

Cash Crop (Grain)

Cash Crop (Vegetable)

Orchard/Vineyard

Livestock (other than dairy) 2

Poultry 2

Sugarbush/Maple

**Horticultural
Specialties/Christmas Tree**

Aquaculture

Other

Lynn Khudagala

Property Owner Signature

APPLICATION 7: LYNN KHADIAGALA



8) LNL Peters Corners LLC Application & Maps

8
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Agricultural District Open Enrollment Form

www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2971/table

Are you requesting land be included into an existing Erie County Agricultural District? Yes

Owner Name	LNL PETERS CORNERS LLC
Address	3103 PETERS CORNERS RD. Alden, New York. 14004
Phone Number	<u>7163396858</u>
Email Address	<u>jlattimer@lattimerinc.com</u>
Renter Name	Matt Fischer
Renter Address	3140 Crittenden Dr. Alden, New York. 14004
Phone Number	<u>7165481336</u>
Email Address	
Total Number of Acres Owned	47.12
Total Number of Acres Farmed/Cropped	15
Total Number of Acres Rented	10
Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes?	
Annual gross income from agricultural operation	
Capital investment in agricultural operation over past 5 years	Below \$10,000

SBL (Tax Parcel ID): 97.00-2-26

Street Address: 3103 PETERS
CORNERS RD.

Town: Alden

Acres: 47.12

Agricultural Assessment (Y/N): y

SBL

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

farming for crops for animal feed
hay
timber
fish

Identify the operating status of the farm operation on the subject land

Existing/Established

Dairy

0

Cash Crop (Grain)

5

Cash Crop (Vegetable)

10

Orchard/Vineyard

0

Livestock (other than dairy)

0

Poultry

0

Sugarbush/Maple

10

Horticultural Specialties/Christmas Tree

0

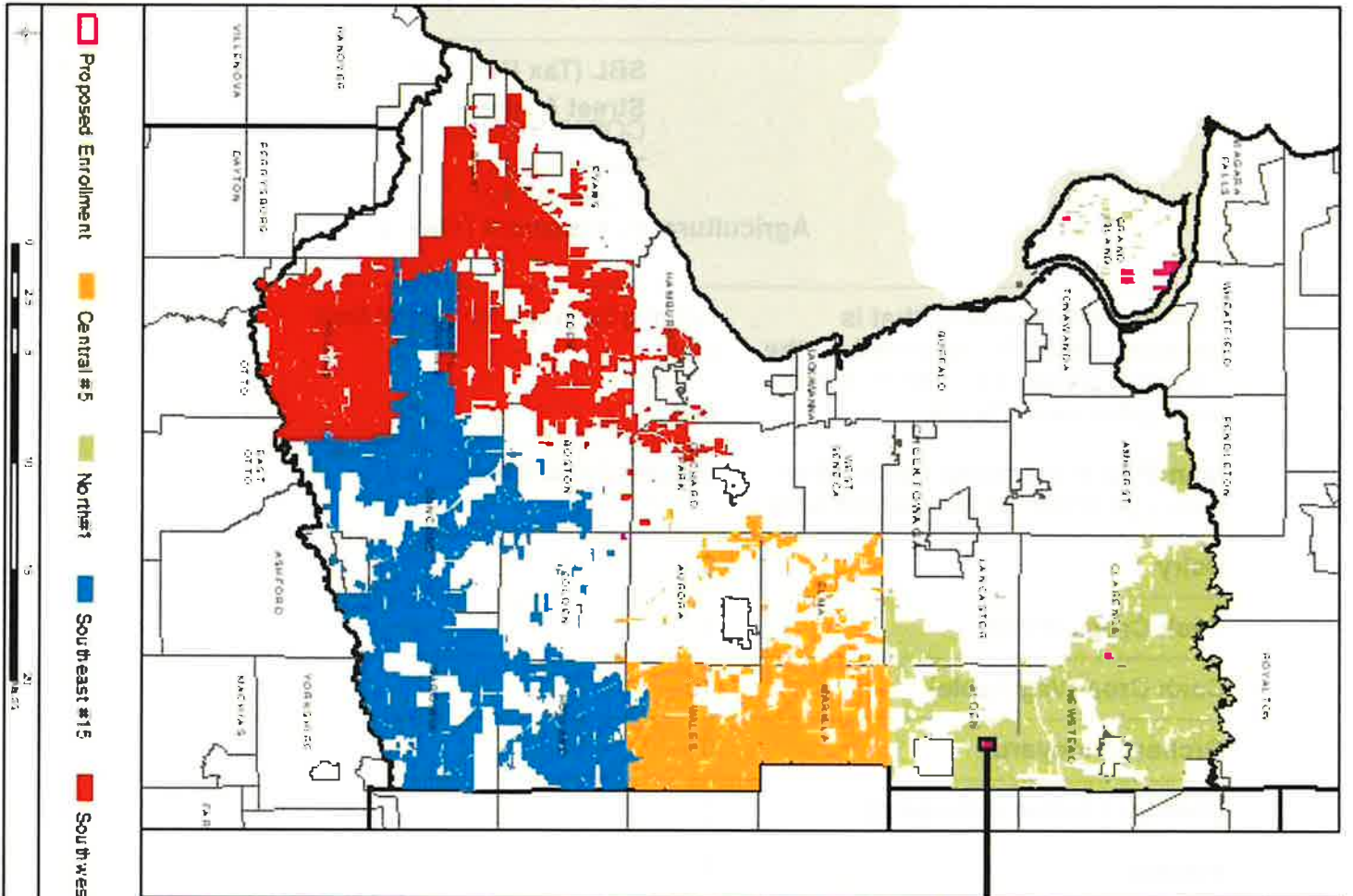
Aquaculture

5

Other



Property Owner Signature



Application 8: LNL Peters Corners LLC
Alden

AGRICULTURAL DISTRICTS: 303-B PROPOSED ENROLLMENTS (2023)

ALDEN TOWNSHIP, ALDEN COUNTY, OHIO
DATE: 06/21/2023 10:30 AM

APPLICATION 8: LNL PETERS CORNERS LLC



9) Matrix

ATTACHMENT #9: 2023 AGRICULTURAL DISTRICT OPEN ENROLLMENT MATRIX

Application #		1		2		3		4	
Owner Name	Bitikofer	ACT III Broadcasting of BFLO		Drexelius		Corigliano		Owner	
Operator	Owner	Owner		Owner		Owner		Owner	
Renter Name	Not applicable	Back Hills Farm Corp		Back Hills Farm Corp		Not applicable		Not applicable	
AGI from Farming - Past 5 years	Greater than \$50,000	\$10,000 +		\$10,000 +		\$10,000 +		\$15,764	
Capital Investment - Past 5 years	Greater than \$50,000	Greater than \$50,000		Greater than \$50,000		Greater than \$50,000		\$10,000 - \$50,000	
Type of Operation	Equine; Hay	Cash crop (Grain, Vegetable); Livestock; Poultry; Firewood		Cash crop (Grain, Vegetable); Livestock; Poultry; Firewood		Cash crop (Grain, Vegetable); Livestock; Poultry; Firewood		Horticultural Specialties	
Enrollment Address	4410 E River Rd 4420 E River Rd	951 Whitehaven Rd	0 Whitehaven Rd	0 Whitehaven Rd		0 Whitehaven Rd		6155 Salt Rd	
Enrollment Town	Grand Island	Grand Island		Grand Island		Grand Island		Clarence	
Enrollment SBL	13.17-2-1	12.00-2-10	37.02-2-13	37.02-2-4	37.02-2-5.11	45.15-1-5.2			
Enrollment Acres	1.14	8.72	20.4	8.5	22.7	8.5			
Ag Assessment	N	Y	Y	Y	Y	N			
District	North #1	North #1		North #1		North #1		North #1	
NYS Soil Suitability	Fair	Fair and Good		Good		Fair and Good		Fair and Good	
Surrounding Land Use	Single-family Residential; Low-density residential	Highway business; Medium-density residential		Medium-density residential; Planned development district;		Agricultural-Rural Residential		Agricultural-Rural Residential	
Municipal Zoning	Single-family residential	Highway business		Medium-density residential		Agricultural-Rural Residential		Agricultural-Rural Residential	
Zoning on Agriculture	Shall be conducted on a minimum three-acre lot; Shall not store any material or substance of any kind which causes or is likely to cause offensive or noxious odors less than 100 feet from any lot line or 200 feet from any neighboring residence, and; Shall not create a nuisance by reason of dust, fumes, smoke, odor, insects, rodents or otherwise adversely affect the public health or safety.	Shall be conducted on a minimum three-acre lot; Shall not store any material or substance of any kind which causes or is likely to cause offensive or noxious odors less than 100 feet from any lot line or 200 feet from any neighboring residence, and; Shall not create a nuisance by reason of dust, fumes, smoke, odor, insects, rodents or otherwise adversely affect the public health or safety.	Shall be conducted on a minimum three-acre lot; Shall not store any material or substance of any kind which causes or is likely to cause offensive or noxious odors less than 100 feet from any lot line or 200 feet from any neighboring residence, and; Shall not create a nuisance by reason of dust, fumes, smoke, odor, insects, rodents or otherwise adversely affect the public health or safety.	Shall be conducted on a minimum three-acre lot; Shall not store any material or substance of any kind which causes or is likely to cause offensive or noxious odors less than 100 feet from any lot line or 200 feet from any neighboring residence, and; Shall not create a nuisance by reason of dust, fumes, smoke, odor, insects, rodents or otherwise adversely affect the public health or safety.	Shall be conducted on a minimum three-acre lot; Shall not store any material or substance of any kind which causes or is likely to cause offensive or noxious odors less than 100 feet from any lot line or 200 feet from any neighboring residence, and; Shall not create a nuisance by reason of dust, fumes, smoke, odor, insects, rodents or otherwise adversely affect the public health or safety.	Agricultural operations, greenhouses, and nurseries permitted.			
Comprehensive Plan	Recommendation: Where farming is encouraged, ensure zoning regulations that allow for flexibility in agricultural operations, in conjunction with NYS Dept. of Agriculture and Markets guidelines. The intent is to create an environment in which the community and agriculture can coexist.	Recommendation: Where farming is encouraged, ensure zoning regulations that allow for flexibility in agricultural operations, in conjunction with NYS Dept. of Agriculture and Markets guidelines. The intent is to create an environment in which the community and agriculture can coexist.	Recommendation: Where farming is encouraged, ensure zoning regulations that allow for flexibility in agricultural operations, in conjunction with NYS Dept. of Agriculture and Markets guidelines. The intent is to create an environment in which the community and agriculture can coexist.	Recommendation: Where farming is encouraged, ensure zoning regulations that allow for flexibility in agricultural operations, in conjunction with NYS Dept. of Agriculture and Markets guidelines. The intent is to create an environment in which the community and agriculture can coexist.	Recommendation: Where farming is encouraged, ensure zoning regulations that allow for flexibility in agricultural operations, in conjunction with NYS Dept. of Agriculture and Markets guidelines. The intent is to create an environment in which the community and agriculture can coexist.	The Town of Clarence has enacted a Right-to-Farm Law. The stated purpose of this law is to "reduce the loss to the Town of Clarence of its agricultural resources by limiting the circumstances under which farming may be deemed to be a nuisance and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction." Agriculture & Open Space Goal Statement: "We will continue to support our agricultural community to ensure the long-term viability of local farms and farm operations. Protecting farmland and open space through the Greenprint Program and other land use measures will continue to be a priority for the Town in an effort to reduce development pressure on viable farmlands and soils."			
Framework for Regional Growth	Developing Area: Align policies and investments to encourage the conversion of agricultural and rural lands; Channel growth to areas with existing sewer and water service; Support local planning that designates areas appropriate for development and conversion and avoid "leap frog" patterns of development; Minimize conversion of designated rural and agricultural lands.	Developing Area: Align policies and investments to encourage the conversion of agricultural and rural lands; Channel growth to areas with existing sewer and water service; Support local planning that designates areas appropriate for development and conversion and avoid "leap frog" patterns of development; Minimize conversion of designated rural and agricultural lands.	Developing Area: Align policies and investments to encourage the conversion of agricultural and rural lands; Channel growth to areas with existing sewer and water service; Support local planning that designates areas appropriate for development and conversion and avoid "leap frog" patterns of development; Minimize conversion of designated rural and agricultural lands.	Developed Area: Agriculture is not mentioned; support local policy and planning provisions that channel growth to areas with existing sewer and water service	Rural Area: Discourage the conversion of rural and agricultural lands				
EC AFPP	Keep land in agricultural production by protecting farmland, helping a new generation to form, and improving the viability of all farm in the County; Support the state certified agricultural district with right-to-farm provisions.								

ATTACHMENT #9: 2023 AGRICULTURAL DISTRICT OPEN ENROLLMENT MATRIX

Application #	5	6	7
Owner Name	Christie Harper	Walter and Melissa Yanicki	Lynn Khadiagala
Operator	Owner	Owner	Owner
Renter Name	Not applicable	Not applicable	Not applicable
AGI from Farming - Past 5 years	<\$5,000	No response	0
Capital Investment - Past 5 years	Greater than \$50,000	\$10,000 - \$50,000	N/A (Proposed start up)
Type of Operation	Horticultural Specialties/ Christmas Tree	Livestock; Poultry; Horticultural Specialties/Christmas Tree; Cash crop (Vegetable)	Livestock; Poultry
Enrollment Address	0 East River Rd Grand Island	2507 Fix Rd Grand Island	8145 Burr Road Colden
Enrollment SBL	12.00-2-1.1	50.04-2-31	213.00-1-19.2
Enrollment Acres	40	3.15	5.1
Ag Assessment (Y/N)	N	N	N
District	North #1	North #1	Southeast#15
NYS Soil Suitability	Fair	Fair	Very poor and poor
Surrounding Land Use	Single-family Residential; Low-density residential	Low-density residential	Agricultural; Commercial
Municipal Zoning	Single-family residential	Low-density residential	Agricultural
Zoning on Agriculture	Shall be conducted on a minimum three-acre lot; Shall not store any material or substance of any kind which causes or is likely to cause offensive or noxious odors less than 100 feet from any lot line or 200 feet from any neighboring residence, and; Shall not create a nuisance by reason of dust, fumes, smoke, odor, insects, rodents or otherwise adversely affect the public health or safety.	Shall be conducted on a minimum three-acre lot; Shall not store any material or substance of any kind which causes or is likely to cause offensive or noxious odors less than 100 feet from any lot line or 200 feet from any neighboring residence, and; Shall not create a nuisance by reason of dust, fumes, smoke, odor, insects, rodents or otherwise adversely affect the public health or safety.	Agricultural, floricultural and horticultural pursuits and forest farming permitted; No manure or other dust producing substances to be stored within 100 ft. of any lot line; Roadside stand or building permitted as accessory uses; Private wildlife reservations or conservation projects require a special use permit; 125,000 SF minimum lot size.
Comprehensive Plan	Recommendation: Where farming is encouraged, ensure zoning regulations that allow for flexibility in agricultural operations, in conjunction with NYS Dept. of Agriculture and Markets guidelines. The intent is to create an environment in which the community and agriculture can coexist.	Recommendation: Where farming is encouraged, ensure zoning regulations that allow for flexibility in agricultural operations, in conjunction with NYS Dept. of Agriculture and Markets guidelines. The intent is to create an environment in which the community and agriculture can coexist.	Colden considers itself more of a rural area than an agricultural area. Plan published in 1992. Update ongoing.
Framework for Regional Growth	Developed Area: Agriculture is not mentioned; support local policy and planning provisions that channel growth to areas with existing sewer and water service	Developing Area: Align policies and investments to encourage the conversion of agricultural and rural lands; Channel growth to areas with existing sewer and water service; Support local planning that designates areas appropriate for development and conversion and avoid "leap frog" patterns of development; Minimize conversion of designated rural and agricultural lands.	Rural Area: Discourage the conversion of rural and agricultural lands.
EC AFPP	Keep land in agricultural production by protecting farmland, helping a new generation to form, and improving the viability of all farm in the County; Support the state certified agricultural district with right-to-farm provisions.		

Note: Parcels already included in an existing Agricultural District are not included on this matrix.

10) 30-Day Review Notice

PUBLIC NOTICE

30-DAY PERIOD FOR INCLUSION OF PREDOMINANTLY VIABLE AGRICULTURAL LANDS INTO EXISTING AGRICULTURAL DISTRICTS

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distribution to interested landowners. The application is also available online at www.erie.gov/agenrollment.

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A public hearing will also be scheduled at a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.

CONTACT:

Sarah Gatti, Principal Planner
Erie County Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202
Phone: (716) 858-6014
Fax: (716) 858-7248
Email: agriculture@erie.gov

11) Public Hearing Notice

**COUNTY OF ERIE
LEGAL NOTICE
NOTICE OF PUBLIC HEARING
PROPOSED MODIFICATION TO
AGRICULTURAL DISTRICT**

At the direction of Erie County Legislative Chair, April N.M. Baskin, Notice is hereby given that a public hearing will be held by the Legislature of the County of Erie, on the 1st of November 2023 at 2:00 PM at the Chambers of the Erie County Legislature, 4th Floor, Old County Hall, 92 Franklin St., Buffalo, NY 14202, concerning the eight-year review of Southwest Agricultural District #8 in accordance with sec. 303-a of NYS Agricultural and Markets Law. The following will be considered:
Modification of 1 parcel in the Town of Brant totaling 1.0 acres
Modification of 2 parcels in the Town of Hamburg totaling 6.5 acres
Modification of 4 parcels in the Town of Collins totaling 101.6 acres
The hearing shall consider the requests and recommendations of the County Agricultural and Farmland Protection Board (AFPB). All applications submitted and the Erie County AFPB report to the Legislature on recommended parcel inclusions are available at: erie.gov/agriculture.
Questions may be directed to Sarah Gatti, Principal Planner at sarah.gatti@erie.gov.

Dated: Buffalo, New York, October 19, 2023

BY ORDER OF THE COUNTY
LEGISLATURE
OF THE COUNTY OF ERIE, NEW
YORK

By Robert M. Graber
Clerk, Erie County Legislature

12) SEAF Part I



STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM
FOR AGRICULTURAL DISTRICTS

UNLISTED ACTIONS ONLY

Please indicate lead agency status by checking the appropriate box below:

[X] The proposed action is within the scope of a cooperative agreement between the undersigned County Legislative Body ("CLB") and the Department of Agriculture and Markets ("Department")...

[] The proposed action is not within the scope of a cooperative agreement between an applicable CLB and the Department. The agency that will serve as Lead Agency is the undersigned CLB...

Part 1 - Project and Sponsor Information

1. The proposed action is located in the County of Erie and the Town(s) of Clarence, Colden, and Grand Island.

2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the CLB of Erie County.

3. The name, address, and e-mail address for the Clerk of the above named CLB is:

Robert Graber at robert.graber@erie.gov

92 Franklin Street, Buffalo, NY 14202

4. Does the proposed action only involve the modification, consolidation or termination of a county-adopted, State-certified agricultural district by the CLB pursuant to Agriculture and Markets Law (AML) §§303-a, 303-b or 303-c? [X] Yes [] No

If Yes, attach a narrative description (including a location map) of the intent of the proposed action and the environmental resources that may be affected in the County. If No, this form should not be used to evaluate the potential environmental impacts of the proposed action.

5. Is this an action proposed to modify an existing agricultural district? [X] Yes [] No

If Yes, total number of acres comprising the agricultural district as it exists prior to modification: _____ acres.

North #1: 16,593.7
Southeast #15: 85,908.9

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

6. If this proposed action involves a modification, will such modification result in a change in the size of the agricultural district? Yes No
- North #1: 130.6
Southeast #15: 4.4
- If yes, how many acres are involved in the change? _____ acres
 - Does this represent an increase or a decrease?

