



# THE ERIE COUNTY LEGISLATURE

Session No. 1  
JANUARY 4, 2024

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

NOMINATION & ELECTION OF CHAIR -

NOMINATION & ELECTION OF CLERK -

DESIGNATION OF MAJORITY LEADER -

DESIGNATION OF MINORITY LEADER -

RULES OF THE LEGISLATURE FOR 2024 -

DESIGNATION OF NEWSPAPERS -

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

## MISCELLANEOUS RESOLUTIONS:

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TODARO	Recognizing Madison Francis for Earning the All-Time Scoring Record for Lancaster High School Basketball
MILLS	Honoring Zachary Seifert on Earning the Rank of Eagle Scout
MILLS	Honoring Lion Richard Maul for Receiving the 70th Year Service Chevron Award with the Orchard Park Lions Club
GREENE	Congratulating Dash's Markets on 100 Years Serving the Community
GREENE	Congratulating Bob Geiger on His Retirement from the Clarence Town Board
MAJORITY CAUCUS	Honoring National Blood Donor Month January 2024
JOHNSON & BASKIN	Acknowledging and Honoring National Mentoring Month

GREENE

Congratulating Mike Bowers on His Retirement

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**Erie County Legislature**  
**Meeting Date:** 01/04/2024

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**SUBJECT**

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BASKIN

In Remembrance of Ophelia Charlena Anderson

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**Attachments**

Ophelia Charlena Anderson

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, NY, JANUARY 2, 2024**

EC LEG JAN 2 '24 AM 10:01

***In Remembrance of Ophelia Charlena Anderson***

**WHEREAS**, Almighty God, in His infinite wisdom, on December 25<sup>th</sup>, 2023, removed from our midst, ***Ophelia Charlena Anderson***, in whose death we have lost a loving mother, grandmother, great-grandmother, valued and respected citizen, and whose family has lost a leader, and a kind and devoted member; and

**WHEREAS**, ***Ophelia Charlena Anderson***, was born on October 15, 1935 in Atlanta Georgia to the late of Mr. & Mrs. Clarence and Isabelle Anderson; and

**WHEREAS**, Ophelia was a proud graduate of Hutchinson Central High School, where she excelled academically and following graduation, she enrolled in State Teachers College, which is now known as Buffalo State University; and

**WHEREAS**, upon graduation from Buffalo State, Ophelia began her teaching career in the Buffalo Public Schools and later continued her education, earning a master's degree in education; and

**WHEREAS**, during her years as a college student, she met the life of her life, George W. Nicholas Jr., an army veteran working in Buffalo; and

**WHEREAS**, Ophelia remained very active and served in many capacities in becoming a phenomenal multitasker, balancing the life of a college student, wife, and now mother of two children, Lisa and Brian; and

**WHEREAS**, at a very young age, she proved to be a brilliant educator and leader; and

**WHEREAS**, after only three (3) years in the classroom, she was promoted to Assistant Principal, becoming one of the few African Americans in a leadership role within the Buffalo Public School system; and

**WHEREAS**, Ophelia continued to thrive in her new role as Vice-Principal, catching the eye of district leadership; and

**WHEREAS**, in 1969, the district made the bold and progressive move, appointing her principal of Public School 48; and

**WHEREAS**, at that moment, Ophelia became the first African American female principal in Upstate New York; and

**WHEREAS**, her service and commitment as an educator, to childhood education extended beyond the classroom; and

**WHEREAS**, Ophelia's faith and devotion to the Lord was vital in her life and was a member of Lincoln Memorial United Methodist Church, where she served as an Adult Sunday School Teacher, member of the Senior Choir, Chair of the Pastor Parish Relations Committee, and Chair of the Administrative Council; and

**WHEREAS**, Ophelia discovered a new love and became a member of Delta Sigma Theta Sorority, Incorporated; and

**WHEREAS**, over the years, Mrs. Nicholas has received numerous educational, public service and appreciation awards for her life extraordinary accomplishments including the Heritage of Caring Award; an award of appreciation from the Buffalo Area Council of Churches; Phi Beta Sigma Fraternity, Inc., and Greater Buffalo Red Cross Outstanding Service Award; and

**WHEREAS**, her name is proudly displayed on the Freedom Wall located in the city of Buffalo.

**WHEREAS**, Ophelia's beautiful life and rich legacy will forever be cherished in the lives of her loving survived by her husband of sixty -nine years, George W. Nicholas Jr., her daughter LisaA. Nicholas M.D, her two sons, Brian C. Nicholas, Pastor George F. Nicholas (Daun Nicholas).Her grandchildren, Lindsey B. Ross M.D, (Jason Willock), Kristin M. Nicholas, Jared C. Harper, Desmond M. Nicholas, George F. Nicholas Jr., Joel P. Nicholas, Caleb G. Nicholas and two great grandchildren, Gabrielle Willock and Isabelle Willock; and

**WHEREAS**, after 88 fruitful and joyous years on this Earth, Ophelia now rests peacefully with the Lord; and

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

**NOW, THEREFORE, BE IT**

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

**RESOLVED**, that the Erie County Legislature express its sympathy and condolences to the Anderson family and to her many friends, knowing full well that she has received her eternal and glorified reward in Heaven.

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**Hon. April N.M Baskin**  
*Erie County Legislator, 2<sup>nd</sup> District*

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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TODARO

Recognizing Madison Francis for Earning the All-Time  
Scoring Record for Lancaster High School Basketball

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Attachments

Madison Francis

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# STATE OF NEW YORK LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 4, 2024 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 4<sup>th</sup> day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:

## Recognizing Madison Francis for Earning the All-Time Scoring Record for Lancaster High School Basketball

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

WHEREAS, **Madison Francis** is a junior at Lancaster High School and a player on the women's Varsity Basketball team; and

WHEREAS, **Madison Francis** is averaging over thirty points per game so far this season and is a leader on the team, not only on offense but on both ends of the court, with her coach, Jayson Jaskier, referring to her as the quarterback of the defense; and

WHEREAS, in Lancaster's double-overtime victory versus Frewsburg on December 12<sup>th</sup>, **Madison Francis** put up a dominating performance, scoring forty-six points to draw within thirty-six points of the school's all-time scoring record; and

WHEREAS, on Thursday, December 14<sup>th</sup> while playing against Sacred Heart Academy, **Madison Francis** started the game with an explosive thirty-point first half, then, shortly after beginning the second half, scored her thirty-sixth point to pass the all-time scoring record of 1176 points set by Sara Saba in 2014; and

WHEREAS, **Madison Francis** now holds Lancaster High School's all-time basketball scoring record for both men's and women's basketball, which she will continue to build upon in the remainder of the 2024 season and with her senior year still ahead of her.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Madison Francis** for breaking the Lancaster High School Basketball all-time scoring record and to wish her continued academic and athletic success.

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

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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MILLS

Honoring Zachary Seifert on Earning the Rank of Eagle Scout

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Attachments

Zachary Seifert

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., JANUARY 4, 2024, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 4th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Honoring Zachary Seifert on Earning the Rank of Eagle Scout**

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

WHEREAS, **Zachary Seifert**, a member of Boy Scout Troop 890 in Hamburg, Greater Niagara Frontier Council, Boy Scouts of America, has attained the coveted rank of Eagle Scout, Boy Scouting's highest honor, and will be celebrated in a ceremony in the spring of 2024; and

WHEREAS, in his pursuit of the Eagle Scout rank, **Zachary Seifert** distinguished himself by earning an impressive thirty-one merit badges, showcasing his commitment to acquiring diverse skills and knowledge; and

WHEREAS, **Zachary Seifert** demonstrated exceptional leadership and dedication in carrying out his Eagle Scout Project at the Hamburg Township VFW Post 1419 in Lakeview, New York; and

WHEREAS, through his thoughtful planning and construction, **Zachary Seifert** skillfully built a much-needed bridge, making a lasting contribution to his community; and

WHEREAS, in addition to his accomplishments as a Boy Scout, **Zachary Seifert** is an exceptional senior at the esteemed St. Francis High School and a resident of Orchard Park where he is a source of pride for our community; and

WHEREAS, **Zachary Seifert** embodies the values of an Eagle Scout, including integrity, leadership, and service to others, demonstrating his commitment to making a positive impact in his community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to acknowledge and commend the outstanding achievement of **Zachary Seifert** in achieving all requirements to attain the rank of Eagle Scout.

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JOHN J. MILLS, MINORITY LEADER  
Erie County Legislator – 11<sup>th</sup> District

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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MILLS

Honoring Lion Richard Maul for Receiving the 70th Year  
Service Chevron Award with the Orchard Park Lions Club

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Lion Richard Maul

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Attachments



STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., JANUARY 4, 2024, 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 4<sup>th</sup> day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring Lion Richard Maul for Receiving the 70th Year Service Chevron Award with the Orchard Park Lions Club**

WHEREAS, the Erie County Legislature seeks to honor individuals and institutions in Erie County who use their talents to support others and enhance the quality of life in the community; and

WHEREAS, the Orchard Park Lions Club was chartered on September 19, 1944 with the mission of taking an active interest in the civic, cultural, health, social, and moral welfare, and becoming a force for good in the community; and

WHEREAS, **Lion Richard Maul**, a lifelong Orchard Park resident, joined the Orchard Park Lions Club in January of 1954 under the sponsorship of his father Lion Arthur H. Maul; and

WHEREAS, **Lion Richard Maul** has held numerous roles within the Orchard Park Lions Club, including, but not limited to, Director and Tail Twister, showcasing his dedication and passion for service to his Club and the community they serve; and

WHEREAS, **Lion Richard Maul's** legacy is one of selflessness, leadership, and community spirit, and his involvement in various Club fundraisers and community projects, from pancake breakfasts to building handicapped ramps, exemplifies a man deeply rooted in the values of compassion and civic responsibility;

WHEREAS the outstanding achievements of **Lion Richard Maul**, extend beyond local recognition and his status as a Robert J. Uplinger Distinguished Service Award recipient and a Lions Club International Foundation Melvin Jones Fellow affirms his profound impact on the community; and

WHEREAS, this proclamation serves as a testament to **Lion Richard Maul's** extraordinary seventy-year journey of service, embodying the true spirit of the Orchard Park Lions Club's motto, "We Serve."

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Erie County Legislature pauses in its deliberations to recognize and thank **Lion Richard Maul** for his seven decades of tireless service with the Orchard Park Lions Club and the Orchard Park Community.