7. Check all present land uses that occur on, adjoining, and near the proposed action?

- Residential Industrial Commercial Agriculture Park/Forest/Open Space Other

If Other, please describe: _____

8. Information on Coastal Resources. Is the action located within, or have a significant effect on:

- A Coastal Area, or the waterfront area of a Designated Inland Waterway? Yes No
- A Coastal Erosion Hazard Area? Yes No
- A community with an approved Local Waterfront Revitalization Program? Yes No

If Yes, please identify the affected community or communities: Grand Island

9. Information on Local Agricultural and Farmland Protection Plans

- Is the action compatible with the County's Agricultural & Farmland Protection Plan? Yes No

If Yes, date of Plan approval: 10/24/2012

If Yes, please cite the applicable language: _____

"Keep land in agricultural production by protecting farmland, helping a new generation to farm, and improving the viability of all farms in the County"

Page three

10. Comments from Municipalities within the County

- Did the CLB receive any comments from municipalities about the addition or removal of land from the agricultural district? Yes No

If Yes, please briefly summarize the comments: _____

11. Attach any additional information as may be needed to clarify the proposed action.

I AFFIRM AND CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE
BEST OF MY KNOWLEDGE

Name of Person Authorized to Sign: Daniel R. Castle, AICP Date: 10/20/23

Signature:  Title: Commissioner, Erie County Env. & Planning

PART 1 – Project and Sponsor Information, Question 4 Narrative

INTENT

The intent of this action is to modify existing Agricultural Districts in Erie County, NY pursuant to New York State Agriculture and Markets Law Section 303-b. Section 303-b requires an annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

DESCRIPTION OF ACTION

During the 2023 Open Enrollment Period, Erie County received eight applications. One of these applications pertained to land already in Central Agricultural District #5 and was withdrawn. The remaining seven applications requested the addition of 4.4 acres to the Southeast #15 District, and 130.6 acres to the North #1 District. This totals a request of 135 acres.

ENVIRONMENTAL RESOURCES

- *Land Use Plan or Zoning Regulations:* Each application was analyzed for consistency with local land use plans and zoning regulations. In most cases each application was found to be consistent with such documents and agriculture was identified in each community's comprehensive plan as an industry to support and protect, and some degree of agricultural uses were permitted in each community's zoning ordinance and in the zoning district of each proposed enrollment. Application 1 for the inclusion of a 1.14 parcel (SBL 13.17-2-1) on Grand Island conflicts with the underlying zoning district which requires that agricultural activities "be conducted on a minimum three-acre lot."
- *Intensity of Use of Land:* Proposed enrollments encompass land that is already being farmed and/or land that has been previously developed and will not result in a significant change in the use or intensity of the land.
- *Community Character:* Each application's surrounding land uses were analyzed to ensure consistency with existing community character. In each case, enrollment into an agricultural district was found to be consistent with the rural, agricultural, and forested nature of the surrounding community.
- *Critical Environmental Area:* No significant impact on Critical Environmental Areas will occur because of these enrollments in an agricultural district.
- *Transportation:* No significant impact on transportation infrastructure will occur because of these enrollments in an agricultural district.
- *Energy:* These parcels are currently being farmed and/or have been previously developed and no significant impact on energy resources will occur because of their inclusion in an agricultural district.
- *Water and Wastewater Supplies:* These parcels are currently being farmed and/or have been previously developed and no significant impact on public/private water supplies and/or wastewater treatment utilities will occur because of their inclusion in an agricultural district.
- *Historic, Archaeological, Architectural, or Aesthetic Resources:* These parcels are currently being farmed and/or have been previously developed and no significant impact

on historic, archaeological, architectural, or aesthetic resources of the community will occur as a result of their inclusion in an agricultural district.

- *Natural Resources:* These parcels are currently being farmed and/or have been previously developed and no significant impact on natural resources will occur as a result of their inclusion in an agricultural district.
- *Erosion, Flooding, or Drainage:* These parcels are currently being farmed and/or have been previously developed and no significant impact on erosion, flooding, or drainage will occur as a result of their inclusion in an agricultural district.
- *Environmental Resources and Human Health:* These parcels are currently being farmed and/or have been previously developed no significant impact on environmental resources and human health will occur as a result of their inclusion in an agricultural district.

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

Part 2: Impact Assessment

Part 2 is to be completed by the County Legislative Body (“CLB”) as Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted to the CLB for the proposed modification, consolidation or termination of a county-adopted, State-certified agricultural district or otherwise available to the reviewer.

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification, consolidation or termination of an agricultural district(s) The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management actions that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

	None to small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and fail to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

Part 3: Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur," or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20M-3	SECRETARY OF THE ECWA	ECWA 2024 Operating & Maintenance and Capital Budgets
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Attachments

23COMM. 20M-3



Erie County Water Authority

295 Main Street • Room 350 • Buffalo, NY 14203-2494
716-849-8484 • Fax 716-849-8463

Office of the Secretary

October 23, 2023

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

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

Re: Erie County Water Authority
2024 Operating & Maintenance and
Capital Budgets

Dear Chairperson Baskin:

Pursuant to Public Authorities Law §2801(2), enclosed please find an Extract from the Minutes of the Meeting of the Erie County Water Authority held on Thursday, October 19, 2023 adopting the Authority's 2024 Operating & Maintenance and Capital Budgets.

Also enclosed please find a copy of the adopted Budgets. Thank you.

Very truly yours,

ERIE COUNTY WATER AUTHORITY

A handwritten signature in black ink, appearing to read "TDM", with a long horizontal flourish extending to the right.

Terrence D. McCracken
Secretary to the Authority

TDM:alh
Enclosures

Cc: Joyce A. Tomaka, CFO
Olivia M. Owens, Clerk of the Erie County Legislature (w/encl.)

CERTIFICATION

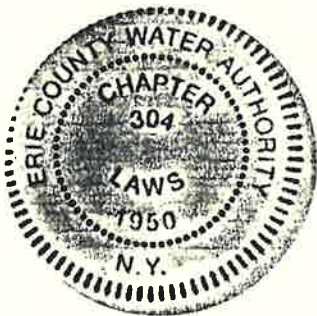
I, **TERRENCE D. McCracken**, the duly elected and qualified **SECRETARY TO THE AUTHORITY** to the **ERIE COUNTY WATER AUTHORITY**, a corporation existing under the Laws of the State of New York, do hereby certify that I have compared the annexed resolution which is an extract from the Minutes of the Meeting of the Authority held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 19th day of October 2023 a quorum being present and that said resolution is a true and correct copy of the resolution so adopted and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said corporation this 19th day of October 2023.



Terrence D. McCracken
Secretary to the Authority

(SEAL)



**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
ERIE COUNTY WATER AUTHORITY
OCTOBER 19, 2023**

At a regular meeting of the Erie County Water Authority held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 19th day of October 2023, a quorum being present, the following resolution was adopted:

WHEREAS, Joyce A. Tomaka, Chief Financial Officer, Jessica R. Brown, Comptroller, and Steven V. D'Amico, Business Office Manager have reviewed the 2024 Operating & Maintenance and Capital Budgets (the "Budgets") prepared by the Erie County Water Authority (the "Authority") department managers; and

WHEREAS, the Budgets were reviewed by the Board of Commissioners of the Authority (the "Board") at a budget hearing on September 27, 2023; and

WHEREAS, the Budgets have been presented to and reviewed by Joyce A. Tomaka, Chief Financial Officer, who recommends its adoption;

WHEREAS, Public Authorities Law §2801(2), requires the Authority to send a certified copy of the resolution along with a copy of the adopted Budgets to the Chairperson of the Erie County Legislature; and

WHEREAS, Public Authorities Law §2801(2) further requires the Authority to submit annually to the Authorities Budget Office (the "ABO") information on operations and capital setting forth actual results from the last completed year and estimated receipts and expenditures for the current and next four fiscal years; and

WHEREAS, the ABO has established the Public Authorities Reporting Information System ("PARIS") to submit the Budget & Financial Plan no later than November 1, 2023;

NOW, THEREFORE, BE IT RESOLVED:

That the Board adopts the 2024 Operating & Maintenance and Capital Budgets; and be it further

RESOLVED, pursuant to Public Authorities Law §2801(2), the Secretary to the Authority is directed to send a certified copy of the resolution along with a copy of the adopted Budgets to the Chairperson of the Erie County Legislature; and be it further

RESOLVED, the Chief Financial Officer is directed to submit the 2024 Budget & Financial Plan to the ABO on PARIS; and be it further

RESOLVED, the Secretary to the Authority is directed to post the adopted budget on the Authority website.

A motion was made by Ms. LaGree, seconded by Ms. Iannello and carried to adopt the foregoing resolution.



ERIE COUNTY WATER AUTHORITY

2024 BUDGET

Section

Page No.

OPERATING AND MAINTENANCE

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DESCRIPTION	2022	2023	2025	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
<u>Operating Revenue</u>						
Residential	44,655,219	49,324,957	49,976,426	53,929,561	3,953,135	7.90
Commercial	9,534,901	10,676,682	10,445,862	11,499,849	1,053,987	10.08
Industrial	2,513,979	2,957,135	2,707,133	3,098,313	391,180	14.44
Public Authorities	2,809,012	3,267,657	3,068,979	3,445,543	376,564	12.27
Unmetered Sales-General	687,226	683,708	672,000	684,000	12,000	1.78
Public Fire Protection	3,891,196	3,894,287	3,888,000	3,900,000	12,000	.30
Sales to Other Utilities	4,724,744	5,463,412	5,173,324	5,751,702	578,378	11.18
Misc Water Revenues	114,333	120,078	120,078	120,078	0	.00
Other Water Revenues	1,351,073	1,304,500	1,134,348	1,247,783	113,435	10.00
Infrastructure Inv Charge	19,798,219	22,212,237	22,122,295	24,217,620	2,095,325	9.47
Summer Surcharge	(15)	0	0	0	0	=====
Total Operating Revenue	90,079,888	99,904,653	99,308,445	107,894,449	8,586,004	8.64
<u>Operating & Maintenance Expenses</u>						
Sturgeon Point Plant	7,455,257	8,652,491	9,707,157	9,667,465	(39,692)	(.40)
Van De Water Plant	4,382,789	4,672,349	5,254,457	5,025,419	(228,838)	(4.35)
Control Operations	4,208,384	4,539,007	5,033,469	5,065,582	32,113	.63
Instrumentation	1,647,434	1,946,434	2,188,506	2,048,067	(140,439)	(6.41)
Water Quality Assurance	838,065	901,797	898,230	979,721	81,491	9.07
Maintenance Unit	1,344,685	1,333,196	1,353,802	1,448,051	94,249	6.96
Line Maintenance	8,105,495	8,718,771	9,495,824	10,270,403	774,579	8.15
UFPO	813,344	696,389	564,032	577,628	13,596	2.41
Hydrants and Valves	2,111,522	2,865,936	3,192,140	2,936,258	(255,882)	(8.01)
Dispatch	636,574	631,086	620,870	733,588	112,718	18.15
Design	1,436,265	1,380,870	1,439,720	1,570,937	131,217	9.11
Construction	799,975	1,797,537	2,158,905	6,222,629	4,063,724	188.23
New Services	935,977	896,138	969,171	857,815	(111,356)	(11.48)
Restoration	3,440,814	3,056,272	3,131,159	3,734,430	603,271	19.26
Administrative	248,946	246,471	245,537	248,915	3,378	1.37
Central Purchasing	495,624	529,940	582,976	599,827	16,851	2.89
Stores	491,510	400,479	598,050	646,555	48,505	8.11
Information Services-Serv Cent	654,857	660,188	739,820	810,786	70,966	9.59
Facilities	675,533	758,592	767,999	784,507	16,508	2.14
Comptroller	241,221	272,238	291,437	280,880	(10,557)	(3.62)
Accounting	566,707	606,022	839,375	769,684	(69,691)	(8.30)
Cash Management	300,507	295,902	316,023	293,568	(22,455)	(7.10)
Customer Service and Billing	2,395,203	2,269,707	2,251,803	2,443,698	191,895	8.52
Water Shop	1,352,525	1,512,996	1,755,753	1,820,343	64,590	3.67
Legal	2,182,331	2,369,294	2,444,097	2,272,529	(171,568)	(7.01)
Secretary to the Authority	350,291	364,978	399,764	591,077	191,313	47.85
Information Services-Ell Sq	309,625	339,155	418,171	402,879	(15,292)	(3.65)
Members of the Authority	150,620	190,945	210,000	265,000	55,000	26.19
General Expenses	79,829	74,249	74,250	74,250	0	.00
Human Resources	2,320,882	4,401,049	4,692,510	5,113,817	421,307	8.97
Information Technology	768,844	1,008,833	1,330,042	1,432,720	102,678	7.71
	3,643,878	4,514,165	4,573,172	4,672,761	99,589	2.17
Total Oper. & Maint. Expense	55,385,486	62,902,692	68,538,021	74,661,789	6,123,768	8.93

Erie County Water Authority Budget Analysis
Statement of Net Income Available for Capital Budget

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
Net Oper. & Maint. Expense	55,385,486	62,902,692	68,538,021	74,661,789	6,123,768	8.93
Net Operating Income	34,694,402	37,001,961	30,770,424	35,232,660	2,462,236	8.00
<u>Other Income</u>						
Interest Income	490,676	1,934,847	150,000	480,000	330,000	220.00
Misc. Non-Operating Revenue	736,550	835,429	457,318	322,327	(134,991)	(29.51)
Total Other Income	1,227,227	2,770,276	607,318	802,327	195,009	32.10
<u>Income Deductions</u>						
Int charge to const (credit)	0	0	0	0	0	=====
Total Income Deductions	0	0	0	0	0	=====
Income Available for Debt Service & Capital Budget	35,921,628	39,772,237	31,377,742	34,034,987	2,657,245	8.46
Debt Service	5,836,315	4,790,919	4,790,919	4,049,284	(741,635)	(15.48)
Net Income Available for Capital Budget	30,085,314	34,981,318	26,586,823	29,985,703	3,398,880	12.78
Debt Coverage Ratio - (Income Available for Debt Service & Capital / Debt Service)	6.15%	8.30%	6.55%	8.41%		

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
Salaries & Wages						
Commissioners	68,300	67,501	67,500	67,500	0	.00
Supervision	3,466,097	3,799,346	4,165,143	4,550,209	385,066	9.24
Salaries	9,145,807	9,839,480	10,197,215	10,562,808	365,593	3.58
Labor	7,720,693	8,981,509	10,023,996	10,447,665	423,669	4.22
Fringe Benefits	10,815,207	10,194,350	11,074,520	11,362,923	288,403	2.60
Total Salaries & Wages	31,216,105	32,882,186	35,528,374	36,991,105	1,462,731	4.11
Chemicals Purchased	1,782,250	2,928,223	3,690,000	4,031,120	341,120	9.24
Electric Power Purchased	5,348,688	5,460,399	6,075,000	5,400,000	(675,000)	(11.11)
Materials and Supplies	2,527,252	2,926,448	2,973,775	2,937,000	(36,775)	(1.23)
Employee's Transportation	1,159,513	1,418,246	1,431,327	1,467,367	36,040	2.51
Public Utilities Exc Power Pur	1,036,866	1,083,654	1,230,000	1,181,332	(48,668)	(3.95)
Postage	432,869	478,813	475,000	540,000	65,000	13.68
Travel	26,626	51,641	83,700	73,550	(10,150)	(12.12)
Uniforms	15,785	26,368	27,600	29,500	1,900	6.88
Uncollectible Accounts	174,517	102,079	102,100	102,100	0	.00
Corporate and Fiscal Expenses	32,747	62,452	48,700	89,000	40,300	82.75
Insurance and Damages	993,368	3,152,485	3,230,576	3,474,930	244,354	7.56
Office Rent	242,080	248,122	250,000	250,000	0	.00
Special Services	282,589	356,813	420,000	553,000	133,000	31.66
Payment to Contractors	8,692,780	9,699,141	10,765,852	15,177,628	4,411,776	40.97
Equipment Maint. Contracts	466,302	916,689	729,980	761,607	31,627	4.33
Equipment Rentals	1,590	2,408	3,600	3,600	0	.00
Unclassified Incl Misc. Exp	126,116	177,240	449,950	694,200	244,250	54.28
Training	74,441	162,747	197,100	203,050	5,950	3.01
Water Dist Serv Install	151,098	97,883	75,000	75,000	0	.00
Refuse & Waste Disposal	544,196	514,654	532,987	536,400	3,413	.64
Dues & Subscriptions	57,705	76,474	62,400	60,300	(2,100)	(3.36)
Studies	0	77,528	155,000	30,000	(125,000)	(80.64)
Total Operating & Maintenance	55,385,486	62,902,692	68,538,021	74,661,789	6,123,768	8.93
Net Operating & Maintenance	55,385,486	62,902,692	68,538,021	74,661,789	6,123,768	8.93

ERIE COUNTY WATER AUTHORITY BUDGET ANALYSIS
SUMMARY OF EXPENSES BY MAJOR OBJECT OF EXPENDITURE

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
Salaries & Wages						
Commissioners	68,300	67,501	67,500	67,500	0	.00
Supervision						
Supervision	3,227,188	3,539,658	3,870,143	4,230,709	360,566	9.31
Supervision Overtime	238,909	259,688	295,000	319,500	24,500	8.30
Total	3,466,097	3,799,346	4,165,143	4,550,209	385,066	9.24
Salaries						
Salaries	8,236,232	8,911,062	9,286,465	9,529,358	242,893	2.61
Salary Overtime	909,575	928,418	910,750	1,033,450	122,700	13.47
Total	9,145,807	9,839,480	10,197,215	10,562,808	365,593	3.58
Labor						
Labor	6,066,272	7,435,823	8,495,696	8,834,825	339,129	3.99
Labor Overtime	1,654,421	1,545,686	1,528,300	1,612,840	84,540	5.53
Total	7,720,693	8,981,509	10,023,996	10,447,665	423,669	4.22
Fringe Benefits	10,815,207	10,194,350	11,074,520	11,362,923	288,403	2.60
Total Salaries & Wages	31,216,105	32,882,186	35,528,374	36,991,105	1,462,731	4.11
Chemicals Purchased	1,782,250	2,928,223	3,690,000	4,031,120	341,120	9.24
Electric Power Purchased	5,348,688	5,460,399	6,075,000	5,400,000	(675,000)	(11.11)
Materials and Supplies						
Materials and Supplies	1,894,430	2,321,482	2,198,600	2,138,615	(59,985)	(2.72)
Safety Equipment	159,270	157,470	172,485	183,585	11,100	6.43
Small Tools Expense	64,502	129,172	138,200	127,700	(10,500)	(7.59)
Office Supplies	42,073	59,682	64,000	61,500	(2,500)	(3.90)
Lubrication	2,674	4,996	10,000	10,000	0	.00
Stationary and Printing Forms	5,263	6,916	6,700	7,700	1,000	14.92
Inventory Adjustments	217,439	19,548	100,000	125,000	25,000	25.00
PCs and Peripherals	108,166	203,520	263,790	256,900	(6,890)	(2.61)
Gas, Oil and Grease	33,435	23,661	20,000	26,000	6,000	30.00
Total	2,527,252	2,926,448	2,973,775	2,937,000	(36,775)	(1.23)
Employee's Transportation	1,159,513	1,418,246	1,431,327	1,467,367	36,040	2.51
Public Utilities Exc Power Pur						
Light & Heat	459,987	498,198	545,000	532,430	(12,570)	(2.30)
Telephone	346,398	419,891	475,000	488,902	13,902	2.92
Water Purch (Raw Water VDW)	230,482	165,565	210,000	160,000	(50,000)	(23.80)
Total	1,036,866	1,083,654	1,230,000	1,181,332	(48,668)	(3.95)
Postage	432,869	478,813	475,000	540,000	65,000	13.68
Travel	26,626	51,641	83,700	73,550	(10,150)	(12.12)
Uniforms	15,785	26,368	27,600	29,500	1,900	6.88
Uncollectible Accounts						

ERIE COUNTY WATER AUTHORITY BUDGET ANALYSIS
SUMMARY OF EXPENSES BY MAJOR OBJECT OF EXPENDITURE

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (AS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
Uncollectable Accounts	174,470	102,000	102,000	102,000	0	.00
Collection Agency Charges	47	79	100	100	0	.00
Total	174,517	102,079	102,100	102,100	0	.00
Corporate and Fiscal Expenses	32,747	62,452	48,700	89,000	40,300	82.75
Insurance and Damages	1,013,825	1,079,533	1,104,876	1,190,323	85,447	7.73
Insurance	(20,456)	29,590	50,000	50,000	0	.00
Injuries and Damages	0	2,043,362	2,075,700	2,234,607	158,907	7.65
Retiree Health Insurance	0	3,152,485	3,230,576	3,474,930	244,354	7.56
Total	993,368	3,152,485	3,230,576	3,474,930	244,354	7.56
Office Rent	242,080	248,122	250,000	250,000	0	.00
Special Services	64,097	113,609	150,000	225,000	75,000	50.00
Legal Services	36,562	36,875	45,000	45,000	0	.00
Auditing	34,857	34,140	45,000	48,000	3,000	6.66
Doctor Examination Fees	147,073	172,189	180,000	235,000	55,000	30.55
Special Services	282,589	356,813	420,000	553,000	133,000	31.66
Total	1,821,905	1,712,395	1,939,000	2,026,000	87,000	4.48
Payment to Contractors	356,026	401,824	457,500	582,500	125,000	27.32
Payments to Contractors-Rental	434,287	538,870	537,812	541,856	4,044	.75
Payments to Contractors-Elect.	3,151,712	2,738,876	2,800,000	3,400,000	600,000	21.42
Payments to Contractors-Restore	1,592,036	1,966,637	2,321,840	2,167,480	(154,360)	(6.64)
Payments to Contractors-Other	496,998	498,805	550,000	550,000	0	.00
Stone & Cold Patch	15,307	27,508	55,000	65,000	10,000	18.18
Software Expense	13,114	42,745	64,700	67,000	2,300	3.55
Payments to Contr-Outside Labs	331,539	456,262	345,000	408,178	63,178	18.31
Software Licensing Expense	392,660	427,818	435,000	359,614	(75,386)	(17.33)
Software Maintenance & Support	87,196	887,401	1,260,000	5,010,000	3,750,000	297.61
Payments to Contractors-Tanks	8,692,780	9,699,141	10,765,852	15,177,628	4,411,776	40.97
Total	466,302	916,689	729,980	761,607	31,627	4.33
Equipment Maint. Contracts	1,590	2,408	3,600	3,600	0	.00
Equipment Rentals	183,345	201,965	446,000	691,750	245,750	55.10
Unclassified Incl Misc. Exp	1,007	3,447	4,000	4,000	0	.00
Miscellaneous	18,223	26,999	34,700	34,700	0	.00
Right of Way Rents	0	0	0	3,000	3,000	=====
General Office Employee Exp.	(76,459)	(55,466)	(35,000)	(40,000)	(5,000)	14.28
Miscellaneous General Expense	126,116	177,240	449,950	694,200	244,250	54.28
Stores Expense Credit	74,441	162,747	197,100	203,050	5,950	3.01
Total	74,441	162,747	197,100	203,050	5,950	3.01
Training	151,098	97,883	75,000	75,000	0	.00
Training Payments						
Water Dist Serv Install						

ERIE COUNTY WATER AUTHORITY BUDGET ANALYSIS
SUMMARY OF EXPENSES BY MAJOR OBJECT OF EXPENDITURE

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (AS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
Refuse & Waste Disposal	544,196	514,654	532,987	536,400	3,413	.64
Dues & Subscriptions	57,705	76,474	62,400	60,300	(2,100)	(3.36)
Studies	0	77,528	155,000	30,000	(125,000)	(80.64)
Total Operating & Maintenance	55,385,486	62,902,692	68,538,021	74,661,789	6,123,768	8.93
Net Operating & Maintenance	55,385,486	62,902,692	68,538,021	74,661,789	6,123,768	8.93

DEPARTMENT: 100 Production Department

DESCRIPTION	2022		2023		2023		2024		AMOUNT OF		% OF	
	ACTUAL	ESTIMATED	ESTIMATED	(AS AMENDED)	BUDGET	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)	INC/(DEC)	INC/(DEC)		
00 Supervision	925,995	1,036,611	1,036,611	1,073,880	1,250,010	176,130	16.44					
01 Salaries	798,877	812,522	812,522	875,459	792,783	(82,676)	(9.44)					
02 Labor	2,596,065	2,979,646	2,979,646	3,258,562	3,444,090	185,528	5.69					
04 Supervision Overtime	70,741	87,675	87,675	84,000	97,000	13,000	15.47					
05 Salary Overtime	78,799	80,070	80,070	104,500	88,500	(16,000)	(15.31)					
06 Labor Overtime	443,177	365,404	365,404	370,000	410,000	40,000	10.81					
08 Fringe Benefit Costs	2,657,086	2,471,755	2,471,755	2,671,483	2,745,804	74,321	2.78					
Total Employee Expense	7,570,740	7,833,683	7,833,683	8,437,884	8,828,187	390,303	4.62					
10 Materials and Supplies	1,012,313	1,039,234	1,039,234	1,014,600	958,215	(56,385)	(5.55)					
11 Transportation	229,511	276,636	276,636	276,920	307,841	30,921	11.16					
12 Travel	8,215	14,402	14,402	21,850	21,350	(500)	(2.28)					
13 Chemicals	1,782,250	2,928,223	2,928,223	3,690,000	4,031,120	341,120	9.24					
14 Power Purchased	5,348,688	5,460,399	5,460,399	6,075,000	5,400,000	(675,000)	(11.11)					
16 Payments to Contractors-Rental	139,578	183,989	183,989	207,500	307,500	100,000	48.19					
17 Payments to Contractors-Elect.	425,913	509,248	509,248	517,512	521,856	4,344	.83					
19 Payments to Contractors-Other	969,195	1,057,807	1,057,807	1,300,840	986,480	(314,360)	(24.16)					
20 Miscellaneous	59,760	107,180	107,180	140,000	140,000	0	.00					
22 Light and Heat	376,797	405,290	405,290	440,000	425,000	(15,000)	(3.40)					
25 Water Purchased	230,482	165,565	165,565	210,000	160,000	(50,000)	(23.80)					
26 Equipment Maintenance Contract	249,337	439,275	439,275	365,000	405,000	40,000	10.95					
27 Safety Equipment	5,699	12,797	12,797	12,485	13,585	1,100	8.81					
28 Small Tools Expense	24,261	36,357	36,357	52,200	55,200	3,000	5.74					
30 Lubrication	2,674	4,996	4,996	10,000	10,000	0	.00					
33 Uniforms	11,122	16,997	16,997	19,300	22,000	2,700	13.98					
35 Refuse and Waste Disposal	536,854	506,682	506,682	525,000	525,000	0	.00					
37 Training Payments	16,445	34,894	34,894	43,600	36,250	(7,350)	(16.85)					
38 Studies	0	50,020	50,020	100,000	0	(100,000)	(100.00)					
39 Payments to Contr-Outside Labs	5,280	36,153	36,153	57,500	60,000	2,500	4.34					
46 Dues and Subscriptions	0	0	0	0	14,000	14,000	100.00					
78 Gas, Oil and Grease	33,435	23,661	23,661	20,000	26,000	6,000	30.00					
Total Non-Employee Expense	11,467,808	13,309,806	13,309,806	15,099,307	14,426,397	(672,910)	(4.45)					
Total Production Department	19,038,548	21,143,490	21,143,490	23,537,191	23,254,584	(282,607)	(1.20)					

DEPARTMENT: 100 Production Department UNIT HEAD: Chris Marchitte PREPARER: David Patton
 UNIT.....: 1010 Sturgeon Point Plant

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	215,897	219,139	215,084	221,537	6,453	3.00
01 Salaries	67,083	71,769	57,259	0	(57,259)	(100.00)
02 Labor	927,466	1,058,743	1,201,880	1,394,450	192,570	16.02
04 Supervision Overtime	14,554	10,072	10,000	15,000	5,000	50.00
05 Salary Overtime	4,248	7,254	7,500	7,500	0	.00
06 Labor Overtime	145,883	99,924	120,000	145,000	25,000	20.83
08 Fringe Benefit Costs	746,118	689,164	756,167	812,949	56,782	7.50
Total Employee Expense	2,121,249	2,156,066	2,367,890	2,596,436	228,546	9.65
10 Materials and Supplies	296,170	239,818	235,000	185,000	(50,000)	(21.27)
11 Transportation	47,106	56,946	56,767	62,936	6,169	10.86
12 Travel	2,778	3,347	5,000	5,000	0	.00
13 Chemicals	1,231,740	2,163,604	2,660,000	2,893,093	233,093	8.76
14 Power Purchased	2,625,214	2,720,388	2,975,000	2,600,000	(375,000)	(12.60)
16 Payments to Contractors-Rental	50,859	107,218	95,000	175,000	80,000	84.21
17 Payments to Contractors-Elect.	110,280	90,656	100,000	100,000	0	.00
19 Payments to Contractors-Other	212,719	215,890	270,000	150,000	(120,000)	(44.44)
20 Miscellaneous	22,564	33,967	50,000	50,000	0	.00
22 Light and Heat	134,172	146,240	180,000	165,000	(15,000)	(8.33)
26 Equipment Maintenance Contract	105,669	190,676	150,000	175,000	25,000	16.66
28 Small Tools Expense	3,802	4,983	7,500	7,500	0	.00
30 Lubrication	477	2,498	5,000	5,000	0	.00
33 Uniforms	5,136	6,219	7,500	7,500	0	.00
35 Refuse and Waste Disposal	472,995	452,190	450,000	450,000	0	.00
37 Training Payments	0	5,680	10,000	5,000	(5,000)	(50.00)
38 Studios	0	25,010	50,000	0	(50,000)	(100.00)
39 Payments to Contr-Outside Labs	1,230	12,393	17,500	20,000	2,500	14.28
78 Gas, Oil and Grease	13,096	18,701	15,000	15,000	0	.00
Total Non-Employee Expense	5,334,008	6,496,425	7,339,267	7,071,029	(268,238)	(3.65)
Total Sturgeon Point Plant	7,455,257	8,652,491	9,707,157	9,667,665	(39,692)	(.40)

DEPARTMENT: 100 Production Department UNIT HEAD: Paul Miklos PREPARER: David Patton
 UNIT.....: 1015 Van De Water Plant

DESCRIPTION	2022		2023		2024		AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	BUDGET			
00 Supervision	211,185	216,666	212,658	221,536	8,878	4.17		
01 Salaries	128,285	121,341	117,555	117,098	(457)	(.38)		
02 Labor	792,674	870,193	889,127	829,198	(59,929)	(6.74)		
04 Supervision Overtime	4,751	9,852	10,000	10,000	0	.00		
05 Salary Overtime	4,378	5,781	5,000	5,000	0	.00		
06 Labor Overtime	109,241	96,581	110,000	125,000	15,000	13.63		
08 Fringe Benefit Costs	689,067	614,740	619,494	575,647	(43,847)	(7.07)		
Total Employee Expense	1,939,583	1,935,153	1,963,834	1,883,479	(80,355)	(4.09)		
10 Materials and Supplies	239,818	207,218	195,000	165,000	(30,000)	(15.38)		
11 Transportation	18,312	41,080	42,923	42,413	(510)	(1.18)		
12 Travel	3,487	5,122	7,500	7,500	0	.00		
13 Chemicals	519,413	735,429	1,000,000	1,098,027	98,027	9.80		
14 Power Purchased	736,809	859,993	1,100,000	1,000,000	(100,000)	(9.09)		
16 Payments to Contractors-Rental	4,160	3,957	7,500	7,500	0	.00		
17 Payments to Contractors-Elect.	96,206	74,559	75,000	85,000	10,000	13.33		
19 Payments to Contractors-Other	200,921	245,918	245,000	150,000	(95,000)	(38.77)		
20 Miscellaneous	9,928	33,358	35,000	50,000	15,000	42.85		
22 Light and Heat	164,842	175,807	180,000	180,000	0	.00		
25 Water Purchased	230,482	6,317	10,000	10,000	0	.00		
26 Equipment Maintenance Contract	132,656	221,751	195,000	200,000	5,000	2.56		
28 Small Tools Expense	6,864	5,611	7,500	7,500	0	.00		
30 Lubrication	2,197	2,498	5,000	5,000	0	.00		
33 Uniforms	748	4,676	5,000	5,000	0	.00		
35 Refuse and Waste Disposal	63,859	54,492	75,000	75,000	0	.00		
37 Training Payments	1,095	5,680	10,000	5,000	(5,000)	(50.00)		
38 Studies	0	25,010	50,000	0	(50,000)	(100.00)		
39 Payments to Contr-Outside Labs	4,050	23,760	40,000	40,000	0	.00		
46 Dues and Subscriptions	0	0	0	4,000	4,000	=====		
78 Gas, Oil and Grease	7,361	4,960	5,000	5,000	0	.00		
Total Non-Employee Expense	2,443,206	2,737,196	3,290,423	3,141,940	(148,483)	(4.51)		
Total Van De Water Plant	4,382,789	4,672,349	5,254,257	5,025,419	(228,838)	(4.35)		

DEPARTMENT: 100 Production Department UNIT HEAD: Clayton Johnson
 UNIT.....: 1020 Control Operations PREPARER: Clayton Johnson

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	224,532	316,702	366,273	512,579	146,306	39.94
01 Salaries	96,878	93,504	101,886	84,219	(17,667)	(17.33)
02 Labor	382,402	516,244	630,055	665,170	35,115	5.57
04 Supervision Overtime	39,308	49,834	50,000	50,000	0	.00
05 Salary Overtime	17,004	17,615	20,000	20,000	0	.00
06 Labor Overtime	53,278	56,340	50,000	50,000	0	.00
08 Fringe Benefit Costs	430,473	477,589	565,063	630,382	65,319	11.55
Total Employee Expense	1,243,875	1,527,828	1,783,277	2,012,350	229,073	12.84
10 Materials and Supplies	172,521	220,625	200,000	250,000	50,000	25.00
11 Transportation	82,041	66,457	63,692	28,732	(34,960)	(54.88)
12 Travel	1,950	3,435	4,000	6,000	2,000	50.00
13 Chemicals	31,097	29,190	30,000	40,000	10,000	33.33
14 Power Purchased	1,988,665	1,880,018	2,000,000	1,800,000	(200,000)	(10.00)
16 Payments to Contractors-Rental	2,415	4,555	5,000	5,000	0	.00
17 Payments to Contractors-Elect.	63,468	118,404	100,000	100,000	0	.00
19 Payments to Contractors-Other	489,204	373,216	485,000	500,000	15,000	3.09
20 Miscellaneous	24,057	33,040	45,000	30,000	(15,000)	(33.33)
22 Light and Heat	77,783	83,243	80,000	80,000	0	.00
25 Water Purchased	0	159,248	200,000	150,000	(50,000)	(25.00)
26 Equipment Maintenance Contract	11,013	26,848	20,000	30,000	10,000	50.00
27 Safety Equipment	0	1,336	2,500	2,500	0	.00
28 Small Tools Expense	5,984	4,848	8,000	8,000	0	.00
33 Uniforms	1,333	1,950	2,000	2,000	0	.00
37 Training Payments	0	4,765	5,000	5,000	0	.00
46 Dues and Subscriptions	0	0	0	10,000	10,000	100.00
78 Gas, Oil and Grease	12,978	0	0	6,000	6,000	60.00
Total Non-Employee Expense	2,964,509	3,011,179	3,250,192	3,053,232	(196,960)	(6.05)
Total Control Operations	4,208,384	4,539,007	5,033,469	5,065,582	32,113	.63

DEPARTMENT: 100 Production Department
UNIT.....: 1025 Instrumentation

UNIT HEAD: Scott Aiple

PREPARER: Scott Aiple

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	274,381	284,104	279,865	294,358	14,493	5.17
01 Salaries	403,955	422,122	494,592	484,377	(10,215)	(2.06)
04 Supervision Overtime	12,127	17,916	14,000	22,000	8,000	57.14
05 Salary Overtime	21,205	21,193	32,000	26,000	(6,000)	(18.75)
08 Fringe Benefit Costs	408,402	355,273	394,616	388,482	(6,134)	(1.55)
Total Employee Expense	1,120,072	1,100,609	1,215,073	1,215,217	144	.01
10 Materials and Supplies	241,200	300,835	319,600	308,215	(11,385)	(3.56)
11 Transportation	35,128	49,155	49,846	42,414	(7,432)	(14.90)
12 Travel	0	2,498	5,350	2,850	(2,500)	(46.72)
17 Payments to Contractors-Elect.	155,959	225,629	242,512	236,856	(5,656)	(2.33)
19 Payments to Contractors-Other	66,351	222,783	300,840	186,480	(114,360)	(38.01)
20 Miscellaneous	166	2,533	5,000	5,000	0	.00
27 Safety Equipment	4,763	8,959	6,985	8,085	1,100	15.74
28 Small Tools Expense	7,531	14,666	24,200	24,200	0	.00
33 Uniforms	1,308	1,790	2,500	2,500	0	.00
37 Training Payments	14,955	16,990	16,600	16,250	(350)	(2.10)
Total Non-Employee Expense	527,362	845,838	973,433	832,850	(140,583)	(14.44)
Total Instrumentation	1,647,434	1,946,447	2,188,506	2,048,067	(140,439)	(6.41)

ERIE COUNTY WATER AUTHORITY BUDGET ANALYSIS
 Operating and Maintenance Summary by Unit

GL7335

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DEPARTMENT: 100 Production Department
 UNIT.....: 1035 Maintenance Unit

UNIT HEAD: Clayton Johnson

PREPARER: Clayton Johnson

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	0	0	0	0	0	=====
01 Salaries	102,675	103,786	104,167	107,089	2,922	2.80
02 Labor	493,523	534,465	537,500	555,272	17,772	3.30
05 Salary Overtime	31,963	28,228	40,000	30,000	(10,000)	(25.00)
06 Labor Overtime	134,774	112,559	90,000	90,000	0	.00
08 Fringe Benefit Costs	383,026	334,989	336,143	338,344	2,201	.65
Total Employee Expense	1,145,961	1,114,027	1,107,810	1,120,705	12,895	1.16
10 Materials and Supplies	62,604	70,738	65,000	50,000	(15,000)	(23.07)
11 Transportation	46,924	62,997	63,692	131,346	67,654	106.22
16 Payments to Contractors-Rental	82,143	68,259	100,000	120,000	20,000	20.00
20 Miscellaneous	3,044	4,281	5,000	5,000	0	.00
27 Safety Equipment	936	2,502	3,000	3,000	0	.00
28 Small Tools Expense	80	6,248	5,000	8,000	3,000	60.00
33 Uniforms	2,597	2,363	2,300	5,000	2,700	117.39
37 Training Payments	395	1,779	2,000	5,000	3,000	150.00
Total Non-Employee Expense	198,724	219,168	245,992	327,346	81,354	33.07
Total Maintenance Unit	1,344,685	1,333,196	1,353,802	1,448,051	94,249	6.96