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



Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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GREENE

Congratulating Dash's Markets on 100 Years Serving the  
Community

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Dash's Markets

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Attachments

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., JANUARY 4, 2024 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 4<sup>th</sup> day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Congratulating Dash's Markets on 100 Years Serving the Community**

**WHEREAS**, the Erie County Legislature seeks to honor individuals and institutions in Erie County who use their talents to support others and enhance the quality of life in the community; and

**WHEREAS**, there are perhaps more prominent establishments in a community than the local supermarket; and

**WHEREAS**, Western New York is fortunate to have so many locally owned grocery stores, like **Dash's Markets**, that call our community home and provide communities with essential goods and services that help them survive and thrive; and

**WHEREAS**, more than 40,000 stores in the United States sell grocery items, and it is only through their dedicated employees that they can maintain the pipeline of food and health supplies that are crucial to their customer's health and wellness; and

**WHEREAS**, since 1923, **Dash's Markets** has strived to provide customers with a unique experience centered around smaller stores that offer shoppers carefully selected product lines, freshly prepared foods, and top-notch service; and

**WHEREAS**, for the last one hundred years, **Dash's Markets** have been supplying the residents of Erie County and nearby communities with fresh produce, baked goods, meats, and other nonperishable items, working with nearly two hundred seventy-five independent vendors to serve approximately fifty-five thousand customers a week and contributing to the strength and vitality of our economy by supporting over 500 quality jobs at four stores across the region; and

**WHEREAS**, as a self-described "foodie," owner and CEO Joe Dash strives to create a neighborhood environment in stores, focusing on distinctive food displays, "center of the plate" proteins, and providing customers with the best meats and seafood available.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to congratulate **Joe Dash and the entire Dash's Markets team for 100 years of service** to the Western New York Community.

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**CHRISTOPHER D. GREENE**  
Erie County Legislator, District 6

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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GREENE

Congratulating Bob Geiger on His Retirement from the  
Clarence Town Board

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Bob Geiger

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Attachments

**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., JANUARY 4, 2024 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 4<sup>th</sup> day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Congratulating Bob Geiger on His Retirement from the Clarence Town Board**

**WHEREAS**, the Erie County Legislature seeks to honor individuals in Erie County who use their talents to support others and enhance the quality of life in the community; and

**WHEREAS**, one of the most rewarding ways for a person to give back to their community is to run for elected office in the town or village in which they reside; and

**WHEREAS**, **Bob Geiger** resides in Clarence, New York, and began serving on the Clarence Town Board in 2012 following a successful primary and general election; and

**WHEREAS**, before his election to the Clarence Town Board, **Bob Geiger** was an active and enthusiastic member of the community, serving on several government boards as a private citizen, including the Zoning Board of Appeals and Industrial Development Agency, and was involved in creating the Town's award-winning Greenprint program; and

**WHEREAS**, in addition to his roles on these important boards, **Bob Geiger** is also involved in several community service organizations, including but not limited to the Clarence Rotary Club, local Boy Scout troops, and the Clarence Chamber of Commerce, which awarded him with their Lifetime Achiever Award in 2011; and

**WHEREAS**, **Bob Geiger's** service on the Clarence Town Board was marked by his ability to build consensus and his commitment to always being supportive and present at community events; and

**WHEREAS**, **Bob Geiger** will be remembered for his positive attitude, warm nature, and always conducting himself as a gentleman; and

**WHEREAS**, in addition to his community service, **Bob Geiger** is a United States Army veteran, retired restaurateur and business executive, and a loving husband and grandfather.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to congratulate and recognize **Bob Geiger** on his retirement from the Clarence Town Board and wish him good luck and health in his retirement.

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**CHRISTOPHER D. GREENE**  
*Erie County Legislator, District 6*

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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MAJORITY CAUCUS

Honoring National Blood Donor Month January 2024

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National Blood Donor Month

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Attachments



STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, JANUARY 1-31, 2024

EC LEG JAN 2 '24 AM 10:01

*Honoring National Blood Donor Month January 2024*

**WHEREAS**, *National Blood Donor Month* has been celebrated each January for nearly 50 years and coincides with one of the most difficult times to maintain a sufficient blood supply for patients; and

**WHEREAS**, during this critical time of year, the Red Cross depends on donors to continue to supply these resources to make sure that blood products are available at about 2,500 hospitals nationwide; and

**WHEREAS**, blood shortages have become a national epidemic with communities throughout the U.S. experiencing these shortages more frequently and for prolonged periods of time; and

**WHEREAS**, one blood donation has the potential to help save lives of up to three patients, underscoring the importance of constantly replenishing our blood supply through donations and community awareness; and

**WHEREAS**, we recognize the importance of blood donation to the health and well-being of patients in hospitals and medical centers across our state; and

**WHEREAS**, the difference in potentially saving a life by making blood donation a habit this January and committing to donating blood each year, will significantly improve Erie County's blood bank, especially as the coronavirus pandemic continues to present significant challenges to healthcare delivery system.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this Honorable Body hereby proclaims January 2023 as *National Blood Donor Month* and encourage all residents to understand the importance of supporting local blood drives and blood donation efforts this month and throughout the new year.

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**Hon. April N.M. Baskin**  
*Chair of the Legislature*  
*Erie County Legislator, 2<sup>nd</sup> District*

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**Hon. Timothy J. Meyers**  
*Majority Leader*  
*Erie County Legislator, 7<sup>th</sup> District*

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**Hon. Howard J. Johnson Jr.**  
*Erie County Legislator, 1<sup>st</sup> District*

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**Hon. Michael H. Kooshoian**  
*Erie County Legislator, 3<sup>rd</sup> District*

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**Hon. John A. Bargnesi Jr.**  
*Erie County Legislator, 4<sup>th</sup> District*

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**Hon. Jeanne M. Vinal**  
*Erie County Legislator, 5<sup>th</sup> District*

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**Hon. John J. Gilmour**  
*Erie County Legislator, 9<sup>th</sup> District*

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**Olivia M. Owens**  
*Clerk of the Erie County Legislature*

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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JOHNSON & BASKIN

Acknowledging and Honoring National Mentoring Month

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National Mentoring Month

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Attachments



STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, JANUARY 3, 2024

EC LEG JAN 2 '24 AM10:01

*Acknowledging and Honoring National Mentoring Month*

**WHEREAS**, *National Mentoring Month* is an annual designation observed in the month of January; and

**WHEREAS**, National Mentoring Month celebrates and recognizes mentoring and the positive effect it can have on young lives; and

**WHEREAS**, National Mentoring Month focuses national attention on the need for mentors, as well as how each of us—individuals, businesses, government agencies, schools, faith communities and nonprofits—can work together to increase the number of mentors to help ensure positive outcomes for our young people; and

**WHEREAS**, mentors make sure individuals in our communities have dependable people to look up to and follow in their footsteps and increasing mentorship is absolutely critical and essential to; and

**WHEREAS**, during the month of January, Big Brothers Big Sisters of Erie, Niagara & Southern Tier will be celebrating local mentors, volunteers and supporters; and

**WHEREAS**, also during National Mentoring Month, we honor all those parents and family members, teachers and coaches, employers and co-workers, community and faith leaders, and so many others who devote time, care, and energy to helping our young people thrive; and

**WHEREAS**, this Honorable Body will forever remember and respect our mentors, mentoring programs, individuals working in mentoring roles especially in this unprecedented year, and most of all, the time and effort put in to create healthier lifestyles and more importantly, providing genuine guidance.

**NOW, THEREFORE, BE IT**

**WHEREAS**, that the Erie County Legislature expresses our thanks and sincere and heartfelt appreciation and blessings to all mentors for the hard work, care and support they provide to in our community; and be it further;

**WHEREAS**, that the Erie County Legislature hereby recognizes National Mentoring Month and sends much love and support to all local mentors and individuals employed in mentoring roles.

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**Hon. Howard J. Johnson Jr.**  
*Erie County Legislator, 1<sup>st</sup> District*

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**Hon. April N.M Baskin**  
*Erie County Legislator, 2<sup>nd</sup> District*

**Erie County Legislature**  
**Meeting Date: 01/04/2024**

**SUBJECT**

GREENE

## Congratulating Mike Bowers on His Retirement

## Attachments

Mike Bowers

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., JANUARY 4, 2024 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 4<sup>th</sup> day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Congratulating Mike Bowers on His Retirement**

**WHEREAS**, the Erie County Legislature seeks to honor individuals in Erie County who use their talents to support others and enhance the quality of life in the community; and

**WHEREAS**, **Mike Bowers** resides in Clarence, New York, and has been a dedicated minister at the Clarence Church of Christ for the last thirty-seven years, where he has served as preaching minister for the last seventeen years; and

**WHEREAS**, over the past thirty-seven years, **Mike Bowers** was influential in starting children and youth ministry groups at Clarence Church of Christ and significantly expanded the church's international outreach; and

**WHEREAS**, as part of his ministry, **Mike Bowers** led programs at Mountainview Christian Camp, started the Upward Basketball program, and has taken mission teams to more than thirty countries; and

**WHEREAS**, **Mike Bowers** grew up dreaming of playing centerfield for the Cleveland Guardians and remains an avid baseball fan, hoping to one day visit every major league baseball stadium; and

**WHEREAS**, while **Mike Bowers** plans to remain active in the community following his retirement, he hopes to spend more time with his family, including his ten grandchildren and his father in Ohio.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to congratulate and recognize **Mike Bowers** on his retirement after thirty-seven years of dedicated service to the Clarence Church of Christ.

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CHRISTOPHER D. GREENE  
Erie County Legislator, District 6

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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INTRO. 1-1

MILLS, GREENE &  
TODARO

Minority Caucus Appointment to the Citizens  
Salary Review Commission

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24INTRO. 1-1

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Attachments

**A RESOLUTION SUBMITTED BY:  
The Minority Caucus of the Erie County Legislature  
Legislators Mills, Greene & Todaro**

**RE: Minority Caucus Appointment to the Citizens Salary Review Commission**

**WHEREAS**, Article 22-A of the Erie County Charter establishes a Citizens Salary Review Commission consisting of nine members representative of taxpayer, civic labor, business, professional, financial, and minority groups in the County of Erie; and

**WHEREAS**, Five members of the Commission shall be appointed by the County Executive; and

**WHEREAS**, Two of the members of the Commission shall be appointed by a majority vote of the members of the political party whose membership of the County Legislature constitutes a majority of the Legislature; and

**WHEREAS**, One member of the Commission shall be appointed by a majority vote of the members of the political party whose membership of the County Legislature constitutes a minority vote of the Legislature; and

**WHEREAS**, One member of the commission shall be appointed by the County Comptroller; and

**WHEREAS**, Mr. Gerald E. Paradise, III, the Minority Caucus appointee, has resigned his seat on the Commission; and

**WHEREAS**, Section 22-A-01 of the Erie County Charter states that in the case of a resignation, an appointment to fill a vacancy “shall be made for the unexpired term.”