DEPARTMENT: 110 Water Quality Assurance

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	142,681	146,220	143,516	147,822	4,306	3.00
01 Salaries	300,991	352,584	354,276	375,078	20,802	5.87
02 Labor	0	2,448	0	8,640	8,640	=====
05 Salary Overtime	10,372	11,738	5,800	13,600	7,800	134.48
08 Fringe Benefit Costs	266,582	252,451	251,269	259,858	8,589	3.41
Total Employee Expense	720,626	765,441	754,861	804,998	50,137	6.64
10 Materials and Supplies	35,204	42,148	39,000	42,000	3,000	7.69
11 Transportation	17,564	20,769	20,769	20,523	(246)	(1.18)
12 Travel	11,792	5,999	9,900	10,000	100	1.01
19 Payments to Contractors-Other	0	0	0	6,500	6,500	=====
26 Equipment Maintenance Contract	40,101	54,131	57,000	71,200	14,200	24.91
33 Uniforms	1,219	1,989	2,500	2,500	0	.00
37 Training Payments	3,456	3,966	5,400	5,400	0	.00
38 Studies	0	0	0	0	0	=====
39 Payments to Contr-Outside Labs	7,835	6,592	7,200	7,000	(200)	(2.77)
41 Stationery and Printing Forms	0	600	1,200	1,200	0	.00
46 Dues and Subscriptions	270	161	400	8,400	8,000	2,000.00
Total Non-Employee Expense	117,439	136,355	143,369	174,723	31,354	21.86
Total Water Quality Assurance	838,065	901,797	898,230	979,721	81,491	9.07

DEPARTMENT: 110 Water Quality Assurance UNIT HEAD: Sabrina A. Figler PREPARER: Sabrina A. Figler
 UNIT.....: 1030 Water Quality Assurance

DESCRIPTION	2022		2023		2024		AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	BUDGET	BUDGET		
00 Supervision	142,681	146,220	143,516	147,822	4,306	3.00		
01 Salaries	300,991	352,584	354,276	375,078	20,802	5.87		
02 Labor	0	2,448	0	8,640	8,640	=====		
05 Salary Overtime	10,372	11,738	5,800	13,600	7,800	134.48		
08 Fringe Benefit Costs	266,582	252,451	251,269	259,858	8,589	3.41		
Total Employee Expense	720,626	765,441	754,861	804,998	50,137	6.64		
10 Materials and Supplies	35,204	42,148	39,000	42,000	3,000	7.69		
11 Transportation	17,564	20,769	20,769	20,523	(246)	(1.18)		
12 Travel	11,792	5,999	9,900	10,000	100	1.01		
19 Payments to Contractors-Other	0	0	0	6,500	6,500	=====		
26 Equipment Maintenance Contract	40,101	54,131	57,000	71,200	14,200	24.91		
33 Uniforms	1,219	1,989	2,500	2,500	0	.00		
37 Training Payments	3,456	3,966	5,400	5,400	0	.00		
38 Studies	0	0	0	0	0	=====		
39 Payments to Contr-Outside Labs	7,833	6,592	7,200	7,000	(200)	(2.77)		
41 Stationery and Printing Forms	0	600	1,200	1,200	0	.00		
46 Dues and Subscriptions	270	161	400	8,400	8,000	2,000.00		
Total Non-Employee Expense	117,439	136,355	143,369	174,723	31,354	21.86		
Total Water Quality Assurance	838,065	901,797	898,230	979,721	81,491	9.07		

DEPARTMENT: 200 Distribution Department

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	551,739	591,720	577,553	717,960	140,407	24.31
01 Salaries	519,989	514,834	529,534	612,961	83,427	15.75
02 Labor	2,797,221	3,601,208	4,111,738	4,275,552	163,814	3.98
04 Supervision Overtime	135,421	143,922	170,500	179,000	8,500	4.98
05 Salary Overtime	370,123	369,135	394,500	389,500	(5,000)	(1.26)
06 Labor Overtime	1,123,842	1,087,008	1,075,000	1,105,000	30,000	2.79
08 Fringe Benefit Costs	2,512,445	2,501,383	2,757,320	2,895,735	138,415	5.01
Total Employee Expense	8,010,779	8,809,211	9,616,145	10,175,708	559,563	5.81
10 Materials and Supplies	714,183	1,067,352	943,500	909,500	(34,000)	(3.60)
11 Transportation	717,910	869,641	879,221	916,669	37,448	4.25
12 Travel	0	702	1,500	1,500	0	.00
15 Payments to Contractors-Repair	1,423,557	1,303,356	1,500,000	1,550,000	50,000	3.33
16 Payments to Contractors-Rental	216,448	217,834	250,000	275,000	25,000	10.00
18 Payment to Contractors-Restore	(5,548)	0	0	0	0	=====
19 Payments to Contractors-Other	56,408	61,384	67,000	67,500	500	.74
20 Miscellaneous	6,376	24,757	19,000	22,000	3,000	15.78
28 Small Tools Expense	28,815	55,693	42,500	46,000	3,500	8.23
31 Right of Way Rents	1,007	3,447	4,000	4,000	0	.00
32 Stone & Cold Patch	496,998	498,805	550,000	550,000	0	.00
Total Non-Employee Expense	3,656,154	4,102,971	4,256,721	4,342,169	85,448	2.00
Total Distribution Department	11,666,933	12,912,182	13,872,866	14,517,877	645,011	4.64

DEPARTMENT: 200 Distribution Department UNIT HEAD: John Catanzaro PREPARER: John Catanzaro
 UNIT.....: 2010 Line Maintenance

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	332,183	361,785	355,887	372,588	16,701	4.69
01 Salaries	440,403	403,877	391,747	394,693	2,946	.75
02 Labor	1,440,629	1,843,738	2,190,820	2,632,270	441,450	20.14
04 Supervision Overtime	102,629	109,726	135,000	135,000	0	.00
05 Salary Overtime	339,425	338,672	355,000	355,000	0	.00
06 Labor Overtime	714,132	722,042	750,000	750,000	0	.00
08 Fringe Benefit Costs	1,453,732	1,423,388	1,603,798	1,798,958	195,160	12.16
Total Employee Expense	4,823,133	5,203,226	5,782,252	6,438,509	656,257	11.34
10 Materials and Supplies	597,220	787,979	700,000	700,000	0	.00
11 Transportation	480,863	598,532	607,072	646,394	39,322	6.47
12 Travel	0	467	1,000	1,000	0	.00
15 Payments to Contractors-Repair	1,423,557	1,303,356	1,500,000	1,550,000	50,000	3.33
16 Payments to Contractors-Rental	216,448	217,834	250,000	275,000	25,000	10.00
18 Payments to Contractors-Restore	(5,548)	0	0	0	0	=====
19 Payments to Contractors-Other	42,846	39,428	52,500	52,500	0	.00
20 Miscellaneous	4,938	22,134	16,000	18,000	2,000	12.50
28 Small Tools Expense	24,033	43,562	33,000	35,000	2,000	6.06
31 Right of Way Rents	1,007	3,447	4,000	4,000	0	.00
32 Stone & Cold Patch	496,998	498,805	550,000	550,000	0	.00
Total Non-Employee Expense	3,282,361	3,515,544	3,713,572	3,831,894	118,322	3.18
Total Line Maintenance	8,105,495	8,718,771	9,495,824	10,270,403	774,579	8.15

DEPARTMENT: 200 Distribution Department UNIT HEAD: John Catanzaro PREPARER: John Catanzaro
 UNIT.....: 2020 UFPO

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	65,317	69,745	66,347	126,112	59,765	90.07
01 Salaries	591	0	0	7,164	7,164	=====
02 Labor	298,931	242,183	176,028	110,009	(66,019)	(37.50)
04 Supervision Overtime	5,117	7,300	10,000	12,500	2,500	25.00
05 Salary Overtime	11,662	527	1,000	1,000	0	.00
06 Labor Overtime	145,685	141,177	120,000	125,000	5,000	4.16
08 Fringe Benefit Costs	234,764	171,542	135,159	133,717	(1,442)	(1.06)
Total Employee Expense	762,066	632,474	508,534	515,502	6,968	1.37
10 Materials and Supplies	2,870	3,293	3,500	9,500	6,000	171.42
11 Transportation	31,908	32,017	31,498	31,126	(372)	(1.18)
19 Payments to Contractors-Other	13,563	21,956	14,500	15,000	500	3.44
20 Miscellaneous	0	248	500	500	0	.00
28 Small Tools Expense	2,937	6,402	5,500	6,000	500	9.09
Total Non-Employee Expense	51,278	63,915	55,498	62,126	6,628	11.94
Total UFPO	813,344	696,389	564,032	577,628	13,596	2.41

DEPARTMENT: 200 Distribution Department UNIT HEAD: John Catanzaro PREPARER: John Catanzaro
 UNIT.....: 2030 Hydrants and Valves

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	89,246	90,446	88,972	93,146	4,174	4.69
01 Salaries	78,995	110,957	137,787	211,104	73,317	53.21
02 Labor	808,039	1,251,480	1,482,047	1,250,387	(221,660)	(14.95)
04 Supervision Overtime	23,294	21,603	20,000	25,000	5,000	25.00
05 Salary Overtime	19,036	27,858	35,000	30,000	(5,000)	(14.28)
06 Labor Overtime	148,679	112,556	100,000	115,000	15,000	15.00
08 Fringe Benefit Costs	621,719	727,773	841,183	753,972	(87,211)	(10.36)
Total Employee Expense	1,789,007	2,342,673	2,704,989	2,488,609	(216,380)	(7.99)
10 Materials and Supplies	114,093	276,081	240,000	200,000	(40,000)	(16.66)
11 Transportation	205,139	239,092	240,651	239,149	(1,502)	(.62)
12 Travel	0	235	500	500	0	.00
20 Miscellaneous	1,437	2,127	2,000	3,000	1,000	50.00
28 Small Tools Expense	1,845	5,729	4,000	5,000	1,000	25.00
Total Non-Employee Expense	322,515	523,263	487,151	447,649	(39,502)	(8.10)
Total Hydrants and Valves	2,111,522	2,865,936	3,192,140	2,936,258	(255,882)	(8.01)

DEPARTMENT: 200 Distribution Department
UNIT.....: 2065 Dispatch

UNIT HEAD: John Catanzaro

PREPARER: John Catanzaro

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	64,993	69,745	66,347	126,114	59,767	90.08
02 Labor	249,623	263,807	262,843	272,886	10,043	3.82
04 Supervision Overtime	4,382	5,293	5,500	6,500	1,000	18.18
05 Salary Overtime	0	2,078	3,500	3,500	0	.00
06 Labor Overtime	115,346	111,234	105,000	115,000	10,000	9.52
08 Fringe Benefit Costs	202,230	178,681	177,180	209,088	31,908	18.00
Total Employee Expense	636,574	630,838	620,370	733,088	112,718	18.16
20 Miscellaneous	0	248	500	500	0	.00
Total Non-Employee Expense	0	248	500	500	0	.00
Total Dispatch	636,574	631,086	620,870	733,588	112,718	18.15

DEPARTMENT: 250 Engineering / Construction

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	546,281	583,369	688,843	697,179	8,336	1.21
01 Salaries	956,001	957,114	932,232	940,827	8,595	.92
02 Labor	0	2,380	0	0	0	=====
04 Supervision Overtime	30,609	26,245	37,000	40,000	3,000	8.10
05 Salary Overtime	300,293	314,006	280,000	376,000	96,000	34.28
08 Fringe Benefit Costs	935,934	808,483	848,073	848,645	572	.06
Total Employee Expense	2,769,118	2,691,597	2,786,148	2,902,651	116,503	4.18
10 Materials and Supplies	3,119	31,180	54,500	52,000	(2,500)	(4.58)
11 Transportation	35,128	60,744	62,307	68,410	6,105	9.79
12 Travel	3,668	15,442	22,000	10,500	(11,500)	(52.27)
15 Payments to Contractors-Repair	398,348	408,537	438,000	475,000	37,000	8.44
18 Payment to Contractors-Restore	3,157,260	2,738,876	2,800,000	3,400,000	600,000	21.42
19 Payments to Contractors-Other	1,122	155,610	150,000	372,000	222,000	148.00
20 Miscellaneous	991	2,894	4,500	3,250	(1,250)	(27.77)
28 Small Tools Expense	3,270	29,928	32,500	6,500	(26,000)	(80.00)
29 Office Supplies/Equip/Furnitur	0	1,087	1,500	1,500	0	.00
37 Training Payments	2,715	9,440	12,000	8,000	(4,000)	(33.33)
46 Dues and Subscriptions	0	(97)	500	1,000	500	100.00
61 LMWD Service Installations	151,098	97,883	75,000	75,000	0	.00
74 Payments to Contractors-Tanks	87,196	887,401	1,260,000	5,010,000	3,750,000	297.61
Total Non-Employee Expense	3,843,915	4,438,925	4,912,807	9,483,160	4,570,353	93.02
Total Engineering / Construction	6,613,032	7,130,522	7,698,955	12,385,811	4,686,856	60.87

DEPARTMENT: 250 Engineering / Construction UNIT HEAD: Mike Quinn PREPARER: Mike Quinn
 UNIT.....: 2501 Design

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (AS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
00 Supervision	291,739	322,618	432,901	433,564	663	.15
01 Salaries	479,757	429,366	369,525	439,506	69,981	18.93
02 Labor	0	2,380	0	0	0	=====
04 Supervision Overtime	16,099	13,181	25,000	20,000	(5,000)	(20.00)
05 Salary Overtime	156,815	149,448	120,000	185,000	65,000	54.16
08 Fringe Benefit Costs	481,120	394,555	418,602	450,662	32,060	7.65
Total Employee Expense	1,425,530	1,311,548	1,366,028	1,528,732	162,704	11.91
11 Transportation	7,318	26,105	27,692	34,205	6,513	23.51
12 Travel	1,206	10,070	10,500	2,500	(8,000)	(76.19)
20 Miscellaneous	446	866	1,500	1,000	(500)	(33.33)
28 Small Tools Expense	321	25,930	26,500	1,000	(25,500)	(96.22)
37 Training Payments	1,444	6,154	7,000	2,500	(4,500)	(64.28)
46 Dues and Subscriptions	0	(97)	500	1,000	500	100.00
Total Non-Employee Expense	10,735	69,027	73,692	42,205	(31,487)	(42.72)
Total Design	1,436,265	1,380,575	1,439,720	1,570,937	131,217	9.11

DEPARTMENT: 250 Engineering / Construction UNIT HEAD: Mark Jarunz PREPARER: Mike Quinn
 UNIT.....: 2502 Construction

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	(AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	164,830	170,073	166,942	171,947	5,005	2.99
01 Salaries	205,183	239,405	247,687	295,733	48,046	19.39
04 Supervision Overtime	14,510	13,064	12,000	20,000	8,000	66.66
05 Salary Overtime	74,521	86,291	70,000	80,000	10,000	14.28
08 Fringe Benefit Costs	231,640	215,587	217,007	240,426	23,419	10.79
Total Employee Expense	690,684	724,420	713,636	808,106	94,470	13.25
10 Materials and Supplies	2,296	1,904	2,500	2,000	(500)	(20.00)
11 Transportation	13,173	20,337	20,769	20,523	(246)	(1.18)
12 Travel	2,462	2,335	5,000	2,500	(2,500)	(50.00)
19 Payments to Contractors-Other	1,122	155,610	150,000	372,000	222,000	148.00
20 Miscellaneous	545	1,278	1,500	1,500	0	.00
28 Small Tools Expense	1,552	1,579	2,000	2,000	0	.00
29 Office Supplies/Equip/Furnitur	0	1,087	1,500	1,500	0	.00
37 Training Payments	946	1,586	2,000	2,500	500	25.00
74 Payments to Contractors-Tanks	87,196	887,401	1,260,000	5,010,000	3,750,000	297.61
Total Non-Employee Expense	109,292	1,073,117	1,445,269	5,414,523	3,969,254	274.63
Total Construction	799,975	1,797,537	2,158,905	6,222,629	4,063,724	188.23

DEPARTMENT: 250 Engineering / Construction
UNIT.....: 2525 New Services

UNIT HEAD: Mark Jarmuz

PREPARER: Mike Quinn

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (CAS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	44,856	45,339	44,500	45,834	1,334	2.99
01 Salaries	141,562	151,941	171,148	62,677	(108,471)	(63.37)
05 Salary Overtime	49,264	48,386	60,000	75,000	15,000	25.00
08 Fringe Benefit Costs	116,945	103,968	114,600	60,963	(53,637)	(46.80)
Total Employee Expense	352,627	349,634	390,248	244,474	(145,774)	(37.35)
10 Materials and Supplies	823	28,150	50,000	50,000	0	.00
11 Transportation	7,318	7,237	6,923	6,841	(82)	(1.18)
12 Travel	0	2,335	5,000	3,500	(1,500)	(30.00)
15 Payments to Contractors-Repair	422,714	408,537	438,000	475,000	37,000	8.44
28 Small Tools Expense	1,397	1,513	2,500	1,500	(1,000)	(40.00)
37 Training Payments	0	850	1,500	1,500	0	.00
61 LMWD Service Installations	151,098	97,883	75,000	75,000	0	.00
Total Non-Employee Expense	583,351	546,505	578,923	613,341	34,418	5.94
Total New Services	935,977	896,138	969,171	857,815	(111,356)	(11.48)

DEPARTMENT: 250 Engineering / Construction UNIT HEAD: Mark Jarmuz PREPARER: Mike Quinn
 UNIT.....: 2535 Restoration

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	44,856	45,339	44,500	45,834	1,334	2.99
01 Salaries	129,500	136,402	143,872	142,911	(961)	(.66)
05 Salary Overtime	19,693	29,881	30,000	36,000	6,000	20.00
08 Fringe Benefit Costs	106,228	94,374	97,864	96,594	(1,270)	(1.29)
Total Employee Expense	300,277	305,996	316,236	321,339	5,103	1.61
10 Materials and Supplies	0	1,126	2,000	0	(2,000)	(100.00)
11 Transportation	7,318	7,065	6,923	6,841	(82)	(1.18)
12 Travel	0	702	1,500	2,000	500	33.33
15 Payments to Contractors-Repair	(24,366)	0	0	0	0	=====
18 Payment to Contractors-Restore	3,157,260	2,738,876	2,800,000	3,400,000	600,000	21.42
20 Miscellaneous	0	750	1,500	750	(750)	(50.00)
28 Small Tools Expense	0	907	1,500	2,000	500	33.33
37 Training Payments	324	850	1,500	1,500	0	.00
Total Non-Employee Expense	3,140,537	2,750,276	2,814,923	3,413,091	598,168	21.24
Total Restoration	3,440,814	3,056,272	3,131,159	3,734,430	603,271	19.26

DEPARTMENT: 300 Administration

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	258,551	276,288	310,477	322,984	12,507	4.02
01 Salaries	862,154	957,144	995,490	1,075,655	80,165	8.05
02 Labor	135,059	182,246	251,572	252,940	1,368	.54
04 Supervision Overtime	1,194	1,846	3,500	3,500	0	.00
05 Salary Overtime	10,415	9,866	11,450	11,350	(100)	(.87)
06 Labor Overtime	6,616	10,966	17,300	16,840	(460)	(2.65)
08 Fringe Benefit Costs	747,330	710,949	777,141	810,118	32,977	4.24
Total Employee Expense	2,021,318	2,149,304	2,366,930	2,493,387	126,457	5.34
10 Materials and Supplies	24,399	30,991	31,000	31,900	900	2.90
11 Transportation	46,837	39,231	34,615	20,523	(14,092)	(40.71)
12 Travel	0	1,846	3,950	4,450	500	12.65
15 Payments to Contractors-Repair	0	502	1,000	1,000	0	.00
17 Payments to Contractors-Elect.	8,374	29,622	20,300	20,000	(300)	(1.47)
19 Payments to Contractors-Other	207,112	232,336	245,500	255,500	10,000	4.07
20 Miscellaneous	2,057	4,443	8,000	6,000	(2,000)	(25.00)
22 Light and Heat	63,504	71,382	81,000	83,430	2,430	3.00
26 Equipment Maintenance Contract	1,096	1,153	1,700	1,500	(200)	(11.76)
28 Small Tools Expense	432	606	1,000	10,000	9,000	900.00
29 Office Supplies/Equip/Furnitur	42,073	56,782	60,000	60,000	0	.00
35 Refuse and Waste Disposal	7,342	7,972	7,987	11,400	3,413	42.73
37 Training Payments	90	3,987	4,900	4,900	0	.00
46 Dues and Subscriptions	820	1,183	1,000	1,100	100	10.00
48 General Office Employee Exp.	36	248	500	500	0	.00
62 Inventory Adjustments	217,439	19,548	100,000	125,000	25,000	25.00
77 Stores Expense Credit	(76,459)	(55,466)	(35,000)	(40,000)	(5,000)	(14.28)
Total Non-Employee Expense	545,152	446,366	567,452	597,203	29,751	5.24
Total Administration	2,566,470	2,595,671	2,934,382	3,090,590	156,208	5.32