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to authority granted in Article 22-A of the Erie County Charter, the Minority Caucus hereby appoints:

Mr. Gary Dickson  
543 Union Road  
West Seneca, NY 14224

to serve as our appointment on the Erie County Citizens Salary Review Commission for the remainder of the three-year term, ending on June 30, 2025; and be it further

**RESOLVED**, that for the purposes of recording this vote, only members of the Minority Caucus shall be polled by the Clerk of the Legislature; and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Erie County Comptroller, and Mr. Gary Dickson.

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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INTRO. 1-2	JOHNSON	Re-Appropriation of Public Benefit Funding
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	Attachments
24INTRO. 1-2	

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

**Re: Re-Appropriation of Public Benefit Funding**

WHEREAS, Mother Earth Literacies was awarded \$15,000 in public benefit funding by the Erie County Legislature in the 2022 Budget Balancing Amendments (COMM 8E-1); and

WHEREAS, the organization is 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 \$15,000 of 2022 public benefit funding to Every Bottom Covered Inc.; 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.

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SUBJECT

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COMM. 1D-1	DIRECTOR OF REAL PROPERTY TAX SERVICES	Open Item - Department of Real Property Tax Services
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	Attachments
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24COMM. 1D-1

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# SUSPENSION

EC LEG JAN 2 '24 AM 10:57



## County of Erie

### DEPARTMENT OF REAL PROPERTY TAX SERVICES

SCOTT A. BYLEWSKI  
DIRECTOR REAL PROPERTY  
Email: Scott.Bylewski@erie.gov

Office 716-858-2715  
Fax 716-858-6440

January 2, 2024

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

### **RE: Open Item Finance & Management Committee**

Dear Honorable Members:

The Department of Real Property Tax Services respectfully requests that an open item be re-established on the 2024 Agenda of the Legislature's Finance and Management Committee, to wit:

- Correction of Errors/NYS Real Property Tax Law

Should your honorable body require further information, I encourage you to contact me at (716) 858-2715.

Thank you for your consideration of this matter.

Sincerely,

  
Scott A. Bylewski  
Director Real Property Tax Services

cc: Mark C. Poloncarz, Erie County Executive

ERIE COUNTY OFFICE BUILDING, 95 FRANKLIN STREET, BUFFALO, NEW YORK 14202 (716) 858-8333  
INTERNET – [www.erie.gov](http://www.erie.gov)

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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COMM. 1E-7

BASKIN

2024 Schedule of Legislative Sessions -  
Invocation & Pledge Schedule

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Attachments

24COMM. 1E-7

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# SUSPENSION

EC LEG JAN 2 '24 AM 10:23

**ERIE COUNTY LEGISLATURE**



92 Franklin Street - 4th Floor  
Buffalo, New York 14202

TO: OLIVIA M. OWENS, CLERK  
FROM: APRIL N.M. BASKIN, CHAIR  
SUBJECT: **2024 SCHEDULE OF LEGISLATIVE SESSIONS**  
**INVOCATION & PLEDGE SCHEDULE**

---

## **JANUARY**

4 Baskin Mills  
18 Kooshoian Greene

## **JULY**

11 Bargnesi Meyers  
25 Vinal Todaro

## **FEBRUARY**

1 Bargnesi Meyers  
15 Vinal Todaro

## **AUGUST**

Recess

## **MARCH**

7 Greene Gilmour  
21 Meyers Lorigo

## **SEPTEMBER**

12 Greene Gilmour  
26 Meyers Lorigo

## **APRIL**

11 Todaro Mills  
25 Gilmour Johnson

## **OCTOBER**

10 Todaro Mills  
24 Gilmour Johnson

## **MAY**

9 Lorigo Kooshoian  
23 Mills Bargnesi

## **NOVEMBER**

7 Lorigo Kooshoian  
21 Mills Bargnesi

## **JUNE**

6 Johnson Vinal  
20 Kooshoian Greene

## **DECEMBER**

5 Johnson Vinal  
19 Kooshoian Greene

Erie County Legislature  
Meeting Date: 01/04/2024

SUBJECT

COMM. 1E-1

COMPTROLLER

Sales and Compensating Use Tax Report -  
Sept., Oct., Nov. 2023

Attachments

24COMM. 1E-1



EC LEG DEC 28 '23 AM 9:49

# ERIE COUNTY COMPTROLLER

## KEVIN R. HARDWICK

December 28, 2023

Olivia Owens  
Erie County Legislature  
92 Franklin St.  
Buffalo, NY 14202

Dear Honorable Legislature:


The enclosed report details the apportionment and distribution of net collections from the local four and three quarter percent (4.75%) Sales and Compensating Use Tax (Sales Tax) for Erie County for the months of September, October and November 2023 as received from the State of New York by the Buffalo Fiscal Stability Authority (BFSA) and from the State by the Erie County Fiscal Stability Authority.

Total tax received and available for distribution:

	<u>ALLOCATION</u>	<u>REVENUE</u>
Total Tax Received		\$258,534,819.05
Less BFSA Intercept for Buffalo		-41,532,002.04
County of Erie	\$152,897,266.89	
School Districts	32,569,250.00	
Cities	1,829,056.24	
Cities, Towns & Villages	29,707,243.88	
Net	\$217,002,817.01	\$217,002,817.01

In addition to sales tax collected by New York State for October 2023 and prior months, this distribution contains the Electronic Funds Transfer (EFT) for the first 22 days of November 2023.

Very truly yours,

  
Kevin R. Hardwick  
Erie County Comptroller

KRH/sd  
Enc.

CASH BASIS

4th Quarter Sales Tax 2023		October-December Advanced by NVS to Buffalo		October-December
Sales Tax Received	121,027,772.11	19,442,364.79	101,585,417.32	
Sales Tax Received	46,413,559.59	7,456,048.12	38,957,511.47	
Sales Tax - EFT	91,093,487.36	14,633,599.13	76,459,888.23	
Total Sales Tax Received for Month	\$258,534,819.06	\$41,532,002.04	\$217,002,817.02	
Allocations				
County of Erie .25% Assessment	13,606,389.31		13,606,389.31	
County of Erie .5% Assessment	27,212,778.62		27,212,778.62	
County of Erie 1% Assessment	54,428,892.37		54,428,892.37	
County of Erie	57,649,206.59		57,649,206.59	
School Districts	47,353,160.04	14,783,910.04	32,569,250.00	
Cities	0.290000	16,342,881.82	1,829,056.24	
Cities	0.100087	41,941,510.30	29,707,243.88	
Cities, Towns & Villages	0.256658			
Total Allocations	\$258,534,819.05	\$41,532,002.04	\$217,002,817.01	
County Distribution - 2023		October-December by NVS to Buffalo	October-December	
County of Erie .25% Assessment	13,606,389.31		13,606,389.31	
County of Erie .5% Assessment	27,212,778.62		27,212,778.62	
County of Erie 1% Assessment	54,428,892.37		54,428,892.37	
County of Erie	57,649,206.59		57,649,206.59	
Total County	\$152,897,266.89		\$152,897,266.89	
School Distribution - 2023		October-December by NVS to Buffalo	October-December	
34,622.98 City of Buffalo Public Schools	14,783,910.04	14,783,910.04	0.00	
2,211.29 City of Lackawanna S.D.	944,214.16		944,214.16	
1,570.51 City of Tonawanda School	670,603.03		670,603.03	
877.45 Akron Central School Dist.	374,668.51		374,668.51	
1,414.58 Alden Central School Dist.	604,021.38		604,021.38	
2,824.91 Amherst Central School Dist.	1,206,228.02		1,206,228.02	
2,149.63 Cheektowaga Central S.D.	917,885.51		917,885.51	
2,014.46 Cheektowaga-Maryvale U.F.S.D.	860,168.32		860,168.32	
1,186.73 Cheektowaga-Sloan U.F.S.D.	506,730.13		506,730.13	
4,039.54 Clarence Central School Dist.	1,724,871.37		1,724,871.37	
1,298.39 Cleveland Hill U.F.S.D.	554,408.61		554,408.61	

1,722.94 Depew U.F.S.D.  
 1,570.19 East Aurora U.F.S.D.  
 1,220.04 Eden Central School Dist.  
 4,345.17 Frontier Central School Dist.  
 636.91 Gowanda Central School Dist.  
 2,732.87 Grand Island School Dist.  
 3,105.05 Hamburg Central School Dist.  
 638.73 Holland Central School Dist.  
 2,064.80 Iroquois Central School Dist.  
 6,451.89 Kenmore/Tonawanda U.F.S.D.  
 1,894.54 Evans-Brant Central School Dist.  
 5,275.80 Lancaster Central School Dist.  
 583.48 North Collins Central S.D.  
 4,553.20 Orchard Park Central S.D.  
 1,480.27 Springville-Griffith Institution  
 3,213.88 Sweethome C.S.D. of Amherst/Ton.  
 5,719.39 West Seneca Central School Dist.  
 9,285.64 Williamsville Central School  
 192.85 Yorkshire-Pioneer Central

110,898.11 Total School

City Distribution - 2023

	October-December	October-December Advanced by NYS to Buffalo	October-December
278,349 Buffalo (City)	\$ 14,513,825.58	\$ 14,513,825.58	\$ -
Buffalo (City/Town/Village)	\$ 12,234,266.42	\$ 12,234,266.42	\$ -
Total Buffalo	\$26,748,092.00	\$26,748,092.00	\$0.00
19,949 Lackawanna (City)	\$ 1,040,191.66		\$ 1,040,191.66
Lackawanna (City/Town/Village)	876,817.88		\$ 876,817.88
Total Lackawanna	\$1,917,009.54		\$1,917,009.54
15,129 Tonawanda (City)	\$ 788,864.58		\$ 788,864.58
Tonawanda (City/Town/Village)	\$ 664,964.55		\$ 664,964.55
Total Tonawanda	\$1,453,829.13		\$1,453,829.13
Total City	\$16,342,881.82	\$14,513,825.58	\$1,829,056.24
Total City/Town/Village	13,776,048.85	12,234,266.42	1,541,782.43
Total Distribution for Cities	\$30,118,930.67	\$26,748,092.00	\$3,370,838.67

Population		Towns and Villages Distribution - 2023		October-December Advanced by NYS to Buffalo		October-December	
		Town of:					
9,706	Alden		322,045.85		322,045.85		
129,595	Amherst		5,441,504.00		5,441,504.00		
13,943	Aurora		381,940.39		381,940.39		
7,948	Boston		349,338.24		349,338.24		
4,067	Brant		161,211.54		161,211.54		
89,877	Cheektowaga		3,418,477.97		3,418,477.97		
32,950	Clarence		1,448,250.50		1,448,250.50		
3,121	Colden		137,177.21		137,177.21		
5,894	Collins		221,299.60		221,299.60		
8,316	Concord		223,044.25		223,044.25		
7,573	Eden		332,856.89		332,856.89		
11,721	Elma		515,172.83		515,172.83		
15,308	Evans		613,731.23		613,731.23		
21,389	Grand Island		940,110.17		940,110.17		
60,085	Hamburg		2,171,930.05		2,171,930.05		
3,281	Holland		144,209.70		144,209.70		
45,106	Lancaster		1,473,439.11		1,473,439.11		
5,189	Marilla		228,071.98		228,071.98		
8,689	Newstead		290,868.20		290,868.20		
3,504	North Collins		120,387.20		120,387.20		
29,686	Orchard Park		1,187,500.27		1,187,500.27		
2,716	Sardinia		119,376.27		119,376.27		
72,636	Tonawanda		2,679,777.54		2,679,777.54		
3,009	Wales		132,254.49		132,254.49		
45,500	West Seneca		1,999,860.32		1,999,860.32		
640,809	Total Towns		\$25,053,834.80		\$25,053,834.80		
Allocation		Village of:					
0.245100455	Alden		104,561.71		104,561.71		
0.044694152	Williamsville (Amherst)		254,581.71		254,581.71		
0.376766069	East Aurora		230,895.94		230,895.94		
0.098151295	Farnham		17,545.20		17,545.20		
0.106879247	Depew (Cheektowaga)		422,211.66		422,211.66		
0.027389003	Sloan		108,196.47		108,196.47		
0.000373479	Williamsville (Cheektowaga)		1,475.37		1,475.37		
0.145755442	Gowanda		37,759.23		37,759.23		
0.389777417	Springville		142,468.69		142,468.69		
0.087838984	Angola		59,100.89		59,100.89		
0.029533252	Blasdeil		77,994.80		77,994.80		
0.148050843	Hamburg		390,989.61		390,989.61		
0.098319785	Depew (Lancaster)		194,923.17		194,923.17		



0.158473532 Lancaster  
 0.238380286 Akron  
 0.218321906 North Collins  
 0.089890241 Orchard Park  
 0.160620122 Kenmore

314,180.57  
 91,039.19  
 33,624.02  
 117,287.72  
 512,790.70

314,180.57  
 91,039.19  
 33,624.02  
 117,287.72  
 512,790.70

Total Village

\$3,111,626.65

\$3,111,626.65

Grand Total Towns and Villages

\$28,165,461.45

\$28,165,461.45

Recapitulation

County of Erie  
 School Districts  
 Cities  
 Cities (Towns and Villages)  
 Towns  
 Villages  
 Total Sales Tax Distribution

\$152,897,266.89  
 47,353,160.04  
 16,342,881.82  
 13,776,048.85  
 25,053,834.80  
 3,111,626.65  
 \$256,534,819.05

October-December Advanced  
 by NYS to Buffalo  
 \$41,532,002.04

October-December  
 \$217,002,817.01

I, hereby, certify that the above amounts due the county of Erie, School Districts, Cities, Towns and Villages, represent the apportionment of Erie County Sales Tax. Checks should be drawn to the order of the above designated officer on the Sales Tax Account.



KEVIN R. HARDWICK  
 Erie County Comptroller

Erie County Legislature  
Meeting Date: 01/04/2024

SUBJECT

COMM. 1E-2

COUNTY EXECUTIVE

NYS Nurses Association Collective  
Bargaining Agreement (2024-2026)

Attachments

24COMM. 1E-2



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

December 29, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: New York State Nurses Association Collective Bargaining Agreement (2024-2026)**

Dear Honorable Members:

Please find enclosed for your consideration a memorandum and proposed resolution for approval expressing legislative assent and directing the implementation of a successor Collective Bargaining Agreement between Erie County and the Erie County Sheriff's Office (collectively referred to as "Employer") and New York State Nurses Association ("NYSNA").

The proposed agreement covers the period between January 1, 2024 and December 31, 2026, and provides NYSNA nurses with wage increases and work rule changes, which provide retention and recruitment benefits to both parties. Erie County nurses currently earn significantly less than similarly-situated nurses, the proposed agreement addresses this issue as it includes raises that compete with inflation, and are on par with wages of other similarly-situated Nurses. It also includes changes to the contract that will allow the Health Department and the Sheriff's Office better perform their operations by increasing work flexibility. Erie County and NYSNA have negotiated in good faith and are pleased to have reached this accord.

Should your Honorable Body require further information, I encourage you to contact Commissioner Josh Pennel at the Department of Labor Relations.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jp

cc: Commissioner Josh Pennel, Department of Labor Relations

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Departments of Labor Relations and Personnel  
**Re:** New York State Nurses Association Collective Bargaining Agreement (2024-2026)  
**Date:** December 29, 2023

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### **SUMMARY**

The Departments of Labor Relations and Personnel request Legislative approval of a newly-created Collective Bargaining Agreement between Erie County and the Erie County Sheriff's Office (collectively referred to as "Employer") and New York State Nurses Association ("NYSNA")—representing the Erie County Health Department Nurses and the Sheriff's Administration Nurses. The agreement will cover the period between January 1, 2024 to December 31, 2026.

### **FISCAL IMPLICATIONS**

Under the contract, employees covered by the agreement will receive a one-time \$9.50 increase in their hourly rate in November 2023. All employees will receive a 4% annual wage increase in 2024, and 3% annual wage increases in 2025 and 2026.

Additionally, NYSNA nurses will receive additional benefits such as the addition of the Juneteenth and Election day holidays, and an increase in Personal Leave.

There are other provisions contained in the contract, a copy of which is attached for your review.

Projected net new expenses for the contract are as follows:

<b>Year</b>	<b>Provision</b>	<b>Estimated Cost</b>
2023	\$9.50/hr retroactive to 11/18/23	\$ 161,333
2024	4%	\$1,632,253
2025	3%	\$1,822,580
2026	3%	\$2,035,565

The County will fund the estimated net 2023 local share costs associated with this agreement through vacancy savings.

To cover the personnel costs associated with this contract that were not included as part of the 2024 Adopted Budget, unanticipated interest earnings revenues from 2023 will be recognized and appropriated as a contractual reserve and then carried forward into 2024.

Additionally, \$2,300,000 in unanticipated interest earnings revenues from 2023 will be recognized and appropriated as a contractual reserve and then carried forward into 2024 to account for the unanticipated additional 2024 costs associated with joining the 25-year pension plan for Teamsters Local 264 Units and the CSEA Local 1000 Correctional Unit (COMM. 20E-20 (2023)) and the ratification of the Teamsters Local 264 Captains & Lieutenants Unit (COMM. 21E-6 (2023)).

## **REASONS FOR RECOMMENDATION**

The collective bargaining agreement between the county and NYSNA will expire December 31, 2023.

The agreement provides Unit members with wage increases and work rule changes that provide benefit to both parties. Further, this agreement provides stability for both the County and NYSNA nurses. It will also allow for Erie County to staff promotional opportunities and retain Nurses at a greater rate.

## **CONSEQUENCES OF NEGATIVE ACTION**

The proposed agreement would be deemed null and void and Erie County and NYSNA would declare impasse and proceed to the Public Employment Relations Board for action.

## **STEPS FOLLOWING APPROVAL**

NYSNA nurses will work under the new collective bargaining agreement in full beginning in January 2024 and the Division of Budget and Management will take the necessary budgetary actions to fund the agreement.

A RESOLUTION SUBMITTED BY:  
DEPARTMENTS OF PERSONNEL AND LABOR RELATIONS

RE: New York State Nurses Association, 2024-2026 Collective Bargaining Agreement

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, New York State Nurses Association ("NYSNA) represents the Nurses who work in the Erie County Department of Health and in the Sheriff's Administration; and

WHEREAS, the existing collective bargaining agreement between Employer and NYSNA is set to expire on December 31, 2023; and

WHEREAS, Employer and NYSNA negotiated a collective bargaining agreement, covering the period between January 1, 2024 and December 31, 2026; and

WHEREAS, NYSNA membership recently ratified the agreement; and

WHEREAS, the financial impacts of the NYSNA collective bargaining agreement and previously approved Teamsters Local 264 Captains and Lieutenants Unit collective bargaining agreement (COMM. 21E-6 (2023)) and 25-Year Pension Plan (COMM. 20E-20 (2023)) were not able to be included in the Adopted 2024 Erie County Budget due to timing; and

WHEREAS, it has been determined that supplemental funding from unanticipated interest earnings in 2023 be utilized to cover the \$4,000,000 combined estimated cost of these changes in 2024.

NOW, THEREFORE, BE IT

RESOLVED, the agreement between Employer and the Unit for the period January 1, 2024-December 31, 2026, is hereby approved; and be it further

RESOLVED, all terms and conditions of the successor agreement shall be implemented in full; and be it further

RESOLVED, that authorization is hereby given for the recognition of \$4,000,000 in previously unbudgeted interest earnings revenue in Fund 110, Funds Center 17000, Account #445030 – Interest & Earnings General Investments Revenue and the appropriation of a like amount of funding into the Countywide Budget (Fund 110, Funds Center 14010) Accounts #504998 – Net Impact Teamsters and #504999 Net Impact NYSNA as follows:

2023 Budget  
Fund 110, Funds Center 17000  
Countywide Budget Accounts - Comptroller

## REVENUES

445030 Interest & Earnings General Investments	<u>\$4,000,000</u>
TOTAL	<u>\$4,000,000</u>

2023 Budget  
Fund 110, Funds Center 14010  
Countywide Budget Accounts

## APPROPRIATIONS

504998 Net Impact Teamsters	<u>\$2,300,000</u>
504999 Net Impact NYSNA	<u>\$1,700,000</u>
TOTAL	<u>\$4,000,000</u>

and be it further

RESOLVED, that authorization is hereby given to re-appropriate \$4,000,000 in 2023 funding into 2024; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additionally required budgetary adjustments to properly fund the increased costs associated with the agreements and the Commissioner of Personnel is authorized to make any necessary personnel adjustments to implement the terms of the agreements for County employees; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, Erie County Comptroller, Division of Budget and Management, Department of Labor Relations, Department of Personnel, Erie County Sheriff's Office, and the Erie County Fiscal Stability Authority.