ERIE COUNTY WATER AUTHORITY BUDGET ANALYSIS
Operating and Maintenance Summary by Unit

DEPARTMENT: 300 Administration
UNIT.....: 3000 Administrative

UNIT HEAD: Lavonya Lester

PREPARER: Lavonya Lester

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
01 Salaries	155,731	161,617	158,644	163,405	4,761	3.00
08 Fringe Benefit Costs	93,005	81,322	79,893	80,510	617	.77
Total Employee Expense	248,737	242,938	238,537	243,915	5,378	2.25
12 Travel	0	467	1,000	1,000	0	.00
20 Miscellaneous	209	2,498	5,000	3,000	(2,000)	(40.00)
37 Training Payments	0	568	1,000	1,000	0	.00
Total Non-Employee Expense	209	3,533	7,000	5,000	(2,000)	(28.57)
Total Administrative	248,946	246,471	245,537	248,915	3,378	1.37

DEPARTMENT: 300 Administration UNIT HEAD: Lavonya Lester PREPARER: Lavonya Lester
 UNIT.....: 3020 Central Purchasing

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	(AS AMENDED) BUDGET	ANNUAL BUDGET		
00 Supervision	132,148	135,572	131,101	135,036	3,935	3.00
01 Salaries	177,415	216,271	253,776	263,873	10,097	3.97
05 Salary Overtime	317	134	250	250	0	.00
08 Fringe Benefit Costs	184,923	176,093	193,849	196,568	2,719	1.40
Total Employee Expense	494,804	526,070	578,976	595,727	16,751	2.89
12 Travel	0	560	1,200	1,200	0	.00
37 Training Payments	0	2,127	1,800	1,800	0	.00
46 Dues and Subscriptions	820	1,183	1,000	1,100	100	10.00
Total Non-Employee Expense	820	3,870	4,000	4,100	100	2.50
Total Central Purchasing	495,624	529,940	582,976	599,827	16,851	2.89

DEPARTMENT: 300 Administration UNIT HEAD: Lavonya Lester PREPARER: Lavonya Lester
 UNIT.....: 3023 Stores

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	(AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	76,729	104,139	102,222	108,479	6,257	6.12
02 Labor	135,059	177,926	242,932	252,940	10,008	4.11
04 Supervision Overtime	1,194	1,846	3,500	3,500	0	.00
06 Labor Overtime	6,616	8,171	12,000	10,000	(2,000)	(16.66)
08 Fringe Benefit Costs	122,914	140,938	168,396	172,636	4,240	2.51
Total Employee Expense	342,511	433,020	529,050	547,555	18,505	3.49
10 Materials and Supplies	772	851	1,000	1,000	0	.00
11 Transportation	5,855	577	0	0	0	=====
12 Travel	0	235	500	1,000	500	100.00
20 Miscellaneous	870	727	1,000	1,000	0	.00
28 Small Tools Expense	432	606	1,000	10,000	9,000	900.00
37 Training Payments	90	382	500	1,000	500	100.00
62 Inventory Adjustments	217,439	19,548	100,000	125,000	25,000	25.00
77 Stores Expense Credit	(76,459)	(55,466)	(35,000)	(40,000)	(5,000)	(14.28)
Total Non-Employee Expense	149,000	(32,541)	69,000	99,000	30,000	43.47
Total Stores	491,510	400,479	598,050	646,555	48,505	8.11

DEPARTMENT: 300 Administration UNIT HEAD: Lavonya Lester
 UNIT: 3035 Information Services-Serv Cent PREPARER: Lavonya Lester

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (CAS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	49,674	38,577	77,154	79,469	2,315	3.00
01 Salaries	333,640	358,356	366,246	421,855	55,609	15.18
02 Labor	0	4,320	8,640	0	(8,640)	(100.00)
05 Salary Overtime	383	896	1,700	1,100	(600)	(35.29)
08 Fringe Benefit Costs	229,087	200,324	224,330	247,112	22,782	10.15
Total Employee Expense	612,784	602,473	678,070	749,536	71,466	10.53
12 Travel	0	117	250	250	0	.00
20 Miscellaneous	0	248	500	500	0	.00
29 Office Supplies/Equip/Furnitur	42,073	56,782	60,000	60,000	0	.00
37 Training Payments	0	568	1,000	500	(500)	(50.00)
Total Non-Employee Expense	42,073	57,715	61,750	61,250	(500)	(.80)
Total Information Services-Serv Cen	654,857	660,188	739,820	810,786	70,966	9.59

DEPARTMENT: 300 Administration UNIT HEAD: Stan Jemiolo PREPARER: Stan Jemiolo
 UNIT.....: 3070 Facilities

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
01 Salaries	195,367	220,900	216,824	226,522	9,698	4.47
05 Salary Overtime	9,715	8,835	9,500	10,000	500	5.26
06 Labor Overtime	0	2,795	5,300	6,840	1,540	29.05
08 Fringe Benefit Costs	117,401	112,272	110,673	113,292	2,619	2.36
Total Employee Expense	322,482	344,803	342,297	356,654	14,357	4.19
10 Materials and Supplies	23,627	30,140	30,000	30,900	900	3.00
11 Transportation	40,983	38,655	34,615	20,523	(14,092)	(40.71)
12 Travel	0	467	1,000	1,000	0	.00
15 Payments to Contractors-Repair	0	502	1,000	1,000	0	.00
17 Payments to Contractors-Elect.	8,374	29,622	20,300	20,000	(300)	(1.47)
19 Payments to Contractors-Other	207,112	232,336	245,500	255,500	10,000	4.07
20 Miscellaneous	978	970	1,500	1,500	0	.00
22 Light and Heat	63,504	71,382	81,000	83,430	2,430	3.00
26 Equipment Maintenance Contract	1,096	1,153	1,700	1,500	(200)	(11.76)
35 Refuse and Waste Disposal	7,342	7,972	7,987	11,400	3,413	42.75
37 Training Payments	0	342	600	600	0	.00
48 General Office Employee Exp.	36	248	500	500	0	.00
Total Non-Employee Expense	353,051	413,789	425,702	427,853	2,151	.50
Total Facilities	675,533	758,592	767,999	784,507	16,508	2.14

DEPARTMENT: 400 Comptroller's Department

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (AS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
00 Supervision	642,029	664,497	758,586	767,944	9,358	1.23
01 Salaries	1,211,843	1,241,976	1,293,703	1,333,965	40,262	3.11
02 Labor	515,369	638,093	826,810	832,509	5,699	.68
04 Supervision Overtime	945	0	0	0	0	=====
05 Salary Overtime	45,737	48,768	52,000	52,000	0	.00
06 Labor Overtime	80,786	82,308	66,000	81,000	15,000	22.72
08 Fringe Benefit Costs	1,433,125	1,274,955	1,423,358	1,455,700	32,342	2.27
Total Employee Expense	3,929,835	3,950,597	4,420,457	4,523,118	102,661	2.32
10 Materials and Supplies	68,118	84,502	76,000	100,000	24,000	31.57
11 Transportation	85,289	103,918	109,034	92,355	(16,679)	(15.29)
12 Travel	804	2,802	6,000	7,000	1,000	16.66
19 Payments to Contractors-Other	99,016	132,264	165,500	102,000	(63,500)	(38.36)
20 Miscellaneous	498	2,315	3,500	3,500	0	.00
28 Small Tools Expense	7,724	6,588	10,000	10,000	0	.00
33 Uniforms	3,444	7,382	5,800	5,000	(800)	(13.79)
37 Training Payments	2,885	4,091	7,200	8,000	800	11.11
40 Postage	398,625	434,786	425,000	490,000	65,000	15.29
41 Stationery and Printing Forms	3,644	6,316	5,500	6,500	1,000	18.18
42 Uncollectable Accounts	174,470	102,000	102,000	102,000	0	.00
43 Collection Agency Charges	47	79	100	100	0	.00
46 Dues and Subscriptions	1,749	2,004	3,000	3,000	0	.00
48 General Office Employee Exp.	12,706	17,395	21,600	21,600	0	.00
51 Corporate and Fiscal Expense	32,747	62,452	48,700	89,000	40,300	82.75
58 Auditing	36,562	36,875	45,000	45,000	0	.00
Total Non-Employee Expense	926,328	1,005,769	1,033,934	1,085,055	51,121	4.94
Total Comptroller's Department	4,856,163	4,956,365	5,454,391	5,608,173	153,782	2.81

ERIE COUNTY WATER AUTHORITY BUDGET ANALYSIS
Operating and Maintenance Summary by Unit

DEPARTMENT: 400 Comptroller's Department
UNIT.....: 4000 Comptroller

UNIT HEAD: Jessica Brown

PREPARER: Jessica Brown

DESCRIPTION	2022		2023		2024		AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	BUDGET	BUDGET		
00 Supervision	126,333	153,213	158,644	152,730		(5,914)	(3.72)	
08 Fringe Benefit Costs	75,911	77,159	79,893	75,250		(4,643)	(5.81)	
Total Employee Expense	202,243	230,372	238,537	227,980		(10,557)	(4.42)	
12 Travel	159	467	1,000	1,000		0	.00	
20 Miscellaneous	478	1,053	2,000	2,000		0	.00	
37 Training Payments	0	568	1,000	1,000		0	.00	
46 Dues and Subscriptions	1,254	2,004	3,000	3,000		0	.00	
48 General Office Employee Exp.	525	900	900	900		0	.00	
58 Auditing	36,562	36,875	45,000	45,000		0	.00	
Total Non-Employee Expense	38,978	41,867	52,900	52,900		0	.00	
Total Comptroller	241,221	272,238	291,437	280,880		(10,557)	(3.62)	

DEPARTMENT: 400 Comptroller's Department UNIT HEAD: Jessica Brown PREPARER: Jessica Brown
 UNIT.....: 4010 Accounting

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	130,717	155,065	249,591	253,266	3,675	1.47
01 Salaries	212,433	238,822	294,285	245,883	(48,402)	(16.44)
02 Labor	6,948	4,320	8,640	8,640	0	.00
05 Salary Overtime	5,121	1,063	2,000	2,000	0	.00
08 Fringe Benefit Costs	206,273	198,792	274,959	246,995	(27,964)	(10.17)
Total Employee Expense	561,493	598,062	829,475	756,784	(72,691)	(8.76)
12 Travel	0	467	1,000	2,000	1,000	100.00
37 Training Payments	0	568	1,000	2,000	1,000	100.00
41 Stationery and Printing Forms	2,304	3,011	2,500	3,500	1,000	40.00
46 Dues and Subscriptions	165	0	0	0	0	=====
48 General Office Employee Exp.	2,745	3,914	5,400	5,400	0	.00
Total Non-Employee Expense	5,214	7,960	9,900	12,900	3,000	30.30
Total Accounting	566,707	606,022	839,375	769,684	(69,691)	(8.30)

DEPARTMENT: 400 Comptroller's Department UNIT HEAD: Jessica Brown PREPARER: Jessica Brown
 UNIT.....: 4015 Cash Management

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	166,405	133,387	131,101	135,036	3,935	3.00
01 Salaries	0	0	0	0	0	=====
08 Fringe Benefit Costs	98,974	67,053	66,022	66,532	510	.77
Total Employee Expense	265,378	200,440	197,123	201,568	4,445	2.25
12 Travel	645	467	1,000	1,000	0	.00
19 Payments to Contractors-Other	0	31,331	67,000	0	(67,000)	(100.00)
37 Training Payments	685	683	1,200	1,000	(200)	(16.66)
43 Collection Agency Charges	47	79	100	100	0	.00
46 Dues and Subscriptions	165	0	0	0	0	=====
48 General Office Employee Exp.	840	450	900	900	0	.00
51 Corporate and Fiscal Expense	32,747	62,452	48,700	89,000	40,300	82.75
Total Non-Employee Expense	35,128	95,462	118,900	92,000	(26,900)	(22.62)
Total Cash Management	300,507	295,902	316,023	293,568	(22,455)	(7.10)

DEPARTMENT: 400 Comptroller's Department UNIT HEAD: Steve D'Amico
 UNIT.....: 4020 Customer Service and Billing PREPARER: Steve D'Amico

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (AS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
00 Supervision	218,559	222,832	219,250	226,912	7,662	3.49
01 Salaries	779,314	777,830	773,230	852,761	79,531	10.28
02 Labor	66,431	66,983	67,229	70,497	3,268	4.86
04 Supervision Overtime	945	0	0	0	0	=====
05 Salary Overtime	4,039	2,774	5,000	5,000	0	.00
06 Labor Overtime	1,503	791	1,000	1,000	0	.00
08 Fringe Benefit Costs	636,345	537,387	534,271	567,287	33,016	6.17
Total Employee Expense	1,707,136	1,608,596	1,599,980	1,723,457	123,477	7.71
11 Transportation	5,855	6,921	6,923	6,841	(82)	(1.18)
12 Travel	0	467	1,000	1,000	0	.00
19 Payments to Contractors-Other	99,016	100,933	98,500	102,000	3,500	3.55
37 Training Payments	0	568	1,000	1,000	0	.00
40 Postage	398,625	434,786	425,000	490,000	65,000	15.29
41 Stationery and Printing Forms	1,339	3,305	3,000	3,000	0	.00
42 Uncollectable Accounts	174,470	102,000	102,000	102,000	0	.00
46 Dues and Subscriptions	165	0	0	0	0	=====
48 General Office Employee Exp.	8,596	12,131	14,400	14,400	0	.00
Total Non-Employee Expense	688,067	661,110	651,823	720,241	68,418	10.49
Total Customer Service and Billing	2,395,203	2,269,707	2,251,803	2,443,698	191,895	8.52

DEPARTMENT: 400 Comptroller's Department UNIT HEAD: Jessica Brown
 UNIT.....: 4040 Meter Shop PREPARER: Joyce Tomaka

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	(AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
00 Supervision	16	0	0	0	0	=====
01 Salaries	220,096	225,325	226,188	235,321	9,133	4.03
02 Labor	441,990	566,789	750,941	753,372	2,431	.32
05 Salary Overtime	36,577	44,931	45,000	45,000	0	.00
06 Labor Overtime	79,283	81,517	65,000	80,000	15,000	23.07
08 Fringe Benefit Costs	415,622	394,564	468,213	499,636	31,423	6.71
Total Employee Expense	1,193,584	1,313,127	1,555,342	1,613,329	57,987	3.72
10 Materials and Supplies	68,118	84,502	76,000	100,000	24,000	31.57
11 Transportation	77,434	96,997	102,111	85,514	(16,597)	(16.25)
12 Travel	0	934	2,000	2,000	0	.00
20 Miscellaneous	20	1,262	1,500	1,500	0	.00
28 Small Tools Expense	7,724	6,588	10,000	10,000	0	.00
33 Uniforms	3,444	7,382	5,800	5,000	(800)	(13.79)
37 Training Payments	2,200	1,704	3,000	3,000	0	.00
Total Non-Employee Expense	158,941	199,370	200,411	207,014	6,603	3.29
Total Meter Shop	1,352,525	1,512,496	1,755,753	1,820,343	64,590	3.67

DEPARTMENT: 500 Legal Department

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
01 Salaries	1,313,592	1,476,360	1,497,255	1,394,540	(102,715)	(6.86)
08 Fringe Benefit Costs	784,927	743,445	754,019	687,089	(66,930)	(8.87)
Total Employee Expense	2,098,519	2,219,805	2,251,274	2,081,629	(169,645)	(7.53)
11 Transportation	0	6,344	6,923	0	(6,923)	(100.00)
12 Travel	0	467	1,000	1,000	0	.00
19 Payments to Contractors-Other	0	3,167	5,000	1,000	(4,000)	(80.00)
20 Miscellaneous	805	695	1,000	10,000	9,000	900.00
37 Training Payments	0	850	1,500	0	(1,500)	(100.00)
46 Dues and Subscriptions	15,305	16,801	17,500	18,500	1,000	5.71
48 General Office Employee Exp.	3,606	7,556	9,900	9,900	0	.00
52 Legal Services	64,097	113,609	150,000	150,000	0	.00
69 Delivery Services	0	0	0	500	500	=====
Total Non-Employee Expense	83,813	149,489	192,823	190,900	(1,923)	(.99)
Total Legal Department	2,182,331	2,369,294	2,444,097	2,272,529	(171,568)	(7.01)

DEPARTMENT: 500 Legal Department UNIT HEAD: Mark Carney PREPARER: Jacqueline Mattina
 UNIT.....: 5010 Legal

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
01 Salaries	1,313,592	1,476,360	1,497,255	1,394,540	(102,715)	(6.86)
08 Fringe Benefit Costs	784,927	743,445	754,019	687,089	(66,930)	(8.87)
Total Employee Expense	2,098,519	2,219,805	2,251,274	2,081,629	(169,645)	(7.53)
11 Transportation	0	6,344	6,923	0	(6,923)	(100.00)
12 Travel	0	467	1,000	1,000	0	.00
19 Payments to Contractors-Other	0	3,167	5,000	1,000	(4,000)	(80.00)
20 Miscellaneous	805	695	1,000	10,000	9,000	900.00
37 Training Payments	0	850	1,500	0	(1,500)	(100.00)
46 Dues and Subscriptions	15,305	16,801	17,500	18,500	1,000	5.71
48 General Office Employee Exp.	3,606	7,556	9,900	9,900	0	.00
52 Legal Services	64,097	113,609	150,000	150,000	0	.00
69 Delivery Services	0	0	0	500	500	=====
Total Non-Employee Expense	83,813	149,489	192,823	190,900	(1,923)	(.99)
Total Legal	2,182,331	2,369,294	2,444,097	2,272,529	(171,568)	(7.01)

DEPARTMENT: 600 Secretary to the Authority

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (AS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
01 Salaries	372,195	404,089	448,437	580,801	132,364	29.51
02 Labor	15,932	29,803	47,014	21,094	(25,920)	(55.13)
05 Salary Overtime	0	1,317	2,500	2,500	0	.00
08 Fringe Benefit Costs	224,543	206,433	230,784	288,520	57,736	25.01
Total Employee Expense	612,670	641,643	729,735	892,915	164,180	22.52
11 Transportation	0	0	0	6,841	6,841	=====
12 Travel	0	702	1,500	1,500	0	.00
19 Payments to Contractors-Other	10,802	32,428	50,000	50,000	0	.00
20 Miscellaneous	38,116	43,476	60,000	70,000	10,000	16.66
37 Training Payments	0	2,840	5,000	0	(5,000)	(100.00)
48 General Office Employee Exp.	1,875	1,800	2,700	2,700	0	.00
60 Special Services	147,073	172,189	180,000	235,000	55,000	30.55
Total Non-Employee Expense	197,866	253,435	299,200	366,041	66,841	22.33
Total Secretary to the Authority	810,536	895,077	1,027,935	1,258,956	231,021	22.47

ERIE COUNTY WATER AUTHORITY BUDGET ANALYSIS
Operating and Maintenance Summary by Unit

DEPARTMENT: 600 Secretary to the Authority
UNIT.....: 6000 Secretary to the Authority