MEMORANDUM OF AGREEMENT  
BETWEEN  
THE COUNTY OF ERIE / THE SHERIFF OF ERIE COUNTY  
AND  
NEW YORK STATE NURSES ASSOCIATION

This Memorandum of Agreement consisting of pages 1 through 15 states (**The County of Erie/ The Sheriff of Erie County**) and the New York State Nurses Association agreement identifying the provisions of the collective bargaining agreement which the parties intend to execute. It is understood between the parties that the New York State Nurses Association will not be bound by the MOA and will not execute a collective bargaining agreement unless it is ratified by the Local Bargaining Unit.

It is further agreed and understood by the parties that any and all terms and conditions of employment of the (January 1, 2018- December 31, 2023) agreement and any and all subsequent memorandum of agreement, letters of understanding, or otherwise, not specifically addressed by this Memorandum of Agreement shall remain unchanged.

Upon ratification, the parties agree to execute a formal document integrating the terms of the MOA and the expired agreement.

The NYSNA bargaining committee endorses the agreement and will recommend a yes vote at ratification.

**The County of Erie/  
The Sheriff of Erie County**

Signature: [Signature]  
Date: 11/28/23  
Signature: [Signature]  
Date: 11/28/23

**New York State Nurses Association**

Signature: [Signature]  
Date: 11/28/23

Negotiating Team Members:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Brenda M Carson  
[Signature]  
[Signature]

*Contingent upon full acceptance of package the Association withdraws the following proposals:*


- Shift Differential
- Uniform Allowance
- Parking Reimbursement
- Health Insurance
- Mandation Due to State of Emergency (replace with Teamster Storm Pay language)
- Vacation
- Paid Family Leave

Contingent upon full acceptance of package the County/ Sheriff withdraws the following proposals:

- Employer Proposal No. 1
- Employer Proposal No. 3

Contingent upon full acceptance of package the Association accepts the following County/ Sheriff proposals:

- Employer 11/28 Proposal No. 4 adding following language:
  - "Consistent with current practice, when reassignment is necessary, the department may select which division from which to draw a replacement and then use seniority within the division to reassign an employee."

WAB TA  
11/28  
9 20  


10.04 On Call


A. ~~Youth Detention~~ When an employee is off duty and is contacted via phone they will be paid for fifteen minutes (15) at one and a half times their hourly rate or for the total duration of the call whichever is more.

B. Erie County Sheriff's Office and the Erie County Health Department- When a Nurse Practitioner or Registered Nurse is scheduled on-call they will be paid for three (3) hours at their straight time rate.

Hours On-Call	Amount of Pay (straight time)
less than 14 Hours	3 Hours pay*
14 Hours up to 24 Hours	6 Hours pay*

\* If an Employee spends more than 3 hours of a call shift of less than 14 hours or 6 hours of a call shift of 14 hours or more on the phone or computer they will be paid for all hours worked/documented at the applicable overtime rate.

The Department of Health may make a request to discuss changes to the terms of on-call programs that are grant funded, if those grants are terminated.


11/26/23  
920  


*[delete Uniform allowance in favor of .25 increase on Employer's last wage proposal (\$9.50) as proposed by County on 11/3/23]*

~~10.05 Uniform Allowance~~

~~Effective December 1, 2018, any employee who is required to wear a uniform in the performance of their duties will receive a two hundred and fifty dollar (\$250) yearly uniform allowance. This allowance will be paid during the first full pay period in December in a separate check.~~

TA  
WFO 11/28/23

920  


[Modify para 5 of "D" Section 6]

Hours of Work

An employee who has scheduled his/her vacation shall receive off the weekend before the beginning of his/her vacation, the weekend after and any weekend that falls during the scheduled vacation.

In the Sheriff's Department only, the Employer may schedule an employee to work either the weekend before or the weekend after the employee's vacation (not both) if the Sheriff's Department has made every effort to grant the employee weekend before and after the vacation off, including offering overtime/ extra time, and/ or scheduling per diems, and/ or any other contractual means. If the Department chooses to schedule nurses every other weekend, the employee shall be guaranteed their normally scheduled weekend off.

TA  
WAC 11/28/23  
9 20  
B

MONETARY BENEFITS: COMPENSATION FOR TIME WORKED

8.01 Overtime Compensation

A. All employees who actually work over forty (40) hours per week or eight (8) hours per day one and one-half (1½)-times such employee's straight time hourly rate plus shift differential, for all such hours worked in excess of forty (40) hours per week or eight (8) hours per day.


B. Each employee covered under this contract may request, in writing, compensatory time off in lieu of cash payment for overtime worked in accordance with the limitations provided in this Section. Each employee who requests compensatory time in writing shall be granted the right to accumulate such time up to a maximum of ~~forty (40)~~ **two hundred (200)** hours. ~~Employees working in Erie County Sheriff's Office and Erie County Youth Services (Secure Detention) shall accrue a maximum of one hundred (100) compensatory time hours.~~ The written request for all employees in Erie County Sheriff's Office must be made by the employee for each shift worked. The written request for employees who do not work in Erie County Sheriff's Office, must be filed with the Department Head by the third (3rd) Monday in January of the year-if the employee elects to take compensatory time in lieu of cash payment for overtime. For all employees not working in Erie County Sheriff's Office, the election to take compensatory time shall remain in effect until the employee revokes it. Revocation may only occur during the month of December in each year. Any employee who does not elect to accrue compensatory time shall be paid for overtime hours worked as provided in Section 8.01 (A). New employees shall be paid cash for overtime until the third (3rd) Monday of January of the year following their date of hire, at which time they shall be eligible to select compensatory time as described above.

Each employee who desires compensatory time off shall accumulate the aforementioned time at the rate of time and one-half (1½) for each hour or part thereof worked.

As an employee uses the compensatory time earned under this Section, he or she shall accumulate additional compensatory time off for use in each instance the employee works overtime until the maximum amount allowed under this Section 8.01(D) is again reached. Once the employee reaches the maximum amount of accrued compensatory time, he or she shall be paid in cash for each hour or part thereof worked above the maximum amount of allowable accrued compensatory time.

A compensatory time accrual rate of one and one-half (1½) hours of compensatory time for each hour of overtime work shall apply only to time worked in excess of forty (40) hours per week or eight (8) hours per day per 8.01 Overtime Compensation (A and B).

C. An employee who is required to work on a day celebrated as a holiday as provided in this Agreement, will be paid his/her regular straight time pay for the regular scheduled holiday shift plus one and one-half (1½) times his/her straight time hourly rate for every hour actually worked on such holiday.

  
11/28/23  
g 20

*[Add one step to top of scale. Remainder of wage proposal forthcoming]*

8.02 Wage Schedule  
Wage scale attached as Appendix C.

~~2018: \$1,500 to the Base~~

~~2019: 3%~~

~~2020: 2%~~

~~2021: 2%~~

~~2022: 2%~~

~~2023: 2%~~


Effective the date of the beginning of the same pay period that a tentative agreement is reached:  
\$9.50 increase on base rate per hour across the board for all bargaining unit members.

1/1/2024: 4% increase for all bargaining unit members across the board

1/1/2025: 3% increase for all bargaining unit members across the board

1/1/2026: 3% increase for all bargaining unit members across the board

[Add step "E" to be calculated at 2% higher than step D and will be reached after two years at step D.  
All years of previous service will be credited in calculating placement on the scale at the time of  
ratification of this Agreement.]

  
TA  
11/28/23  
920

10.03 Preceptor Differential

An employee who is assigned by management to be a preceptor shall receive an additional ~~one~~ three dollars ~~and twenty-five cents (\$1.25)~~ (\$3.00) per hour for all time spent performing such duties.

TA  
WFO 11/28/23  
gdp



11.02 Holidays

Effective ~~January 1, 2009~~ upon ratification the following holidays shall be observed by all employees in the bargaining unit as paid holidays:

New Year's Day	Independence Day
Martin Luther King, Jr. Day	Labor Day
Patriot's Day	Veterans' Day
Good Friday	Thanksgiving Day
Memorial Day	Christmas Day
<u>Juneteenth</u>	
<u>Election Day</u>	

TA  
11/28/23  
JP  
JRP

11.03 Personal Leave

Full-time employees including temporary and provisional personnel will become eligible for and receive ~~four (4) days (32~~ 36 hours) personal leave after one (1) year of continuous service and also become eligible for and receive the same allowance for each succeeding year of employment providing they are on a compensable salary and wage basis for at least six (6) months of continuous service in the preceding anniversary year and otherwise meet all eligibility requirements.

TA  
WFC 11/28/23  
g 2P

11.09 Tuition Reimbursement

The following shall be made available for tuition reimbursement each year:

County of Erie and Erie County Sherriff's Office for a total of \$14,000

Procedures for reimbursement have been established by the parties and are incorporated herein by reference.

Tuition Reimbursement funds may be utilized by Nurse Practitioners for reimbursement associated with continuing education.

TA  
11/28/23  
g ZP

7.06 Temporary Assignment

[Increase acting Head Nurse pay to \$5.00 per hour]

TA  
WAG 11/25/23  
g ZP

New Section [Storm Pay]

[The parties agree to the equivalent of the Teamster Storm Pay Appendix A language. Replace all reference to Sheriff's Department with "The County" or "Health Department."]

1A  
11/28/23  
[Signature]

12.03 Child Care Leave [Modify section 12.03 E only, as follows]

E. Child Care Leave

A leave of absence without pay for the purposes of child rearing, necessitated by children residing with the employee, shall be granted for a period of up to six (6) months, within twelve months of the birth of the child. ~~Once granted, such leave may not be extended and will be granted only twice during an individual's term of employment, regardless of the time used during such leave of absence. The cumulative total time off for one (1) or both leaves shall not exceed six (6) months.~~ Such leaves must be presented in writing to the Department Head at least thirty (30) calendar days in advance of the commencement of the child-rearing leave.

TA  
11/28/23  
[Signature]

21. TERMINATION AND MODIFICATION

Unless otherwise specified, the provisions of this Agreement shall be effective as of the date of its execution and shall remain in full force and effect through the 31st day of December, ~~2026~~ 2023. It shall be automatically renewed from year to year thereafter unless either party shall notify the other in writing ninety (90) days prior to this Agreement's termination date that it desires to modify, alter or amend this Agreement.

JA  
WA 11/25/23  
[Signature]  
Y 20

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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COMM. 1E-3	COUNTY EXECUTIVE	ECSD No. 1 - Order on Consent, Overflow Retention Facility
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24COMM. 1E-3	Attachments
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FILED DEC 29 '23 PM 12:17

**COUNTY OF ERIE**  
**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

December 29, 2023

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

**RE: Erie County Sewer District No. 1  
Order on Consent  
Overflow Retention Facility**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to an order on consent with the New York State Department of Environmental Conservation for the Erie County Sewer District No. 1 overflow retention facility.

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 dark ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:jf  
Enclosure

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

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Sewer District No. 1  
Order on Consent  
Overflow Retention Facility  
**Date:** December 29, 2023

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### **SUMMARY**

Authorization to enter into an order on consent (Order) with the New York State Department of Environmental Conservation (NYSDEC) for the Erie County Sewer District (ECSD) No. 1 overflow retention facility is requested.

### **FISCAL IMPLICATIONS**

There will be no impact to the County's General Fund. The cost of any follow-up activities related to the Order would be paid from ECSD No. 1 operational budget or capital accounts.

### **REASONS FOR RECOMMENDATION**

Based on the NYSDEC's directive that the State Pollutant Discharge Elimination System (SPDES) permit for the ECSD No. 1 overflow retention facility be replaced, an Order was required to protect ECSD No. 1 when the facility discharges in the future. The Division of Sewerage Management (DSM) and its outside counsel have coordinated with the NYSDEC and believes the negotiated terms in the final draft Order are achievable, mitigate potential risks to the extent practical, and provides ECSD No. 1 an opportunity to assess the best solutions in the interest of local ratepayers. Therefore, it is recommended that ECSD No. 1 proceed with the terms of the final draft Order.

The ECSD No. 1 Board of Managers has been briefed on this matter throughout and approved a resolution at its December 8, 2023 meeting recommending proceeding with the Order.

### **BACKGROUND INFORMATION**

ECSD No. 1 serves portions of the Towns of Cheektowaga and West Seneca. The infrastructure of ECSD No. 1 includes approximately 180 miles of sanitary sewers, a network of pumping stations, an overflow retention facility, and interceptor sewers that ultimately convey wastewater to the Buffalo Sewer Authority for treatment.

The ECSD No. 1 overflow retention facility is located at 715 Cayuga Creek Road. Relief sewers and pumping stations were constructed to eliminate long-standing sanitary sewer overflow (SSO) locations within ECSD No. 1 where, in most instances, portable pumps were previously deployed to convey raw sewage to storm sewer systems and/or local waterways. ECSD No. 1 constructed infrastructure to capture these flows and divert the wastewater to overflow retention

facility to prevent SSOs and/or backups. Once flow rates in the sanitary sewers decrease to applicable levels, the stored wastewater may be drained back into the system. If the storage capacity of the basin is exceeded during larger wet weather events, flows are discharged to Cayuga Creek after primary treatment and disinfection of the effluent. When the overflow retention facility is discharging, ECSD No. 1 adheres to limits set forth in NYSDEC issued State Pollutant Discharge Elimination System (SPDES) Permit No. NY0091731.

Construction and subsequent operation of the overflow retention facility delivered water quality improvements by allowing several SSOs to be eliminated. However, when the overflow retention facility discharges it does not achieve “secondary treatment” which is determined in part by the removal of 85% of the influent biochemical oxygen demand and total suspended solids on a monthly average basis. New York State Environmental Conservation Law §17-0509(2) states “the minimum degree of treatment required for the discharge of sanitary sewage into the surface waters of the State shall be effective secondary treatment”. Although the overflow retention facility provided environmental benefits, was in-part constructed using funding from the NYSDEC, and is a permitted facility, within the last few years staff at the NYSDEC indicated they were contemplating replacing the SPDES permit with an Order.

Earlier this year the NYSDEC issued a draft Order. This draft Order was similar in nature to the recently executed Order for ECSD No. 4’s overflow retention facility (see Legislative Comm. 18E-19 (2022)). The DSM coordinated with the County Attorney’s office and subsequently retained the services of outside counsel to assist in this matter. After various negotiation sessions and/or correspondences between the parties, in Fall 2023 the DSM, the DSM’s outside counsel, and the NYSDEC finalized terms on the draft Order. The following are the major components:

- \$11,200 civil penalty, with \$3,000 payable upon execution and \$8,200 suspended. The NYSDEC indicated penalties are included in almost all Orders of this type, but considering the circumstances the NYSDEC reduced the total liability.
- Stipulated penalties ranging from \$250 per day to \$1,000 per day, a reduction from previous amounts.
- Various changes in the Order text from the original to mitigate potential risks associated with compliance deadlines and other procedural items.
- Incorporation of ECSD No. 1 into the DSM’s existing collection system program documentation for other ECSDs to allow the DSM to maintain its existing protocols and consistency within its service areas.
- Submission of an overflow retention facility “operating plan” within 12-months, which will document ECSD No. 1’s existing procedures, guidelines, and criteria.
- Implementation of a sewer system evaluation survey and corrective action plan for all ECSD No. 1 owned sewersheds identified as having excessive infiltration / inflow (I/I). The terms for this item in the Order were amended to address the DSM’s practical concerns with the NYSDEC’s proposed requirements. ECSD No. 1 proactively completed an I/I study and submitted it to the NYSDEC – providing key information on the next steps for this work.
- Incorporation of a Phase 1 I/I Assessment Report and Cost Effectiveness Analysis. These efforts will allow for ECSD No. 1 to evaluate various options beyond I/I reduction to abate overflow retention facility discharges.
- Annual reporting and various certification requirements.

## **CONSEQUENCES OF NEGATIVE ACTION**

If the NYSDEC were to terminate the SPDES permit for the ECSD No. 1 overflow retention facility without an Order in place, the County / ECSD No. 1 would be open to significant risk, including fines up to \$37,500 per day for each instance the facility discharges.

## **STEPS FOLLOWING APPROVAL**

An Order will be executed with the NYSDEC. The DSM will administer the technical components of the Order on behalf of ECSD No. 1.

RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Erie County Sewer District No. 1  
Order on Consent  
Overflow Retention Facility

WHEREAS, Erie County Sewer District (ECSD) No. 1 maintains an overflow retention facility at 715 Cayuga Creek Road in the Town of Cheektowaga; and

WHEREAS, the overflow retention facility is presently operated pursuant to State Pollutant Discharge Elimination System (SPDES) Permit No. NY0091731; and

WHEREAS, while the overflow retention facility has provided environmental benefits through the elimination of sanitary sewer overflows, the facility was not designed to provide “effective secondary treatment” as noted in New York State Environmental Conservation Law §17-0509(2); and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) issued draft Order on Consent CO 9-20190630-97 with the intention of replacing SPDES Permit No. NY0091731; and

WHEREAS, after negotiations and subsequent revisions of the draft Order on Consent, it is the recommendation of the Division of Sewerage Management and its legal counsel that ECSD No. 1 proceed with Order on Consent CO 9-20190630-97.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature hereby authorizes the County Executive to execute Order on Consent CO 9-20190630-97 for the ECSD No. 1 overflow retention facility, 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 Clerk of the Legislature shall send one (1) certified copy each 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.

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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COMM. 1E-4	COUNTY EXECUTIVE	Authorization to Amend Contract with Cyclomedia Drainage Structure Inventory Data Extraction
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	Attachments
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24COMM. 1E-4

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PC LOG DEC 29 '23 PM 12:17

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

December 29, 2023

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Authorization to Amend Contract with Cyclomedia Drainage Structure Inventory Data Extraction**

Dear Honorable Members:

Please find enclosed a proposed resolution requesting authorization to enter a contract amendment with Cyclomedia Technology Inc. to work with the Department of Public Works (DPW)/Division of Highways. This contract exercises an option in Erie County's existing contract to extract data from the County's Cyclorama 360-degree image of the County's highways.

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

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/gmw  
Enclosure

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

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works/Division of Highways  
**Re:** Authorization to Amend Contract with Cyclomedia Drainage Structure Inventory Data Extraction  
**Date:** December 29, 2023

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### **SUMMARY**

Erie County presently has a contract with Cyclomedia Technology Inc. The approval to enter into this contract was issued via COMM 3E-29 (2019). The Department of Public Works (DPW)/Division of Highways is seeking authorization for the County Executive to enter a contract amendment with Cyclomedia Technology Inc. to exercise an option for the extraction of data from the County's GeoCyclorama 360-degree model of the County highways.

### **FISCAL IMPLICATIONS**

Funding for this additional contract with Cyclomedia Technology Inc. is available in A.20052 Asset Inventory – Data Extraction – Cyclomedia, Fund 420, Funds Center 122 in an amount not to exceed \$70,000.

### **REASONS FOR RECOMMENDATION**

Cyclomedia has driven all Erie County highways, roads in Erie County Parks, and those roads surrounding the buildings owned and operated by the County of Erie. While driving these roadways, high resolution photography and lidar are used to collect information/data about the roads and those facilities directly adjacent to the roadways. This visual, and a three-dimensional coordinate based searchable data base, will allow for the extraction of data for the exact locations and quantity of drainage structures along the County highways. Having an exact inventory of our highway drainage items has many benefits, from allowing DPW to better manage the asset to correctly establishing, and possibly limiting liability of the County.

### **BACKGROUND INFORMATION**

The County has 1,200 highway centerline miles of roads, roads throughout our parks, and hundreds of buildings located on roads. The age and lack of standardized data, high staff turn-over, time consuming asset research, and the resulting reactive management cost the Department of Public Works valuable time and money. An aging infrastructure requires constant management and maintenance. An accurate inventory of the County's drainage structures provides information essential to a fiscally responsible approach keeping our assets operating for the general public.

### **CONSEQUENCES OF NEGATIVE ACTION**

Asset management, constituent response and proactive planning are all handicapped by the lack of consistent and accurate data. Without the drainage structure inventory, DPW lacks a necessary tool to be proactive in managing our assets and keeping them in good repair for the general public.



## **STEPS FOLLOWING APPROVAL**

The County Executive will execute a contract amendment with Cyclomedia Technology Inc. The data will be extracted from the spring of 2023 drive, processed, and made accessible to the county within a few months.

### **COMPTROLLER'S OFFICE REVIEW**

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

Handwritten signature of Timothy C. Callan and the date 12/12/23.

Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

A.20052 – 2020 Asset Inventory

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Authorization to Amend Contract with Cyclomedia Drainage Structure Inventory Data Extraction

WHEREAS, the Department of Public Works (DPW), has highway assets to manage and needs an accurate inventory to aid in this process; and

WHEREAS, the Department of Public Works, has an existing contract with Cyclomedia Technology Inc. approved by the legislature via COMM 3E-29 (2019), DPW wishes to exercise an additional option to extract drainage structure data from the existing GeoCyclorama 360-degree data, thus creating an accurate inventory of the County's drainage structures; and

WHEREAS, for the Department of Public Works, to manage an aging infrastructure and respond to County facilities deficiencies with electronic processes, Legislative approval is required to enter a contract amendment with Cyclomedia Technology Inc. in an amount not to exceed \$70,000 to create the drainage structure inventory.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a contract amendment with Cyclomedia Technology Inc. in an amount not to exceed \$70,000 for drainage structure inventory data extraction; and be it further

RESOLVED, that authorization is hereby given to the Comptroller's Office to make payments for the above from A.20052 – 2020 Asset Inventory, Data Extraction - Cyclomedia, Fund 420, Funds Center 122; and be it further

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive Office, Comptroller's Office, Division of Budget and Management and the Division of Purchase.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST  
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS


REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- |                       |   |
|-----------------------|---|
| 1. CONTRACTOR'S NAME  | <u>Cyclomedia Technology Inc.</u>   |
| 2. AMOUNT OF CONTRACT | <u>Not to exceed \$70,000</u>   |
| 3. PROJECT NUMBER     | <u>A.20052</u>  |
| 4. PROJECT TITLE      | <u>2020 Asset Inventory, Data Extraction -<br/>Cyclomedia</u>                           |
| 5. DEPARTMENT CONTACT | <u>Funding questions: William E. Geary, 7555<br/>Letter pickup: Christy Weber, 8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |                                    |   |
|------------------------------------|---|
| 6. AVAILABILITY OF FUNDS           | <u>\$ 100,000.00</u>  |
| 7. PERFORMED BY                    | <u></u> |
| Date Sent to Comptroller's Office: | <u>12/11/2023</u>   |

[55 compt\_10]

Erie County Legislature  
Meeting Date: 01/04/2024

SUBJECT

COMM. 1E-5

COUNTY EXECUTIVE

EC Food Waste Reduction Project - No Cost  
Time Extension

Attachments

24COMM. 1E-5



EC LEG DEC 29 '23 PM12:17

**COUNTY OF ERIE**  
**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

December 29, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Erie County Food Waste Reduction Project No Cost Time Extension**

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning seeking legislative authorization to execute a no-cost time extension with the New York State Department of Environmental Conservation regarding the Erie County Food Waste Reduction Project.

Should your Honorable Body require any further information, please contact Deputy Commissioner Bonnie Lawrence. Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nb  
Enclosure

cc: Daniel R. Castle, Commissioner of Environment and Planning  
Bonnie Lawrence, Deputy Commissioner of Environment and Planning

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Food Waste Reduction Project No Cost Time Extension  
**Date:** December 29, 2023

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### **SUMMARY**

It is recommended that the Erie County Legislature authorize the County Executive or Deputy County Executive to execute a no-cost time extension with the New York State Department of Environmental Conservation for the Erie County Food Waste Reduction Project 162ECFWRP1923.

### **FISCAL IMPLICATIONS**

There will be no fiscal impact on the County.

### **REASONS FOR RECOMMENDATION**

The Erie County Department Environment and Planning (DEP), through the New York State Department of Environmental Conservation's New York Municipal Food Scraps Reduction, Food Donation, and Food Scraps Recycling Program, accepted a grant for \$200,000 to run the Erie County Food Waste Reduction Project. The Erie County Legislature approved a resolution (COMM. 8E-19 (2021)) to enter into the original contract. The grantor is now requesting that the contract is extended to September 30, 2024, to better assure that all work can be successfully completed and that no future contract extensions would be needed.

### **CONSEQUENCES OF NEGATIVE ACTION**

DEP will be unable to execute a no-cost time extension with the New York State Department of Environmental Conservation and fully realize the benefits of the grant.

### **STEPS FOLLOWING APPROVAL**

DEP will work with the New York State Department of Environmental Conservation to extend the grant contract.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Food Waste Reduction Project No-Cost Time Extension

WHEREAS, the Erie County Department of Environment and Planning works to reduce waste in both its own operations and in the community; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) granted Erie County \$200,000.00 for the Erie County Food Waste Reduction Project (162ECFWRP1923) to support food waste reduction in health care facilities; and

WHEREAS, Erie County entered into an agreement with the NYSDEC for this project as authorized by COMM. 8E-19 (2021); and

WHEREAS, NYSDEC is requesting that the grant project be extended to September 30, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a no cost extension with the NYSDEC to extend the Erie County Food Waste Reduction Program grant (162ECFWRP1923) through September 30, 2024; and be it further

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



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SUBJECT

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COMM. 1E-6	COUNTY EXECUTIVE	Trailblazing Women Monument Project - No Cost Contract Extension for Site Design & Construction
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	Attachments
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24COMM. 1E-6

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EC 126 DEC 29 '23 PM 12:17

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

December 29, 2023

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Trailblazing Women Monument Project – No-cost Contract Extensions for Site Design and Construction**

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning seeking legislative authorization for the no-cost extensions of the Site Design and Construction contracts for the placement of three Trailblazing Women's Monuments in front of Old County Hall.

Should your Honorable Body require further information, please contact Deputy Commissioner Bonnie Lawrence. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nb  
Enclosure

cc: Karen King, Commissioner of Public Advocacy  
Daniel Castle, Commissioner of Environment and Planning  
Bonnie Lawrence, Deputy Commissioner of Environment and Planning

# MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Trailblazing Women Monument (TBWM) Project – No-cost Contract Extension for Site Design and Construction  
**Date:** December 29, 2023

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## **SUMMARY**

It is recommended that the Erie County Legislature authorize the County Executive or Deputy County Executive to extend the contracts for site design with Trautman Associates (Trautman) and site construction with Scott Lawn Yard, LLC (SLY), to June 22, 2024, to complete fixture installation at the Trailblazing Women Monument (TBWM) site in front of Old County Hall. These site design and construction contracts were approved under resolutions COMM. 24E-11 (2021) and COMM.2E-30 (2022) respectively.

## **FISCAL IMPLICATIONS**

This is a no-cost 6-month time extension request. \$300,000 has been budgeted for site design and construction costs in an existing fund established in the Department of Environment and Planning's capital projects account A.21159 in BA 162.

## **REASONS FOR RECOMMENDATION**

A six-month, no-cost extension is necessary for the site designer, Trautman, and the site contractor, SLY, to complete fixture installation and inspection tasks associated with the preparation of the TBWM site. Lighting fixtures, benches, and interpretive sign production and delivery were delayed, with items expected to be received in January 2024. The 6-month extension is requested because some installation procedures require warmer weather conditions.

## **BACKGROUND INFORMATION**

The Trailblazing Women Monument (TBWM) Steering Committee, consisting of residents, local agencies, and non-profit groups, was established to develop monuments dedicated to notable trailblazing women from Erie County's historical past. The TBWM Committee decided that the first three monuments for this project would honor Mary Burnett Talbert, Geraldine "Gawö:Sid-Tah" Green, and Louise Blanchard Bethune. Following meetings about funding, site location, and design theme, the Committee determined that modification of the existing walkways and greenspace in front of Old County Hall was the desired location for the project. Two of the monuments have already been installed.

## **CONSEQUENCES OF NEGATIVE ACTION**

The remaining tasks for the TBWM, including installation of benches, interpretive signs, and lighting fixtures, would not be able to take place at the selected site, and the County will need to determine where and how to store and install the already ordered Monument fixtures.

## **STEPS FOLLOWING APPROVAL**

Upon approval of this resolution, the County Executive or the Deputy County Executive will execute contract extensions with Trautman and SLY to complete the TBWM site preparation

RESOLUTION SUBMITTED BY  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Trailblazing Women Monument Project – No-cost Contract Extension for Site Design and Construction

WHEREAS, Erie County wishes to honor and memorialize the contributions of trailblazing women for the Western New York Community; and

WHEREAS, a Trailblazing Women Monument Steering Committee led by the Executive Director of the Erie County Commission on the Status of Women was established to honor pioneering women from Western New York; and

WHEREAS, the greenspace and walkways in front of Old County Hall were determined to be the appropriate location for the monuments; and

WHEREAS, the work of the site designer, Trautman Associates, authorized under resolution COMM. 24E-11 (2021), and construction contractor, Scott Lawn Yard, LLC (SLY), authorized under COMM. 2E-30(2023), are nearly complete; and

WHEREAS, lighting fixtures, benches and interpretive sign production and delivery were delayed with items expected to be received in January 2024; and

WHEREAS, some installation procedures require warmer weather conditions for the installation materials.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute 6-month, no-cost contract extensions with Trautman Associates and Scott Lawn Yard, LLC (until June 22, 2024); 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 Law; the Office of the Comptroller; the Department of Public Advocacy; and the Department of Environment and Planning.

Erie County Legislature  
Meeting Date: 01/04/2024

SUBJECT

COMM. 1M-1

NYS DEC

Brownfield Cleanup Program - Public Notice  
Fact Sheet

Attachments

24COMM. 1M-1

Notice and language translation chart to be mailed to those on contact list included in the BCP Application:

### **Public Notice Fact Sheet**

EC LEG DEC 20 '23 AM 10:44

The New York State Department of Environmental Conservation (DEC) has received a Brownfield Cleanup Program (BCP) application and Draft Remedial Investigation Work Plan from Jefferson Gateway LLC and T.O.P. Enterprises, Inc. for a site known as Jefferson and Best Site, site ID #C915400. This site is in the City of Buffalo within the County of Erie, and is located at 1003-1045 Jefferson Avenue, 403-411 Best Street and, 94-120 Earl Place.

Access the application, work plan and other relevant documents online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/C915400/>. The documents also are available at the document repository located at Buffalo & Erie County Public Library, 1 Lafayette Square, Buffalo, NY 14203.

There are several ways to comment on BCP applications and work plans. Comments can be submitted to the site Project Manager Michael Keller at NYSDEC, 700 Delaware Avenue, Buffalo, NY 14209; via email at [michael.keller@dec.ny.gov](mailto:michael.keller@dec.ny.gov) or by calling 716-851-7218. All comments must be submitted by **January 19, 2024**.