UNIT HEAD: Terrence McCracken

PREPARER: Terrence McCracken

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
01 Salaries	190,894	192,950	189,380	330,097	140,717	74.30
02 Labor	0	12,959	25,920	0	(25,920)	(100.00)
08 Fringe Benefit Costs	114,026	98,379	97,964	162,639	64,675	66.01
Total Employee Expense	304,920	304,288	313,264	492,736	179,472	57.29
11 Transportation	0	0	0	6,841	6,841	=====
12 Travel	0	702	1,500	1,500	0	.00
19 Payments to Contractors-Other	10,802	32,428	50,000	50,000	0	.00
20 Miscellaneous	34,569	24,720	30,000	40,000	10,000	33.33
37 Training Payments	0	2,840	5,000	0	(5,000)	(100.00)
Total Non-Employee Expense	45,371	60,690	86,500	98,341	11,841	13.68
Total Secretary to the Authority	350,291	364,978	399,764	591,077	191,313	47.85

ERIE COUNTY WATER AUTHORITY BUDGET ANALYSIS
Operating and Maintenance Summary by Unit

DEPARTMENT: 600 Secretary to the Authority
UNIT.....: 6015 Information Services-E11 Sq

UNIT HEAD: Terrence McCracken

PREPARER: Terrence McCracken

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF		% OF	
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)	INC/(DEC)	INC/(DEC)
01 Salaries	181,301	211,140	259,057	250,704	(8,353)		(3.22)	
02 Labor	15,932	16,844	21,094	21,094	0		.00	
05 Salary Overtime	0	1,317	2,500	2,500	0		.00	
08 Fringe Benefit Costs	110,517	108,054	132,820	125,881	(6,939)		(5.22)	
Total Employee Expense	307,750	337,355	415,471	400,179	(15,292)		(3.68)	
48 General Office Employee Exp.	1,875	1,800	2,700	2,700	0		.00	
Total Non-Employee Expense	1,875	1,800	2,700	2,700	0		.00	
Total Information Services-E11 Sq	309,625	339,155	418,171	402,879	(15,292)		(3.65)	

DEPARTMENT: 600 Secretary to the Authority UNIT HEAD: Terrence McCracken PREPARER: Terrence McCracken
 UNIT.....: 6030 Public Information

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
20 Miscellaneous	3,547	18,756	30,000	30,000	0	.00
60 Special Services	147,073	172,189	180,000	235,000	55,000	30.55
Total Non-Employee Expense	150,620	190,945	210,000	265,000	55,000	26.19
Total Public Information	150,620	190,945	210,000	265,000	55,000	26.19

DEPARTMENT: 700 Members of the Authority

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (AS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
01 Salaries	68,300	67,501	67,500	67,500	0	.00
08 Fringe Benefit Costs	11,502	6,748	6,750	6,750	0	.00
Total Employee Expense	79,802	74,249	74,250	74,250	0	.00
12 Travel	0	0	0	0	0	=====
Total Non-Employee Expense	0	0	0	0	0	=====
Total Members of the Authority	79,802	74,249	74,250	74,250	0	.00

DEPARTMENT: 700 Members of the Authority UNIT HEAD: Jerome D. Schad PREPARER: Jerome D. Schad
 UNIT.....: 7010 Members of the Authority

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
01 Salaries	68,300	67,501	67,500	67,500	0	.00
08 Fringe Benefit Costs	11,502	6,748	6,750	6,750	0	.00
Total Employee Expense	79,802	74,249	74,250	74,250	0	.00
12 Travel	0	0	0	0	0	=====
Total Non-Employee Expense	0	0	0	0	0	=====
Total Members of the Authority	79,802	74,249	74,250	74,250	0	.00

DEPARTMENT: 750 Executive Department

DESCRIPTION	2022		2023		2023		2024		AMOUNT OF		% OF	
	ACTUAL	ESTIMATED	ESTIMATED	BUDGET	BUDGET	ANNUAL	INC/(DEC)	INC/(DEC)	INC/(DEC)	INC/(DEC)		
01 Salaries	587,695	585,069	585,069	597,092	589,472	(7,620)	(1.27)					
08 Fringe Benefit Costs	351,068	294,398	294,398	300,696	290,433	(10,263)	(3.41)					
Total Employee Expense	938,763	879,468	879,468	897,788	879,905	(17,883)	(1.99)					
11 Transportation	5,855	13,272	13,272	13,846	13,682	(164)	(1.18)					
12 Travel	671	3,038	3,038	5,000	5,000	0	.00					
20 Miscellaneous	52,987	(12,044)	(12,044)	175,000	400,000	225,000	128.57					
22 Light and Heat	19,686	21,525	21,525	24,000	24,000	0	.00					
26 Equipment Maintenance Contract	2,581	1,550	1,550	2,700	2,700	0	.00					
34 Office Equipment Rentals	1,590	2,408	2,408	3,600	3,600	0	.00					
37 Training Payments	946	6,607	6,607	10,000	10,000	0	.00					
38 Studies	0	0	0	0	0	0	=====					
40 Postage	34,244	44,027	44,027	50,000	50,000	0	.00					
46 Dues and Subscriptions	28,110	40,589	40,589	30,000	0	(30,000)	(100.00)					
47 Office Rents	242,080	248,122	248,122	250,000	250,000	0	.00					
53 Insurance	1,013,825	1,079,533	1,079,533	1,104,876	1,190,323	85,447	7.73					
54 Injuries and Damages	(20,456)	29,590	29,590	50,000	50,000	0	.00					
72 Retiree Health Insurance	0	2,043,362	2,043,362	2,075,700	2,234,607	158,907	7.65					
Total Non-Employee Expense	1,382,119	3,521,581	3,521,581	3,794,722	4,233,912	439,190	11.57					
Total Executive Department	2,320,882	4,401,049	4,401,049	4,692,510	5,113,817	421,307	8.97					

DEPARTMENT: 750 Executive Department
UNIT.....: 7510 General Expenses

UNIT HEAD: Joyce Tomaka

PREPARER: Joyce Tomaka

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (AS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
01 Salaries	587,695	585,069	597,092	589,472	(7,620)	(1.27)
08 Fringe Benefit Costs	351,068	294,398	300,696	290,433	(10,263)	(3.41)
Total Employee Expense	938,763	879,468	897,788	879,905	(17,883)	(1.99)
11 Transportation	5,855	13,272	13,846	13,682	(164)	(1.18)
12 Travel	671	3,038	5,000	5,000	0	.00
20 Miscellaneous	52,987	(12,044)	175,000	400,000	225,000	128.57
22 Light and Heat	19,686	21,525	24,000	24,000	0	.00
26 Equipment Maintenance Contract	2,581	1,550	2,700	2,700	0	.00
34 Office Equipment Rentals	1,590	2,408	3,600	3,600	0	.00
37 Training Payments	946	6,607	10,000	10,000	0	.00
38 Studies	0	0	0	0	0	=====
40 Postage	34,244	44,027	50,000	50,000	0	.00
46 Dues and Subscriptions	28,110	40,589	30,000	0	(30,000)	(100.00)
47 Office Rents	242,080	248,122	250,000	250,000	0	.00
53 Insurance	1,013,825	1,079,533	1,104,876	1,190,323	85,447	7.73
54 Injuries and Damages	(20,456)	29,590	50,000	50,000	0	.00
72 Retiree Health Insurance	0	2,045,362	2,075,700	2,234,607	158,907	7.65
Total Non-Employee Expense	1,382,119	3,521,581	3,794,722	4,233,912	439,190	11.57
Total General Expenses	2,320,882	4,401,049	4,692,510	5,113,817	421,307	8.97

DEPARTMENT: 800 Human Resources

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	0	79,320	158,644	163,405	4,761	3.00
01 Salaries	317,723	370,561	457,290	466,413	9,123	1.99
05 Salary Overtime	0	336	0	0	0	=====
08 Fringe Benefit Costs	189,859	226,498	310,185	310,311	126	.04
Total Employee Expense	507,582	676,716	926,119	940,129	14,010	1.51
11 Transportation	5,855	6,921	6,923	6,841	(82)	(1.18)
12 Travel	0	934	2,000	2,250	250	12.50
20 Miscellaneous	17,545	23,305	30,000	32,000	2,000	6.66
27 Safety Equipment	153,571	144,672	160,000	170,000	10,000	6.25
29 Office Supplies/Equip/Furnitur	0	1,813	2,500	0	(2,500)	(100.00)
37 Training Payments	47,815	91,814	100,000	123,000	23,000	23.00
38 Studies	0	27,508	55,000	30,000	(25,000)	(45.45)
41 Stationery and Printing Forms	1,619	0	0	0	0	=====
46 Dues and Subscriptions	0	1,009	2,500	2,500	0	.00
52 Legal Services	0	0	0	75,000	75,000	=====
55 Miscellaneous General Expense	0	0	0	3,000	3,000	=====
59 Doctor Examination Fees	34,857	34,140	45,000	48,000	3,000	6.66
Total Non-Employee Expense	261,263	332,117	403,923	492,591	88,668	21.95
Total Human Resources	768,844	1,008,833	1,330,042	1,432,720	102,678	7.71

DEPARTMENT: 800 Human Resources
UNIT.....: 8010 Human Resources

UNIT HEAD: Jennifer Hibit

PREPARER: Jennifer Hibit

DESCRIPTION	2022 ACTUAL	2023 ESTIMATED	2023 BUDGET (CAS AMENDED)	2024 ANNUAL BUDGET	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
00 Supervision	0	79,320	158,644	163,405	4,761	3.00
01 Salaries	317,723	370,561	457,290	466,413	9,123	1.99
05 Salary Overtime	0	336	0	0	0	=====
08 Fringe Benefit Costs	189,859	226,498	310,185	310,311	126	.04
Total Employee Expense	507,582	676,716	926,119	940,129	14,010	1.51
11 Transportation	5,855	6,921	6,923	6,841	(82)	(1.18)
12 Travel	0	934	2,000	2,250	250	12.50
20 Miscellaneous	17,545	23,305	30,000	32,000	2,000	6.66
27 Safety Equipment	153,571	144,672	160,000	170,000	10,000	6.25
29 Office Supplies/Equip/Furnitur	0	1,813	2,500	0	(2,500)	(100.00)
37 Training Payments	47,815	91,814	100,000	123,000	23,000	23.00
38 Studies	0	27,508	55,000	30,000	(25,000)	(45.45)
41 Stationery and Printing Forms	1,619	0	0	0	0	=====
46 Dues and Subscriptions	0	1,009	2,500	2,500	0	.00
52 Legal Services	0	0	0	75,000	75,000	=====
55 Miscellaneous General Expense	0	0	0	3,000	3,000	=====
59 Doctor Examination Fees	34,857	34,140	45,000	48,000	3,000	6.66
Total Non-Employee Expense	261,263	332,117	403,923	492,591	88,668	21.95
Total Human Resources	768,844	1,008,833	1,330,042	1,432,720	102,678	7.71

DEPARTMENT: 850 Information Technology

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	159,912	161,633	158,644	163,405	4,761	3.00
01 Salaries	995,173	1,238,808	1,305,697	1,366,863	61,166	4.68
02 Labor	6,626	0	0	0	0	=====
05 Salary Overtime	93,837	93,182	60,000	100,000	40,000	66.66
08 Fringe Benefit Costs	700,806	696,851	743,442	763,960	20,518	2.75
Total Employee Expense	1,956,354	2,190,474	2,267,783	2,394,228	126,445	5.57
10 Materials and Supplies	37,094	26,075	40,000	45,000	5,000	12.50
11 Transportation	17,564	20,769	20,769	13,682	(7,087)	(34.12)
12 Travel	1,476	5,307	9,000	9,000	0	.00
19 Payments to Contractors-Other	248,381	291,642	338,000	326,500	(11,500)	(3.40)
20 Miscellaneous	4,210	4,943	5,000	5,000	0	.00
23 Telephone	346,398	419,891	475,000	488,902	13,902	2.92
26 Equipment Maintenance Contract	173,187	420,579	303,580	281,207	(22,373)	(7.36)
36 Software Expense	15,307	27,508	55,000	65,000	10,000	18.18
37 Training Payments	90	4,258	7,500	7,500	0	.00
45 Software Licensing Expense	331,539	456,262	345,000	408,178	63,178	18.31
46 Dues and Subscriptions	11,452	14,824	7,500	11,800	4,300	57.33
67 Software Maintenance & Support	392,660	427,818	435,000	359,614	(75,386)	(17.33)
68 PCs and Peripherals	108,166	203,520	263,790	256,900	(6,890)	(2.61)
69 Delivery Services	0	295	250	250	0	.00
Total Non-Employee Expense	1,687,523	2,323,691	2,305,389	2,278,533	(26,856)	(1.16)
Total Information Technology	3,643,878	4,514,165	4,573,172	4,672,761	99,589	2.17

DEPARTMENT: 850 Information Technology
UNIT.....: 8525 Information Technology

UNIT HEAD: Dave Aubertine

PREPARER: Dave Aubertine

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
00 Supervision	159,912	161,633	158,644	163,405	4,761	3.00
01 Salaries	995,173	1,238,808	1,305,697	1,366,863	61,166	4.68
02 Labor	6,626	0	0	0	0	=====
05 Salary Overtime	93,837	93,182	60,000	100,000	40,000	66.66
08 Fringe Benefit Costs	700,806	696,851	743,442	763,960	20,518	2.75
Total Employee Expense	1,956,354	2,190,474	2,267,783	2,394,228	126,445	5.57
10 Materials and Supplies	37,094	26,075	40,000	45,000	5,000	12.50
11 Transportation	17,564	20,769	20,769	13,682	(7,087)	(34.12)
12 Travel	1,476	5,307	9,000	9,000	0	.00
19 Payments to Contractors-Other	248,381	291,642	338,000	326,500	(11,500)	(3.40)
20 Miscellaneous	4,210	4,943	5,000	5,000	0	.00
23 Telephone	346,398	419,891	475,000	488,902	13,902	2.92
26 Equipment Maintenance Contract	173,187	420,579	303,580	281,207	(22,373)	(7.36)
36 Software Expense	15,307	27,508	55,000	65,000	10,000	18.18
37 Training Payments	90	4,258	7,500	7,500	0	.00
45 Software Licensing Expense	331,539	456,262	345,000	408,178	63,178	18.31
46 Dues and Subscriptions	11,452	14,824	7,500	11,800	4,300	57.33
67 Software Maintenance & Support	392,660	427,818	435,000	359,614	(75,386)	(17.33)
68 Pcs and Peripherals	108,166	203,520	263,790	256,900	(6,890)	(2.61)
69 Delivery Services	0	295	250	250	0	.00
Total Non-Employee Expense	1,687,523	2,323,691	2,305,389	2,278,533	(26,856)	(1.16)
Total Information Technology	3,643,878	4,514,165	4,573,172	4,672,761	99,589	2.17
Total Operating & Maintenance	55,385,486	62,902,692	68,538,021	74,661,789	6,123,768	8.93

DEPARTMENT : 760 Clearing Accounts

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
01 Salaries	70,515	73,790	76,047	79,896	3,849	5.06
02 Labor	124,768	160,223	195,370	201,285	5,915	3.02
05 Salary Overtime	16,461	14,426	15,450	15,450	450	3.00
06 Labor Overtime	17,735	21,909	25,000	25,750	750	3.00
08 Fringe Benefit Costs	104,888	121,174	140,685	142,658	1,973	1.40
Total Employee Expense	334,367	391,522	452,102	465,039	12,937	2.86
10 Materials and Supplies	143,694	161,656	173,700	179,000	5,300	3.05
11 Transportation	0	6,344	6,923	6,841	(82)	(1.18)
19 Payments to Contractors-Other	8,872	14,222	13,395	18,200	4,805	35.87
20 Miscellaneous	4,066	2,923	3,000	2,000	(1,000)	(33.33)
26 Equipment Maintenance Contract	4,022	15,347	18,000	18,000	0	.00
28 Small Tools Expense	10,399	9,369	10,000	7,500	(2,500)	(25.00)
33 Uniforms	1,056	1,375	1,650	1,650	0	.00
53 Insurance	200,594	211,663	217,000	305,755	88,755	40.90
78 Gas, Oil and Grease	537,171	481,400	515,000	432,300	(82,700)	(16.05)
79 Vehicle Repairs-Outside Shops	44,186	46,519	50,000	55,000	5,000	10.00
80 Medicare Insurance	305,747	330,050	361,883	379,074	17,191	4.75
81 Vision Care Expense	34,356	35,113	35,000	37,500	2,500	7.14
82 Workmens Comp. Insurance	2,114,385	2,239,706	2,293,864	2,114,166	(179,698)	(7.83)
83 Unemployment Insurance	0	16,194	15,000	50,000	35,000	233.33
84 Dental Insurance	168,264	166,901	160,000	200,000	40,000	25.00
85 Health Insurance Expense	3,236,971	3,742,394	4,223,081	4,154,222	(68,859)	(1.63)
86 Group Insurance	103,157	104,164	104,000	109,000	5,000	4.80
87 FICA Expense	1,275,336	1,424,928	1,547,788	1,621,316	73,528	4.75
88 Pension Expense	2,974,132	2,446,918	2,157,062	2,519,730	362,668	16.81
89 DBL Insurance	25,784	24,906	27,000	27,000	0	.00
92 Sick Pay	758,000	375,072	375,000	375,000	0	.00
Total Non-Employee Expense	11,950,189	11,857,164	12,308,346	12,613,254	304,908	2.47
Total Clearing Accounts	12,284,556	12,248,687	12,760,448	13,078,293	317,845	2.49

DEPARTMENT: 760 Clearing Accounts
UNIT.....: 7615 Transportation Clearing

UNIT HEAD: Stan Jemiolo

PREPARER: Stan Jemiolo

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF INC/(DEC)	% OF INC/(DEC)
	ACTUAL	ESTIMATED	BUDGET (AS AMENDED)	ANNUAL BUDGET		
01 Salaries	70,515	73,790	76,047	79,896	3,849	5.06
02 Labor	124,768	160,223	195,370	201,285	5,915	3.02
05 Salary Overtime	16,461	14,426	15,000	15,450	450	3.00
06 Labor Overtime	17,735	21,909	25,000	25,750	750	3.00
08 Fringe Benefit Costs	104,888	121,174	140,685	142,658	1,973	1.40
Total Employee Expense	334,367	391,522	452,102	465,039	12,937	2.86
10 Materials and Supplies	143,694	161,656	173,700	179,000	5,300	3.05
11 Transportation	0	6,344	6,923	6,841	(82)	(1.18)
19 Payments to Contractors-Other	8,872	14,222	13,395	18,200	4,805	35.87
20 Miscellaneous	4,066	2,923	3,000	2,000	(1,000)	(33.33)
26 Equipment Maintenance Contract	4,022	15,347	18,000	18,000	0	.00
28 Small Tools Expense	10,399	9,369	10,000	7,500	(2,500)	(25.00)
33 Uniforms	1,056	1,375	1,650	1,650	0	.00
53 Insurance	200,594	211,663	217,000	305,755	88,755	40.90
78 Gas, Oil and Grease	537,171	481,400	515,000	432,300	(82,700)	(16.05)
79 Vehicle Repairs-Outside Shops	44,186	46,519	50,000	55,000	5,000	10.00
Total Non-Employee Expense	954,059	950,819	1,008,668	1,026,246	17,578	1.74
Total Transportation Clearing	1,288,426	1,342,341	1,460,770	1,491,285	30,515	2.08

DEPARTMENT: 760 Clearing Accounts UNIT HEAD: Joyce Tomaka PREPARER: Steve D'Amico
 UNIT.....: 7625 Fringe Benefit Time Clearing

DESCRIPTION	2022	2023	2023	2024	AMOUNT OF	% OF
	ACTUAL	ESTIMATED	(AS AMENDED)	ANNUAL BUDGET	INC/(DEC)	INC/(DEC)
80 Medicare Insurance	305,747	330,050	361,883	379,074	17,191	4.75
81 Vision Care Expense	34,356	35,113	35,000	37,500	2,500	7.14
82 Workmens Comp. Insurance	2,114,385	2,239,706	2,293,864	2,114,166	(179,698)	(7.83)
83 Unemployment Insurance	0	16,194	15,000	50,000	35,000	233.33
84 Dental Insurance Expense	168,264	166,901	160,000	200,000	40,000	25.00
85 Health Insurance Expense	3,236,971	3,742,394	4,223,081	4,154,222	(68,859)	(1.63)
86 Group Insurance	103,157	104,164	104,000	109,000	5,000	4.80
87 FICA Expense	1,275,336	1,424,928	1,547,788	1,621,316	73,528	4.75
88 Pension Expense	2,974,132	2,446,918	2,157,062	2,519,730	362,668	16.81
89 DBL Insurance	25,784	24,906	27,000	27,000	0	.00
92 Sick Pay	758,000	375,072	375,000	375,000	0	.00
Total Non-Employee Expense	10,996,130	10,906,346	11,299,678	11,587,008	287,330	2.54
Total Fringe Benefit Time Clearing	10,996,130	10,906,346	11,299,678	11,587,008	287,330	2.54
Total Clearing Accounts	12,284,556	12,248,687	12,760,448	13,078,293	317,845	2.49

Unit: 1010 Sturgeon Point Plant

2024
ANNUAL
BUDGET

Category: Equipment

DESCRIPTION	2024 ANNUAL BUDGET
101688 FILTER AID FEED SYSTEM REHAB THE REPLACEMENT OF THE EXISTING FILTER(S) COAGULANT AID FEED PUMPS, PIPING AND CONTROLS. TOTAL 10 FILTERS.	60,000
101738 LAGOON SLUDGE TRANSFER PUMP SUBMERSIBLE SLUDGE TRANSFER PUMP FOR USE AT LAGOONS	20,000
101739 PLANT AIR COMPRESSOR PLANT AIR COMPRESSOR REPLACEMENT	35,000
Sturgeon Point Plant	115,000

Unit: 1015 Van De Water Plant

2024
ANNUAL
BUDGET

Category: Equipment

DESCRIPTION	2024 ANNUAL BUDGET
101691 FILTER VALVES-ACTUATOR REPLACEMENT REPLACEMENT OF ONE FILTER VALVES, INCLUDING (3) 30", (1) 36", (1) 54", (3) 8" BUTTERFLY TYPE WITH LIMITORQUE L120 ACTUATORS. INCLUDES NECESSARY PIPING MODIFICATIONS TO COMPLETE REPLACEMENTS.	520,000
101740 ONLINE ALGAE ANALYZER ONLINE ALGAE ANALYZER TO MONITOR RAW WATER QUALITY FOR TREA TMENT OPTIMIZATION	45,000

Van De Water Plant

565,000

Unit: 1020 Control Operations
 2024
 ANNUAL
 BUDGET

Category: Equipment

DESCRIPTION	2024 ANNUAL BUDGET
101749 PUMP STATION PUMP REPLACEMENT REPLACEMENT AND UPGRADE OF PUMP STATION PUMPS, VALVES, AND FITTINGS.	100,000
101750 PS CL2 BOOSTING AND WATER QUALITY EQUIPMENT NEEDED TO MAINTAIN PROPER CHLORINE RESIDUALS AND WATER QUALITY WITHIN THE DISTRIBUTION SYSTEM.	250,000
101751 PS VALVE REPLACEMENT NEW VALVES, FITTINGS, AND INSTRUMENTATION REQUIRED TO MAINTAIN PROPER OPERATION OF THE DISTRIBUTION SYSTEM.	100,000
101752 LAKEVIEW PS REHABILITATION EQUIPMENT NEEDED TO REHABILITATE AND ADD EQUIPMENT TO THE LAKEVIEW PUMP STATION.	150,000
101753 AUTOMATED PS FENCE GATES EQUIPMENT REQUIRED TO INSTALL AUTOMATED FENCE GATES AT VARIOUS PUMP STATIONS FOR INCREASED SAFETY AND SECURITY.	180,000
Control Operations	780,000

Unit: 1025 Instrumentation
 2024 ANNUAL BUDGET

Category: Equipment

DESCRIPTION	2024 ANNUAL BUDGET
101626 SEL RELAY COMMUNICATIONS UPGRADE STURGEON POINT HAS SEL SUBSTATION ELECTRICAL PROTECTION RELAYS THAT COMMUNICATE SUBSTATION STATUS WITH PLANT SCADA VIA A COMBINATION OF SEL-3332 AND SEL-2030 COMMUNICATION PROCESSORS. THE SEL-3332 AND SEL-2030 COMMUNICATIONS PROCESSORS ARE OBSOLETE AND SHOULD BE REPLACED WITH A CURRENT SEL REAL TIME AUTOMATION CONTROLLER (RTAC) WITH REAL TIME CLOCK. PROJECT ENGINEERING AND START-UP WILL BE PERFORMED BY SEL PERSONNEL.	117,840
101686 VDW RAW WATER VFD UPGRADE EXISTING ROBICON 6T454 VFD'S FOR PUMPS 3 AND 6 ARE OBSOLETE AND DO NOT MEET CURRENT ECWA VFD STANDARD DESIGN. PLAN IS TO REPLACE EXISTING VFD'S FOR PUMPS 3 AND 6 AND EXISTING REDUCED VOLTAGE STARTERS FOR PUMPS 4 AND 5 WITH NEW DRIVE CABINETS MEETING CURRENT ECWA DESIGN USING LATEST ALTIIVAR 630 VFD'S. MATERIAL PURCHASED IN 2023. ASSEMBLY AND INSTALLATION IN 2024.	210,000
101741 STP - TRANSFER PUMP SOFT START EXISTING ALLEN-BRADLEY TRANSFER PUMP 2, 4, 6 AND 8 SOFT-STARTS ARE OBSOLETE AND DESIGN DOES NOT MEET CURRENT ECWA STANDARD DESIGN. UPGRADE EXISTING STARTER CABINETS TO CURRENT DESIGN INCLUDING LATEST ALTIIVAR 480 SOFT START	129,340
101742 JENNINGS STATION VFD UPGRADE EXISTING PUMP 1 & 2 ALTIIVAR 58 VFD'S ARE OBSOLETE AND DESIGN DOES NOT MEET CURRENT ECWA VFD STANDARD DESIGN. UPGRADE EXISTING DRIVE CABINETS TO CURRENT DESIGN INCLUDING LATEST ALTIIVAR 630 VFD'S.	58,400
101743 EMERY STATION VFD UPGRADE EXISTING PUMP 1 & 2 ALTIIVAR 58 VFD'S ARE OBSOLETE AND DESIGN DOES NOT MEET CURRENT ECWA VFD STANDARD DESIGN. UPGRADE EXISTING DRIVES TO CURRENT DESIGN INCLUDING LATEST ALTIIVAR 630 VFD'S.	61,700
101744 LAND LINE SITE PREPARATION SITE PREPARATION OF THREE SITES FOR LAND LINE DATA LINK TO SUPPORT CAMERA AND SCADA COMMUNICATIONS. PROPOSED THREE SITES ARE PLEASANT VIEW, CLARK AND JEWETT-HOLMWOOD.	33,580

Unit: 1025 Instrumentation
 2024
 ANNUAL
 BUDGET

Category: Equipment

DESCRIPTION	
101745 GENERATOR UPGRADE RCH, TVT, WOL UPGRADE EXISTING UNDERSIZED 10KW PROPANE GENERATORS TO 15KW DIESEL GENERATORS FOR IMPROVED RELIABILITY AND CAPACITY. GENERATORS ARE LOCATED AT RICE HILL TANK, TREVERT TANK, AND WOHLHEUTER TANK.	191,444
101746 PERMANENT GENERATOR HARRIS HILL REPLACE EXISTING 300KW PORTABLE GENERATOR WITH 400KW PERMANENT GENERATOR FOR IMPROVED RELIABILITY AND CAPACITY. AUTOMATIC TRANSFER SWITCH FOR THIS LOCATION WAS INSTALLED AND IN SERVICE IN 2020.	205,260
101747 BALL STATION VFD UPGRADE UPGRADE BALL STATION PUMP 4 & 5 EXISTING SIEMENS OBSOLETE NXG-II CONTROL SYSTEM TO CURRENT NXG-PRO+ CONTROL SYSTEM. UPGRADE EXISTING SIEMENS OBSOLETE CELL CONTROL BOARDS, IGBT'S, AND CAPACITORS TO CURRENT COMPONENTS.	324,300
101748 STP HIGH SERVICE VFD UPGRADE UPGRADE STP HIGH SERVICE PUMP 3, 4 & 5 EXISTING SIEMENS OBSOLETE NXG-II CONTROL SYSTEM TO CURRENT NXG-PRO+ CONTROL SYSTEM. UPGRADE EXISTING OBSOLETE CELL CONTROL BOARDS, IGBT'S, AND CAPACITORS TO CURRENT COMPONENTS.	1,038,450

Instrumentation

 2,370,314

Unit: 1030 Water Quality Assurance
 DESCRIPTION 2024 ANNUAL BUDGET

Category: Services

101459	HS-002 OPTIMAL CORROSION CONTROL CONTINUATION OF THE CORROSION CONTROL PROGRAM. THIS STUDY WILL EVALUATE THE EFFECT OF THE ADDITION OF AN ORTHOPHOSPHATE CHEMICAL ON THE LEAD CONCENTRATION OF WATER PASSING THROUGH A SERIES OF PIPE LOOPS, DESIGNED TO STIMULATE A DOMESTIC SERVICE/PLUMBING SYSTEM.	256,174
101664	CORROSION CONTROL PROGRAM MGMT MP-91 CONSULTING ENGINEERING SERVICES TO ASSIST THE AUTHORITY IN THE IMPLEMENTATION /COMPLIANCE WITH VARIOUS REQUIREMENTS OF THE LEAD AND COPPER RULE REVISIONS INCLUDING LEAD SERVICE LINE INVENTORY, LEAD SERVICE LINE REPLACEMENT PROGRAM, SAMPLING AND REPORTING PUBLIC AND REGULATORY NOTIFICATIONS, AND OVERALL COORDINATION RELATED TO THE RULE	453,817

Water Quality Assurance -----

 709,991

Unit: 1090 Transportation & Auto Equip

DESCRIPTION 2024 ANNUAL BUDGET

Category: Equipment

101694	VEHICLE 704	45,000
	REPLACE 2016 FELLING BACKHOE TRAILER WITH NEW BACKHOE TRAILER	
101757	V PLOW ATTACHMENT FOR VEHICLE V901	5,000
	V-PLow ATTACHMENT TO BE USED ON LOADER V901 FOR CLEARING SNOW AT STURGEON POINT WATER TREATMENT PLANT	
101733	VEHICLE 604	115,000
	REPLACE 2015 CATERPILLAR BACKHOE WITH NEW BACKHOE	
101734	VEHICLE 701	45,000
	REPLACE 2017 FELLING TRAILER WITH NEW TRAILER	
Category: Autos & Trucks		
101552	VEHICLE 087	50,000
	REPLACE 2014 FORD E250 CARGO VAN WITH NEW CARGO VAN	
101553	VEHICLE 108	50,000
	REPLACE 2014 E250 CARGO VAN WITH NEW CARGO VAN	
101720	VEHICLE 023	28,000
	REPLACE 2016 CHEVY EQUINOX NEW SUV	
101721	VEHICLE 024	51,000
	REPLACE 2018 CHEVY SILVERADO PICKUP WITH NEW PICKUP	
101722	VEHICLE 032	83,000
	REPLACE 2016 CHEVY SERVICE BODY WITH NEW SERVICE BODY	
101723	VEHICLE 045	28,000
	REPLACE 2017 CHEVY EQUINOX WITH NEW SUV	
101724	VEHICLE 051	58,000
	REPLACE 2017 FORD F250 WITH NEW PICKUP	
101725	VEHICLE 059	31,000
	REPLACE 2016 CHEVY EQUINOX WITH NEW SUV	
101726	VEHICLE 060	45,000
	REPLACE 2017 DODGE PICKUP WITH NEW PICKUP	
101727	VEHICLE 104	54,000
	REPLACE 2016 DODGE CARGO VAN WITH NEW VAN	

Unit: 1090 Transportation & Auto Equip
 2024
 ANNUAL
 BUDGET

Category: Autos & Trucks

DESCRIPTION	2024 ANNUAL BUDGET
101728 VEHICLE 062 REPLACE 2016 INTL DUMP TRUCK WITH NEW DUMP TRUCK	177,000
101729 VEHICLE 077 REPLACE 2018 DODGE PICKUP WITH NEW PICKUP	45,000
101730 VEHICLE 078 REPLACE 2021 CHEVY PICKUP WITH NEW PICKUP	47,000
101731 VEHICLE 097 REPLACE 2018 DODGE PICKUP WITH NEW PICKUP	45,000
101732 VEHICLE 110 REPLACE 2017 KENWORTH DUMP TRUCK WITH NEW DUMP TRUCK	177,000
Transportation & Auto Equip	1,179,000

Erie County Water Authority
Preliminary and Annual Capital Budget - 2024
Schedule of Appropriations

Unit: 2090 Distribution Mains

2024
ANNUAL
BUDGET

DESCRIPTION

Category: Hydrants
100583 FIRE HYDRANTS
NEW AND REPLACEMENT FIRE HYDRANTS
180,000

Category: Water Mains

100585 VALVES AND APPURTENANCES
VALVES AND APPURTENANCES AND UNANTICIPATED REPLACEMENTS DUE
TO BREAKAGE
150,000
100586 MISC DISTRIBUTION MAINS
MISC DISTRIBUTION MAINS
600,000

Category: Services

100584 SERVICES
SERVICE PIPES AND SERVICE INSTALLATIONS IN ECWA
150,000

Distribution Mains

1,080,000

Unit: 2510 Eng/Const Sturgeon Point
 DESCRIPTION 2024 ANNUAL BUDGET

Category: Equipment

101503 CARBON SYSTEM IMPROVEMENTS
 DESIGN AND UPGRADE TO POWDER ACTIVATED CARBON SYSTEM.
 POWDER ACTIVATED CARBON IS USED TO TREAT BLUE-GREEN ALGAE.
 GHD-009 5,000

Category: Buildings & Structures

101504 LM STORAGE FACILITY 5,000
 LM STORAGE FACILITY CONSTRUCTION

101506 FILTER GALLERY PIPING DESIGN 18,800,000
 EQUIPMENT PROCUREMENT AND CONTRUCTION MP-090

101608 WASHWATER TANK REPLACEMENT 3,705,991
 STURGEON POINT WTP WASHWATER TANK REPLACEMENT MP-088

101609 RAW WATER INTAKE IMPROVEMENTS 35,457
 REPLACEMENT OF HDPE PIPING SYSTEM AT TREATMENT PLANT AND
 INSTALLATION OF FRAZIL ICE RESISTANT INTAKE CRIB GRATING
 MP-089

101666 STURGEON POINT SHORELINE PROTECTION 1,275,750
 REPAIRS TO LAKE ERIE SHORELINE ADJACENT TO STP OUTFALL
 STRUCTURE GZA-001

Eng/Const Sturgeon Point

 25,827,198

Unit: 2515 Eng/Const Van De Water
 2024
 ANNUAL
 BUDGET

Category: Equipment

101507 CARBON SYSTEM IMPROVEMENTS
 DESIGN AND UPGRADE TO POWDER ACTIVATED CARBON SYSTEM.
 POWDER ACTIVATED CARBON IS USED TO TREAT BLUE-GREEN ALGAE.
 GHD-009
 5,000

101526 VAN DE WATER CAPACITY EXPANSION
 DESIGN OF PROCESS IMPROVEMENTS AT THE VAN DE WATER
 TREATMENT PLANT INCLUDING NEW SED BASIN #4, NEW FILTERS
 #5-6 AND IMPROVEMENTS TO EXISTING FILTERS #1-4
 HS-001
 120,000

101537 GHD-008 VDM WTP RESIDUALS
 VAN DE WATER WATER TREATMENT PLANT RESIDUALS TREATMENT
 SYSTEM UPGRADES
 500,000

Category: Buildings & Structures

101610 RAW WATER INTAKE IMPROVEMENTS
 REPLACEMENT OF HDPE PIPING SYSTEM AT TREATMENT PLANT
 MP-089
 44,327

Eng/Const Van De Water

 669,327

Unit: 2520 Eng/Const Control
 DESCRIPTION
 2024
 ANNUAL
 BUDGET

Category: Equipment
 101512 BALL PS - PUMPING IMPROVEMENTS 185,725
 DESIGN FOR THE INSTALLATION OF NEW PUMPS, A CONDITIONED VFD
 ROOM, AND MISCELLANEOUS PIPING AND VALVE MODIFICATIONS.
 MP-086

101589 NEWSTEAD PS IMPROVEMENTS 850,000
 NC-045

Category: Water Mains
 101668 DISTRIBUTION SYSTEM WQ STUDY 310,000
 COMPLETION OF A STUDY TO VERIFY DISTRIBUTION SYSTEM WATER
 QUALITY AND WATER AGE SYSTEM WIDE BC-004

101703 HANCOCK TANK INTERCONNECTION 100,000
 COST SHARE FOR STUDY OF NEW CITY OF BUFFALO INTERCONNECTION
 AT THE HANCOCK TANK

Category: Buildings & Structures
 101680 WILLIAM PS DRAINAGE IMPROVEMENTS 60,000
 DRAINAGE IMPROVEMENTS AT THE WILLIAM PUMP STATION HE-002

Eng/Const Control

 1,505,725

Unit: 2590 Eng/Const Distribution Mains
 2024
 ANNUAL
 BUDGET

Category: Water Mains

DESCRIPTION	2024 ANNUAL BUDGET
101188 BETTERMENTS VARIOUS BETTERMENTS SYSTEM WIDE	250,000
101518 WSA-015 WATERLINE REPLACEMENT WSA-015 -WATERLINE REPLACEMENT - LACY, HATN PN 202000058 10,600 LF	110,000
101596 JMD-001 WATERLINE REPLACEMENT DISTRIBUTION SYSTEM IMPROVEMENTS - TOWNS OF HAMBURG, CHEEKTOWAGA, AND WEST SENECA	2,900,000
101672 WSA-018 DISTRIBUTION SYSTEM UPGRADE WATERMAIN REPLACEMENT GREINER ROAD - TOWN OF CLARENCE	100,000
101675 GP-011 DISTRIBUTION SYSTEM UPGRADE WATERMAIN REPLACEMENT - UNION ROAD CORRIDOR - TOWNS OF WEST SENECA AND CHEEKTOWAGA	150,000
101676 DISTRIBUTION PROJECT G NC-044	660,000
101704 SHERIDAN DRIVE MAIN REPLACEMENT REPLACEMENT OF WATERMAINS ON SHERIDAN DRIVE NEAR THE 1290	530,000
101705 LOS STUDY	250,000
Eng/Const Distribution Mains	4,950,000

Unit: 2595 Eng/Const Transmission Mains

2024 ANNUAL BUDGET

Category: Water Mains

DESCRIPTION	2024 ANNUAL BUDGET
101352 NC-40 TRANSMISSION MAIN REPLACEMENT NC-40 - 48" TRAN MAIN REPLACEMENT - AMTN PN 201900104 DESIGN & CONSTRUCTION OF APPROX 4000' OF NEW RAW WATER TRANSMISSION MAIN FROM VAN DE WATER RAW WATER PUMP STATION TO VAN DE WATER WTP. NC-040	203,349
EFC GRANT 2,519,272	
101362 W-30 TRANSMISSION MAIN REPLACEMENT W-030 - 36 IN TRANS MAIN REPLACEMENT - AMTN PN 201800074 REPLACE 6,075 LINEAR FEET (36-INCH CONCRETE) AMTN REPLACE 4200' TRANSMISSION MAIN FROM BALL PS TO N SIDE OF MILLERSPORT & 1800' E/D I-290 HWY NEAR PARK FOREST DR TO S/D I-290 OFF RAMP a SHERIDAN DR IN NATIONAL GRID POWER ROW (MIN 36"). EFC GRANT 3,000,000	4,410,000
101414 GHD-011 TRANSMISSION MAIN DESIGN DESIGN NEW TRANSMISSION MAIN FROM VANDEWATER TO BALL PUMP STATION.	247,650
101521 MP-084 TRANS MAIN REPLACEMENT MP-084 - REPLACE 48-INCH TRANSMISSION MAIN - PN 202000084 VDW TO BALL PUMP STATION - PHASE 1 LOCATIONS 4,200 LF	1,639,773
101599 GP-10 TRANSMISSION MAIN REPLACEMENT 13,300 LINEAR FEET OF NEW TRANSMISSION WATERLINE ON MULTIPLE STREETS IN THE TOWNS OF HAMBURG AND WEST SENECA AND CITY OF LACKAWANNA	3,150,000
101611 BC-003 48" & 42" TRANSMISSION 42 IN AND 48 IN CONDITION ASSESSMENT AND TRANSIENT ANALYSIS	600,000
101612 BC-002 CROSSING/ACTION PLAN CRITICALITY REVIEW, EMERGENCY ACTION PLAN AND 18 MILE CREEK CROSSING REPLACEMENT FOR SURGEON POINT WTP DELIVERED WATER TRANSMISSION MAINS	102,080
101755 TRANSMISSION MAIN ROUTING STUDY	500,000
Eng/Const Transmission Mains	10,852,852

Unit: 3023 Stores
 2024
 ANNUAL
 BUDGET

Category: Equipment

101692 BARCODING SYSTEM	100,000
INVESTIGATE AND IMPLEMENT A BARCODING SYSTEM FOR THE STORES	
DEPARTMENT THAT WILL ENHANCE CURRENT INVENTORY TRACKING AND	
INVENTORY MANAGEMENT. COST TO INCLUDE NECESSARY BARCODING	
EQUIPMENT, SUPPLIES AND SOFTWARE.	