Site information can be viewed by entering the site ID noted above at:  
<http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3>

We would also encourage those interested in receiving information on future activities at this site or any other site to sign up to DEC's Contaminated Sites Email List at:  
<http://www.dec.ny.gov/chemical/61092.html>

### **What is the Brownfield Cleanup Program?**

New York's Brownfield Cleanup Program (BCP) is designed to encourage private-sector cleanups of brownfields and to promote their redevelopment as a means to revitalize economically blighted communities. The BCP is an alternative to "greenfield" (land not previously developed or contaminated) development and is intended to remove some of the barriers to, and provide tax incentives for, the redevelopment of brownfields. Since its inception (2003), the BCP has catalyzed the cleanup of more than 500 contaminated sites statewide and incentivized redevelopment. There are more than 550 active sites in the BCP.

Additional information on the State's Brownfield program is available at DEC's website:  
<http://www.dec.ny.gov/chemical/8450.html>



## Translation Available. Don't see your language? Ask!

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<b>简体字 Simplified Chinese</b>	如需將此文件翻譯成您能理解的語言版本，請聯絡下方人員。本次翻譯不收取費用。
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<b>אידיש Yiddish</b>	צו האבן די דאקומענט איבערגעטייטשט אין א שפראך וואס איר קענט פארשטיין, פארבינדט זיך מיט די פערזאן אונטן. די איבערטייטשונג איז פריי פון אפצאל.
<b>বাঙালি Bengali</b>	এই নথিটি আপনি বুঝতে পারেন এমন একটি ভাষায় অনুবাদ করতে, নিম্নলিখিত ব্যক্তির সাথে যোগাযোগ করুন। অনুবাদের জন্য কোন চার্জ দিতে হবে না।
<b>한국어 Korean</b>	이 언어를 본인이 이해할 수 있는 언어로 받아보려면 아래 담당자에게 문의하십시오. 번역료는 없습니다.
<b>Kreyòl Ayisyen Haitian Creole</b>	Pou yo ka tradwi dokiman sa nan yon lang ou ka konprann, kontakte moun ki anba a. Ou p'ap peye anyen pou tradiksyon an.
<b>Italiano Italian</b>	Per ottenere la traduzione di questo documento in un'altra lingua, contatti la persona indicata qui di seguito. La traduzione è gratuita.
<b>العربية Arabic</b>	لترجمة هذا المستند إلى لغة يمكنك فهمها، تواصل مع الشخص أدناه. لا يتم تطبيق رسوم مقابل الترجمة.
<b>Język Polski Polish</b>	Aby uzyskać tłumaczenie tego dokumentu na język, który jest dla Ciebie zrozumiały, skontaktuj się z poniższą osobą. Za tłumaczenie nie jest pobierana żadna opłata.

Contact: Michael Keller, 716-851-7218, Michael.keller@dec.ny.gov

SUBJECT		
COMM. 1M-2	NFTA	NFTA Adoption of Operating & Capital Budget
Attachments		
24COMM. 1M-2		



**Regular Meeting  
December 14, 2023**

**CORPORATE:**

**2. C. (i) Niagara Frontier Transportation Authority, Acceptance of Corporate Resolution 2. C. (1)**

The Executive Director advised that Item 2. C. (1) has been discussed with the Board of Commissioners of the NFTA, and the Board is unanimously in favor of the subject Resolution. Whereupon, it was moved by Commissioner Blue, seconded by Commissioner Wilcox, that the following Resolution be adopted:

**“RESOLVED**, that the Resolution of the Niagara Frontier Transportation Authority, identified as number 2. C. (1) dated December 14, 2023, as set forth herein, be and hereby is accepted and approved in its entirety.”

**AYES: HUGHES, ANSARI, BLUE, BAYNES, HICKS, TUCKER, VIRTUOSO, WILCOX**

**ABSTAIN: NONE**

**NOES: NONE**

**ADOPTED**

CORPORATE 2. C. (i)

**CORPORATE:**

**2. C. (1) Adoption of Operating and Capital Budgets, Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., Fiscal Year 2024/2025**

**RECOMMENDATION:** Staff recommends the Board adopt the Operating and Capital Budgets for the Niagara Frontier Transportation Authority (NFTA) and Niagara Frontier Transit Metro System, Inc. (Metro) for the fiscal year ending (FYE) March 31, 2025. The consolidated budget for FYE March 31, 2025, is \$367.3 million.

**INFORMATION:** The NFTA is a public benefit corporation of the State of New York created under Chapter 717 of the laws of 1967. The NFTA is a multimodal entity encompassing a skilled and dedicated workforce. We are firmly committed to providing safe, efficient, professional and sustainable transportation services that enhance the quality of life in the Buffalo Niagara region in a manner consistent with the needs of our customers. To that end, the NFTA operates the Buffalo Niagara International Airport, Niagara Falls International Airport, various non-transportation property assets as managed by our Facilities & Property Group, Transportation Centers in the Cities of Buffalo and Niagara Falls, and through its subsidiary corporation, Metro, bus, paratransit, and light rail transit systems in the counties served by the NFTA.

The NFTA adopts an annual budget covering its operations for the fiscal year that begins April 1 and extends through March 31 of the following calendar year. The budget for FYE March 31, 2025, is balanced and was prepared based on a management approach integrating financial and strategic requirements necessary for the continued operation of the Authority, as a whole.

As a comparison to the current year budget, the FYE March 31, 2025, budget assumes a \$14.0 million, or 11.3%, increase in revenues from NFTA and Metro operations and a \$3.3 million, or 1.4%, increase in operating assistance.

The budget assumes a \$16.6 million, or 6.4% increase in operating expenses for FYE March 31, 2025, as operations return back to pre-pandemic levels, while providing for the continued efficient delivery of transportation services to the public and communities served by the NFTA and Metro without increasing transit fares to our customers.

Finally, the FYE March 31, 2025, budget includes \$8.3 million for net debt service and operating reserves related to the Buffalo Niagara International Airport Improvement Program (AIP) project and \$81.4 million in the NFTA equity share of our budgeted capital spending total of \$357.3 million.

The Metro Division (Surface Transportation) includes passenger fare revenue reflecting estimated ridership to continue to rebound from the impact of the COVID-19 pandemic. The Surface Transportation capital budget includes funds for the DL&W ; new buses; rail track bed crossover installation (Mohawk/Eagle); design of Bailey Corridor Bus Rapid Transit (BRT), and the Amherst Light Rail Transit Expansion.

In the Aviation Division, the Buffalo Niagara International Airport (BNIA) budget reflects continued recovery in enplanements from the impact of the COVID-19 pandemic. Higher airport fees and services reflect increasing cost compensatory billings to the airlines as a result of higher direct expenses based on increasing business activity due to enplanement projections. Concessions/Commissions are increasing 10.2% as FYE March 31, 2025, includes higher parking lot/ramp, auto rental, rideshare, and other concession revenues based on estimated enplanement projections. Major capital projects at BNIA include runway 5/23 improvements, Luiz F. Kahl Way repavement, terminal HVAC replacement, the baggage system lower-level controls project, and passenger boarding bridge replacement.

The Niagara Falls International Airport's (NFIA) budget includes lower revenues due to a projected decrease in rental income. The capital budget includes funds for multi-task equipment, snowblower replacement, the taxiway D realignment and extension project, and the replacement of two loaders.

The Facilities & Property Group budget reflects the anticipated increase in rental income based on recent lease/vacancy forecasts. The budget also includes capital funds for the replacement of the roofs at 485 Cayuga Road bays 1, 2, 3, 4, and 5, and MTC exterior facade, window, and roof replacement.

The following are the budget assumptions and highlights, comparing the FYE 2024 budget to the FYE 2025 budget:

- Metro base fare remains \$2.00. The last fare increase was in 2012
- New York State Operating Assistance increasing \$28,243k; including an additional \$12,000k of rail dedicated funds
- Total Federal Operating Assistance to decrease \$23,192k, or 21.8%, primarily due to a decrease of COVID-19 relief funds to be recognized in FYE 2025, as we expect to expend the remaining available funds
- Erie County Sales Tax is anticipated to increase \$955k, or 3.5%, based on recent trends
- Mortgage Tax is anticipated to decrease \$2,748k, or 21.0%, consistent with recent trends
- BNIA is assuming an increase in enplanements resulting from current trends and projections
- NFTA/Metro does not assume full staffing and reflects attrition based on historical vacancy data
- NFTA/Metro contractual/step increases reflective of labor agreements
- Metro fringe benefit rate - 79.0%; NFTA fringe benefit rate - 57.0%
- NFTA/Metro health insurance costs are increasing by 5.0%, consistent with our FYE 2024 forecast and recent trends
- NFTA/Metro workers' compensation costs are increasing by 10.0%
- NFTA/Metro maintenance and repairs are increasing \$6,218k, or 23.8%, as higher Metro revenue vehicle maintenance, facilities, and rail contract costs, as well as increasing BNIA baggage maintenance and automotive expenses all contribute to the variance
- Higher insurance and injuries expenses of \$1,975k, or 29.5%, as FYE 2025 anticipates an increase to insurance premiums

- NFTA/Metro general business/other is increasing \$1,936k, or 4.7%, due to higher Metro outside service costs including fare collection contracts/services, and Central Administration outside service costs and general office expenses

**"RESOLVED**, that the Operating and Capital Budgets of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., for the fiscal year ending March 31, 2025, be, and hereby are, adopted, as provided herein; and

**BE IT FURTHER RESOLVED**, that the Executive Director is hereby authorized during the course of the 2024-2025 fiscal year to establish, for non-represented employees, the appropriate salary levels consistent with the merit-based system for all new hires and to adjust, on the basis of performance, the salary level of all employees; and

**BE IT FURTHER RESOLVED**, that the Executive Director is hereby authorized during the course of the 2024-2025 fiscal year to establish, for represented employees, the appropriate step, within the budgeted salary grade, for all new hires and to adjust, on the basis of performance and as provided by the applicable collective bargaining agreements, the grade and step of all current employees."

Erie County Legislature  
Meeting Date: 01/04/2024

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SUBJECT

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COMM. 1M-3	B. GUTOWSKI	Citizen Comment on Golf Rules Changes
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	Attachments
24COMM. 1M-3	
24COMM. 1M-3	

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**Owens, Olivia**

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**From:** oureaglesnest <oureaglesnest@roadrunner.com>  
**Sent:** Monday, January 1, 2024 11:09 AM  
**To:** Owens, Olivia  
**Subject:** Golf rules change

You don't often get email from oureaglesnest@roadrunner.com. [Learn why this is important](#)

[**Caution:** this email is **not** from an Erie County employee: attachments or links **may not be safe.**]

Please do not change walkers rules in our Erie County. I golf at Grover Cleveland past 10 yrs. We have walkers & riders in a group of approx. 40 girls. The younger ones do walk & if rules change to riders only, we will lose them. Please do not, in the mtg. Change rules. Barbara Gutowski

Sent from my Galaxy

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