Stores	-----
	100,000

Unit: 3070 Facilities

DESCRIPTION

2024
ANNUAL
BUDGET

Category: Buildings & Structures

101334 COMPREHENSIVE FACILITIES PLAN
COMPREHENSIVE FACILITIES PLAN - PHASE 2
DESIGN OF NEW SERVICE CENTER FACILITY

4,600,000

Facilities

4,600,000

GL7520

Erie County Water Authority
Preliminary and Annual Capital Budget - 2024
Schedule of Appropriations

Run 10/10/2023 10:07
Page 2.2-17

Unit: 4040 Meter Shop

DESCRIPTION

2024
ANNUAL
BUDGET

Category: Meters

101011 METER REPLACEMENT LABOR
ALL LABOR/VEHICLE EXPENSE FOR REPLACING/INSTALLING METERS 300,000

101060 METER REPLACEMENTS
METER PURCHASES TO REPLACE 5/8" THRU 10" METERS AND
REGISTERS 2,500,000

Meter Shop -----
2,800,000

Unit: 8525 Information Technology
 2024
 ANNUAL
 BUDGET

Category: Administrative Infrastructure

101682 POWER SYSTEM MODERNIZATION
 PROCUREMENT OF SOLUTION/SOFTWARE TO PROVIDE MODERN
 GRAPHICAL USER INTERFACE FOR IBM POWER SYSTEM 100,000

101735 GIS ARCPRO UPGRADE
 THE EXISTING ESRI SOFTWARE IS APPROACHING END-OF-LIFE AND
 NEEDS TO BE UPGRADED. THIS BUDGET ITEM WILL
 INCLUDE NECESSARY HARDWARE AND SOFTWARE FOR THE PROJECT 100,000

101736 IBM POWER SYSTEM UPGRADE
 THE IBM AS400/POWER SYSTEM IS AT END OF LIFE AND WILL
 REQUIRE REPLACEMENT SO THE THE LATEST VERSIO OF THE
 OPERATING SYSTEM AND RELATED SECURITY PATCHES CAN BE
 IMPLEMENTED. BOTH SYSTEMS AT SC AND ES WILL BE FULLY
 UPGRADED. THIS ITEM INCLUDES HARDWARE AND ESTIMATED LABOR
 FOR INSTALLATION AND MIGRATION. 500,000

Category: Equipment

101550 TIME CLOCK SYSTEM REPLACEMENT
 REPLACE OBSOLETE TIME CLOCKS 25,000

101685 SITE SECURITY IMPROVEMENTS
 CAMERAS AND NETWORK/POWER OVER ETHERNET SWITCHES REQUIRED
 FOR IMPROVING SECURITY AND MONITORING CAPABILITIES AT THREE
 REMOTE SITES. 55,000

Information Technology

 780,000

Erie County Water Authority
Preliminary and Annual Capital Budget - 2024
Schedule of Appropriations

DESCRIPTION

2024
ANNUAL
BUDGET

Grand Total Capital Budget Items -----
56,884,407 -----

2024
 ANNUAL
 BUDGET

DESCRIPTION

Category: Administrative Infrastructure
 8525 Information Technology 700,000
 Total Administrative Infrastructure 700,000

Category: Equipment

1010 Sturgeon Point Plant 115,000
 1015 Van De Water Plant 565,000
 1020 Control Operations 780,000
 1025 Instrumentation 2,370,314
 1090 Transportation & Auto Equip 210,000
 2510 Eng/Const Sturgeon Point 5,000
 2515 Eng/Const Van De Water 625,000
 2520 Eng/Const Control 1,035,725
 3025 Stores 100,000
 8525 Information Technology 80,000
 Total Equipment 5,886,039

Category: Hydrants

2090 Distribution Mains 180,000
 Total Hydrants 180,000

Category: Water Mains

2090 Distribution Mains 750,000
 2520 Eng/Const Control 410,000
 2590 Eng/Const Distribution Mains 4,950,000
 2595 Eng/Const Transmission Mains 10,852,852
 Total Water Mains 16,962,852

Category: Meters

4040 Meter Shop 2,800,000
 Total Meters 2,800,000

Category: Buildings & Structures

2510 Eng/Const Sturgeon Point 23,822,198
 2515 Eng/Const Van De Water 44,327
 2520 Eng/Const Control 60,000
 3070 Facilities 4,600,000
 Total Buildings & Structures 28,526,525

Category: Services

1030 Water Quality Assurance 709,991
 2090 Distribution Mains 150,000
 Total Services 859,991

Category: Autos & Trucks

1090 Transportation & Auto Equip 969,000
 Total Autos & Trucks 969,000

Erie County Water Authority
Preliminary and Annual Capital Budget - Year 2024
Summary of Appropriations by Category

DESCRIPTION	2024 ANNUAL BUDGET
Grand Total Capital Budget Items	56,884,407

Erie County Legislature
Meeting Date: 11/02/2023

SUBJECT

COMM. 20M-4	BUFFALO PLACE EXECUTIVE DIRECTOR	Buffalo Place - 2024 Budget
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Attachments

23COMM. 20M-4



October 25, 2023

Honorable Members
Erie County Legislature
92 Franklin Street, 4th floor
Buffalo, NY 14202

Dear Legislators:

As the not-for-profit corporation designated by Erie County to perform Downtown Special District services, Buffalo Place Inc. presents its 2024 budget to the Erie County Legislature with our advice that \$1,886,886 be raised by mall district special charges and payments in lieu of special charges in 2024.

Buffalo Place Inc. held a public hearing on the 2024 budget on October 24, 2023 at 4:00 p.m. Notice of the hearing was sent to all property owners in the Special Charge District. Enclosed are the minutes of the public hearing. The Board of Directors of Buffalo Place Inc. and Buffalo Place Foundation approved the 2024 budget at its meeting on October 25, 2023 by a vote of 10 to 0.

We request that the Legislature adopt, on or before November 17, 2023, the attached resolution that approves the \$1,832,457 Special Charge Levy. As required by Section 4 of Erie County Local Law No. 8-1984, this amount does not exceed 80% of the aggregated service charges which could be assessed and levied. Additional payments in lieu of special charge are included in the budget in the amount of \$54,429.

Thank you for your consideration. Buffalo Place representatives welcome the opportunity to answer any questions the Legislature may have at the appropriate committee meeting.

Sincerely,

Michael T. Schmand
Executive Director

Enc.

cc: Hon. April N.M. Baskin
Robert M. Graber

Hon. Howard Johnson Jr.
Scott A. Bylewski, Esq.

Proposed Resolution

WHEREAS, the Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district; and

WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc., designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and

WHEREAS, the said Local Law requires that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges; and

WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2024 annual budget on October 24, 2023; and

WHEREAS, on October 30, 2013 the Board of Directors of Buffalo Place Inc. approved a resolution approving a payment in lieu of service charges for the HSBC Atrium Building and have included the same as part of its proposed 2024 budget.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2024 shall be the sum of \$1,832,457 as contained in the attached budget which shall be a part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district; and be it further

RESOLVED, that the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc., the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by Buffalo Place Inc. of the mall special services set forth in Section 8 of said Local Law; the payment to Buffalo Place Inc. of the proceeds of the mall special district charges, less administrative costs, to be used by Buffalo Place Inc. in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and Chapter 673 of the Laws of 1982; and be it further

RESOLVED, that the Buffalo Place Inc. revenues, in addition to the special charges assessed as above set forth, include for the year 2024, \$18,000 in payment in lieu of service charges for KeyBank Center (1 Seymour H. Knox III Plaza, Buffalo, NY) and \$36,429 for HSBC Atrium Building (95 Washington Street, Buffalo, NY) totaling \$54,429 as set forth in said budget, and be it further

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 17, 2023, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges and payment in lieu of special charges for 2024 in conformance with the formula set forth in Section 7 of Erie County Local Law N. 8-1984 using the latest available final general or special assessment roll prepared by The City of Buffalo; and be it further

RESOLVED, that certified copies of this resolution in its final form be forwarded to the Erie County Executive, the Mayor of the City of Buffalo, the Chairman and the Executive Director of Buffalo Place Inc., and the Erie County Commissioner of Budget and Management.



Memorandum

TO: Members of the Erie County Legislature

FROM: Keith M. Belanger, Chairman 
Michael T. Schmand, Executive Director 

DATE: October 25, 2023

SUBJECT: Buffalo Place 2024 Budget

Enclosed please find the 2024 budget for Buffalo Place Inc. and Buffalo Place Foundation as approved by the Buffalo Place Board of Directors at its meeting on October 25, 2023.

Highlights of the new budget include:

- The Special Charge Levy is set at \$1,832,457 with an additional \$54,429 in payments in lieu of special charges. This represents a 2% increase in the Special Charge Levy and the payment in lieu for the HSBC Atrium. The payment in lieu for KeyBank Center is unchanged.
- The 26th year of winter operation of Rotary Rink by Buffalo Place under supplementary contract with the City is also included.

We will be pleased to answer any questions you may have concerning this matter.



Secretary's Certificate

Downtown Mall Special District
Public Hearing

I, W. Morgan Smith, Deputy Executive Director and Assistant Secretary of Buffalo Place Inc. and Buffalo Place Foundation, certify that on October 24, 2023 at 4:00 p.m., a public hearing was held at 671 Main Street pursuant to Erie County Local Law No. 8 – 1984, Section 7, paragraph B, at which time the combined 2024 Buffalo Place Inc. and Buffalo Place Foundation budget was presented, and that the attached minutes are a true and accurate copy of the minutes of such meeting.

I further certify that notice of the public hearing was sent to all owners of property in the downtown mall special district by first class mail, postage paid, on October 13, 2023.

W. Morgan Smith
Deputy Executive Director and Assistant Secretary
Buffalo Place Inc. and Buffalo Place Foundation

October 25, 2023

Minutes of the Public Hearing
on the Buffalo Place Inc. and Buffalo Place Foundation
Proposed 2024 Budget

Tuesday, October 24, 2023 4:00 p.m.
671 Main Street, Buffalo, NY

Present were:

Michael T. Schmand, Executive Director
W. Morgan Smith, Deputy Executive Director
Stephen Fitzmaurice, Brisbane Building
Dan Castle, Erie Country

Mr. Schmand called the hearing to order at 4:07 PM.

Mr. Schmand discussed the increase in the overall special charge levy by 2%, noting that individual properties would likely not see that specific increase (or decrease) in their special charges.

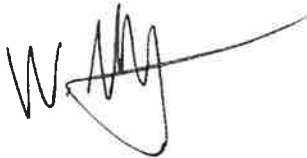
Mr. Schmand noted that the City agreement has been renewed for one year at the previous level, but that a longer-term contract at a higher rate was under discussion with the City.

Mr. Schmand then ran through the budgets for each department, noting that the additional funds generated by the special charge increase had been allocated to the Operations and Security departments.

Mr. Fitzmaurice inquired about the estimate impact on the Brisbane Building's special charge, and was satisfied with the answer he received from Mr. Schmand.

The hearing concluded at 4:30 PM.

Respectfully submitted,



W. Morgan Smith
Deputy Executive Director

Proposed Resolution

WHEREAS, the Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district; and

WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc., designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and

WHEREAS, the said Local Law requires that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges; and

WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2024 annual budget on October 24, 2023; and

WHEREAS, on October 30, 2013 the Board of Directors of Buffalo Place Inc. approved a resolution approving a payment in lieu of service charges for the HSBC Atrium Building and have included the same as part of its proposed 2024 budget.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2024 shall be the sum of \$1,832,457 as contained in the attached budget which shall be a part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district; and be it further

RESOLVED, that the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc., the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by Buffalo Place Inc. of the mall special services set forth in Section 8 of said Local Law; the payment to Buffalo Place Inc. of the proceeds of the mall special district charges, less administrative costs, to be used by Buffalo Place Inc. in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and Chapter 673 of the Laws of 1982; and be it further

RESOLVED, that the Buffalo Place Inc. revenues, in addition to the special charges assessed as above set forth, include for the year 2024, \$18,000 in payment in lieu of service charges for KeyBank Center (1 Seymour H. Knox III Plaza, Buffalo, NY) and \$36,429 for HSBC Atrium Building (95 Washington Street, Buffalo, NY) totaling \$54,429 as set forth in said budget, and be it further

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 17, 2023, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges and payment in lieu of special charges for 2024 in conformance with the formula set forth in Section 7 of Erie County Local Law N. 8-1984 using the latest available final general or special assessment roll prepared by The City of Buffalo; and be it further

RESOLVED, that certified copies of this resolution in its final form be forwarded to the Erie County Executive, the Mayor of the City of Buffalo, the Chairman and the Executive Director of Buffalo Place Inc., and the Erie County Commissioner of Budget and Management.

**BUFFALO PLACE INC.
BUFFALO PLACE FOUNDATION**

**2024
BUDGET**

*Approved
October 25, 2023*

SUMMARY OF REVENUES AND EXPENSES

REVENUES

Administration	326,215	
Operations	1,430,908	
Marketing	498,751	
Ranger Escort Program	426,461	
	TOTAL REVENUES	2,682,335

EXPENSES

Administration	326,215	
Operations	1,430,908	
Marketing	498,751	
Ranger Escort Program	426,461	
	TOTAL EXPENSES	2,682,335

EXCESS OF REVENUE OVER EXPENSE (0)

REVENUES

Special charge assessment @ \$1,886,886		1,832,457
Payment-in lieu		54,429
City contract/Fountain Plaza		201,000
BCAR grant/Ranger Escort Program		104,949
NYMS Grant Revenue		12,000
Special event revenue		79,000
Country Market (one day per week)	4,000	
Tree lighting	20,000	
Rotary Rink concessions	20,000	
Thursday & Main	35,000	
M&T Grant/Sponsorship		100,000
Additional Sponsorship		103,500
Canalside/Operations fees		195,000
TOTAL REVENUE		2,682,335

ADMINISTRATIVE DEPARTMENT**REVENUES**

Special charge revenue (17.15%)	314,215	
NYMS Grant Revenue	12,000	
TOTAL ADMINISTRATIVE REVENUE		326,215

EXPENSES*Operating Expense*

Payroll	404,829	
Payroll tax & benefits	60,819	
Workers' compensation	436	
Telephone	16,000	
Postage/mailing services	2,000	
Insurance	19,091	
Dues & subscriptions	7,000	
Business expense & travel	2,000	
Printing & copying	1,500	
Office supplies/rental of off. equipt.	20,000	
Legal services	0	
Payroll services	5,000	
Annual audit/cpa services	13,000	
Miscellaneous	5,166	
Meetings	2,000	
Insurance finance charges	90	
Loan interest	0	
Utilities	15,000	
Rent	78,578	
Taxes	10,500	
Special charge	1,200	
County administrative fee	7,800	
	205,925	
Total Operating Expense		672,009
Non-Cash expense: depreciation		60,000
Less Administrative allocation		(405,794)
NET ADMINISTRATIVE EXPENSE		326,215

OPERATIONS DEPARTMENT

REVENUES

Special charge revenue (53.51%)	980,479	
Payment-in-lieu/HSBC Arena	54,429	
City contract/Fountain Plaza	201,000	
Canalside/Operations fees	195,000	
TOTAL OPERATIONS REVENUE		1,430,908

EXPENSES

Operating Expense

Payroll	714,493	
Payroll tax & benefits	129,445	
Workers' compensation	17,958	
Uniforms	4,000	
Maintenance supplies	12,000	
Insurance	142,920	
Miscellaneous	500	
Sand/salt	15,000	
Small tools	1,250	
Vehicle Expenses	25,000	
Equipment maintenance & repair	8,000	
Shop supplies	4,000	
Equipment rental	17,250	
Holiday lights and Decorations	4,000	
Warehouse rental&Parking	14,000	
Mall Expenses	7,201	
Landscaping/tree replacement	25,000	
Banners/Signage/Flags	10,000	
Fountain Plaza operations	26,000	
Administrative allocation	252,891	
	569,012	
TOTAL OPERATIONS EXPENSE		1,430,908

MARKETING DEPARTMENT

REVENUE

Special Charge (13.17%)		241,251	
Special event revenue		79,000	
Country Market (1 days per week)	4,000		
Tree lighting sponsorship	20,000		
Rotary Rink concessions	20,000		
Thursday & Main	35,000		
Marketing Sponsorships		178,500	
TOTAL MARKETING REVENUE			498,751

EXPENSE

Payroll		109,926	
Payroll tax & benefits		21,712	
Workers' compensation		270	
Business expense & travel		500	
Special Events:		210,000	
Country Market (one day per week)	4,000		
Tree lighting	10,000		
Thursday & Main	140,000		
Rotary Rink Mkt Expenses	6,000		
Buffalo Ball Drop	50,000		
Insurance		35,000	
Banner Program/Design Update		2,500	
Design Updates	2,500		
Communications:		10,000	
Website Maintenance	10,000		
Dine and shop small holiday promotion	0		
Business retention		500	
Administrative allocation		108,343	
TOTAL MARKETING EXPENSE			498,751

SECURITY/RANGER ESCORT PROGRAM

REVENUE

Special Charge (16.18%)	296,512	
M&T Grant revenue	25,000	
BCAR grant/Ranger Escort Program	104,949	
TOTAL RANGER ESCORT PROGRAM REVENUE		426,461

EXPENSE

Payroll	290,203	
Payroll tax & benefits	62,580	
Workers' compensation	3,118	
Insurance	18,000	
Uniforms	2,000	
Auto gas & lube	5,000	
Security Guard Licenses & Employment Testing	1,000	
Administrative allocation	44,560	
TOTAL RANGER ESCORT PROGRAM EXPENSE		426,461

PROPOSED CAPITAL EXPENDITURES 2023

ADMINISTRATION

Office equipment and computers		0
Office furniture		0

OPERATIONS

Equipment		11,000
Street furniture	1,000	
Major vehicle repair contingency	10,000	
Vehicle trade-in/replacement		70,000
Pick-Up Truck & Plow	35,000	
Gators (2)	10,000	
Bobcat	25,000	
TOTAL CAPITAL EXPENDITURES		81,000